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19 June, 2014

NOTICE OF COUNCIL AND COMMITTEE MEETINGS

NOTICE IS HEREBY GIVEN that in accordance with Sections 83 and 87 of the *Local Government Act 1999* that an **Ordinary Meeting of Council** of the City of Onkaparinga will be held on **Tuesday 24 June, 2014** at the Council Chamber at the Civic Centre, Ramsay Place, Noarlunga Centre at 7pm for the purpose of considering the items included on the attached agenda.

We recognise that the land on which we meet has considerable natural and cultural heritage, including thousands of years of traditional ownership by Kurna.

A handwritten signature in black ink, appearing to read "Mark Dowd".

Mark Dowd
Chief Executive Officer

Disclaimer: Please note that the contents of the Council Agendas have yet to be considered by Council and recommendations contained herein may be altered or changed by the Council in the process of formally making decisions of Council.



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City of Onkaparinga

Agenda for the Council meeting

to be held on 24 June 2014

Venue: Council Chamber, Civic Centre
Ramsay Place, Noarlunga Centre

Meeting commenced:

Present:

Apologies:

Leave of absence:

Absent:

Pledge:

We recognise this City's considerable natural and cultural heritage, including thousands of years of traditional ownership by Kaurna, and the more recent contribution from people either born here or who have migrated here. As we meet together, we build on this heritage by respecting and listening to each other, thinking clearly, being receptive to new ideas, speaking honestly, and deciding wisely for the current and future well-being of those we serve.

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1. Opening of meeting

2. Confirmation of minutes of the Council meeting held on Tuesday 3 June 2014.

3. Adjourned business

Nil.

4. Leave of absence

4.1 Leave of Absence – Cr Jamieson

Cr Jamieson has requested leave of absence from 13 June to 31 July 2014 inclusive.

5. Mayor's Communication

Nil

6. Presentation

6.1 Darlington Upgrade – (Leigh Dalwood, Project Director and Mark Hennessy, Project Manager, from Department of Planning, Transport and Infrastructure).

7. Deputation

Nil.

8. Presentation by Committee Chairpersons and reports to Council by Council Committees.

8.1 Chief Executive Officer Performance Management Committee minutes

This is a regular or standard report.

Director: Jacki Done, Manager Culture and People

Report Author: Sue Hammond, Governance Officer

Contact Number: 8384 0682

Attachments: 1. Chief Executive Officer Performance Management
Committee minutes of meeting held 3 June 2014 (3 pages)

A meeting of the Chief Executive Officer Performance Management Committee was held on 3 June 2014.

There are no items that require a resolution of Council.

The minutes of the Chief Executive Officer Performance Management Committee meeting (attachment 1) are for noting by Council.

Attachment 1

City of Onkaparinga
Minutes of the Chief Executive Officer Performance
Management Committee meeting
held on 3 June 2014

Venue: Mayor's office
Civic Centre, Ramsay Place, Noarlunga Centre

Meeting commenced: 3.40pm

Present: Mayor L Rosenberg
Cr G Kilby
Cr H Merritt
Cr D Parslow

Apologies: Nil

Leave of absence: Nil

Absent: Cr S Nash

In attendance: Mark Dowd, Chief Executive Officer

City of Onkaparinga
Minutes of the Chief Executive Officer Performance Management Committee meeting held on 3 June 2014

1. Opening of meeting

Mayor Rosenberg officially declared the meeting open at 3.40pm.

2. Confirmation of minutes of the Chief Executive Officer Performance Management Committee meeting held on Tuesday 21 May 2014.

Cr H Merritt *MOVED* that the Minutes of the proceedings of the Chief Executive Officer Performance Management Committee meeting held on 21 May 2014 be received and confirmed as an accurate record of those proceedings.

Seconded by Cr G Kilby.

CARRIED

3. Reports of officers

Nil.

4. Other business

Nil.

5. Confidential items

5.1 Variation to Contract

MOVED Cr D Parslow.

1. That:

- a. under the provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public be excluded from attendance at the meeting in order to consider this item in confidence.*
- b. the Chief Executive Officer Performance Management Committee is satisfied that it is necessary that the public be excluded to enable the Committee to receive and consider the information/report at the meeting on the following grounds:*

Section 90(3)(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), in this instance being the employment of the Chief Executive Officer.

The Chief Executive Officer Performance Management Committee is satisfied that it is reasonably foreseeable that the public disclosure or discussion of information concerning the employment performance of a person at the meeting would be inconsistent with accepted principles of professional human resource management.

- c. on this basis, the principle that this meeting of the Chief Executive Officer Performance Management Committee should be conducted in a place open to the public has been outweighed by the need to keep the information and/or discussion confidential.*

Seconded by Cr G Kilby.

CARRIED

City of Onkaparinga
Minutes of the Chief Executive Officer Performance Management Committee meeting held on 3 June 2014

MOVED Cr D Parslow.

7. *That the matter of the Variation to Contract having been considered in confidence under Sections 90(2) and 90(3)(a) of the Local Government Act 1999 an Order be made under the provisions of Section 91(7) and (9) of the Local Government Act 1999 that the Variation to Contract report and the minutes of the Chief Executive Officer Performance Management Committee relating to discussion of the subject matter be kept confidential until 30 April 2015.*

Seconded by Cr G Kilby.

CARRIED

6. Closure

Mayor Rosenberg officially declared the meeting closed at 5.25pm.

Certified CorrectChair

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9. Reports of officers

9.1 Draft Annual Business Plan 2014-15 community engagement outcomes and Budget 2014-15 balancing options

Report to be provided under separate cover.

9.2 Draft Rating Policy and Rate Rebate Policy 2014-15

This is an update on a previously reported subject, concept or issue.

Director: Steve Mathewson, Director Finance and Commercial

Report Author: Joan Murrell

Contact Number: 8384 0530

Attachments: 1. Draft Rating Policy 2014-15 (18 pages)
2. Draft Rate Rebate Policy 2014-15 (11 pages)

1. Purpose

This report has been prepared as part of the financial planning process and is the third report on the development of rating policies for 2014-15. The report presents the draft Rating and Rate Rebate Policies 2014-15 for Council approval and inclusion in the draft Annual Business Plan 2014-15.

2. Recommendations

- 1. That Council approve the draft Rating Policy 2014-15 as included at attachment 1 to this agenda report for inclusion in the draft Annual Business Plan 2014-15 proposed for formal adoption in July 2014.**
- 2. That Council approve the draft Rate Rebate Policy 2014-15 as included at attachment 2 to this agenda report for inclusion in the draft Annual Business Plan 2014-15 proposed for formal adoption in July 2014.**

3. Background

Our current rating policies and rate modelling were considered by Council at its meeting on 27 March 2014. At that meeting Council resolved in part:

That Council endorse the following for inclusion in the development of the draft Rating Policy 2014-15 for community engagement purposes:

- *fixed charge of \$350*
- *residential rate capping at 10% (excluding properties within retirement villages where the valuation methodology has been changed for 2014-15)*
- *residential rate capping at 15% for properties within retirement villages where the valuation methodology has been changed for 2014-15.*

The updated draft rating policies were considered by Council at its meeting on 29 April 2014. At that meeting Council resolved in part:

That Council:

1. *note the amendments to the draft Rating Policy 2014-15 and draft Rate Rebate Policy 2014-15 as highlighted in yellow in attachments 1 and 2 to this agenda report*
2. *approve the draft Rating Policy 2014-15 included at attachment 1 to this agenda report for inclusion in the draft Annual Business Plan 2014-15 for community engagement purposes*
3. *approve the draft Rate Rebate Policy 2014-15 included at attachment 2 to this agenda report for inclusion in the draft Annual Business Plan 2014-15 for community engagement purposes.*

No further changes have been made to the draft rating policies since this time.

The Rating Policy includes requirements relating to the Natural Resource Management (NRM) levies (5.4). Under the *Natural Resources Management Act 2004* council is required to collect the prescribed levies from ratepayers on behalf of the state government. This is achieved through a separate rate and shown separately on the rate notices.

4. Financial Implications

There are no financial implications from this report.

5. Risk and Opportunity Management

Risk	
Identify	Mitigation
Failure to complete the 2014-15 financial planning process in accordance with the approved 2014-15 financial planning timetable results in reputational and financial exposure for council.	<p>The financial planning timetable for 2014-15 meets the timing obligations specified in the <i>Local Government Act 1999</i> with regard to the Annual Business Plan, budget and rate notification processes.</p> <p>Should any component of the timeline not be met, completion of the financial planning process for 2014-15 will extend beyond the 2 July 2014 rate declaration date. As a consequence the first instalment due date for rates may need to be extended having an adverse effect of our forecast cash flows.</p>

Opportunity	
Identify	Maximising the opportunity
To increase the fixed charge by more than the general rate increase for 2014-15.	The subdued property market indicates that little valuation movement is anticipated for 2014-15 providing opportunity to apply a higher increase to the fixed charge than the general rate increase. This results in a lower rate in the dollar. This will assist in further achieving the key objective under item 5.1 of our Rating Policy and prevent inequitable shifts in rate responsibility due to property market forces.

6. Additional information

Within the constraints of the *Local Government Act 1999* (the Act) Council can develop rating policy that sets the distribution of amounts paid across different ratepayers.

Rating and rate rebate policies are reviewed annually as part of the financial planning process and development of the Annual Business Plan (ABP). Under section 123 of the Act, Council must include any impact of the proposed Rating Policy in the draft ABP and consider any submissions or feedback received as part of the community engagement process. The ABP can then be finalised and adopted for the coming year.

Our draft rating policies and rate modelling were considered and approved for inclusion in the draft ABP for community engagement purposes by Council at its meeting on 29 April 2014.

After giving consideration to the community engagement feedback on the draft ABP report as presented in Item 9.1 of this agenda we seek Council approval of the draft Rating Policy 2014-15 as included at attachment 1 to this agenda report and draft Rate Rebate Policy 2014-15 as included at attachment 2 to this agenda report for inclusion in the draft Annual Business Plan 2014-15 which is proposed for adoption on 2 July 2014. There have been no changes made to the draft rating policies included at attachments 1 **and 2 since Council's previous approval on 29 April 2014.**



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Draft Rating 2014–15 policy

This policy, Rating 2014–15, was adopted by Council on xx/xx/2014.

1. Preamble

Council has adopted this policy setting out the objectives that it aspires to achieve within its area. Where Council commits to achieving standards or requirements that are not imposed upon it by statute, its commitment is to endeavour to achieve those standards or requirements within available resources.

The contents and commitments in this policy are not intended to be (and should not be interpreted to be) any more than a statement of Council's general position and to facilitate its aspirations wherever it is reasonable to do so.

2. Purpose

The purpose of this policy is to outline Council's approach towards rating its communities and to meet the requirements of the *Local Government Act 1999* (the Act) with particular reference to Section 123. Section 123 requires Council to have a rating policy that must be prepared and adopted (as part of the Annual Business Plan) each financial year in conjunction with the declaration of rates.

3. Principles

Council's policy directions are guided by the three principles of sustainability, good public administration and community leadership, which are detailed in the City of Onkaparinga's *Council Lead Policy*.

Council must raise revenue sufficient for the purpose of governance, administration and to provide for appropriate goods and services for the community. The goods and services are especially those that would not be provided by private businesses eg infrastructure, street lighting, regulatory and compliance activities.

Council's practices and decisions regarding rating are underpinned by:

- accountability, transparency and simplicity
- efficiency, effectiveness and timeliness
- equitable distribution of the rate responsibility across the community
- consistency with Council's strategic, corporate and financial directions and budgetary requirements
- compliance with the requirements and intent of relevant legislation and accepted professional conventions and ethics.

Chapter 10 of the Act empowers local government to levy rates and charges on land and provides some principles for consideration when developing rating



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policies. The key principle in levying rates recognises that rates constitute a system of taxation on the community for local government purposes (generally based on the value of land).

In developing this policy Council has also given consideration to the following five principles previously identified by the local government industry (*Local Government Rating – A Consultation Paper, April 2001*) that apply to the imposition of taxes on communities:

- equity (taxpayers with the same income pay the same tax (horizontal equity), wealthier taxpayers pay more (vertical equity))
- benefit (taxpayers should receive some benefits from paying tax, but not necessarily to the extent of the tax paid)
- ability-to-pay (in levying taxes the ability of the taxpayer to pay the tax must be taken into account)
- efficiency (if a tax is designed to change consumers behaviour and the behaviour changes the tax is efficient (eg tobacco taxes), if the tax is designed to be neutral in its effect on taxpayers and it changes taxpayers behaviour a tax is inefficient)
- simplicity (the tax must be understandable, hard to avoid, easy to collect).

The principle of 'benefit' (above) supports the philosophy that rates should not be regarded as a user pays system and it should also be recognised that benefits are consumed differently over the life cycle of a ratepayer.

To some extent these principles are in conflict with each other in practice. Councils must therefore strike a balance between:

- the application of the principles
- the policy objectives of taxation
- the need to raise revenue
- the effects of the tax on the community.

4. Definitions

'Act' refers to the *Local Government Act 1999*.

'Capital value' refers to the valuation methodology used in determining the value of land, as defined in the *Valuation of Land Act 1971*.

'Council' (with a capitalised C) refers to the elected Council body.

'council' (with a non- capitalised c) refers to council as the organisation.

'CWMS' refers to the Community Wastewater Management System within the Council area formerly referred to as Septic Tank Effluent Disposal Schemes (STEDS).

'Different rate' refers to a rate that may be applied to a category of land that is different to the rate applied to other land categories (termed differential rates under the Act).



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'*Fixed charge*' refers to a charge that must apply equally to each separate piece of rateable land in the area under Section 152(1) of the Act.

'*General Rate*' refers to the rate in the dollar that applies to properties in the calculation of the general rate payable by way of Council Rates. Please note that the '*General Rate*' is also referred to as the Differential General Rate under the Act and also includes the Fixed charge component charged.

'*Postponed rates*' refers to any rates postponed under Section 182 or 182A of the Act.

'*Rating*' refers to the overall process of raising revenue by way of levying rates and charges.

'*Rebates*' refers to an amount that a rate or charge may be reduced in accordance with Chapter 10, Division 5 of the Act.

'*Remissions*' refers to any reduction in amount payable granted in accordance with Section 182 of the Act.

'*Residential rate cap rebate*' refers to the 10% rate cap applied to properties with a Residential land use, subject to specific criteria, which is applied under the discretionary rebate provisions of Section 166(1)(l) of the Act.

'*Service charge*' refers to a charge imposed for the provision of a prescribed service under Section 155(1) of the Act.

'*Separate rate*' refers to a rate that applies in addition to other rates and charges, which is used to fund specific activities in accordance with Section 154 of the Act.

5. Detail

Council is faced with balancing its service levels, the needs and expectations of the community and setting appropriate tax levels to adequately resource its roles and responsibilities. In setting its rates for the financial year Council needs to give primary consideration to strategic directions, budget considerations, the current economic environment and likely impacts on our communities.

Over previous years significant valuation movements in the residential property sector were resulting in a shift in rate responsibility to residential ratepayers. In recognition of this trend, Council undertook a major public consultation and rating review for 2004–05 that resulted in a revised rating structure incorporating strategies to address the items identified during the consultation process (ie break the direct link between valuations and rates, prevent inequitable shifts in rate responsibility, collect a base contribution from all rateable properties etc).

In developing Rating Policy each year the effectiveness of the rating strategies are reviewed. These reviews continue to indicate that the strategies have been effective in addressing the items identified and that the progressive shift of rate responsibility to the residential sector has been halted.

An independent review of our rating policy and strategies was undertaken over a two year period (in developing 2010–11 and 2011–12 policies). This review tested the veracity of the principles applied in the current policy to ensure our rating position is equitable and that the basis of the revenue contribution from each land use group is appropriate. This review concluded that overall our policy was sound,



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the rating objectives and strategies adequately address the overall direction and goals expressed in our Community Plan and at the same time meet the requirements of our communities. It further identified that each component of our rating strategy rated highly against the principles of taxation, that the policy position of applying the same rate in the dollar to all commercial and industrial properties be maintained along with the current approach for determining the primary production rate revenue contribution. The review also identified that the rate contribution methodology used by council is considered to be rating 'best practice'.

In developing the Rating Policy for 2014–15 Council has undertaken a community engagement process including information provision and community education as a key focus.

One theme consistently raised by our communities relates to the financial issues faced by pensioners. To assist pensioners and self-funded retirees meet their rating obligations Council will continue to apply the remission and postponement provisions available under the Act. Further to this Council recognise that the level of state pensioner concession applied to council rates has not increased since 2000–01. Council will continue to advocate with the State Government and Local Government Association of SA for the need to increase the pensioner rating concessions and to introduce an annual indexing system to maintain the relativity of this concession.

5.1 Objectives

In developing rating policy Council must make political and professional judgements based on a number of guiding principles and objectives. These principles and objectives are often competing and must be balanced to achieve the desired outcome.

Council has identified and developed the following key objectives in response to the outcomes of our community engagement activities and on-going annual reviews:

Equity for our communities

A key consideration in developing a taxation system is the equity principle. In developing rating policy we have endeavoured to ensure that the rating responsibility is distributed in an equitable manner across and within our communities. To achieve this objective our policy is designed to:

- improve equity in rate distribution across our communities
- prevent inequitable shifts in rate responsibility
- collect a base contribution from all rateable properties
- equally distribute the responsibility of rates across the community (unless some compelling application of the other taxation principles should be applied)
- raise an equitable level of contribution from each land use sector.



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Benefit to our communities

A further consideration in developing a taxation system is the benefit principle. Our rating structure has been developed to address objectives identified as outcomes of our community engagement activities. Our communities sought a movement away from a purely valuation based rating system to a system which provided some recognition of the benefits received by particular groups. To achieve this objective our policy is designed to:

- minimise the impact of property valuation movements
- move away from valuation based rating by breaking the direct link between valuation and rates
- maintain the relativity within differing communities and between communities
- recognise communities where there is a greater consumption of services and resources.

Economic and property development

Our rating policy seeks to balance Council's economic and property development focus and to achieve this objective our policy is designed to:

- facilitate a strong and vibrant economic environment
- support the growth of business within the area
- balance the issue of consumption of resources with economic development objectives
- encourage development on vacant land
- recognise the importance of arable land suitable for viable primary production.

Taxation principles

While balancing the community needs and Council's broader economic and development objectives we have developed a policy which also provides a balance against the principles of taxation. Our policy objectives, methodologies and strategies have been developed with this in mind and rank highly against the principles of taxation.

5.2 Strategic and budget considerations

Council has determined that the application of an annual Rating Policy should be developed within a framework which integrates planning from strategic planning through to service delivery.

The strategic directions for the City and the Organisation are outlined in our *Community Plan 2035*

The *Community Plan 2035* establishes the overall directions for the City of Onkaparinga looking at a 20-year horizon but with a 5-year focus and annual reporting. The *Community Plan 2035* contains 5 goals that are central to achieving our vision: *A liveable and connected city; Vibrant and resilient communities; A prosperous economy; Sustainable environments; and a Council of excellence.*



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The *Community Plan 2035* consolidates the directions set in the *Community Plan 2028* with new emerging issues pertaining to the importance of lifestyle, the city as a destination, improving vocational training and education opportunities and local employment opportunities, the growing importance of tourism to local economy and protecting the social, economic and environmental features of the city that underpin its identity and our communities wellbeing.

The annual Rating Policy for 2014–15 has been reviewed to reflect the strategic directions set in the final *Community Plan 2035*.

Our financial planning framework provides a 20-year financial plan to resource our strategic directions. As part of the financial planning and budget processes, the rate revenue required to meet expenditure needs is calculated taking into account other sources of revenue. The structure of the rating system is then determined having consideration for how the rates are levied between, and within, various categories of ratepayers.

5.3 Rating strategies and methodologies

The following key strategies and methodologies have been developed consistent with our policy principles to meet the rating objectives:

- valuation methodology based on capital value
- different rates for different land use categories
- contribution methodology to determine the different rates is based on a percentage of total rate revenue required from each category (adjusted for growth)
- incorporating a fixed charge as a component of the general rate
- rate rebates (including rate capping for residential properties and discretionary rebates)
- rates remissions.

These strategies rank highly against the principles of taxation and are consistent with our strategic and financial planning. Each of these strategies are discussed in the relevant sections below.

5.3.1 Valuation methodology

Council has adopted the use of **capital value as the basis for valuing land** within the Council area. Council considers that this method of valuing land provides the best of the options available to Council as prescribed in the Act and therefore the fairest method of distributing the rate responsibility across all rate payers.

Councils may adopt one of the following three valuation methodologies to value the properties in its area (Section 151 of the Act):

- capital value: the value of land, buildings and other improvements
- site value: the value of land and any improvements which permanently affect the amenity or use of the land, such as drainage works, but excluding the value of buildings and other improvements



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- annual value: the value of the rental potential of the property.

Of these available options Section 151 of the Act further identifies that the value of land for the purpose of rating is capital value.

Using capital value as the basis for valuing land more appropriately addresses the principles of taxation and is a better indication of capacity to pay.

Council does not determine property valuations but chooses to exercise the right under Section 151 of the Act to adopt the capital valuations as assessed by the Valuer-General (VG) through the State Valuation Office (SVO). If a ratepayer is dissatisfied with a property valuation then an objection may be made as detailed in Section 5.7.1.

5.3.2 Differential rating

The Act allows Councils to 'differentiate' rates based on the use of the land, the locality of the land, the use and locality of the land or on some other basis determined by the council.

The City of Onkaparinga applies **different rates on the basis of land use**.

The Act allows Council the option to use a combination of factors (land use and locality) to apply different rates. Land use is recognised by other State taxing agencies and is easily identified and understood by our communities. It is therefore considered the most appropriate method for applying different rates by the majority of councils.

Differential rates better reflect consumption of council services but can also be tailored to support other key objectives e.g. economic development, encourage capital development or recognise the value of a specific land use sector. The differential rating strategy assists in addressing all of our rating objectives.

Definitions of the use of the land are prescribed by regulation and are categorised as follows for rating purposes:

- Residential
- Commercial – Shops
- Commercial – Office
- Commercial – Other
- Industrial – Light
- Industrial – Other
- Primary Production
- Vacant Land
- Other.

As part of the valuation assessment process the SVO applies a land use to each assessment to identify the predominant use of the land. This land use is used by various taxing authorities. Council generally applies this land use for general rating purposes however under the Act Council is the relevant authority that determines land use for rating purposes and our rating land use must meet the definitions



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under Development Regulations. As such the local government land use may vary from that used by other taxing authorities.

If a ratepayer believes that a particular property has been wrongly classified as to its land use, then an objection may be made as detailed in Section 5.7.2.

5.3.3 Contribution methodology

The 'percentage of total rate revenue required from each land use category (adjusted for growth)' will be used in determination of the rate in the dollar (differential rate) for each category.

Council's underlying philosophy is that the responsibility of rates should be equitably distributed across the community, unless some compelling application of the other taxation principles are applied to change the incidence of the tax.

To minimise the impact of valuation movements, prevent inequitable shifts in rate responsibility and improve equity in rate distribution across the community, Council has determined that the proportion of total rate revenue contribution payable by each of the land use sectors should be maintained at the same level as that paid in the previous year (adjusted for growth).

The contribution methodology is an integral component of our overall rating strategy that assists in achieving a number of our rating objectives, by:

- improving equity in rate distribution across the community
- preventing inequitable shifts in rate responsibility
- minimising the impact of property valuation movements
- raising an equitable level of contribution from each land use sector
- maintaining the relativity within differing communities and between communities
- recognising communities where there is a greater consumption of services and resources
- ranking highly against the principles of taxation.

We have undertaken comparative analysis of differential rates across the 19 metropolitan councils. The analysis indicates our average rates paid in all land use categories consistently remains at the lower end of the scale.



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5.3.4 Different rates

Residential

Council has determined that a **different rate of 0.000000 cents in the dollar** will be applied for 2014–15 to all assessments attributed with a land use of Residential. This rate will achieve the same percentage level of total general rate revenue contribution as that of 2013–14 (84.18%), adjusted for growth.

Commercial and Industrial

Council has determined that a **different rate of 0.000000 cents in the dollar** will be applied for 2014–15 to all assessments attributed with a land use of Commercial and Industrial. This rate will achieve the same percentage level of total general rate revenue contribution as that of 2013–14 (8.05%), adjusted for growth.

Primary Production

Council has determined that a **different rate of 0.000000 cents in the dollar** will be applied for 2014–15 to all assessments attributed with a land use of Primary Production. This rate will achieve the same percentage level of total general rate revenue contribution as that of 2013–14 (4.31%), adjusted for growth.

Vacant Land

Council has determined that a **different rate of 0.000000 cents in the dollar** will be applied for 2014–15 to all assessments attributed with a land use of Vacant Land. This rate will achieve the same percentage level of total general rate revenue contribution as that of 2013–14 (2.71%), adjusted for growth.

Other

Council has determined that a **different rate of 0.000000 cents in the dollar** will be applied for 2014–15 to all assessments attributed with a land use of Other. This rate will achieve the same percentage level of total general rate revenue contribution as that of 2013–14 (0.75%), adjusted for growth.

5.3.5 Fixed charge

Council has determined that **a fixed charge of \$350 will be applied to rateable assessments for 2014–15.**

The Act allows Councils to impose a fixed charge on each rateable property in its area, providing that it has not also imposed a minimum rate (Section 152 of the Act).

The primary reason for imposing a fixed charge is to ensure that all rateable properties make a base contribution to the cost of administering Council activities and maintaining the services and physical infrastructure that supports each property. A fixed charge has the effect of reducing the rate in the dollar that will be applied to the property valuations, which in turn assists in addressing our policy



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objectives developed in response to the outcomes of our community engagement activities.

In applying a fixed charge only one charge can be imposed on two or more adjoining assessments with the same owner and occupier (contiguous).

Where a ratepayer believes that they may be eligible for a reduction in the fixed charge applied to contiguous assessments an objection may be made as detailed in Section 5.7.3.

5.3.6 Rate Rebates

Council has determined that **rebates of rates will be granted when the applicant satisfies the requirements for mandatory rebates under Sections 159 to Section 165 of the Act. Applications for discretionary rebates lodged under Section 166 of the Act will be considered under Council's Rate Rebate Policy** and will be assessed against guidelines prepared by the Local Government Financial Management Group.

The Act acknowledges that there are particular land uses that are economically disadvantaged and provide local community benefit and therefore must be offered rate relief in order to be sustainable. Some rebates under the Act are applied as a mandatory requirement however further discretionary provisions allow for Council to determine whether other desirable land uses may be offered rate relief.

Each year we develop a Rate Rebate Policy which provides the full details regarding rate rebates permissible under the Act. This policy document supports our main Rating Policy.

The rate rebate strategy addresses the following objectives:

- improves equity in rate distribution across the community
- ranks highly against the principles of taxation.

Residential rate cap rebates

For the 2014–15 year, Council has determined that **a rebate be applied to properties with a Residential land use (excluding properties within retirement villages where the valuation methodology has been changed for the current financial year) to cap any increase in the general rates at 10%, subject to specific criteria.**

For the 2014–15 year, Council has determined that **a rebate be applied to properties with a Residential land use within retirement villages where the valuation methodology has been changed to incorporate the value of the access to common facilities afforded to retirement village residents into the valuation of the independent living units, to cap any increase in the general rates at 15%, subject to specific criteria.** (The 15% rate cap applies in the year of valuation methodology change, reverting to the general 10% rate cap from the following year.)

A cap rebate will not be applied where the rate increase is as a result of an increase in valuation recognising significant capital improvements on the property (regardless of when the development was undertaken) or where there has been a



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change in the land use or ownership or licence to occupy since the commencement of the previous financial year.

Rate capping for residential properties (subject to certain criteria) recognises that in some circumstances residents have no control over increases in property valuations. Where a significant valuation increase is as a result of market forces and not as a result of purchasing the property, the rates levied as a result of that valuation increase should be capped at a level that minimises the impact to a reasonable level.

The rate capping strategy addresses the following objectives:

- improves equity in rate distribution across the community
- prevents inequitable shifts in rate responsibility
- minimises the impact of property valuation movements
- ranks highly against the principles of taxation.

From 2013–14 the Valuer General implemented a new valuation methodology for retirement village properties which is being progressively introduced over two years. This is as a result of a major review of valuation which was requested by residents within these villages. These changes will result in the valuation of access to the common facilities being and incorporated into the valuation of the individual independent living units and consequently the rates payable have also been re-allocated between these properties. Residents were already paying these rates through the village fees therefore any rate increase on the units in respect to this change should not be subject to the normal residential rate cap. This anomaly has been addressed by applying a 15% cap (for the initial year only) on those properties affected by this change. This higher level of cap has been applied to prevent the inequitable shift in the re-allocated rate responsibility to general residential ratepayers.

The rate cap will be applied automatically to properties that can be readily identified as being eligible. Where this rebate is not applied automatically, ratepayers who consider they could be eligible for the Rate Cap Rebate may lodge an application form, which will be assessed against the eligibility criteria. Council rebates, remissions and State Concessions are not included in the capping calculation process. The application must be lodged by 30 June 2015. This rebate is applied under the discretionary rebate provisions of Section 166(1)(l) of the Act. The Residential Rate Cap Rebate Application Form appears as an attachment to the Rate Rebate Policy 2014–15.

5.3.7 Remissions and postponed rates

Application for remission of rates and charges or postponement of rates will be considered under the discretionary provisions of Sections 181 and 182 of the Act.

We will accept applications for remission or postponement of rates from ratepayers suffering on-going or extreme financial hardship, and will consider each application on its own merits and these are assessed subject to evidenced on-going extreme hardship criteria.



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Requests must be lodged in writing or may be submitted on the Application for Remission or Postponement of Rates and/or Fines form (Attachment 1 to this Policy). Monthly interest at the prescribed rate will be applied to rates postponed under Section 182 of the Act.

Application for postponement of rates and charges will be considered under the provisions of Section 182A of the Act – 'Postponement of rates – Seniors'.

Applications must be lodged in writing and must provide evidence of eligibility plus other evidence as required. Requests must be lodged on the Application Form for Postponement of Rates Seniors (Attachment 2 to this Policy). Monthly interest at the prescribed rate will be applied to rates postponed under Section 182A of the Act.

Where an application for postponement under Section 182A is granted, a presumption of on-going annual postponement will be assumed subject to receipt of an annual signed declaration of continued eligibility.

Ratepayers requesting postponement of rates will initially be referred to the availability of reverse mortgage loans through financial institutions.

Seniors granted postponement of rates are required to pay a minimum of \$500 of rates and charges levied in each financial year in compliance with the Local Government (General) Regulations.

The rate remission and postponement strategy addresses the following objectives and taxation principles:

- improves equity in rate distribution across the community
- ranks highly against the principles of taxation.

5.4 State Government NRM levy - Separate Rate

Council is required to collect this mandatory state government levy as a separate rate for Natural Resources Management. This levy is applicable to land within the area of the Adelaide and Mt Lofty Ranges Natural Resources Management Board and the SA Murray-Darling Basin Natural Resources Management Board.

For 2014–15 the **levy for properties in the Adelaide and Mt Lofty Ranges Natural Resources Management Board region will be 0.00000 cents in the dollar**, and for the **SA Murray-Darling Basin Natural Resources Management Board region will be 0.00000 cents in the dollar**.

Natural Resources Management Boards were established under the *Natural Resource Management Act 2004*. The Natural Resources Management Levy replaced the previous water catchment levy applied under the *Water Resources Act 1997* and Local Government Animal and Plant Control Board contributions from 2006–07. Council is required to make a specified contribution to these NRM Boards and then collect this contribution back from property owners through a separate rate based on capital value. Such a rate must be fixed and calculated so as to raise the same amount as Council's share to be contributed to the board (taking into account any rebates/remissions under Section 159-166 of the Act).



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Previously, under the provisions of the *Water Resources Act 1997*, properties that paid a water-based levy (Water Licence) under Section 138(11) or (12) were exempt from paying a land based catchment levy through Council. However, under the *Natural Resources Management Act* there is no provision for exemptions in these circumstances. All properties are subject to a Natural Resources Management Levy.

Council is required to remit revenue raised, and does not determine how the revenue is to be spent.

5.5 Service rates and charges

Council provides a community wastewater management system (CWMS) to seven districts within the City. These were formerly known as the septic tank effluent disposal scheme (STEDS). To fund the provision of this service council imposes a service charge to recover the cost to the council of establishing, operating, maintaining, improving and replacing infrastructure (taking into account depreciation of any assets and including future capital works).

5.5.1 Residential waste and minor trade waste

Council will recover the cost of this service through the imposition of a uniform service charge on each of the relevant assessments (including non-rateable land) for the disposal and treatment of residential waste and minor trade waste.

The CWMS service charges will be as follows for 2014–15:

- **occupied allotments - \$xxx.xx per property unit**
- **vacant allotments - \$xxx.xx per property unit**

In the case of a single residential household a 'Property Unit' will equal one. In the case of higher use properties (such as schools, hospitals and other multiple tenancy properties etc) an equivalent unit charge is calculated. In calculating property units Council adhere to the Community Wastewater Management Systems (CWMS) Code issued in April 2006.

CWMS Service Charges where Aerobic or Sand Filter systems are in use:

- Owners of aerobic or sand filters systems shall be entitled to a 50% remission on the annual charge, provided they show evidence of an annual maintenance contract and have been issued with an exemption by an Environmental Health Officer. No new exemptions will be issued.
- Owners of aerobic systems who do not show evidence of an annual maintenance contract and any property owners with a conventional subsurface disposal system who discharges effluent above ground or into stormwater systems intentionally or otherwise will be required to connect to the CWMS system immediately.
- Connection to the system and/or the payment of the full connection fee shall be compulsory on the sale of an occupied property or the development of a vacant block.



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5.5.2 Major trade waste

Council imposes a service rate to recover the costs incurred by the Council. This charge is for the disposal and treatment of major trade waste based on the nature and the level of usage of the service.

The cost is calculated using the criteria specified in the City of Onkaparinga Trade Waste Guidelines. The formula to calculate the rate being: $(\text{Cost/kilolitre} + \text{Capital charge}) / \text{Number of kilolitres treated} = \text{rate per kilolitre}$.

5.6 Payment of rates

Rates are payable by quarterly instalments which will be due on **1 September 2014, 1 December 2014, 1 March 2015 and 1 June 2015**. The total outstanding balance of rates may be paid in full at any time.

5.6.1 Payment Methods

Council has determined that rates may be paid by the following methods (detailed on the back of the rate notice):

- Australia Post Billpay (at any Post Office, via telephone or via Internet)
- Bpay
- Credit Cards – Mastercard & Visa Card only
- Debit Card
- Centrepay (Centrelink direct debit system)
- Council's internet site – www.onkaparingacity.com
- Onkaparinga Pay by Phone - 1300 276 468
- in person at Council offices
- by mail to City of Onkaparinga, PO Box 1, Noarlunga Centre SA 5168

5.6.2 Late payment of rates

Council has determined that **penalties for late payments will be imposed** in accordance with the provisions of Section 181(8) of the Act and relevant Council procedures.

Late payment fines are levied in accordance with the provisions of Section 181(8) of the Act. These provisions are the only provisions available to Council to ensure that all ratepayers pay promptly.

The Act provides that:

If an instalment of rates is not paid on or before the date on which it falls due:

- (a) the instalment will be regarded as being in arrears*
- (b) a fine of two percent of the amount of the instalment is payable*



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(c) on the expiration of each full month from that date, interest of the prescribed percentage of the amount in arrears (including the amount of any previous unpaid fine and including interest from any previous month) accrues.

Any ratepayer who may, or is likely to, experience difficulty with meeting the standard instalments and due dates can contact Council to discuss alternative payment arrangements. It should be noted that fines and interest are still levied in accordance with the Act under any payment arrangement.

Council will consider applications for remission of fines in certain extenuating circumstances. A request for waiver of fines should be made in writing, setting out detailed reasons why a fine remission has been requested or may be submitted on the Application for Remission of Rates and/or Fines Form.

5.6.3 Application of payments

Council has determined that **rate payments will be applied in accordance with the provisions of Section 183 of the Act.**

Section 183 of the Act provides that when the Council receives a payment in respect of rates, the Council applies the money received as follows:

- first – to satisfy any costs awarded in connection with court proceedings
- second – to satisfy any interest imposed
- third – in payment of any fines imposed
- fourth – in payment of rates, in chronological order (starting with the oldest account first).

5.6.4 Recovery of outstanding rates

In accordance with sound financial management principles, the Revenue Section will apply prudent debt management practices to Rate Debtors. This includes an on-going review of rates in arrears and following a systematic debt recovery approach.

Rates, which remain in arrears for a period exceeding 30 days, will be subject to recovery action in accordance with Council's normal debt recovery procedures.

Section 184 of the Act provides that Council may sell any property where any rates have been in arrears for three years or more. Council is required to notify the owner of the land of its intention to sell the land if payment of the outstanding amount (by cash or bank cheque) is not received within one month. Except in extraordinary circumstances, Council will enforce the sale of land for arrears of rates.

5.7 Objections

Council rates are imposed under the provisions of the Act, and within the City of Onkaparinga are based on the Capital Valuation and the Land Use Category applied for the current financial year, plus the Fixed Charge declared by Council. Where a ratepayer believes the level of rates charged on an assessment is excessive, the avenues for appeal are to lodge a formal objection to the Capital



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Value, the Land Use or to the Fixed Charge (where multiple adjoining properties are involved).

It is important to note that the lodgement of any objection does not change the due date for payment of rates. Rates must be paid in accordance with the Rate Notice until otherwise notified by Council.

The following provides information on lodging objections.

5.7.1 Valuation Objections

If a ratepayer is dissatisfied with a property valuation then an objection may be made to the State Valuation Office in writing, within 60 days of receiving notice of the valuation, explaining the basis for the objection – provided they have not:

- previously received a notice of this valuation, under the Act, in which case the objection period is 60 days from the receipt of the first notice, or
- previously had an objection to the valuation considered by the State Valuation Office in the current financial year.

It should be noted that under the *Valuation of Land Act 1971* the VG has the discretion to extend the allowable objection period where it can be shown there is reasonable cause.

Objections to valuations should be addressed to:

State Valuation Office
GPO Box 1354
Adelaide SA 5001
Email: lsqobjections@sa.gov.sa.au
Telephone 1300 653 345

The City of Onkaparinga has no role in this process and it is important to note that the lodgement of an objection does not change the due date for payment of rates. Rates must be paid in accordance with the rate notice until otherwise notified by Council.

5.7.2 Land Use Objections

If a ratepayer believes that a particular property has been wrongly classified as to its land use, then an objection may be made (to council) within 60 days of being notified of the land use classification. Council may exercise its discretion to extend the allowable objection period where it can be shown there is reasonable cause.

It is important to note that the lodgement of an objection does not change the due date for payment of rates. Rates must be paid in accordance with the rate notice until otherwise notified by council.

5.7.3 Fixed Charge Objections

Where a ratepayer believes that they may be eligible for a reduction in the fixed charge applied to contiguous assessments, they must lodge their objection in writing to:



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Chief Executive Officer
City of Onkaparinga
PO Box 1
Noarlunga Centre SA 5168

The objection must contain full details of the ownership, occupants (tenants), dates of any lease agreements and date of purchase for each assessment subject to objection. Rates must be paid in accordance with the Rate Notice until otherwise notified by Council.

5.8 Disclaimer

In accordance with Section 171(5) of the Act, **a rate cannot be challenged on the basis of non-compliance with this policy** and must be paid in accordance with the required payment provisions.

Where a ratepayer believes that Council has failed to properly apply this policy they should raise the matter with Council.

5.9 Community engagement

In accordance with Council's desire to inform and involve the community, and in keeping with good practice, **a community engagement process will be undertaken annually** on the development of budget and rating processes and policy.

Community engagement is undertaken when developing the annual budget and rating policies as part of the annual business plan to ensure that transparency of the process is maintained and to provide an avenue for the community to contribute their opinion.

6. Attachments

Attachment 1 – Application for Remission of rates and/or fines
Attachment 2 – Application for Postponement of rates for seniors

7. References and relevant legislation

<i>Printed documents</i>	City of Onkaparinga, Community Plan – 2035 Organisation Plan 2008–2012 Long Term Financial Plan 2014–15 City of Onkaparinga Trade Waste Guidelines 2005 LGA Annual Service charges for Community Wastewater Management Systems
<i>Legislation</i>	<i>Local Government Act 1999</i> <i>Natural Resources Management Act 2004</i> <i>Valuation of Land Act 1971</i> <i>Water Resources Act 1997</i>
<i>Websites</i>	www.onkaparingacity.com



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Contact Officer:	Director Finance and Commercial
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Approving authority:	Council
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Next review:	June 2015
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Timing of review:	Reviewed annually in June
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Dataworks number:	2013–14 Policy 2937129 Attachments 2937130 and 2937128 2012–13 Policy 2569514 Attachments 2569489 and 2569490 2011–12 Policy 2108759 Attachments 2108760 and 2108761 2010–11 Policy 1697979 Attachments 1697980 and 1697981 2009–10 Policy 1331933 Attachments 1331931 and 1331932 2008–09 Policy 1059339 Attachments 1055119 and 1055121 2007–08 Policy 854906 Attachments 854907 and 854908 2006–07 Policy 663552 Attachment 663553 2005–06 Policy 491199 Attachment 491200
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City of Onkaparinga
PO Box 1
NOARLUNGA CENTRE SA 5168

Telephone: 8384 0666
Email: mail@onkaparinga.sa.gov.au
Website: www.onkaparingacity.com



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Draft Rate rebate 2014–15 policy

This policy, Rate rebate 2014–15, was adopted by Council on xx/xx/2014.

1. Preamble

Where Council commits to achieving standards or requirements that are beyond those imposed by law it will endeavour to achieve those standards or requirements to the best of its ability.

The contents of and the commitments that Council makes in this policy are not intended to be and should not be interpreted to be any more than a statement of the Council's general position in relation to those matters and to facilitate its aspirations wherever it is reasonable to do so.

2. Purpose

The purpose of this policy is to assist Council in deciding applications for and to provide guidance to the community as to the grounds upon which they may be entitled to a rebate of rates in accordance with the requirements of the *Local Government Act 1999* (SA) (the Act).

In accordance with the Act this policy sets out the type of use in respect of land which the Council must grant a rebate of rates and the amount that this rebate must be and those types of land uses where the Council has discretion to grant a rebate of rates.

3. Principles

Council's policy directions are guided by the three principles of sustainability, good public administration and community leadership, which are detailed in the City of Onkaparinga's *Council Lead Policy*.

Council's role is to ensure that our communities have continual access to an appropriate range of facilities and services.

Council's decisions and practices regarding rate rebates are underpinned by:

- accountability, transparency and simplicity
- efficiency, effectiveness and timeliness
- consistency with Council's strategic, corporate and financial directions and budgetary requirements
- compliance with the requirements and intent of relevant legislation and accepted professional conventions and ethics.

Council recognises that adverse economic conditions may from time to time impact on the economic base(s) within the City of Onkaparinga and will consider requests for rebates based on individual merit.

Chapter 10 of the Act empowers local government to levy rates and charges on land and provides some general principles for consideration when developing rating policies. Our

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Rating policy is the lead document in respect to the application of rates within the City of Onkaparinga and provides detailed explanations of our principles and objectives.

In developing this policy Council has also given consideration to the five principles previously identified by the local government industry in the document *'Local Government Rating – A Consultation Paper, April 2001'*, that apply to the imposition of taxes on communities.

In summary those principles are:

- equity
- benefit
- ability-to-pay
- efficiency
- simplicity,

4. Definitions

'Act' refers to the *Local Government Act 1999* (SA).

'Council' (with a capitalised C) refers to the elected Council body.

'council' (with a non- capitalised c) refers to council as the organisation.

'Discretionary Rebate' refers to rebates where Council may apply a rebate in accordance with criteria specified in the Act.

'Mandatory Rebate' refers to rebates that Council must grant in accordance with the Act.

'Rating' refers to the overall process of raising revenue by way of levying rates and charges.

'Rebates' refers to an amount that a rate or charge may be reduced in accordance with Chapter 10, Division 5 of the Act.

5. Detail

The Act is the principal legislative document that directs Council on the rebate of rates. The Act acknowledges that there are particular land uses that are economically disadvantaged and provide local community benefit and therefore must be offered rate relief in order to be sustainable. Further discretionary provisions allow for Council to determine whether other desirable land uses may be offered rate relief. In determining discretionary rebates primary consideration would be directed towards Council's strategic directions, budget considerations, the current economic climate and likely impacts on our communities.

The Act provides:

- for a mandatory rebate of rates in specified cases and the amount of that mandatory rebate (see section 5.2 below)
- that where Council must grant a rebate of rates under the Act, and the amount of that rebate is fixed by the Act at less than 100%, Council may increase the amount of the rebate



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- in Section 166, for Council to provide a discretionary rebate of rates in the cases set out in that Section (see Clause 5.3 below).

5.1 Rating Objectives

In developing rating policy Council has identified and developed key objectives in response to the outcomes of our community engagement activities and ongoing annual reviews:

Equity for our communities

A key consideration in developing a taxation system is the equity principle. In developing rating policy we have endeavoured to ensure that the rating responsibility is distributed in an equitable manner across and within our communities. To achieve this objective our policy is designed to:

- improve equity in rate distribution across our communities
- prevent inequitable shifts in rate responsibility
- collect a base contribution from all rateable properties
- equally distribute the responsibility of rates across the community (unless some compelling application of the other taxation principles should be applied)
- raise an equitable level of contribution from each land use sector.

Benefit to our communities

A further consideration in developing a taxation system is the benefit principle. Our rating structure has been developed to address objectives identified as outcomes of our community engagement activities. Our communities sought a movement away from a purely valuation based rating system to a system which provided some recognition of the benefits received by particular groups. To achieve this objective our policy is designed to:

- minimise the impact of property valuation movements
- move away from valuation based rating by breaking the direct link between valuation and rates
- maintain the relativity within differing communities and between communities
- recognise communities where there is a greater consumption of services and resources.

Economic and property development

In developing rating policy Council must make political and professional judgements based on a number of guiding principles and objectives. These principles and objectives are often competing and must be balanced to achieve the desired outcome. Our rating policy seeks to balance Council's economic and property development focus and to achieve this objective our policy is designed to:

- facilitate a strong and vibrant economic environment
- support the growth of business within the area



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- balance the issue of consumption of resources with economic development objectives
- encourage development on vacant land
- recognise the importance of arable land suitable for viable primary production.

Taxation principles

While balancing the community needs and Council's broader economic and development objectives we have developed a policy which also provides a balance against the principles of taxation. Our policy objectives, methodologies and strategies have been developed with this in mind and rank highly against the principles of taxation.

5.2 Mandatory rebates

Council must grant a rebate in the amount specified in respect of those land uses which the Act provides will be granted a rebate.

Rates on the following land will be rebated at 100%:

- Health services (Section 160)
- land being predominantly used for service delivery or administration by a hospital or health centre incorporated under the *South Australia Health Commission Act 1976*
- Religious purposes (Section 162)
- land containing a church or other building used for public worship (and any grounds) or land solely used for religious purposes
- Public cemeteries (Section 163)
- land being used for the purposes of a public cemetery
- Royal Zoological Society of SA (Section 164)
- land (other than land used as domestic premises) owned by, or under the care, control and management of, the Royal Zoological Society of South Australia Incorporated

Rates on the following land will be rebated at 75%:

- Community services (Section 161)
- land being predominantly used for service delivery or administration (or both) by a community services organisation. A 'community services organisation' is defined in the Act as a body that:
 - is incorporated on a not for profit basis for the benefit of the public
 - provides community services without charge or for a charge that is below the cost to the body of providing the services
 - does not restrict its services to persons who are members of the body.

It is necessary for a community services organisation to satisfy all of the above criteria to be eligible for the mandatory 75% rebate.



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The Act further provides that eligibility for a rebate by a community services organisation is subject to the provision of one or more of the following community services as the predominate use of the land:

- emergency accommodation
- food or clothing for disadvantaged persons (i.e. persons who are disadvantaged by reason of poverty, illness, frailty, or mental, intellectual or physical disability)
- supported accommodation (ie residential care facilities in receipt of Commonwealth funding or accommodation for persons with mental health, intellectual, physical or other difficulties who require support in order to live an independent life), essential services, or employment support, for persons with mental health disabilities, or with intellectual or physical disabilities
- legal services for disadvantaged persons
- drug or alcohol rehabilitation services
- the conduct of research into, or the provision of community education about, diseases or illnesses, or the provision of palliative care to persons who suffer from diseases or illnesses.

Rates on the following land will be rebated at 75% for 2014–15 under '*emergency accommodation*':

- Accommodation for persons provided by housing associations registered under the *South Australian Co-operative and Community Housing Act 1991*.
- Note: Accommodation for persons provided by housing associations registered under the *South Australian Co-operative and Community Housing Act 1991* has been included in this definition from 2010–11 but this 75% rebate was phased in over a three year period commencing at a rebate of 25% (or at a higher level at the discretion of Council). From 2012–13 a 75% rebate must be applied to all housing association residential properties.
- Educational purposes (Section 165)
- land occupied by a government school under a lease or licence and being used for educational purposes
- land occupied by a non-government school registered under Part 5 of the *Education Act 1972* and being used for educational purposes, or
- land being used by a university or university college to provide accommodation and other forms of support for students on a not for profit basis.

Where Council is satisfied from its own records or from other sources that a person or body meets the necessary criteria for a mandatory 100% or 75% rebate, Council will grant the rebate of its own initiative. Where Council is not so satisfied it will require the person or body to apply for the rebate in accordance with Clause 5.4 of this policy.

Where a person or body is entitled to a rebate of 75% Council may, pursuant to Section 159(4) of the Act, increase the rebate up to a further 25%. Council may grant the further 25% rebate upon application or on its own initiative. In either case Council will take into account those matters set out at Clauses 5.4 of this policy.



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Where an application is made to Council for a rebate of up to a further 25% the application will be made in accordance with Clause 5.4 of this policy and Council will provide written notice to the applicant of its determination of that application.

5.3 Discretionary rebates

Council may in its absolute discretion grant a rebate of rates or service charges in any of the following cases pursuant to Section 166(1) of the Act:

1. where it is desirable for the purpose of securing the proper development of the area (or a part of the area)
2. where it is desirable for the purpose of assisting or supporting a business in its area
3. where it will be conducive to the preservation of buildings or places of historic significance
4. where the land is being used for educational purposes
5. where the land is being used for agricultural, horticultural or floricultural exhibitions
6. where the land is being used for a hospital or health centre
7. where the land is being used to provide facilities or services for children or young persons
8. where the land is being used to provide accommodation for the aged or disabled
9. where the land is being used for a residential aged care facility that is approved for Commonwealth funding under the *Aged Care Act 1987 (Commonwealth)* or a day therapy centre
10. where the land is being used by an organisation which, in the opinion of the Council, provides a benefit or service to the local community
11. where the rebate relates to common property or land vested in a community corporation under the *Community Titles Act 1996* over which the public has a free and unrestricted right of access and enjoyment
12. where the rebate is considered by the Council to be appropriate to provide relief against what would otherwise amount to a substantial change in rates payable due to:
 - a redistribution of the rates burden within the community arising from a change to the basis or structure of the council's rates
 - a change to the basis on which land is valued for the purpose of rating, rapid changes in valuations, or anomalies in valuations.
13. where the rebate is considered by the Council to be appropriate to provide relief in order to avoid what would otherwise constitute:
 - a liability to pay a rate or charge that is inconsistent with the liabilities that were anticipated by the Council in its Annual Business Plan
 - a liability that is unfair or unreasonable.
14. where the rebate is to give effect to a review of a decision of the Council under Chapter 13 Part 2 of the Act (Internal Review of council actions)



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15. where the rebate is contemplated under another provision of this Act.

Council may grant a rebate of rates up to and including 100% of the relevant rates or service charges. Council may grant a rebate for a period exceeding one year, but not exceeding 10 years in respect of those cases identified at 5.3(1), 5.3(2) or 5.3(11) above.

Council has an absolute discretion:

- to grant a rebate of rates or service charges in the above cases
- to determine the amount of any such rebate.

Persons or bodies who seek a discretionary rebate will be required to submit an application form to council and provide such information as stipulated on the application form and any other information that the Council may reasonably require.

5.3.1 Rate capping

In developing rating policy for 2004–05 Council undertook a major review in full consultation with the community that resulted in structural change. The review was required to address the impact of significant valuation movements on rates paid, particularly the effect on the residential sector, which created hardship in many instances. Council identified the most appropriate mechanism to deal with this issue is to apply a rate 'cap' under the discretionary rebate provisions of Section 166(1)(l) of the Act. Rate capping has been applied since the 2004–05 rating year.

For the 2014–15 year, Council has determined that the maximum general rates payable on residential properties (excluding properties within retirement villages where the valuation methodology has been changed for the current financial year) will be the amount payable for 2013–14 plus 10% of that amount (noting that the amount payable includes this capping rebate but excludes any other concession or relief), subject to specific criteria.

For the 2014–15 year, Council has determined that the maximum general rates payable on properties with a Residential land use within retirement villages where the valuation methodology has been changed for the current financial year to incorporate the value of the access to common facilities afforded to retirement village residents into the valuation of the independent living units,) will be the amount payable for 2013–14 plus 15% of that amount (noting that the amount payable includes this capping rebate but excludes any other concession or relief), subject to specific criteria. (The 15% rate cap only applies in the year of valuation methodology change, reverting to the general 10% rate cap from the following year.)

A cap will not be applied where the rate increase is as a result of an increase in valuation recognising significant capital improvements on the property (regardless of when the development was undertaken) or where there has been a change in the land use or ownership or licence to occupy since the commencement of the previous financial year. Council rebates, remissions and State Concessions are not included in the capping calculation process.

The rate cap will be applied automatically to properties that can be readily identified as being eligible. Where this rebate is not applied automatically, ratepayers who consider



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they could be eligible for the Rate Cap Rebate may lodge an application form which will be assessed against the eligibility criteria.

The application must be lodged by 30 June 2015. A copy of the Residential rate capping application appears at attachment 2.

5.4 Applications

Council will inform the community of the provisions for rate rebates under the Act by the inclusion of suitable details in the Rating policy summary distributed with the annual rate notice.

Persons or bodies who seek a rebate of rates (and/or service charges) either:

- pursuant to Section 159(4) of the Act and Clause 5.1 of this policy
- pursuant to Section 166 of the Act and Clause 5.2 of this policy

must make written application to council pursuant to Section 159(1) of the Act in the manner and form determined by the Council and supply information as the Council may reasonably require.

Two application forms have been developed for the convenience of ratepayers:

- Rate rebate application - attachment 1 (designed for general rebate applications)
- Residential rate capping application - attachment 2.

Both application forms are available from councils website www.onkaparingacity.com or may be obtained from council offices located at:

- Noarlunga Office, Ramsay Place, Noarlunga Centre
- Aberfoyle Park Office, The Hub, Aberfoyle Park
- Willunga Office, St Peter's Terrace, Willunga

In considering applications for rebates Council may take into account matters considered relevant by Council including but not limited to the following:

- the community need that is being met by activities carried out on the land for which the rebate is sought
- the extent to which activities carried out on the land for which the rebate is sought provides assistance or relief to disadvantaged persons
- why there is a need for financial assistance through a rebate
- the level of rebate (percentage and dollar amount) being sought and why it is appropriate
- the extent of financial assistance, if any, being provided to the applicant and/or in respect of the land by Commonwealth or State agencies
- whether the applicant has made/intends to make applications to another Council
- whether, and if so to what extent, the applicant is or will be providing a service within the Council area



Draft Council policy

- whether the applicant is a public sector body, a private not for profit body or a private for profit body
- whether there are any relevant historical considerations that may be relevant for all or any part of the current Council term
- the desirability of granting a rebate for more than one year in those circumstances identified at Clause 5.2 of this policy
- consideration of the full financial consequences of the rebate for Council
- the time the application is received
- the availability of any community grant to the person or body making the application
- whether the applicant is in receipt of a community grant
- any other matters and policies of Council, which are considered to be relevant.

All persons or bodies that wish to apply to Council for a rebate of rates excluding a Residential rate cap must do so within 60 days of receipt of the annual rate notice. Council reserves the right to refuse to consider applications received after that date. However applicants who satisfy the criteria for a mandatory rebate will be granted the rebate at any time provided the application is lodged prior to 30 June 2015 and provided the entitlement to the rebate existed at 1 July 2014.

All persons or bodies that wish to apply to Council for a Residential rate cap rebate are encouraged to do so as soon as possible after receipt of the annual rate notice. Early receipt of applications will assist to streamline the rebate process and reduce the quarterly payment amounts due. Applicants who satisfy the criteria for a Residential rate cap rebate will be granted the rebate provided the application is lodged prior to 30 June 2015.

The Act provides that Council may grant a rebate of rates or charges on such conditions as Council thinks fit in relation to discretionary rebates listed at Clause 5.2 of this policy.

Council delegates the authority to grant a Residential rate cap rebate under Section 166(1)(I) of the Act to the Chief Executive Officer.

Council may, for proper cause, determine that an entitlement to a rebate of rates under the Act no longer applies. Where an entitlement to a rebate of rates ceases or no longer applies during the course of a financial year Council is entitled to recover rates or rates at the increased level (as the case may be) proportionate to the remaining part of the financial year.

It is an offence for a person or body to make a false or misleading statement or representation in an application or to provide false or misleading information or evidence in support of an application made (or purporting to be made) under the Act. The maximum penalty for this offence is \$5,000.

If a person or body has the benefit of a rebate of rates and the grounds on which the rebate has been granted cease to exist the person or body must immediately inform Council of that fact and (whether or not Council is so informed) the entitlement to a rebate ceases. If a person or body fails to do so that person or body is guilty of an offence. The maximum penalty for this offence is \$5,000.



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Council will advise an applicant for a rebate of its determination of that application in writing. The advice will state:

- if the application has been granted the amount of the rebate, or
- if the application has not been granted the reasons why.

5.5 Review

A person or body that is aggrieved by a determination of Council in respect of an application for a rebate may seek a review of that by written application to Council within 21 days of the date of which the notice of determination is given pursuant to Clause 5.3 of this policy.

5.6 Availability of policy

This policy is available for inspection at council offices and also available on our website www.onkaparingacity.com. Persons may also obtain a printed copy of this policy upon payment of the fee set by the Council.

6. Attachments

Attachment 1 – Rate rebate application

Attachment 2 – Residential rate capping application

7. References and relevant legislation

Printed documents

Council policy, Rating 2014–15

Norman Waterhouse and SA Local Government Financial Management Group, 2001, Rate Rebate Policies.

Wallmans Lawyers and SA Local Government Financial Management Group, February 2008, Rate Rebate Policies

Legislation

Local Government Act, 1999

Health Commission Act 1976

South Australian Co-operative and Community Housing Act 1991

Education Act 1972

Aged Care Act 1987 (Commonwealth)

Community Titles Act 1996

Websites

www.onkaparingacity.com

Contact officer:	Director Finance and Commercial
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Approving authority:	Council
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Next review:	June 2014
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Draft Council policy

Timing of review:

Reviewed annually in June

Dataworks number:

2013–14 policy 2937101 – attachments 2937103 and 2937100

Dataworks document numbers:

2012–13 policy 2569509 – attachments 2569503 and 2569504

2011–12 policy 2108764 – attachments 2108765 and 2108766

2010–11 policy 1697975 – attachments 1697976 and 1697977

2009–10 policy 1331920 – attachments 1331921 and 1331922

2008–09 policy 1055133 – attachments 1055134 and 1055135

2007–08 policy 849922 – attachments 849936 and 849940

2006–07 policy 657288 – attachments 657359 and 657369

2005–06 policy 491201 – attachments 491202 and 491203

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9.3 Fees and Charges 2014-15

This is a regular or standard report.

Director: Steve Mathewson, Director Finance and Commercial

Report Author: Sonia Sghendo, Team Leader Finance Accounting

Contact Number: 8384 0613

Attachments: 1. Proposed Schedule of Fees and Charges 2014-15
(23 pages)

1. Purpose

This report seeks approval of the schedule of Fees and Charges for 2014-15.

2. Recommendation

That Council review and adopt the proposed Schedule of Fees and Charges for 2014-15 as included in attachment 1 to this report effective from 1 July 2014.

3. Background

In accordance with Section 188 of the *Local Government Act 1999* (the Act) and as part of the annual financial planning and budget processes a schedule of fees and charges (the schedule) is prepared and utilised as part of normal operations. The Act requires that an up to date copy of the full schedule be placed on public display **at council's principal office.**

Under the Act responsibility for defining certain fees and charges may be delegated while others must be adopted by Council or are fixed by legislation (ie statutory charges). **In line with the provisions of the Act, council's delegations schedule** includes delegated responsibility for setting fees and charges to the Chief Executive Officer (CEO). Where Council has delegated authority to the CEO this has been sub-delegated to appropriate officers in accordance with sections 44 and 101 of the Act.

This report presents the proposed fees and charges for 2014-15 requiring Council adoption consistent with the financial planning timetable, the Act and Council delegations.

4. Financial Implications

This report provides details of the proposed Fees and Charges for 2014-15. The financial implications are discussed throughout the report.

5. Risk and Opportunity Management

Risk	
Identify	Mitigation
Failure to adopt the Annual Business Plan, budget and rate notification in a timely manner results in breaches of the <i>Local Government Act 1999</i> and exposure to reputational and financial risk.	The approved financial planning timetable for 2014-15 meets the timing obligations specified in the <i>Local Government Act 1999</i> with regard to the Annual Business Plan, budget and rate notification processes and has been designed to ensure adoption of these items in a timely manner.

Opportunity	
Identify	Maximising the opportunity
Ensuring recovery of our costs where possible under Section 188 of the <i>Local Government Act 1999</i> .	Where we are able to recover our costs, the fee setting process has included detailed analysis of the full cost of providing the service to ensure we maximise our recovery.

6. Additional information

The fees and charges are administered in accordance with the Act and the adopted Council delegations schedule(s).

The fees and charges adoption process includes only the fees and charges that must be adopted by Council and excludes statutory fees and the fees delegated to the CEO.

In accordance with the Act, Council has delegated its authority to the CEO in relation to fees and charges for:

- the use of any property or facility owned, controlled, managed or maintained by council (eg beach ramp fees, tourist park site and cabin fees and hire of halls, function and meeting rooms)
- services supplied to a person at their request (eg additional waste bin service, block clearing and immunisation services)
- carrying out work at a person's request (eg private works including inverts, kerb replacement and remedial works).

Section 44 of the Act does not enable Council to delegate its authority in relation to fees and charges for:

- providing information or materials, or copies of or extracts from council records
- any application to the council
- any authorisation, licence or permit granted by the council
- any matter for which another Act provides that a fee fixed under this Act is to be payable
- any other prescribed matter.

Where Council has delegated authority to the CEO this has been sub-delegated to appropriate officers in accordance with Sections 44 and 101 of the Act.

The administration will continue to prepare, publish and maintain a full fees and charges schedule in accordance with the requirements of the Act and will also **ensure that this is available on onkaparingacity.com and at council's principal office.**

Fees and charges requiring Council adoption

Fees and charges requiring Council adoption are included in attachment 1, including the following details for each fee or charge:

- description and unit
- tax treatment
- current fee for 2013-14
- proposed fee for 2014-15
- resulting change and percentage change
- identification of new fees for 2014-15
- estimated yearly income for 2014-15.

The Schedule is grouped by Fee Category and prepared by staff responsible for the activities and services within each of the categories.

The proposed increases in fees and charges are generally in line with the indexation used in the Long Term Financial Plan (3%) however some have increased above **this amount. It should be noted that for 'rounding' reasons, flat percentage** increases are not always practical.



Proposed Schedule of Fees and Charges 2014-15

Attachment 1

Description and Legislative Authority	Unit	GST Treatment	Business Unit	Current Fee 2013-14	Proposed Fee 2014-15	Change \$	%	New	Yearly Income Estimate
Community Health									
Food Premises Audits									
Governed by Food Act 2001									
Aged Care Facilities									
Onsite audit fee per hour									
Desk-top Audit Fee Per Hour	per hour	Exempt	279408	\$88.50	\$91.00	\$2.50	2.82 %		\$91
<i>This fee is only charged if auditing a facility for the first time</i>									
* In line with indexation									
Desk top audits are only conducted on brand new facilities.									
LG Act 1999 Section 188(1) (g)									
Onsite Audit Fee Per Hour	per hour	Exempt	279408	\$177.10	\$182.00	\$4.90	2.77 %		\$3,000
<i>Maximum charge 5 hours</i>									
* In line with indexation									
LG Act 1999 Section 188(1) (g)									
Child Care Centres									
Desk-top Audit Fee Per Hour	per hour	Exempt	279408	\$88.50	\$91.00	\$2.50	2.82 %		\$91
<i>This fee is only charged if auditing a facility for the first time</i>									
* In line with indexation									
Desk top audits are only conducted on brand new facilities.									
LG Act 1999 Section 188(1) (g)									
Onsite Audit Fee Per Hour	per hour	Exempt	279408	\$177.10	\$182.00	\$4.90	2.77 %		\$8,000
<i>Maximum charge 3 hours</i>									
* In line with indexation									
LG Act 1999 Section 188(1) (g)									
Commercial Delivered Meals									
Desk-top Audit Fee Per Hour	per hour	Exempt	279408	\$88.50	\$91.00	\$2.50	2.82 %		0
<i>This fee is only charged if auditing a facility for the first time</i>									
* In line with indexation									
We currently do not have any of these facilities.									
LG Act 1999 Section 188(1) (g)									
Onsite Audit Fee Per Hour	per hour	Exempt	279408	\$177.10	\$182.00	\$4.90	2.77 %		0
<i>Maximum charge 3 hours</i>									
* In line with indexation									
We currently do not have any of these facilities.									
LG Act 1999 Section 188(1) (g)									



Proposed Schedule of Fees and Charges 2014-15

Attachment 1

Description and Legislative Authority	Unit	GST Treatment	Business Unit	Current Fee 2013-14	Proposed Fee 2014-15	Change \$	%	New	Yearly Income Estimate
Day Therapy Centres									
Desk-top Audit Fee Per Hour	per hour	Exempt	279408	\$88.50 * In line with indexation We currently do not have any of these facilities.	\$91.00	\$2.50	2.82 %		0
LG Act 1999 Section 188(1) (g)									
Onsite Audit Fee Per Hour	per hour	Exempt	279408	\$177.10 * In line with indexation We currently do not have any of these facilities.	\$182.00	\$4.90	2.77 %		0
LG Act 1999 Section 188(1) (g)									
Private Hospitals									
Based on Dept of Health Fees									
Desk-top Audit Fee Per Hour	per hour	Exempt	279408	\$88.50 * In line with indexation The private hospital is currently being audited by another provider.	\$91.00	\$2.50	2.82 %		0
LG Act 1999 Section 188(1) (g)									
Onsite Audit Fee Per Hour	per hour	Exempt	279408	\$177.10 * In line with indexation The private hospital is currently being audited by another provider.	\$182.00	\$4.90	2.77 %		0
LG Act 1999 Section 188(1) (g)									
Re-Assessment Fee									
Critical Non-Conformance Assessment	per assessment	Exempt	279408	\$80.00	\$80.00	\$0.00	0.00 %		\$80
* This has been kept the same as per the maximum inspection fee in the Food Regulations 2002.									
LG Act 1999 Section 188(1) (g)									
Food Premises Inspection									
Governed by Food Act 2001									
Domestic Premises									
Home business									
Inspection Fee Domestic Premises	per inspection	Exempt	279404	\$41.00 * In line with indexation	\$42.00	\$1.00	2.44 %		\$2,200
LG Act 1999 Section 188(1) (g)									



Proposed Schedule of Fees and Charges 2014-15

Attachment 1

Description and Legislative Authority	Unit	GST Treatment	Business Unit	Current Fee 2013-14	Proposed Fee 2014-15	Change \$	%	New	Yearly Income Estimate
Food Caravan/Trailer									
Inspection Fee Food Caravan/Trailer	per inspection	Exempt	279404	\$41.00 * In line with indexation	\$42.00	\$1.00	2.44 %		\$1,100
LG Act 1999 Section 188(1) (g)									
High Risk Business									
Less Than 20 Full Time Employees	per inspection	Exempt	279404	\$80.00	\$80.00	\$0.00	0.00 %		\$2,600
LG Act 1999 Section 188(1) (g)									
More Than 20 Full Time Employees	per inspection	Exempt	279404	\$200.00	\$200.00	\$0.00	0.00 %		\$2,000
* Fee to remain the same as the Food Regulations 2002 have a maximum set fee of \$200 for inspection fees.									
LG Act 1999 Section 188(1) (g)									
Re-inspection in Accordance with Australian Food Safety Assessment Guidelines	per inspection	Exempt	279404	\$80.00	\$80.00	\$0.00	0.00 %		\$800
* This fee is capped at \$80 by the Food Regulations 2002.									
LG Act 1999 Section 188(1) (g)									
Low Risk Business									
Inspection Fee Low Risk Business	per inspection	Exempt	279404	\$41.00 * In line with indexation Due to changes in food risk ratings -there will be a reduced number of low risk premises inspected.	\$42.00	\$1.00	2.44 %		\$4,220
LG Act 1999 Section 188(1) (g)									
More Than 20 Full Time Employees	per inspection	Exempt	279404	\$100.00 * In line with indexation	\$103.00	\$3.00	3.00 %		\$103
LG Act 1999 Section 188(1) (g)									
Market Food Stall									
Inspection Fee Market Food Stall	per inspection	Exempt	279404	\$27.80 * In line with indexation and rounded up	\$29.00	\$1.20	4.32 %		\$600
LG Act 1999 Section 188(1) (g)									



Proposed Schedule of Fees and Charges 2014-15

Attachment 1

Description and Legislative Authority	Unit	GST Treatment	Business Unit	Current Fee 2013-14	Proposed Fee 2014-15	Change \$	%	New	Yearly Income Estimate
Medium Risk Business									
Inspection Fee Medium Risk Business	per inspection	Exempt	279404	\$79.00	\$80.00	\$1.00	1.27 %		\$15,200
* The Food Regulations 2002 cap inspection fees for small business at \$80.									
LG Act 1999 Section 188(1) (g)									
More Than 20 Full Time Employees	per inspection	Exempt	279404	\$195.00	\$200.00	\$5.00	2.56 %		\$2,200
* The Food Regulations 2002 have capped the maximum inspection fee at \$200.									
LG Act 1999 Section 188(1) (g)									
Mobile Food Van									
Inspection Fee Mobile Food Van	per inspection	Exempt	279404	\$41.00	\$42.00	\$1.00	2.44 %		\$2,100
* In line with indexation									
LG Act 1999 Section 188(1) (g)									
Temporary Food Stall									
Inspection Fee Temporary Food Stall	per inspection	Exempt	279404	\$41.00	\$42.00	\$1.00	2.44 %		\$1,000
* In line with indexation									
LG Act 1999 Section 188(1) (g)									
Community Rangers									
Abandoned Vehicles									
Towing and other costs									
Towing and Other Costs									
Administration Fee	standard fee	Taxable	269202	\$60.00	\$61.80	\$1.80	3.00 %		\$2,500
* In line with indexation									
Administration fee for release of impounded vehicles									
LG Act 1999 Section 188(1) (h)									
Towing Fee per Vehicle	per vehicle	Taxable	269202	\$0.00	Actual cost of towing	\$0.00	0.00 %		\$2,500
* Reimbursement actual cost of towing to impound yard.									
Towing fee for removal of a vehicle from a public place									
LG Act 1999 Section 188(1) (h)									



Proposed Schedule of Fees and Charges 2014-15

Attachment 1

Description and Legislative Authority	Unit	GST Treatment	Business Unit	Current Fee 2013-14	Proposed Fee 2014-15	Change \$	%	New	Yearly Income Estimate
Animal Management Fee									
Dog and Cat Management Act 1995									
Extract from Dog Register									
Extract from Dog Register	per request	Taxable	269108	\$34.00	\$35.00	\$1.00	2.94 %		\$350
<i>Customer request for data from the Dog Register</i>									
LG Act 1999 Section 188(1) (d)									
Miscellaneous Costs									
After Hours Dog Impounding Fee	per night	Taxable	269108	\$90.00	\$68.70	-\$21.30	-23.67 %		\$16,200
<i>Fee for impounding dog after hours</i>									
* Fee reduced, approved in March 2014 by Council in line with Dog & Cat Management Board guidelines. This fee is now split with service - Dog Impounding Fee (Normal)									
LG Act 1999 Section 188(1) (h)									
Daily Holding Fee of Impounded Dog	per day or part thereof	Taxable		\$25.00	\$25.00	\$0.00	0.00 %		\$2,500
<i>Daily fee for holding of impounded dog</i>									
* Fee to remain the same - cost recovery									
LG Act 1999 Section 188(1) (h)									
Dangerous Dog Sign	per sign	Taxable	269106	\$0.00	Actual cost	\$0.00	0.00 %		\$150
<i>Fee for supply of 'Dangerous Dog' sign</i>									
* Reimbursement of actual cost									
LG Act 1999 Section 188(1) (h)									
Dog Impounding Fee (Normal)	per day	Taxable	269108	\$0.00	\$66.70	\$66.70	0.00 %	Yes	\$37,800
<i>Fee for impounding dog during business hours (10:00 AM - 4:00 PM Monday - Friday)</i>									
* New fee, approved in March 2014 by Council within allowed guidelines form Dog & Cat Management Board - cost recovery									
LG Act 1999 Section 188(1) (h)									
Impound Dog Release Fee	per dog	Taxable	269108	\$25.00	\$25.00	\$0.00	0.00 %		0
<i>Fee for release of impounded dog</i>									
* Fee charged direct to owner by RSPCA.									
LG Act 1999 Section 188(1) (h)									



Proposed Schedule of Fees and Charges 2014-15

Attachment 1

Description and Legislative Authority	Unit	GST Treatment	Business Unit	Current Fee 2013-14	Proposed Fee 2014-15	Change \$	%	New	Yearly Income Estimate
Registration Fee									
Annual Registration Fee	per dog	Exempt	269101	\$55.00	\$60.00	\$5.00	9.09 %	Yes	\$190,000
* Fee increased in line with Dog & Cat Management Board guidelines approved by Council on 11 March 2014.									
No concessions									
LG Act 1999 Section 188(1) (g)									
Business Registration 1 - 9 Dogs	1-9 dogs	Exempt	269102	\$0.00	\$155.00	\$155.00	0.00 %	Yes	\$4,650
* New fee structure approved by Council on 11 March 2014.									
Fee for 1 - 9 dogs owned by a business (ie breeding dogs) not a natural person.									
LG Act 1999 Section 188(1) (g)									
Business Registration 10 - 19 Dogs	10 - 19 dogs	Exempt	269102	\$0.00	\$285.00	\$285.00	0.00 %	Yes	\$885
* New fee structure approved by Council on 11 March 2014.									
Fee for 10 - 19 dogs owned by a business (ie breeding dogs) not a natural person									
LG Act 1999 Section 188(1) (g)									
Business Registration 20 - 29 Dogs	20 - 29 Dogs	Exempt	269102	\$0.00	\$440.00	\$440.00	0.00 %	Yes	\$1,320
* New fee structure approved by Council on 11 March 2014.									
Fee for 20 - 29 dogs owned by a business (ie breeding dogs) not a natural person									
LG Act 1999 Section 188(1) (g)									
Business Registration 30+ Dogs	30+ dogs	Exempt	269102	\$0.00	\$600.00	\$600.00	0.00 %	Yes	\$1,200
* New fee structure approved by Council on 11 March 2014.									
Fee for 30+ dogs owned by a business (ie breeding dogs) not a natural person									
LG Act 1999 Section 188(1) (g)									
Concession Card Holder Rebate	per dog	Exempt	269108	\$27.50	\$30.00	\$2.50	9.09 %	Yes	\$72,000
* Fee increased in line with Dog & Cat Management Board guidelines approved by Council on 11 March 2014.									
50% rebate									
LG Act 1999 Section 188(1) (g)									
Desexed Dog	per dog	Exempt	269101	\$41.25	\$45.00	\$3.75	9.09 %	Yes	\$182,000
* Fee increased in line with Dog & Cat Management Board guidelines approved by Council on 11 March 2014.									
25% rebate									
LG Act 1999 Section 188(1) (g)									
Microchipped Dog	per dog	Exempt	269101	\$49.50	\$54.00	\$4.50	9.09 %	Yes	\$63,000
* Fee increased in line with Dog & Cat Management Board guidelines approved by Council on 11 March 2014.									
10% rebate									
LG Act 1999 Section 188(1) (g)									
Trained Dog	per dog	Exempt	269101	\$41.25	\$45.00	\$3.75	9.09 %	Yes	\$3,000
* Fee increased in line with Dog & Cat Management Board guidelines approved by Council on 11 March 2014.									
25% rebate									
LG Act 1999 Section 188(1) (g)									



Proposed Schedule of Fees and Charges 2014-15

Attachment 1

Description and Legislative Authority	Unit	GST Treatment	Business Unit	Current Fee 2013-14	Proposed Fee 2014-15	Change \$:	%	New	Yearly Income Estimate
Desexed/Microchipped	per dog	Exempt	269101	\$35.75	\$39.00	\$3.25 :	9.09 %		\$345,000
35% rebate				* Fee increased in line with Dog & Cat Management Board guidelines approved by Council on 11 March 2014.					
LG Act 1999 Section 188(1) (g)									
Desexed/Trained	per dog	Exempt	269101	\$27.50	\$30.00	\$2.50 :	9.09 %		\$5,000
50% rebate				* Fee increased in line with Dog & Cat Management Board guidelines approved by Council on 11 March 2014.					
LG Act 1999 Section 188(1) (g)									
Microchipped and Trained	per dog	Exempt	269101	\$35.75	\$39.00	\$3.25 :	9.09 %		\$4,000
35% rebate				* Fee increased in line with Dog & Cat Management Board guidelines approved by Council on 11 March 2014.					
LG Act 1999 Section 188(1) (g)									
Desexed/Microchipped/Trained	per dog	Exempt	269101	\$22.00	\$24.00	\$2.00 :	9.09 %		\$24
60% rebate				* Fee increased in line with Dog & Cat Management Board guidelines approved by Council on 11 March 2014.					
LG Act 1999 Section 188(1) (g)									
Late Fee	per dog	Exempt	269101	\$13.00	\$13.00	\$0.00 :	0.00 %		\$11,000
Late fee for registration of dog				* Fee to remain the same, approved by Council on 11 March 2014.					
LG Act 1999 Section 188(1) (g)									
Percentage Rebate for Partial Year Registration	per dog	Exempt	269101	\$27.50	\$30.00	\$2.50 :	9.09 %		\$7,000
Pups that are born from 1 October of each year attract a 50% rebate. New registrations of adult dogs after 1 March attract 50% rebate.				* Fee increased in line with Dog & Cat Management Board guidelines approved by Council on 11 March 2014.					
LG Act 1999 Section 188(1) (g)									
Transfer of Registration Fee	per dog	Exempt	269101	\$5.00	\$5.00	\$0.00 :	0.00 %		\$4,000
Transfer of registration for a dog that is currently registered in another council area, to our council area.				* Fee to remain the same, approved by Council on 11 March 2014.					
LG Act 1999 Section 188(1) (g)									
Racing Greyhounds	per dog	Exempt	269101	\$13.75	\$15.00	\$1.25 :	9.09 %		\$900
75% rebate				* Fee increased in line with Dog & Cat Management Board guidelines approved by Council on 11 March 2014.					
LG Act 1999 Section 188(1) (g)									



Proposed Schedule of Fees and Charges 2014-15

Attachment 1

Description and Legislative Authority	Unit	GST Treatment	Business Unit	Current Fee 2013-14	Proposed Fee 2014-15	Change \$	%	New	Yearly Income Estimate
Working Dog	per dog	Exempt	269101	\$13.75	\$15.00	\$1.25	9.09 %		\$2,000
75% rebate				* Fee increased in line with Dog & Cat Management Board guidelines approved by Council on 11 March 2014.					
LG Act 1999 Section 188(1) (g)									
Replacement Disc Fee	per disc	Exempt	269101	\$5.00	\$5.00	\$0.00	0.00 %		\$8,000
Replacement of a disc for the current financial year, for dogs already registered within council.				* Fee to remain the same, approved by Council on 11 March 2014.					
LG Act 1999 Section 188(1) (g)									
Kennel Inspection Fee	per kennel licence	Taxable	269102	\$50.00	\$50.00	\$0.00	0.00 %		\$2,500
Administration fee for inspecting kennel for licence				* Fee to remain the same					
LG Act 1999 Section 188(1) (g)									
By-Laws									
By-Law No 5 - Bird Scarers									
Expiation Fee	each	Exempt		\$185.00	\$185.00	\$0.00	0.00 %		\$1,000
Bird Scarer By-Law sections 2, 3, & 5				* Fee to remain the same. Fixed within by-law set by Council resolution 1 September 2009.					
LG Act 1999 Section 188(1) (h)									
Expiation Fee	each	Exempt	269303	\$0.00	\$100.00	\$100.00	0.00 %	Yes	\$500
Bird Scarer By-Law section 4				* New fee. Fixed within by-law set by Council resolution 1 September 2009.					
LG Act 1999 Section 188(1) (h)									
By-Laws									
Dog Related Expiation under By-Law No 7	each	Exempt	269103	\$85.00	\$75.00	-\$10.00	-11.76 %		\$10,000
Dog By-Law sections 2, 4, 5, 6, & 7				* Fixed within by-law set by Council resolution 1 September 2009. Price was misstated in previous year, have only charged public \$75					
LG Act 1999 Section 188(1) (h)									
Dog Related Expiation under By-Law No 7	each	Exempt	269103	\$0.00	\$55.00	\$55.00	0.00 %	Yes	\$2,000
Dog By-Law section 8				* New fee. Fixed within by-law set by Council resolution 1 September 2009.					
LG Act 1999 Section 188(1) (h)									



Proposed Schedule of Fees and Charges 2014-15

Attachment 1

Description and Legislative Authority	Unit	GST Treatment	Business Unit	Current Fee 2013-14	Proposed Fee 2014-15	Change \$	%	New	Yearly Income Estimate
Expiation Fees Affecting Public Safety or Damage to Council Property									
By-law 1 - Permits and Penalties, By-law 2 - Moveable Signs, By-law 3 - Roads, By-law 4 - Local Government Land, By-law 6 - Foreshore	each	Exempt	269303	\$185.00	\$185.00	\$0.00	0.00 %		\$1,500
* Fee to remain the same. Fixed within by-law set by Council resolution 1 September 2009.									
Expiation Fees All Others									
By-law 1 - Permits and Penalties, By-law 2 - Moveable Signs, By-law 3 - Roads, By-law 4 - Local Government Land, By-law 6 - Foreshore	each	Exempt		\$100.00	\$100.00	\$0.00	0.00 %		\$35,000
* Fee to remain the same. Fixed within by-law set by Council resolution 1 September 2009.									
LG Act 1999 Section 188(1) (h)									
Community Safety Miscellaneous Fee									
Administration and Other Fee									
Administration Fee - Clearing of Dumped Rubbish	per instance	Taxable		\$50.00	\$51.50	\$1.50	3.00 %		\$500
* In line with indexation									
LG Act 1999 Section 188(1) (h)									
Advertising	per sign	Taxable	269303	\$0.00	Actual cost for advertising impounded signs	\$0.00	0.00 %		\$10,000
* Actual cost recovery									
Impounding fee for impounding of signs that contravene By-Law and legislation									
LG Act 1999 Section 188(1) (h)									
Clearing of Dumped Rubbish	per instance	Taxable		\$0.00	Actual cost of clearing and disposing of items	\$0.00	0.00 %		\$0
* Actual cost recovery									
Cost recovery of clearing up dumped rubbish									
LG Act 1999 Section 188(1) (h)									



Proposed Schedule of Fees and Charges 2014-15

Attachment 1

Description and Legislative Authority	Unit	GST Treatment	Business Unit	Current Fee 2013-14	Proposed Fee 2014-15	Change \$:	%	New	Yearly Income Estimate
Permit Administration Fee	per application	Taxable		\$50.00	\$50.00	\$0.00 :	0.00 %		\$0
<i>Permit administration fee for:</i> 1. Local Government Act 1999 2. By-Law 3. EPA (Burning) Permits LG Act 1999 Section 188(1) (f)									
* Fee to remain the same									
Fire Prevention									
Administration of Provisions of Fire & Emergency Act 2005									
Administration Fee									
Administration Fee - Block Slashing and Clearing Properties not Complied with S105 Notice	per property	Taxable		\$30.00	\$30.00	\$0.00 :	0.00 %		
<i>Administration fee for cost recovery of managing properties who have not complied with notices issued for property clearing under Section 105 of the Fire & Emergency Services Act 2005.</i> LG Act 1999 Section 188(1) (g)									
* Fee to remain the same									
Development Plan Consent (DPC) (Statutory)									
Preparation of Agreements									
Administration Fee for Road Bond	per application	Taxable	349115	\$463.50	\$477.40	\$13.90 :	3.00 %		\$9,000
<i>Administration time and tasks associated with bond document preparation</i> LG Act 1999 Section 188(1) (h)									
* In line with indexation									
Public Notification Fees (Non-Statutory)									
Advertisement and Notification Fees									
Category Three Advertisement in Newspaper	per application	Taxable	349100	\$398.61	\$410.60	\$11.99 :	3.01 %		\$24,600
LG Act 1999 Section 188(1) (n)									
* In line with indexation									



Proposed Schedule of Fees and Charges 2014-15

Attachment 1

Description and Legislative Authority	Unit	GST Treatment	Business Unit	Current Fee 2013-14	Proposed Fee 2014-15	Change \$	%	New	Yearly Income Estimate
Licences, Permits and Insurances									
Licences and Permits									
Bond	with permit	Exempt	169049	\$1,060.00	\$1,092.00	\$32.00	3.02 %		\$0
<i>For major events or functions with potential risk to public/council land or works with potential risk to Council infrastructure</i>									
* In line with indexation									
LG Act 1999 Section 188(1) (f)									
Advertisement in Newspapers									
Advertisement for Lease, Licence or Permit Over Council Land (Section 202)	actual cost incurred per application	Taxable	169049	\$0.00	Actual cost per application	\$0.00	0.00 %		\$0
<i>3-week public consultation</i>									
* Cost recovery									
LG Act 1999 Section 188(1) (f)									
Clarendon Recreation Ground									
Facility hire fees									
Oval Only Hire	per day	Taxable	169049	\$120.00	\$60.00	-\$60.00	-50.00 %		\$248
<i>Non exclusive use</i>									
* Fee reduced to reflect non exclusive use									
LG Act 1999 Section 188(1) (f)									
Pavilion and Kitchen Hire	per day	Taxable	169049	\$130.00	\$134.00	\$4.00	3.08 %		\$2,680
<i>Exclusive use</i>									
* In line with indexation									
LG Act 1999 Section 188(1) (f)									
Pavilion Only Hire	per day	Taxable	169049	\$100.00	\$103.00	\$3.00	3.00 %		\$2,060
<i>Exclusive use</i>									
* In line with indexation									
LG Act 1999 Section 188(1) (f)									
General Permits & Licences									
Busking	per day	Exempt	169049	\$7.00	\$7.50	\$0.50	7.14 %		\$45
<i>LG Act 1999 Section 188(1) (f)</i>									
* In line with indexation and rounded up									
Filming on Commercial or Feature Films on Council Land (High Impact)	per day	Exempt		\$0.00	\$850.00	\$850.00	0.00 %	Yes	\$850
<i>High Impact, Exclusive Use</i>									
* New fee to reflect high impact and exclusive use with major films									
LG Act 1999 Section 188(1) (f)									



Proposed Schedule of Fees and Charges 2014-15

Attachment 1

Description and Legislative Authority	Unit	GST Treatment	Business Unit	Current Fee 2013-14	Proposed Fee 2014-15	Change \$:	%	New	Yearly Income Estimate
Shipping Containers on Council Land <i>Maximum of 3 days</i>	per permit	Exempt		\$120.00	\$124.00	\$4.00 :	3.33 %		\$248
LG Act 1999 Section 188(1) (f)				* In line with indexation					
Filming on Council Land <i>Up to 3 hrs</i>	up to 3hrs	Exempt		\$77.00	\$155.00	\$78.00 :	101.30 %		\$1240
LG Act 1999 Section 188(1) (f)				* Increased above indexation to reflect the commercial nature of these requests					
Filming on Council Land <i>One day only</i>	per day	Exempt		\$155.00	\$250.00	\$95.00 :	61.29 %		\$750
LG Act 1999 Section 188(1) (f)				* Increased above indexation to reflect the commercial nature of these requests					
Filming on Council Land - Students <i>Maximum of 3 days</i>	per application	Exempt	169049	\$25.00	\$26.00	\$1.00 :	4.00 %		\$26
LG Act 1999 Section 188(1) (f)				* In line with indexation and rounded up					
Filming of Commercial or Feature Films on Council Land <i>Maximum of 3 days</i>	per day	Exempt		\$530.00	\$546.00	\$16.00 :	3.02 %		\$4,368
LG Act 1999 Section 188(1) (f)				* In line with indexation					
Filming of Major Film on Council Land <i>Fee to be negotiated - exclusive use of land required</i>	per application	Exempt		\$0.00	Fee to be negotiated	\$0.00 :	0.00 %		\$3,000
LG Act 1999 Section 188(1) (f)				* No change to fee structure					
Helicopter Landings	per landing	Exempt	169049	\$80.00	\$82.00	\$2.00 :	2.50 %		\$82
LG Act 1999 Section 188(1) (f)				* In line with indexation					
Mini Skips on Council Land <i>Maximum of 3 days</i>	per permit	Exempt	169049.6251	\$60.00	\$80.00	\$20.00 :	33.33 %		\$850
LG Act 1999 Section 188(1) (f)				* Increased above indexation to reflect actual cost recovery - staff resource intensive					
Seed Collectors <i>Commercial</i>	per annual licence	Exempt	169049.6251	\$142.00	\$146.00	\$4.00 :	2.82 %		\$146
LG Act 1999 Section 188(1) (f)				* In line with indexation					



Proposed Schedule of Fees and Charges 2014-15

Attachment 1

Description and Legislative Authority	Unit	GST Treatment	Business Unit	Current Fee 2013-14	Proposed Fee 2014-15	Change \$:	%	New	Yearly Income Estimate
Seed Collectors	per annual licence	Exempt		\$25.00	\$26.00	\$1.00 :	4.00 %		\$730
<i>Volunteers - not for profit (administration fee only)</i>				* In line with indexation and rounded up					
LG Act 1999 Section 188(1) (f)									
Outdoor Dining - Section 222									
Annual Permit Fee - Licensed	each table	Exempt	169049.6251	\$50.00	\$60.00	\$10.00 :	20.00 %		\$6,000
<i>Per setting of table and up to 4 chairs</i>				* Increased above indexation based on market research					
LG Act 1999 Section 188(1) (f)									
Annual Permit Fee - Unlicensed	each table	Exempt	169049.6251	\$32.00	\$35.00	\$3.00 :	9.38 %		\$700
<i>Per setting of table and up to 4 chairs</i>				* Increased above indexation based on market research					
LG Act 1999 Section 188(1) (f)									
Initial Establishment Fee	each	Exempt	169049.6251	\$220.00	\$250.00	\$30.00 :	13.64 %		\$500
<i>Note: plus annual permit fee</i>				* Increased above indexation - cost recovery					
LG Act 1999 Section 188(1) (f)									
Permission to Build 'Structure' Over Council Easement									
New Application for permission to build over easement	per application	Exempt		\$515.00	\$530.00	\$15.00 :	2.91 %		\$5,300
				* In line with indexation					
LG Act 1999 Section 188(1) (f)									
Signs and Banners - Permanent Advertising									
Commercial	per sign per annum	Exempt	169049.6251	\$0.00	Base on commercial valuation	\$0.00 :	0.00 %		\$0
<i>Commercial valuation</i>				* No change to fee structure					
LG Act 1999 Section 188(1) (f)									
Community Groups	per sign per annum	Exempt	169049.6251	\$81.00	\$83.00	\$2.00 :	2.47 %		\$166
				* In line with indexation					
LG Act 1999 Section 188(1) (f)									
Government	per sign per annum	Exempt	169049.6251	\$167.00	\$172.00	\$5.00 :	2.99 %		\$172
				* In line with indexation					
LG Act 1999 Section 188(1) (f)									



Proposed Schedule of Fees and Charges 2014-15

Attachment 1

Description and Legislative Authority	Unit	GST Treatment	Business Unit	Current Fee 2013-14	Proposed Fee 2014-15	Change \$	%	New	Yearly Income Estimate
Signs and Banners - Temporary Advertising									
Commercial Businesses	per event	Exempt	169049.6251	\$160.00	\$165.00	\$5.00	3.13 %		\$165
<i>Maximum period of 2 weeks applies</i>									
<i>LG Act 1999 Section 188(1) (f)</i>									
Community Organisations (Including Educational, Sport and Leisure Groups)	per application (up to 3 events)	Exempt	169049.6251	\$31.00	\$32.00	\$1.00	3.23 %		\$1200
<i>Maximum period of 2 weeks applies</i>									
<i>LG Act 1999 Section 188(1) (f)</i>									
Fairs & Festivals - Community	per event	Exempt		\$70.00	\$72.00	\$2.00	2.86 %		\$288
<i>Maximum period of 2 weeks applies</i>									
<i>LG Act 1999 Section 188(1) (f)</i>									
Traders - Casual									
Traders on Council Land/Road	per 6mth licence	Exempt	169049.6251	\$675.00	\$750.00	\$75.00	11.11 %		\$10,000
<i>Up to 6 month fee including designated zone</i>									
<i>LG Act 1999 Section 188(1) (f)</i>									
Traders on Council Land/Road - Casual Use	per day	Exempt	169049.6251	\$80.00	\$100.00	\$20.00	25.00 %		\$400
<i>Commercial - maximum of 3 days</i>									
<i>LG Act 1999 Section 188(1) (f)</i>									
Traders on Council Land/Road - Not for Profit - Casual Use	per day	Exempt	169049.6251	\$40.00	\$41.00	\$1.00	2.50 %		\$41
<i>Not for profit - maximum of 3 days</i>									
<i>LG Act 1999 Section 188(1) (f)</i>									
Use of Community Land									
Casual Use of Council playing fields/reserve or foreshore	per half day	Exempt		\$52.00	\$54.00	\$2.00	3.85 %		\$54
<i>To facilitate the use by organisations for sporting activities eg schools use of council reserves</i>									
<i>LG Act 1999 Section 188(1) (f)</i>									
Reserves - Long Term Licence	6 monthly	Exempt	169049.6251	\$155.00	\$160.00	\$5.00	3.23 %		\$2,200
<i>Residential use/education/sporting clubs/community organisations</i>									
<i>LG Act 1999 Section 188(1) (f)</i>									



Proposed Schedule of Fees and Charges 2014-15

Attachment 1

Description and Legislative Authority	Unit	GST Treatment	Business Unit	Current Fee 2013-14	Proposed Fee 2014-15	Change \$	%	New	Yearly Income Estimate
Reserves - Long Term Licence <i>Private recreation/commercial users (including fitness providers) - additional fees may apply subject to usage</i> LG Act 1999 Section 188(1) (f)	6 monthly	Exempt	169049.6251	\$450.00	\$500.00	\$50.00	11.11 %		\$500
* Increased above indexation to reflect commercial nature									
Reserves - Long Term Licence <i>Business use - minimum fee applies or market value whichever is greater</i> LG Act 1999 Section 188(1) (f)	per annually licence	Exempt		\$515.00	\$530.00	\$15.00	2.91 %		\$2,120
* In line with indexation									
Reserves - Short Term Permit <i>Vehicle access over council reserve to private property by a commercial business</i> LG Act 1999 Section 188(1) (f)	per day - max 3 days	Exempt		\$73.00	\$75.00	\$2.00	2.74 %		\$150
* In line with indexation									
Reserves - Short Term Permit <i>Vehicle access over council reserve to private property by resident</i> LG Act 1999 Section 188(1) (f)	per day - max 3 days	Exempt	169049.6251	\$43.00	\$44.00	\$1.00	2.33 %		\$440
* In line with indexation									
Reserves - Short Term Permit <i>Event organised free to the Community</i> LG Act 1999 Section 188(1) (f)	per day - max 3 days	Exempt	169049.6251	\$196.00	\$202.00	\$6.00	3.06 %		\$202
* In line with indexation									
Reserves - Short Term Permit <i>Event organised for profit. Fees may apply for addition services</i> LG Act 1999 Section 188(1) (f)	per day - max 3 days	Exempt	169049.6251	\$389.34	\$401.00	\$11.66	2.99 %		\$401
* In line with indexation									
Reserves / Foreshore - Casual Bookings <i>0 to 30 patrons attending - no charge</i> LG Act 1999 Section 188(1) (f)	per day	Exempt	169049	\$0.00	No fee	\$0.00	0.00 %		\$0
* No fee for this service									
Reserves - Long Term Licence <i>Seasonal use of Council Sports Turf Surface</i> LG Act 1999 Section 188(1) (f)	per day	Exempt		\$0.00	\$25.00	\$25.00	0.00 %	Yes	\$2,000
* New fee - cost recovery for playing surface									
Reserves - Seasonal Licence <i>Seasonal use of Council Sports Turf Surface for education/sporting</i> LG Act 1999 Section 188(1) (f)	per season up to 6 months	Exempt		\$0.00	\$350.00	\$350.00	0.00 %	Yes	\$2,000
* New fee - cost recovery for playing surface									



Proposed Schedule of Fees and Charges 2014-15

Attachment 1

Description and Legislative Authority									
Unit	GST Treatment	Business Unit	Current Fee 2013-14	Proposed Fee 2014-15	Change \$	%	New	Yearly Income Estimate	
Reserves / Foreshore - Casual Bookings 31 to 70 patrons attending (maximum 3 days) LG Act 1999 Section 188(1) (f)	Exempt	per day	\$52.00	\$54.00	\$2.00	3.85 %		\$2,160	
			* In line with indexation						
Reserves / Foreshore - Casual Bookings More than 71 patrons (maximum 3 days) LG Act 1999 Section 188(1) (f)	Exempt	per day	\$155.00	\$160.00	\$5.00	3.23 %		\$6,400	
			* In line with indexation						
Reserves / Foreshore - Casual Bookings Weddings 0 to 100 patrons weddings LG Act 1999 Section 188(1) (f)	Exempt	per day	\$103.00	\$150.00	\$47.00	45.63 %		\$9,000	
			* Increased above indexation based on market research						
Use of Council Roads									
Road Reserves Government body (includes Government contractors)/Commercial Organisation (up to 12 months) LG Act 1999 Section 188(1) (f)	Exempt	per application	169049	\$258.00	\$266.00	\$8.00	3.10 %	\$1,330	
			* In line with indexation						
Road Reserves - Commercial Use/Hoarding and Business Use Less than 100 square metres for a period of 2 months to 12 months LG Act 1999 Section 188(1) (f)	Exempt	per month	169049.6251	\$389.00	\$401.00	\$12.00	3.08 %	\$401	
			* In line with indexation						
Road Reserves - Commercial Use/Hoarding and Business Use Between 100 to 500 square meters for a period of 2 months to 12 months LG Act 1999 Section 188(1) (f)	Exempt	per square metre/per month	169049.6251	\$5.00	\$5.20	\$0.20	4.00 %	\$666	
			* In line with indexation and rounded up						
Road Reserves - Commercial Use/Hoarding and Business Use Less than 100 square meters for a period of less than 2 months LG Act 1999 Section 188(1) (f)	Exempt	per week	169049.6251	\$111.00	\$114.00	\$3.00	2.70 %	\$114	
			* In line with indexation						
Road Reserves - Commercial Use/Hoarding and Business Use Between 100 to 500 sqm square meters for a period of less than 2 months LG Act 1999 Section 188(1) (f)	Exempt	per square metre/per week	169049.6251	\$2.00	\$2.05	\$0.05	2.50 %	\$1,400	
			* In line with indexation						
Road Reserves - Commercial Use/Hoarding and Business Use Greater than 500 square meters for a period longer than 12 months - fee to be negotiated LG Act 1999 Section 188(1) (f)	Exempt	per application	169049.6251	\$0.00	On negotiation	\$0.00	0.00 %	\$0	
			* No change to fee structure						



Proposed Schedule of Fees and Charges 2014-15

Attachment 1

Description and Legislative Authority	Unit	GST Treatment	Business Unit	Current Fee 2013-14	Proposed Fee 2014-15	Change \$	%	New	Yearly Income Estimate
Road Reserves - Long Term Permit <i>Rural use (eg. grazing, moving of livestock), residential, community organisations and commercial</i>	annually	Exempt	169049.6251	\$227.00	\$234.00	\$7.00	3.08 %		\$2,270
* In line with indexation									
Utilities - Indirect Water Supply <i>LG Act 1999 Section 188(1) (f)</i>	per application	Exempt	169049.6251	\$160.00	\$165.00	\$5.00	3.13 %		\$340
* In line with indexation									
Utilities - Underground Electrical Services <i>LG Act 1999 Section 188(1) (f)</i>	per application	Exempt	169049.6251	\$160.00	\$165.00	\$5.00	3.13 %		\$10,890
* In line with indexation									
Application to Alter a Public Road <i>Application to alter a public road under section 221</i>	per application	Exempt		\$160.00	\$200.00	\$40.00	25.00 %		\$9,600
* Increased above indexation to reflect actual cost recovery - labour intensive									
Miscellaneous Charges									
Assessment Information									
Provision of information on rates and valuation data obtained from the assessment record including reprinting of historical rates notices									
Bulk Assessment Record Information (database extract)									
Provision of assessment record information on larger numbers of properties - usually for requests lodged by land agents or similar bodies.									
Bulk Electronic Information Charge per Record	per record	Taxable	719107	\$0.60	\$0.65	\$0.05	8.33 %		\$1,000 is total budget for all Assessment Information and rate notices copies
* Increased by indexation and rounded up to 5 cents									
<i>Under Section 174(2) of the Local Government Act 1999 "A person is entitled, upon payment of a fee fixed by the council, to a copy of an entry made in the assessment record."</i>									
* LG Act 1999 Section 188(1) (d)									



Proposed Schedule of Fees and Charges 2014-15

Attachment 1

Description and Legislative Authority	Unit	GST Treatment	Business Unit	Current Fee 2013-14	Proposed Fee 2014-15	Change \$:	%	New	Yearly Income Estimate
Bulk Electronic Information Minimum Charge	minimum amount payable	Taxable	719107	\$96.00	\$104.00	\$8.00	8.33 %		\$1,000 is total budget for all Assessment information and rate notices copies
<p><i>Under Section 174(2) of the Local Government Act 1999 "A person is entitled, upon payment of a fee fixed by the council, to a copy of an entry made in the assessment record."</i></p> <p>LG Act 1999 Section 188(1) (d)</p>									
Bulk Information (Minimum 25 Assessments) Time Based Charge (where specific property addresses are provided)	per half hour	Taxable	719107	\$38.00	\$39.15	\$1.15	3.03 %		\$1,000 is total budget for all Assessment information and rate notices copies
<p><i>Under Section 174(2) of the Local Government Act 1999 "A person is entitled, upon payment of a fee fixed by the council, to a copy of an entry made in the assessment record."</i></p> <p>LG Act 1999 Section 188(1) (d)</p>									
<p>Information Retrieval from Assessment Record</p> <p>Administrative cost per half hour of staff processing time to produce the requested information where information not readily available from current data.</p>									
Investigation and Archival Retrieval from Assessment Record	per half hour	Taxable	719107	\$38.00	\$39.15	\$1.15	3.03 %		\$1,000 is total budget for all Assessment information and rate notices copies
<p><i>Administrative cost per half hour of processing to produce the requested information.</i></p> <p>LG Act 1999 Section 188(1) (d)</p>									



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Attachment 1

Description and Legislative Authority	Unit	GST Treatment	Business Unit	Current Fee 2013-14	Proposed Fee 2014-15	Change \$: %	New	Yearly Income Estimate
Material Costs	per page or at cost (external costs)	Taxable	719107	\$0.40	\$0.45	\$0.05 : 12.50 %		\$1,000 is total budget for all Assessment information and rate notices copies
* Increased above indexation - cost recovery per page								
<i>Costs of any material to produce information which will be charged at cost for an external costs incurred (retrieve archive data) or cost per page of information required.</i>								
LG Act 1999 Section 188(1) (d)								
Printed extracts of Assessment Record Information								
Assessment Record Extract	per assessment requested	Taxable	719107	\$20.80	\$22.95	\$2.15 : 10.34 %		\$1,000 is total budget for all Assessment information and rate notices copies
* Increased above indexation - cost recovery								
<i>Under Section 174(2) of the Local Government Act 1999 "A person is entitled, upon payment of a fee fixed by the council, to a copy of an entry made in the assessment record."</i>								
LG Act 1999 Section 188(1) (d)								
Provision of Address Information to Third Party Service Providers								
Provision of Address Information to Third Party Service Providers	per property	Taxable	719107	\$3.60	\$3.75	\$0.15 : 4.17 %		\$1,000 is total budget for all Assessment information and rate notices copies
* Increased above indexation - cost recovery								
<i>Provision of house number to allotment number for third party service providers (Pest Control Agencies, Telstra, Origin, etc)</i>								
LG Act 1999 Section 188(1) (d)								



Proposed Schedule of Fees and Charges 2014-15

Attachment 1

Description and Legislative Authority	Unit	GST Treatment	Business Unit	Current Fee 2013-14	Proposed Fee 2014-15	Change \$: %	New	Yearly Income Estimate
Reprint Rate Notices (Previous Financial Years)								
Reprint Rate Notices (Previous Financial Years)	per notice	Taxable	719107	\$20.90	\$22.95	\$2.15 : 10.34 %		\$1,000 is total budget for all Assessment information and rate notices copies
* Increased above indexation - cost recovery								
LG Act 1999 Section 188(1) (d)								
Cemetery Fees								
Services Provided								
Administration Fee	per person	Taxable	679201	\$118.00	\$122.00	\$4.00 : 3.39 %		\$1,220
* In line with indexation								
LG Act 1999 Section 188(1) (e)								
View Electronic Burial Information Online	per viewing	Taxable		\$0.00	No fee	\$0.00 : 0.00 %	Yes	\$0
* New fee introduced to encourage online viewing								
LG Act 1999 Section 188(1) (d)								
View the Cemetery Register	per viewing	Taxable		\$0.00	\$100.00	\$100.00 : 0.00 %	Yes	\$100
* New fee - to charge a fee as provided for under Section 53(4) of the Burial and Cremation Act 2013								
LG Act 1999 Section 188(1) (d)								
Burial Plot 50 Years	per person	Taxable	679201	\$1,442.00	\$1,485.00	\$43.00 : 2.98 %		\$8,910
* In line with indexation								
LG Act 1999 Section 188(1) (f)								
Ashes Interred in Grave	per person	Taxable	679201	\$330.00	\$340.00	\$10.00 : 3.03 %		\$1,700
* In line with indexation								
LG Act 1999 Section 188(1) (f)								
Niche Wall - 25 Year Internment Right	per person	Taxable	679201	\$762.00	\$785.00	\$23.00 : 3.02 %		\$785
* In line with indexation								
LG Act 1999 Section 188(1) (f)								



Proposed Schedule of Fees and Charges 2014-15

Attachment 1

Description and Legislative Authority	Unit	GST Treatment	Business Unit	Current Fee 2013-14	Proposed Fee 2014-15	Change \$	%	New	Yearly Income Estimate
Rose Garden - 25 Year Internment Right	per person	Taxable	679201	\$876.00	\$902.00	\$26.00	2.97 %		\$4,510
* In line with indexation									
LG Act 1999 Section 188(1) (f)									
Memorial Permit	per person	Taxable	679201	\$103.00	\$106.00	\$3.00	2.91 %		\$1,060
* In line with indexation									
LG Act 1999 Section 188(1) (f)									
Transfer of Internment Right	per person	Taxable	679201	\$118.00	\$122.00	\$4.00	3.39 %		\$732
* In line with indexation									
LG Act 1999 Section 188(1) (f)									
Information Retrieval for Community Members									
Community members requesting copies of house plans, soil reports, engineering reports, agenda/minutes, copies of by-law etc.									
Investigation and Archival Retrieval									
Requiring investigation and archival retrieval of information eg: house plans, soil reports, engineering reports, agenda/minutes, copies of by-law etc.									
Enquiry	per request	Taxable	709303.6251	\$51.50	\$53.00	\$1.50	2.91 %		\$2,500
* In line with indexation and rounded down.									
LG Act 1999 Section 188(1) (d)									
Processing Fee - Completion of Search	per search	Taxable	709303	\$31.80	\$32.50	\$0.70	2.20 %		\$50
* In line with indexation and rounded down.									
Administrative cost per half hour of processing the request									
LG Act 1999 Section 188(1) (d)									
Materials Cost A4 copies	per page	Taxable	709303	\$0.20	\$0.20	\$0.00	0.00 %		\$50
* No change to copy cost charges for A4 paper. Standard charge for A4 copy including Black and White and Colour.									
Move to electronic supply of information has seen a decrease in the supply of hardcopies to applicants.									
Cost per page for A4 copy - black and white and colour, no duplex									
LG Act 1999 Section 188(1) (d)									
Materials Cost A3 copies	per page	Taxable	709303	\$0.50	\$0.50	\$0.00	0.00 %		\$20
* No change to copy cost charges for A3 paper. Standard charge for A3 copy including Black and White and Colour.									
Move to electronic supply of information has seen a decrease in the supply of hardcopies to applicants.									
Cost per page for A3 copy - black and white only									
LG Act 1999 Section 188(1) (d)									



Proposed Schedule of Fees and Charges 2014-15

Attachment 1

Description and Legislative Authority	Unit	GST Treatment	Business Unit	Current Fee 2013-14	Proposed Fee 2014-15	Change \$	%	New	Yearly Income Estimate
Materials Cost AO1 copies	per page	Taxable	709303	\$2.00	\$2.00	\$0.00	0.00 %		\$20
* No change to copy cost charges for AO1 paper. Standard charge for AO1 copy including Black and White and Colour. Move to electronic supply of information has seen a decrease in the supply of hardcopies to applicants.									
Cost per page for AO1 copy - black and white only									
LG Act 1999 Section 188(1) (d)									
Property Transactions									
Real Property Transactions									
Application Fee - Consent of Council as an Interested Party	per application	Taxable		\$258.00	\$266.00	\$8.00	3.10 %		\$1,064
Applicants wishing to apply for Council's consent pursuant to encumbrances, Land Management Agreements (LMAs) licences, leases or caveats are required to pay this fee upon application. * In line with indexation									
LG Act 1999 Section 188(1) (e)									
Application Fee - Easements	per easement	Taxable	999024	\$257.50	\$265.00	\$7.50	2.91 %		\$2,380
Applicants wishing to apply for creation, variation or extinguishment of easements are required to pay this fee upon application. * In line with indexation									
LG Act 1999 Section 188(1) (e)									
Easements - Compensation for the value of the rights/liberties granted	per easement minimum fee \$1,500	Taxable	999024	\$0.00	Minimum fee or independent valuation - higher of	\$0.00	0.00 %		\$0
Applicants wishing to apply for creation, variation or extinguishment of easements must compensate Council for the loss of rights granted as a result of the encumbrance to the land. * Fee to remain the same									
LG Act 1999 Section 188(1) (h)									
Application Fee - Purchase of a Public Road	per application	Taxable		\$258.00	\$266.00	\$8.00	3.10 %		\$1,064
Applicants wishing to apply to purchase a portion of public road are required to pay this fee upon application. * In line with indexation									
LG Act 1999 Section 188(1) (e)									
Application Fee - Purchase of Council Land	per item	Taxable		\$258.00	\$266.00	\$8.00	3.10 %		\$1,064
Persons wishing to purchase Council land are required to pay this fee upon application to obtain land titles, etc. Sale of land will be at market value plus associated processing costs. * In line with indexation									
LG Act 1999 Section 188(1) (e)									



Proposed Schedule of Fees and Charges 2014-15

Attachment 1

Description and Legislative Authority	Unit	GST Treatment	Business Unit	Current Fee 2013-14	Proposed Fee 2014-15	Change \$	%	New	Yearly Income Estimate
Purchase of Council land	per parcel	Taxable	999024	\$0.00	Market value	\$0.00	0.00 %		\$0
* Fee to remain the same									
Application Fee - Lease of Community Land to a Commercial Entity (Commercial Leases Only)	per application	Taxable		\$371.00	\$382.00	\$11.00	2.96 %		\$1,145
* In line with indexation									
Commercial entities applying to lease Council (or Community) land are required to pay this fee up-front to cover the costs associated with processing this application.									
LG Act 1999 Section 188(1) (e)									

9.4 Update report on a previous Council decision to revoke community land status.

This is an update on a previously reported subject, concept or issue.

Director: Steve Mathewson, Director Finance and Commercial
Report Author: David Haslam, Property Officer Transactions
Contact Number: (08) 8301 7227
Attachments: 1. Aerial photograph (1 page)
2. Council report and minutes from meeting 2 October 2007 (5 pages)

1. Purpose

This report requests Council to note the changed circumstances that apply to a council drainage reserve corridor at Christies Beach and to resolve to retain the land as community land for continued drainage purposes.

2. Recommendation

That for the drainage reserve land at Christies Beach comprising Allotments 1612 to 1614 in Deposited Plan 4983 contained in Certificates of Title Volume 5519 Folio's 595 to 597 respectively and Allotments 1616 and 1617 in Deposited Plan 4984 contained in Certificates of Title Volume 5519 Folio's 599 and 600 respectively (bordered in red on attachment 1), Council:

- 1. Notes the changed circumstances and additional flood mapping information that is now available.**
- 2. Retains ownership of the abovementioned land.**
- 3. Resolves that the abovementioned allotments be classified as community land in accordance with section 193 of the *Local Government Act 1999*.**

3. Background

Council at its meeting on 2 October 2007 (refer attachment 2) passed a resolution to revoke the classification as community land of those parcels of community land bordered in red on attachment 1. The approval also provided the authorisation to the Mayor and Chief Executive Officer to sign and seal documents necessary to complete the revocation, create an easement in favour of Council for drainage infrastructure and overland flow, and to sell the land parcels to the adjoining property owners.

The individual land sales were proposed to adjoining landowners equally, with half of the corridor being offered for sale to each adjoining landowner, or where only one landowner was interested, sale of the whole portion of the corridor to that adjoining owner.

Recent investigations and reviews of Council's storm water drainage system in the locality has identified that the existing drainage network has a limited capacity to handle peak rainfall events.

In addition further work is being undertaken to identify the possible impacts of medium density housing development which has the potential to exacerbate flooding in low to medium events.

It is therefore considered not in the best interest of Council or the residents of the properties surrounding the drainage reserve, to proceed with the disposal of this particular drainage corridor at this time.

4. Financial Implications

There are limited direct financial implications of this decision as the land will **continue to remain in Council's ownership**.

Proceeds from possible sales would be foregone, but this is more than offset by the operational need to retain the land for storm-water management purposes.

5. Risk and Opportunity Management

Risk	
Identify	Detail and Analysis
That the previous decision to sell the land is implemented and the land is disposed.	<p>Council would be disposing of land that was necessary for council's operations and would be compromised in its ability to mitigate potential flood risks.</p> <p>Sale of land already identified as susceptible to flooding may give rise to liability issues in the future in the event of flooding of the corridor and adjoining residential properties.</p>
That the previous decision to sell the land is not proceeded with and the land is retained in lieu of disposed.	<p>Council has previously entered into a Heads of Agreement for the sale and purchase of the subject corridor with 12 adjoining landowners. The Agreement reserved the right for Council to not proceed with the sale of the land for any reason determined by Council.</p> <p>It is our understanding that two adjoining owners have acted on the Heads of Agreement and undertaken possible development negotiations. Notwithstanding this situation, legal advice is that Council can terminate the Heads of Agreement for any reason at its discretion.</p>

Opportunity	
Identify	Maximising the opportunity
Council's Asset Management Section has undertaken detailed analysis and flood mapping of stormwater impacts.	The opportunity to utilise this additional and updated flood mapping information should be reflected in the decisions made by Council in respect to potential impacts.
Retain drainage reserve in the ownership of Council.	Retention of the land provides Council with the long term opportunity to upgrade its underground pipe network to accommodate increased flow

On balance it is considered appropriate to not proceed with the disposal of this drainage corridor.

6. **Additional information**

The disposal of the subject lands has been protracted and drawn out due to the need to prepare a Heads of Agreement document and obtain the signatures and agreement of the 20 adjoining landowners, who had mixed interests and gave the matter varying degrees of urgency.

Concerns and objections were also received to the market valuations due to the varying levels of need expressed by the adjoining landowners.

SA Water who has a registered easement for a sewerage pipeline over the whole of the corridor was also consulted as part of the process. SA Water was initially opposed to the sale of the corridor, but after lengthy negotiation it has agreed to the disposals providing that boundaries are not created down the middle of the corridor (as future boundary fencing would create difficulties undertaking maintenance of their infrastructure).

Changed circumstances

At the time of the initial reports to Council (2006-2007) it was considered appropriate to dispose of this land with the condition precedent to create a drainage easement to council. Additional information now to hand suggests that disposal is not appropriate and would result in negative impacts on **council's ability** to mitigate flood events.

Our Asset Management Section of City Operations is in the process of developing a stormwater management plan for the Beach Road catchment. This has involved high level, detailed analysis of the hydrology of the catchment and the hydraulic capacity of the existing drainage network.

The investigation and review into the drainage system capacity in this locality has identified that the existing drain in this corridor has insufficient capacity to handle flows in excess of 1:5 ARI.

Our drainage service level provides for network drainage to be capable of carrying a 100 year flow through a combination of pipe and overland flow.

As a result, any flows above 1:5 ARI would result in overland flow. In situations such as a 1:50 or 1:100 event the volume of overland flow, estimated to be in the order of up to 7-8 m³/second, will create low hazard events for private lands adjoining the corridor with a much higher level of hazard over the public land flow paths.

Therefore, to comply with **council's stormwater drainage service level, the drainage reserve alignment** is necessary as a surface overflow path, unless either the pipe network capacity is substantially increased, or alternatively flow path/network augmentation occurs to reduce the flow along the drainage corridor.

In this instance, to completely eliminate overland flow along the drainage reserve alignment, major construction and pipeline duplication works would be required. The cost of this work is anticipated to exceed the damages cost associated with the flooding by a factor of four, and so, it is unlikely that mitigation works to that extent would be undertaken.

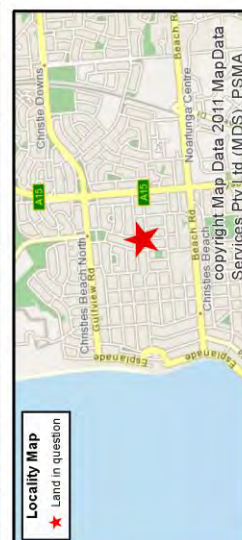
The possible additional stormwater that may result from the change of zoning to medium density has not been quantified, however it is anticipated that over time it will exacerbate flooding in low to medium events.

Based on this additional available information, our asset management section has opposed the sale of this drainage corridor.

It is therefore considered inappropriate to sell off this drainage corridor when more recent mapping of flood events and the likely impacts indicate the need for retention of the corridor in council ownership to lessen the likelihood of damage and resultant claims. It is also considered important to lessen the potential for development on the corridor whilst at the same time noting that it is not in the best interests of the occupants of the area surrounding the drainage reserve to proceed with the purchase of this corridor.

The future management of the corridor, and in particular the eventual removal of any encroaching structural improvements that may mitigate flood waters, will be progressively negotiated with the adjoining owners and occupiers.

ATTACHMENT 1



Legend

Drainage Reserve Corridor

Description of Land:

Statements, Annotations and Amendments concerning Easements:

CITY OF ONKAPARINGA
MINUTES OF THE COUNCIL MEETING HELD ON 2 OCTOBER ~~2014~~ 2007

2. That the Mayor and Chief Executive Officer be authorised to sign and seal any documentation necessary to create the easement.

Seconded by Cr Mazzachi.

CARRIED

7.4 Request for Easement over Council Reserve at Swallow Drive Flagstaff Hill

Cr Coomans MOVED

That for the portion of reserve land parcel described as Allotment 25 in Deposited Plan 31492, Certificate of Title Volume 5345 Folio 367 Council:

1. Grant an easement in favour of SA Water over that portion indicated in Attachment 2 to this report subject to the developer meeting all costs associated with the creation of the easement; and
2. That the Mayor and Chief Executive Officer be authorised to sign and seal any documentation necessary on behalf of Council to create the easement.

Seconded by Cr Olbrich.

CARRIED

7.5 Update Report on the Revocation of a portion of Community Reserve Land at Christies Beach

Cr Jamieson MOVED

That, the reserve land at Christies Beach being Allotments 1612 to 1614 in Deposited Plan 4983, Certificates of Title Volume 5519 Folio's 595 to 597 inclusive respectively and Allotments 1616 and 1617 in Deposited Plan 4984, Certificates of Title Volume 5519 Folio's 599 and 600 respectively, Council:

1. Revocate the land parcels from their Community Land classification;
2. Authorise the Mayor and Chief Executive Officer to sign and seal any documentation to complete the revocation process;
3. Authorise the Mayor and Chief Executive Officer to sign and seal any documentation to create easements for drainage infrastructure and overland flow; and

CITY OF ONKAPARINGA
MINUTES OF THE COUNCIL MEETING HELD ON 2 OCTOBER ~~2014~~ 2007

4. Authorise the Mayor and Chief Executive Officer to sign and seal any documentation to complete the sale of the land parcels to adjacent property owners.

Seconded by Cr Ferguson.

CARRIED

7.6 Request for Extinguishment of Council Easement Over Private Land

Cr Apap *MOVED*

That, for the land at Aldinga Beach being Allotment 3500 in Deposited Plan 72236, Certificate of Title Volume 5973 Folio 655, Council:

1. Approve the extinguishment of the easement in favour of Council with the developer to meet all legal and other expenses; and
2. Authorise the Mayor and Chief Executive Officer to sign and seal all necessary documents to extinguish the easement.

Seconded by Cr Ferguson.

CARRIED

7.7 Coastal Kiosks Update

Mayor Rosenberg declared an interest as Patron of the Aldinga Bay Surf Life Saving Club.

Cr Ferguson declared an interest as a member of Mid Coast Surf Life Saving Club and Vice Patron of the Aldinga Bay Surf Life Saving Club.

Cr Manson declared an interest as proxy member of the Mid South Coast Surf Life Saving Club.

Cr Jamieson declared an interest as President of the Surf Life Saving Association.

Cr Nash *MOVED*

1. That Council authorise staff to liaise with the Aldinga Bay Surf Life Saving Club and the Mid Coast Surf Life Saving Clubs Group in the development of a proposal for the establishment and operation of a kiosk facility at the surf life saving clubrooms at Aldinga Beach South (Silver Sands).

CITY OF ONKAPARINGA
AGENDA FOR THE COUNCIL MEETING TO BE HELD ON 2 OCTOBER 2014 *2007*

7.5 Update Report on the Revocation of a portion of Community Reserve Land at Christies Beach

This report confirms the consent by the Minister for State/Local Government Relations to revoke Council reserve land at Christies Beach.

This is an update on a previously reported project, concept or issue.

General Manager: Beth Davidson-Park, General Manager Corporate Services
Report Author: Fiona Dallimore, Asset Planner Acquisitions and Disposals
(fiodal@onkaparinga.sa.gov.au)
Contact Number: 8384 0642
Attachments: 1. Aerial (1 page)
2. Minister's letter (2 pages)

1 Executive Summary

1.1 Topic

This report confirms the consent by the Minister for State/Local Government Relations to revoke Council reserve land at Christies Beach.

1.2 Context

At its meeting of 4 July 2006 Council approved the revocation and sale of reserve land at Christies Beach while establishing easements over the land for drainage purposes. Subsequently, at the meeting of 3 July 2007 after community engagement with no submissions received, Council resolved to proceed with the revocation and sale of land as detailed in Attachment 1.

The Minister for State/Local Government Relations has approved the revocation in her letter of 7 August 2007 (Attachment 2).

Approval is now sought to complete the revocation and sale process.

1.3 Suggested Outcome

That Council approve the completion of the revocation process and sale of the Community Land, incorporating the establishment of easements for drainage infrastructure and overland flow in favour of Council.

CITY OF ONKAPARINGA
AGENDA FOR THE COUNCIL MEETING TO BE HELD ON 2 OCTOBER ~~2014~~ 2007

2 Recommendation(s)

That, the reserve land at Christies Beach being Allotments 1612 to 1614 in Deposited Plan 4983, Certificates of Title Volume 5519 Folio's 595 to 597 inclusive respectively and Allotments 1616 and 1617 in Deposited Plan 4984, Certificates of Title Volume 5519 Folio's 599 and 600 respectively, Council:

1. Revocate the land parcels from their Community Land classification;
2. Authorise the Mayor and Chief Executive Officer to sign and seal any documentation to complete the revocation process;
3. Authorise the Mayor and Chief Executive Officer to sign and seal any documentation to create easements for drainage infrastructure and overland flow; and
4. Authorise the Mayor and Chief Executive Officer to sign and seal any documentation to complete the sale of the land parcels to adjacent property owners.

Key Factors

3 Discussion

At its meeting of 4 July 2006 Council approved the revocation from Community Land classification and sale of the land parcels to the adjoining property owners. The community were advised and invited to comment on the proposal by way of a community engagement process undertaken during October 2006 with no submissions being received.

Council considered the matter again at its meeting of 3 July 2007 and resolved:

"That in regard to the proposal to revoke Allotments 1612 to 1614 of DP 4983, Certificates of Title Volume 5519 Folio 595 to Folio 597 and Allotments 1616 to 1617 of DP 4984, Certificates of Title Volume 5519 Folio 599 to Folio 600, Council:

1. *Note that no objections have been received from the community engagement process to the proposed revocation.*
2. *Request consent from the Minister for State/Local Government Relations to revoke."*

3.1 Minister's Consent

The Minister for State/Local Government Relations has now consented to the revocation of Allotments 1612 to 1614 in Deposited Plan 4983, Certificates of Title Volume 5519 Folio's 595 to 597 inclusive respectively and Allotments 1616 and 1617 in Deposited Plan 4984, Certificates of Title Volume 5519 Folio's 599 and 600 respectively in her letter of 7 August 2007 (Attachment 2).

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9.5 Port Noarlunga Football Club Oval Lighting - Community Engagement Feedback

This is a regular or standard report.

Director:	Kirk Richardson, Director City Operations
Report Author:	Kevin Wall, Asset Planner, Buildings
Contact Number:	8301 7238
Attachments:	1. Light locations (1 page) 2. Letter to residents (including frequently asked questions) (5 pages) 3. Summary of representations received (1 page) 4. Letter from Port Noarlunga Football Club (1 page)

1. Purpose

This report presents the outcomes of the community engagement process. Following engagement we have one objection to the project, therefore we seek **Council's** approval to proceed with the upgrading of sports lighting at the Port Noarlunga Football Club (PNFC) to competition standard lighting.

2. Recommendations

- 1. That Council approves proceeding with the upgrade of the sports lighting at the Port Noarlunga Football Club (PNFC) oval, to competition standard.**
- 2. That Council note the measures proposed in the report to assist with dust, inappropriate behavioural and noise management issues reported by the residents as part of the engagement.**
- 3. That previously engaged residents be advised of Council's decision.**

3. Background

In December 2010 we undertook a condition audit of all sports lighting infrastructure on council owned facilities. The results from the condition audit highlighted Port Noarlunga Oval as a priority to upgrade the sports lighting to a safe and effective standard and upgrade the associated electrical services to current codes. In consultation with the PNFC we identified the preference to upgrade to competition standard to allow for night games and in line with our standard approach the PNFC agreed to meet the additional costs between competition and training grade lighting.

Engagement

Community engagement consisted of two mail outs to 51 owner/residents adjacent to the oval on 21 January 2014 and 13 May 2014, combined with an information night held at the PNFC clubrooms on 3 February 2014.

The following provides a summary of the responses received from the mail outs. No residents attended the information night.

We received 13 responses (attachment 3) which are summarised as follows:

- Nine in favour of the lighting upgrade
- Three in favour of the lighting upgrade, however raised other concerns with operation of the facility, including dust from the unsealed roads and car parks, driver behaviour and late night noise concerns
- One objected to the lighting upgrade stating concerns that the 25 metre light poles will affect views across the river and surrounding area. This resident also supported the concerns noted above.

4. Financial Implications

This is a jointly funded project between the City of Onkaparinga, Office of Recreation and Sport and Port Noarlunga Football Club. The total cost of the project is estimated at \$155,330. The funding contributions as outlined below.

- City of Onkaparinga contribution - \$41,799 (approved by Council as part of the 2013-14 capital works program).
- Office of Recreation and Sport Grant - \$77,665 (expires 30 November 2015).
- Port Noarlunga Football Club - \$35,866 (made up of part funding contribution and part in-kind works including pre wiring, trenching and conduit installation and light tower electrical works).

5. Risk and Opportunity Management

Risk	
Identify	Mitigation
Socio-political – potential impact of proposed lighting upgrade on nearby residents.	The community engagement process has provided an analysis of the community's opinions regarding the proposed lighting project. The lighting project, which includes 25 metre light poles, is designed to minimise light spill. The lighting level is switchable allowing lower lighting levels to be used for training activities. Light spillage to areas outside of the oval boundary will be significantly reduced, thereby impacting less on the surrounding properties.
Financial – if the sports lighting project does not proceed the PNFC will be required to return the grant funding received from the Office for Recreation and Sport.	The current program proposes that the light installation will be completed late August/early September 2014, well within the grant expiry period of 30 November 2015.

<p>Objection from residents.</p>	<p>On 21 May 2014 we met with the one resident who objected, to discuss concerns about the height of the proposed light poles. The resident stated that although in favour of the lighting upgrade there is concern that the height of the poles will spoil the view from in front of his house. We advised that the total number of light poles would be reduced from 6 currently to 4 as a result of this project's design. Attachment 3 shows the location of the light poles to be removed and the new poles to be installed. The project does not place a new pole directly in front of this resident's property; the nearest poles will be visible at an angle.</p> <p>We have also investigated whether lower poles could be used, however due to the dimensions of the oval, the required lighting levels would not be achieved towards the centre of the ground. Lights on lower poles also increase the glare for players making it difficult to track balls in flight.</p>
<p>Increased dust from unsealed road and carpark due to increased usage.</p>	<p>Future master planning for the Port Noarlunga Oval site has been considered in our 2014-15 Project and Capital Works plan and will proceed subject to final approval of the budget. The master plan will inform 2015-16 capital works priorities for the site which will include projects to seal and better manage the internal roadways and car parks.</p> <p>In the interim we are investigating dust suppression options and upgrading signage to assist with residents' concerns regarding dust.</p>
<p>Increased late night noise disturbance for residents.</p>	<p>We have met with the PNFC to investigate ways the club can assist to address residents' concerns caused by users after training and late night functions. In addition to working with council on new signage, the PNFC have undertaken to further educate their members and members of other clubs that use the complex.</p>

Opportunity	
Identify	Maximising the opportunity
Increased capacity of the facility increasing availability for matches at the ground	<p>The upgraded lighting will provide the club with additional flexibility to provide for matches to be played other than on weekends and allow night competition games to be held.</p> <p>The lights will allow for 2 night men's football games during the regular football season and 4 women's competition night games on Friday nights during the football season. All games and training will be finished by 9.30pm.</p> <p>This may also provide for further opportunities for other sports to share the playing surface.</p>
Management of wear and tear on the playing field and improve player visibility and safety during training	<p>Allow training to be alternated around the oval rather than constantly being undertaken in the same area. The existing lighting is not uniform across the surface of the oval and there are dark areas around the ground which currently cannot safely be used for training.</p>

On balance based on the above information we suggest proceeding as per the recommendations.

6. Additional information

Competition standard lighting requires a minimum of 100 lux lighting levels over the playing surface area of the oval. To achieve this requires 4 x 25 metre poles with 5 x 2kw floodlights per pole.

Training standard lighting requires a minimum of 50 lux lighting levels over the playing surface area of the oval. Switching will be installed to allow changing between training and competition standard lighting.

The tennis courts, situated adjacent to the football oval, are currently fitted with sports lights on 15 metre poles. The existing oval light poles are approximately 10 metres high.

Next Steps

An information sheet will be mailed out to the residents who responded as part of the community engagement advising of the Council decision and proposed actions to address the issues raised by the residents.

If approved it is estimated that the lights will be installed by late August/early September 2014.

Port Noarlunga Football Club Sports Lighting

ATTACHMENT 1

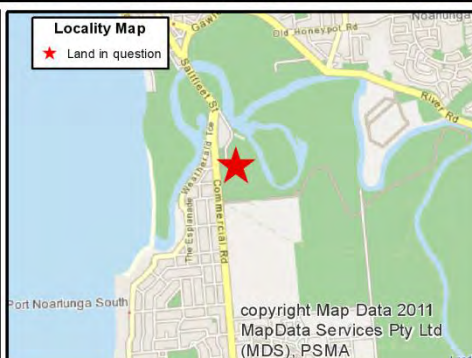


Description of Land:

Statements, Annotations and Amendments concerning Easements:

Legend

- ◆ Existing lighting to be removed
- New lighting



Attachment 2

24 January 2014

To the Owner / Resident

Proposed upgrade of sports lighting at Port Noarlunga Football Club

We are seeking your feedback on a proposal to upgrade the lighting at the Port Noarlunga Football Club, Port Noarlunga.

The Port Noarlunga Football Club, located at Britton Drive, Port Noarlunga requires an upgrade of their existing lighting on their football oval. The types of lights used will be consistent with lights in operation at a range of sporting facilities across the City of Onkaparinga.

The lighting upgrade will improve both the conditions and safety and also reduce the impact of the lights on nearby residents.

The new lights will be used on the same days and times that the existing lights are currently being used.

The only potential new usage during the football season will be:

- Saturday men's competition – 2x night games per year
- Friday woman's competition – 4x games per football season
- Proposed South Adelaide Junior training – 1x night per week

Enclosed is a site map and 'frequently asked questions' for the lighting proposal. An information session will be held at the Port Noarlunga Football Club on Monday 3 February 2014, 6.30pm - 7.30pm. We encourage you to attend this session if you have any questions or concerns.

Please provide your comments on the enclosed feedback form and return to us in the reply paid envelope by Monday 24 February 2014. If you require more information please contact me on 8384 0666 or email mail@onkaparinga.sa.gov.au

Yours sincerely



Kevin Wall
Asset Planner Buildings

Encl Site map
 Fact sheet
 Feedback form
 Reply paid envelope



Port Noarlunga Football Club - Sports Lighting Installation

Frequently asked questions

Why are the lights needed?

The City of Onkaparinga conducted an audit of the standard of sports lighting in the region. The audit found that the current Port Noarlunga Football Club sports lighting had reached the end of its lifespan, and was no longer meeting current safety standards. New lights are required to meet these standards.

What is the purpose of the new lights?

The purpose of the upgrade and installation of new sports lighting is to:

- ensure that the lighting complies with the standards for training and club competitions
- use improved technology to reduce any existing light spill that might impact on residents
- improve player visibility and safety
- assist in managing the wear and tear on turf playing surfaces
- provide further opportunities for local residents to participate in football and physical activity

What will the project involve?

The project will involve replacing the existing sports lighting on the oval with new improved lights and poles. The eight existing poles and lights will be replaced with four lighting poles each 25m in height, housing five luminaries on each pole.

What is the difference between training and club competition lighting levels?

Club training is more controlled and involves fewer participants; therefore the level of lighting required for training is lower than for competition. Club competition has more participants and the path of the ball is less predictable. It therefore requires a higher level of lighting.

The training level of lighting is 50 lux average, and the club competition level of lighting is 100 lux average which is consistent with Australian Standards for local club sport.

What times will the clubs use the lights?

The new lights will be used on the same days / times as the current existing lights.

The Port Noarlunga Football club utilise sports ground lighting for training from March through to September on Tuesday, Thursday and Friday nights from 5.30-9pm. During October to February the lights are used for football training from 5.30-9.30pm.

The use of sports ground lighting is managed through an agreement between the Port Noarlunga Football Club and the City of Onkaparinga. The agreement outlines the operating days and times of the lights.

Will there be any new night games?

The Port Noarlunga Football Club are planning on applying to their association to host a ladies competition to be played on Friday evening with a maximum of four games during the season and two men's night games on Saturday night as part of their normal programme between March and September. These local club competition games would be held between 5.30 and 9.00pm.

The Port Noarlunga Football Club is currently holding discussions with South Adelaide Football Club in regard to having junior training on one night per week.

We do not anticipate that this will impact local residents as there will be less light spill than there is currently due to the improved lighting technology.

Will the lit oval or grounds be utilised for any other purposes other than club training and competitions?

The lights will not be utilised for any other purposes.

Will there be light spill as a result of the lighting upgrade?

The new lights will use improved technology and will actually result in less light spilling into residential areas than is currently the case. The lights are also directed over the sports field an appropriate distance from houses, and will be softened by the existing trees and shrubs.

Are there lighting standards?

The project will comply with all relevant Australian Standards for sports field lighting suitable for training and local club competition.

Have these lights been used on other Council sporting facilities?

The lights proposed will be similar to those at Seaford Soccer Club, Jane Street, Port Noarlunga South.

A number of other sites across the Council region have also had recent lighting upgrades including Reynella Community Tennis Courts, Port Noarlunga Tennis Club, Flagstaff Hill Tennis Club, Southern United Netball Association, Morphett Vale Netball Club and Happy Valley BMX Club.

How is the project funded?

This project is consistent with the City of Onkaparinga approach to supporting sporting clubs with the installation of sports lighting. We are funding 30%, Port Noarlunga Football Club 20% and the Office for Recreation and Sport (South Australian Government) 50% of the total project cost. The Port Noarlunga Football Club was successful in obtaining a grant from the Office for Recreation and Sport in August 2013.

What will happen with my feedback?

Your feedback is important to us. We will use your feedback to help us make a decision about whether or not to proceed with the lighting upgrade.

If you have any further questions or would like to discuss the proposal further please contact Kevin Wall, Asset Planner Buildings on 8384 0666 or mail@onkaparinga.sa.gov.au



Sports Lighting Upgrade Port Noarlunga Oval

Port Noarlunga Football Club

Please fill in the section below if you wish to provide additional feedback.

Name: _____

Address: _____

Telephone: _____ Email: _____

- ☐ I support sports ground lighting suitable for club training only
- ☐ I support sports ground lighting suitable for both club training and competition games
- ☐ I do not support replacing sports ground lighting at Port Noarlunga Football Club
- ☐ No opinion

COMMENTS

Thank you for taking the time to complete this feedback form. Your comments will be considered as part of our decision making process. A feedback report on this project will be provided on our web site www.onkaparingacity.com

If you would like to receive a copy of the feedback report, please tick the below box. Contact Kevin Wall, Asset Planner Buildings, telephone 8384 0666 or email mail@onkaparinga.sa.gov.au for any further information.

- ☐ I would like to obtain a copy of the feedback report once completed

Our Ref: 3207516

May 13, 2014

To the Owner / Resident

Proposed upgrade of sports lighting at Port Noarlunga Football Club

On January 21, 2014 we circulated a letter, copy attached, seeking your feedback on a proposal to upgrade the sports lighting at the Port Noarlunga Football Club, Port Noarlunga.

The frequently asked questions sheet stated that "the eight existing poles and lights will be replaced with four lighting poles each 25 metres in height, housing three luminaries on each pole".

Due to the size of the oval to obtain the required competition standard lighting we will require five luminaries installed on each pole and not three as previously stated.

If this changes your view on the project or you wish to make further comment please notify us in writing by 5pm, May 23, 2014. If you require more information please contact me on (08) 8384 0666 or email mail@onkaparinga.sa.gov.au

Yours sincerely

Kevin Wall
Asset Planner Buildings

encl: letter of January 21, 2014

Attachment 3

Responses Received					feedback required
Survey #	Support for Club training/Competition Games	Do not Support	No Opinion	Comments	
1	1				
2	1				
3	1			No problems. Its nice to see the community dedicated to sports and fitness	
4	1				Yes
5	1				
6	1			Go for it	
7	1			Support lighting upgrade. Required as current lighting is below standard. Latest technology to minimise "spillage" to adjacent residential and conservation areas is required.	Yes
8	1			Do not effect us. What does effect us is when there are games being held, the players speed down Britain drive, so how about investing in some speed humps or camera before someone crashes on street or in someones front yard	Yes
9	1			In supporting the grounds lighting we are concerned with the amount of traffic entering and leaving the sporting complex. On the whole it is mostly acceptable but the dust factor is not. We also on numerous occasions have to "put up" with vehicles driving at unacceptable speeds associated with the conditions and the inevitable numerous "donuts". We think that issue needs to be addressed as well.	Yes
10	1			We are not happy within the extended light towers at 25 metres. This will now be an eyesore to the beautiful view we now enjoy. Not happy with the traffic through after training and games and late hours. Donuts, wheelies etc dust all over the house and noise. Controlling noise (drunks) after late night events needs to be improved.	Yes
11	1	1		We do not appose the new lighting and support the club in providing further opportunities for the locals. However, our only concern is all the extra traffic in and out on the existing road, we get dust from the traffic now, which is hard for us to keep our properties clean. The entrance is looking really scruffy especially with those concrete block, the rubbish that is dumped around the cricket nets is terrible (forever picking it up). I do suggest a few bins around would help the clean up, especially on practice nights and games. We only ever see 1 guy going around cleaning up, he works tirelessly, dont know who it is, but if ever he stopped the council would have a huge problem with rubbish. I've noticed today some nice person has dumped 2 big seat cushions by the entrance along the fence. I'm sure if it was prettied up they wouldn't treat it as a rubbish dump.	Yes
12	1				Yes
13	1				Yes

Attachment 4

Port Noarlunga Football and Sports Club Inc

A.B.N. 91218617630
P.O. BOX 1,
PORT NOARLUNGA, S.A. 5167
CLUBROOMS AND GROUND:-
Britain Drive, Port Noarlunga
pnfcsports@gmail.com
PHONE 83862547

www.pnfc.org.au



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Kevin Wall

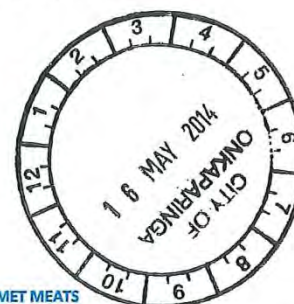
Thank you for your time to meet with me to update our club on the current situation with our oval lighting project. I acknowledge and understand the concerns of our near neighbors with regards to problems of dust contamination in the air mainly due to the movement of traffic into and out of the complex especially through the dryer summer months. We have endeavored to educate our football members on obeying the speed limit in this area to minimize the problem in the past with some success but still have issues with other users of the complex.

We will send out a memo to all of our member associations reminding them of their obligations to obey our traffic conditions and a general message requesting more respect with regards to noise and behavior afterhours. Along with this, we will install several more speed limit signs along the thoroughfare so they are visible to traffic both ways and investigate the possibility of some form of temporary speed restriction devices such as speed humps for which we will talk to council about.

Please note that, until we were made aware of the results of the community engagement process we did not know there was an issue with anything other than the ongoing dust problems. We strongly believe the only way to control this problem on a permanent basis is to seal the traffic areas and install speed humps or the like and until such time that this is done, it will be difficult to control this problem for any meaningful length of time and therefore it will continue to be an ongoing issue.

Phil Wood

President P.N.F.C.



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DeYOUNGS SALVAGE
O'HAGANS PLASTERING

9.6 Place Naming community engagement outcomes - Antony Street Reserve, Christie Downs

This is an update on a previously reported subject, concept or issue.

Director:	Philomena Taylor, Director Community Relations
Report Author:	Jacqui Vandenbroek, Community Engagement Officer (Communications)
Contact Number:	8384 0598
Attachments:	1. Map of Antony Street Reserve (1 page) 2. Place Naming Policy (7 pages) 3. Community Engagement Feedback Report (5 pages)

1. Purpose

This report provides the outcomes of the community engagement and a recommendation on the place naming application for Helen Ellis Reserve.

2. Recommendation

- 1. That pursuant to Section 219 of the *Local Government Act 1999*, and following relevant consultation in accordance with our Place Naming Policy, Council approve the formal name Helen Ellis Reserve for the open space Allotment 593 in Deposited Plan 9351 comprised in portion of Certificate of Title Volume 2532 Folio 101 bounded by Antony Street and Godfrey Street, Christie Downs.**

3. Background

We received a place naming application from Better Together Christie Downs to formally name an open space (reserve) in Christie Downs commonly known as Antony Street Reserve (attachment 1).

The place naming application was to name the open space Helen Ellis Reserve.

At the Council meeting on 18 February 2014, it was resolved that we '*undertake community engagement on the place naming application (Helen Ellis Reserve) and the common name (Antony Street Reserve) for the open space bounded by Antony and Godfrey Streets in accordance with our Place Naming Policy*'. (attachment 2).

We engaged with the community in the proximity of the reserve to determine their preference for the name of the open space. We presented the two options:

- Antony Street Reserve (which is the common name)
- Helen Ellis Reserve (place naming application).

We placed a notice in Onkaparinga News and posted engagement packs to properties within 500m of the reserve, including an information sheet, an aerial map, and a feedback form with a reply paid envelope.

We posted 676 engagement packs to Christie Downs residents/property owners. We received 121 completed feedback forms (a response rate of 18%).

Of these responses:

- 94 feedback forms indicated a preference for Helen Ellis Reserve
- 26 feedback forms indicated a preference for Antony Street Reserve
- 1 feedback form provided comment but did not indicate a preference.

All comments submitted during this engagement have been compiled in the community engagement feedback report (attachment 3).

4. Financial Implications

Following Council's decision regarding the name of the open space we will produce and install a reserve sign which is estimated to cost \$500. This cost will be absorbed in an existing operational budget. One sign is adequate for an open space of this size.

5. Risk and Opportunity Management

Risk	
Identify	Mitigation
Any name change, including formalising the name of the open space could potentially cause confusion for emergency services and communities	In accordance with our Place Naming Policy we will notify relevant parties of the formal name, give public notice in the Government Gazette, in The Advertiser, Messenger Press and on www.onkaparingacity.com The public notice will include the date that the new name takes effect. A reserve sign will be installed.

Opportunity	
Identify	Maximising the opportunity
Place Naming Policy prescribes that a person who has made a significant community contribution is a suitable name source	This is an opportunity to recognise Helen Ellis who has been identified by Better Together Christie Downs as a person who has made a significant contribution to her local communities

6. Conclusion

We recommend the name Helen Ellis Reserve given that:

- the place name is unique and distinctive
- it recognises a person who has made a significant community contribution
- the place naming application was supported by local communities and a greater number of survey respondents preferred the name Helen Ellis Reserve.

Attachment 1



18/11/2013 00:13:38 marfic

A4 Portrait

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Antony Street Reserve, Christie Downs

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any express or implied warranty as to its accuracy or currency.
No action should be taken on the basis of this material.
Appropriate independent professional advice should be obtained.



Place Naming Policy

1. Preamble

The contents of and the commitments that Council makes in this policy are not intended to be and should not be interpreted to be any more than a statement of the Council's general position in relation to those matters, and to facilitate its aspirations wherever it is reasonable to do so.

2. Purpose

A council has the power under section 219 of the *Local Government Act 1999* to assign a name to, or change the name of:

- a public road
- a private road
- a public place

A recent amendment to section 219 requires councils to prepare and adopt a policy relating to the assigning of, or changes to the name of a public road, private road or a public place (including reserves).

Generally, public places are named after a prominent adjoining street, locality indicator or a suburb. This provides an easy and practical reference for the local community, users and emergency services.

Occasionally Council receives requests from members of the public to name public places in memory of relatives, community members, previous land owners and the like.

The purpose of this policy is to outline the principles to be observed in the naming of public places within the framework of the provisions of Section 219 of the *Local Government Act 1999*.

This policy will be read in conjunction with the companion 'Place Naming Procedure'.

3. Policy Principles

The selected name for a public place or reserve should relate to:

- the European or Aboriginal history
- the heritage of the locality or place, or
- the topography or physical attributes of the locality or place to be named.

In the naming and renaming of public places, the following principles will be observed:

3.1 Uniqueness

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Most public places will have only one name (except when it is resolved that dual naming is appropriate).

A place name will be unique within an official suburb or rural locality.

Similar sounding names (eg Hale, Hayel or Hail) within a suburb or locality will be avoided where possible.

If possible, duplication of names in proximity to adjacent suburb or locality will also be avoided. However, public places crossing council boundaries should have a single and unique name.

3.2 Name Sources

Sources for place names may include:

- Aboriginal names taken from the local Aboriginal language
- early explorers, pioneers, and settlers
- eminent persons
- local history
- thematic names such as flora, fauna, ships etc
- war/casualty lists
- commemorative names
- a person who has made a significant community contribution
- those that reflect the historical, social, cultural and geographical significance or cultural diversity of the City of Onkaparinga.

Names will be selected so as to be appropriate to the physical, historical or cultural character of the area concerned.

The origin of each name will be clearly stated and recorded as part of the Council's records.

The local Aboriginal (Kurna Warra Pinttyandi) community will be consulted when choosing Aboriginal names or using words from relevant Aboriginal languages.

3.3 Dual Naming

Dual geographical names may be assigned to a public place where there is a geographical and topographical feature that has both a traditional Aboriginal name and a European name.

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When assigning or recording a name to a previously unrecorded natural feature that has an unrecorded European name in local usage, every effort will be made to determine if an Aboriginal name exists for that feature and a dual name will be assigned or recorded. If there is no recorded or unrecorded European name in local usage then it is preferred that only the traditional Aboriginal name (if found) be assigned to that particular topographical feature.

3.4 Propriety

Names, which are characterised as follows, will not be used:

- offensive or likely to give offence
- out of place, absurd, unsuitable, inharmonious, conflicting, contradictory
- commercial or company.

Applications for commercial naming of a public place will be assessed separately from this Policy, on its merits and will be tabled for Council's consideration and determination.

3.5 Spelling

Where it is intended that a public place have the same name as a road or feature with an approved geographical name, particular care will be taken to ensure that the correct spelling of the official place name is adopted as shown in the Government Gazette.

Where the spelling of names has been changed by long established local usage, unless there is a particular request by the local community to retain the original name, the spelling that is sanctioned by general usage will be adopted.

Generally place and reserve names proposed or approved will not contain abbreviations e.g. the "Creek" in "Wallaby Creek Reserve" must not be abbreviated. There are, however, two exceptions, "St" will always be used in place of "Saint" and it is acceptable to use "Mt" for "Mount".

3.6 Form

The apostrophe mark ' will be omitted in the possessive case e.g. "Smith's Reserve" will be "Smiths Reserve".

Names will avoid the use of the possessive "s" unless the euphony becomes harsh e.g. "Devil Elbow Reserve".

The use of hyphens will be avoided. However, hyphens may be used when naming a public place or Reserve after a person with a hyphenated name.

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4. Community Engagement on naming proposal

Community engagement should be undertaken having regard to council's endorsed strategy and framework and will include consideration of the following:

Notification to ward councillors in relation to the proposal

Notification to residents/property owners within 300-500 metres of the reserve or public place

Notification in the local Messenger Press inviting public comment on the proposal

In the event of a proposal to assign an Aboriginal name to a public place or reserve, the local Aboriginal (Kaurna Warra Pinttyandi) community will be consulted.

5. Public Notice of Name Assignment or Change

Council will give public notice of approved assigning or changing of a public place or reserve name. This will be by publication in the Government Gazette and by notice in a newspaper circulating generally throughout the State, as required under the *Local Government Act 1999*.

In accordance with council's Community Engagement Policy, a public notice will also be placed in the Messenger newspapers circulating the council area.

Public notice will include the date that the new name takes effect and notice will also be published on the Council's website www.onkaparingacity.com.

5.1 Advise Relevant Parties of New Name or Name Change

Council will provide written notice (e.g. by email or letter) of Council's decision on a new place or reserve name or name change to all relevant parties, including:

- Registrar-General
- Surveyor-General
- Valuer-General (see section 219(3)(a) of the *Local Government Act 1999*)
- owners of abutting properties
- Australia Post
- Telstra
- SA Water
- ETSA Utilities
- SA Police
- SA Ambulance Service
- SA Metropolitan Fire Service
- Country Fire Service

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- Origin Energy
- the applicant who requested the place or reserve name or name change (where the process was prompted by a community request)

5.2 Date of Effect for New Names or Name Changes

The date of effect of the new or changed public place or reserve name will be determined at the time the decision to assign the name so as to allow sufficient time for all stakeholders to make arrangements to ensure a smooth transition.

The date of effect will be determined after considering:

- in respect of renaming an existing public place or reserve, the impact (if any) on surrounding property owners, residents, tenants and occupiers.
- potential confusion for people using maps and street directories that effectively become out of date; and
- given the desire of some developers to sell property 'off the plan' the time required to advise relevant parties/developers to update advertising references.

Council will update the Register of Community Land (as required by section 207 of the *Local Government Act 1999*).

6. Place or Reserve Name Signage

Council will ensure that the public place or reserve naming signage is in accordance with the relevant Australian Standards. Signage denoting the approved name will be erected within 30 days following the implementation date of the naming proposal.

Signage may be erected on the land during construction of a sub-division if the land title has been issued in the name of the council.

7. Definitions

In this policy, unless the contrary intention appears, these words have the following meaning:

Public place - is defined as 'a place to which the public has access, but does not include any part of a community parcel divided by a plan of community division under the *Community Titles Act 1996*' (*Local Government Act 1999, section 4*). A public place includes council's reserve land.

Place - means any area, region locality, or any geographical or topographical feature, and includes any building or feature upon council owned or managed land that is, or likely to be, of public or historical interest.

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Reserve - is defined as 'community land reserved or dedicated as a reserve or land designated by the council as a reserve' (*Local Government Act 1999, section 4*).

Common name - is defined as:

- a name used by more than one community of interest (for example community groups, schools, businesses etc)
- a name referred to in local documentation (for example local newsletters).

Recorded name - means the name by which a place is designated on a map, plan or other record.

8. Role Statement

8.1 Direct Service Provider

Our role as a direct service provider is to provide names for public places and reserves in a number of circumstances including:

- the naming of new reserves that vest in the council's ownership as a result of new land divisions (sub-divisions).
- the naming of public places and reserves that were previously unnamed
- renaming of public places and reserves upon request and subsequent investigation.

9. References

Section 219 of the Local Government Act 1999

Intergovernmental Committee on Surveying and Mapping (ICSM)

The Committee for Geographical Names of Australasia (CGNA) - Guidelines for the Consistent Use of Place Names 2001

Geographical Names Guidelines

Model Policy for the Selection of Road Names (LGA)

City of Onkaparinga Place Naming Procedure

10. Review and Evaluation

This policy will be regularly monitored and reviewed at least every two years.

Public notice will be given on adoption or altering of this policy (see section 219(7) *Local Government Act 1999*).

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11. Attachments

Attachment 1 – Application Form for the naming of Public Places.

General Manager Projects and Services

Responsible officer(s)/department(s): Manager Property and Recreation Services

Adopted/approved by: insert text here

Date approved/adopted: insert text here

Next review: insert text here

Date(s) of previous review(s): insert text here

DataWorks number: insert text here

City of Onkaparinga
PO Box 1
NOARLUNGA CENTRE SA 5168

Telephone: 8384 0666
Email: mail@onkaparinga.sa.gov.au
Website: www.onkaparingacity.com

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Community Engagement Feedback Report

Place naming applications
Antony Street Reserve,
Christie Downs

June 2014

Community Engagement Feedback Report

Place naming application-Antony Street Reserve, Christie Downs

Questions and Responses

Question	Our Response
I/we prefer the name Antony Street Reserve	26
I/we prefer the name Helen Ellis Reserve	94
No preference indicated	1

Comments supporting Antony Street Reserve (verbatim)

- Perhaps name the street in the reserve after Helen Ellis
- It seems logical to me to use the name of the street where the reserve is I know nothing about Helen Ellis apart from your brief account. What did she die of? Does she have children? Was she married? Was she a smoker, gambler etc?
- The reserve already has a name. Why change it?
- It's not broken, so doesn't need fixing. We have many residents deserving of recognition. How many more spaces will we re-name?
- Let's keep to normal policy.
- More lights and plant more trees. On Gabriel Street need to fix the road, Near 6 Gabriel St and 8 Gabriel St need more lights and trees. Thankyou. Name and address supplied.
- Residents from around this area know Antony Street, so Antony Street would be my suggestion.
- I have lived one street away from Helen and have never heard of her. I know many more deserved community members who should have a park named after them. Therefore I am totally against renaming.
- Easy to remember the Reserve's name and where it is located.
- Have lived in Christopher Road since 1971. Never herd of or been contacted by action group???
- I prefer the name Antony Street Reserve. As a resident of Christie Downs I have never heard of Helen Ellis and I have lived here since 1971.
- Who's Helen Ellis?

- Why change the name when all Emergency Departments know the area plus the cost involved to change all street signs, maps. Antony Street Reserve should stay.
- Antony Street Reserve tells you where it is. Change the name and then you have to say where it is. I prefer to leave well alone. Thanks.
- Lived here 43 years and why change it-leave it as it is-change is NOT ALWAYS GOOD. O.K.
- Antony Street Reserve is known as Antony Street Reserve.
- Antony Street Reserve sounds easier to locate, and I also think the council are better off putting money towards tidying up Christie Downs rather than changing park names. Seems quite trivial.

Comments supporting Helen Ellis Reserve (verbatim)

- She should be remembered for all the good things she did and implemented.
- I do believe people like Helen should be recognised by her achievement towards the community. I feel sorry I never met her. Name supplied.
- I grew up nearby on Claudia Street. It was sad to hear of the passing of Helen Ellis. And I think it's a great idea to name the reserve after Helen. Also she worked hard for the local community.
- She deserves to have a place of remembrance after all her hard work.
- We are aware of the time and effort Helen Ellis put into the Christie Downs community and believe naming this reserve after her would be a fitting tribute.
- Prefer parks and reserves to be named after prominent citizens of Onkaparinga.
- I have not lived in the area long, nor did I know Helen Ellis. But the idea of recognising a significant local appeals to me.
- Helen loved our local community and worked with true heart and dedication towards improving our community's image and services. I think naming this as Helen Ellis Reserve is a fitting recognition and way of remembering her. Names supplied.
- It would be great if that playground had shade.
- I feel after the work that Helen has done for the community it is only fitting to be named after her.
- Good idea!
- Maybe a small plaque to explain Helen Ellis's involvement in the community would be appropriate. Would also like to see a basketball ring erected in the park. Name and address supplied.
- It is a great opportunity to recognise a person who has given so much to the community.
- I think it will be good for people to not forget her community service. Name and address supplied.
- A nice place to have a site for Helen as she loved and cared about her community.

- Give the woman her due and also her family and coming generations a testament to her work.
- I have lived in Christie Downs for over thirty eight years, never knew Helen Ellis but I think it would be a nice gesture to name the reserve after her. Name supplied.
- Make improvement to reserve on Chamberlain Drive. Maybe a playground for the children in the area.
- It is good to see someone who has done so much for the community being recognised in some way.
- What a lovely idea-we are very pleased to have the reserve named after a dear friend. We will be ever thankful to Helen for her input and help with the "Park". Name and address supplied.
- Wonderful choice.
- Sounds like a great gesture!!
- Excellent idea!
- This name has more meaning and honours someone that loved the community.
- Helen Ellis Reserve is more personal and helps keep history alive.
- We knew Helen as a very good friend and she loved doing things to improve the community. It would be a great honour to name the park after her especially also for her mum and dad who miss her deeply. Names supplied.
- A great idea!
- Rewarding those who are engaged in their communities.
- I ... (name and address supplied) ... feel sorry that Helen has died.
- To honour Helens involvement in and with her local community.
- Wonderful to name reserve after Helen. Someone who was passionate about Christie Downs and also volunteered and worked hard and diligently for our community.
- I think it would be nice to have Helen Ellis Reserve for all the work she has done.
- It's a great idea to honour members of our community that have made a difference and contributed to our local history and pride. Will the reserve be receiving any water to encourage the lawn or trees?
- Any reserve named after a female means far more than a male.
- Great thing to do.
- Although I don't know of Helen Ellis I think it is great for her work and efforts to be rewarded.
- Please make sure the reserve is kept in a tidy state as Helen would have wished.
- We don't mind that the name to be changed to Helen Ellis Reserve but we would like more upkeep and the play equipment that was promised to be installed. Names and address supplied.
- Name it after someone who worked hard and cared.

- In memory of a good lady.
- Thank you.
- We think that this is a fantastic tribute to a lady that was so involved with her community.
- We choose Helen Ellis Reserve due to her involvement in the development of said reserve.
- I believe, by recognising the community activities/involvement of people by such means as 'naming rights' etc-it shows the community's and council's appreciation of her efforts.
- Parks and reserves should be named after in honour of people who give tirelessly to the local community.
- Though I don't know who Helen Ellis is, I prefer her name than a street name. It seems more appropriate.
- Why is 5 Basil Street still vacant after renovation a year ago? Families SA were in control of the property. Name and address supplied.
- I knew and respected Helen Ellis. It would be a wonderful idea to name the reserve in her memory. It is a great little reserve and it provides the closest playground for our grandchildren. Names and address supplied.
- Good to see her remembered.
- Well deserved.
- Well done!!
- Great to have the reserve named after an active local. Well done council.
- It would be great if a new piece of playground equipment could be installed to commemorate her work in getting the original playground installed.
- What a pity that Helen Ellis, a woman who gave so much time and energy to her local community has her name associated with such a sad and neglected space. Lift your game ONKA.
- Outstanding community volunteers/participants should be recognised as they are role models for future community participants.

Comments with no preference for a name (verbatim)

- No. A pillar would be better with her name and what she stood for. Just like the flower garden on the corner of Dyson Road and Barbara Road, Christie Downs.

10. Nominations to external bodies

10.1 Nomination to Dog and Cat Management Board

This is a regular or standard report.

Director:	Alison Hancock, Director People, Governance and Regulatory Services
Report Author:	Karen Ingram, Governance Officer
Contact Number:	(08) 8384 0678
Attachments:	1. LGA Circular 21.8 – Nominations sought for the Dog and Cat Management Board (2 pages) 2. Cr Kilby – Part B (1 page) 3. Ian Hawkins – Part B (1 page)

1. Purpose

This report seeks approval from Council for an elected member or staff to be nominated for the Dog and Cat Management Board.

2. Recommendation

That Council nominates Cr Gail Kilby and Mr Ian Hawkins for the Dog and Cat Management Board.

3. Background

The Minister for Sustainability, Environment and Conservation, Hon Ian Hunter MLC, has written to the Local Government Association of South Australia (LGA) requesting Local Government nominations for one member position on the Dog and Cat Management Board for a term not exceeding three years, commencing in July 2014. Nominations must be forwarded to the LGA by COB 4 July 2014.

4. Financial Implications

Nil.

5. Risk and Opportunity Management

Opportunity	
Identify	Mitigation
Opportunity to be involved in planning for, promoting and providing advice about the effective management of dogs and cats throughout SA.	A representative from the City of Onkaparinga on the Dog and Cat Management Board would be well positioned to be involved in policy and strategy from a specific viewpoint of the Council.

Two expressions of interest to nominate for the Dog and Cat Management Board have been received, one from Cr Gail Kilby and one from Mr Ian Hawkins, Manager Community Safety.

6. Additional information

The Dog and Cat Management Board is established pursuant to the *Dog and Cat Management Act 1995*.

Cr Rosemary Clancy (City of Holdfast Bay) has resigned from the Dog and Cat Management Board, effective from 30 June 2014. The Minister has asked the LGA to forward a panel of four nominations (two male and two female) for consideration to replace the vacancy left by Cr Clancy. Appointments to the Dog and Cat Management Board are for a period not exceeding three years commencing on 1 July 2014.

The LGA nominees must together have the following attributes:

- Practical knowledge of and experience in Local Government, including Local Government processes, community consultation and the law as it applies to Local Government
- experience in the administration of legislation
- experience in financial management
- experience in education and training.

The priority attribute for this Local Government nominee is experience in financial management.

The Board meets on the fourth Tuesday of each month from 8.30am -12.30pm. The allowance for Board Members is currently \$177 per four hour session attended.

If a staff member is appointed to the board, our past practice has been that the allowance be paid to Council.

LGA nominations on outside bodies will, unless determined otherwise by the LGA Board or Management Group, be currently serving members or council staff. No more than two nominees should be provided from each council. The LGA Board will consider nominations received at its meeting on Thursday 17 July 2014.



Nominations on Outside Bodies - Nominations sought for the Dog and Cat Management Board - Circular 21.8

To	Chief Executive Officer Elected Members Policy and Strategic Planning Staff	Date	22 May 2014
Contact	Danielle Bailey Email: Danielle.Bailey@lga.sa.gov.au		
Response Required	Yes	Respond By	4 July 2014
Summary	The Minister for Sustainability, Environment and Conservation, Hon Ian Hunter MLC, has written to the LGA requesting Local Government nominations for one member position on the Dog and Cat Management Board for a term not exceeding 3 years, commencing in July 2014. Nominations must be forwarded to the LGA by COB 4 July 2014.		

The Dog and Cat Management Board is established pursuant to the *Dog and Cat Management Act 1995* - [click here](#) to view a copy of the Act.

Cr Rosemary Clancy (City of Holdfast Bay) has resigned from the Dog and Cat Management Board, effective from 30 June 2014. The Minister has asked the LGA to forward a panel of four nominations (two male and two female) for consideration to replace the vacancy left by Cr Clancy. Appointments to the Dog and Cat Management Board are for a period not exceeding three years commencing on 1 July 2014.

Selection Criteria

Applicants must address their applications directly to the attributes set out below, in order to be considered for nomination. Please use the form provided and outline your achievements against one or more of these attributes.

The LGA nominees must together have the following attributes:

- practical knowledge of and experience in Local Government, including Local Government processes, community consultation and the law as it applies to Local Government;
- experience in the administration of legislation;
- experience in financial management; and
- experience in education and training.

The priority attribute for this LGA nominee is experience in financial management.

Board meetings

The Board meets on the fourth Tuesday of each month between 8.30am - 12.30pm. The meeting dates for 2014 from the commencement of this appointment are below:

29 July 2014
26 August 2014
28 October 2014
25 November 2014
December – date to be confirmed

The allowance for Board Members is currently \$177 per 4 hour session attended.

LGA nominations on outside bodies will, unless determined otherwise by the LGA Board or Management Group, be currently serving Council Members or Council Staff. No more than two (2) nominees should be provided from each Council.

Nominations addressing the [Selection Criteria provided in Part A](#) for the Dog and Cat Management Board must be forwarded to danielle.bailey@lga.sa.gov.au by a Council using the attached [Part B](#) by COB 4 July 2014.

The LGA Board will consider nominations received at its meeting on Thursday 17 July 2014.

The role of the Dog and Cat Management Board is:

- (a) to plan for, promote, and provide advice about, the effective management of dogs and cats throughout South Australia;
- (b) to oversee the administration and enforcement of the provisions of this Act relating to dogs, including-
 - (i) monitoring the administration and enforcement of this Act by councils; and
 - (ii) issuing guidelines and providing advice to councils about-
 - (A) planning for the effective management of dogs;
 - (B) training or dog management officers;
 - (C) the appropriate level of administration and enforcement in the circumstances prevailing in the area;
 - (D) the issuing of orders or related directions under this Act;
 - (E) the standard of facilities used for the detention of dogs under this Act;
 - (F) the keeping of registers under this Act and the issuing of certificates of registration and registration discs;
 - (G) any other matter related to the administration or enforcement of the provisions of this Act relating to dogs; and
 - (iii) otherwise providing support and assistance to councils;
- (ba) to accredit dogs as disability dogs, guide dogs or hearing dogs;
- (c) to inquire into and consider all proposed by-laws referred to it under this Act, with a view to promoting the effective management of dogs and cats, and, to the extent that the Board considers it appropriate, the consistent application of by-laws throughout South Australia;
- (d) to advise the Minister or the LGA, either on its own initiative or at the request of the Minister or the LGA, on the operation of this Act or issues directly relating to dog or cat management in South Australia;
- (e) to undertake or facilitate research relating to dog or cat management;
- (f) to undertake or facilitate educational programs relating to dog or cat management;
- (g) to keep this Act under review and make recommendations to the Minister with respect to the Act and regulations made under the Act;
- (h) to carry out any other function assigned to the Board by the Minister or by or under this Act.

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GPO Box 2693, Adelaide SA 5001 | Phone: 8224 2000 | Fax: 8232 6336 | Enquiries: lga@lga.sa.gov.au

This is a printer friendly version of the following web page:- <http://www.lga.sa.gov.au/page.aspx?c=37566>

Nominations to Outside Bodies



PART B: This form must be completed by Council electronically and emailed as a word document to:
danielle.bailey@lga.sa.gov.au
(Nominee's details must not exceed this single page)

Name of Body: Dog and Cat Management Board

Council Name:	City of Onkaparinga		
Full Name of Nominee:	Jacqueline GAIL Kilby		
Position/Title:	Elected Member, City of Onkaparinga		
Address:			
Work Phone:	0466587031	Facsimile:	
A/H Phone:		Mobile:	0466587031
Email:	gkilby@onkaparinga.sa.gov.au		
1. Summary of relevant skills, knowledge and/or experience			
<p>Practical knowledge and experience of Local Government Have been an Elected Member City of Onkaparinga since 2010, Deputy Mayor since November 2013, Completed LGA courses Council and Committee meeting procedures and chairing skills, CEO Performance Management. Four years working in the Corporate Services Department of Hertfordshire County Council (UK). Committee roles:- City of Onkaparinga CEO Performance Review Committee, Deputy Chair (was also on the recruitment panel for the current CEO); City of Onkaparinga Strategic Directions Committee, Deputy Chair; Audit, Risk, Value and Efficiency Committee (Proxy).</p>			
<p>a) Experience in the administration of legislation Elected Member City of Onkaparinga since 2010. Four years working in the Corporate Services Department of Hertfordshire County Council (UK). Almost three years working at Hertfordshire Police Constabulary HQ (UK), prior to this two years as a Special Constable for Hertfordshire Police Force. Am a Justice of the Peace (South Australia). Just successfully completed Certificate IV in Celebrancy CHC42608 which is very focussed on understanding the legislative requirements of the role.</p>			
<p>b) Experience in financial management (please note that this criterion is a priority for this nomination) Elected Member City of Onkaparinga since 2010 the Council has an operating budget of around \$160m, As an IT Manager (UK) my role included responsibility for Budget Management (approx. \$1m) and IT Procurement).</p>			
<p>c) Experience in education and training IT Manager responsible for training, small and large groups of IT users across UK. CERT IV TAE 40110</p>			
2. Other comments in relation to this role			

DO NOT EXCEED ONE PAGE

An email confirming receipt of your nomination will be forwarded

Nominations to Outside Bodies



PART B: This form must be completed by Council electronically and emailed as a word document to:
danielle.bailey@lga.sa.gov.au
(Nominee's details must not exceed this single page)

Name of Body: Dog and Cat Management Board

Council Name:	City of Onkaparinga		
Full Name of Nominee:	Ian Hawkins		
Position/Title:	Manager Community Safety		
Address:	PO Box 1 Noarlunga Centre SA 5168		
Work Phone:	8384 0765	Facsimile:	
A/H Phone:		Mobile:	0414973613
Email:	ianhaw@onkaparinga.sa.gov.au		
1. Summary of relevant skills, knowledge and/or experience			
<p>a) Practical knowledge and experience of Local Government Experience in local government, state government and member organisations including seven years managing teams responsible for functions under the Dog and Cat Management Act. Achievements:</p> <ul style="list-style-type: none"> • Development and adoption of strategic plans including the City of Port Adelaide Enfield's Dog and Cat Management Plan 2007-2011. • 23% increase in microchipped dogs and 6% increase in desexed dogs by implementing a microchipping and desexing voucher scheme • Introduced an SMS alert service for fireworks and registration renewal reminders for dog owners, achieved 10% reduction in dogs wandering at large 			
<p>b) Experience in the administration of legislation Initially qualified as an Environmental Health Officer I have practical experience applying a range of Acts and Regulations. As Manager Community Safety I have further experience with legislation administered by Fire Prevention Officers and Rangers/General Inspectors, in particular the Dog and Cat Management Act 1995. Further experience implementing the South Australian Public Health Act including coordination of the cabinet submission process to commence the Act and re-make Regulations and guidelines.</p>			
<p>c) Experience in financial management (please note that this criterion is a priority for this nomination) Highly developed skills in operational budgets and performance reporting linked to strategic Key Performance Indicators. I am currently responsible for an annual operating budget of \$3.1m and income of \$2.2m.</p>			
<p>d) Experience in education and training As Public Health Project manager for the Local Government Association I developed and participated in the delivery of the Public Health Short Course to train South Australia's Environmental Health Officers in the application of the new South Australian Public Health Act and a suite of information resources for local government.</p>			
2. Other comments in relation to this role			
Board and committee experience including five years as Environmental Health Australia representative on the former South Australian Public and Environmental Health Council and two years as the ALGA representative on the National Immunisation Committee.			

DO NOT EXCEED ONE PAGE

An email confirming receipt of your nomination will be forwarded

11. Questions on notice

Nil.

12. Motions

Nil.

13. Petitions

Nil.

14. Urgent business

Nil.

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15. Confidential items

Confidential Clause

If Council so determines item 15.1 may be considered in confidence under Section 90(2) of the *Local Government Act 1999* on grounds contained in the Recommendations below.

A handwritten signature in black ink, appearing to read 'Mark Dowd', with a stylized flourish at the end.

Mark Dowd
Chief Executive Officer

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15.1 Chief Executive Officer Performance Management Committee confidential minutes

This is a regular or standard report.

Report Author: Jackie Done, Manager Culture and People

Contact Number: 8384 0682

Attachments: Nil.

A meeting of the Chief Executive Officer Performance Management Committee was held on 3 June 2014.

There are no items that require a resolution of Council. The following confidential resolutions are for noting only.

5.1 Variation to contract

1. That:

- a. under the provisions of section 90(2) of the *Local Government Act 1999* an order be made that the public be excluded from attendance at the meeting in order to consider this item in confidence.**
- b. the Council is satisfied that it is necessary that the public be excluded to enable the Council to receive and consider the information/report at the meeting on the following grounds:**

Section 90(3)(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), in this instance being the employment of the Chief Executive Officer.

The Council is satisfied that it is reasonably foreseeable that the public disclosure or discussion of information concerning the employment performance of a person at the meeting would be inconsistent with accepted principles of professional human resource management.

- c. on this basis, the principle that this meeting of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information and/or discussion confidential.**
- 3. That the matter of the Variation to Contract having been considered in confidence under sections 90(2) and 90(3)(a) of the *Local Government Act 1999* an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* that the Variation to Contract report and the minutes of the Council relating to discussion of the subject matter be kept confidential until 30 April, 2015.**

16. Closure

Declarations of Interest

Council Meeting Date:		Councillor:
Item No. (e.g. 3.1)	Declaration of Interest (where a member has an interest that does not lead to a conflict)	Declaration of Conflict of Interest (where a member has an interest that leads to a conflict)