

9th June, 2017

**MAYOR
COUNCILLORS
CITY OF MOUNT GAMBIER**

NOTICE is given that the Strategic Standing Committee will meet in the following Meeting Room on the day, date and time as follows:

Strategic Standing Committee
(Committee Room - Level 4):

Tuesday 13th June, 2017 at 5.30 p.m.

An agenda for the meeting is attached.



Mark McSHANE
CHIEF EXECUTIVE OFFICER

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AGENDA OF STRATEGIC STANDING COMMITTEE MEETING

Meeting to be held at the Committee Room, Civic Centre, 10 Watson Terrace, Mount Gambier
on Tuesday, 13th June 2017 at 5:30 p.m.

PRESENT Mayor Andrew Lee

Cr Penny Richardson
Cr Frank Morello
Cr Sonya Meziniec
Cr Hanna Persello
Cr Josh Lynagh

COUNCIL OFFICERS	Chief Executive Officer	-	Mr M McShane
	General Manager Community Wellbeing	-	Ms B Cernovskis
	General Manager Council Business Services	-	Mrs P Lee
	General Manager City Growth	-	Dr J Nagy
	General Manager City Infrastructure	-	Mr N Serle
	Manager Governance and Property	-	Mr M McCarthy
	Administrative Officer Executive Support	-	Ms A Lavia

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR INDIGENOUS PEOPLES HAVE WITH THIS LAND.

As a newly established Committee the Chief Executive Officer took the Chair for the first item of business to elect a Presiding Member:

1. Strategic Standing Committee - Presiding Member Selection - Report No. AR17/20716

REPORT RECOMMENDATION

- (a) That Strategic Standing Committee Report No. AR17/20716 titled '*Strategic Standing Committee - Presiding Member Selection*' dated 6 June 2017 as presented to the Strategic Standing Committee on 13 June 2017 be noted.
- (b) That Cr _____ be elected as Presiding Member of the Strategic Standing Committee for a term to expire on 20th January 2018.

Moved:

Seconded:



Background

At its meeting held on 16 May 2017, Council adopted a Decision Making Structure that included the establishment of two replacement 'Standing' Committees comprising the Strategic Standing Committee and Operational Standing Committee.

As a newly established Committee it is necessary that the Strategic Standing Committee select a Presiding Member.

Discussion

It has been the practice of the Council during the current term to rotate the Standing Committee Presiding Member roles on a 1 year term.

As the Presiding Member of the former Corporate and Community Services Standing Committee, Cr Lynagh had completed 4 months of a 12 month appointment.

As a member of the Strategic Standing Committee, the Committee may recommend Cr Lynagh to be appointed as Presiding Member until January 2018.

Conclusion

The appointment of a Presiding Member is a matter for the Committee to determine from amongst its own membership. A draft recommendation has been presented for the Committee to consider in this respect.

Attachments

Nil



Michael McCarthy
MANAGER GOVERNANCE & PROPERTY



Pamela LEE
GENERAL MANAGER COUNCIL BUSINESS SERVICES

6 June 2017
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2. APOLOGY(IES)

Apology(ies) received from Cr...

That the apology(ies) from Cr be received.

Moved:

Seconded:

3. QUESTIONS

3.1. With Notice

Nil submitted

3.2. Without Notice

4. DEPUTATIONS

Nil

5. STRATEGIC STANDING COMMITTEE REPORTS

Committee reports commence on the following page.



5.1. Strategic Standing Committee - Ordinary Meeting Day/Time - Report No. AR17/20843

COMMITTEE	Strategic Standing Committee
MEETING DATE:	13 June 2017
REPORT NO.	AR17/20843
RM8 REFERENCE	AF17/228
AUTHOR	Michael McCarthy
SUMMARY	This Report is presented to enable the Strategic Standing Committee to confirm the day/time of ordinary meetings.
COMMUNITY PLAN REFERENCE	Goal 3: Our Diverse Economy

REPORT RECOMMENDATION
<p>(a) That Strategic Standing Committee Report No. AR17/20843 titled '<i>Strategic Standing Committee - Ordinary Meeting Day/Time</i>' dated 6 June 2017 as presented to the Strategic Standing Committee on 13 June 2017 be noted.</p> <p>(b) That the Strategic Standing Committee hold ordinary meetings on the ____day preceding each monthly Council Meeting commencing at ____ am/pm.</p>

Moved:

Seconded:



Background

At its meeting held on 16 May 2017, Council adopted a Decision Making Structure that included the establishment of two replacement 'Standing' Committees comprising the Strategic Standing Committee and Operational Standing Committee.

Amongst the resolutions to adopt the Decision Making Structure:

"Each Standing Committee shall hold ordinary meetings on Monday or Tuesday in the week prior to each Council meeting at a regular time determined taking into account the availability and convenience of Members of the Committee."

The Strategic Standing Committee may now consider the day/time of ordinary meetings.

Discussion

Subject to the requirement imposed by the Council to meet on the Monday or Tuesday preceding each Council meeting, the Strategic Standing Committee may determine its own ordinary meeting day and time taking into account the availability and convenience of Members and the nature and purpose of the Committee.

Conclusion

A draft recommendation has been presented for the Committee to consider its ordinary meeting day/time.

Attachments

Nil



Michael McCARTHY
MANAGER GOVERNANCE & PROPERTY



Pamela LEE
GENERAL MANAGER COUNCIL BUSINESS SERVICES

6 June 2017
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5.2. Strategic Standing Committee – Terms of Reference - Report No. AR17/20849

COMMITTEE	Strategic Standing Committee
MEETING DATE:	13 June 2017
REPORT NO.	AR17/20849
RM8 REFERENCE	AF17/228
AUTHOR	Michael McCarthy
SUMMARY	This Report is presented to enable the Strategic Standing Committee to consider Terms of Reference for adoption.
COMMUNITY PLAN REFERENCE	Goal 3: Our Diverse Economy

REPORT RECOMMENDATION
<p>(a) That Strategic Standing Committee Report No. AR17/20849 titled '<i>Strategic Standing Committee - Terms of Reference</i>' dated 6 June 2017 as presented to the Strategic Standing Committee on 13 June 2017 be noted.</p> <p>(b) That the Draft Terms of Reference for the Strategic Standing Committee as attached to the Strategic Standing Committee agenda for the meeting held on 13 June 2017 be adopted.</p>

Moved:

Seconded:



Background

At its meeting held on 16 May 2017, Council adopted a Decision Making Structure that included the establishment of two replacement 'Standing' Committees comprising the Strategic Standing Committee and Operational Standing Committee.

Amongst the resolutions to adopt the Decision Making Structure:

"The Terms of Reference of Standing Committees established under resolution (b)(iii) are to be reviewed by the Standing Committee for presentation to Council by August 2017".

The Strategic Standing Committee may now consider the Terms of Reference.

Discussion

A draft Terms of Reference for the Strategic Standing Committee was provided to all Members prior to the meeting of Council held on 16th May 2017.

The draft Terms of Reference is again provided for consideration by the Strategic Standing Committee.

Conclusion

A draft recommendation has been presented for the Committee to consider recommending adoption of the Draft Terms of Reference for the Strategic Standing Committee.

Attachments

Attachment 1 (AR17/18777): Draft Terms of Reference – Strategic Standing Committee



Michael McCARTHY
MANAGER GOVERNANCE & PROPERTY



Pamela LEE
GENERAL MANAGER COUNCIL BUSINESS SERVICES

6 May 2017
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5.3. Community Plan – Development of Corporate Key Performance Indicators -Report No. AR17/20317

COMMITTEE	Strategic Standing Committee
MEETING DATE:	13 June 2017
REPORT NO.	AR17/20317
RM8 REFERENCE	AF15/366
AUTHOR	Tracy Tzioutziouklaris
SUMMARY	This report provides Council with an update on the development of corporate Key Performance Indicators for the delivery of the <i>Community Plan – The Futures Paper 2016-2020</i> .
COMMUNITY PLAN REFERENCE	Goal 1: Our People
	Goal 2: Our Location
	Goal 3: Our Diverse Economy
	Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage

REPORT RECOMMENDATION
<p>(a) That Strategic Standing Committee Report No. AR17/20317 titled '<i>Community Plan - Development of Corporate Key Performance Indicators</i>' dated 6 June 2017 as presented to the Strategic Standing Committee on 13 June 2017 be noted.</p> <p>(b) That the Report Number AR17/20317 titled '<i>Community Plan - Development of Corporate Key Performance Indicators</i>' dated 1 June 2017 be received</p>

Moved:

Seconded:



Background

'Best People Best Community' was developed to focus on the delivery of the Community Plan. As previously identified the project work flow for 'Best People Best Community' involved 8 steps which are:

Step 1: Data Collection

Step 2: Development of the Service Register

Step 3: SWOT Analysis

Step 4: Service and Strategic (Functional) Alignment

Step 5: Review of Organisation Structure

Step 6: Development of Action Plans

Step 7: Performance Development and Accomplishment Records

Step 8: Development Centres.

Discussion

Steps 1 – 5 as outlined above have now been completed.

The completion of Step 5, involved a review of the organisational structure of Council's administration. The new organisational structure has been implemented over the first quarter of 2017 with four General Manager positions created and successfully filled. The fourth General Manager to commence with Council starts on 18th April 2017.

New Key Performance Indicator's (KPI's) are being developed to enable reporting on the Community Plan – The Futures Paper 2016-2020 the Community Plan). Along with the Community Plan KPI's, business unit plans and staff performance development plans will to be developed to reflect the outcomes of services aligned to the Community Plan.

Council's corporate performance management system, 'Performance Manager' will be updated to report on the Community Plan KPIs and outcomes enabling quarterly reporting to Council on the achievement against the Community Plan. The first quarterly report on the Community Plan KPIs and outcomes is planned for October 2017 for the quarter July to September 2017.

Conclusion

New Key Performance Indicator's (KPIs) are being developed to enable reporting to commence from the first quarter of the 2017/2018 financial year on progress against and achievements of the Community Plan. KPIs aligned to the Community Plan KPIs will in turn be cascaded throughout the organisation through business unit plans and employees' individual action plans. The alignment of plans throughout the organisation will provide guidance to staff, business units and the organisation as a whole, in the delivery of the strategies, initiatives, projects and service aspirations contained in the Community Plan.

Council's corporate 'Performance Manager' system is being updated to reflect the new organisational structure and new Community Plan KPIs.

Progress against the Community Plan KPIs for the 1 July to 30 September 2017 quarter is scheduled to be reported to Council by November 2017.

Attachments

Nil





Tracy TZIOUTZIOUKLARIS
MANAGER BUSINESS & STRATEGIC PLANNING



Pamela LEE
GENERAL MANAGER COUNCIL BUSINESS SERVICES

6 June 2017
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5.4. Update on Community Plan Strategies and Key Projects - Report No. AR17/20180

COMMITTEE	Strategic Standing Committee
MEETING DATE:	13 June 2017
REPORT NO.	AR17/20180
RM8 REFERENCE	AF15/366
AUTHOR	Tracy Tzioutziouklaris
SUMMARY	<p>This report provides an update on strategies being developed and aligned with:</p> <ul style="list-style-type: none"> • The City Development Framework • The Futures Papers; and • The Community Plan – The Futures Paper 2016-2020
COMMUNITY PLAN REFERENCE	Goal 1: Our People
	Goal 2: Our Location
	Goal 3: Our Diverse Economy
	Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage

REPORT RECOMMENDATION
<p>(a) That Strategic Standing Committee Report No. AR17/20180 titled '<i>Update on Community Plan Strategies and Key Projects</i>' dated 6 June 2017 as presented to the Strategic Standing Committee on 13 June 2017 be noted.</p>

Moved:

Seconded:



Background

At Council's meeting held on 21 March 2017 it was determined:

- (a) "Corporate and Community Services Report No. 17/2017 be received;
- (b) The Strategic Planning Sub-Committee oversee and provide guidance to Council on the development of the Strategic Plans and the strategic planning processes including community engagement and consultation processes."

Corporate and Community Services Report No. 17/2017 provided an overview of progress on a number of strategic documents/projects currently being undertaken by Council. This report was provided as a direct response to a motion moved by Council at its meeting held on Tuesday 21 February 2017 which determined:

"To progress the strategic goals Council will:

- (a) Prepare timelines for the development of a youth strategic and cultural plan by the end of March, 2017;
- (b) Complete the youth strategy and cultural plan by the end of the 2017 calendar year;
- (c) Table bi-monthly progress reports on the youth strategy, cultural plan, digital plan and economic growth strategy at the Corporate and Community Services Committee;
- (d) Devise a community engagement/consultation strategy for the digital plan by the end of March 2017."

This report provides an overview and status update on the progress against strategic plans being developed and is being presented to the Strategic Standing Committee.

Discussion

This report provides an update on strategies being developed with alignment to:

- The City Development Framework
- The Futures Papers; and
- The Community Plan – The Futures Paper 2016-2020.

The Community Plan

The Community Plan was endorsed by Council at its meeting in May 2016. The Community Plan together with the Futures Paper are Council's key strategic documents and are supported by Council's:

- Long term Financial Plan
- Infrastructure and Asset Management Plan; and
- Annual Business Plan.

These plans identify the direction, services and facilities that Council has intends to deliver/maintain for the community, for the current term of Council and into the future.

The Community Plan identifies the following strategies and key projects:



This report provides an update on strategies being developed with alignment to:

- The City Development Framework
- The Futures Papers; and
- The Community Plan – The Futures Paper 2016-2020.

The Community Plan

The Community Plan was endorsed by Council at its meeting in May 2016. The Community Plan together with the Futures Paper are Council's key strategic documents and are supported by Council's:

- Long term Financial Plan
- Infrastructure and Asset Management Plan; and
- Annual Business Plan.

These plans identify the direction, services and facilities that Council has intends to deliver/maintain for the community, for the current term of Council and into the future.

The Community Plan identifies the following strategies and key projects:

Goal	Key Projects
Goal 1: Our People	<ul style="list-style-type: none"> • Partner with young people to develop a youth strategy that reflects their aspirations of living
Goal 2: Our Location	<ul style="list-style-type: none"> • Develop an Open Space and Asset and Management Strategy
Goal 3: Our Diverse Economy	<ul style="list-style-type: none"> • Develop and implement strategies and actions and partner with relevant stakeholders to increase professional service delivery opportunities
Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage	<ul style="list-style-type: none"> • Develop a cultural plan for the City of Mount Gambier • Reconciliation Action Plan • Develop and implement a strategy to facilitate a reduction in greenhouse gas emissions.

Once the strategies are developed it is anticipated that they will contain recommendations for actions resourcing and budget requirements that will be incorporated into the Annual Budget, The Long Term Financial Plan and ultimately the delivery of programs and services.

Summary of Strategies

The following table summarises the strategies where work has commenced.

Strategy	Status
Digital Strategy Building a connected regional city	<ul style="list-style-type: none"> • Final consultant's report endorsed by Council in December 2016. • Further report considered by Council in March 2017 regarding opportunities to partner with the New Venture Institute (NVI). • At its meeting on 18 April 2017 Council considered a further report on the Digital Strategy and the NVI. Work is underway to explore funding commitment from stakeholders.
City Growth Strategy 2017-2027	<ul style="list-style-type: none"> • Project Consultant ACIL Allen Consulting engaged. • Draft strategy is being prepared. Estimated delivery in June-July 2017.



	<ul style="list-style-type: none"> • A summary of the (Commercial in Confidence) contract is provided for Members as follows: <p>ACIL Allen specialises in economic analysis with an emphasis on the development of policy and strategy and is regularly engaged by government, industry and the private sector to undertake economic analysis including:</p> <ul style="list-style-type: none"> ○ Strategic planning; ○ Economic development; ○ Economic forecasting; and ○ Trend analysis. <p>Proposed project schedule is:</p> <ul style="list-style-type: none"> ○ 31 March 2017 Project commenced ○ April Inception meeting Meeting with stakeholders (internal and external) Presentation of project plan Data Analysis ○ June Consultation with Council Development of draft ○ July Final City Growth Strategy and Action Plan
Economic Performance Scorecard and Future Modelling	<ul style="list-style-type: none"> • Econsearch engaged to undertake the development of the Economic Scorecard, case study and modelling. • Final report completed.
Visitor Economy (Tourism) – Tourism Data Collection Project	<ul style="list-style-type: none"> • This project will build a foundation upon which informed actions can be identified. • Need to establish baseline information and structures. • Data collection commenced. • Initial draft report received. • Final report expected June 2017.
Visitor Economy (Tourism) Signage Strategy and Action Plan	<ul style="list-style-type: none"> • Work has commenced. • Draft report due in June 2017.
City of Mount Gambier Tourism Review	<ul style="list-style-type: none"> • Data collection has commenced.
Reconciliation Action Plan (RAP)	<ul style="list-style-type: none"> • Reports provided through the Community Engagement and Social Inclusion Sub-Committee. • RAP Focus Group formed and meeting monthly. • RAP is developing.
Cultural Development Plan	<ul style="list-style-type: none"> • Work has commenced
Youth Strategy	<ul style="list-style-type: none"> • Work has commenced.
Greenhouse Gas Emissions Strategy	<ul style="list-style-type: none"> • Discussed at the February 2017 meeting of the Environmental Sustainability Sub Committee. • Dr Tim Moore to be engaged to assist with the development of a long term carbon mitigation strategy. • No further progress since last meeting. • Research being undertaken regarding mitigation of carbon costs.



Open Space and Asset and Management Strategy	<ul style="list-style-type: none"> • Not started.
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Conclusion

Work continues in relation to the development of strategies identified in the Community Plan - The Futures Paper 2016-2020. Further updates will be provided as key milestones are reached.

Member Workshops will be scheduled as necessary, to facilitate Elected Member involvement, discussion and input into the strategies.

Attachments

Nil



Tracy TZIOUTZIOUKLARIS
 MANAGER BUSINESS & STRATEGIC PLANNING



Pamela LEE
 GENERAL MANAGER COUNCIL BUSINESS SERVICES

6 June 2017
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5.5. Changes to Council's Development Assessment Panel - Report No. AR17/21313

COMMITTEE	Strategic Standing Committee
MEETING DATE:	13 June 2017
REPORT NO.	AR17/21313
RM8 REFERENCE	AF17/81
AUTHOR	Michael Silvy
SUMMARY	A report to recommend Council create a new 'Terms of Reference' for the proposed Council Assessment Panel and to commence a process to fill positions on the new Panel.
COMMUNITY PLAN REFERENCE	Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage

REPORT RECOMMENDATION
<p>(a) That Strategic Standing Committee Report No. AR17/21313 titled 'Changes to Council's Development Assessment Panel' dated 7 June 2017 as presented to the Strategic Standing Committee on 13 June 2017 be noted.</p> <p>(b) That the Council;</p> <ol style="list-style-type: none"> 1. Requests administration to develop a complying 'Terms of Reference' for a Council Assessment Panel in anticipation of the changes needed to commence on 1 October 2017. A further report to be presented to Council for endorsement in due course. 2. Commence a process to fill the membership positions required for the new Council Assessment Panel by 1 October 2017.

Moved:

Seconded:



Background

Further to a memo issued by the General Manager City Growth on the 25 May 2017 and included in the Friday Edition on 26 May 2017;

The South Australian State Government has introduced a framework to create a one stop destination for planning in South Australia with a view to reducing costs for applicants, councils and ratepayers, delivering faster turn arounds and tracking of decisions. To achieve this, an independent State Planning Commission has been established to act as the state's principal planning advisory and development assessment body.

The Commission was formalised with the commencement of the Planning and Development Infrastructure Act on 1 April 2017 and there will be a staged approach to the implementation of the system over the next two to three years. Establishing a new 'Council Assessment Panel' is one of the elements to be implemented by Councils with the new Panel proposed to be operational by 1 July 2017.

The Local Government Association recommended that Councils be given at least three months to comply with the new legislative requirements and we are waiting on a response to this request.

We have now received the following correspondence from Deputy Premier, John Rau, dated 30 May 2017 that allows an additional three months for implementation of new assessment panel requirements. The letter states;

*I also propose that the Governor proclaims **1 October 2017** as the 'designated day' on which the new assessment panels are to be constituted. I propose regulations be developed to transfer responsibilities from existing panels to the assessment panels from that later date. This will allow some 5 months for your council to appoint a new Council Assessment Panel (CAP) under section 83 of the PDI Act, in order to transition development assessment decisions from the Council Development Assessment Panel to the new CAP.*

A Fact Sheet providing information on the above requirements is also attached to this report. The document makes it clear that the new Council Assessment Panel can comprise no more than five (5) members of which only one (1) may be an Elected Member of Council.

Discussion

At this time the Council Development Assessment Panel (CDAP) is comprised of seven (7) members, three (3) of which are Elected Members of Council, as follows;

Presiding Member

Elizabeth Travers

Independent Members

Margaret Trotter

Emily Finnigan

Peter Seebohm

Council Members

Cr Ian Von Stanke

Cr Christian Greco

Cr Desmond Mutton



The new Council Assessment Panel will require that the Elected Member representation be reduced from three (3) Elected Members of Council to one (1) Elected Member of Council.

The attached *Fact Sheet* also stipulates that independent members of the Panel will need to be 'accredited' from a future date anticipated to be during 2018. None of the existing independent members are currently accredited with the accreditation scheme still under preparation.

Conclusion

In preparation for the implementation of the new Planning, Development and Infrastructure Act Council should consider the membership of the proposed Council Assessment Panel noting the total number of Panel Members must not exceed five (5) including only one (1) Elected Member of Council.

As part of the formation of the new Development Assessment Panel, a new 'Terms of Reference' will need to be prepared that reflects the membership requirements of the legislation.

Attachments

Attachment 1 (AR17/22184): Fact Sheet - Assessment Panels - What do Council's need to do?

Attachment 2 (AR17/22185): Letter from Deputy Premier - John Rau - dated 30 May 2017 - Council Development Assessment Panels



Michael SILVY
MANAGER DEVELOPMENT & REGULATORY



Dr Judy NAGY
GENERAL MANAGER CITY GROWTH

7 June 2017
AL



6. MOTION(S)

6.1. With Notice

Nil Submitted

6.2. Without Notice

Meeting closed at

AL



REPORT ATTACHMENTS





Strategic Standing Committee

TERMS OF REFERENCE

A Committee of Council

established pursuant to the provisions of

Section 41
of the Local Government Act 1999

and

Section 101A
of the Development Act 1993.

Terms of Reference for the conduct of the business of the Council Committee were approved and adopted by the City of Mount Gambier at its meeting held on ##th Month, 201#.

Strategic Standing Committee

The Strategic Standing Committee has been established with a Strategic 'forward planning' focus on the following matters:

- Strategic Direction
- Strategic Plans:
 - (Futures Paper/Community Plan, Cultural Development Plan, Reconciliation Action Plan, Youth Strategy, Tourism Strategy, City Growth, Digital Strategy)
 - Long Term Financial Plan
 - Budget & Annual Business Plan
 - Asset & Infrastructure Management Plan
- Council Policies
- By-Laws
- Annual Report
- Development Plan Amendments
- Seeking of Grant Funding
- Unsolicited/New Proposals (strategic nature)

and for the purpose of Section 101A of the Development Act 1993, to:

- provide advice to Council in relation to the extent to which Council's strategic planning and development policies accord with the planning strategy.
- To assist Council in undertaking strategic planning and monitoring directed at achieving:
 - orderly and efficient development within City of Mount Gambier Council area;
 - high levels of integration of transport and land use planning;
 - relevant targets set out in the planning strategy within the City of Mount Gambier Council area;
 - the implementation of affordable housing policies set out in the planning strategy within the area of Council;
 - other outcomes of a prescribed kind (if any).
 - To provide advice to Council (or to act as its delegate) in relation to strategic planning and development policy issues when Council is preparing:
 - a Strategic Directions Report; or
 - a Development Plan Amendment proposal.
 - Other functions (other than functions relating to development assessment or compliance) assigned to the committee by Council.

Strategic Standing Committee

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1. NAME

The name of the Council Committee shall be the Strategic Standing Committee (in these Terms of Reference referred to as “the Committee”).

2. DEFINITIONS

2.1 For the purpose of these Terms of Reference, unless inconsistent with the subject matter or context: -

2.1.1 “Act” means the Local Government Act 1999 and includes all Regulations and Schedules.

2.1.2 “Committee” means the Committee of Council established pursuant to clause 3.

2.1.3 “Committee Member” means the persons appointed by the Council to the Committee pursuant to clause 5.

2.1.4 “Commencement Date” means the date on which the Committee is established and becomes operative pursuant to clause 3.

2.1.5 “Council” means the City of Mount Gambier that established the Committee and to which the Committee reports.

2.1.6 “Prescribed Committee” means a Prescribed Committee as defined in the Remuneration Tribunal Determination 7 of 2014 (or any replacement determination)

2.1.7 “Presiding Member of the Committee of Council” means the person appointed to that position pursuant to clause 5.

2.1.8 “Observers” means those persons attending any meeting of the Committee of Council, but not having a vote on any matter to be determined by the Committee and not having been appointed as Committee Members.

2.1.9 “Sub-Committee” means a sub-committee established in accordance with the Act.

2.2 Any words, phrases or terms used in these Terms of Reference that are defined in the Act shall have the same meaning as are given in the Act.

2.3 A reference in these Terms of Reference to a “singular” includes a reference to the “plural” and a reference to a “plural” includes a reference to the “singular”.

2.4 These Terms of Reference shall be interpreted in line with the provisions of the Act.

2.5 Notices

All communication to be given to the Committee shall be addressed to: -

City of Mount Gambier Strategic Standing Committee
PO Box 56
MOUNT GAMBIER SA 5290
Email: city@mountgambier.sa.gov.au

3. ESTABLISHMENT

3.1 The Strategic Standing Committee is established under Section 41 of the Local Government Act 1999 and Section 101A of the Development Act 1993.

3.2 The Committee will be established and become operative from the time a resolution of the Council is passed.

3.3 The Committee is established by the Council with:

3.3.1 a Strategic 'forward planning' focus on the following matters:

- Strategic Direction
- Strategic Plans:
 - (Futures Paper/Community Plan, Cultural Development Plan, Reconciliation Action Plan, Youth Strategy, Tourism Strategy, City Growth, Digital Strategy)
 - Long Term Financial Plan
 - Budget & Annual Business Plan
 - Asset & Infrastructure Management Plan
- Council Policies
- By-Laws
- Annual Report
- Development Plan Amendments
- Seeking of Grant Funding
- Unsolicited/New Proposals (strategic nature)

and for the purposes of Section 101A of the Development Act 1993, for:

3.3.2 provision of advice to Council in relation to the extent to which Council's strategic planning and development policies accord with the planning strategy.

3.3.3 assisting Council in undertaking strategic planning and monitoring directed at achieving:

- orderly and efficient development within City of Mount Gambier Council area;
- high levels of integration of transport and land use planning;
- relevant targets set out in the planning strategy within the City of Mount Gambier Council area;
- the implementation of affordable housing policies set out in the planning strategy within the area of Council;
- other outcomes of a prescribed kind (if any).

3.3.4 provision of advice to Council (or to act as its delegate) in relation to strategic planning and development policy issues when Council is preparing:

- a Strategic Directions Report; or
- a Development Plan Amendment proposal.

3.3.5 other functions (other than functions relating to development assessment or compliance) assigned to the committee by Council.

3.4 The Committee shall be a Prescribed Committee that is enduring to perform, assist and provide advice to Council on matters described in these Terms of Reference.

4. OBJECTIVES

The Committee is created with the express objective of providing considered advice to Council within the scope of its purpose and reasons for establishment

5. MEMBERSHIP

- 5.1 Membership of the Committee will comprise Elected Members as determined by resolution of Council in accordance with Council policy guiding appointment to committees.
- 5.2 The Council reserves the right from time to time to remove any Member of the Committee and appoint another Committee Member in their stead.
- 5.3 All Strategic Standing Committee Members hold office at the pleasure of the Council.
- 5.4 The Mayor has Ex-Officio membership on this Committee.
- 5.5 The Committee will determine the Committee Member to be appointed to the position of Presiding Member of the Committee, which appointment will be reviewed by the Committee every 12 months.

6. CASUAL VACANCIES AND REPLACEMENT MEMBERS

- 6.1 If a Committee Member is absent from 3 or more consecutive meetings of the Committee without an apology accepted by the Committee then that Committee Member's position shall be considered vacant.
- 6.2 The Council will determine the filling of any vacancy in the Committee Membership in accordance with clause 5.

7. NO PROXY

- 7.1 The appointment of a person as proxy for any Strategic Standing Committee Member on the Committee is not permissible.

8. RESIGNATION OF COMMITTEE MEMBER

- 8.1 Any Committee Member may resign from the Committee, but such resignation shall not be effective until the Presiding Member and Council has received written notice to that effect.

9. QUORUM

- 9.1 At all Meetings of the Committee a quorum must be present.
- 9.2 A quorum will be determined by dividing by 2 the number of Strategic Standing Committee Members formally appointed to the Committee ignoring any fraction and adding 1.

10 ATTENDANCE AT MEETINGS BY TELEPHONE OR OTHER ELECTRONIC MEANS

A Committee Member (including, subject to the operation of clause 11.2, the Presiding Member) may be considered as being present at a Committee Meeting despite not being physically present at the meeting, subject to the following conditions:

- 10.1 Written approval to participate in the meeting by telephone or other electronic means has been sought and obtained from the Committees Presiding Member and confirmed to the Chief Executive Officer not less than 24 hours prior to the meetings scheduled commencement time, and;
- 10.2 The Chief Executive Officer having confirmed prior to the scheduled commencement time of that meeting that the necessary technologies are available to accommodate the Committee Members participation in the meeting and compliance with the Act, and;
- 10.3 A Committee Member participating by such means being for the specified meeting only and not for 2 or more consecutive meetings of the Committee, and;
- 10.4 All Committee Members being able to hear each other Committee Member whilst a Committee Member is participating by telephone or other electronic means, and;
- 10.5 The Committee Member that is participating by telephone or other electronic means expressing their vote on each and every question in a manner that can be identified by all other persons present at the meeting (whether all other persons at the meeting are physically present or present by telephone or other electronic means), and;
- 10.6 The Presiding Member (or Acting Presiding Member) being authorised to disconnect the Committee Member in the event that the technology causes any disruption or inconvenience to the Committee meeting, and;
- 10.7 Should the telephone or other electronic connection fail, any attempt(s) to re-connect are made at the discretion of the Presiding Member, and;

Whilst participating in a Committee Meeting in accordance with this clause a Committee Member shall be considered as being present at the meeting for all purposes.

11 MEETINGS OF THE COMMITTEE

- 11.1 The Committee shall meet in accordance with its ordinary meeting schedule or otherwise in accordance with this clause.
- 11.2 The Presiding Member, when physically present, shall preside at all meetings of the Committee and at any other time the Committee shall appoint an Acting Presiding Member who shall preside at that meeting.
- 11.3 No business shall be transacted at any meeting of the Committee unless a quorum of Strategic Standing Committee Members is present.
- 11.4 Each Strategic Standing Committee Member of the Committee including the Presiding Member present at any meeting of the Committee must vote on any matter requiring determination and all decisions shall be decided on a simple majority of votes cast.
- 11.5 Each Strategic Standing Committee Member of the Committee including the Presiding Member present at any meeting of the Committee shall have one deliberate vote only.

12 PROCEDURES AT MEETINGS

- 12.1 The procedure to be observed in relation to the conduct of meetings of the Committee is in accordance with the Act and the Local Government (Procedures at Meetings) Regulations 2013.
- 12.2 In accordance with s89 of the Act, insofar as a procedure is not prescribed by regulation, it shall be as determined by the Council, and insofar as a procedure is not determined by the Council, it shall be as determined by the Committee itself.

13 LIABILITY OF THE COMMITTEE

- 13.1 A liability incurred by the Committee rests against Council.
- 13.2 No liability attaches to a Strategic Standing Committee Member of the Committee for an honest act or omission by that Strategic Standing Committee Member of the Committee in the performance or discharge, or purported performance or discharge, of the Member's or the Committee's functions or duties.

14 DELEGATION

- 14.1 The Committee has no delegation to act with all recommendations of the Committee (and of any Sub-Committees established by the Committee) to be considered by full Council for final decision and resolution.

15 SUB-COMMITTEES

- 15.1 The Committee may establish a subcommittee to assist it in a matter.
- 15.2 When establishing a subcommittee the Committee must set out the Terms of Reference for the subcommittee.
- 15.3 The Committee may appoint to a Sub-Committee Council Members who are not members of the Committee, Council Officers and members of the public with skills or expertise in a field relevant to the matters which the Sub-committee is established to assist with.
- 15.4 A Sub-Committee established in accordance with this clause will report to the Committee and will have the same meeting notice, minute keeping and procedural obligations as the Committee as defined in the Act.
- 15.5 If a Sub-Committee Member is absent from 2 or more consecutive meetings of the Sub-Committee without an apology accepted by the Committee and Council then that Sub-Committee Members position shall be considered vacant.
- 15.6 If a Sub-Committee established under this Clause 15 fails to achieve quorum on 3 consecutive occasions then the Sub-Committee will be considered to be in recess and the Chief Executive Officer is to present a report to the Strategic Standing Committee for consideration.

16 MINUTES OF THE COMMITTEE

16.2 Administration

- 16.1.1 The CEO or his appointee must cause minutes to be kept of the proceedings of the Committee.
- 16.1.2 Minutes of the Committee shall be available to all Strategic Standing Committee Members of the Committee, Council and the public.
- 16.1.3 The Minutes of the proceedings of a meeting are to comply with the requirements of the Act
- 16.1.4 Minutes of the Committee Meeting shall be submitted for confirmation at the next meeting of the Committee and if confirmed, shall be signed by the Presiding Member or other person presiding at the subsequent meeting.
- 16.1.5 Minutes of the Committee Meeting and any recommendations (including the minutes and recommendations of any Sub-Committee established by the Committee) shall be submitted to Council and shall be of no effect until endorsed as a resolution of Council.

17 AMENDMENTS TO THESE TERMS OF REFERENCE

- 17.1 It will be lawful for the Council by resolution of the Council to revoke, vary or add to any of the provisions of these Terms of Reference at its own discretion within the parameters of the Local Government Act and other relevant legislation.
- 17.2 Notwithstanding 17.1 hereof before the Council resolves to revoke, vary or add to any of the provisions of these Terms of Reference the opinion of the Committee shall be obtained.

18 INTERPRETATION OF THESE TERMS OF REFERENCE

- 18.1 Should there be any dispute as to the definition and/or interpretation of these Terms of Reference, or any part thereof or any irregularities whatsoever, then the Council shall determine the dispute and the decision of the Council shall be final and binding.

19 WINDING UP

- 19.1 Subject to the making of alternate arrangements to fulfill it's obligations under Section 101A of the Development Act 1993 the Council may cease the operation of the Committee and the Committee may make such recommendation to the Council on the completion of its function.



Assessment Panel

Assessment Panels – What do Council's need to do?

The *Statutes Amendment (Planning, Development and Infrastructure) Act 2017* (the transitional Act) and the *Planning Development and Infrastructure Act 2016* (the "PDI Act") were proclaimed on 28 March 2017 to commence on 1 April 2017. Some components of the Acts come in to force from 1 April 2017 and others are suspended to commence later in the staged implementation process.

This enables the first stages of transition from the existing *Development Act 1993* (Development Act) to the PDI Act to commence. Initially it provides for planning tools and governance frameworks to be introduced in stages as parts of the Development Act are phased out.

The transitional Act makes specific provision for the transition to the new **Council and Regional Assessment Panels** as one of the early governance arrangements to be implemented under the new system.

The New Assessment Panels

The PDI Act provides for a range of Assessment Panels to make decisions on more complex developments and on those matters which may be prescribed by regulations.

Generally, there are provisions in the Act for the following panels:

- Council Assessment Panel – essentially replaces Council's current Development Assessment Panel (DAP) function.
- Joint Planning Board Assessment Panel – appointed by a Joint Planning Board.
- Combined Assessment Panel – established by the Minister to assess applications across different legislation (eg planning and mining or liquor licensing).

- Regional Assessment Panel – established by the Minister and comprises parts or all of the areas of two or more Councils.
- Local Assessment Panel – constituted by the Minister upon recommendation of the Commission following an inquiry into an existing Council Assessment Panel.

Membership of the Assessment Panels

The membership of Assessment Panels established by a Council or Councils, or in the future a Joint Planning Board, should be comprised of no more than five members, only one of which may be a member of a Council.

To be constituted as a panel, membership must comprise at least three members.

Membership of the new Combined Assessment Panels, Regional Assessment Panels and Local Assessment Panels is to be determined by the Minister when they are formed. One member of these Panels may be a member of a Council.

The procedures of an Assessment Panel must comply with any requirements prescribed by the regulations. Draft regulations, and a draft Code of Conduct, are currently being prepared for consultation with Councils. The regulations will reflect similar procedures to that currently contained in section 56A of the *Development Act 1993*. Any additional procedures established by Panels must comply with any requirements in the regulations.

When does Council need to establish an Assessment Panel?

During transition, the Act provides for existing Council Development Assessment Panels (DAPs) to continue to operate as Assessment Panels under the PDI Act.

In respect to Regional Development Assessment Panels (RDAPs) the transition provisions enable the Minister to appoint a successor to the current RDAPs or a new RAP. It will therefore be necessary for Councils currently represented by a RDAP to consider how they wish to proceed in the future.

The implementation program for the new planning system identifies **1 July 2017** as the date the new Assessment Panels will commence. The Governor will proclaim the date for commencement in the near future.

To make development assessment decisions from 1 July 2017, the new Assessment Panels will need to be formally appointed by their respective Councils or the Minister in accordance with the new membership provisions set out in the PDI Act - no more than five members, only one of which may be member of a Council - and the appointment of an Assessment Manager.

It is therefore important for Councils to begin giving consideration to the process for amending the membership of their current DAPs/RDAPs. This could be a matter of retaining a core membership of existing Panel members and reducing the number and composition to meet the new requirements. The new Assessment Panels could also initially adopt the operating procedures of the current Panels to simplify the transition process.

For regional councils where regional DAPs exist, this will be an important consideration as under the new requirements there can only be up to one elected member on the Regional Assessment Panel.

Arrangements for transitioning to Assessment Panels will be a matter for each Council or group of Councils to determine based upon their individual circumstances.

Do Assessment Panel members need to be 'accredited professionals'?

All independent members of an Assessment Panel will need to be accredited professionals.

However, a Council member (or former Council member) on an Assessment Panel will not need to be an accredited professional if the designated authority (being the Council or the Joint Planning Board as the

case may be) is satisfied that the person is appropriately qualified to act as a member of the assessment panel on account of the person's experience in local government.

For transitional purposes, the Act will allow panel members to not be accredited in the first instance. An accreditation scheme is currently being prepared (further separate information will follow) and is expected to be in place by the end of this year.

The implementation plan for the new planning system identifies 1 July 2018 as the anticipated date for commencement of this provision, giving a six month window within which members can be accredited in the first instance. The actual date for commencement will be proclaimed in due course closer to the anticipated date.

When do Assessment Panels need to have an Assessment Manager appointed?

Under the PDI Act, an Assessment Panel must have an Assessment Manager who is appointed by the Chief Executive Officer of a Council (in the case of a Council Assessment Panel) or a Joint Planning Board (in the case of a Joint Planning Board Assessment Panel) or the Minister (in the case of a Regional Assessment Panel).

Assessment Managers will also need to be accredited professionals (or may be a person prescribed by regulation).

Under the transitional arrangements, the accreditation requirement for Assessment Managers is suspended until a future date, likely to be the same date as Panel members will be required to be accredited – 1 July 2018.

Governance arrangements for appointment of an Assessment Manager by the Chief Executive Officer of a Council will be a matter for the Council to determine.

Information on Assessment Panels will continue to be updated as required on the SA Planning Portal www.saplanningportal.sa.gov.au.

Further information on accredited professionals and assessment managers will be available in the future as the accreditation scheme is developed.

The Hon John Rau MP



**Government
of South Australia**

**Deputy Premier
Attorney-General
Minister for Justice Reform
Minister for Planning
Minister for Industrial Relations
Minister for Child Protection
Reform
Minister for the Public Sector
Minister for Consumer and
Business Services
Minister for the City of
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2017/08612/01

30 May 2017

Mr Mark McShane
Chief Executive Officer
City of Mount Gambier
PO Box 56
MOUNT GAMBIER SA 5290

Dear Mr McShane

RE: COUNCIL DEVELOPMENT ASSESSMENT PANELS

The introduction of our new planning system is now well underway with the first stages of the *Planning, Development and Infrastructure Act 2016* (PDI Act) now in place. As you may be aware, one of the platforms of the new Act is increased professional decision making and reduced political representation on assessment bodies such as the State Planning Commission and Council and Regional Assessment Panels. The system also seeks to promote regional cooperation and support councils working together through a series of new planning tools, such as planning agreements and the continuation of Regional Assessment Panels (RAPs).

I propose that on **1 August 2017** sections 82-87 and clauses 12-16 of Schedule 8 of the PDI Act commence operation by Governor's proclamation, to set in place the new framework for assessment panels. I also propose that the Governor proclaims **1 October 2017** as the 'designated day' on which the new assessment panels are to be constituted. I propose regulations be developed to transfer responsibilities from existing panels to the assessment panels from that later date. This will allow some 5 months for your council to appoint a new Council Assessment Panel (CAP) under section 83 of the PDI Act, in order to transition development assessment decisions from the council Development Assessment Panel to the new CAP.

Please note that in constituting a CAP there is a maximum of five members, only one of which may be an elected member of the council. Members will not need to be 'accredited professionals' at this stage although they should have relevant expertise. I propose that the requirement for accredited professionals on panels be introduced mid-2018, once the new accredited professional's scheme is operational.

In addition, for your information, I am also formally consulting with the Local Government Association on a draft code of conduct to be observed by members of an assessment panel and draft regulations that will prescribe the procedures that an assessment panel must comply with. These procedures largely reflect those currently in section 56A of the *Development Act 1993*.

An update to the 'Assessment Panels' fact sheet has been uploaded to the SA planning portal which outlines in more detail the process of transitioning panels from the old to the new system. The new fact sheet can be found here saplanningportal.sa.gov.au/documents/factsheets/Factsheet - Assessment Panels.pdf. Links are provided in the fact sheet to the draft Code of Conduct and the draft regulations, for information.

For further information or queries in relation to these matters you may contact Mr Mark Adcock, Unit Manager Planning Reform, Department of Planning Transport and Infrastructure on telephone (08) 7109 7068 or mark.adcock@sa.gov.au.

Yours sincerely

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

John Rau
Deputy Premier
Minister for Planning