



City of Mount Gambier

Reference: AF11/861 FM

5th June, 2014

MEMBERS

NOTICE is hereby given that the Corporate and Community Services Committee will meet in the following Meeting Room on the day, date and time as follows:

Corporate and Community Services Committee
(Committee Room - Level 4):

Tuesday, 10th June 2014 at 6.00 p.m.

An agenda for the meeting is enclosed herewith.

Mark McSHANE
CHIEF EXECUTIVE OFFICER

CORPORATE AND COMMUNITY SERVICES COMMITTEE

Meeting to be held on Tuesday, 10th June, 2014 at 6.00 p.m.

CONTENTS

1. FINANCIAL STATEMENT – as at 30th May, 2014
2. STRATEGIC MANAGEMENT - Internal - Corporate and Community Services Committee - Business Arising Table
3. GOVERNANCE - Committees – City Development Framework Sub-Committee – Minutes of Meeting held on 13th May, 2014
4. GOVERNANCE - Committees - Mount Gambier Lifelong Learning Sub-Committee - Minutes of Meeting held on 16th May, 2014
5. GOVERNANCE - Committees - Community Engagement and Social Inclusion Sub Committee - Minutes of Meeting held Monday 26th May, 2014
6. GOVERNANCE – Committees – Audit (Section 41) Committee – Minutes of Meeting held 27th May, 2014
7. GOVERNMENT RELATIONS - 2014/2015 SELGA Budget Estimates
8. CORPORATE AND COMMUNITY SERVICES REPORT NO. 30/2014 - Budget Update as at 30th April, 2014
9. CORPORATE AND COMMUNITY SERVICES REPORT NO. 40/2014 - Policy Review - R105 - Rating Policy
10. CORPORATE AND COMMUNITY SERVICES REPORT NO. 41/2014 – Policy Review – R155 - Rate Rebate Policy
11. CORPORATE AND COMMUNITY SERVICES REPORT NO. 42/2014 - PROPERTY MANAGEMENT - Leasing - South East Community Radio (25 Alexander Street)
12. CORPORATE AND COMMUNITY SERVICES REPORT NO. 43/2014 – Policy Review – Members - Service Recognition
13. CORPORATE AND COMMUNITY SERVICES REPORT NO. 44/2014 – OPAL Program Funding Update
14. GOVERNANCE - Consultation - Consultation on Amendments to Legislation

MOTIONS WITH NOTICE

MOTIONS WITHOUT NOTICE

15. CONSIDERATION FOR EXCLUSION OF PUBLIC

CORPORATE AND COMMUNITY SERVICES COMMITTEE

Meeting to be held at the Committee Room, Level 4, Civic Centre, 10 Watson Terrace, Mount Gambier on Tuesday, 10th June, 2014 at 6.00 p.m.

AGENDA

PRESENT: Cr J A Maher (Presiding Member)
Cr P G Richardson, Cr A Lee, Cr A T Smith and Cr H Persello

APOLOGY: moved that the apology from
be received.

seconded

COUNCIL OFFICERS: Chief Executive Officer, Mark McShane
Director - Corporate Services, Grant Humphries
Governance Officer, Michael McCarthy
Finance Manager, Gary Button
Manager Community Services and Development, Barbara Cernovskis
Administration Officer, Fiona McGregor

COUNCIL MEMBERS

AS OBSERVERS:

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.

MINUTES: moved that the minutes of the previous meeting
held 13th May, 2014 be taken as read and confirmed.

seconded

QUESTIONS:

(a) With Notice - Nil received

(b) Without Notice -

1. FINANCIAL STATEMENT – as at 31st May, 2014

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance.

moved it be recommended the financial statement as at 31st May, 2014 be received.

seconded

2. STRATEGIC MANAGEMENT - Internal - Corporate and Community Services Committee - Business Arising Table - Ref. AF11/1900

Goal: Governance

Strategic Objective: Develop an improved means of communication and engagement between Council and the community (including vulnerable communities) in the building of community capacity.

moved it be recommended that the Business Arising Schedule be recorded for information.

Corporate and Community Services Committee Agenda, Tuesday 10th June, 2014 cont'd...

Date of Motion	Subject Matter	Action Required	Responsibility	Status	Comments
CORPORATE AND COMMUNITY SERVICES					
20/11/2012	Establishment of City Development Framework		Chief Executive Officer	In Progress	<ul style="list-style-type: none"> • City Development Framework Sub-Committee established December 2013 to oversee project. • Professor John Martin engaged by Council • Draft Futures Paper being prepared, Professor John Martin in Mount Gambier 12 - 16th May, 2014. • May/June 2014 - consultation to commence to develop strategies.
20/08/2013	Umpherston Sinkhole	<ul style="list-style-type: none"> • Expressions of Interest Process • Council Report 	Governance Officer	In Progress	Negotiations continuing with potential operator.
17/09/2013	China Relationship	Further investigations/members workshop	Chief Executive Officer	In Progress	<ul style="list-style-type: none"> • Initial workshop held • Regional workshop scheduled on 5th December • Members Informal workshop on 6th December • Further workshop scheduled for 19th February 2014. • Council Report and resolution in March to proceed to further investigation. • Members Workshop with Sean Keenihan - 12th June, 2014
17/09/2013	Smoke Free areas	Implementation of	Operational Services, Governance Officer, Manager Community Services and Development	In Progress	Internal Review and report to be developed.
17/12/2013	Display of Aboriginal and Torres Strait Islander Flags in the Council Chamber	Engagement with stakeholders and establishing a process	Manager Community Services and Development	In Progress	<ul style="list-style-type: none"> • Statement of Commitment presented to Council • Ongoing planning with Pangula Mannamurna, Burrandies, Aboriginal Corporation and Elders Group. • Date to be confirmed for Ceremony.
18/3/2014	Men's Shed	Convene Project Group to finalise arrangements for Men's Shed at Council Depot Site.	Chief Executive Officer, Governance Officer, Director - Operational Services	In Progress	<ul style="list-style-type: none"> • Project Group convened. • Lease document finalised. • Work to commence July pending 2014/2015 Budget.

Corporate and Community Services Committee Agenda, Tuesday 10th June, 2014 cont'd...

OPERATIONAL SERVICES					
17/09/2013	Regional Development Assessment Panels	Support the focus of the proposal and review the recommendations at a later date	Strategic Project Officer	Ongoing	Waiting for outcomes of investigation by SELGA
15/10/2013	Desktop Analysis of Strategic Plan	Relevant sections of Strategic Plan - Beyond 2013 and the Corporate Plan 2012 be provided to relevant Committees, Members and Staff (subject to reviewing the responsibility matrix)	Strategic Project Officer	Completed	Review has been completed
11/02/2014	Installation of Loading Zone - Lady Nelson Carpark	Arrange installation of Loading Zone	Team Leader - General Inspector	In Progress	Signage installed, line marking in progress
11/02/2014	Grant of easement - Botanic Park	Consent be given to the granting of easements	Governance Officer	In Progress	Awaiting registration of easements
18/03/2014	South East Animal Welfare League	Enter into a joint funding agreement with South East Animal Welfare League and District Council of Grant for a five (5) year term	Director - Operational Services	In Progress	With Governance Officer
15/04/2014	Community Land Management Plans	Place draft Community Land Management Plans on public exhibition	Director - Operational Services	Completed	Refer to item to agenda
15/04/2014	Playground construction - John Powell Drive Reserve	Proceed with the construction of major elements of this plan in accordance with budget allocation	Engineering Manager	In Progress	<ul style="list-style-type: none"> • SMB Civil have been engaged to commence the following works: <ul style="list-style-type: none"> - Sand pit - Perimeter path - Concrete lined rock pools / water fall area • Rotary are building a pedestrian bridge, meetings with Community groups to look at what works they can achieve.
20/05/2014	Caroline Landfill Monitoring proposal 2015/2017	Further investigation into costs for this function	Director - Operational Services	Completed	Refer to item to agenda
20/05/2014	Access over Council Reserve (Asset No. 533) - Hawkins Road	Advise applicant that Council supports a right of way with easements	Director - Operational Services	Completed	Letter sent on 21/05/2014
20/05/2014	Chamber of Commerce - request for alteration to parking restrictions	Advise Chamber of Commerce that Council is agreeable to trial and refer formal resolutions to June OPS meeting	Director - Operational Services	Completed	Refer to item to agenda
20/05/2014	Establishment of Bicycle Lanes	Advise residents of resolution and implement adjusted bicycle lanes	Engineering Manager	Completed	Residents advised by letterbox drop, implementation of adjusted bicycle lanes are in progress
20/05/2014	Supply and delivery of motor vehicle (unit 123)	Advise successful (Barry Maney Ford) and unsuccessful tenderers	Director - Operational Services	Completed	All correspondence has been issued

3. GOVERNANCE - Committees – City Development Framework Sub-Committee – Minutes of Meeting held on 13th May, 2014 - Ref. AF13/486

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance.

moved it be recommended:

- (a) the minutes of the City Development Framework Sub-Committee held on Tuesday, 13th May 2014 be received;
- (b) recommendations (numbered 1 to 2) of the City Development Framework Sub-Committee to be adopted by Council.

1. COMMUNITY ENGAGEMENT

- (a) The report be received and the contents noted.

2. DRAFT FUTURES PAPERS

- (a) The report be received.
- (b) Following further discussion and the satisfaction of the City Development Framework Sub Committee the Futures Papers be emailed to the workshop participants and local organisations requesting their input to identify strategies that they can lead on/be a party to in support of individuals, their families and friends and the community to achieve the aspirations that have been identified.

seconded

4. GOVERNANCE - Committees - Mount Gambier Lifelong Learning Sub-Committee - Minutes of Meeting held on 16th May, 2014 - Ref. AF12/375

Goal: Learning

Strategy Objective: Foster partnerships that develop programs, services and opportunities that deliver learning excellence.

moved it be recommended:

- (a) the minutes of the Mount Gambier Lifelong Learning Sub-Committee meeting held on 16th May, 2014 be received;
- (b) the following recommendations (numbered 1 to 2) of the Mount Gambier Lifelong Learning Sub-Committee meeting held on Friday, 16th May 2014 be adopted by Council:

1. LIFELONG LEARNING

- (a) the Presiding Members report be received;
- (b) the Terms of Reference be amended as discussed and tabled at the next meeting;
- (c) Adam Box, Education Director, Blue Lake Partnerships be co-opted to the Sub-Committee

Corporate and Community Services Committee Agenda, Tuesday 10th June, 2014 cont'd...

- (d) Sub-Committee Members forward suggested strategies for implementation of Children's Charter to Manager Community Services and Development by Friday 23rd May, 2014 to be consolidated and tabled at next meeting for further discussion;
- (e) Children's Charter as amended and reviewed by Sub-Committee at next meeting be then submitted to Council;
- (f) Congratulate City of Mount Gambier on its achievements and special recognition to Manager Community Services and Development and Library Manager for their extraordinarily hard work.

2. MATTERS OF INFORMATION

- (a) Endorse the quality of feedback from Education Leaders forum. A copy of which to be emailed to all participants and further discussion on where to from here to be undertaken at next meeting;
- (b) An invitation to the community consultation for the John Powell Reserve Outdoor Learning Environment be extended to all Sub-Committee Members.
- (c) Manager Community Services and Development undergo further discussion with Partnership Broker Manager regarding ownership and moving forward with Learning Trails documents.

seconded

5. **GOVERNANCE - Committees - Community Engagement and Social Inclusion Sub Committee - Minutes of Meeting held Monday 26th May, 2014 - Ref. AF12/376**

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance

moved it be recommended:

- (a) the minutes of the Community Engagement and Social Inclusion Sub-Committee held on Monday 26th May, 2014 be received;
- (b) recommendations (numbered 1 to 4) of the Community Engagement and Social Inclusion Sub-Committee meeting held on Monday 26th May, 2014 be adopted by Council:

1. BUSINESS ARISING

(a) Domestic Violence Workplace Policy:

- (i) The report be received;
- (ii) The Domestic Violence Policy, once developed by the administration to be tabled at the next meeting

(b) Aboriginal and Torres Strait Islander Flags:

- (i) Version 2 of the Statement of Commitment to the Aboriginal Torres Strait Islander Communities of Mount Gambier be presented to Council for adoption (attached);

Corporate and Community Services Committee Agenda, Tuesday 10th June, 2014 cont'd...

- (ii) that a City of Mount Gambier Reconciliation Action Plan be developed by the Sub-Committee.
- (c) Terms of Reference:
 - (i) the report be received.
- (d) Expressions of Interest:
 - (i) the expression of interest received by Caroline Hill to be accepted.
- (e) Advocacy:
 - (i) develop a list of topics for discussion with the Federal Member for Barker Mr Tony Pasin MP and State Minister for Communities and Social Inclusion, Mr Tony Piccolo MP at a meeting yet to be confirmed.

2. MANAGER COMMUNITY SERVICES AND DEVELOPMENT REPORT

- (a) the Manager – Community Services and Development report be received;
- (b) Review of Community Engagement Tool Kit be moved to next meeting.

3. COMMUNITY DEVELOPMENT OFFICER REPORT

The report be received.

4. STANDING ITEM: TERMS OF REFERENCE

The standing item Terms of Reference be reviewed and suggested amendments discussed at next meeting.

seconded

6. **GOVERNANCE – Committees – Audit (Section 41) Committee – Minutes of Meeting held 27th May, 2014 - Ref. AF11/863**

Goal: Governance
Strategic Objective: Demonstrate innovative and responsive organisational governance.

moved it be recommended:

- (a) the minutes of the City of Mount Gambier Audit Committee held on Tuesday 27th May, 2014 be received;
- (b) recommendations (numbered 1 to 7) of the Audit Committee meeting held on Tuesday 27th May, 2014 be adopted by Council.

1. REPORTS FOR INFORMATION

the reports be received.

2. EXTERNAL AUDITOR - AUDIT RECOMMENDATIONS

Corporate and Community Services Committee Agenda, Tuesday 10th June, 2014 cont'd...

- (a) the report be received;
- (b) the identified Audit recommendations continued to be monitored by the Audit Committee.

3. AUDIT WORK PROGRAM 2007 - 2014

the report be received.

4. RISK MANAGEMENT POLICY REVIEW

the report be received.

5. FINANCIAL INTERNAL CONTROLS

the report be received.

6. BUSINESS CONTINUITY

the report be received.

7. 2014/15 ANNUAL BUSINESS PLAN AND BUDGET

the report be received.

seconded

7. GOVERNMENT RELATIONS - 2014/2015 SELGA Budget Estimates - Ref. AF11/936

Goal: Governance

Strategic Objective: Engage with national, state, regional and local forums and partnerships to provide solutions and options to continually improve Councils service delivery and performance.

The Director - Corporate Services reported:

- (a) SELGA has provided to Councils its draft 2014/2015 Budget detailing its forward estimates of expenditure and income;
- (b) in respect of the proposed contributions by this Council to the overall SELGA Budget, the following Draft Budget comparison is provided;

<u>ITEM</u>	<u>2013/14</u>	<u>2014/15</u>
Regional Tourism	\$25,596	\$28,440
Limestone Coast Regional Development Australia	\$21,944	\$22,515
South East Local Government Association	\$55,124	\$60,116
Regional Recreation, Sport & Open Space Plan	\$12,467	\$12,467
SERIC	\$12,158	\$12,475
Heritage Advisory Services	\$22,611	\$22,611
Regional Waste Management Officer	\$6,635	\$13,270
Regional Trails Project	-	\$1,786
	<u>\$156,535</u>	<u>\$173,680</u>

moved it be recommended:

Corporate and Community Services Committee Agenda, Tuesday 10th June, 2014 cont'd...

- (a) the report be received;
- (b) the draft 2014/2015 SELGA Budget be received and SELGA be advised that Council accepts the said Budget and its components and has made provision in its own 2014/2015 Budget for this Councils specific contributions to the Associations various 2014/2015 Budget components, noting always that Council reserves the right to negotiate (with the Association) the terms of reference, goals, aims, strategic directions, performance indicators and performance monitoring techniques etc of the Association and the strategic partners or projects included within the financial obligations of the Association (and as a consequence the constituent Councils), to ensure full accountability and an agreed strategic direction and purpose of the Association and its partners;

seconded

8. CORPORATE AND COMMUNITY SERVICES REPORT NO. 30/2014 - Budget Update as at 30th April, 2014 - Ref. AF13/13

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance.

moved it be recommended:

- (a) Corporate and Community Services Report No. 30/2014 be received;
- (b) the Budget Update BR4 as at 30th April, 2014 as presented with this Report be adopted by Council with all amendments to be made to the 2013/2014 Council Budget.

seconded

9. CORPORATE AND COMMUNITY SERVICES REPORT NO. 40/2014 - Policy Review - R105 - Rating Policy – Ref. AF11/1952

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance.

moved it be recommended:

- (a) Corporate and Community Services Report No. 40/2014 be received;
- (b) Council hereby adopts amended Council Policy R105 - Rating Policy, as provided with this report;
- (c) Council makes the necessary amendments to Council's Policy Manual Index.

seconded

10. CORPORATE AND COMMUNITY SERVICES REPORT NO. 41/2014 – Policy Review – R155 - Rate Rebate Policy – Ref. AF11/1952, AF11/823, AF11/824

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance.

moved it be recommended:

Corporate and Community Services Committee Agenda, Tuesday 10th June, 2014 cont'd...

- (a) Corporate and Community Services Report No. 41/2014 be received;
- (b) Council hereby adopts amended Council Policy R155 - Rate Rebate Policy, as provided with this report;
- (c) Council makes the necessary amendments to Council's Policy Manual Index.

seconded

11. CORPORATE AND COMMUNITY SERVICES REPORT NO. 42/2014 - PROPERTY MANAGEMENT - Leasing - South East Community Radio (25 Alexander Street) – Lease Ref. AF11/1471

Goal: Governance
Strategic Objective: Demonstrate innovative and responsive organisational governance.

moved it be recommended:

- (a) Corporate and Community Services Report No. 42/2014 be received;
- (b) The attached report (attachment 3) be adopted for the purpose of conducting public consultation on the community land revocation proposal for 25 Alexander Street.
- (c) A further report be presented for Council to consider any submissions received on the revocation of community land classification and transfer proposal for 25 Alexander Street, and whether to submit a report seeking the Minister's approval for the revocation.
- (d) In the event that no submissions are received (or no submissions are received objecting to the proposal), the Chief Executive Officer be authorised to submit a report seeking the Minister's approval for the revocation, and a further report be presented for Council to consider the Minister's response.

12. CORPORATE AND COMMUNITY SERVICES REPORT NO. 43/2014 – Policy Review – Members - Service Recognition - Ref. AF11/1950

Goal: Governance
Strategic Objective: Demonstrate innovative and responsive organisational governance.

moved it be recommended:

- (a) Corporate and Community Services Report No. 43/2014 be received;
- (b) Council hereby adopts new Council Policy 'Members - Service Recognition', as attached to this Report;
- (c) Council hereby deletes former Council Policies (now merged):

M160 Members Certificate of Service
M230 Members Recognition of Service

- (d) Council makes the necessary amendments to Council's Policy Manual Index.

seconded

13. CORPORATE AND COMMUNITY SERVICES REPORT NO. 44/2014 – OPAL Program Funding Update - Ref. AF11/973

Goal: Building Communities
Strategic Objective: Develop an improved means of communication and engagement between Council and the community (including vulnerable communities) in the building of community capacity

Goal: Diversity
Strategic Objective: Understand our community profile

Consider the needs of all community groups in developing projects, services and infrastructure (public or privately owned)

Goal: Community Well-being
Strategic Objective: Ensure through research and engagement that the current and future health (services and infrastructure) needs are identified

Goal: Learning
Strategic Objective: Council support opportunities for the community to strengthen relationships with families, friends and extended networks to as to promote and extend the learning of life skills

moved it be recommended:

- (a) Corporate and Community Services Report No. 44/2014 be received;
- (b) Council support LGA negotiations with the Minister for Health and Ageing to explore sustainable model options to transfer the OPAL program.

seconded

14. GOVERNANCE - Consultation - Consultation on Amendments to Legislation – Ref. AF13/447

Goal: Diversity
Strategic Objective: Engage with Federal and State Governments and other agencies to provide resources to meet the needs of diverse groups in our community

The Director – Corporate Services reported:

- (a) the Federal Government recently released draft legislative amendments to the Racial Discrimination Act, 1974;
- (b) the attachments provide information on the proposed amendments – to repeal certain sections and to replace with new sections.

moved it be recommended:

- (a) the Report be received;
- (b) Council advise the Attorney-General of its opposition to the proposed amendments to the Racial Discrimination Act, 1975.

seconded

MOTIONS WITH NOTICE - Nil

MOTIONS WITHOUT NOTICE

15. CONSIDERATION FOR EXCLUSION OF PUBLIC

moved that the following Items be received, discussed and considered in confidence by excluding the public pursuant to Section 90 (2) of the Local Government Act 1999, and an order be made that the public (with the exception of other Council Members and Council Officers now present) be excluded from the meeting in order for the items to be considered in confidence as the Council is satisfied that the item is a matter that can be considered in confidence pursuant to the grounds referenced in Section 90 (3) of the said Act as follows:

CCS15(a) S.90(3)(m) - information to be considered in relation to this Agenda Item is information relating to an amendment under the Development Act 1993 before a Development Plan Amendment report relating to the amendment is released for public consultation under that Act.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances as the Development Plan amendment has not yet been finalised which could result in the public becoming inadvertently misinformed of the proposed changes.

<u>Item No.</u>	<u>Subject Matter</u>		<u>S90 (3) Grounds</u>
Corporate & Community Services Committee Minutes			
16.	<u>GOVERNANCE</u> - Review of In-Confidence Items		
	<i>Meeting Date</i>	<i>Subject</i>	
(a)	15/3/2011	DEVELOPMENT PLAN AMENDMENTS - currently being prepared by the City of Mount Gambier - Ref. 335/1/23	(m)

seconded

as at 30/04/2014 \$	FINANCIAL STATEMENT - Monthly Bank Reconciliation	as at 31/05/2014 \$
	GENERAL ACCOUNT (Westpac)	
248,767.97 CR	OPENING BALANCE	65,546.29 CR
260,033.39	<u>PLUS</u> Receipts -	
549,876.04	Rates & Arrears	743,326.93
-	General	1,107,363.49
500,000.00	Receipt of Cash Advance Funds	
901,571.34	Transfer from CAD Loan 103	1,500,000.00
0.00	Transfer from Investment Funds	0.00
<u>2,211,480.77</u>	Transfer from Reserve Funds	<u>-</u>
2,460,248.74 CR		3,350,690.42
		3,416,236.71 CR
(626,568.31)	<u>LESS</u> Direct Debits to Bank Account -	
-	Payroll - 3 Pays processed in May (2/5, 16/5 & 30/5)	(938,029.74)
-	Sundry	-
<u>-</u>	Transfer to Investment Funds	<u>(300,000.00)</u>
(626,568.31)	Transfer to CAD Loan 103	(1,238,029.74)
1,833,680.43 CR		2,178,206.97 CR
(1,768,134.14)	<u>LESS</u> Expenditure Statement - \$	(1,831,654.66)
<u>\$65,546.29</u> CR	CASH BALANCE	<u>\$346,552.31</u> CR
	BANK RECONCILIATION	
73,222.83 CR	Balance as per Bank Statement	416,533.31 CR
6,478.55	<u>PLUS</u> Deposits not yet credited	32,703.35
(8,082.97)	<u>LESS</u> Deposits not yet reconciled	(97,310.00)
-	<u>LESS</u> Deposits not yet updated	0.00
<u>-</u>	<u>PLUS</u> Payments not yet reconciled	
71,618.41 CR		<u>351,926.66</u> CR
(4,183.87)	<u>LESS</u> Unpresented Cheques & EFT's	(5,374.35)
<u>\$67,434.54</u> CR	CASH BALANCE	<u>\$346,552.31</u> CR
	Current Interest Rate on Bank Account Balance is	0.01%
	LGFA CAD LOAN 103	
-	DR OPENING BALANCE	(500,000.00) DR
(500,000.00)	<u>PLUS</u> Deposits	737,257.00
-	<u>LESS</u> Withdrawals (Transfer to General Account)	(1,500,000.00)
<u>-</u>	Sundry	<u>-</u>
<u>\$ (500,000.00)</u> DR	CASH BALANCE	<u>(1,262,743.00)</u> DR
	Current Interest Rate on CAD Loan Balance is	4.75%

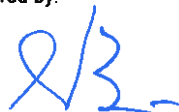
as at 30/04/2014 \$	<u>FINANCIAL STATEMENT continued.....</u>	as at 31/05/2014 \$
	<u>INVESTMENT FUNDS (Local Government Finance Authority)</u>	
900,000.00 CR	Opening Balance	-
1,571.34	<u>PLUS</u> Deposits	437,257.00
(901,571.34)	<u>PLUS</u> Accrued interest	-
	<u>LESS</u> Withdrawals (Transfer to Westpac)	-
	Withdrawals (Transfer to CAD Loan 103)	(437,257.00)
<u>\$0.00 CR</u>	CLOSING BALANCE	<u>\$0.00 CR</u>
	<u>RESERVE FUNDS (Local Government Finance Authority)</u>	
0.00 CR	OPENING BALANCE	0.00 CR
-	<u>PLUS</u> Deposits	-
-	<u>LESS</u> Withdrawals (Transfer to CAD Loan 103)	-
<u>\$0.00 CR</u>	CLOSING BALANCE	<u>\$0.00 CR</u>

INVESTMENT OF FUNDS

Investment Funds - all invested - 'At Call' at	2.50%
Reserve Funds - all invested - 'At Call' at	2.50%

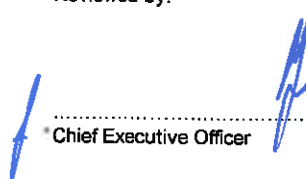
as at 30/04/2014 \$	<u>LOAN FUNDS OWING (Local Government Finance Authority)</u>	as at 31/05/2014 \$
Opening Bal	Loan Purpose	Closing Bal
6,341.35	099 MG Bowls - Artificial Rink	6,341.35
32,023.82	091 Blue Lake Golf Centre	16,310.52
46,650.49	094 Old Gaol/TAFE/Reidy Pk	46,650.49
158,489.66	101 RSL Bowls - Artificial Rink	158,489.66
3,459,559.66	102 Library	3,459,559.66
500,000.00	103 CAD - Variable Int Only	1,262,743.00
0.00	104 CAD - Variable Int Only	0.00
<u>\$4,203,064.98 DR</u>	Interest Rate	<u>\$4,950,094.68 DR</u>
	Maturity Date	
	6.55%	
	7.60%	
	7.90%	
	5.05%	
	5.97%	
	4.75%	
	4.75%	
	16/08/2014	
	15/11/2014	
	17/01/2015	
	16/03/2019	
	15/06/2024	
	29/06/2026	
	17/06/2028	

Prepared by:



Finance Manager

Reviewed by:



Chief Executive Officer

CITY DEVELOPMENT FRAMEWORK SUB-COMMITTEE

Minutes of the meeting held in the Committee Room, Level 4, Civic Centre, 10 Watson Terrace,
Mount Gambier, on Tuesday 13th May, 2014 at 1.00 p.m.

PRESENT: Mayor S Perryman
Cr A Smith (Presiding Member)
Cr J Maher
Cr M White

APOLOGIES: Nil

COUNCIL OFFICERS: Chief Executive Officer, Mark McShane
Strategic Project Officer, Tracy Tzioutziouklaris

SPECIAL GUEST: Professor John Martin

COUNCIL MEMBERS
AS OBSERVERS: Cr D Mutton and Cr I Von Stanke

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.

MINUTES: Cr Maher moved that the Minutes of the previous meeting held on Tuesday 1st April, 2014 be taken as read and confirmed.

Cr White seconded

Carried

QUESTIONS:

- (a) With Notice - nil submitted
- (b) Without Notice – nil submitted

1. COMMUNITY ENGAGEMENT – Ref. AF13/125

Goal: Building Communities
Strategic Objective: Strive for an increase in services and facilities to ensure the community has equitable access and that the identified needs are met.

Encourage the empowerment of the community to lead and self manage their respective desires and aspirations.

Goal: Securing Economic Prosperity
Strategic Objective: Foster the expansion of commerce and industry in a sustainable manner, considering industry, employment and climate change impacts, and enhance our positioning as the major centre for the region.

The Strategic Project Officer reported:

- (a) The community-wide discussion and dialogue about the Mount Gambier City Development Framework project has commenced with four workshops being held during the first week of February. Further discussions with the community have been undertaken throughout March, 2014.

Minutes of City Development Framework Sub Committee Meeting, Tuesday 13th May, 2014 cont'd...

- (b) To date the different organisations that have been involved in the engagement process, separate to the workshops include:

Chamber of Commerce, Men's Shed, Mulga Street Primary School Governing Council, Bowling Club, Probus, Arts Society, Soroptimist's, Grant High School SRC, Mount Gambier High School SRC, Rotary, Lions, 'Baby Bounce' (library program), general library patrons, Glenburnie Primary School children, Aboriginal Groups, Woodlands Grove, Council staff and the general community in 'Pop Up' sessions at the Market Place Shopping Centre and Centro Shopping Centre.

Cr White moved it be recommended:

- (a) The report be received and the contents noted.**

Cr Maher seconded

Carried

2. DRAFT FUTURES PAPERS – Ref. AF13/125

Goal: Building Communities

Strategic Objective: Strive for an increase in services and facilities to ensure the community has equitable access and that the identified needs are met.

Encourage the empowerment of the community to lead and self manage their respective desires and aspirations.

Goal: Securing Economic Prosperity

Strategic Objective: Foster the expansion of commerce and industry in a sustainable manner, considering industry, employment and climate change impacts, and enhance our positioning as the major centre for the region.

The Strategic Project Officer reported:

- (a) Dr John Martin is currently working on the draft Futures Papers. It is anticipated that the draft Futures Papers, in a raw form, will be available for Members perusal at the meeting of the City Development Framework Sub Committee.
- (b) Professor Martin will be available at this meeting to present and discuss the Futures Papers with Members.
- (c) Upon the finalisation of the draft Futures Papers they will be emailed to the workshop participants and local organisations asking them to identify strategies they can lead on/be a party to in support of individuals, their families and friends and the community to achieve the aspirations that have been identified.

Cr White moved it be recommended:

- (a) The report be received.**

Minutes of City Development Framework Sub Committee Meeting, Tuesday 13th May, 2014 cont'd...

- (b) **Following further discussion and the satisfaction of the City Development Framework Sub Committee the Futures Papers be emailed to the workshop participants and local organisations requesting their input to identify strategies that they can lead on/be a party to in support of individuals, their families and friends and the community to achieve the aspirations that have been identified.**

Cr Maher seconded

Carried

3. ANY OTHER BUSINESS

1. An informal workshop has been schedule for Thursday 15th May, 2013 commencing at 1.00p.m. in the Reception Area to discuss:
 - (i) the draft Futures Papers
 - (ii) the consultation and community engagement process.
2. A general discussion regarding Regional Leadership and the question of what leadership means and the emergence of leadership out of the City Development Framework project.

Reference was made to the work by Professor A Beer and Professor Anton Kris.

The issue of Regional Leadership to be further investigated and identified.

4. MOTIONS WITHOUT NOTICE

Nil

The meeting closed at 1.35 p.m.

MOUNT GAMBIER LIFELONG LEARNING SUB-COMMITTEE

Minutes of meeting held at the Committee Room, Civic Centre, 10 Watson Terrace, Mount
Gambier
on Friday, 16th May 2014 at 2.00 p.m.

PRESENT: Cr Maher (Presiding Member)
Cr Richardson
Cr Shearing
Cr Julie Reis (District Council of Grant)
Sarah Pellen
Alexandra Nicholson

APOLOGY: Cr Richardson moved that the apology from David Mezinec and Adam be received.

Sarah Pellen seconded

Carried

NOT IN ATTENDANCE:

OTHER MEMBERS IN
ATTENDANCE:

COUNCIL EMPLOYEES: Mark McShane, Chief Executive Officer
Barbara Cernovskis, Manager - Community Services and
Development
Vicki Hutchinson, Library Manager
Alison Brash – Community Development Officer.

EMPLOYEE APOLOGIES:

LEAVE OF ABSENCE:

APOLOGIES – OTHER
MEMBERS:

OTHER GUESTS IN
ATTENDANCE:

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.

MINUTES: Cr Richardson moved that the minutes of the Mount Gambier Lifelong Learning Sub-Committee held on 17th April 2014 be received.

Cr Reis seconded

Carried

1. LIFELONG LEARNING

The Presiding Member reported:

- (a) Operations of Sub-Committee
- Amended Terms of Reference attached for discussion
 - Future direction/plans for Lifelong Learning

Mount Gambier Lifelong Learning Sub-Committee Minutes, Friday, 16th May, 2014 cont'd..

- (b) Co-opt Member
 - Co-opt Adam Box, Education Director Blue Lake Partnerships
- (c) Children's Charter
 - Final Draft document attached for information
 - Consultation underway
 - Discuss development of implementation strategy and measures
- (d) LGA Showcase
 - City of Mount Gambier were joint winners of the booth award with City of Whyalla
 - Presentation given at the Showcase attached

RECOMMENDATION NO. 1

Cr Richardson moved it be recommended:

- (a) **the Presiding Members report be received;**
- (b) **the Terms of Reference be amended as discussed and tabled at the next meeting;**
- (c) **Adam Box, Education Director, Blue Lake Partnerships be co-opted to the Sub-Committee**

Cr Maher seconded

Carried

Cr Richardson moved it be recommended:

- (d) **Sub-Committee Members forward suggested strategies for implementation of Children's Charter to Manager Community Services and Development by Friday 23rd May, 2014 to be consolidated and tabled at next meeting for further discussion;**
- (e) **Children's Charter as amended and reviewed by Sub-Committee at next meeting be then submitted to Council;**
- (f) **Congratulate City of Mount Gambier on its achievements and special recognition to Manager Community Services and Development and Library Manager for their extraordinarily hard work.**

Cr Maher seconded

Carried

2. MATTERS OF INFORMATION

The Manager Community Services and Development reported on:

- (a) Education Leaders Forum/Mount Gambier Village Online Hub
 - Feedback from the forum attached for discussion
 - Where to from here
- (b) Outdoor Learning Environment
 - Community meeting scheduled for Thursday, 22nd May 2014 with Council Officers, Mulga Street Primary Leadership Governing Committee, Mount Gambier Children's Centre and community to collaboratively implement the project for John Powell Reserve project.

Mount Gambier Lifelong Learning Sub-Committee Minutes, Friday, 16th May, 2014 cont'd..

- (c) Learning Trails
- Meeting held with Helen Strickland, Partnership Broker, RDA regarding progress of Learning Trails Project. Attached are draft educational resources for discussion.

RECOMMENDATION NO. 2

Cr Richardson moved it be recommended:

- (a) **Endorse the quality of feedback from Education Leaders forum. A copy of which to be emailed to all participants and further discussion on where to from here to be undertaken at next meeting;**
- (b) **An invitation to the community consultation for the John Powell Reserve Outdoor Learning Environment be extended to all Sub-Committee Members.**

Cr Reis seconded

Carried

Alexandra Nicholson moved that:

- (c) **Manager Community Services and Development undergo further discussion with Partnership Broker Manager regarding ownership and moving forward with Learning Trails documents.**

Cr Maher seconded

Carried

3. NEXT MEETING: 2.00 pm Friday, 20th June 2014

Meeting closed at 3.10pm

21st May, 2014
TLG

COMMUNITY ENGAGEMENT & SOCIAL INCLUSION SUB-COMMITTEE

Minutes of Meeting held in the Committee Room, Civic Centre, 10 Watson Terrace, Mount Gambier
on Monday, 26th May, 2014 at 5.30 p.m.

PRESENT: Cr Richardson
Cr Persello
Cr Shearing
John Amoroso
Rob Foggo

APOLOGIES: Cr Persello moved that the apology from Emma Hay be received

Cr Shearing seconded Carried

COUNCIL OFFICERS: Mark McShane, Chief Executive Officer
Barbara Cernovskis, Manager - Community Services and Development
Alison Brash, Community Development Officer

COUNCIL OFFICER

APOLOGIES: Nil

COUNCIL MEMBERS AS OBSERVERS: Cr Mutton, Cr White, Cr Von Stanke, Cr Maher.

OTHER GUESTS IN ATTENDANCE: Nil

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.

MINUTES: Cr Persello moved that the minutes of the previous meeting held 28th April, 2014 be taken as read and confirmed.

Cr Shearing seconded Carried

1. BUSINESS ARISING

The Presiding Member reported:

- (a) Domestic Violence Workplace Policy
A draft document is currently being reviewed internally to ensure it meets administrative requirements and will be presented to the next meeting.
- (b) Aboriginal and Torres Strait Islander Flags
Due to nil quorum the special meeting of the sub committee did not proceed. Attached to the Agenda were the two (2) draft commitments for discussion and recommendation. Once a commitment has been agreed to, a meeting will be scheduled to progress with the Aboriginal and Torres Strait Islander Elders, a ceremony.
- (c) Terms of Reference
Terms of Reference for the Community Engagement & Social Inclusion are attached for review.

Community Engagement and Social Inclusion Sub-Committee Minutes, Monday 26th May, 2014 cont'd..

- (d) Expression of Interest
Expressions of Interest were called for to fill the vacant position on the sub committee. 2 submissions were received.
- (e) Advocacy
Identify items for discussion with Federal Member for Barker, Mr Tony Pasin MP & State Minister for Communities and Social Inclusion, Mr Tony Piccolo MP.

RECOMMENDATION NO. 1

Cr Shearing moved it be recommended that:

- (a) **The report be received;**
- (b) **The Domestic Violence Policy, once developed by the administration to be tabled at the next meeting**

John Amoroso seconded

Carried

Cr Persello moved it be recommended that:

- (c) **Version 2 of the Statement of Commitment to the Aboriginal Torres Strait Islander Communities of Mount Gambier be presented to Council for adoption (attached);**
- (d) **that a City of Mount Gambier Reconciliation Action Plan be developed by the Sub-Committee.**

Cr Shearing seconded

Carried

Cr Shearing moved that:

- (e) **the expression of interest received by Caroline Hill to be accepted**

John Amoroso seconded

Carried

John Amoroso moved that:

- (f) **develop a list of topics for discussion with the Federal Member for Barker Mr Tony Pasin MP and State Minister for Communities and Social Inclusion, Mr Tony Piccolo MP at a meeting yet to be confirmed.**

Rog Foggo seconded

Carried

2. MANAGER COMMUNITY SERVICES AND DEVELOPMENT REPORT

The Presiding Member reported the Members present receive a report from the Manager Community Services and Development:

- (a) the report delivered by the Manager Community Services and Development addressed:
- (i) Community Engagement Toolkit
Draft Community Engagement Tool Kit (attached to Agenda)

RECOMMENDATION NO. 2

Rob Foggo moved it be recommended:

- (a) the Manager – Community Services and Development report be received;**
- (b) Review of Community Engagement Tool Kit be moved to next meeting.**

Cr Shearing seconded

Carried

3. COMMUNITY DEVELOPMENT OFFICER REPORT

The Presiding Member reported the Members present receive a report from the Community Development Officer:

- (a) Community Development Officer delivered a monthly report (attached to Agenda)

RECOMMENDATION NO. 3

Cr Persello moved the Community Development Officer report be received.

John Amoroso seconded

Carried

4. STANDING ITEM: TERMS OF REFERENCE

Objective:	Project	Current Status
4.1		
Review Council's current community engagement and social inclusion practices and policies	Revised Policy P195 Community Engagement Process Audit	Revised Policy adopted 19 th November 2013 Internal Audit in development
Investigate relevant practices in other Councils.		Achieved
Develop a community engagement and social inclusion strategy	Draft Strategy for Member Engagement Community Engagement Framework	In development In development
Reflect community needs		In development
Embed community engagement and social inclusion practices in Council's operations	Community Engagement Framework Community Engagement Process	In development Internal Audit in development
4.2		
Develop an organisational and operational framework to achieve Objective 4.1	As above	In development

Community Engagement and Social Inclusion Sub-Committee Minutes, Monday 26th May, 2014 cont'd..

RECOMMENDATION NO. 4

Cr Shearing moved it be recommended the standing item Terms of Reference be reviewed and suggested amendments discussed at next meeting.

Cr Persello seconded

Carried

5. NEXT MEETING: 23rd June 2014 at 5.30 p.m.

Meeting closed at 6.45 p.m.
FM

Statement of Commitment

The City of Mount Gambier recognises the Boandik people as the traditional owners and custodians of this local government area.

We respect the spiritual relationship with the land and recognise the deep feelings of attachment Aboriginal and Torres Strait Islander peoples have with this land.

The City of Mount Gambier is committed to working together with Aboriginal and Torres Strait Islander communities in the process of reconciliation.

We will cooperate to ensure the preservation of cultural practices, traditional sites and significant places. Council supports expressions of cultural identity.

The City of Mount Gambier supports and advocates for enriching the lives of Aboriginal and Torres Strait Islander peoples.

The City of Mount Gambier believes in a community characterised by social justice.

Together, we seek to build a society free of racism and prejudice where Aboriginal and Torres Strait Islander peoples feel a strong sense of belonging and are able to participate fully in the life of the community.

AUDIT COMMITTEE

Minutes of Meeting held on Tuesday, 27th May, 2014 at 5.30 p.m.
in the Committee Room, Civic Centre, 10 Watson Terrace, Mount Gambier

PRESENT: Donald Currie (Presiding Member)
Jeroen Zwijnenburg
Cr Andrew Lee

APOLOGY/IES: Mr Mark McShane, Chief Executive Officer
Mr Gary Button, Finance Manager

COUNCIL MEMBERS/
OTHERS AS
OBSERVERS:

Nil

GUESTS: Nil

COUNCIL EMPLOYEES
IN ATTENDANCE:

Mr Grant Humphries, Director - Corporate Services

OTHER APOLOGIES: Nil

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.

MINUTES: Cr Lee moved the minutes of the previous meeting held on Tuesday, 25th March, 2014 be taken as read and confirmed.

Jeroen Zwijnenburg seconded

Carried

QUESTIONS:

- (a) With Notice – Nil received
- (b) Without Notice – Nil submitted

1. REPORTS FOR INFORMATION

The Director - Corporate Services reported that the following Council Reports were provided to the Audit Committee for information:

- 1.1 CCS Report No. 11/2014 – Council Fees and Charges Review 2014/2015
- 1.2 CCS Report No. 13/2014 – Corporate and Community Services Policy Review
- 1.3 CCS Report No. 17/2014 – Policy Review – C305 Caretaker Policy and Member – Complaints Handling
- 1.4 CCS Report No. 18/2014 – Delegation of Powers of Council
- 1.5 OPS Report No. 1/2014 – Operational Services Policy Review
- 1.6 OPS Report No. 2/2014 – Long Term Infrastructure and Asset Management Plan
- 1.7 OPS Report No. 7/2014 – Operational Services Policy Review

Audit Committee Minutes, Tuesday 27th May, 2014 cont'd...

1.8 CCS Report No. 26/2014 – Budget Update as at 28th February, 2014

1.9 CCS Item No. 3, Tuesday 11th February, 2014 – Annual Business Plan and Budget Consultation 2014/15 Financial Year.

RECOMMENDATION NO. 1

Jeroen Zwijnenburg moved it be recommended that the above reports be received.

Cr Lee seconded

Carried

2. EXTERNAL AUDITOR - AUDIT RECOMMENDATIONS

The Director - Corporate Services reported:

- (a) that previous resolutions of Council had referred the implementation and ongoing monitoring responsibility for both End of Year Audits and Interim Audits to the Audit Committee;
- (b) these recommendations remain permanent Audit Committee Agenda Items and are consolidated as follows:

Interim Audits	Recommendation	Status
2012/2013	1. Risk Management Policy	Ongoing Review Process

End of Year	Recommendation	Status
2012/2013	1. Annual Leave Balances	Monitor/Noted Significant Improvement/ Completed
	2. Accounts Held in Trust	Review Reconciliation Processes/In Progress

RECOMMENDATION NO. 2

Cr Lee moved it be recommended:

- (a) the report be received;
- (b) the identified Audit recommendations continued to be monitored by the Audit Committee.

Jeroen Zwijnenburg seconded

Carried

3. AUDIT WORK PROGRAM 2007 - 2014

The Director - Corporate Services reported:

- (a) the Audit Committee should continually review the Audit Work Program to establish whether any adjustments are required to be introduced for the particular financial years activities;
- (b) the Audit Work Program 2007-2014 was last reviewed and adopted in August 2013;
- (c) the following activities and associated timelines (extracted from the Audit Work Program) are highlighted in abbreviated form, for the Committees review:

Audit Committee Minutes, Tuesday 27th May, 2014 cont'd...

- | | |
|---------------|--|
| FEBRUARY 2013 | <ul style="list-style-type: none"> • Work Plan • Treasury Management Reviews • Asset Reviews • Policy reviews incorporating; <ul style="list-style-type: none"> • Internal Controls • Fraud and Corruption Framework • Whistleblowing • Risk Management • Budget Performance |
| MAY 2013 | <ul style="list-style-type: none"> • Interim External Audit • Work Plan • Business Continuity • Business Plan and Budget |
| AUGUST 2013 | <ul style="list-style-type: none"> • Work Plan • Annual Report to Council incorporating; <ul style="list-style-type: none"> • Self Assessment • Review of Work Plan • Review of Terms of Reference |
| NOVEMBER 2013 | <ul style="list-style-type: none"> • Work Plan • Statutory External Audit • AFS authorisation by Presiding Member • Council Annual Report Compliance |

RECOMMENDATION NO. 3**Cr Lee moved it be recommended;****(a) the report be received;****Jeroen Zwijnenburg seconded****Carried****4. RISK MANAGEMENT POLICY REVIEW**

The Director - Corporate Services advised:

- (a) previous Audit Management letters have recommended regular review of Councils Risk Management Policy;
- (b) Council is in the process of a major overhaul for its overall Risk Management Framework principally driven by requirements of Work Cover in respect of self insurer Licences.
- (c) A draft of a proposed Risk Management Framework Policy presented for information.

RECOMMENDATION NO. 4**Jeroen Zwijnenburg moved it be recommended the report be received.****Cr Lee seconded****Carried**

Audit Committee Minutes, Tuesday 27th May, 2014 cont'd...**5. FINANCIAL INTERNAL CONTROLS**

The Director Corporate Services reported:

- (a) as reported last meeting amendments made to the Local Government Act will have a significant impact on the scope and cost of annual audits;
- (b) commencing with the 2015/2016 financial year (for regional Councils) local government auditors will be required to carry out not one, but two audits and provide two separate formal opinions each year (which this Council has already done for a number of years);
- (c) A verbal update on the progress on this project provided.

RECOMMENDATION NO. 5

Cr Lee moved it be recommended the report be received.

Jeroen Zwijnenburg seconded

Carried

6. BUSINESS CONTINUITY

The Director - Corporate Services reported:

- (a) Council's Governance Officer has commenced a review of the existing Business Continuity Plan for the City of Mount Gambier;
- (b) a brief verbal report on progress provided.

RECOMMENDATION NO. 6

Jeroen Zwijnenburg moved it be recommended the report be received.

Cr Lee seconded

Carried

7. 2014/15 ANNUAL BUSINESS PLAN AND BUDGET

The Director - Corporate Services reported:

- (a) as reported in item 1 of the Agenda the process for adoption of the 2014/15 Business Plan and Budget has commenced;
- (b) consultation on the draft has now closed and the first meeting to consider the Business Plan and Budget is scheduled to be held on 28th May, 2014;
- (d) draft documents are provided for information / comment.

RECOMMENDATION NO. 6

Cr Lee moved it be recommended the report be received.

Jeroen Zwijnenburg seconded

Carried

Audit Committee Minutes, Tuesday 27th May, 2014 cont'd...

8. NEXT MEETINGS

- Tuesday, 5th August, 2014
- Tuesday, 4th November, 2014

The meeting closed at 6.39 p.m.

28th May, 2014
MJT

SUBJECT: BUDGET UPDATE AS AT 30TH APRIL, 2014

REF: AF13/13

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance.

Following the introduction of the Local Government (Financial Management) Regulations 2011, Council completed a review of its Budget reporting processes (Corporate and Community Services Report No. 30/3012 - Monitoring Council's Budget Performance) resulting in the adoption of the new Policy B300 - Budget Reporting and Amendment.

The objective of the Budget Reporting and Amendment Policy is to provide management with a framework to operate in regard to the following:

- The content, timing and process to be followed for reporting to Council on its performance against budget;
- The scope and conditions associated with the Chief Executive Officer approving variations in activity (that are within the scope of the approved budget allocations) without obtaining Council approval; and
- The process required to be followed as well as general guidelines in relation to the carrying forward of expenditure authority associated with projects included in the budget for the previous year.

The Policy provides for a Budget Update report to be prepared and included in the agenda of the Ordinary Meeting of Council's Corporate and Community Services Committee in the months of November and March (as a minimum). The report will highlight at summary level budget activity for the year to date, original and revised budget information, and include the latest revised forecast of expected budget results for the year.

This Budget Update BR4 as at 30th April, 2014, as presented with this Report, is now recommended for adoption.

RECOMMENDATION

- (a) Corporate and Community Services Report No. 30/2014 be received;
- (b) the Budget Update BR4 as at 30th April, 2014 as presented with this Report be adopted by Council with all amendments to be made to the 2013/2014 Council Budget.



Grant HUMPHRIES
DIRECTOR - CORPORATE SERVICES

Sighted:



Mark McSHANE
CHIEF EXECUTIVE OFFICER

9th April, 2014
MJT

(Refer Item of Corporate and Community Services Minutes)



BUDGET UPDATE: BR4 JUNE 2014 AS AT 30TH APRIL, 2014

- 1. HIGH LEVEL SUMMARY BY FUNCTION (PAGES 1 - 13)**
- 2. DETAILED SUMMARY OF REQUESTED BUDGET VARIATIONS (PAGES 14 - 19)**
- 3. SUMMARY OF REQUESTED BUDGET VARIATIONS (PAGE 20)**
- 4. BR1 COMMENTARY (PAGE 21)**
- 5. UNIFORM PRESENTATION OF FINANCES**

HIGH LEVEL SUMMARY BY FUNCTION

1. ADMINISTRATION

	Original Budget '000	Revised BR3 '000	Proposed Budget '000	Actual 30/04/2014 '000	Variance now Requested '000	Proposed E of Y Budget Forecast '000
OPERATING EXPENDITURE (6000 - 6002)	1,764	1,720	1,708	1,408	(12)	1,708
OPERATING REVENUE (4100 - 4120)	18,857	19,033	19,035	17,531	2	19,035
NET OPERATING - SURPLUS / (DEFICIT)	17,093	17,313	17,327	16,123	14	17,327
CAPITAL EXPENDITURE (7500)	50	125	125	5	0	125
CAPITAL REVENUE						
NET CAPITAL - SURPLUS / (DEFICIT)	(50)	(125)	(125)	(5)	0	(125)
NON OPERATING EXPENDITURE						
NON OPERATING REVENUE						
NET NON OPERATING - SURPLUS / (DEFICIT)						

Financial Report: refer detailed Summary

HIGH LEVEL SUMMARY BY FUNCTION

2. SUPPORT SERVICES

	Original Budget '000	Revised BR3 '000	Proposed Budget '000	Actual 30/04/2014 '000	Variance now Requested '000	Proposed E of Y Budget Forecast '000
OPERATING EXPENDITURE (6010)	2,760	2,778	2,800	2,174	22	2,800
OPERATING REVENUE						
NET OPERATING - SURPLUS / (DEFICIT)	(2,760)	(2,778)	(2,800)	(2,174)	22	(2,800)
CAPITAL EXPENDITURE (7460)	78	90	90	67	0	90
CAPITAL REVENUE						
NET CAPITAL - SURPLUS / (DEFICIT)	(78)	(90)	(90)	(67)	0	(90)
NON OPERATING EXPENDITURE						
NON OPERATING REVENUE						
NET NON OPERATING - SURPLUS / (DEFICIT)						

Financial Report: refer detailed Summary

HIGH LEVEL SUMMARY BY FUNCTION

3. COMMUNITY

	Original Budget '000	Revised BR3 '000	Proposed Budget '000	Actual 30/04/2014 '000	Variance now Requested '000	Proposed E of Y Budget Forecast '000
OPERATING EXPENDITURE (6100)	1,752	1,842	1,725	1,361	(117)	1,725
OPERATING REVENUE (4130)	148	148	168	145	20	168
NET OPERATING - SURPLUS / (DEFICIT)	(1,604)	(1,694)	(1,557)	(1,216)	(137)	(1,557)
CAPITAL EXPENDITURE (7560, 7570, 7620)	80	80	80	23	0	80
CAPITAL REVENUE						
NET CAPITAL - SURPLUS / (DEFICIT)	(80)	(80)	(80)	(23)	0	(80)
NON OPERATING EXPENDITURE						
NON OPERATING REVENUE						
NET NON OPERATING - SURPLUS / (DEFICIT)						

Financial Report: refer detailed Summary

HIGH LEVEL SUMMARY BY FUNCTION

4. CULTURAL

	Original Budget '000	Revised BR3 '000	Proposed Budget '000	Actual 30/04/2014 '000	Variance now Requested '000	Proposed E of Y Budget Forecast '000
OPERATING EXPENDITURE (6200)	2,835	2,853	2,864	2,327	11	2,864
OPERATING REVENUE (4140 - 4142)	615	597	597	368	0	597
NET OPERATING - SURPLUS / (DEFICIT)	(2,220)	(2,256)	(2,267)	(1,949)	11	(2,267)
CAPITAL EXPENDITURE (7470, 7640, 7650)	199	226	226	188	0	226
CAPITAL REVENUE						
NET CAPITAL - SURPLUS / (DEFICIT)	(199)	(226)	(226)	(188)	0	(226)
NON OPERATING EXPENDITURE						
NON OPERATING REVENUE						
NET NON OPERATING - SURPLUS / (DEFICIT)						

Financial Report: refer detailed Summary

HIGH LEVEL SUMMARY BY FUNCTION

5. ECONOMIC

	Original Budget '000	Revised BR3 '000	Proposed Budget '000	Actual 30/04/2014 '000	Variance now Requested '000	Proposed E of Y Budget Forecast '000
OPERATING EXPENDITURE (6300)	1,478	1,490	1,470	1,034	(20)	1,470
OPERATING REVENUE (4153)	402	402	402	345	0	402
NET OPERATING - SURPLUS / (DEFICIT)	(1,076)	(1,088)	(1,068)	(689)	(20)	(1,068)
CAPITAL EXPENDITURE						
CAPITAL REVENUE						
NET CAPITAL - SURPLUS / (DEFICIT)						
NON OPERATING EXPENDITURE						
NON OPERATING REVENUE						
NET NON OPERATING - SURPLUS / (DEFICIT)						

Financial Report: refer detailed Summary

HIGH LEVEL SUMMARY BY FUNCTION

6. ENVIRONMENT

	Original Budget '000	Revised BR3 '000	Proposed Budget '000	Actual 30/04/2014 '000	Variance now Requested '000	Proposed E of Y Budget Forecast '000
OPERATING EXPENDITURE (6400)	3,762	(3,720)	3,702	2,910	(18)	3,702
OPERATING REVENUE (4162)	1,674	(1,724)	1,748	1,588	24	1,748
NET OPERATING - SURPLUS / (DEFICIT)	(2,088)	(1,996)	(1,978)	(1,322)	42	(1,978)
CAPITAL EXPENDITURE (7670, 7665, 7800)	2,135	2,469	2,480	683	11	2,480
CAPITAL REVENUE						
NET CAPITAL - SURPLUS / (DEFICIT)	(2,135)	(2,469)	(2,480)	(683)	(11)	(2,480)
NON OPERATING EXPENDITURE						
NON OPERATING REVENUE						
NET NON OPERATING - SURPLUS / (DEFICIT)						

Financial Report: refer detailed Summary

HIGH LEVEL SUMMARY BY FUNCTION

7. RECREATIONAL

	Original Budget '000	Revised BR3 '000	Proposed Budget '000	Actual 30/04/2014 '000	Variance now Requested '000	Proposed E of Y Budget Forecast '000
OPERATING EXPENDITURE (6500)	2,402	2,477	2,433	2,024	(44)	2,433
OPERATING REVENUE (4170)	63	63	63	60	0	63
NET OPERATING - SURPLUS / (DEFICIT)	(2,339)	(2,414)	(2,370)	(1,964)	(44)	(2,370)
CAPITAL EXPENDITURE (7680, 7690, 7700, 7730)	4,593	5,936	5,936	3,445	0	5,936
CAPITAL REVENUE						
NET CAPITAL - SURPLUS / (DEFICIT)	(4,593)	(5,936)	(5,936)	(3,445)	0	(5,936)
NON OPERATING EXPENDITURE						
NON OPERATING REVENUE						
NET NON OPERATING - SURPLUS / (DEFICIT)						

Financial Report: refer detailed Summary

HIGH LEVEL SUMMARY BY FUNCTION

8. REGULATORY

	Original Budget '000	Revised BR3 '000	Proposed Budget '000	Actual 30/04/2014 '000	Variance now Requested '000	Proposed E of Y Budget Forecast '000
OPERATING EXPENDITURE (6600)	1,028	1,113	1,125	878	12	1,125
OPERATING REVENUE (4180)	361	370	383	376	13	383
NET OPERATING - SURPLUS / (DEFICIT)	(667)	(743)	(742)	(502)	1	(742)
CAPITAL EXPENDITURE						
CAPITAL REVENUE						
NET CAPITAL - SURPLUS / (DEFICIT)						
NON OPERATING EXPENDITURE						
NON OPERATING REVENUE						
NET NON OPERATING - SURPLUS / (DEFICIT)						

Financial Report: refer detailed Summary

HIGH LEVEL SUMMARY BY FUNCTION

9. TRANSPORT

	Original Budget '000	Revised BR3 '000	Proposed Budget '000	Actual 30/04/2014 '000	Variance now Requested '000	Proposed E of Y Budget Forecast '000
OPERATING EXPENDITURE (6700)	3,236	3,236	3,134	2,029	(102)	3,134
OPERATING REVENUE (4192, 4193)	338	443	443	540	0	443
NET OPERATING - SURPLUS / (DEFICIT)	(2,898)	(2,793)	(2,691)	(1,489)	(102)	(2,691)
CAPITAL EXPENDITURE (7300, 7400, 7450)	1,097	1,223	1,165	443	(58)	1,165
CAPITAL REVENUE						
NET CAPITAL - SURPLUS / (DEFICIT)	(1,097)	(1,223)	(1,165)	(443)	(58)	(1,165)
NON OPERATING EXPENDITURE						
NON OPERATING REVENUE						
NET NON OPERATING - SURPLUS / (DEFICIT)						

Financial Report: refer detailed Summary

HIGH LEVEL SUMMARY BY FUNCTION

10. ENGINEERING/INDIRECT

	Original Budget '000	Revised BR3 '000	Proposed Budget '000	Actual 30/04/2014 '000	Variance now Requested '000	Proposed E of Y Budget Forecast '000
OPERATING EXPENDITURE (6800)	996	996	1,106	1,030	110	1,106
OPERATING REVENUE						
NET OPERATING - SURPLUS / (DEFICIT)	(996)	(996)	(1,106)	(1,030)	110	(1,106)
CAPITAL EXPENDITURE (7830, 7900)	3,424	4,850	4,850	1,770	100	4,850
CAPITAL REVENUE						
NET CAPITAL - SURPLUS / (DEFICIT)	(3,424)	(4,850)	(4,850)	(1,770)	(100)	(4,850)
NON OPERATING EXPENDITURE						
NON OPERATING REVENUE						
NET NON OPERATING - SURPLUS / (DEFICIT)						

Financial Report: refer detailed Summary

HIGH LEVEL SUMMARY BY FUNCTION

11. UNCLASSIFIED

	Original Budget '000	Revised BR3 '000	Proposed Budget '000	Actual 30/04/2014 '000	Variance now Requested '000	Proposed E of Y Budget Forecast '000
OPERATING EXPENDITURE (6900)	762	812	841	411	20	841
OPERATING REVENUE (4210, 4230, 4240)	317	381	414	372	33	414
NET OPERATING - SURPLUS / (DEFICIT)	(445)	(431)	(427)	(39)	(13)	(427)
CAPITAL EXPENDITURE						
CAPITAL REVENUE						
NET CAPITAL - SURPLUS / (DEFICIT)						
NON OPERATING EXPENDITURE						
NON OPERATING REVENUE						
NET NON OPERATING - SURPLUS / (DEFICIT)						

Financial Report: refer detailed Summary

HIGH LEVEL SUMMARY BY FUNCTION

12. NON - OPERATING

	Original Budget '000	Revised BR3 '000	Proposed Budget '000	Actual 30/04/2014 '000	Variance now Requested '000	Proposed E of Y Budget Forecast '000
OPERATING EXPENDITURE						
OPERATING REVENUE						
NET OPERATING - SURPLUS / (DEFICIT)						
CAPITAL EXPENDITURE						
CAPITAL REVENUE						
NET CAPITAL - SURPLUS / (DEFICIT)						
NON OPERATING EXPENDITURE (7000)	878	878	878	271	0	878
NON OPERATING REVENUE (4250, 4260, 4270, 4280, 4300, 4500)	11,437	15,093	15,755	2,062	622	15,755
NET NON OPERATING - SURPLUS / (DEFICIT)	10,559	14,215	14,877	1,791	622	14,877

Financial Report: refer detailed Summary

HIGH LEVEL SUMMARY BY FUNCTION

13. SUMMARY

	Original Budget '000	Revised BR3 '000	Proposed Budget '000	Actual 30/04/2014 '000	Variance now Requested '000	Proposed E of Y Budget Forecast '000
OPERATING EXPENDITURE	22,775	23,037	22,899	17,586	(138)	22,899
OPERATING REVENUE	22,775	23,161	23,253	21,325	92	23,253
NET OPERATING BUDGET SURPLUS/(DEFICIT)	0	124	354	3,739	230	354
CAPITAL EXPENDITURE	10,559	14,999	14,952	6,624	(47)	14,952
CAPITAL REVENUE	0	0	0	0	0	0
NON OPERATING EXPENDITURE	878	878	878	271	0	878
NON OPERATING REVENUE	11,437	15,093	15,755	2,062	662	15,755
NET CASH BUDGET SURPLUS/(DEFICIT)	0	(660)	279	(1,094)	845	279

2. DETAILED SUMMARY OF REQUESTED BUDGET VARIATIONS

Account No.	Description	Original Budget '000	Revised BR3 '000	Proposed Budget '000	Actual 30/04/2014 '000	Variance now Requested '000	Proposed E of Y Budget Forecast '000
	2.1 OPERATING REVENUE						
	ADMINISTRATION						
4100.0001	GENERAL RATES (END OF YEAR ADJUSTMENT)	16,396	16,396	16,386	16,386	(10)	16,386
4100.0003	NRM LEVY (END OF YEAR ADJUSTMENT)	545	545	550	550	5	550
4112.0022	RATE REBATES (END OF YEAR ADJUSTMENT)	(170)	(170)	(165)	(161)	5	(165)
4112.0025	NRM REBATES	(2)	(2)	0	0	2	0
						2	
	COMMUNITY SERVICES						
4130.0301	CRIME PREVENTION (STREET PATROL REVENUE)	5	5	10	10	5	10
4134.0352	MAIN CORNER (HAIGHS SALES)	25	25	40	38	15	40
						20	
	ENVIRONMENT						
4162.0621	WASTE MANAGEMENT (BIN FEES)	20	30	33	32	3	33
4162.0623	WASTE MANAGEMENT (GREEN FEES)	247	270	275	274	5	275
4162.0627	WATE MANAGEMENT (e-WASTE)	7	24	40	38	16	40
						24	
	REGULATORY						
4180.0802	DOG CONTROL - FINES/COSTS RECOVERED	10	10	12	12	2	12
4180.0802	BUILDING - FEES	91	91	96	94	5	96
4180.0811	PLANNING - FINES/COSTS RECOVERED	0	7	12	12	5	12
4180.0837	OTHER LICENCES	6	6	7	7	1	7
						13	
	UNCLASSIFIED						
4210.1110	PRIVATE WORKS REIMBURSED	60	30	10	0	(20)	10
4230.1301	PROPERTY SEARCH FEES	25	25	32	32	7	32
4230.1305	SUNDRY INCOME (AUCTION PROCEEDS)	2	90	114	114	24	114
4230.1310	GAIN ON DISPOSAL OF ASSETS	5	5	25	27	20	25
4240.1401	INTEREST ON INVESTMENTS	10	16	18	18	2	18
						33	
	TOTAL OPERATING REVENUE Increase (Decrease)					92	

		Original Budget '000	Revised BR3 '000	Proposed Budget '000	Actual 28/02/2014 '000	Variance now Requested '000	Proposed E of Y Budget Forecast '000
	2.2 OPERATING EXPENDITURE						
	ADMINISTRATION						
6002.0021	ORGANISATION EXP - SUPERANNUATION	95	95	100	87	5	100
6002.0038	ORGANISATION EXP - OPERATING	90	88	80	43	(8)	80
6002.0209	ORGANISATION EXP - PRINTING/STATIONERY	17	17	20	18	3	20
6002.0035	ORGANISATION EXP - TRAINING	15	15	10	7	(5)	10
6002.0201	ORGANISATION EXP - ANNUAL REPORT	18	14	12	12	(2)	12
6002.0206	ORGANISATION EXP - LEGAL AND PROFESSIONAL	50	40	35	29	(5)	35
						(12)	
	SUPPORT SERVICES						
6011.0034	ACCOUNTING/FINANCE - EMPLOYEE EXP	1	3	5	5	2	5
6011.0038	ACCOUNTING/FINANCE - OPERATING EXP	37	30	23	10	(7)	23
6011.0300	ACCOUNTING/FINANCE - AUDIT EXP	23	23	20	19	(3)	20
6012.0035	PAYROLL - TRAINING EXP	1	1	0	0	(1)	0
6013.0021	HUMAN RESOURCES - SUPERANNUATION	15	15	13	11	(2)	13
6013.0010	HUMAN RESOURCES - SALARIES	147	147	137	110	(10)	137
6013.0035	HUMAN RESOURCES - TRAINING	3	3	1	1	(2)	1
6014.0035	IT TRAINING EXPENSES	1	1	0	0	(1)	0
6014.0030	IT LEASE FEES	5	5	0	0	(5)	0
6016.0301	RATES - BANK/GOVT CHARGES	40	40	50	49	10	50
6016.0350	RATES - ASSESSMENT MAINTENANCE	57	52	50	46	(2)	50
6017.0035	RECORDS MANAGEMENT - TRAINING	3	3	1	0	(2)	1
6014.0331	IT - MAINTENANCE (TRAINING/SUPPORT)	297	297	322	256	25	322
6018.0370	CIVIC CENTRE - MAINTENANCE	120	130	150	138	20	150
6020.0010	CUSTOMER SERVICES - SALARIES	146	146	151	129	5	151
6020.0035	CUSTOMER SERVICES - TRAINING	2	2	1	0	(1)	1
6020.0038	CUSTOMER SERVICES - OPERATING	6	6	7	7	1	7
6020.0021	OTHER SUPPORT SERVICES - SUPERANNUATION	18	18	13	10	(5)	13
						22	

		Original Budget '000	Revised BR3 '000	Proposed Budget '000	Actual 30/04/2014 '000	Variance now Requested '000	Proposed E of Y Budget Forecast '000
	2.2 OPERATING EXPENDITURE (cont'd...)						
	COMMUNITY SERVICES						
6115.0010	COMMUNITY HEALTH - SALARIES	23	23	15	12	(8)	15
6115.0035	COMMUNITY HEALTH - TRAINING	1	1	0	0	(1)	0
6115.0038	COMMUNITY HEALTH - OPERATING	5	3	1	0	(2)	1
6115.0482	COMMUNITY HEALTH - SYRINGE SERVICES	2	2	3	3	1	3
6121.0493	SENIOR CITIZENS CENTRE - MAINTENANCE	4	4	6	5	2	6
6121.0495	AGED SERVICES - PROGRAMS	6	6	4	2	(2)	4
6126.0541	GENERAL COMMUNITY DONATION PROGRAM	194	194	170	106	(24)	170
6132.0581	LAKE TERRACE CEMETERY UPGRADES	3	3	0	0	(3)	0
6134.0590	PUBLIC CONVENIENCES MAINTENANCE	190	200	220	190	20	220
6135.0001	CARPARKS - DEPRECIATION (ALLOCATION ADJUSTMENT)	80	80	30	7	(50)	30
6138.0005	MAIN CORNER - DISPLAYS DEPRECIATION (ALLOCAITON ADJUSTMENT)	150	150	100	5	(50)	100
						(117)	
	CULTURAL SERVICES						
6200.0021	LIBRARY - SUPERANNUATION	73	73	78	66	5	78
6200.0038	LIBRARY - OPERATING	20	20	15	11	(5)	15
6200.0034	LIBRARY - EMPLOYEE EXPENSES	10	10	5	2	(5)	5
6200.0633	LIBRARY - EQUIPMENT MAINTENANCE	100	130	125	109	(5)	125
6200.0634	LIBRARY - GENERAL MAINTENANCE	45	45	40	27	(5)	40
6200.0635	LIBRARY - INSURANCES	27	30	50	50	20	50
6200.0641	LIBRARY - PRINTING/STATIONERY	24	24	19	12	(5)	19
6200.0650	LIBRARY - LOCAL PURCHASES	11	11	13	12	2	13
6220.0690	HERITAGE - MOUNT GAMBIER GAOL MAINTENANCE (H/W SERV.)	17	17	20	19	3	20
6220.0700	HERITAGE - COMMITTEE EXP.	2	2	1	0	(1)	1
6240.0738	CONSERVATION (WILDLIFE) PARK - MAINTENANCE	25	25	33	33	8	33
6240.0745	SHOW SOCIETY CONTIRUBTION - LOAN FINISHED	6	6	3	3	(3)	3
6240.0736	CITIZENSHIP - ADDITIONAL CEREMONY EXP.	7	7	9	6	2	9
						11	

		Original Budget '000	Revised BR3 '000	Proposed Budget '000	Actual 28/02/2014 '000	Variance now Requested '000	Proposed E of Y Budget Forecast '000
	2.2 OPERATING EXPENDITURE (cont'd...)						
	ECONOMIC						
6360.0038	TOURISM - THE LADY NELSON - OPERATING	50	50	45	34	(5)	45
6360.0830	TOURISM - THE LADY NELSON - AIR CONDITIONING/POWER ETC.	32	32	37	34	5	37
6360.0001	THE LADY NELSON - DEPRECIATION (ALLOCAITON ADJUSTMENT)	109	109	89	64	(20)	89
						(20)	
	ENVIRONMENT						
6410.0887	WASTE MANAGEMENT - RECYCLING DISPOSAL	120	120	132	90	12	132
6410.0888	WASTE MANAGEMENT WTC (INC. COSTS)	150	150	162	153	12	162
6410.0894	WASTE MANAGEMENT - REGIONAL OFFICER	5	5	7	7	2	7
6240.0901	STORMWATER DRAINAGE - PIT MAINTENANCE	10	10	5	2	(5)	5
6420.0904	STORMWATER DRAINAGE - POLICY	5	5	2	0	(3)	2
6430.0920	STREET CLEANING - CITY CENTRE	107	83	79	61	(4)	79
6450.0941	STREET TREES - MAINTENANCE (WEATHER)	160	160	180	166	20	180
6450.0942	STREET TREES - VANDALISM	4	2	1	0	(1)	1
6460.0034	ENVIRONMENTAL SUSTAINABILITY - TRAINING	2	2	1	0	(1)	1
6410.0001	WASTE MANAGEMENT - DEPRECIATION (ALLOCATION ADJUSTMENT)	243	243	193	19	(50)	193
						(18)	
	RECREATION						
6500.0981	SUNDRY RESERVES MAINTENANCE	8	8	3	1	(5)	3
6530.1004	MARIST PARK - CORRECTION FROM BR3	10	0	10	15	15	15
6530.1006	OLYMPIC PARK - CORRECTION FROM BR3	25	25	10	7	(15)	10
6530.1000	BLUE LAKE SPORTS PARK - MAINTENANCE	118	118	113	90	(5)	113
6530.1010	GENERAL SPORTS PARKS - MAINTENANCE	30	20	12	7	(8)	12
6530.1012	VANSITTART PARK OVAL - MAINTENANCE (NEW BOILER ISSUES)	40	30	25	17	(5)	25
6550.1031	AQUATIC CENTRE - GENERAL MAINTENANCE	60	125	131	131	6	131
6600.0010	DOG CONTROL - SALARIES (ADDITIONAL O/T)	120	120	130	122	10	130
6520.0001	SPORTS FACILITIES - DEPRECIATION (ALLOCATION ADJUSTMENT)	97	97	67	18	(30)	67
6500.0966	CRATER LAKES CONSERVATION PLAN	20	20	13	13	(7)	13
						(44)	

		Original Budget '000	Revised BR3 '000	Proposed Budget '000	Actual 30/04/2014 '000	Variance now Requested '000	Proposed E of Y Budget Forecast '000
	2.2 OPERATING EXPENDITURE (cont'd...)						
	REGULATORY						
6600.0010	DOG CONTROL - SALARIES	120	120	130	122	10	130
6600.0035	DOG CONTROL - TRAINING	2	2	0	0	(2)	0
6620.0038	BUILDING CONTROL - OPERATING	16	16	18	18	2	18
6630.0035	PLANNING - TRAINING	3	3	2	2	(1)	2
6630.1120	PLANNING - LEGAL EXPENSES	35	65	77	75	12	77
6630.1139	PLANNING - DAP OPERATING	23	23	17	12	(6)	17
6670.0035	PARKING - TRAINING EXPENSES	1	1	0	0	(1)	0
6660.1161	HEALTH INSPECTION - PROJECTS	5	5	3	0	(2)	3
						12	
	TRANSPORT						
6740.0002	INFRASTRUCTURE - DEPRECIATION (ALLOCATION ADJUSTMENT)	2,367	2,367	2,267	1,272	(100)	2,267
6720.1220	BRIDGES - MAINTENANCE	2	2	0	0	(2)	0
						(102)	
	ENGINEERING/INDIRECT						
6820.0035	AWU EMPLOYEES - TRAINING	20	20	15	6	(5)	15
6830.0035	DEPOT EMPLOYEES - TRAINING	4	4	1	0	(3)	1
6840.1500	LABOUR ON COST - END OF YEAR ADJUSTMENT	(1,194)	(1,194)	(1,140)	(924)	54	(1,140)
6860.1700	PLANT HIRE RECOVERY - END OF YEAR ADJUSTMENT	(1,654)	(1,654)	(1,590)	(1,235)	64	(1,590)
						110	
	UNCLASSIFIED						
6940.1904	SUNDRY EXPENDITURE - AUCTION COSTS	0	0	20	20	20	20
						20	
	TOTAL OPERATING EXPENDITURE INCREASE/(DECREASE)					(138)	
	2.3 NON OPERATING EXPENDITURE						
	Nil						
	TOTAL NON OPERATING EXPENDITURE INCREASE/(DECREASE)					Nil	

		Original Budget '000	Revised BR3 '000	Proposed Budget '000	Actual 30/04/2014 '000	Variance now Requested '000	Proposed E of Y Budget Forecast '000
	<u>2.4 NON OPERATING REVENUE</u>						
4270.1708	WORK IN PROGRESS - REVERSAL OF BR3 ENTRY (RAIL LANDS FUNDING)	3,537	2,537	3,537	0	1,000	3,537
4280.1782	DEPRECIATION WRITTEN BACK	6,232	6,232	5,932	4,321	(300)	4,321
4300.0000	DELETE TRADE IN - PURCHASES DELETED	224	224	186	121	(38)	186
	- MAYORAL VEHICLE (\$20,000)						
	- UNIT 2 (\$5,000)						
	- UNIT 77 (\$13,000)						
	TOTAL NON OPERATING REVENUE INCREASE/(DECREASE)					662	
	<u>2.5 CAPITAL EXPENDITURE</u>						
7670.5702	WASTE MANAGEMENT - BIN PURCHASES (EXTRA)	20	20	31	26	11	31
7300.4014	LIGHT FLEET VEHICLES - MAYORAL VEHICLE DELETED	43	43	0	0	(43)	0
7320.4022	TRUCKS PURCHASE - UTILITY DELETED (NO. 2)	22	22	0	0	(22)	0
7400.4177	SUNDRY PLANT PURCHASES - MOWER DELETED (NO. 77)	98	98	0	0	(98)	0
7370.4071	SUNDRY PLAN PURCHASES TANA COMPACTOR UPGRADE	0	0	105	0	105	105
	TOTAL CAPITAL EXPENDITURE INCREASE/(DECREASE)					(47)	

3. SUMMARY OF REQUESTED BUDGET VARIATIONS

	Original Budget \$	Revised BR3 \$	Variation Requested \$	Proposed BR4 \$
OPERATING				
Operating Expenditure (Increase) Decrease	22,775,000	23,037,000	(138,000)	22,899,000
Operating Revenue Increase (Decrease)	22,775,000	23,161,000	92,000	23,253,000
Operating Surplus/(Deficit)	0	124,000	230,000	354,000
CAPITAL EXPENDITURE				
Capital Expenditure (Increase) Decrease	10,559,000	14,999,000	(47,000)	14,952,000
CAPITAL REVENUE				
Capital Revenue Increase (Decrease)	0	0	0	0
NON OPERATING EXPENDITURE				
Non Operating Expenditure (Increase) Decrease	878,000	878,000	0	878,000
NON OPERATING REVENUE				
Non Operating Revenue Increase (Decrease)	11,437,000	15,093,000	662,000	15,755,000
Revised Cash Budget Surplus/(Deficit)	0	(660,000)	845,000	279,000
SUMMARY OF ALTERATIONS : SURPLUS/(DEFICIT)				
	Operating Budget		Cash Budget	
Adopted Budget		0		0
Revised Budget - (Work in Progress)		(451,000)		0
Budget Update No. 1 (as at 30th September, 2013)		(332,000)		48,000
Budget Update No. 2 (as at 30th November, 2013)		(165,000)		129,000
Budget Update No. 3 (as at 28th February, 2014)		124,000		(660,000)
Budget Update No. 4 (as at 30th April, 2014)		354,000		279,000

4. **BR4 Commentary**

- This is the fourth Budget Review for the 2013/2014 financial year other than the interim review which introduced work in progress amounts from 2012/2013 into the 2013/2014 Budget.
- BR4 takes into account most costs for the first 10 months of operating (July to April) however the majority of creditors for the month of April are not yet included (processed in May).
- Operating Revenue increases by \$92,000.
- Operating Expenditure decreases by \$138,000 principally due to a range of Budget reductions.
- Non Operating Revenue increases by \$662,000 principally due to a reversal of an incorrect entry in BR3 associated with the receipt of \$1m Grant for the Rail Lands Development.
- In overall terms BR4 provides for;
 - An decrease in Operating Expenditure of \$138,000
 - An increase in Operating Revenue of \$92,000
 - A net benefit to the operating result of \$230,000
- Council's Operating commentary;
 - The adopted Budget provided for a balanced operating result
 - Interim (WIP) Review resulted in a \$451,000 Operating Deficit
 - BR1 resulted in a \$332,000 deficit as at 30th September, 2013
 - BR2 results in a \$165,000 deficit as at 30th November, 2013
 - BR3 results in a \$124,000 surplus as at 28th February, 2014
 - BR4 results in a \$354,000 surplus as at 30th April, 2014.
- Council's Cash Budget commentary:
 - adopted balanced cash Budget
 - the Interim (WIP) Review Council continued to maintain a balanced Cash Budget
 - as a result of BR1 Council Cash Budget provides for a \$48,000 surplus as at 30th September, 2013
 - BR2 results in a \$129,000 surplus as at 30th November, 2013.
 - BR3 results in a \$660,000 deficit as at 28th February, 2014.
 - BR4 results in a \$279,000 surplus as at 30th April, 2014.

CORPORATE AND COMMUNITY SERVICES REPORT NO 40/2014**SUBJECT: POLICY REVIEW – R105 - RATING POLICY****REF: AF11/1952**

Goal: Governance
Strategic Objective: Demonstrate innovative and responsive organisational governance.

INTRODUCTION

Council's powers to raise rates are found in Chapter 10 of the Local Government Act 1999 ("the Act"). The Act provides the framework within which the Council must operate, but also leaves room for the Council to make a range of policy choices. This document includes reference to compulsory features of the rating system as well as the policy choices that the Council has made on how it imposes and administers the collection of rates.

This document sets out the policy of the City of Mount Gambier ("Council") for setting and collecting rates from its community.

Council's rating policy has now been the subject of review as part of Council's overall Policy Review, migrated into the new Policy format and is now presented for adoption.

Amendments to the Rating Policy are principally procedural only, however the opportunity has been taken to make the Rating Policy more generic resulting in the deletion of specific years rating detail i.e. amount of fixed charge, rates in dollar and so forth.

RECOMMENDATION

- (a) Corporate and Community Services Report No. 40/2014 be received;
- (b) Council hereby adopts amended Council Policy R105 - Rating Policy, as provided with this report;
- (c) Council makes the necessary amendments to Council's Policy Manual Index.



Grant HUMPHRIES
DIRECTOR - CORPORATE SERVICES

Sighted:



Mark McSHANE
CHIEF EXECUTIVE OFFICER

	<h1>R105 RATING POLICY</h1>	Version No:	1 ⁵⁶
		Issued:	May, 2014
		Next Review:	May, 2015

1. INTRODUCTION

Councils are required to raise revenue for governance and administration to deliver goods and services to the community.

Council's major source of revenue is Rates, derived as a tax on land within the Council area. All ratepayers receive benefits from paying rates, but those benefits are consumed in different quantities and types over the lives of the ratepayer.

This document sets out the policy of the City of Mount Gambier ("Council") for setting and collecting rates from its community.

2. PURPOSE

Council's powers to raise rates are found in Chapter 10 of the *Local Government Act 1999* ("the Act"). The Act provides the framework within which the Council must operate, but also leaves room for the Council to make a range of policy choices. This document includes reference to compulsory features of the rating system, as well as the policy choices that the Council has made on how it imposes and administers the collection of rates.

3. SCOPE

Strategic Focus

In determining a suitable Rating Policy, Council has taken into consideration the following:

- the Council's Strategic Management Plan
- Long Term Financial Plan
- the Annual Business Plan and Budget
- Infrastructure and Asset Management Plan.
- The recurrent expenditure and income expected for the financial year.
- The resources required for the delivery of Council services which are documented in the Annual Business Plan and Budgets which provides direct links to the Corporate Plan and outlines financial and non-financial performance levels in the form of stated projects for delivery over the next 12 months.
- the current economic climate of the City and its district
- the specific issues faced by our community
- the impact of general rate increases upon the community, either generally or for specific classes of the community
- the impact of rates on the community and the need to balance the communities capacity to pay with the needs and desires of the wider interests that form our community

There will continue to be economic pressures applying to the Council in a number of ways, which will have an impact on the Council's budget and as a result will put pressure on rates.

	<h2>R105 RATING POLICY</h2>	Version No:	1 ⁵⁷
		Issued:	May, 2014
		Next Review:	May, 2015

4. POLICY STATEMENT

4.1 Communication of the Policy

Section 123 of the Local Government Act 1999 requires a Council to prepare an Annual Business Plan and Budget. As per Section 123 (2) (d) the annual plan must set out the rates structure and polices for the financial year. A summary of the Annual Business Plan must be included with the first rates notice.

4.2 Method Used to Value Land

Councils may adopt one of three valuation methodologies to value the properties in their areas. They are:

- *Capital Value* – the value of the land and all the improvements on the land.
- *Site Value* – the value of the land and any improvements which permanently affect the amenity of use of the land, such as drainage works, but excluding the value of buildings and other improvements.
- Annual Value – a valuation of the rental potential of the property.

The City of Mount Gambier has decided to continue to use Capital Value as the basis for valuing land within the Council area. The Council considers that this method of valuing land provides the fairest method of distributing the rate burden across all ratepayers because property value is considered a reasonable indicator of income and capital value, which closely approximates the market value of a property and provides the best indicator of overall property value.

4.3 Adoption of Valuation

The City of Mount Gambier will adopt the most recent valuations made by the Valuer-General. If a ratepayers dissatisfied with the valuation made by the Valuer-General then the ratepayer may object to the Valuer-General in writing, within 60 days of receiving the notice of the valuation, explaining the basis for the objection, provided they have not:

- (a) previously received a notice of this valuation under the Local Government Act, in which case the objection period is 60 days from the receipt of the first notice; or
- (b) previously had an objection to the valuation considered by the Valuer-General.

The address of the Office of the Valuer-General is:
Office of the Valuer-General
GPO Box 1354
ADELAIDE SA 5001
Email: lsgobjections@sa.gov.au
Phone: 1300 653 345

	<h2>R105 RATING POLICY</h2>	Version No:	1 ⁵⁸
		Issued:	May, 2014
		Next Review:	May, 2015

4.4 Objection to Valuation and/or Land Use

A person may object to a valuation of the Valuer-General by notice in writing, setting out the reasons for the objections, and the Valuer-General must consider the objection. If the person then remains dissatisfied with the valuation the person has a right to a review. Applications must be made within 21 days of receipt of the notice of the decision (in relation to the objection) from the Valuer-General. A payment of the prescribed fee for the review to be undertaken together with the review application must be lodged in the State Valuation Office, who will then refer the matter to an independent Valuer. If the person remains dissatisfied with the valuation then they have a right of appeal to the Land and Valuation Court (Part 4 of the Valuation of Land Act 1971).

The address of the Office of the Valuer-General is:
Office of the Valuer-General
GPO Box 1354
ADELAIDE SA 5001
Email: lsgobjections@sa.gov.au
Phone: 1300 653 345

The Council has no role in the valuation review process & the lodgement of an objection does not change the due date for payment of rates.

4.5 Notional Values

Certain properties may be eligible for a notional value under the Valuation of Land Act 1971. This can relate to certain primary production land or where there is State heritage recognition. A notional value is generally less than the capital value and generally results in a reduced rate liability being incurred.

Application by the ratepayer for a notional value must be made to the Office of the Valuer- General.

The address of the Office of the Valuer-General is:
Office of the Valuer-General
GPO Box 1354
ADELAIDE SA 5001
Email: lsgobjections@sa.gov.au
Phone: 1300 653 345

4.6 Business Impact Statement

Current Economic Environment

Council will consider the impact of rates on all businesses in the Council area, including industry, commercial and primary production sections. In considering the impact, Council will assess the following matters:

- Those elements of Council's Strategic Management Plan relating to business development.
- Relevant economic forecast reports.

	<h2>R105 RATING POLICY</h2>	Version No:	1 ⁵⁹
		Issued:	May, 2014
		Next Review:	May, 2015

- Council's recent development approval trends.
- The operating and capital projects and new programs for the coming year that will principally benefit industry and business development.
- Valuation changes.
- Local Government Price Index Movements.

Council recognises the importance of supporting and encouraging a diverse and healthy business sector.

4.7 Council's Revenue Raising Powers

All land within a Council area, except for land specifically exempt (eg Crown land, Council occupied land and other land prescribed in the Local Government Act – refer Section 147 of the Act), is rateable. The Local Government Act provides for a Council to raise revenue for the broad purposes of the Council through a general rate, which applies to all rateable properties, or through differential general rates, which apply to classes of properties. In addition, Council can raise separate rates, for specific areas of the Council or service rates or charges for specific services. The Council also raises revenue through fees and charges, which are set giving consideration to the cost of the service provided and any equity issues. The list of applicable fees and charges is available at the Mount Gambier Civic Centre, 10 Watson Terrace, Mount Gambier or on our website at www.mountgambier.sa.gov.au. A Goods and Services Tax at a rate determined under the Goods and Services Tax Act 1999 will be charged on those fees not given exemption under the Act.

4.8 Fixed Charge

Council has decided that a component of the total rate will be a fixed charge on every rateable property. The fixed charge will affect all ratepayers and will raise slightly less than one half of total rate revenue (before rebates and remissions).

Section 152 of the Act provides for a fixed charge component of rates. Council's reasons for including a fixed charge component are:

- To be able to deliver a range of services to the community, Council must maintain a range of internal support and administrative services. No particular group of ratepayers benefit more than any other group of ratepayers by the provision of the support and administrative services.
- The Council therefore considers it appropriate that all ratepayers contribute equally to the cost of administering Council's activities.

The fixed charge will affect all ratepayers and is set to raise slightly less than one half of total rate revenue.

From a ratepayer's perspective, the anecdotal evidence appears to be in favour of a fixed charge, which is uniformly paid by each ratepayer, irrespective of capital value and thus limiting the effect changes in valuation have on individual assessments.

Where two or more adjoining properties have the same owner and occupier only one fixed charge is payable by the ratepayer.

	<h2>R105 RATING POLICY</h2>	Version No:	1 ⁶⁰
		Issued:	May, 2014
		Next Review:	May, 2015

4.9 Differential General Rates

In addition to the use of a Fixed Charge, the Local Government Act 1999, allows Councils to differentiate rates based on the use of the land, the locality of the land or on the use and locality of the land. Current categories of land use defined by the Local Government (General) Regulations 1999 are:

1. Residential
2. Commercial-Shops
3. Commercial-Office
4. Commercial-Other
5. Industrial-Light
6. Industrial-Other
7. Primary Production
8. Vacant Land
9. Other

4.10 Land Use

Land use is a factor to levy differential rates. If a ratepayer believes that a property has been wrongly classified as to its land use, then an objections in writing may be made within 60 days of being notified of the land use classification.

The address of the Office of the Valuer-General is:
Office of the Valuer-General
GPO Box 1354
ADELAIDE SA 5001
Email: lsgobjections@sa.gov.au
Phone: 1300 653 345

Note: Lodgement of an objection does not change the due date for the payment of rates.

4.11 Minimum Rate

Council does not use the minimum rate provisions, instead, preferring to use the combination of fixed charge and valuation based rating.

4.12 Natural Resource Management Levy

The Council is in the South East Natural Resource Management Board area and is required under the NRM Act to make a specified annual contribution to the South East NRM Board. As such, Council is obliged to collect the levy on behalf of the State Government for no gain to Council.

The Council is simply operating as a revenue collector for the South East Natural Resource Management Board in this regard. It does not retain this revenue nor determine how the revenue is spent.

	<h2>R105 RATING POLICY</h2>	Version No:	1 ⁶¹
		Issued:	May, 2014
		Next Review:	May, 2015

4.13 State Government Concessions

You may be eligible for a Council rate concession if you:

- are a pensioner and have a current Pensioner Concession Card or Department of Veterans' Affairs (DVA) Gold Card (TP, EDA, WW); or
- receive an eligible Centrelink Allowance; or
- hold a State Seniors Card; or
- are a low income wage earner who meets the DCSI low income threshold.

Apply through the Department for Communities and Social Inclusion (DCSI) Concessions Hotline 1800 307 758 or at www.sa.gov.au/concessions using the on-line form.

4.14 Payment of Rates

The Council will collect rates quarterly on the dates to be specified on the rates notice, in the following months:

- September
- December
- March
- June

Rate notices will be issued quarterly however the total outstanding balance of rates may be paid at any time.

Rates may be paid:

- In person, at the Council Offices during the hours of 8.30 a.m. to 5.00 p.m., Monday to Friday
- By post , P O Box 56, Mount Gambier SA 5290
- Over the Internet - www.mountgambier.sa.gov.au
- By telephone , using credit card, phone 1300 303 201 - 24 hours, 7 days per week (Quote Infopay Number 4342)
- By Bpay - Use Biller Code 464263
- Bpay View (register with your Bank)
- By direct debit from savings accounts
- By Centrepay deductions from social security payments
- Any Australia Post outlet

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

	<h2>R105 RATING POLICY</h2>	Version No:	1 ⁶²
		Issued:	May, 2014
		Next Review:	May, 2015

4.15 Late Payment of Rates

The Local Government Act provides that Councils impose a penalty of 2% on any payment for rates, whether instalment or otherwise, that is received late. A payment that continues to be late is then charged an interest rate, set each year according to a formula in the Act, for each month it continues to be late. Interest charged on late payments is charged on both the amount of the rate arrears and any interest that has previously been imposed. The purpose of this penalty is to act as a genuine deterrent to ratepayers who might otherwise fail to pay their rates on time, to allow Councils to recover the administrative cost of following up unpaid rates and to cover any interest cost the Council may incur because it has not received the rates on time.

The City of Mount Gambier imposes late payment penalties strictly in accordance with the Local Government Act. The ability to remit penalties in whole or part is a power vested in Council. At the City of Mount Gambier each case will be considered on its merit based on the information provided.

4.16 Debt Recovery

Council has determined that Rate Payments will be applied in accordance with the provisions of Section 183 of the Act.

When Council receives a payment in respect of overdue rates the Council applies the money received in accordance with Section 183 of the Local Government Act, as follows:

- firstly – to satisfy any costs awarded in connection with court proceedings;
- secondly – to satisfy any interest costs;
- thirdly – in payment of any fines imposed; and
- fourthly – in payment of rates, in date order of their imposition (starting with the oldest account first).

4.17 Rebate of Rates - Mandatory

The Local Government Act requires Councils to rebate the rates payable on some land uses. Specific provisions are made for land used for health services, community services, religious purposes, public cemeteries, the Royal Zoological Society and educational institutions. These rebates vary from 25% to 100% and will be applied upon application and on verification.

4.18 Rebate of Rates - Discretionary

The Local Government Act 1999 enables Council (upon application and subject to certain eligibility criteria) to grant discretionary rebates of up to 100% for land used for the purposes of a community benefit and that meet certain legislative and Council Policy criteria.

Council (by Policy) has agreed to grant specific Rate Rebates pursuant to the said Act.

Councils Rate Rebate Policy (incorporating Rate Rebate Application) is available from the Council website - www.mountgambier.sa.gov.au.

	<h2>R105 RATING POLICY</h2>	Version No:	1 ⁶³
		Issued:	May, 2014
		Next Review:	May, 2015

4.19 Rate Capping

To address any potential inequities in how rates are levied across the Council area the following rate relief assistance options continue to be available:

3.19.1 Residential (Principal place of Residence) Rate Cap

This option will provide relief where a ratepayer (principal place of residence) with a residential land use is levied an increase in rates greater than 15% plus the gross rate revenue percentage increase adopted for the financial year (after considering other rebates).

This rebate will not apply where:

- The increase is due to an increase in valuation as a result of improvements greater than \$20,000
- The increase is a result of a change of zoning or land use
- Ownership of the property has changed in the year previous
- The subject property has been altered in some way (boundary alignment etc) which has resulted in a new property valuation compared to previous
- Properties other than the principal place of residence i.e. second and subsequent properties and all other non-principal places of residences of the ratepayer

This option will provide relief where a ratepayer (principal place of residence) with a residential land who is entitled to an eligible pensioner concession, is levied an increase in rates greater than 15% inclusive of the gross rate revenue percentage increase adopted for the financial year.

This rebate will not apply where the property exhibits the same characteristics as detailed in the Residential (Principal Place of Residence) Rate Cap.

3.19.2 Residential (Eligible Pensioner) Rate Cap

This option will provide relief where a ratepayer (principal place of residence) with a residential land use who is entitled to an eligible pensioner concession, is levied an increase in rates greater than 15% inclusive of the gross rate revenue percentage increase adopted for the financial year.

This rebate will not apply where the property exhibits the same characteristics as detailed in the Residential (Principal Place of Residence) Rate Cap.

4.20 Vacant Land

The vacant land rate in the dollar is set higher than the residential rate in the dollar.

For those owners of vacant land who intend to develop that land, in the short term, as their principal place of residence (as opposed to land speculation), may be entitled to a rebate on Council rates.

	<h2>R105 RATING POLICY</h2>	Version No:	1 ⁶⁴
		Issued:	May, 2014
		Next Review:	May, 2015

Applications must be in writing with the maximum rebate calculated so that the rates payable are equivalent to the average residential land use.

4.21 Postponement of Rates - Seniors

Any person holding a State Seniors Card issued by the State Government may make application to Council for a postponement of the prescribed proportion of rates for the current or future financial years.

All applications of postponement will need to be considered in accordance with the relevant legislative provisions.

4.22 Hardship

Any ratepayer experiencing difficulties in meeting rates payments or experiencing hardship will be able to access payment plans tailored to meet their particular circumstances. All arrangements will be strictly confidential.

4.23 Applications

All applications for rebates, remissions or postponements must be in writing, addressed to the Chief Executive Officer, City of Mount Gambier, P O Box 56, Mount Gambier SA 5290 and include sufficient details to identify the relevant property and support the application.

Application forms are available from Council's website www.mountgambier.sa.gov.au.

Please refer to Councils Rate Rebate Policy for further information.

4.24 Sale of Land for Non-Payment of Rates

The Local Government Act provides that a Council may sell any property where the rates have been in arrears for three years or more. The Council is required to provide the principal ratepayer and the owner (if not the same person) with details of the outstanding amounts and advise the owner of its intention to sell the land if payment of the outstanding amount is not received within one month. The City of Mount Gambier enforces the sale of land for non-payment of rates after 3 years or more in accordance with the provisions of the Act.

4.25 Changes to Assessment Records

All changes to postal address of ratepayer/owner and changes of ownership of a property must be notified promptly to Council in writing.

4.26 Disclaimer

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.

	R105 RATING POLICY	Version No:	1 ⁶⁵
		Issued:	May, 2014
		Next Review:	May, 2015

Where a ratepayer believes that the Council has failed to properly apply this policy it should raise the matter with the Council. In the first instance contact Council's Director - Corporate Services on (08) 8721 2555 to discuss the matter. If, after this initial contact, a ratepayer is still dissatisfied they should write to the Chief Executive Officer, City of Mount Gambier, P O Box 56, Mount Gambier SA 5290, or email city@mountgambier.sa.gov.au

5. REVIEW & EVALUATION

This Policy is scheduled for review by Council annually, however, will be reviewed as required by any legislative changes which may occur.

6. AVAILABILITY OF POLICY

This Policy will be available for inspection at Council's principal office during ordinary business hours and on the Council's website www.mountgambier.sa.gov.au. Copies will also be provided to interested members of the community upon request, and upon payment of a fee in accordance with Council's Schedule of Fees and Charges.

	<h2>R105 RATING POLICY</h2>	Version No:	1 ⁶⁶
		Issued:	May, 2014
		Next Review:	May, 2015

File Reference:	AF11/1742
Applicable Legislation:	Local Government Act, 1999 - Chapter 10
Reference: Strategic Plan – Beyond 2015	Goal 5, Strategic Objective 5.
Related Policies:	R105 Rating Policy/Statement R155 Rates - Rebate Policy Statement and Application Process R130 Rates - General Policy
Related Procedures:	Nil
Related Documents:	Nil

DOCUMENT DETAILS

Responsibility:	Director - Corporate Services Team Leader - Rates
Version:	1.0
Last revised date:	
Effective date:	17 th June, 2014
Minute reference:	17 th June, 2014
Next review date:	June, 2015
<u>Document History</u> First Adopted By Council: Reviewed/Amended:	18 th October, 2011 Annually

CORPORATE AND COMMUNITY SERVICES REPORT NO 41/2014**SUBJECT: POLICY REVIEW – R155 - RATE REBATE POLICY****REF: AF11/1952, AF11/823, AF11/824**

Goal: Governance
Strategic Objective: Demonstrate innovative and responsive organisational governance.

The introduction of the Local Government Act 1999 resulted in significant changes being introduced to the rate rebate provisions particularly those applicable to the manner in which rate rebates are administered.

To assist with this process the Local Government Financial Management Group with the assistance of Norman Waterhouse Lawyers developed a *model* policy for rate rebates which is suitable for adaptation for individual Councils.

Council in May 2002, duly adopted a Rate Rebate Policy which was aimed at assisting the administration of both the mandatory and discretionary rate rebate provisions of the Local Government Act 1999.

Councils Rate Rebate Policy has now been the subject review as part of Council's overall policy review, migrated into the new policy format, and is presented with procedural amendments only.

RECOMMENDATION

- (a) Corporate and Community Services Report No. 41/2014 be received;
- (b) Council hereby adopts amended Council Policy R155 - Rate Rebate Policy, as provided with this report;
- (c) Council makes the necessary amendments to Council's Policy Manual Index.



Grant HUMPHRIES
DIRECTOR - CORPORATE SERVICES

Sighted:



Mark McSHANE
CHIEF EXECUTIVE OFFICER

	<h2>R155 RATE REBATE POLICY</h2>	Version No:	1
		Issued:	May, 2014
		Next Review:	May, 2015

1. INTRODUCTION

It is the policy of the City of Mount Gambier that a rebate of rates in respect of any rateable land in the Council area will be available only when the applicant satisfies the requirements under the Local Government Act 1999 and, where appropriate, the requirements of this Policy.

2. SCOPE

2.1 The Local Government Act 1999 (“the Act”) sets out at Chapter 10, Division 5 (Sections 159 to 166) those provisions applicable to the Council granting a rebate of rates to persons or bodies.

2.2 The Council has decided to adopt a Policy to assist it in its decision making functions relative to the operation of the rate rebate provisions contained in the Act.

2.3 This Policy is intended to provide guidance to the community as to the grounds upon which a person or body is, or may be entitled to receive a rebate of rates and the matters that the Council will take into account in deciding an application for a rebate.

2.4 In accordance with the rebate provisions contained in 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 rebate must be, and those types of land use where the Council has a discretion to grant a rebate of rates.

3. PURPOSE

3.1 Section 159(3) of the Act provides that the Council may grant a rebate of rates under the Act if it is satisfied that it is appropriate to do so.

3.2 The Act provides for a mandatory rebate of rates in specified cases and the amount of that mandatory rebate (see Clause 3 below).

3.3 The Act also provides that where the 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%, the Council **may** increase the amount of the rebate.

3.4 The Act provides, at Section 166 for the Council to provide a discretionary rebate of rates in the cases set out in that Section.

4. MANDATORY REBATES

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

	<h2>R155 RATE REBATE POLICY</h2>	Version No:	1
		Issued:	May, 2014
		Next Review:	May, 2015

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

4.2.1 Health Services

Land being predominantly used for service delivery or administration by a hospital or health centre incorporated under the South Australia Health Commission Act 1976;

4.2.2 Religious Purposes

Land containing a church or other building used for public worship (and any grounds), or land solely used for religious purposes;

4.2.3 Public Cemeteries

Land being used for the purposes of a public cemetery;

4.2.4 Royal Zoological Society of SA

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.

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

4.3.1 Community Services

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 –

- 4.3.1.1 is incorporated on a not for profit basis for the benefit of the public; and
- 4.3.1.2 provides community services without charge or for a charge that is below the cost to the body of providing the services; and
- 4.3.1.3 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 entitled to the mandatory 75% rebate.

The Act further provides that eligibility for a rebate by a community services organisation is subject to it providing one or more of the following community services –

	<h2>R155 RATE REBATE POLICY</h2>	Version No:	1
		Issued:	May, 2014
		Next Review:	May, 2015

- 4.3.1.4 emergency accommodation;
- 4.3.1.5 food or clothing for disadvantaged persons (i.e., persons who are disadvantaged by reason of poverty, illness, frailty, or mental, intellectual or physical disability);
- 4.3.1.6 supported accommodation (i.e., 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);
- 4.3.1.7 essential services, or employment support, for persons with mental health disabilities, or with intellectual or physical disabilities;
- 4.3.1.8 legal services for disadvantaged persons;
- 4.3.1.9 drug or alcohol rehabilitation services; or
- 4.3.1.10 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.

4.3.2 Educational Purposes

- 4.3.2.1 Land occupied by a government school under a lease or licence and being used for educational purposes; or
 - 4.3.2.2 Land occupied by a non-government school registered under Part 5 of the Education Act 1972 and being used for educational purposes; or
 - 4.3.2.3 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.
- 4.4 Where the 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, the Council will grant the rebate of its own initiative. Where the Council is not so satisfied it will require the person or body to apply for the rebate in accordance with Clause 6 of this Policy.
- 4.5 Where a person or body is entitled to a rebate of 75% the Council may, pursuant to Section 159(4) of the Act, increase the rebate up to a further 25%. The Council may grant the further 25% rebate upon application or on its own initiative. In either case the Council **will** take into account those matters set out at Clauses

	R155 RATE REBATE POLICY	Version No:	1
		Issued:	May, 2014
		Next Review:	May, 2015

6.4 of this Policy and **may** take into account any or all of those matters set out at Clause 6.5 of this Policy.

- 4.6 Where an application is made to the Council for a rebate of up to a further 25% the application will be made in accordance with Clause 6 of this Policy and the Council will provide written notice to the applicant of its determination of that application.

5. DISCRETIONARY REBATES

- 5.1 The Council may in its absolute discretion grant a rebate of rates or service charges in any of the following cases pursuant to Section 166 of the Act –

- 5.1.1 where it is desirable for the purpose of securing the proper development of the area (or a part of the area);
- 5.1.2 where it is desirable for the purpose of assisting or supporting a business in its area;
- 5.1.3 where it will be conducive to the preservation of buildings or places of historic significance;
- 5.1.4 where the land is being used for educational purposes;
- 5.1.5 where the land is being used for agricultural, horticultural or floricultural exhibitions;
- 5.1.6 where the land is being used for a hospital or health centre;
- 5.1.7 where the land is being used to provide facilities or services for children or young persons;
- 5.1.8 where the land is being used to provide accommodation for the aged or disabled;
- 5.1.9 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;
- 5.1.10 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;
- 5.1.11 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; and

	<h2>R155 RATE REBATE POLICY</h2>	Version No:	1
		Issued:	May, 2014
		Next Review:	May, 2015

5.1.12 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 change in the basis of valuation used for the purposes of rating, rapid changes in valuations, or anomalies in valuations.

5.2 The Council may grant a rebate of rates up to and including 100% of the relevant rates or service charges. The Council may grant a rebate for a period exceeding one year, but not exceeding 10 years in respect of those cases identified at 4.1.1, 4.1.2 or 4.1.11 above.

5.3 The Council has an absolute discretion –

5.3.1 to grant a rebate of rates or service charges in the above cases; and

5.3.2 to determine the amount of any such rebate.

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

5.5 Council has developed certain qualifying criteria to assist with the application process for Discretionary Rebates in respect of:

COMMUNITY BASED SPORT, RECREATION AND SOCIAL GROUPS WHO OWN AND OCCUPY LAND FOR COMMUNITY 'NOT FOR PROFIT' PURPOSES QUALIFYING CRITERIA:

- provide a real measurable community benefit to the wider community
- applies only to the existing premises now occupied by the respective community service organisations
- not for profit community service organisations
- limited capacity to generate funds by way of means such as public access, bar facilities and/or gaming machines
- proof of limited capacity to raise funds (i.e. Annual Reports)
- provide a service which meets a recognised community service need in Mount Gambier
- provide access and opportunity for community service development to the wider community of Mount Gambier
- the dominant use on the land is for community service activities and not for social activities
- net rates payable shall not be less than the current fixed charge then applicable
- incorporated associations
- exclusion of properties which are club/social/commercial/office by land use

	R155 RATE REBATE POLICY	Version No:	1
		Issued:	May, 2014
		Next Review:	May, 2015

6. NATURAL RESOURCE MANAGEMENT (NRM) LEVY CONCESSIONS

Councils are required under the NRM Act to make a specified contribution to their regional NRM Board. Council recovers this contribution by imposing a separate rate on individual rateable properties in the Council area. No additional concession amount is provided by State Government specifically for the NRM levy.

Council has resolved that it does not propose to provide an automatic concession off the NRM levy for eligible pensioners or self funded retirees. Council will however provide a concession or rebate off the NRM levy for rateable properties who presently receive a mandatory or discretionary rebate of rates. The level of the NRM concession will be equivalent (in percentage terms) to the level of rate rebate Council has granted to those same rateable properties.

7. APPLICATIONS

7.1 The Council will inform the community of the provisions for rate rebate under the Local Government Act by the inclusion of suitable details in the Council's Business Plan (and on the Draft Business Plan) in accordance with Council's adopted Public Consultation Policy.

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

7.2.1 *pursuant to Section 159(4) of the Act;*

7.2.2 *pursuant to Section 166 of the Act;*

7.2.3 *pursuant to Section 165(2) of the Act*

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

7.3 Application forms may be obtained from the Council Office located at The Civic Centre, 10 Watson Terrace, Mount Gambier, telephone 87212555 or download from the Council website www.mountgambier.sa.gov.au.

7.4 The Council will take into account, in accordance with Section 166(1a) of the Act, the following matters –

7.4.1 the nature and extent of Council services provided in respect of the land for which the rebate is sought in comparison to similar services provided elsewhere in the Council's area;

7.4.2 the community need that is being met by activities carried out on the land for which the rebate is sought; and

7.4.3 the extent to which activities carried out on the land for which the rebate is sought provides assistance or relief to disadvantaged persons.

	R155 RATE REBATE POLICY	Version No:	1
		Issued:	May, 2014
		Next Review:	May, 2015

- 7.5 The Council may take into account other matters considered relevant by the Council including, but not limited to, the following –
- 7.5.1 why there is a need for financial assistance through a rebate;
 - 7.5.2 the level of rebate (percentage and dollar amount) being sought and why it is appropriate;
 - 7.5.3 the extent of financial assistance, if any, being provided to the applicant and/or in respect of the land by Commonwealth or State agencies;
 - 7.5.4 whether the applicant has made/intends to make applications to another Council;
 - 7.5.5 whether, and if so to what extent, the applicant is or will be providing a service within the Council area;
 - 7.5.6 whether the applicant is a public sector body, a private not for profit body or a private or profit body;
 - 7.5.7 whether there are any relevant historical considerations that may be relevant for all or any part of the current Council term;
 - 7.5.8 the desirability of granting a rebate for more than one year in those circumstances identified at Clause 4.2 of this policy;
 - 7.5.9 consideration of the full financial consequences of the rebate for the Council;
 - 7.5.10 the time the application is received;
 - 7.5.11 the availability of any community grant to the person or body making the application;
 - 7.5.12 whether the applicant is in receipt of a community grant; and
 - 7.5.13 any other matters, and policies of the Council, which the Council considers relevant.
- 7.6 All persons who or bodies which wish to apply to the Council for a rebate of rates must do so on or before 31st March in each year to be considered for a rebate in the new rating year commencing 1st July of each year. The Council reserves the right to refuse to consider applications received after that date. However, applicants which satisfy the criteria for a mandatory 100% rebate will be granted the rebate at any time.
- 7.7 The Act provides that the Council may grant a rebate of rates or charges on such conditions as the Council thinks fit.

	<h2>R155 RATE REBATE POLICY</h2>	Version No:	1
		Issued:	May, 2014
		Next Review:	May, 2015

- 7.8 The 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, the 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.

- 7.9 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.

- 7.10 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 the Council of that fact and (whether or not the 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.

- 7.11 The Council will, in writing, advise an applicant for a rebate of its determination of that application within sixty business days of receiving the application or of receiving all information requested by the Council. The advice will state –

6.11.1 if the application has been granted, the amount of the rebate; or

6.11.2 if the application has not been granted, the reasons why.

8. DELEGATION

- 8.1 The Council has delegated its power, pursuant to Section 44 of the Act, to grant applications for mandatory rebates which meet the requirements of the Act.

- 8.2 The Council has delegated its power, pursuant to Section 44 of the Act to determine applications and to grant a discretionary rebate of rates to the Chief Executive Officer having regard to the following qualifying criteria;

- *provide a real measurable community benefit to the wider community*
- applies only to the existing premises now occupied by the respective community service organisations
- not for profit community service organisations
- limited capacity to generate funds by way of means such as public access, bar facilities and/or gaming machines
- proof of limited capacity to raise funds (i.e. Annual Reports)
- provide a service which meets a recognised community service need in Mount Gambier

	<h2>R155 RATE REBATE POLICY</h2>	Version No:	1
		Issued:	May, 2014
		Next Review:	May, 2015

- provide access and opportunity for community service development to the wider community of Mount Gambier
- the dominant use of the land is for community service activities and not for social activities
- net rates payable shall not be less than the current fixed charge amount then applicable
- incorporated associations
- exclusion of properties which are club/social/commercial/office by land use.

9. RATE RELIEF OPTIONS

To address any potential inequities in how rates are levied across the Council area the following rate relief options are provided:

9.1 Residential Rate Cap

(i) **For land use Category 1 (residential) use:**

Where a residential owner/occupier/principal place of residence property experiences an increase in general rates payable, for the 2014/2015 financial year as compared to the general rates payable for the 2013/2014 financial year (excluding any rebates/remissions/concessions) and where that increase, in monetary terms, is greater than 15% exclusive of the gross rate revenue percentage increase adopted for the 2014/2015 financial year, then that assessment will be entitled to a rate rebate.

The amount of the rate rebate is the amount of gross rates for the 2014/2015 year over and above the calculation referred to above, i.e. the difference (in monetary terms) between the general rates imposed in the 2013/2014 financial year plus 15% plus the gross rate revenue percentage increase, and the amount of general rates payable for the 2014/2015 financial year.

(All calculations referenced herein are gross rates figures i.e. exclusive of any rebates/remissions/concessions).

The rebate will not apply where:

- (a) any such increase is due in whole or part to an increase in valuation of the land in the Assessment because of improvements made to it worth more than \$20,000, or
- (b) any such increase is in whole or part because the zoning or land use category of the land has changed, or
- (c) any such increase is due in full or part to the use of the land being different for rating purposes on the date the Council declared its general rates for the 2014/2015 financial year than on the date the Council declared its general rates for the 2013/2014 financial year, or

	R155 RATE REBATE POLICY	Version No:	1
		Issued:	May, 2014
		Next Review:	May, 2015

- (d) the ownership of the rateable property has changed since 1st July 2013 i.e. the residential property has changed ownership and the new owners have purchased the residential property at the new current market value; or
- (e) the subject property boundary(s) have been altered in some way e.g. subdivision, boundary alignment etc. i.e. the subject property is not the exact same property, for valuation purposes, as assessed in the previous financial year; or
- (f) other factors considered relevant by the Chief Executive Officer that do not warrant the granting of the discretionary rate rebate.

The rebate will only apply to:

- (a) a ratepayer in respect of their principal place of residence only, excluding second and subsequent properties and all other non principal place of residence properties;
- (b) the 2014/2015 financial year only then subject to an annual review.

9.2 Eligible Pensioner Residential Rate Rebate (Rate Cap)

(i) **For eligible pensioners (approved by SA Water) within the land use Category 1 (residential) use:**

Where a residential owner/occupier/principal place of residence property that is entitled to an eligible pensioner concession experiences an increase in general rates payable, for the 2014/2015 financial year as compared to the general rates payable for the 2013/2014 financial year (excluding any rebates/remissions/concessions) and where that increase, in monetary terms, is greater than 15%, then that assessment will be entitled to a rate rebate.

The amount of the rate rebate is the amount of gross rates for the 2014/2015 year over and above the calculation referred to above, i.e. the difference (in monetary terms) between the general rates imposed in the 2013/2014 financial year plus 15% and the amount of general rates payable for the 2014/2015 financial year.

(All calculations referenced herein are gross rates figures i.e. exclusive of any rebates/remissions/concessions).

The rebate will not apply where:

- (a) any such increase is due in whole or part to an increase in valuation of the land in the Assessment because of improvements made to it worth more than \$20,000, or
- (b) any such increase is in whole or part because the zoning or land use category of the land has changed, or
- (c) any such increase is due in full or part to the use of the land being different for rating purposes on the date the Council declared its general rates for the 2013/2014 financial year than on the date the Council declared its general rates for the 2013/2014 financial year, or

	R155 RATE REBATE POLICY	Version No:	1
		Issued:	May, 2014
		Next Review:	May, 2015

- (d) the ownership of the rateable property has changed since 1st July 2013 i.e. the residential property has changed ownership and the new owners have purchased the residential property at the new current market value; or
- (e) the subject property boundary(s) have been altered in some way e.g. subdivision, boundary alignment etc. i.e. the subject property is not the exact same property, for valuation purposes, as assessed in the previous financial year; or
- (f) other factors considered relevant by the Chief Executive Officer that do not warrant the granting of the discretionary rate rebate.

The rebate will only apply to:

- (a) a ratepayer in respect of their principal place of residence only, excluding second and subsequent properties and all other non principal place of residence properties;
- (b) the 2014/2015 financial year only then subject to an annual review.

The eligible pensioner rebate will form part of and be included in the Council rate calculation and will be based on the following eligibility criteria:

- for Category 1 (residential use)
eligibility determined by House of Assembly Electoral Roll i.e. ratepayer address of assessed property at date of declaration of Council rates
- for Eligible Pensioners (approved by SA Water)
eligibility determined at date of declaration of Council rates

Claims for eligibility subsequent to the date of declaration of Council rates are to be the subject of application to Council.

9.3 For Land Use Category 8 (Vacant Land) Use

Vacant land owned by person/persons intending to be developed in the short term as their principal place of residence may be considered for a rebate/deferral on Council rates on a case by case basis through the existing relief provisions of the Local Government Act, i.e. hardship application with the maximum rate rebate calculated so that the rates payable is equivalent to the average residential land use.

9.4 Postponement of Rates - Seniors

Section 182A of the Local Government Act 1999 provides for applications to be made to Council for a postponement of the payment of the prescribed proportion of rates for the current or a future financial year if:

- (a) the person is a prescribed ratepayer, or is the spouse of a prescribed ratepayer; and
- (b) the rates are payable on land that is the principal place of residence of the prescribed ratepayer; and

	R155 RATE REBATE POLICY	Version No:	1
		Issued:	May, 2014
		Next Review:	May, 2015

- (c) the land is owned by the prescribed ratepayer and his or her spouse and no other person has an interest (as owner) in the land.

The Act defines a 'prescribed ratepayer' as a person who holds a current State Seniors Card issued by the State Government, or who has the qualifications to hold such a card and has applied for the card but has yet to be issued with the card.

All Postponement Applications will be considered and must comply with the provisions of Section 182A of the Local Government Act, 1999 and Regulation 18 of the Local Government (General) Regulations 2013.

All applications for rebates, remissions or postponements must be in writing, addressed to the Chief Executive Officer, City of Mount Gambier, 10 Watson Terrace, Mount Gambier SA 5290."

9.5 Retirement Villages

For the purpose of providing a rebate to Retirement Villages, particularly upon issues arising from circumstances where the ratepayers claim to provide or maintain infrastructure that might otherwise be maintained by the Council, a rebate does not generally apply, but the power will be exercised as appropriate and in accordance with the Local Government Act, 1999.

10. **BOUNDARY RATE ADJUSTMENT PLAN - RATE REBATES**

In addition with the financial plan within the Joint Council Initiated Proposal for Boundary Adjustment the following rate adjustment methodology (including rate rebates) will apply to all former District Council of Grant assessments transferring to the City of Mount Gambier from 1st July, 2010.

PROPOSED RATE ADJUSTMENT METHODOLOGY

- (a) City to rate all transferring assessments, in accordance with its established rating structure for the remainder of the City.
- (b) All ratepayers of transferring assessments be advised that any significant increases in amounts paid (generally 20%) will be the subject of discussion between the ratepayer and Council to determine an individual rate adjustment plan.
- (c) The basis of any rate adjustment plan would include an individual assessment of the difference between rates levied by the City and amounts that would have been levied for both rates and waste collection fees, if still located in the District Council.
- (d) The individual assessment process referred to in (c) above would use the 2010/2011 rating structure details from both Councils to establish 'benchmark' amounts.

	R155 RATE REBATE POLICY	Version No:	1
		Issued:	May, 2014
		Next Review:	May, 2015

- (e) Once the comparative rating data is calculated as referred to in 2.3 and 2.4 above, any transferring assessments experiencing increases greater than 20% (plus the gross rate revenue percentage increase) will qualify for a rate rebate of the amount in excess of the 20% (plus the rate increase).

Example Calculation (using stated assumptions):

Year 1

City Rates	\$1,600
District Council (inc Waste Fees)	\$900
City General Rate Increase	5%
Rate Cap Percentage	20%
Calculation	\$900 + 25% (20% + 5%)
Amount Payable in Y.1	\$1,125
Rate Rebate	\$475 (\$1,600 - \$1,125)

Year 2 (Using same assumptions as for Year 1)

City Rates	\$1,680 (\$1,600 + 5%)
Year 1 Payment	\$1,125
Calculation	\$1,125 + 25%
Amount Payable in Y.2	\$1,406
Rate Rebate	\$274 (\$1,680 - \$1,406)

Year 3 (Using same assumptions as for previous years)

City Rates	\$1,764 (\$1,680 + 5%)
Year 2 Payment	\$1,406
Calculation	\$1,406 + 25%
Amount Payable in Y.3	\$1,757
Rate Rebate	\$7 (\$1,764 - \$1,757)

Year 4 - In this example rates are equalised in Year 4

Exclusions:

- (i) the increase is due to a significant increase in valuations as a result of significant property improvement;
- (ii) the increase is as a result of a change of zoning or land use;
- (iii) ownership of the property has changed
- (iv) the subject property has been altered in some way (boundary alignment etc.) which has resulted in a new property valuation compared to previous

	R155 RATE REBATE POLICY	Version No:	1
		Issued:	May, 2014
		Next Review:	May, 2015

- (f) Once the initial assessment process (referred to in 2.3, 2.4 and 2.5) is completed in Year 1, the rebate principles will continue to be implemented until such time as the individual assessment rates amount fall under the prescribed rate rebate percentage levels or at the conclusion of the five (5) year financial plan, whichever completes first.
- (g) After the initial assessment process (referred to in 2.3, 2.4 and 2.5) is completed in Year 1 and “benchmark” amounts are established, the rate adjustment percentage and resulting rate rebate amounts will automatically be applied to all qualifying transferring assessments and be separately identified on rate assessment invoices issued in subsequent years.

11. REVIEW & EVALUATION

This Policy is scheduled for review by Council annually, however, will be reviewed as required by any legislative changes which may occur.

12. AVAILABILITY OF POLICY

This Policy will be available for inspection at Council’s principal office during ordinary business hours and on the Council’s website www.mountgambier.sa.gov.au. Copies will also be provided to interested members of the community upon request, and upon payment of a fee in accordance with Council’s Schedule of Fees and Charges.



R155 RATE REBATE POLICY

Version No:

1

Issued:

May, 2014

Next Review:

May, 2015

CITY OF MOUNT GAMBIER

RATE REBATE APPLICATION

1. DETAILS OF APPLICANT

Organisation Name

Postal Address

..... Postcode

Telephone Mobile

Please provide details of a contact person for the Applicant

Given Name Surname

Postal Address

..... Postcode

Telephone Mobile

2. DETAILS OF LAND

Certificate of Title Reference

Address

.....

Owner of Land (if not you)

3. CATEGORIES OF REBATE

Please tick the category of rebate under which you are seeking a rebate:

	R155 RATE REBATE POLICY	Version No:	1 ⁸³
		Issued:	May, 2014
		Next Review:	May, 2015

3.1 **Mandatory - 100%**

- Health Services** – Land being predominantly used for service delivery or administration by a hospital or health centre incorporated under the South Australia Health Commission Act 1976 (Section 160 of the Local Government Act 1999);
- Religious Purposes** – Land containing a church or other building used for public worship (and any grounds), or land solely used for religious purposes (Section 162 of the Local Government Act 1999);
- Public Cemeteries** – Land being used for the purposes of a public cemetery (Section 163 of the Local Government Act 1999);
- Royal Zoological Society of SA** – 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 (Section 164 of the Local Government Act 1999).

3.2 **Mandatory - 75%**

- 3.2.1 Community Services** – Land being predominantly used for service delivery or administration by a community services organisation (Section 161 of the Local Government Act 1999).

Does your organisation satisfy the following:

(a) is incorporated on a not for profit basis for the benefit of the public; **and**

YES NO

(b) provides community services without charge or for a charge that is below the cost to the body of providing the services; **and**

YES NO

(c) does not restrict its services to persons who are members of the body.

YES NO

	<h2>R155 RATE REBATE POLICY</h2>	Version No:	1 ⁸⁴
		Issued:	May, 2014
		Next Review:	May, 2015

If you have ticked 'YES' to (a), (b) **and** (c) above, which of the following services does your organisation provide (please tick the appropriate box/es):

- 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 (i.e., 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; and/or
- research into, or community education about, diseases or illnesses, or palliative care to persons who suffer from diseases or illnesses.
- Other – please specify
- 3.2.2 Educational Purposes - (Section 165 of the Local Government Act 1999)

Which of the following criteria apply:

- land occupied by a government school under a lease or licence and being used for educational purposes; **or**
- 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.

	R155 RATE REBATE POLICY	Version No:	1 ⁸⁵
		Issued:	May, 2014
		Next Review:	May, 2015

3.3 **Discretionary** - (Section 166 of the Local Government Act 1999)

The Council may in its discretion grant a rebate of rates or service charges in any of the following cases. Please indicate which of the following is applicable to your application:

- the rebate is desirable for the purpose of securing the proper development of the area (or a part of the area);
- the rebate is desirable for the purpose of assisting or supporting a business in its area;
- the rebate will be conducive to the preservation of buildings or places of historic significance;
- the land is being used for educational purposes;
- the land is being used for agricultural, horticultural or floricultural exhibitions;
- the land is being used for a hospital or health centre;
- the land is being used to provide facilities or services for children or young persons;
- the land is being used to provide accommodation for the aged or disabled;
- 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;
- the land is being used by an organisation which provides a benefit or service to the local community;
- 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;
- the rebate is appropriate to provide relief against what would otherwise amount to a substantial change in rates payable by a rate payer due to a change in the basis of valuation used for the purposes of rating, rapid changes in valuations, or anomalies in valuations.

	R155 RATE REBATE POLICY	Version No:	1 ⁸⁶
		Issued:	May, 2014
		Next Review:	May, 2015

4. AMOUNT OF REBATE

4.1 If you are seeking a mandatory rebate under Clause 3.2.1 or 3.2.2 of this Application, for which you are entitled to a 75% rebate, are you also applying to the Council to increase that rebate?

YES NO

Please specify the amount of rebate that you are applying for: \$ _____

4.2 If you are applying for a discretionary rebate under Clause 3.3 of this Application, please specify the rebate amount you are applying for:

\$ _____

Please specify why you (or your organisation) need financial assistance through a rebate and why the amount of rebate you have applied for is appropriate.

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5. Additional Information Required

The Council requires you to attach the following additional information to this Application:

- 5.1 Where you are seeking a rebate under Clause 3.2.1 of this Application – Community Services:
 - 5.1.1 evidence that the land is being used for service delivery and/or administration;
 - 5.1.2 a copy of the organisation’s Constitution and/or other documentation establishing that it is incorporated on a not-for-profit basis;
 - 5.1.3 a copy of the organisation’s latest Annual Report;

	<h2>R155 RATE REBATE POLICY</h2>	Version No:	1 ⁸⁷
		Issued:	May, 2014
		Next Review:	May, 2015

5.1.4 evidence that the organisation provides services free of charge or below cost;

5.1.5 evidence that the organisation provides services to persons other than members.

5.2 Where you are seeking a rebate under Clause 3.3.2.3 of this Application - Educational Purposes:

5.2.1 Evidence that the university or university college is providing the accommodation and other forms of support for students.

5.3 Where you are seeking a rebate in any other case:

5.3.1 evidence that the land is being used for the purpose for which the rebate is being sought;

5.3.2 information as to whether, and if so to what extent, you (or your organisation) will be providing a service within the Council area;

5.3.3 whether you have made or intend to make an application to another council;

5.3.4 the extent of financial assistance (if any) being provided by Commonwealth or State agencies;

5.3.5 whether you are in receipt of a community grant;

5.3.6 any other information that you believe is relevant in support of this Application.

6. Application Forms

Application forms and all additional information must be submitted to the Council on or before the 31st March annually to be considered for a discretionary Rebate of Rates or a mandatory rebate of 75% in the new rating year commencing 1st July, of each year.

The application date does not apply to applicants which satisfy the criteria for a mandatory 100% rebate.

A failure to submit application forms or to provide the additional information required by the Council to assess the application by the due date may result in the Council refusing to consider the application.

	R155 RATE REBATE POLICY	Version No: 1 ⁸⁸
		Issued: May, 2014
		Next Review: May, 2015

IMPORTANT INFORMATION

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 \$5,000.00, (Section 159 (2) of the Local Government Act 1999).

The Council may grant a rebate of rates or charges on such conditions as the Council thinks fit.

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 the Council of that fact and (whether or not the Council is so informed) the entitlement to a rebate ceases. If a person or body fails to notify the Council that person or body is guilty of an offence and liable to a maximum penalty of \$5,000.00, (Section 159 (7) and (8) of the Local Government Act 1999).

The 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, the 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.

I declare that the information I have provide on and attached to this application form is true.

DATED this day of 20

Print Name

Signature

Position Title

	R155 RATE REBATE POLICY	Version No:	1 ⁸⁹
		Issued:	May, 2014
		Next Review:	May, 2015

File Reference:	AF11/1742, AF11/823, AF11/824
Applicable Legislation:	Local Government Act, 1999 Chapter 10, Division 5 (Sections 159 to 166)
Reference: Strategic Plan – Beyond 2015	Goal 5, Strategic Objective 5
Related Policies:	I105 Internal Controls R105 Rating Policy/Statement R130 Rates - General Matters
Related Procedures:	Nil
Related Documents:	Nil

DOCUMENT DETAILS

Responsibility:	Director - Corporate Services Team Leader Rates
Version:	1.0
Last revised date:	June 2014
Effective date:	17 th June 2014
Minute reference:	17 th June 2014
Next review date:	June 2015
<u>Document History</u> First Adopted By Council: Reviewed/Amended:	May 2002 Annually

SUBJECT: LAND TRANSFER – 25 ALEXANDER STREET

REF: AF11/1471

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance.

Member's attention is brought to the June 2014 expiry of a lease and loan repayment arrangement with South East Community Access Radio (5GTR FM) for a Council owned property at 25 Alexander Street.

Background

- Council purchased No. 25 Alexander Street in 1994 for \$75,000 for occupation by 5GTR FM
- 5GTR FM have repaid to Council the principal sum of \$75,000 and interest over 20 (5+15) years with the last repayment due in June 2014.
- Council financed the purchase by external loan debenture of \$75,000 over 15 years at a fixed interest rate of 9.8% (last repayment June 2009)
- Council leased No. 25 Alexander Street to 5GTR FM for an initial term of 15 years from 1994-2009 and a subsequent 5 year term from 1 September 2009 to 31 August 2014.

At its meeting held on 19 June 2001 Council resolved:

- “(d) Chief Executive Officer be empowered to have prepared legal documents (i.e. agreements and caveats) the effect of which is to legally bind Council to transfer the freehold of 25 Alexander Street to South East Community Access Radio Inc (without consideration) on or about 15th June 2014 on the basis that SECAR have (or will) fully serviced the \$75,000 loan, and as such the property has not cost Council anything;*
- (e) Mayor and Chief Executive Officer be empowered to sign and affix the common seal to all relevant documents that provide the necessary guarantees that at 15th June 2014 (or thereabouts) Council will transfer the freehold of 25 Alexander Street from Council to South East Community Access Radio Inc for no consideration.”*

The matter of the 5GTR FM lease and loan were reported to Council in 2009 (when a loan extension was sought and granted) and again in 2011. The 2011 Report and Council Resolutions are attached (refer Attachments 1 & 2).

The matter of the transfer of the freehold of 25 Alexander Street was raised and endorsed by Council on each of these occasions but did not address community land implications and remain unable to be actioned.

Community Land Implications

25 Alexander Street was purchased by Council in 1994 prior to the commencement of the community land provisions contained in the Local Government Act 1999.

The community land provisions capture all local government land (land owned or under the care control and management of Council) with the exception of land that has been validly excluded from or revoked of its classification as community land.

Provisions that enabled eligible land already in Council ownership (such as 25 Alexander Street) to be excluded from community land classification expired on 31 December 2002.

Had the June 2001 Council resolution been acted upon at the time then 25 Alexander Street could have been excluded from classification as community land and transferred to SECAR.

Corporate and Community Services Report No. 42/2014 cont'd...

In the circumstances, 25 Alexander Street is classified as community land and Council adopted a community land management plan for the land (Asset 109) on 15th April 2003, which provides the following description, purpose and objectives for 25 Alexander Street:

General Description:

Allotment containing building used as a radio station.

Purpose of Land:

To provide for a community radio broadcasting facility.

Objectives of Land:

To provide a community reserve within an area of development (currently used as a radio station).

Disposal (including transfer) of community land may only occur after revocation of its classification as community land. The process for revoking the community land classification is set out in Section 194 of the 1999 Act, and includes the following steps:

“

- *the council must prepare and make publicly available a report on the proposal*
- *the council must follow the relevant steps set out in its public consultation policy.*
- *the council—*
 - *must submit the proposal with a report on all submissions made on it as part of the public consultation process to the Minister; and*
 - *if the Minister approves the proposal—may make a resolution revoking the classification of the land as community land.”*

Revocation of Classification as Community Land – 25 Alexander Street

In order to give effect to the intended action of transferring 25 Alexander Street to SECAR as set out in the 2001, 2009 and 2011 Council Reports, the attached report (refer Attachment 3) has been prepared for the purpose of commencing public consultation on the proposal.

It is proposed that public consultation on the proposal to revoke the classification as community land and transfer of 25 Alexander Street to SECAR comprise of, as a minimum:

- Public Notice published in The Border Watch
- Notice published on Council’s Website with copy of report on proposal
- Report on proposal available for inspection at the Civic Centre

Including invitation to provide submissions on the proposal for a period of 21 days.

In the event that submissions objecting to the proposal are received, then a further report would be submitted to Council for consideration of the submissions received, and whether to proceed with submitting a proposal to the Minister seeking approval for the revocation.

Should no submissions be received, or no submissions objecting to the proposal, then the Chief Executive Officer will proceed immediately to prepare and submit a proposal to the Minister seeking approval for the revocation.

Lease of 25 Alexander Street

The current lease of 25 Alexander Street to SECAR will expire on 31 August 2014. In the circumstances it is proposed that the holdover provisions of the lease be invoked to continue on a monthly tenancy basis until such time as the community land revocation process and proposed transfer have been determined.

Corporate and Community Services Report No. 42/2014 cont'd...

The rental to apply to the monthly tenancy from 1 September 2014 will remain based upon the 'declared figure' as specified in Council Policy - R200 Community Land (Reserves) Lease / Licence / Rental Arrangements.

RECOMMENDATION

- (a) Corporate and Community Services Report No. 42/2014 be received;
- (b) The attached report (attachment 3) be adopted for the purpose of conducting public consultation on the community land revocation proposal for 25 Alexander Street.
- (c) A further report be presented for Council to consider any submissions received on the revocation of community land classification and transfer proposal for 25 Alexander Street, and whether to submit a report seeking the Minister's approval for the revocation.
- (d) In the event that no submissions are received (or no submissions are received objecting to the proposal), the Chief Executive Officer be authorised to submit a report seeking the Minister's approval for the revocation, and a further report be presented for Council to consider the Minister's response.



MICHAEL McCARTHY
GOVERNANCE OFFICER

Sighted:



Mark McSHANE
CHIEF EXECUTIVE OFFICER

24th April 2014
MMcC/FM

ATTACHMENT 1 – AR11/16194 – 2011 CCS Report No. 57/2011 (8th November 2011)
ATTACHMENT 2 – AR11/18331 – 15th November 2011 Council Resolution
ATTACHMENT 3 – Section 194 Report - 25 Alexander Street, Mount Gambier CT 5180/718

CORPORATE AND COMMUNITY SERVICES REPORT NO. 57/2011

SUBJECT: SOUTH EAST COMMUNITY ACCESS RADIO - 25 ALEXANDER STREET

REF: AF11/1471

Goal: Building Communities
Strategy: Support the community's development through nurturing collaborative relationships and partnerships and through direct access to Council for recognition, funding facilitation and in kind support.

BACKGROUND (from 2009 CCS Report)

During the year 1994 Council purchased the freehold property situated at 25 Alexander Street (previously a house) for \$75,000.

Council purchased the property to enable the community not for profit organisation South East Community Access Radio Inc (5GTR FM) to occupy same as new studio's and offices for the community radio station.

To finance the purchase, Council raised a fixed term loan from the LGFA (\$75,000 @ 15 years @ 9.8%) through its normal borrowings.

Agreement was reached with SECAR to lease 25 Alexander Street from Council for 15 years commencing 1st September 1994 to 31st August 2009.

The term of 15 years coincides with the loan term.

It was agreed at the time that the "rental" be 10c per annum if demanded on the basis that SECAR would also fully reimburse to Council the debt servicing costs of the \$75,000 loan i.e. principal and interest.

A separate lease was prepared (expires 31st August 2009).

A separate loan repayment schedule was also prepared.

(This term of 15 years was later extended by Council (in 2009) to 2014 providing for a 20 years loan term and the lease extended to coincide to the same date).

The purpose of the Report is to inform the year 2009 Council that in my view Council ought to transfer the freehold of 25 Alexander Street to SECAR for no consideration at an appropriate time in the future.

The reasoning is that technically the property has not cost Council anything i.e. the purchase price of \$75,000 plus interest has been fully reimbursed to Council by SECAR by half yearly repayments.

It is to be noted that the Council of 1994 did not resolve that it would transfer the freehold in the future however this course of action appears to be the most fair way.

SECAR is of the opinion also that Council should transfer the freehold to the organisation in the year 2009 (as you will read this Report this year is now 2014).

The transfer of the freehold in the 2009 (or 2014) assumes:

1. SECAR has met all the loan repayments since 1994.

Corporate and Community Services Report No. 57/2011 cont'd...

2. SECAR is still in existence by the year 2009 (or 2014).

In the year 2009 (or 2014) the matter ought to be raised with Council for Council to resolve to transfer the freehold to SECAR for no consideration.

CURRENT SITUATION

With that background, Council in 2009 agreed to a further lease term of five (5) years for the lease of 25 Alexander Street to South East Community Access Radio.

This provides for both the lease term and loan term to expire on same date i.e. 31st August, 2014.

CONCLUSION

Given that there has been no Council resolution to give effect to the transfer of the property, it will be recommended that this now occur.

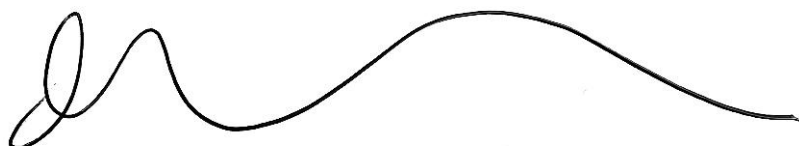
RECOMMENDATION

- (a) Corporate and Community Services Report No. 57/2011 be received;
- (b) Council authorise the transfer of the freehold title to South East Community Access Radio (SECAR) on 31st August, 2014 for nil consideration on the condition that:
 - (i) SECAR has extinguished all outstanding loan principal repayments, to Council;
 - (ii) SECAR (or it's successors) are still in existence in 2014.
- (c) the Mayor and CEO be authorised to execute any documentation in relation to the property transfer.



Grant HUMPHRIES
DIRECTOR - CORPORATE AND COMMUNITY SERVICES

Sighted:



Greg MULLER
CHIEF EXECUTIVE OFFICER

26th October, 2011
MJT

(Refer Item of Corporate and Community Services Minutes)

COUNCIL MEETING 15TH NOVEMBER, 2011**CORPORATE AND COMMUNITY SERVICES COMMITTEE MINUTES – 8th November, 2011****▶ 13. CORPORATE AND COMMUNITY SERVICES REPORT NO. 57/2011 - South East Community Access Radio - 25 Alexander Street - Ref. AF11/1471**

Goal: Building Communities
Strategic Objective: Support the community's development through nurturing collaborative relationships and partnerships and through direct access to Council for recognition, funding facilitation and in kind support.

Cr Richardson moved it be recommended:

- (a) Corporate and Community Services Report No. 57/2011 be received;
- (b) Council authorise the transfer of the freehold title to South East Community Access Radio Inc. (SECAR) on 31st August, 2014 for nil consideration on the condition that:
 - (i) SECAR has extinguished all outstanding loan principal repayments, to Council;
 - (ii) SECAR (or it's successors) are still in existence in 2014.
- (c) the Mayor and CEO be authorised to execute any documentation in relation to the property transfer and meet all costs of the transfer;
- (d) SECAR be commended on their long term achievements and their commitment to the property and the community generally in repaying the loan principal to Council.

Cr Lee seconded

Carried

Cr Maher moved the recommendation of the Corporate and Community Services Committee as contained in item 13 be adopted.

Cr Richardson seconded

Carried

PROPOSAL FOR REVOCATION OF CLASSIFICATION AS COMMUNITY LAND
25 Alexander Street, Mount Gambier CT 5180/718
Section 194 Local Government Act 1999

REPORT

1. Reasons for the Proposal.

Council has been approached by South East Community Access Radio Incorporated (5GTR FM) requesting the transfer of the freehold title of property occupied at 25 Alexander Street, Mount Gambier.

The freehold title of the subject property and building was purchased by Council in 1994 for the purpose of accommodating the South East Community Access Radio (5GTR FM). South East Community Access Radio has serviced the loan obtained by Council to purchase the property, with the final payment due in June 2014.

During the term of the loan Council has formally recorded its intention to transfer the freehold title of the property to South East Community Access Radio Inc. on repayment of the loan.

The property is classified as community land in accordance with the provisions of the Local Government Act 1999. Despite the property having been eligible for exclusion from this classification, the necessary process for exclusion was not undertaken.

It is necessary to revoke the classification as community land before the land is able to be transferred to South East Community Access Radio Inc.

2. Statement of any Dedication, Reservation or Trust

The subject property being Allotment 102 in Deposited Plan No 240 is contained in Certificate of Title Volume 5180 Folio 718 and is registered in the name of the City of Mount Gambier.

No Government assistance was provided to acquire the land.

The land was purchased as freehold title in 1994 with a loan serviced by South East Community Access Radio Inc. and has not been subject to any reservation, dedication or trust.

3. Purpose of Proposal.

To enable the transfer of the whole of the subject property at 25 Elizabeth Street, Mount Gambier to the South East Community Access Radio Inc.

4. Affect of the Proposal.

25 Elizabeth Street was purchased as freehold title for the sole purpose of accommodating South East Community Access Radio Inc (5GTR FM). The purchase was funded by a 15 year (extended to 20 years) loan that the occupier (South East Community Access Radio Inc) has serviced loan over the 20 year term. The occupier has also been responsible for all maintenance and expenditure on the site over that period.

A Community Land Management Plan was adopted for the property (Asset 109) in April 2003 with the following description, purpose and objectives:

General Description:

Allotment containing building used as a radio station.

Purpose of Land:

To provide for a community radio broadcasting facility.

Objectives of Land:

To provide a community reserve within an area of development (currently used as a radio station).

The ownership/holding of the property at 25 Elizabeth Street has been at nil cost to the community, and has been subject of a lease to South East Community Access Radio Inc for the full duration of Council ownership.

The land does not provide open space or any other community benefit (with the exception of accommodating the radio station) and it is not anticipated that the revocation and transfer will have any impact on the community.

4. Owner of the Land.

The subject land is owned by the City of Mount Gambier.

Location - 25 Alexander Street (Lot 102)



Photo - 25 Alexander Street (Lot 102)



SUBJECT: POLICY REVIEW – MEMBERS - SERVICE RECOGNITION

REF: AF11/1950

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance.

In January 2014 Council considered Corporate and Community Services Report No. 13/2014 in relation to the review of Corporate and Community Services Policies and resolved:

- (e) *Amalgamation and/or review of remaining Corporate and Community Services Policies continue to be undertaken on a prioritised and periodical basis under the direction of the Corporate and Community Services Committee.*

In accordance with that resolution Council Policies M160 Members Certificate of Service and M230 Members Recognition of Service have been merged and reviewed and the resulting policy is presented for consideration and adoption as attached to this report.

RECOMMENDATION

- (a) Corporate and Community Services Report No. 43/2014 be received;
- (b) Council hereby adopts new Council Policy 'Members – Service Recognition', as attached to this Report;
- (c) Council hereby deletes former Council Policies (now merged):
M160 Members Certificate of Service
M230 Members Recognition of Service
- (d) Council makes the necessary amendments to Council's Policy Manual Index.



Michael McCARTHY
GOVERNANCE OFFICER

Sighted:



Mark McSHANE
CHIEF EXECUTIVE OFFICER

	COUNCIL POLICY MEMBERS – SERVICE RECOGNITION	Version No:	1 ⁹⁹
		Issued:	June, 2014
		Next Review:	June, 2015

1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier (“Council”) for the recognition of service of Elected Members.

2. MEMBERS - Recognition of Service

The Mayor of the day, in association with the Local Government Association of South Australia, present to each Elected Member who complete a term on Council;

- a “Certificate of Service” after ten (10) years of service with Council, irrespective of whether that service is continuous or with a break or breaks, provided the culmination equals at least ten (10) years;
- a "Service Badge" after fifteen (15) years of service with Council, irrespective of whether that service is continuous or with a break or breaks, provided the culmination equals at least fifteen (15) years;
- the "Certificate of Meritorious Service" after twenty (20) years of service with Council, irrespective of whether that service is continuous or with a break or breaks, provided the culmination equals at least twenty (20) years;
(Note: Certificate of Meritorious Service presented at the LGA - Annual General Meeting)

As the "Certificates of Service" or "Service Badge" can only be issued once to an Elected Member, then as a matter of policy, the issue and presentation of the "Certificates of Service" or "Service Badge" be made at the completion of an Elected Members' respective years of service.

Council also provide:

- a special memento in the form of a suitably inscribed gold watch after twenty five (25) years of service with Council irrespective of whether that service is continuous or with a break or breaks provided the culmination equals at least twenty five (25) years.

As the memento can only be issued once to an Elected Member, then as a matter of policy, the issue and presentation of the memento be made at the completion of an Elected Member's twenty five years of service.

3. REVIEW & EVALUATION

This Policy is scheduled for review by Council in June 2015; however, will be reviewed as required by any legislative changes which may occur.

4. AVAILABILITY OF POLICY

This Policy will be available for inspection at Council’s principal office during ordinary business hours and on the Council’s website www.mountgambier.sa.gov.au. Copies will also be provided to interested members of the community upon request, and upon payment of a fee in accordance with Council’s Schedule of Fees and Charges.

	COUNCIL POLICY MEMBERS – SERVICE RECOGNITION	Version No:	100 1
		Issued:	June, 2014
		Next Review:	June, 2015

File Reference:	AF11/1740
Applicable Legislation:	
Reference: Strategic Plan – Beyond 2015	Goal #, Strategic Objective #
Related Policies:	M160 Members Certificate of Service (Superseded) M230 Members Recognition of Service (Superseded)
Related Procedures:	
Related Documents:	

DOCUMENT DETAILS

Responsibility:	Governance Officer
Version:	1.0
Last revised date:	June, 2014
Effective date:	## th June, 2014
Minute reference:	## th June, 2014 Corporate & Community Services, Item #
Next review date:	June, 2015
<u>Document History</u> First Adopted By Council: Reviewed/Amended:	18 th February 1999 (Superseded Policies M160, M230)

SUBJECT: OPAL PROGRAM FUNDING UPDATE**REF: AF11/973**

*Goal: Building Communities**Strategic Objective: Develop an improved means of communication and engagement between Council and the community (including vulnerable communities) in the building of community capacity**Goal: Diversity**Strategic Objective: Understand our community profile**Consider the needs of all community groups in developing projects, services and infrastructure (public or privately owned)**Goal: Community Well-being**Strategic Objective: Ensure through research and engagement that the current and future health (services and infrastructure) needs are identified**Goal: Learning**Strategic Objective: Council support opportunities for the community to strengthen relationships with families, friends and extended networks to as to promote and extend the learning of life skills*

INTRODUCTION

Julie Patterson, *Director Public Health Partnerships Branch, Public Health and Clinical Systems SA Health* advised on 15th May 2014 that the Commonwealth Federal budget papers included an announcement that the payments to States and Territories for the National Partnership Agreement on Preventive Health will be terminated and expected to take effect from 30 June, 2014.

This announcement from a State Government perspective directly impacts two Preventative Health programs; Obesity Prevention and Lifestyle (OPAL) and Healthy Workers – Healthy Futures.

CURRENT STATUS

There still remains a high degree of uncertainty with what this announcement actually means. There have been a number of teleconferences to discuss the implications of this announcement with very little clarity achieved. A summary of the situation as it currently is:

- The Federal Government, one of the three funding partners in the contractual arrangement to deliver the OPAL program, has withdrawn financial contribution without any consultation or formal announcement.
- The State is yet to receive any formal notification from the Federal Government concerning the termination of the NPAPH Agreement.
- Advice that funding for delivery of the OPAL program throughout South Australia will not proceed past the 30th June 2014 can not be confirmed outright.
- SA Health are trying to provide clarity concerning staff positions, entitlements, contract conditions and strategies for transition for individual staff.
- Should the OPAL program be forced to wind down SA Health are not yet in a position to indicate how long this process will need/have to do so.

Corporate and Community Services Report No. 44/2014 cont'd...

- There is uncertainty concerning what implications this announcement has on contractual obligations between the State Government and participating Local Councils in terms of the Master Agreement and the OPAL Service Agreement.
- SA Health are seeking legal advice on contractual obligations at risk of being breached and this advice will be provided to the Minister in a brief.
- The LGA is seeking clarification of what the Federal Budget means for the OPAL program. Their understanding is that Federal funding for all programs funded under the National Partnership Agreement on Public Health (including OPAL) will cease, and their primary aim is to lobby for completion of contracted OPAL programs, ensuring continuation of this valuable community program.
- The LGA recognises the considerable social capital generated through OPAL partnerships between SA Health, Council, local schools and the community. The OPAL Program has played an important role in promoting healthy lifestyles and obesity prevention, in schools and childcare settings across our Council community - and they believe it still has a role to play in improving health outcomes for the next generation of adults in this state.

WHAT DOES THIS MEAN FOR MOUNT GAMBIER?

Council has been fortunate to have an active OPAL program delivered over the past 5 years that has gradually generated a positive momentum, encouraged deeper awareness of the benefits of preventative health programs and seen the introduction of a number of initiatives that include:

- The Blue Lake Fun Run
- The Fender Blender project
- Hosting Dr Rod Tolley
- Contribution to the Free City Bike Hire
- OPAL Small Grant program – Plant to plate
- Eat a Rainbow program
- Installation of a number of Water Bottle Refilling Stations and Fountains
- Bright Spark Education – Think Feet First and Peel, Pour, Pop
- SA Carers – Young Carers Cooking Class
- Plant Your Own Fresh Snack
- Cycle Safe Essential Training
- Hayes Crescent Reserve community project
- Mount Gambier North Community Move It program
- Contribution to the Active Community Team Challenge
- Designing a Natural Playground – Practical Workshop

The implications of the finalisation of the OPAL program for our community remains unchanged, we knew that the Program in its current form was only for a period of five (5) years and active steps have been taken to ensure continuance with a number of projects. However, the withdrawal of two (2) dedicated OPAL staff and extensive marketing resources (fully funded by SA Health approx \$300K p.a.) working in preventative health will be a notable absence from our community and whilst an allocation has been made in the 2014/15 budget to continue with Community Health/Development initiatives, Council do not have the financial or human resource to continue delivering this program in its current form.

The termination of the OPAL program funding in total (all sites) puts at risk the depth, calibre and interpretation of the quantitative and anecdotal evidence gathered as part of the final evaluation process. It also puts at risk the ongoing collation of all implemented OPAL projects captured in the Single Platform portal, a web based reporting and research tool.

Corporate and Community Services Report No. 44/2014 cont'd...

The OPAL model, remaining funds, conclusive evaluation and the collection of projects in the Single platform portal can be used to guide Principles in the SA Public Health Act such as;

- Principle of Prevention – always work first to prevent public health risks
- Partnership principle – collaboration is key to effective public health action and needs to be strengthened.

SUMMARY

Council have not been casual observers in the matter of looking to the future post OPAL; reflected heavily throughout our Strategic Plan are a significant number of goals and objectives that strongly support the whole concept of healthy communities.

Initiatives such as park & stride, outdoor learning and natural play spaces, commitment to the maintenance of sport/recreation and open spaces, the rail land redevelopment, CBD redevelopment, extensive programs delivered at the Library, food handling courses, community fruit trees program, support for the arts, Main Corner and community events; this is a small snapshot of the outcomes generated that support goals such as Building Communities, Diversity, Environment, Community Well-Being and Learning.

The need for Council to develop a health plan will see an analysis of city health issues and identify strategies on how these issues may be addressed either by us or in partnership with others. The work done and recorded by OPAL will be valuable to this process.

In the absence of any clarity, it is difficult to advise Council any further on the future of the OPAL program. Until advised otherwise, OPAL staff will remain at our site and continue business as normal (as can be expected).

The LGA have taken the lead in seeking input from all participating Councils to provide some guidance to the Minister on possible alternate models.

Evaluations have not been completed and are therefore inconclusive and the PHD studies of Carol Anne Hartwick are due for release shortly.

RECOMMENDATION

- (a) Corporate and Community Services Report No. 44/2014 be received;
- (b) Council support LGA negotiations with the Minister for Health and Ageing to explore sustainable model options to transfer the OPAL program.



Barbara CERNOVSKIS
MANAGER - COMMUNITY SERVICES AND DEVELOPMENT

Sighted:



Mark McSHANE
CHIEF EXECUTIVE OFFICER

FREEDOM OF SPEECH (REPEAL OF S. 18C) BILL 2014

The *Racial Discrimination Act 1975* is amended as follows:

1. Section 18C is repealed.
2. Sections 18B, 18D and 18E are also repealed.
3. The following section is inserted:

“(1) It is unlawful for a person to do an act, otherwise than in private, if:

(a) the act is reasonably likely:

- (i) to vilify another person or a group of persons; or
- (ii) to intimidate another person or a group of persons.

and

(b) the act is done because of the race, colour or national or ethnic origin of that person or that group of persons.

(2) For the purposes of this section:

(a) vilify means to incite hatred against a person or a group of persons;

(b) intimidate means to cause fear of physical harm:

- (i) to a person; or
- (ii) to the property of a person; or
- (iii) to the members of a group of persons.

(3) Whether an act is reasonably likely to have the effect specified in sub-section (1)(a) is to be determined by the standards of an ordinary reasonable member of the Australian community, not by the standards of any particular group within the Australian community.

(4) This section does not apply to words, sounds, images or writing spoken, broadcast, published or otherwise communicated in the course of participating in the public discussion of any political, social, cultural, religious, artistic, academic or scientific matter.”

Section 18B**Part IIA—Prohibition of offensive behaviour based on racial hatred****18B Reason for doing an act**

If:

- (a) an act is done for 2 or more reasons; and
- (b) one of the reasons is the race, colour or national or ethnic origin of a person (whether or not it is the dominant reason or a substantial reason for doing the act);

then, for the purposes of this Part, the act is taken to be done because of the person's race, colour or national or ethnic origin.

18C Offensive behaviour because of race, colour or national or ethnic origin

- (1) It is unlawful for a person to do an act, otherwise than in private, if:
 - (a) the act is reasonably likely, in all the circumstances, to offend, insult, humiliate or intimidate another person or a group of people; and
 - (b) the act is done because of the race, colour or national or ethnic origin of the other person or of some or all of the people in the group.

Note: Subsection (1) makes certain acts unlawful. Section 46P of the *Australian Human Rights Commission Act 1986* allows people to make complaints to the Australian Human Rights Commission about unlawful acts. However, an unlawful act is not necessarily a criminal offence. Section 26 says that this Act does not make it an offence to do an act that is unlawful because of this Part, unless Part IV expressly says that the act is an offence.

- (2) For the purposes of subsection (1), an act is taken not to be done in private if it:
 - (a) causes words, sounds, images or writing to be communicated to the public; or
 - (b) is done in a public place; or
 - (c) is done in the sight or hearing of people who are in a public place.

- (3) In this section:

Section 18D

public place includes any place to which the public have access as of right or by invitation, whether express or implied and whether or not a charge is made for admission to the place.

18D Exemptions

Section 18C does not render unlawful anything said or done reasonably and in good faith:

- (a) in the performance, exhibition or distribution of an artistic work; or
- (b) in the course of any statement, publication, discussion or debate made or held for any genuine academic, artistic or scientific purpose or any other genuine purpose in the public interest; or
- (c) in making or publishing:
 - (i) a fair and accurate report of any event or matter of public interest; or
 - (ii) a fair comment on any event or matter of public interest if the comment is an expression of a genuine belief held by the person making the comment.

18E Vicarious liability

- (1) Subject to subsection (2), if:
 - (a) an employee or agent of a person does an act in connection with his or her duties as an employee or agent; and
 - (b) the act would be unlawful under this Part if it were done by the person;

this Act applies in relation to the person as if the person had also done the act.

- (2) Subsection (1) does not apply to an act done by an employee or agent of a person if it is established that the person took all reasonable steps to prevent the employee or agent from doing the act.

18F State and Territory laws not affected

This Part is not intended to exclude or limit the concurrent operation of any law of a State or Territory.