

Reference: AF11/862

**MAYOR
COUNCILLORS
CITY OF MOUNT GAMBIER**

Members

1. NOTICE is hereby given that a meeting of the Council of the City of Mount Gambier will be held at the Council Chamber, Civic Centre, 10 Watson Terrace, Mount Gambier on **TUESDAY, 15th DECEMBER, 2015 AT 6.00 P.M.**
2. Notice is hereby given that the Standing Committees (Committee Room and Level 1 Conference Room) and Development Assessment Panel (Level 1 Conference Room) will meet at the Civic Centre, 10 Watson Terrace, Mount Gambier on the days and dates as follows:

Corporate and Community Services Committee	No Meeting
Operational Services Committee	No Meeting
Development Assessment Panel	21st January, 2015



Mark McSHANE
CHIEF EXECUTIVE OFFICER

3rd December, 2015
FM

CITY OF MOUNT GAMBIER

Meeting to be held at the Council Chamber, Civic Centre, 10 Watson Terrace, Mount Gambier
on Tuesday, 15th December, 2015 at 6.00 p.m.

AGENDA

COUNCIL

PRESENT:

Mayor Andrew Lee

Cr Christian Greco
Cr Mark Lovett
Cr Josh Lynagh
Cr Sonya Meziniec
Cr Frank Morello
Cr Des Mutton
Cr Stephen Perryman
Cr Hanna Persello
Cr Penny Richardson
Cr Ian Von Stanke

APOLOGIES:

accepted. moved the apology received from be

seconded

COUNCIL OFFICERS:

Chief Executive Officer	- Mr M McShane
Director – Corporate Services	- Mr G Humphries
Acting Director – Operational Services	- Mr D Morgan
Manager Community Services and Development	- Ms B Cernovskis
Manager Governance and Property	- Mr M McCarthy
Manager Business and Strategic Planning	- Mrs T Tzioutziouklaris
Administrative Officer Executive Support	- Mrs F McGregor

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.

CONFIRMATION
OF MINUTES:

held on 17th November, 2015 moved the minutes of the previous meeting
be taken as read and confirmed.

seconded

MAYORAL REPORT - Ref. AF11/881

- Welcome to Louise Adams at X-Factor Concert
- White Ribbon Cocktail Event
- Media Briefing re Riddoch Art Gallery
- Launch of 2015 Kmart Wishing Tree Appeal
- Lifelong Learning Sub-Committee Meeting
- Meeting with Vice Chancellor of UniSA

- Cocktail Party 150th Anniversary Christ Church Anglican Church
- Christmas Parade
- Formal Dinner 150th Anniversary Christ Church Anglican Church
- Official Opening of Mount Gambier Hospital Redevelopment
- Country Cabinet Community Forum and Barbecue
- Country Cabinet Dinner with Premier and Ministers
- LCLGA Presentation to Country Cabinet in Naracoorte
- Country Cabinet Community Meetings in Kingston, Robe, Millicent and Glencoe
- Tenison Woods College Year 12 Graduation
- Community Youth Forum
- Grant High School Presentation Evening
- Community Information Session – Woodlands
- Award Selection Australia Day Citizen of the Year
- Tenison Woods College Year 12 Graduation Dinner
- Community Engagement Session in the Library
- Christmas Parade Presentation Night
- Citizenship Ceremony
- Teleconference re PCA
- 2015 Automotive Industry Apprentice Awards Presentations
- 10 Year Anniversary – Tertiary Education Grants
- Members Workshop Strategic Plan
- Christmas Morning Tea for Isolated Elderly Residents
- Joint Council Christmas Dinner
- Welcome at Lake Y Swim Club Annual Swimming Carnival
- CCS Committee Meeting
- OPS Committee Meeting
- Mount Gambier High School Pre-performance Function and Awards Night
- Meeting with representatives from Cricket Australia
- Member’s Informal Workshop
- End of Year Celebration for SA Collaboration with China and Launch of 2016 Plan for 30th Anniversary of SA-Shandong Sister-State relationship

REPORTS FROM COUNCIL REPRESENTATIVES ON OUTSIDE ORGANISATIONS / ACTIVITIES - Ref. AF11/882

<u>Member</u>	<u>Organisation</u>
.....
.....

..... moved the reports made by Council representatives on outside organisations / activities be received.

..... seconded

QUESTIONS:

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

PETITIONS: Nil

NOTICE OF MOTION TO RESCIND: Nil

ELECTED MEMBERS WORKSHOPS - Ref. AF15/83

2 Elected Members Informal Workshops were conducted between 18th of November, 2015 and 14th December, 2015.

Topics for discussion were:

<i>Date</i>	<i>Topic for Discussion</i>
03/12/2015	Strategic Planning
08/12/2015	City Centre Streetscape Developments, Rental Policy and Naming of Former Hospital Site

Records of Proceedings from the Workshop are attached.

moved that the Record of Proceedings for the Strategic Planning, City Centre Streetscape Developments, Rental Policy and Naming of Former Hospital Site be received and the contents noted.

seconded

COUNCIL ACTION ITEMS - Corporate and Community Services Committee 9th November, 2015 and Operational Services Committee 10th November, 2015 - Ref. AF11/1718, AF11/866

moved that the Council Action Items for the Corporate and Community Services Committee held on 9th November, 2015 and the Operational Services Committee held on 10th November, 2015 be received and the contents noted.

seconded

CORPORATE AND COMMUNITY SERVICES

1. FINANCIAL STATEMENT – as at 30th November, 2015

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance

moved it be recommended the financial statement as at 30th November, 2015 be received.

seconded

2. GOVERNANCE – Committees – Lifelong Learning Sub-Committee – Minutes of Meeting held 20th November, 2015 – Ref. AF15/77

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance

moved it be recommended:

(a) the minutes of the Lifelong Learning Sub-Committee Meeting held on 20th November, 2015 be received;

(b) the following recommendations (numbered 1 to 3) of the Lifelong Learning Sub-Committee be adopted by Council:

1. KEY FOCUS AREA – Wellbeing and Resilience - Ref. AF15/422

(a) The endorsed recommendations for the Lifelong Learning Sub-Committee from Council be received.

2. KEY FOCUS AREA – Wellbeing and Resilience - AF15/422

(a) The Manager Community Services & Development and Library Manager report be received;

(b) A draft Wellbeing and Resilience Workplan to be presented at the next meeting.

3. SOCIAL, CULTURAL AND COMMUNITY SERVICES - Project Management - Lifelong Learning Community - City of Mount Gambier Charter for Children - AF15/5

(a) Council be commended on the adoption and implementation of the principles of the Mount Gambier Children's Charter in the development of the Nature Play area of the Railway Lands.

seconded

3. GOVERNANCE – Committees – Community Engagement and Social Inclusion Sub-Committee – Minutes of Meeting held 23rd November, 2015 – Ref. AF15/78

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 Meeting held on 23rd November, 2015 be received;
- (b) the following recommendations (numbered 1 to 4) of the Community Engagement and Social Inclusion Sub-Committee be adopted by Council:
 - 1. RECONCILIATION ACTION PLAN – Reconciliation Action Plan Progress Table - Ref. AF15/341
 - (a) The Reconciliation Action Plan progress table be received.
 - 2. KEY FOCUS AREA – Domestic Violence - Ref. AF14/128
 - (a) The Human Resource Administrative Principle – Domestic Violence and the Workplace be received;
 - (b) Council's Human Resources Manager be thanked for her extensive work on the development and wished her all the best for the future.
 - 3. KEY FOCUS AREAS – Key Focus Area Progress Table - Ref. AF15/78
 - (a) The Community Engagement & Social Inclusion Key Focus Area progress table be received and noted for information;
 - (b) The Community Engagement and Social Inclusion Sub-Committee enter into recess until 22nd February 2016.

seconded

4. CORPORATE AND COMMUNITY SERVICES REPORT NO. 66/2015 – Policy Review - Members Training and Development Policy - Ref. AF11/1950

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance

moved it be recommended:

- (a) Corporate and Community Services Report No. 66/2015 be received;
- (b) Council hereby adopts new Council Policy M5## Members Training & Development Policy, as attached to this Report;
- (c) Council hereby revokes former Council Policies (now superseded):
 - M170 – Members – Conference, Course and Seminars
 - M210 – Members – Newly Elected Members
 - M250 – Members – Training & Development
 - M255 – Members – Council Induction
- (d) Council makes the necessary amendments to Council's Policy Manual Index.

seconded

5. **CORPORATE AND COMMUNITY SERVICES REPORT NO. 76/2015 – Financial Sustainability – Key Financial Indicators - Ref. AF14/81, AF11/858**

Goal: Governance

Strategic Objective: (i) Establish measures for Council's performance and continually compare against community expectations.
(ii) Engage with national, state, regional and local forums and partnerships to provide solutions and options to continually improve Councils service delivery and performance.

moved it be recommended Corporate and Community Services Report No. 76/2015 be received for information.

seconded

6. **CORPORATE AND COMMUNITY SERVICES REPORT NO. 77/2015 – Council Policy Review - R180 Records Management - Ref. AF11/1948**

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance

moved it be recommended:

- (a) Corporate and Community Services Report No. 77/2015 be received;
- (b) Council hereby adopts the revised revision of existing Policy R180 Records Management.

seconded

7. **CORPORATE AND COMMUNITY SERVICES REPORT NO. 78/2015 – Policy C410 Conduct of Meetings (S92 Code of Practice) - Ref. AF15/606**

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance

moved it be recommended:

- (a) Corporate and Community Services Report No. 78/2015 be received;
- (b) having considered the public consultation responses received Council hereby adopts Council Policy C410 Conduct of Meetings (s92 Code of Practice) as attached to this report.
- (c) Council hereby revokes former/superseded Council Policies:
 - C275 – Access to Council Meetings
 - C300 – Protocol for Common Items
 - C310 – Presentation of Recommendations
 - C315 – Voting En-bloc
 - M190 – Deputy Mayor
 - S110 – SELGA - Delegates
 - S130 – SELGA – Guiding Principle for Appointments
 - C280 – Appointment to Committees
 - C285 – Appointment of Independent Members

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

seconded

8. CORPORATE AND COMMUNITY SERVICES REPORT NO. 79/2015 - Provincial Cities Association - Ref. AF11/935

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance

moved it be recommended:

- (a) Corporate and Community Services Report No. 79/2015 be received;
- (b) the resolution of the Provincial Cities Association of South Australia ('the Association') to wind up is supported;
- (c) the reasons for winding up the Association are confirmed as:
- i. other representative entities such as Regional Local Government Associations, South Australian Regional Organisations of Councils, Local Government Association of South Australia and Regional Development Australia Boards are covering and actioning issues previously dealt with by the Association;
 - ii. it is the intention for the current constituent members (and possibly others) to meet informally as part of a consultation process (possibly organised through the Local Government Association of South Australia) to discuss on a regular basis, issues of mutual concern to provincial communities;
- (d) notes the advice of the Executive Officer and the audited Annual Financial Statements that the only asset of the Association is cash held within a Bank SA Account held in the Port Augusta Branch of the Bank and that the Association has no liabilities, and accordingly resolves that at the date of winding up of the Association the cash is to be divided equally between constituent members;
- (e) confirms that the information and resolution in (d) above reflect the appropriate identification and treatment of the assets and liabilities of the Association.
- (f) The date and timing of the winding up to be determined between the Association, Constituent Councils and the Minister;
- (g) Council makes formal application to the Minister for Local Government to request that the Minister winds up the Provincial Cities Association of South Australia regional subsidiary pursuant to Section 33 of the Local Government Act 1999.
- (h) the Chief Executive Officer be authorised to make the necessary application to the Minister for Local Government in accordance with resolutions (b) – (g) above.
- (i) That the Executive Officer and Member Councils of the Association be advised of Council's resolutions herein, and thanked for their endeavours to represent and advocate the interests of South Australia's provincial cities communities.

seconded

OPERATIONAL SERVICES

1. **COMMITTEES - Internal - Operational Services Committee - re Projects to be undertaken by the Operational Services Department, Engineering Division, during month - Ref. AF11/866**

Goal: *Building Communities*

Strategic Objective: *The identified needs of the community are met, through implementing Long Term Asset Management Plan and Infrastructure Plans*

The Engineering Manager reported the following works are to be undertaken/are currently being undertaken by the Operational Services Department, Engineering Division, during the month:

<u>Commenced Tasks</u>	<u>% Completed</u>
• Caroline Landfill Cell 1 & 2 capping	95%
• Lake Terrace East road reconstruction	15%
• Holder Street road reconstruction	30%
• Eagle Court drainage improvements	10%
• Eglinton Terrace road reconstruction (kerbing works)	40%
• Wireless Road East kerbing and widening	30%
• O'Halloran Terrace kerbing	10%

Completed Tasks

- Playground construction Lui Ave

moved the report be received.

seconded

2. **DEVELOPMENT CONTROL - Mount Gambier Heritage Advisory Group - Restoration Fund Grant Program 2015/2016 - Ref. AF11/265**

Goal: *Governance*

Strategic Objective: *Demonstrate innovative and responsive organisational governance*

The Senior Planner reported:

(a) The guidelines for the Heritage Restoration Fund are as follows:

1. all of the restoration fund is allocated by grants;
2. any property listed as a place of local heritage significance (excluding places owned by Local and / or State Government), is eligible for a grant;
3. the maximum amount of money available to each property is \$2,000. Properties will only be eligible to receive a grant every third financial year; and
4. the criteria to successfully apply for a grant includes:
 - the grant is to be used for conservation work (e.g. painting, repairs, fencing, re-roofing), and/or professional design advice;
 - the minimum value of work to be undertaken is \$2,000;

- the works to be undertaken shall be reasonably documented, including drawings, specifications and/or colour schemes or similar;
 - the works shall be undertaken within six (6) months of approval of grant;
 - the grant shall be issued to a successful applicant retrospectively i.e. after work completed;
 - the successful applicant must submit to Council, an invoice or receipt of payment for the completed works, prior to the grant being issued.
- (b) the Mount Gambier Heritage Advisory Group met on Wednesday, 25th November 2015;
- (c) applications for the 2015/2016 Local Heritage Restoration Fund have been received;
- (d) the total amount available for the 2015/2016 Local Heritage Restoration fund is \$20,000 as allocated in the budget;
- (e) please note two of the properties have been recommended to receive \$2,500, four applicants received funds last year and two applications were late. Although these vary with the guidelines, the Heritage Advisory Group were of the view that some of the variances were acceptable as the applicants are carrying out adequate heritage restoration for the betterment of the Local Heritage Places.

moved it be recommended:

- (a) The report be received;
- (b) Council allocate funding to the applicants listed below for the 2015/2016 Heritage Grants:

APPLICANT	RECOMMENDED VALUE OF GRANT
Park Hotel Pty Ltd	\$2,000
Brian Rowett	\$1,500
Karina Vanzati & Andrew McKinnins	\$2,000
Georgina & Merion Jones	\$2,500
Craig & Kathy Marsh	\$2,000
Kevin Hein	\$2,000
Nancy Nethercott	\$2,000
Stephen & Faith Baggio	\$2,000
Robert & Julie Forgan	\$2,500
Alfred Bamford	\$1,500
Total:	\$20,000

- (c) Council advise all successful applicants of the grant and the conditions relating to claiming.

seconded

3. HEALTH MANAGEMENT - Programme Management - Food Safety Rating Scheme - Ref. AF15/609

Goal: Community Well-Being
Strategic Objective: Advocate for the health needs of the community by encouraging partnerships in the provision of affordable and viable facilities and infrastructure

The Community Health Officer reported:

- (a) SA Health have invited Council to participate in the state-wide Food Safety Rating Scheme (the Scheme) - refer attached for background information;
- (b) the Scheme aims to encourage improvements in how food businesses manage food safety standards by improving consumer and business awareness of the food safety practices at the site by the display of a Star Rating certificate.

moved it be recommended:

- (a) Council participate in the Food Safety Rating Scheme, due to commence early 2016.

seconded

4. PROPERTY MANAGEMENT - Compliance - Community Land Management - Ref. AF11/1381

Goal: Building Communities
Strategic Objective: (i) Encourage the development of community facilities and infrastructure, community events, and active and safe community spaces through direct support, seeking funding, facilitation etc.
(ii) The identified needs of the community are met, through implementing Long Term Asset Management Plans and Infrastructure Plans

The Director Operational Services reported:

- (a) Council, at its meeting of 20th October 2015, resolved that the draft Community Land Management Plans as detailed in the Schedule be placed on public consultation;
- (b) the community were advised via public notification in The Border Watch and 'Have Your Say' on Council's website;
- (c) the consultation has now concluded and no submissions were received.

moved it be recommended:

- (a) The report be received;
- (b) Council, pursuant to Section 196 of the Local Government Act 1999, now adopt the Community Land Management Plans as placed on public consultation for the following lands:

TITLE DESCRIPTION	ADDRESS	DESCRIPTION
NEW LAND HOLDINGS		
6136/677	Lot 204 Wehl Street North, Mount Gambier	Open Drainage Reserve
6150/317	Lot 605 St Andrews Drive, Worrolong	Open Reserve (Walkway)
6124/908	Lot 604 Kennedy Avenue, Worrolong	Roadside Screening Reserve
6124/907, 6150/314	Lot 603 St Andrews Drive, Worrolong & Lot 609 Kennedy Avenue, Worrolong	Roadside Screening Reserve
6124/909	Lot 607 St Andrews Drive, Worrolong	Open Reserve (Easement)
6134/665	Lot 900 Lillypilly Court, Worrolong	Open Drainage Reserve
6134/666	Lot 901 Australis Avenue, Worrolong	Roadside Screening Reserve
6129/516	80 Wireless Road East, Mount Gambier (1 Mickail Court)	Open Drainage Reserve
6129/515	78 Wireless Road East, Mount Gambier (2 Mickail Court)	Open Drainage Reserve
6146/398	Lot 107 Tecoma Close, Mount Gambier	Open Reserve
6150/315	Lot 610 St Andrews Drive, Worrolong	Roadside Screening Reserve
LAND HOLDINGS (TO BE AMENDED)		
CR 5947/867	Bay Road, Mount Gambier (Crater Lakes Reserve)	Include Lot 50 Shelley Crescent

- (c) Council give public notification of the adoption of the Community Land Management Plans as set out in Part (b) of this resolution as required by Section 197(3) of the Local Government Act 1999.

seconded

5. PROPERTY MANAGEMENT - Maintenance - Valley Lake Boat Mooring Area - Correspondence from Ken & Debbie Diedrich - Ref. AF11/1576

Goal: Building Communities

Strategic Objective: The identified needs of the community are met, through implementing Long Term Asset Management Plans and Infrastructure Plans

The Director Operational Services reported:

- (a) Council has received a request to repair the boat mooring area at the Valley Lake. Several years ago this area was a beach entry, but the receding water levels have now left a small cliff (say 1 metre to 1.5 metres high). This cliff creates difficulties getting into, and out of moored boats;
- (b) possible options include a retaining wall (not supported as water levels are likely to continue receding), floating dock area (this has merit but will likely have a high capital cost) or import of suitable fill (including sand) to establish a new beach area (preferred option due to amenity and ease of construction);

- (c) the beach entry material in (b) above will cost in the order of \$20,000 to \$25,000 and has not been budgeted for this financial year.

moved it be recommended:

- (a) The report be received;
- (b) Council note the issues raised by Ken & Debbie Diedrich and refer this matter to the 2016/2017 budget for consideration.

seconded

6. PROPERTY MANAGEMENT - Railway Lands Redevelopment Project - Construction of Margaret Street Walkway - Ref. AF13/439

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 of the community are met

The Manager Regulatory Services reported:

- (a) Council currently has a budget of \$75,000 to construct a north-south walkway on land owned at 24 Margaret Street. This allotment currently contains an industrial shed that is listed as a contributory place in the Mount Gambier Heritage Survey. The proposed walkway will connect the Railway Lands Plaza area with Margaret Street and the Olympic Park precinct;
- (b) the existing shed is approximately 170m² (3 bays) with timber wall frames, trusses and an elevated timber floor with galvanised iron external cladding and roof. The roof has a unique curved ventilated ridge. Four original sliding doors also still remain. The overall condition of the shed is quite good other than the external cladding and gutters which have failed or been subject to vandalism in recent years. The roof and wall failures have lead to some minor deterioration of the floor in parts;
- (c) initial discussions with the Local Heritage advisor have indicated he would not support demolition of the building given it forms part of a 'set' of remnant buildings/sheds reflective of the site's former use. It is for this reason the shed has been listed as a contributory place. He has asked Council to investigate the possibility of retaining the building AND constructing the walkway as well;
- (d) feedback resulting from the recent opening of the Railway Lands indicates the community's strong desire to have toilets, water and three phase power for events and activities adjacent to eastern lawn and southern edge of the site;
- (e) the shed provides some significant opportunities and a concept plan is attached that retains the shed by converting it into toilets, two storage bays and clearing out the centre bay walls and floor to enable the walkway through the building. The storage bays are seen to be critical to the success of the Railway Lands ongoing events as there is limited other storage locations adjacent to the site;
- (f) the proposed cost to refurbish this shed including toilets, a new electrical system, lighting, security, water points, removal of asbestos and ramps for access is approximately \$150,000. The urban realm works to complete the walkway as per the attached concept is approximately \$100,000 - this concept does allow for the provision of car access into the site (via a removable bollard) for loading purposes. Additional paving to activate the adjacent shed (18 Margaret Street) is not included in these costs but Council Officers would continue to engage with these property owners about their possible involvement.

moved it be recommended:

- (a) The report be received;
- (b) Council Officers be requested to further develop the attached concept including costings for a further report back to Council.

seconded

7. TRAFFIC MANAGEMENT - Regulating - Parking On-Street - Pick Avenue (western side) - Letter from Pick Avenue Deli & Bakery - Ref. AF11/1880

Goal: Building Communities

Strategic Objective: (i) Strive for an increase in services and facilities to ensure the community has equitable access and that the identified needs of the community are met
(ii) The identified needs of the community are met, through implementing Long Term Asset Management Plans and Infrastructure Plans

The Team Leader General Inspector reported:

- (a) Council has received a request from the owner of the Pick Avenue Deli & Bakery (refer attached) requesting Council to consider changing the time zoned parking in front of their business located at 34 Pick Avenue, being from 30 minute parking to 15 minute parking;
- (b) the reason for their request is due to the frequent use of the showgrounds and upgrade to their business;
- (c) the proposed 15 minute parking area is shown on the aerial map attached to the Traffic Impact Statement.

moved it be recommended

- (a) The report be received;
- (b) The Traffic Impact Statement attached to the Operational Services Committee agenda be endorsed by Council;
- (c) Council rescind resolution number 3.4.057;
- (d) The City of Mount Gambier pursuant to Ministerial delegation resolves the following:

Restricted Parking Area
3.5.099

15 MINUTE PARKING

PICK AVENUE (WESTERN HALF) - from 79.0 metres south of the T-intersection with Sturt Street to 194.0 metres south of the said T-intersection with Sturt Street, to apply between 8:00 a.m. to 5:00 p.m. Monday to Friday, 7:30 a.m. to 5:00 p.m. Saturday and 8:00 a.m. to 5:00 p.m. Sunday

to be effective on the installation of appropriate signage.

seconded

8. INFRASTRUCTURE - Joint Boundary Roads Advisory Group - Notes of discussion held 12th November 2015 - Ref. AF11/1228

Goal: Building Communities

Strategic Objective: (i) The identified needs of the community are met, through implementing Long Term Asset Management Plans and Infrastructure Plans

The Director Operational Services reported:

- (a) The notes of the Joint Boundary Roads Advisory Group discussion held on Thursday, 12th November 2015 are attached to the agenda for Members information.

moved it be recommended:

- (a) The report be received;
- (b) Council endorse the five year Joint Boundary Roads program as set out below:

Year 1 2015/2016		
Intersection Realignment	Bishop Road/Kennedy Avenue	\$200,000.00*
Bishop Road <i>(subject to Development Schedule of Empak)</i>	Construction to link with Empak Homes subdivision. Contribution to be negotiated with Empak Homes.	\$100,000.00*
Lake Terrace East	Contribution to the reconstruction of Lake Terrace East - East of the Council Boundary to Lewis Avenue	\$138,000.00
O'Leary Road	Pavement regulation and reseal	\$29,000.00
Pinehall Avenue	Reseal from Sturm Road to Penola Road	\$83,000.00
Total:		\$550,000.00

* These projects may not occur in 2015/2016 because an application for blackspot funding has been made for Bishop Road / Kennedy Avenue intersection realignment and the outcome may not be known until May / June 2016.

Bishop Road construction is "tied" to stage 5A of the Empak Land Development project and the actual timing of the required works is still to be determined.

Year 2 2016/2017		
Grant Avenue	Asphalt "braking" areas of Bay Road and White Avenue	\$11,000.00
Wireless Road West/ Wandilo Road	Kerb and repair intersection (south side)	\$7,000.00
Attamura Road/ Houston Drive	Asphalt intersection	\$4,000.00
Hawkins Road	Seal to drain west side, road reseal	\$14,000.00
McCormicks Road	Grade shoulder, repairs to intersection of Nelson Road	\$6,000.00
Tollner Road (reseal)	Mount Percy Road to Avey Road	\$18,000.00
Total:		\$60,000.00

Year 3 2017/18	
Periodic Reseals	allow \$60,000.00

Year 4 2018/19	
Periodic Reseals	allow \$60,000.00

Year 5 2019/20	
Periodic Reseals	allow \$60,000.00

* The \$60,000.00 in Year 3, 4 & 5 would be equivalent to \$30,000.00 per Council per year.

seconded

9. **PROPERTY MANAGEMENT - Advisory Group - Report of the Aquatic Centre Management Advisory Group meeting held Wednesday, 4th November 2015 - Ref. AF11/1370**

Goal: *Building Communities*

Strategic Objective: *Encourage the development of community facilities and infrastructure, community events, and active and safe community spaces through direct support, seeking funding, facilitation etc.*

The Director Operational Services reported:

(a) The Aquatic Centre Management Advisory Group met on Wednesday, 4th November 2015 at 7:00 a.m. This meeting was attended by:

- Cr Mark Lovett
- Daryl Sexton, Director - Operational Services
- Peter Collins, Manager - Aquatic Centre

(b) the matters discussed were as follows:

1. Swimming Season Start-Up

- Season has gotten off to a good start
- A few issues with seasonal start-up e.g. manual vacuum cleaner broke down

2. Staff

- Some new staff to induct and get up to speed
- Facility now has 52 staff working from 5 hours to 40 hours per week

3. Boiler

- Pool water/heating has been very good
- Council to invoice Aquatic Centre for woodchips in four (4) monthly equal invoices

4. Hydrochloric Acid

- Need to do modification work to the hydrochloric acid handling and storage system to eliminate manual handling (Peter to organise a formal quotation for a new system)

5. Attendances

- Season pass sales are good, up to 442 at present
- Swim School - term four record was about 805, this term 863 (about 60 person increase)
- Aqua Aerobics - program is continuing to grow. Up to 40 people per session (3 sessions per week)
- Infant Aquatics - (3 sessions per week) is growing, probably due to the warm weather. Only two (2) instructors available at present, will soon have four (4) additional instructors

moved it be recommended:

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

seconded

10. COMMITTEES - Environmental Sustainability Sub-Committee - Minutes of Meeting held 1st December 2015 - Ref. AF12/377

Goal: Governance

Strategic Objective: (i) Demonstrate innovative and responsible organisational governance

moved to be recommended:

- (a) Minutes of the Environmental Sustainability Sub-Committee held on Tuesday, 1st December 2015 be received;

- (b) the following recommendations (number 1 to 6) of the Environmental Sustainability Sub-Committee be adopted by Council:

1. ELECTION OF PRESIDING MEMBER

- The report be received.
- The above process to appoint the Presiding Member for the Environmental Sustainability Sub-Committee be adopted.

2. CALL FOR NOMINATIONS

- The Director - Operational Services called for nominations for the position of Presiding Member for the Environmental Sustainability Sub-Committee.
- The following nominations were received:
Cr Mutton nominated Cr Von Stanke to be Environmental Sustainability Sub-Committee Presiding Member.
- The Returning Officer declared Cr Von Stanke be elected to the position of Presiding Member for the Environmental Sustainability Sub-Committee on and from 2nd February 2016.

3. JANUARY 2016 MEETING ARRANGEMENTS

- The Environmental Sustainability Sub-Committee scheduled for January 2016 be cancelled.

4. ENVIRONMENTAL PROTECTION (AIR QUALITY) POLICY 2016 IMPACT REPORT

- Tied Vote (please refer to Item 11 of the Operational Services Committee agenda).

5. KEEP SOUTH AUSTRALIA BEAUTIFUL KESAB SUSTAINABLE COMMUNITIES AWARDS 2015

- The report be received.

6. REPORTS FOR INFORMATION

- The current table outlining projects for 2015 (as attached to the Environmental Sustainability Sub-Committee agenda) be received and noted for information.

seconded

11. **ENVIRONMENTAL MANAGEMENT - Community Consultation - Environmental Protection (Air Quality) Policy 2016 Impact Report - Ref. AF15/257**

Goal: Environment

Strategic Objective: (i) Plan and implement infrastructure to protect and enhance the natural and built environment, including in response to climate change influences
(ii) Support initiatives that value and preserve our unique environment and contribute to environmental sustainability

The Director Operational Services reported:

- (a) At its meeting of Tuesday, 1st December 2015 the Environmental Sustainability Sub-Committee referred this item to the Operational Services Committee for resolution (due to a tied vote);
- (b) good quality air is vital to the health of our community and the natural environment. Effective regulation of air pollution is essential in ensuring South Australians are safe from air pollution. Recent scientific research has drawn strong links between air pollution and adverse health impacts, particularly in susceptible parts of the community which include children, the elderly and sick;
- (c) the draft Environment Protection (Air Quality) Policy 2016, proposed by the Environmental Protection Authority (EPA), is the result of an extensive review of the legislation and policies used in the regulation and management of South Australia's air quality. This policy proposal has been opened to public consultation until 5pm, Friday 15th January 2016. A copy of the draft is attached for reference;
- (d) the draft proposes several changes to the existing regulations which will have an impact on the residents of Mount Gambier. These changes relate to outdoor burning within residential areas of the City and the sale, installation and interference of solid fuel heaters as well as prevention of excessive smoke;
- (e) Division 3 - Burning offences, outlines the proposal that within a Council area burning in the open is generally not permitted. Exceptions to this include activities such as bushfire prevention, disposal of agricultural waste, preparation of food and beverages, for comfort, recreational purposes (such as scouting) and in exempted Council areas;
- (f) Councils are given the opportunity to make a declaration to opt out of this ban, however specific conditions must be met and burning in the open of matter within 200 metres of residential premises should be avoided;
- (g) this change to banning outdoor burning will have an impact on the residents of Mount Gambier. Residents living within residential areas of the City will only be able to burn outdoors under the prescribed activities and anything beyond these activities is considered a Category B offence under the EPA Act;
- (h) Division 4 - Solid fuel heaters, outlines the proposal around changing regulations in the sale, installation and interference of solid fuel heaters. Any solid fuel heater sold and installed must be marked in accordance with an approved standard and any interference with heaters meeting the standard is not permitted. In addition, owners of solid fuel heaters should not cause excessive smoke to be emitted. This division relates to new heaters and existing solid fuel heaters are not considered in this policy;

- (i) following the public consultation in April/May 2015, and the Members informal workshop; Outdoor Burning, held on Monday 3rd of August, 2015, a final decision on outdoor burning is pending;
- (j) Council has three options with regards to the public consultation for the draft Environment Protection (Air Quality) Policy 2016:
 - 1. Council can support this policy, due to the impact it will have on improving the community's health and local environment, and provide supportive feedback as part of the public consultation.
 - 2. Council can note the policy and not form an opinion on the subject or provide any feedback.
 - 3. Council can object to parts of the policy or object to the policy as a whole and provide comments and amendments as part of the public consultation.

moved it be recommended:

- (a) The report be received;
- (b) Council support this policy, due to the impact it will have on improving the community's health and local environment, and provide supportive feedback as part of the public consultation.

seconded

12. COMMITTEES - Council Development Assessment Panel - Minutes of Meeting held 19th November 2015 - Ref. AF14/354

Goal: Governance
Strategic Objective: (i) Demonstrate innovative and responsible organisational governance

moved it be recommended:

- (a) Minutes of the Council Development Assessment Panel meeting held on Thursday, 19th November 2015 be received;
- (b) the decisions made by the Council Development Assessment Panel be noted.

seconded

13. COMMITTEES - Mount Gambier Cemetery Trust (Section 41) Committee - Minutes of Meeting held 20th November 2015 - Ref. AF11/1371

Goal: Governance
Strategic Objective: Demonstrate innovative and responsible organisational governance

moved it be recommended:

- (a) Minutes of the Mount Gambier Cemetery Trust Committee meeting held on Friday, 20th November 2015 be received;
- (b) the following recommendations (number 1 to 8) of the Mount Gambier Cemetery Trust (Section 41) Committee be adopted by Council:

1. INCOME AND EXPENDITURE AS AT 31ST OCTOBER 2015

- The financial statement as at 31st October 2015 was not presented at the meeting.

2. BUDGET ESTIMATES 2015/2016

- Budget estimates for 2015/2016 be adopted.

3. TERMS OF REFERENCE

- The Trust recommend the following changes be made to the Terms of Reference of the Mount Gambier Cemetery Trust:

Page 3 - Delete 2.1.17 as it duplicates 2.1.10

Page 3 - Rename 2.1.18 to 2.1.17

Page 3 - Rename 2.1.19 to 2.1.18

Page 4 - 3.3 Replace 'cremations' with 'crematoria'

Page 6 - 10. Rename 10.0

Page 7 - 13. Rename 13.0

Page 8 - 14. Rename 14.0

Page 12 - 18. Rename 18.0

Page 12 - 19. Rename 19.0

Page 12 - Remove extra line between 19.1 and 19.2

Please refer to Item 14 of the Operational Services Committee agenda.

4. APPLICATION TO PLACE NON-CONFORMING MEMORIAL PLAQUE

- The report be received.
- The Trust have no objection to a 380mm x 215mm granite memorial plaque being placed on the burial allotment of the late Barry Francis Wright, subject to the following conditions:
 - a proof for the plaque being forwarded to the cemetery for final approval;
 - the applicant arranging for the fixing of the plaque to the concrete headblock;
 - the Trust will not be held responsible for any future damage or weathering of the plaque.

5. MASTER PLAN - ROAD CONSTRUCTION

- The estimate from Council of \$170,000 for the construction of roadways and a roundabout adjacent the She-Oak Garden be accepted.

6. NEXT MEETING

- the next meeting of the Trust be held on Friday, 29th January 2016 at 12:15 p.m.

MOTIONS WITHOUT NOTICE

7. SOLAR SYSTEMS AT COUNCIL FACILITIES

- \$14,000 be allocated in the Trust's 2015/2016 budget for the installation of a solar system to the administration building at Carinya Gardens Cemetery.
- The Trust authorise Council to engage Quark Consulting to undertake project management of the solar system.

8. FUTURE FUNDING

- Council be requested to investigate future funding models for the City cemeteries, including provision for future maintenance of Carinya Gardens Cemetery and the provision of a new cemetery when required.

seconded

14. **GOVERNANCE - Committees (Section 41) - Mount Gambier Cemetery Trust (Section 41) - Terms of Reference - Ref. AF14/283, AF11/1371**

Goal: Governance

Strategic Objective: (i) Establish measures for Council's performance and continually compare against community expectations
(ii) 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 Operational Services reported:

(a) Council at its meeting held on Tuesday, 27th January 2015 resolved:

"Council or the relevant standing committee will review the Terms of Reference of all Committees and Sub-Committees by 31st August, 2015 to provide for the opportunity to alter or amend Terms of Reference to reflect Council's aims and objectives. This review does not preclude the winding up of any Committee or Sub-Committee."

(b) The Mount Gambier Cemetery Trust (Section 41 Committee) at its meeting held on Friday, 20th November 2015 reviewed the Terms of Reference for this Committee and have made the following recommendations:

- Page 3 - Delete 2.1.17 as it duplicates 2.1.10
- Page 3 - Rename 2.1.18 to 2.1.17
- Page 3 - Rename 2.1.19 to 2.1.18
- Page 4 - 3.3 Replace 'cremations' with 'crematoria'
- Page 6 - 10. Rename 10.0
- Page 7 - 13. Rename 13.0
- Page 8 - 14. Rename 14.0
- Page 12 - 18. Rename 18.0
- Page 12 - 19. Rename 19.0
- Page 12 - Remove extra line between 19.1 and 19.2

(c) a copy of the Terms of Reference (with the above recommendations included) are attached to the Operational Services Committee agenda for Members perusal.

moved it be recommended:

(a) The report be received;

(b) in accordance with the above recommendation of the Mount Gambier Cemetery Trust the Terms of Reference be amended as follows:

- Page 3 - Delete 2.1.17 as it duplicates 2.1.10
- Page 3 - Rename 2.1.18 to 2.1.17
- Page 3 - Rename 2.1.19 to 2.1.18
- Page 4 - 3.3 Replace 'cremations' with 'crematoria'
- Page 6 - 10. Rename 10.0

- Page 7 - 13. Rename 13.0
- Page 8 - 14. Rename 14.0
- Page 12 - 18. Rename 18.0
- Page 12 - 19. Rename 19.0
- Page 12 - Remove extra line between 19.1 and 19.2

(c) the amended Terms of Reference (as attached the agenda) be endorsed and adopted by Council.

seconded

15. OPERATIONAL SERVICES REPORT NO. 22/2015 - Traffic Management - Ramsay Avenue - Letter from Brad Shannon - Ref. AF11/1867

Goal: Building Communities

Strategic Objective: The identified needs of the community are met, through implementing Long Term Asset Management Plan and Infrastructure Plans

moved it be recommended:

- (a) Operational Services Report No. 22/2015 be received;
- (b) Council take no further action with respect to implementing traffic management devices in Ramsay Avenue at this point in time given the absence of accident history and the lack of supporting traffic data that would justify the implementation of such devices;
- (c) a copy of this report be provided to the author of the recent letter to Council.

seconded

MOTION WITH NOTICE - Nil

MOTIONS WITHOUT NOTICE

Meeting closed at

MJT

**MEMBERS INFORMAL WORKSHOP
REVIEW OF STRATEGIC PLAN
Thursday 3rd November, 2015**

RECORD OF PROCEEDINGS
Thursday 3rd of December, 2015 at 5.30 p.m.
Civic Centre, Mount Gambier

MEMBERS PRESENT:-

Mayor A Lee
Cr F Morello
Cr P Richardson
Cr J Lynagh
Cr S Mezinec
Cr S Perryman

STAFF PRESENT:-

Mark McShane, Chief Executive Officer
Kris Roberts, Economic Development Manager
Gary Button, Finance Manager
Tracy Tzioutziouklaris, Manager Business and
Strategic Planning

MEMBERS APOLOGIES:-

Cr C Greco
Cr H Persello

The workshop involved the identification of issues to be incorporated into the development of the new Strategic Plan for the City of Mount Gambier.

Workshop concluded at 7.20 p.m.

MEMBERS INFORMAL WORKSHOP
Tuesday 8th December, 2015

RECORD OF PROCEEDINGS
Tuesday 8th of December, 2015 at 5.30 p.m.
Civic Centre, Mount Gambier
(Committee Room, Level 4)
10 Watson Terrace, Mount Gambier

A Workshop for Elected Members was held to discuss:

- City Centre Streetscape Developments
- Rental Policy
- Naming of Former Hospital Site
- Fire Season - Council's Emergency Response

MEMBERS PRESENT:-

Mayor A Lee
Cr P Richardson

STAFF PRESENT:-

Mark McShane, Chief Executive Officer
Daryl Sexton, Director Operational Services
Daryl Morgan, Engineering Manager
Michael McCarthy, Manager Governance & Property
Chris Mustart, Works Manager
Josh Wilson, Project Officer

MEMBERS APOLOGIES:-

Cr Des Mutton
Cr Frank Morello
Cr Sonya Meziniec
Cr Mark Lovett
Cr Ian Von Stanke

Workshop concluded at 6:10 p.m.

City of Mount Gambier

Corporate and Community Services Committee – 9th of November, 2015 - Action Items

Committee	Item No.	Action	Responsible	Status
Corporate & Community Services Items	2. <u>GOVERNANCE</u> – Committees – Community Engagement and Social Inclusion Sub-Committee – Minutes of Meeting held 2/11/2015 – Ref. AF15/78	Items 1 – 4 be received and actioned	MCSD	In Progress
	3. <u>FINANCIAL MANAGEMENT</u> - Budgeting - Annual Budget Review - Estimates including Comparisons 2015/2016 Financial Year - Ref. AF14/428	Budget to be updated to reflect funding allocation adjustments to Rail Lands	DCS	Completed
	4. <u>CORPORATE AND COMMUNITY SERVICES REPORT NO. 71/2015</u> - Election of Corporate and Community Services Standing Committee Presiding Member - Ref. AF11/858	Nominations to be accepted and Election to be held for the Presiding Member of the Corporate and Community Services Committee - successful candidate elected Cr Mezinec	CEO/MGP	Completed
	5. <u>CORPORATE AND COMMUNITY SERVICES REPORT NO. 72/2015</u> - Strategic Plan/Corporate Plan, Achievement of Key Performance Indicators Quarterly Report, September 2015 - Ref. AF11/1790	Corporate and Community Services Report No. 72/2015 and the September 2015 Quarterly Summary KPI report be received and endorsed by Council.	MBSP	Completed
	6. <u>CORPORATE AND COMMUNITY SERVICES REPORT NO. 73/2015</u> - Lions Club of Mount Gambier - Review of Licence Fee - Ref. AF11/1439	Correspondence to be sent to Lions Club advising of further investigation of their request. Members Workshop to be organised to discuss Policy R200 - Community Land (Reserves) Lease / Licence/ Rental Arrangements	MGP/TLES	Completed
	7. <u>CORPORATE AND COMMUNITY SERVICES REPORT NO. 74/2015</u> - Review Main Corner Public Holiday Opening - Ref. AF11/2267	Council authorise the additional public holiday closure of the Main Corner Complex on Boxing Day/Proclamation Day as per the proposed schedule in the report.	MCSD	Completed
	9. <u>SALE OF LAND FOR NON PAYMENT OF RATES</u> - Notice of Intention to Sell Land for Non-Payment of Council Rates - Ref. AF15/491	In Confidence	DCS	Completed
	10. <u>SALE OF LAND FOR NON PAYMENT OF RATES</u> - Notice of Intention to Sell Land for Non-Payment of Council Rates - Ref. AF15/491	In Confidence	DCS	Completed

Motions with Notice	1. <u>2014/2015 ANNUAL REPORT</u> – Ref. AF14/81	the 2014/15 Annual Report as tabled be received and adopted.	MCSD	Completed
Motions without Notice	1. <u>CRATER LAKES CONSERVATION MANAGEMENT PLAN</u> – Ref. AF11/1391	Council to convene an informal workshop to discuss an effective community engagement strategy to start a conversation about potential commercial and tourism activities/infrastructure at the Crater Lakes area, including the Blue Lake, Valley Lake and Old Hospital precincts.	TLES	Completed - Members Informal Workshop scheduled 20/01/2016
	2. <u>COMMUNITY RELATIONS – AWARDS</u> – Ref. AF14/266	That a letter of congratulations be sent to the City of Mount Gambier winners of the 2015 Brand South Australia Awards, namely: Groups Arts and Creative Industries Award Riddoch Art Gallery Telstra Small Business Award Dickins' Delights Community Group Award Stand Like Stone Foundation Flinders University Education Award Hello Friday Leukaemia Foundation Emerging Leader Award Lily Thornley Programmed Festivals & Events Award Generations in Jazz Return to Work SA Health Award Mental Illness Fellowship of SA-Mount Gambier Thoroughbred RacingSA Sport Award Blue Lake Soccer Club Hall of Fame Riddoch Art Gallery	TLES	Completed
	3. <u>COMMUNITY RELATIONS – AWARDS</u> – REF. AF14/266	That a letter of congratulations be sent to the Limestone Coast Winners of the 2015 KESAB Sustainable Communities Awards including the overall winner, Mundulla.	TLES	Completed
	1. <u>CORPORATE AND COMMUNITY SERVICES REPORT NO. 75/2015</u> SUBJECT: RIDDOCH ART GALLERY REF- AF15/428	In Confidence (released on website 20/11/2015) Items (a), (b), (c) and (d) be received and actioned	CEO	Completed

City of Mount Gambier

Council Meeting 15th December 2015 - Operational Services Action Items

Committee	Item	Action	Responsible	Status
Operational Services (October Meeting)	4. <u>ENVIRONMENTAL MANAGEMENT</u> - Project Management - Solar Systems at Council Facilities - Ref. AF11/407	<ul style="list-style-type: none"> • Council engage Quark Consulting to undertake project management of two solar systems - Waste Transfer Centre, and Council Works Depot, for an expected cost of \$5,600. • Council authorise the Director - Operational Services to work with Quark in procuring the capital equipment required for the two solar systems, for an expected cost of \$40,973. • Council refer the Carinya Gardens solar system, and associated project management, to the Mount Gambier Cemetery Trust to consider funding from capital reserves held by the Trust, at an expected total cost of \$13,875. 	ESO	In Progress
	7. <u>FINANCIAL MANAGEMENT</u> - Architectural Design Competition - Civic Centre Flytower Facade System - Ref. AF15/406	<ul style="list-style-type: none"> • Council Officers be authorised to engage Chapman Herbert Architects on an approved Client/Architect agreement to carry out the design development phase of the project in consultation with the Key Stakeholders and State Heritage. The final design concept will be reported back to Council prior to engaging Chapman Herbert Architects (or any other architect) to fully document, tender, and project manage the construction in accordance with the approved budget of \$900,000. 	MRS	In Progress
	8. <u>PROPERTY MANAGEMENT</u> - Compliance - Community Land Management - Ref. AF11/1381	<ul style="list-style-type: none"> • Council, in accordance with its Consultation Policy, place on public exhibition the draft Community Land Management Plans as listed in the Schedule. • Council endorse the minor updates to be made to the Community Land Management Plans listed (pursuant to Section 198 of the Local Government Act public consultation is <u>not</u> required as these amendments have no impact on the interest of the community, being changes to the legal description - CT references). • Council further consider the draft plans together with any public comments received following the closing of the public consultation period. 	DOS	Completed
	9. <u>PROPERTY MANAGEMENT</u> - Naming of Former Hospital Site - Community Consultation - Ref. AF15/327	<ul style="list-style-type: none"> • the matter be left lie on the table pending further community engagement and making the process more inclusive due to the very low level of community response. 	DOS	In Progress

	11. <u>OPERATIONAL SERVICES REPORT NO. 19/2015</u> - Traffic Management - Pedestrian and School Crossings - Kennedy Avenue and North Terrace - Ref. AF11/1867	<ul style="list-style-type: none"> • Council Officers continue to undertake annual traffic counts (vehicles and pedestrian counts) to assist with identifying any changes in circumstances. • Council Officers install upgraded/additional warning signage and also install red/white grab rails at the median opening in order to increase visibility. 	EM	Completed
Operational Services (November Meeting)	2. <u>ENVIRONMENTAL MANAGEMENT</u> - Closure of Crater Lakes - High Risk Fire Days - Ref. AF11/393	<ul style="list-style-type: none"> • Council support the closure of the Crater Lakes area on declared days of “Extreme” and “Catastrophic” fire days (as declared by the CFS), effective immediately. • Council administration to prepare an appropriate communication strategy in partnership with SAPOL, MFS and CFS to inform the community of the closures and reasons using all forms of media and the Council website. 	DOS	In Progress
	3. <u>INFRASTRUCTURE</u> - Street Tree Planting Program 2016 - Ref. AF15/431	<ul style="list-style-type: none"> • Council remove the Melaleuca tree adjacent to 1 Philip Street as requested. • Council, having considered all submissions in relation to the proposed Street Tree Program for 2016 hereby adopts the tree planting schedule with the exception of 2 & 10 Kyrenia Court, 8 & 9 Gardiner Terrace, 1 Derwent Court, 3, 12 & 19 Ellwood Court, 13 & 18 Ramsay Avenue, 1A Werona Street, 3 Aramanta Drive, 27 Mayflower Court, 6 Macquarie Court, 3 Eyre Court and 1 Phillip Street. 	ETO	In Progress
	4. <u>PROPERTY MANAGEMENT</u> - Funding - Penola Road/Wireless Road Traffic Lights - Rail Trail Project - Ref. AF13/348, AF15/343	<ul style="list-style-type: none"> • Council delete the upgrade of Wehl Street North (Boothey Street to Bailey Street) from Account 7300-3999 and transfer the project (valued at \$158,000) to the Roads to Recovery Program. • The \$158,000 revenue (from part (b) above) be redirected as follows: <ul style="list-style-type: none"> - \$100,000 to the Rail Trail Project - \$58,000 to the Penola Road / Wireless Road Traffic Lights • The Supplementary Roads to Recovery Program (\$242,391) includes: <ul style="list-style-type: none"> - Wehl Street North (Boothey Street to Bailey Street) - Upgrade to Roundabout at intersection of Suttontown Road / Wireless Road - Hotmix Roundabout at Wehl Street / Yeates Street - Pavement strengthening Suttontown Road (adjacent McDonnell’s Mill) <p>Total: <u>\$242,391</u></p>	DOS	Completed

	5. <u>PROPERTY MANAGEMENT</u> - Maintenance - Lake Terrace Cemetery - Request for Memorial Plaque (J Galpin) - Ref. AF11/1496	<ul style="list-style-type: none"> Council arrange a memorial plaque to be appropriately placed at the Sexton's Cottage within the Lake Terrace Cemetery grounds (including costs of same) with wording of the plaque to be determined between the Director Operational Services and Mr Jim Galpin. 	DOS	In Progress
	6. <u>COMMITTEES</u> - Environmental Sustainability Sub-Committee - Minutes of Meeting held 3 rd November 2015 - Ref. AF12/377	<ul style="list-style-type: none"> Minutes of the Environmental Sustainability Sub-Committee held on Tuesday, 3rd November 2015 be received. Recommendations (number 1 to 4) of the Environmental Sustainability Sub-Committee be adopted by Council. 	ESO	Completed
	8. <u>OPERATIONAL SERVICES REPORT NO. 20/2015</u> - Governance - Committees - Election of Operational Services Standing Committee Presiding Member - Ref. AF11/858	<ul style="list-style-type: none"> Cr Mutton be Presiding Member of the Operational Services Committee on and from 20th January 2016. 	DOS	Completed
<i>Motion Without Notice</i>	4. <u>Crater Lakes Conservation Management Plan</u> - Ref. AF11/1391	<ul style="list-style-type: none"> Prior to the Members Workshop to discuss Crater Lakes Area commercialisation, the Director of Operational Services provide a report to Members on issues associated with the development of infrastructure in the Crater Lakes Area and the planning framework surrounding the Crater Lakes Area. 	DOS	Completed

Committee	Item	Action	Responsible	Status
Railway Lands Development and Management (May Meeting)	6. <u>PROPERTY MANAGEMENT</u> - Redevelopment of Railway Lands - Liaison with adjacent Property Owners/Occupiers - Ref. AF14/166	<ul style="list-style-type: none"> Council accept the order of engagements set out in this report and offer adjacent property owners/occupiers a choice of two (2) Workshops to attend, with Workshops being held in the Reception Area of the Civic Centre at a date/time to be determined. 	DOS	Completed
Railway Lands Development and Management (October Meeting)	3. <u>RAILWAY LANDS DEVELOPMENT AND MANAGEMENT COMMITTEE REPORT NO. 2/2015</u> - Property Management - Railway Lands Activation Team - Ref. AF15/398	<ul style="list-style-type: none"> Council endorse the work already undertaken and support the Railway Lands Activation Team to continue to act within the principles of the report. Chief Executive Officer be authorised to negotiate with and approve: <ol style="list-style-type: none"> adjoining landowners to integrate with the site, on a non permanent basis, informal commercial activities that are low impact and associated with their core business, and short term occupants with start up initiatives to be trialled at the Railway Building to test and determine the long term use of the site. Ongoing reports from the Railway Lands Activation Team, including outcomes from above, to be provided to the Railway Lands Development and Management Committee on a regular basis. The Committee request Council to allocate an amount of \$100,000 to assist with site activation (including both operational and capital costs) for the 2015/2016 financial year. The Committee recommend the endorsement of "the Rail" as the informal reference for the Mount Gambier Railway Lands. 	MCS&D	Completed
Motion Without Notice (October Meeting)	1. <u>RAILWAY LANDS DEVELOPMENT AND MANAGEMENT COMMITTEE</u> - Property Management - Railway Lands Activation Team - Ref. AF15/398	<ul style="list-style-type: none"> Council prepare a report as to where Council will find the additional \$50,000 for the Rail Lands Activation. 	DCS	Completed
Railway Lands Development and Management (November Meeting)	2. <u>PROPERTY MANAGEMENT</u> - Railway Lands Redevelopment Project - Installation of Outdoor Musical Instruments in Nature Play Area - Ref. AF13/439	<ul style="list-style-type: none"> Council thank the Rotary Club for their offer and request Members meet with the Activation Team to discuss how to progress this concept along the lines of 'placemaking' principles rather than permanent high cost elements that have not been widely supported by or introduced to the public. 	MRS	In Progress

FINANCIAL STATEMENT - Monthly Bank Reconciliation

as at 31/10/2015 \$	<u>GENERAL ACCOUNT (Westpac)</u>	as at 30/11/2015 \$
184,105.79 CR	OPENING BALANCE	228,713.75 CR
417,945.61	<u>PLUS</u> Receipts -	
1,115,131.86	Rates & Arrears	1,451,023.31
-	General	1,210,515.78
680,000.00	<u>Receipt of Cash Advance Funds</u>	
-	Transfer from CAD Loan 104	100,000.00
500,578.68	Transfer from CAD Loan 105	-
-	Transfer from Investment Funds	150,000.00
-	Transfer from Reserve Funds	-
<u>\$ 2,713,656.15</u>		<u>\$ 2,911,539.09</u>
2,897,761.94 CR		3,140,252.84 CR
1,037,551.68	<u>LESS</u> Direct Debits to Bank Account -	
-	Payroll - 2 Pays processed in November (13/11 & 27/11)	780,582.65
300,000.00	Sundry	-
-	Transfer to Investment Funds	320,000.00
-	Transfer to CAD Loan 104	600,000.00
<u>1,337,551.68</u>		<u>1,700,582.65</u>
1,560,210.26 CR		1,439,670.19 CR
1,331,496.51	<u>LESS</u> Expenditure Statement - \$	1,282,631.47
<u>\$ 228,713.75</u> CR	<u>CASH BALANCE</u>	<u>\$ 157,038.72</u> CR
<u>BANK RECONCILIATION</u>		
241,831.40 CR	Balance as per Bank Statement	176,808.71 CR
6,401.28	<u>PLUS</u> Deposits not yet credited	43,595.19
9,492.61	<u>LESS</u> Deposits not yet reconciled	49,956.91
-	<u>LESS</u> Deposits not yet updated	-
-	<u>PLUS</u> Payments not yet reconciled	
<u>238,740.07</u> CR		<u>170,446.99</u> CR
843.00	<u>LESS</u> Unpresented Cheques & EFT's	2,072.03
9,183.32	Unpresented Direct Debits	11,336.24
<u>\$ 228,713.75</u> CR	<u>CASH BALANCE</u>	<u>\$ 157,038.72</u> CR

Current Interest Rate on Bank Account Balance is 0.10%

FINANCIAL STATEMENT - Monthly Bank Reconciliation continued.....

as at 31/10/2015 \$		as at 30/11/2015 \$
	<u>LGFA CAD LOAN 104</u>	
-	DR OPENING BALANCE	680,000.00 DR
-	PLUS Deposits	780,000.00
680,000.00	LESS Withdrawals (Transfer to General Account)	100,000.00
-	Sundry	-
<u>\$ 680,000.00</u>	DR <u>CASH BALANCE</u>	<u>\$ -</u> DR

	<u>LGFA CAD LOAN 105</u>	
-	DR OPENING BALANCE	- DR
-	PLUS Deposits	-
-	LESS Withdrawals (Transfer to General Account)	-
-	Sundry	-
<u>\$ -</u>	DR <u>CASH BALANCE</u>	<u>\$ -</u> DR

Current Interest Rate on CAD Loan Balances is 4.25%

LOAN FUNDS OWING (Local Government Finance Authority)

Opening Bal	Loan Purpose	Interest Rate	Maturity Date	Closing Bal
115,019.14	101 RSL Bowls - Artificial Rink	5.05%	16/03/2019	115,019.14
3,245,199.58	102 Library	5.97%	15/06/2024	3,245,199.58
680,000.00	104 CAD - Variable Int Only	4.25%	17/06/2028	-
-	105 CAD - Variable Int Only	4.25%	17/08/2030	-
<u>\$ 4,040,218.72</u>				<u>\$ 3,360,218.72</u> DR

FINANCIAL STATEMENT - Monthly Bank Reconciliation continued.....

as at 31/10/2015 \$		as at 30/11/2015 \$
	<u>INVESTMENT FUNDS (Local Government Finance Authority)</u>	
200,000.00 CR	Opening Balance	7,227.78 CR
307,806.46	<u>PLUS</u> Deposits	678,889.00
	<u>PLUS</u> Accrued interest	
- 500,578.68	<u>LESS</u> Withdrawals (Transfer to Westpac)	- 150,000.00
-	Withdrawals (Transfer to CAD Loan 104)	- 180,000.00
<u>\$ 7,227.78</u> CR	CLOSING BALANCE	<u>\$ 356,116.78</u> CR

DOWNSTREAM DRAINAGE FUNDS (Local Government Finance Authority)

174,194.81 CR	OPENING BALANCE	175,180.29 CR
985.48	<u>PLUS</u> Deposits	-
-	<u>LESS</u> Withdrawals	-
<u>\$ 175,180.29</u> CR	CLOSING BALANCE	<u>\$ 175,180.29</u> CR

INVESTMENT OF FUNDS

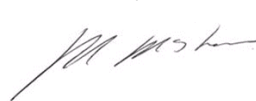
Investment Funds - all invested - 'At Call' at	2.00%
Reserve Funds - all invested - '90 Days' at	2.35%

Prepared by:



.....
Finance Manager

Reviewed by:



.....
Chief Executive Officer

LIFELONG LEARNING SUB-COMMITTEE

Minutes of meeting held in the Committee Room, Level Four of Civic Centre, 10 Watson Terrace, Mount Gambier, on 20th November, 2015 at 1.00 p.m.

PRESENT: Cr Meziniec (Presiding Member)
Mayor Lee
Cr Richardson
David Meziniec
Alexandra Nicholson

COUNCIL OFFICERS: Chief Executive Officer, Mark McShane
Manager Community Services & Development, Barbara Cernovskis
Library Manager, Vicki Hutchinson
Community Development Officer, Alison Brash

APOLOGY/IES: Alexandra Nicholson moved the apology from Cr Persello, Cr Reis and Sarah Pellen be accepted.

David Meziniec seconded Carried

COUNCIL MEMBERS
AS OBSERVERS: 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: Alexandra Nicholson moved that the minutes of the Mount Gambier Lifelong Learning Sub-Committee held on 18th September, 2015 be received.

David Meziniec seconded Carried

1. KEY FOCUS AREA – Wellbeing and Resilience

Goal: Building Communities
Strategic Objective: Encourage the empowerment of the community to lead and self manage their respective desires and aspirations.

Goal: Community Well-Being
Strategic Objective: Increase the local awareness and understanding of the range of health issues and needs of the community.

The Manager Community Services and Development reported:

(a) Council at its meeting on 20th October 2015 endorsed the following recommendations for the Lifelong Learning Sub-Committee:

(i) Council establish and facilitate the Wellbeing and Resilience collaboration model;

Lifelong Learning Sub-Committee Minutes, 20th November, 2015 cont'd...

- (ii) Two Staff Members attend the next scheduled Wellbeing and Resilience training to be undertaken in November 2015 in Adelaide;
- (iii) Workplan for the Lifelong Learning be to investigate and scope a Wellbeing Workforce/Positive Organisation project to lead, measure, build and embed wellbeing and resilience inside the City of Mount Gambier workforce as a significant commitment to building a region of wellbeing inside the State of Wellbeing.

Cr Mezinec moved it be recommended:

- (a) The endorsed recommendations for the Lifelong Learning Sub-Committee from Council be received;**

Cr Richardson seconded

Carried

2. KEY FOCUS AREA – Wellbeing and Resilience

Goal: Building Communities

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

Goal: Community Well-Being

Strategic Objective: Increase the local awareness and understanding of the range of health issues and needs of the community.

The Manager Community Services and Development reported:

- (a) A presentation to Members on the SAHMRI Wellbeing and Resilience training attended by the Manager Community Services & Development and the Library Manager on 9th – 13th November 2015
- (b) Lifelong Learning Sub Committee Report 3/2015 attached to guide discussion to develop the workplan and action the endorsed recommendations of Council.

Mayor Lee moved it be recommended:

- (a) The Manager Community Services & Development and Library Manager report be received;**
- (b) A draft Wellbeing and Resilience Workplan to be presented at the next meeting.**

David Mezinec seconded

Carried

MOTIONS WITH NOTICE - Nil

MOTIONS WITHOUT NOTICE

1. AF15/5: SOCIAL, CULTURAL AND COMMUNITY SERVICES - Project Management - Lifelong Learning Community - City of Mount Gambier Charter for Children

Goal: Building Communities

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

Goal: Community Well-Being

Strategic Objective: Increase the local awareness and understanding of the range of health issues and needs of the community.

David Mezinec moved:

- (a) Council be commended on the adoption and implementation of the principles of the Mount Gambier Children's Charter in the development of the Nature Play area of the Railway Lands.**

Alexandra Nicholson seconded

Carried

The meeting closed at 2.11 p.m.

CONFIRMED THIS DAY OF , 2015

.....
PRESIDING MEMBER

COMMUNITY ENGAGEMENT & SOCIAL INCLUSION SUB-COMMITTEE

Minutes of meeting held in the Committee Room, Level Four of Civic Centre, 10 Watson Terrace,
Mount Gambier, on Monday, 23rd November 2015 at 5.30pm

PRESENT: Cr Persello
Caroline Hill
Rob Foggo (by phone)
John Amoroso

APOLOGIES: John Amoroso moved the apologies from Emma Milera (leave of absence) and Cr Richardson be accepted.

Caroline Hill seconded Carried

COUNCIL OFFICERS: Manager Community Services & Development, Barbara Cernovskis
Community Development Officer, Alison Brash

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: John Amoroso moved that the minutes of the previous meeting held on 2nd November 2015 be taken as read and confirmed.

Caroline Hill seconded Carried

QUESTIONS: (a) With Notice - nil submitted.
(b) Without Notice – nil submitted.

1. RECONCILIATION ACTION PLAN – Reconciliation Action Plan Progress Table

The Community Development Officer reported:

(a) The Reconciliation Action plan progress table (attachment 1) be tabled for discussion

Caroline Hill moved it be recommended:

(a) The Reconciliation Action Plan progress table be received;

John Amoroso seconded

Carried

2. KEY FOCUS AREA – Domestic Violence

The Manager Community Services & Development reported:

(a) The City of Mount Gambier Human Resource Administrative Principle - Domestic Violence and the Workplace (attachment 2) has been drafted and is tabled for feedback.

Cr Persello moved it be recommended:

- (a) The Human Resource Administrative Principle – Domestic Violence and the Workplace be received.**
- (b) Council’s Human Resources Manager be thanked for her extensive work on the development and wished her all the best for the future.**

Rob Foggo seconded

Carried

3. KEY FOCUS AREAS – Key Focus Area Progress Table

The Manager Community Services & Development reported:

- (a) Key Focus Area progress table (attachment 3) outlines progress against key focus area action items for Members information.**

Rob Foggo moved it be recommended:

- (a) The Community Engagement & Social Inclusion Key Focus Area progress table be received and noted for information;**
- (b) The Community Engagement and Social Inclusion Sub-Committee enter into recess until 22nd February 2016.**

John Amoroso seconded

Carried

MOTIONS WITHOUT NOTICE - Nil

CONFIRMED THIS DAY OF , 2015

.....
PRESIDING MEMBER

The meeting closed at 6.12 p.m.
BJC

CORPORATE AND COMMUNITY SERVICES REPORT NO 66/2015

SUBJECT: POLICY REVIEW – MEMBERS TRAINING & DEVELOPMENT POLICY

REF: AF11/1950

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance.

In February 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.*

At the Statutory Council meeting held on 25th November 2014 Council noted the earlier review recommendation that the following policies be reviewed:

- M170 – Members – Conference, Course and Seminars
- M210 – Members – Newly Elected Members
- M250 – Members – Training & Development
- M255 – Members – Council Induction

and that an amalgamated training and development policy for the remainder of the Council term be prepared for presentation to Council during 2015.

Having fulfilled the initial post election training requirements of the LGA Training Standards modules, Council's Member Training and Development policies have now been reviewed and a new policy "M5## Member's Training & Development Policy (derived from the LGA Model Template – Updated December 2014) is presented for consideration and recommended for adoption as attached to this report (Attachment 1).

The Member's Training & Development Policy provides guidance for the continuing administration of Member training additional to the support provided to Members by way of invitations to workshops, seminars, briefings and LGA sessions and the extensive array of information distributed to Members via the Friday Edition and other mediums.

The Member's Training & Development Policy identifies authorisation and reporting requirements for 3 categories of Member Training and Development:

- Local/Regional Training - available to any Member upon application
- SA-LGA Training – by generic resolution of Council (for any Member to attend)
- All Other Training – by specific resolution of Council (for specified Member to attend)

The Policy further proposes 'Pro-Forma's to be used for Member training applications and evaluation/reporting.

RECOMMENDATION

- (a) Corporate and Community Services Report No. 66/2015 be received;
- (b) Council hereby adopts new Council Policy M5## Members Training & Development Policy, as attached to this Report;
- (c) Council hereby revokes former Council Policies (now superseded):
- M170 – Members – Conference, Course and Seminars
 - M210 – Members – Newly Elected Members

Corporate and Community Services Report No. 66/2015 cont'd...

M250 – Members – Training & Development
M255 – Members – Council Induction

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




Michael McCARTHY
MANAGER GOVERNANCE & PROPERTY

Sighted:



Mark McSHANE
CHIEF EXECUTIVE OFFICER

17th November, 2015
MMcC

 City of Mount Gambier	M5## – MEMBERS TRAINING & DEVELOPMENT POLICY	Version No:	1
		Issued:	## Nov 2015
		Next Review:	July 2019

1. INTRODUCTION

The City of Mount Gambier is committed to providing training and development activities for its Council Members, including the mandatory training requirements under the LGA Training Standards, and recognises its responsibility to develop and adopt a policy for this purpose under section 80A of the Local Government Act.

Following the amendment to the Local Government Act and the Local Government (General) Regulations 2013 in November 2014, this policy also incorporates the new requirements for Council Members to undertake mandatory training within the first year of election to office, which complies with the LGA Training Standards as defined in Regulations.

2. POLICY OBJECTIVE

To ensure Council Members are provided opportunities to undertake the required training in accordance with the LGA Training Standards and any other appropriate training and development activities relevant to their roles and functions.

3. SCOPE

This Policy applies to all Council Members who each have an obligation to abide by this Policy.

4. TRAINING & DEVELOPMENT


Council supports Training & Development to ensure that activities available to all Council Members comply with the Regulations and contribute to the personal development of the individual and the achievement of the strategic and good governance objectives of Council.

Particular emphasis is given to the participation of all Council Members in the development of a new Councillor group following a general election as well as the orientation of first time Council Members.

Council will utilise a range of strategies to identify the needs of Council and match these needs against its strategic and good governance objectives. In particular, Council will identify the appropriate modules within the LGA Training Standards that should form the basis of the required training for newly elected and returning Council Members.

Council recognises that in order to carry out their roles and responsibilities to the community, Council Members will need specific training and refresher courses about their legislative and governance roles and functions. The LGA Training Standards can be accessed on the LGA website at <http://www.training.lga.sa.gov.au/index.cfm/council-member-training/lga-training-standard/>. They consist of the following modules:

- Module 1 - Introduction to Local Government - Role and function of Council Members
- Module 2 - Legal Responsibilities
- Module 3 - Council and committee meetings
- Module 4 - Financial Management and Reporting

 City of Mount Gambier	M5## – MEMBERS TRAINING & DEVELOPMENT POLICY	Version No:	1
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		Next Review:	July 2019

Newly elected Council Members will be required to undertake all four modules. Returning Council Members will undertake the appropriate modules identified through an analysis of their skills and training needs

Other training issues will emerge that are directly related to specific service areas and other community issues and address environmental, social and economic challenges facing the community. All training requests must have a relationship to the business of Council or local government.

It is recognised that a range of delivery methods will be required to support the training needs of Council Members, including:

- In-house workshops, seminars and briefing sessions conducted by the Council with appropriate staff, trainers and guest speakers;
- Attendance at workshops, seminars and conferences offered by training providers and industry bodies including the Local Government Association of SA and other industry bodies and/or private providers offering courses for Members to gain new skills and knowledge and to network with other Council Members;
- Printed material, including training booklets and discussion papers, that may be distributed for information;
- On-line learning;
- Audio/Visual information; and
- Tours & visits to other Councils to gain new knowledge & understanding.


The following hierarchy of training/development opportunities and approval/reporting requirements provides a guide for Member attendance:

Training/Development Category	Authorisation	Reporting
Local Training (hosted locally within City/SE Region)	By Application	General Listing in Annual Report
SA LGA Training, Conferences, Meetings (Adelaide Based)	Generic Council Resolution (for any Councillor to attend)	Submission of Evaluation Pro-Forma for circulation in Friday Edition
All Other Training (e.g. Technical, Professional, Specialist, Non-LGA/Non-Local/Interstate Seminars, Conferences etc)	Specific Council Resolution (via pro-forma application) <ul style="list-style-type: none"> • Name of Councillor • Description of Training • Location • Training Cost • Benefits 	Submission of Evaluation Pro-Forma/Report for presentation at the Member Reports Council Agenda Item.

Note:

In accordance with Council resolution of 25th November 2015 (Item 23) the Mayor (and Deputy Mayor) are duly authorised to represent Council (e.g. at SA Local Government Association Annual General Meetings and other LGA functions and at Australia Local Government Association functions)

Mayor (or Deputy Mayor) attendances may be supported by the CEO (or Acting CEO or CEO's representative)

 City of Mount Gambier	M5## – MEMBERS TRAINING & DEVELOPMENT POLICY	Version No:	1
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Requests to attend training should be made in writing via email to the CEO to coordinate attendance and Council reports for any necessary authorisation.

Following attendance at training/development programs or activities, individual Council Members are required to submit an evaluation outlining the nature of the training program/activity and the benefits gained through attendance along with feedback on ideas to enhance the program/activity.

The CEO will keep a record of all training attended, particularly the mandatory training requirements.

5. ANNUAL BUDGET ALLOCATION

A budget allocation will be provided to support the training and development activities undertaken by Council, and progress against expenditure of the budget allocation will be reported on a quarterly and annual basis.

All training undertaken by Members will be recorded in the Council Allowances and Benefits Register which will be updated as required to reflect attendances.

6. PAYMENTS/REIMBURSEMENTS

Reimbursement of expenses for training purposes must only be for attendance at training/development consistent with this Policy, or through a separate Council resolution endorsing attendance at the training/development program or activity.

Where approval has been granted by Council for attendance at a training program/activity (including attendance in accordance with this Policy) a Member may seek reimbursement of expenses in accordance with the relevant provisions of the Act and Regulations.

7. ANNUAL REPORTING


The Council's annual report will include a segment regarding the operation of this Policy, the nature of attendances by Members and expenditure allocated and used for training of Council Members.

8. REVIEW & EVALUATION

This Policy shall be reviewed during each term of Council, and at any other time as may be required by any legislative changes which may occur.

9. 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.

 City of Mount Gambier	M5## – MEMBERS TRAINING & DEVELOPMENT POLICY	Version No:	1
		Issued:	## Nov 2015
		Next Review:	July 2019

File Reference:	AF11/1740
Applicable Legislation:	Section 80A Local Government Act 1999 ; Reg. 8AA Local Government (General) Regulations 2013
Reference: Strategic Plan – Beyond 2015	Goal 3, Strategic Objective 7. Goal 5, Strategic Objective 5.
Related Policies:	M405 - Allowances, Re-imbursements, Benefits & Facilities M170 – Conference, Course and Seminars (Superseded) M210 – Newly Elected Members (Superseded) M250 – Training & Development (Superseded) M255 – Council Induction (Superseded)
Related Procedures:	Member Training – Administrative Procedures
Related Documents:	Member Training - Application Pro-Forma Member Training - Evaluation Pro-Forma

DOCUMENT DETAILS

Responsibility:	Manager – Governance & Property
Version:	1.0
Last revised date:	## December, 2015
Effective date:	## December, 2015
Minute reference:	CCS Item ## - Report No. ##/2015 - ## th December, 2015
Next review date:	July, 2019
<u>Document History</u> First Adopted By Council: Reviewed/Amended:	## th December, 2015

CORPORATE AND COMMUNITY SERVICES REPORT NO. 76/2015

SUBJECT: FINANCIAL SUSTAINABILITY – KEY FINANCIAL INDICATORS

REF: AF14/81

Goal: Governance

Strategic Objective: (i) Establish measures for Council's performance and continually compare against community expectations.
(ii) Engage with national, state, regional and local forums and partnerships to provide solutions and options to continually improve Councils service delivery and performance.

What is Financial Sustainability?

The definition of Financial Sustainability for Local Government emanated from the independent SA Local Government Financial Sustainability Inquiry in 2005.

It is defined as:

"A Council's long-term financial performance and position is sustainable where planned long-term service and infrastructure levels and standards are met without unplanned increases in rates or disruptive cuts to services."

The definition was endorsed nationally at the National General Assembly of Local Government in Canberra in November 2006.

As part of the financial sustainability inquiry conducted in 2005, each Council was categorised into one of 6 groups, with Category 1 being Sustainable with a very substantial margin of comfort and Category 7 being Unsustainable.

Mount Gambier's ranking at this time was a Category 4, being sustainable with a minimum margin of comfort. The definition attributed to this category was:

*"If unanticipated financial shocks/risks eventuate on top of known developments, the Council should be able to avoid a substantial per-property rates increase albeit with a minimum margin of comfort **provided** its revenue and spending policies remain unchanged over time."*

To put this into some form of context, 43 of the 68 South Australian Councils (63%) received a rating of 4 or worse.

Why is it important?

The importance of financial sustainability is to ensure that each generation 'pays their way', rather than any generation living off their assets and leaving it to the future generations to address the issue of repairing/replacing worn out infrastructure.

The Council is the custodian of infrastructure and assets with a current written down value of approximately \$230 million. Council has the responsibility to ensure that assets are managed efficiently and effectively and that decisions regarding the acquisition of new assets and the sale and maintenance of existing assets are undertaken in an open and transparent fashion.

Sound asset management is the key to financial sustainability. There is clearly a direct link between the development and implementation of Council's Infrastructure and Asset Management Plan and its LTFP. Council expends considerable funds on the acquisition and management of assets. It will be exposed to financial risk over the longer term if budget processes have little regard for ongoing costs associated with the maintenance and renewal of these assets beyond the current budget period. It is incumbent on Council to carefully consider information about the stock of infrastructure and other assets and the contribution that current ratepayers are making to their consumption.

Corporate and Community Services Report No. 76/2015 cont'd...

Council is facing new challenges in managing infrastructure and other assets as a result of issues such as increasing community expectations; population growth; development of new infrastructure; replacement of ageing infrastructure; new legislative requirements (e.g. EPA standards) and the growing demands of an ageing population.

The term “asset management” is used to describe the process by which the Council manages physical assets to meet current and future levels of service. The Council determines the policy framework within which existing assets are managed, new assets are acquired and the overall program for the maintenance and disposal of assets. This policy framework typically has regard to the link between the purchase, upgrade and disposal of assets, the delivery of services to communities and consultation processes required to ensure the community is well informed and able to influence the decisions of the Council.

How is it measured?

To ensure that each generation ‘pays its way’, it is crucial that current ratepayers effectively fund the current net cost of services provided and community assets consumed. Without this being achieved (i.e. an operating deficit), future generations are effectively subsidising the current cost of service provision and asset consumption.

Based on this, the financial sustainability of a Council is measured by the surplus/(deficit) (before capital revenues) disclosed in the Income Statement. A Council’s long-term financial sustainability is dependent upon ensuring that on average, over time its expenses are less than its associated revenues.

The following indicators have been developed specifically to focus attention on factors identified as key to securing long-term financial security:

- Operating ratio
- Net financial liabilities ratio
- Asset sustainability ratio

For each key financial indicator, which are consistent with industry standards, appropriate targets have been nominated to enable meaningful performance measurement.

What are the Key Financial Indicators?

The following is a brief explanation of the principal Key Financial Indicators used throughout the local government sector in South Australia:

- Operating Ratio – expresses the operating surplus or (deficit) as a percentage of general and other rates, net of rebates.

A positive ratio indicates the percentage of rates available to fund current and future capital expenditure. A negative ratio indicates the percentage increase in rate revenue that would have been required to achieve a break-even operating result.

When a breakeven result is achieved it means that ratepayers are meeting the costs of the services they are consuming (including depreciation).

- Net Financial Liabilities Ratio – indicates the extent to which net financial liabilities of the Council can be met by the Council’s total operating revenue.

Corporate and Community Services Report No. 76/2015 cont'd...

Where the ratio is falling it indicates the Council's capacity to meet its financial obligations from operating revenues is strengthening. Where the ratio is increasing it indicates a greater amount of Council's operating revenue is required to service its financial obligations.

- **Asset Sustainability Ratio** – indicates whether the Council is renewing or replacing existing physical assets at the rate at which they are wearing out.

Councils with a high ratio are replacing and renewing capital assets at a rate comparable to depreciation / wear.

Local Government sector targets for each of the key financial indicators are as follows:

- Operating Ratio: 0% - 15% over any five year period.
- Net Financial Liabilities: not to exceed total operating revenue or 100%
- Asset Sustainability Ratio: a range between 90% to 100% over any three year period.

What do our results tell us?

Key Financial Indicators Targets and Results relevant to the City of Mount Gambier over the past five (5) years are summarised in the following table.

Summary of Financial Results					
	2014/15	2013/14	2012/13	2011/12	2010/11
Operating Ratio (Target: 0% - 15% over 5 years)	6%	(4%)	2%	(4%)	(8%)
Net Financial Liabilities Ratio (Target: not to exceed 100%)	26%	31%	23%	27%	9%
Assets Sustainability Ratio (Target: 90% - 100% over 3 years)	53%	107%	85%	52%	51%

Operating Ratio:

A positive ratio indicates the percentage of rates available to fund current and future capital expenditure.

A negative ratio indicates the percentage increase in rate revenue that would have been required to achieve a breakeven operating result.

Result: A breakeven result (over five years) means that current day ratepayers are meeting the costs of services currently being consumed.

Net Financial Liabilities Ratio: where the ratio is falling it indicates the Councils capacity to meet its financial obligations from operating revenues is strengthening.

Where the ratio is increasing it indicates a greater amount of Councils operating revenue is required to service its financial obligations.

Result: Target (due to Councils recent major capital works) increasing a greater amount of Councils operating revenue is required to service its financial obligations.

Asset Sustainability Ratio: A high ratio indicates Council is replacing/renewing capital assets at a rate comparable to depreciation/wear.

Result: Target close to being met. Considerable focus to increase this ratio over recent years to ensure Council is replacing/renewing capital assets at a rate comparable to depreciation/wear.

Corporate and Community Services Report No. 76/2015 cont'd...

How do we compare with other SA Councils?

Each year the SA Local Government Grants Commission prepares what is commonly known as 'database' reports which are derived from SA Councils Annual Financial Statements and General Information Returns.

Corporate and Community Services Report No. 53/2015 in August 2015 provided a detailed breakdown of these statistics both in comparative form (with other SA Councils) and in a time series format (our statistics only).

Relevant extracts from that Report are repeated, for information, in this Report noting that the release of the 30th June, 2015 database reports are anticipated to be received in July, 2016 and will be subject to a further report.

**SA Local Government Grants Commission database reports 2013/2014
FINANCIAL COMPARISON**

COUNCIL	TOTAL ASSETS (\$000)	TOTAL LIABILITIES (\$000)	TOTAL EQUITY (\$000)	Total Financial Assets (\$000)	Net Financial Liabilities (\$000)	Operating Surplus Ratio (%)	Net Financial Liabilities Ratio (%)	Asset Sustainability Ratio (%)
Alexandrina	418,339	35,780	382,559	5,768	30,012	(5)	83	41
Barossa	300,479	24,788	275,691	10,795	13,993	0	43	116
Gawler	207,980	16,579	191,403	5,880	10,697	(53)	49	119
Mount Gambier	197,640	9,418	188,222	2,459	6,959	(4)	31	244
Murray Bridge	264,970	16,016	248,954	8,387	7,629	(11)	26	(6)
Port Augusta	209,604	35,967	173,637	7,093	28,874	(42)	92	47
Port Lincoln	168,656	5,058	163,600	4,341	717	(2)	5	311
Victor Harbor	262,007	17,428	244,579	5,151	12,277	5	56	80
Whyalla	251,466	13,983	237,483	4,297	9,686	(16)	40	171

**SA Local Government Grants Commission database reports 2013/2014
EXPENDITURE COMPARISON**

COUNCIL	Estimated Resident Population as 30/6/14	EMPLOYEE COSTS (\$000)	MATERIALS, CONTRACTS & OTHER EXPENSES (\$000)	FINANCE COSTS (\$000)	DEPRECIATION, AMORTISATION & IMPAIRMENT (\$000)	TOTAL OPERATING EXPENSES (\$000)	OPERATING SURPLUS / (DEFICIT) (\$000)
Alexandrina	25,136	11,873	15,738	1,576	9,257	38,461	(1,549)
Barossa	22,964	10,913	13,990	1,277	6,534	32,719	76
Gawler	22,219	8,211	9,626	811	12,237	30,919	(8,914)
Mount Gambier	26,246	8,772	8,467	262	5,907	23,408	(668)
Murray Bridge	20,740	13,480	11,202	618	6,080	31,477	(1,976)
Port Augusta	14,557	16,236	14,475	1,113	5,942	37,766	(6,176)
Port Lincoln	14,888	3,799	8,886	12	2,784	15,481	(192)
Victor Harbor	14,938	7,899	7,788	869	4,995	21,551	875
Whyalla	22,754	9,395	12,253	169	5,993	27,810	(2,694)

**Local Government Grants Commission Database
Time Series Reports**

ASSETS

Year	Cash / Cash Equiv.	Other Receivables	Inventories	Land	Buildings	Infrastructure	Plant, Equipment	Other Assets	Total Assets
2009/10	9,696,000	1,638,000	44,000	28,012,000	53,120,000	43,618,000	4,842,000	1,406,000	142,376,000
2010/11	8,298,000	2,520,000	35,000	28,363,000	56,215,000	45,263,000	4,704,000	2,425,000	135,289,000
2011/12	981,000	1,470,000	47,000	41,026,000	112,109,000	56,625,000	4,840,000	2,946,000	220,042,000
2012/13	675,000	1,397,000	40,000	41,188,000	87,340,000	58,186,000	4,627,000	2,670,000	196,123,000
2013/14	1,173,000	1,286,000	37,000	40,858,000	86,810,000	60,343,000	4,749,000	2,384,000	197,690,000

FINANCIAL

Year	Total Liabilities	Total Financial Assets	Net Financial Liabilities	Total Equity	% Operating Surplus Ratio	Net Financial Liab. Ratio %	Asset Sustainability Ratio %
2009/10	9,059,000	11,334,000	(2,275,000)	133,317,000	2	(12)	55
2010/11	12,534,000	10,818,000	1,716,000	135,289,000	(8)	9	51
2011/12	8,432,000	2,451,000	5,981,000	211,612,000	(4)	27	52
2012/13	7,070,000	2,072,000	4,998,000	189,053,000	2	23	85
2013/14	9,418,000	2,459,000	6,959,000	188,222,000	(4)	31	107

Further information on the Local Government Associations Financial Sustainability Program can be found at <http://www.lga.sa.gov.au/page.aspx?u=769> which include a range of Information Papers, local government sector wide reports and general information on the Sustainability Program / Inquiry.

RECOMMENDATION

- (a) Corporate and Community Services Report No. 76/2015 be received for information.



Grant HUMPHRIES
DIRECTOR – CORPORATE SERVICES

Sighted:



Mark McSHANE
CHIEF EXECUTIVE OFFICER

CORPORATE AND COMMUNITY SERVICES REPORT NO. 77/2015

SUBJECT: COUNCIL POLICY REVIEW - R180 RECORDS MANAGEMENT

REF: AF11/1948

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance.

The Director - Corporate Services reported:

Since the adoption of this Council Policy, State Records have amended their requirements in regard to the destruction of official Council records.

The requirement for agencies to notify State Records of the pending destruction of official records through the completion of an 'Intention to Destroy Records Report' ceased on 30th June, 2015.

This requirement has now been replaced with an agency (Council) based approval process which as a minimum is to incorporate the destruction of Official Records - Agency Approval Process Guideline and Checklist when destroying official records.

A new Administrative Procedure - Destruction of Official Records to support a Council based approval process has now been developed and now reflected in the revised Council Policy R180 Records Management.

With this amendment, the revised version of Councils existing Policy is recommended for adoption.

RECOMMENDATION

- (a) Corporate and Community Services Report No. 77/2015 be received;
- (b) Council hereby adopts the revised version of existing Policy R180 Records Management.



Grant HUMPHRIES
DIRECTOR – CORPORATE SERVICES

Sighted:



Mark McSHANE
CHIEF EXECUTIVE OFFICER

13th November, 2015

 City of Mount Gambier	COUNCIL POLICY R180 RECORDS MANAGEMENT	Version No:	2
		Issued:	December, 2015
		Next Review:	May, 2017

1. Scope

The City of Mount Gambier Records Management Policy provides the policy framework for Council to effectively fulfil its obligations and statutory requirements under the *State Records Act 1997*.

Good records management is of key importance to good governance. Records are vital ingredients in the support of the Council's ongoing business activities. The Council is committed to managing its records of continuing value and their timely transfer to State Records of South Australia.

Under the *State Records Act 1997*, the City of Mount Gambier has an obligation to maintain the official records in its custody in good order and condition. Not only does this include obligations in relation to the capture, storage, maintenance and disposal of physical records but also records in electronic format including email messages and social media.

The Policy applies to all Council business including activities undertaken using electronic files or communications. It concerns records which are created, collected, processed, used, sentenced, stored and disposed of in the conduct of Council's official business. Electronic communications which are relevant to the information gathering, policy formulation or decision making processes of Council are part of the scope of this Policy.

HP Records Manager (RM) is the corporate Electronic Document Records Management System (EDRMS). RM is designed to:

- enhance the retrieval of information;
- empower users to manage their own information;
- allow intellectual property to be shared within Council;
- meet legal and regulatory requirements for the maintenance of records;
- meet Australian Standards (AS ISO 15489.1-2002) for the management of records.

2. Purpose

The purpose of this policy is to outline and direct the practices of Council staff and Elected Members in relation to the management of the records of Council and the information contained within them.

Council staff includes persons employed by Council, volunteers, trainees, work experience placements, independent consultants and contractors and other authorised personnel offered access to Council's resources.

Council has an obligation under the *Local Government Act 1999* and the *Freedom of Information Act 1991* and other relevant legislation to create, manage and provide timely access to documents and records containing specific information.

The management of records is a vital process that underpins and supports the business activities of the Council. Adherence to this Policy and Procedure Statement will ensure the City of Mount Gambier is able to:

- meet its legislative responsibilities;
- provide evidence of accountability;
- validate and support its decisions and actions;

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- protect the interests of its residents, Elected Members and staff; and
- is able to provide evidence for legal actions, investigations and related purposes.

The Council is an agency under the *State Records Act 1997* and, as such, is required to practice adequate records management as defined by the *Across Government Adequate Records Management Standard and Framework*. The Standard states “Records management must be governed and planned in a strategic manner, incorporating the development and implementation of plans, policies and procedures.”

3. Policy Statement

The business activities of the City of Mount Gambier are to be documented, recorded and managed to protect the integrity, enhance the efficiency and preserve the history of Council. Business activities include decisions made, actions taken and interaction with clients. Records will be managed and maintained in accordance with the procedures associated with this policy.

This policy applies to the records and information held by Council at all sites managed and occupied by Council, including records created and received by Council staff and Elected Members and should be read in conjunction with the Administrative Procedure – Records Management.

4. Electronic Document & Records Management System

The City of Mount Gambier’s corporate electronic document and records management system is HP Records Manager (RM). The objectives of the electronic document and records management system are as follows:

- To ensure that the management of Council’s information resources and records provide timely and comprehensive information to meet operational business needs, accountability requirements and community expectations.
- To ensure the preservation of Council’s ‘corporate memory’ through sound recordkeeping practices and accurate capture of information meeting legal, evidential and accountability requirements.

5. Roles & Responsibilities

It is the responsibility of all Council staff and Elected Members to adhere to this Policy and associated Administrative Procedure.

Council staff or Elected Members who do not comply with this Policy may be subject to disciplinary action under the relevant Code of Conduct, and/or subject to criminal or civil proceedings. Elected Members and staff should report breaches of this Policy to the Director - Corporate Services.

Council’s Responsibility

Council as an entity is responsible for ensuring its business activities are documented and preserved. Council as an entity is responsible for:

- Ensuring its official records are captured and stored;
- Providing complete, accurate and reliable records of its functions and activities;
- Protecting its integrity and the interests of its staff, residents and ratepayers; and
- Providing a documented history of the Council.

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When collecting, using, storing and disclosing personal information, Council acknowledges that the National Privacy Principles contained within the Privacy Act set an appropriate standard for privacy protection and enables Council to achieve 'best practice' consistency with those standards.

Council will take reasonable steps to protect the personal information it holds from loss, unauthorised access, use, modification, disclosure and other misuse, and to maintain systems to ensure that all personal information collected is stored safely.

Chief Executive Officer's Responsibility

The role of the Chief Executive Officer as prescribed by Section 99 of the *Local Government Act 1999* includes ensuring that records required under any legislation are properly kept and maintained.

The Chief Executive Officer is also responsible for ensuring that Elected Members are aware of their records management responsibilities and that they receive the appropriate training and education.

Director's / Manager's / Team Leader's Responsibilities

All Supervisors are responsible for adherence to this Policy and associated Administrative Procedures by staff within their department. They are also responsible for ensuring staff receive records management training relative to their roles and responsibilities. Supervisor's are charged with the responsibility of ensuring their staff:

- Are formally introduced to the Records Management Policy and associated Administrative Procedures
- Undertake records management training as part of their induction process
- Have access to the knowledge, software and tools that support the Records Management Policy and associated Procedures
- Have recordkeeping responsibilities included in job and person specifications, performance management agreements and/or contracts and agreements
- Capture Council's Intellectual Property (e.g. knowledge that may cease once a staff member leaves)

Supervisors are responsible for supporting and monitoring staff recordkeeping practices as defined by this Policy and associated Administrative Procedure and supporting the capture and creation of records by staff as part of normal business practices.

Council Staff and Elected Member Responsibilities

All Council staff and Elected Members need to be aware of and comply with recordkeeping requirements related to the performance and execution of their duties and functions which include:

- creating records that adequately reflect the business they conduct including, where relevant, decisions made and actions taken;
- protecting and caring for records in their possession;
- not removing, destroying or deleting Council records without proper authority to do so;

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- ensuring all official records form part of the record holdings of Council;
- ensuring all official records are captured within Council's EDRMS or the appropriate business system; and
- recognising that the records they create and receive in the conduct of Council's business are the property of Council and must be afforded the care and protection identified in this Policy and associated Administrative Procedure.

In order to meet the above requirements, Elected Members are responsible for ensuring that they forward to Council staff for inclusion in Council's EDRMS any records deemed to be official records regardless of their format including hardcopy, email and social media.

Senior Records Officer

Responsibility for Council's records management system is assigned to the Senior Records Officer.

The Senior Records Officer is operationally responsible for the efficient management of Council records (physical and electronic) incorporating sound recordkeeping principles and records management best practice guidelines.

The Senior Records Officer is responsible for the effective management and system administration of the Council's EDRMS.

The Senior Records Officer is responsible for:

- ensuring that official records are managed in accordance with the *State Records Act 1997*;
- establishing records management policies and procedures for the Council as a whole;
- establishing corporate standards for recordkeeping and records management;
- measuring performance of Council business units against these standards;
- providing consulting services to Council staff and Elected Members;
- developing corporate electronic records management strategies;
- working with other managers of information resources to develop coherent information architecture across the Council;
- working with other accountability stakeholders, including FOI officers and executive management staff, to ensure recordkeeping systems support organisational and public accountability; and
- providing Council staff and Elected Members with appropriate training and tools to allow them to meet their records management responsibilities.

6. Confidential Records

If a staff member or Elected Member believes that a record forwarded to Records staff for incorporation into the recordkeeping system is of a highly sensitive or confidential nature, he or she should advise Records of that view. It will be at the discretion of Records staff as to whether such information will then be treated as confidential and access to those records restricted.

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7. Records Security

The security of all Council records is crucial, as records provide evidence of business transactions, support management decisions and ensure public accountability requirements are met. Records in all formats should be stored securely to prevent unauthorised access, destruction, loss, alteration or removal.

Council staff are responsible for the safe custody of all hardcopy files and documents that are allocated to them. Sensitive or confidential information should be placed in a secure storage area when not in use. When no longer required the file/documents should be returned to Records for storage.

File storage units should be locked overnight wherever possible to prevent unauthorised access. Amongst other risk management considerations, this reduces the possibility of damage by water or fire in the event of a disaster.

Council records are not to be stored at home or left in cars unattended as they could be lost or damaged or stolen. Vital records should be stored in protective or fire resistant conditions with suitable access conditions. Confidential records must be stored in a secured environment whether they are in hardcopy or electronic form.

8. Disposal of Records

Official records must be disposed of in accordance with the General Disposal Schedule 20 (GDS 20) for Local Government Authorities in South Australia.

The Senior Records Officer is the only person with the authority to dispose of official records. The Chief Executive Officer is responsible for approving destruction of records at the City of Mount Gambier. Unauthorised or illegal destruction under the *State Records Act 1997* carries penalties of a \$10,000 fine or up to 2 years imprisonment, which may be placed on an organisation or an individual.

Only records that have been identified as non official and of no continuing value to the Council can be destroyed in accordance with Normal Administrative Practice (NAP). Council staff and Elected Members should contact Records staff for advice or assistance with the destruction of their non official records if required.

Disposal of Council records will take place annually or as required. During this process records will be sentenced and sent to offsite storage for archiving or destroyed as per SRSA requirements.

Method	Description
Destruction	A list of records due for destruction will be signed off by the Senior Records Officer in conjunction with specified Review Officers prior to being submitted to the CEO for approval and confidential destruction in accordance with Administrative Procedure – Destruction of Official Records.
Archiving	Records will be sentenced, boxed and archived. A register will be maintained for reference and retrieval purposes. Records are initially sent to the Records Shed at the Depot with consignments of permanent records transferred to SRSA on an as required basis.

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9. Digitisation and Disposal of Source Records

General Disposal Schedule 21 (GDS 21) for the management and disposal of source documents and digitised versions after digitisation will be applied by Records to digitised records managed in RM and their source documents in conjunction with the GDS 20.

Once source documents have been digitised by rendering into an open and enduring format (PDF, JPG or TIFF) the digitised version will be managed as the corporate record within the system. The location of source documents will be recorded in the metadata of the digitised record and source documents will be retained for a minimum of 1 year or as determined by its business use. Source documents will be day batched with the exception of:

- Permanent source documents will be filed in hardcopy permanent files after digitisation.
- Source documents of records deemed to be vital records will be stored in the strongroom after digitisation and will be retained according to the GDS 20.
- Source documents required for business use will be kept by the relevant section for an agreed period prior to being transferred into custody of Records for destruction in accordance with this Policy and the GDS 21.

Access to day batched temporary source documents and permanent source document files will be controlled by Records.

10. Legislation & Related Documentation

The *State Records Act 1997* governs the obligations and responsibilities of the City of Mount Gambier in relation to the management of official records. Under this Act, the Council has an obligation to maintain all official records in its custody in good order and condition. Not only does this include obligations in relation to the capture, storage, maintenance and disposal of physical records but also records in electronic format.

Council has certain legal obligations in relation to records management and records are themselves subject to legislation such as the *Freedom of Information Act 1991*, and legal processes such as discovery and subpoenas. The records may also be required by Royal Commissions, the Ombudsman, the Courts, auditors and other people or bodies who may have authority or rights to access records.

Relevant Legislation / Standards

- State Records Act 1997
- Local Government Act 1999
- Freedom of Information Act 1991
- Copyright Act 1968
- Development Act and Regulations 1993
- Evidence Act 1929 (as amended)
- Electronic Transactions Act 2000
- Australian Standards AS ISO 15489, Records Management

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11. Definitions

Continuing Value – records of continuing value are those that contain information that is of administrative, legal, fiscal, evidential or historical value to the Council.

Council Business – may include the provision of services, delivery of programs, development of policies, making of decisions, performance of Council functions and other similar types of transactions.

Council Staff - includes persons employed by Council, volunteers, trainees, work experience placements, independent consultants and contractors and other authorised personnel offered access to Council's resources.

Dispose of – to dispose of an official record means to:

- destroy or abandon the record;
- carry out an act or process as a result of which it is no longer possible or reasonably practicable to reproduce the whole or a part of the information contained in the record; or
- transfer or deliver ownership or possession of or sell the record, or purport to do so,

but does not include transferring or delivering the record to the State Records Office or between the Council and another agency.

Ephemeral/Transitory Record

A record is transitory or ephemeral in nature if it is of little or no continuing value to the Council and only needs to be kept for a limited or short period of time, such as a few hours or a few days.

Normal Administrative Practice (NAP)

Normal Administrative Practice provides for the routine destruction of drafts, duplicates and publications with the test that it is obvious that no information of more than transitory or ephemeral value to the Council will be destroyed. Material that can be disposed of under Normal Administrative Practice comprises items of an ephemeral or transitory nature created, acquired or collected by Council staff or Elected Members in the course of their official duties. Such material has no ongoing value and is not usually incorporated into the Council's recordkeeping system and is not considered destruction of official records.

Record

A record means:

- written, graphic or pictorial matter: or
- a disk (magnetic or optical), tape, film or other object that contains information (in any form) or from which information may be reproduced (with or without the aid of another object or device).

Official Record

An official record is a record made or received by the Council in the conduct of its business. This means that because Elected Members and staff of the Council act as representatives of the Council, any record created, sent, received, forwarded or transmitted by Council staff

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and/or Elected Members in the performance of their functions and duties may be classified as official records.

An official record does not include:

- records that are merely transitory, ephemeral, personal or private in nature will fall outside the definition of “official records”;
- a record made or received for delivery or transmission to another person or body (other than an agency) and so delivered or transmitted; or
- a record made by an agency as a draft only and not for further use or reference; or
- a record received into or made for the collection of a library, museum or art gallery and not otherwise associated with the business of the agency, or
- a Commonwealth record as defined by the Archives Act 1983 of the Commonwealth, as amended from time to time, or an Act of the Commonwealth enacted in substitution for that Act; or
- a record that has been transferred to the Commonwealth.

12. REVIEW & EVALUATION

This Policy is scheduled for review by Council in May 2017; however, will be reviewed as required by any legislative changes which may occur.

13. 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.

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File Reference:	AF11/1738
Applicable Legislation:	State Records Act 1997 Local Government Act 1999 Freedom of Information Act 1991
Reference: Strategic Plan – Beyond 2015	Goal 5, Strategic Objective 5
Related Policies:	Privacy Policy
Related Procedures:	Administrative Procedure - Records Management Administrative Procedure - Destruction of Official Records
Related Documents:	Australian Standard 150 15489.1-2002 Adequate Records Management Framework General Disposal Schedule 20 General Disposal Schedule 21 Code of Conduct for Employees (Gazetted 20/2/2014) Code of Conduct for Council Members (Gazetted 29/8/2013) Freedom of Information Statement

DOCUMENT DETAILS

Responsibility:	Director Corporate Services
Version:	2.0
Last revised date:	20 th May, 2014
Effective date:	20 th May, 2014
Minute reference:	CCS Item 17, Report No. 38/2014 - 20 th May, 2014
Next review date:	May, 2017
<u>Document History</u>	
First Adopted By Council:	20 th May, 2014
Reviewed/Amended:	15 th December, 2015

CORPORATE AND COMMUNITY SERVICES COMMITTEE REPORT NO. 78/2015

SUBJECT: POLICY C410 CONDUCT OF MEETINGS (S92 CODE OF PRACTICE)

REF: AF15/606

Goal: Governance

Strategy: Demonstrate innovative and responsive organizational governance.

At its meeting on 25th November, 2014 Council endorsed Draft Policy C410 Conduct of Meetings (s92 Code of Practice) for the purpose of undertaking public consultation on parts relating to the use of confidentiality provisions and public access to meetings and documents.

At that meeting Council also called for a further report on part 5.1 of that policy that relates to the use of filming and audio recording devices at meetings.

Following the presentation and consideration of a further report in March 2015 (CCS Report No. 16/2015) alternate policy provisions relating to audio recording of Council and (Sub)Committee meetings were inserted.

The amended Policy C410 Conduct of Meetings (s92 Code of Practice) is attached for Members information (**Attachment 1**).

Public consultation required by the Local Government Act on the policy provisions relating to confidentiality and public access to meetings and documents has now been undertaken, comprising a public notice in The Border Watch on Friday 6th and Friday 13th November, 2015, publication of the policy on the Council website and an article under the 'Latest News' banner of the Council website

Written comments on the policy provisions were invited over a 21 day period that closed on Friday 27th November 2015. Requests for further information and enquiries on the policy were also invited.

At close of business on Friday 27th November 2015 no enquiries or written comments/submissions had been received in response to the public consultation.

This report now recommends that Council, having considered the results of public consultation, formally adopt Policy C410 Conduct of Meetings (s92 Code of Practice) as attached (**Attachment 1**).

Should Council adopt Policy C410, then it is further recommended that the following policies replaced by Policy C410 be formally revoked and deleted from Council's Policy Index:

- C275 – Access to Council Meetings
- C300 – Protocol for Common Items
- C310 – Presentation of Recommendations
- C315 – Voting En-bloc
- M190 – Deputy Mayor
- S110 – SELGA - Delegates
- S130 – SELGA – Guiding Principle for Appointments
- C280 – Appointment to Committees
- C285 – Appointment of Independent Members

Corporate and Community Services Report No. 78/2015 cont'd...

RECOMMENDATION

- (a) Corporate and Community Services Report No. 78/2015 be received;
- (b) having considered the results of public consultation Council hereby adopts Council Policy C410 Conduct of Meetings (s92 Code of Practice) as attached to this report.
- (c) Council hereby revokes replaced/superseded Council Policies:
 - C275 – Access to Council Meetings
 - C300 – Protocol for Common Items
 - C310 – Presentation of Recommendations
 - C315 – Voting En-bloc
 - M190 – Deputy Mayor
 - S110 – SELGA - Delegates
 - S130 – SELGA – Guiding Principle for Appointments
 - C280 – Appointment to Committees
 - C285 – Appointment of Independent Members
- (d) Council makes the necessary amendments to Council's Policy Manual Index.



Michael McCARTHY
MANAGER GOVERNANCE & PROPERTY

Sighted:



Mark McSHANE
CHIEF EXECUTIVE OFFICER

	COUNCIL POLICY C410 CONDUCT OF MEETINGS (s92 CODE OF PRACTICE)	Version No:	2
		Issued:	March 2015
		Next Review:	March 2016

1. PURPOSE

The City of Mount Gambier (“Council”) supports open, transparent and informed decision-making and encourages appropriate community participation in the affairs of Council.

Sections 86 and 89 of the Local Government Act 1999 (“Act”) provides that procedures to be observed for the conduct of Council and Committee meetings will be:

- as prescribed by the [Local Government \(Procedures at Meetings\) Regulations 2013](#)
- insofar as the procedure is not prescribed by regulation—as determined by the council;
- insofar as the procedure is not prescribed by regulation or determined by the council—as determined by the council committee itself.

Council also recognises that occasionally it may be appropriate and necessary to restrict public access to discussion and/or documents relating to a particular matter and section 92 provides that Council must prepare and adopt a code of practice relating to the principles, policies, procedures and practices that the council will apply in relation to public access to meetings and the release of minutes and documents.

This Policy:

- prescribes the practices and procedures to be adopted by this Council for the conduct of Council and Committee meetings.
- sets out a Code of Practice for the principles, policies and procedures that Council must follow for providing public access to meetings, agendas and documents and the release of meeting minutes and documents.

This Policy should be read in conjunction with, and will be administered in accordance with the following Local Government Association (“LGA”) publications:

- [Confidentiality Guidelines: How to Apply Section 90 \(2013\)](#)
- [Council Meeting Procedures Handbook \(2013\)](#)
- [Minute Takers Handbook for Local Government \(2014\)](#)

These documents are available on the LGA website at: www.lga.sa.gov.au under the Codes and Guidelines heading.

2. PUBLIC ACCESS TO MEETINGS AND MEETING DOCUMENTS

Council encourages public attendance at meetings of Council and Council Committees through public notification of meetings. Details of all meeting dates and times are listed on the public notice board at the front reception area of the principal office of Council, Civic Centre, 10 Watson Terrace, Mount Gambier and on the Council website www.mountgambier.sa.gov.au.

Council and Council Committee meetings are open to the public, and the public will only be excluded when considered proper and necessary where in the broader community interest the need for confidentiality outweighs the principle of open decision making.

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Council's Agendas, documents and minutes are prepared and published, including on the Council website www.mountgambier.sa.gov.au in accordance with the provisions of the Local Government Act 1999, Local Government (Meeting Procedures) Regulations 2013, and this Policy.

Copies of Agendas and meeting documents are made available at meetings. Various documents can be available for inspection and purchase (for a fee) by the public. Council also makes documents available in electronic form on Council's website.

In all cases it is Council's objective to make information publicly available at the earliest possible opportunity and that the community be informed of any confidentiality orders.

It is the expectation of Council that Agendas and Meeting documents be prepared in such a manner as to avoid unnecessary inclusion of sensitive or private information that cannot be considered and retained in-confidence.

Notwithstanding that a person may request that information provided to Council be kept confidential, Council may not be able to consider such a request unless the matter is one that falls within the grounds specified in section 90(3).

3. OTHER ACCESS TO PUBLIC DOCUMENTS

Council has a wide range of documents and other information available for public inspection and published on its website. These are further detailed in Council's Freedom of Information - [Information Statement](#) published annually on its website.

Requests to access other Council documents may also be made under the [Freedom of Information Act 1991](#). Any inquiries in relation to the process for seeking access to documents held by Council should be directed to Council's accredited Freedom of Information Officer – Manager - Governance & Property, telephone 8721 2555.

4. USE OF CONFIDENTIALITY PROVISIONS

Minutes and/or documents associated with a discussion from which the public have been excluded pursuant to sections 90(2) and 90(3) of the Act will remain confidential if Council or the Council Committee make a valid confidentiality order under section 91(7).

A confidentiality order must specify the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed.

An order will lapse if the time or event specified has been reached or carried out. There is no need for a Council to resolve for the confidential order to be lifted. Once the order has lapsed, the minutes and/or documents become public.

A confidentiality order that operates for a period exceeding 12 months must be reviewed at least once a year, and must be assessed as to whether the grounds for non disclosure are still relevant and, if so, provide the relevant grounds and reasons for remaining confidential.

If any items require a fresh confidentiality order because the original order is due to expire, then a report should be prepared to Council making recommendations and addressing each item separately against section 90(3) and section 91(7) of the Act.

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A Council may resolve to exclude the public from a meeting to discuss and undertake consideration of the recommendations arising from the annual review in confidence, subject to the application of the relevant ground under section 90(3) of the Act. Section 90(3) of the Act must be applied separately to each item and not en bloc.

The Council may delegate the power to undertake an annual review or to revoke a section 91(7) order, but cannot delegate the power to apply sections 90(3) and 91(7) of the Act.

4.1 MATTERS FROM WHICH THE PUBLIC CAN BE EXCLUDED

Section 90(3) of the Act prescribes the information, matters and circumstances where Council or a Council Committee may order that the public be excluded.

These circumstances and model orders for the purpose of sections 90(2) of the Act are covered extensively in the LGA publication [Confidentiality Guidelines: How to Apply Section 90 \(2013\)](#).

Council adopts the LGA guidelines for the purpose of applying section 90 of the Act.

In considering whether an order should be made under section 90(2), it is irrelevant that discussion of a matter in public may:

- cause embarrassment to the Council or Committee concerned, or to members or employees of the Council; or
- cause a loss of confidence in the Council or Committee.

4.2 PROCESS TO EXCLUDE THE PUBLIC FROM A MEETING

For the convenience of the public present at a meeting it is the ordinary practice of this Council to consider any matters in confidence after all the other business has been dealt with rather than ask the public to leave the room and wait for however long it takes until the matter is concluded and then allow the public to return to the meeting room with the possibility of the same process being repeated for a subsequent matter.

Before a meeting orders that the public be excluded to receive, discuss and consider a particular matter, the meeting must, in public, formally determine if this is necessary and appropriate, and pass a resolution to exclude the public while dealing with that particular matter.

If a decision to exclude the public is taken, the Council or the Council Committee is required to make a note in the minutes of the making of the order and the grounds on which it was made. Sufficient detail of the grounds on which the order was made will be included in the minutes.

If this occurs then the public must leave the room. This means all members of the public (including staff), unless exempted by being named in the resolution as entitled to remain, but does not include a member of Council.

It is an offence for a person, who knowing that an order is in force, enters or remains in a room in which such a meeting is being held. It is lawful for an employee of Council or a member of the police to use reasonable force to remove the person from the room if he or she fails to leave on request.

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It is recommended that if any form of force is required that it be left to the police to deal with.

The Council, or the Council committee, may by inclusion within the resolution permit a particular person or persons to remain in the meeting. An example would be to allow a ratepayer who is suffering personal hardship to remain in the meeting when their circumstances concerning the payment of rates is being discussed.

Once discussion on the particular matter is concluded, the public are permitted to re-enter the meeting. The decision of the meeting in relation to the matter will be made publicly known unless Council has resolved to order that some (or all) of the minutes, information, discussion and documents are to remain confidential.

Details of an order to keep any minutes, information, discussion or document confidential will be made known including the extent and duration of the order and any circumstances in which the order will cease to apply (conditions of release).

If there is a further matter that is to be considered in confidence it is necessary to undertake the formal determination process again to resolve to exclude the public.

4.3 REPORTING ON USE OF CONFIDENTIAL ORDERS

A report on the use of sections 90(2) and 91(7) by the Council and Council Committees must be published in the annual report of a Council as required by the Act.

Council has further endorsed the preparation and publication of a Confidential Items Register, including the details of all Section 90(2) and 91(7) orders, their section 90(3) grounds, the duration/conditions for release, and weblinks to released agenda items, minutes and documents published on Council's website.

At the time of preparation of this policy the preparation and publication of the Confidential Items Register and released documents is still a work in progress.

5. OTHER MEETING PRACTICES & PROCEDURES

5.1 FILMING AND AUDIO RECORDING DEVICES

Council maintain its current minute taking practice that involves the agenda item and recommendation/resolution being projected on screen at the Council and Standing Committee meetings with the minutes being typed at the meeting.

Any person may record audio of Council, committee and sub-committee meetings provided that such recording does not interfere with the orderly conduct of such a meeting.

Audio devices used for such purposes are to be held by the operator of such a device and are not to be placed on the meeting table being used by the members of that Council, committee or sub-committee meeting unless otherwise resolved by the members at that particular meeting.

The Presiding Member may at any time during the course of any meeting direct the audio recording of such meeting to cease, should the Presiding Members be of the view that the audio recording of the meeting is interfering with the orderly conduct of the meeting.

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Audio recording of items considered 'In-Confidence' under the provisions of the Local Government Act 1999 is prohibited.

Any person wishing to take photographs or video recordings of any Council, committee or sub-committee meeting must request the permission of the Presiding Member.

Such request must be made in writing and be received by the Presiding Member at least 48 hours in advance of the meeting. In considering such a request the Presiding Member shall not unreasonably refuse permission however they may place restrictions and conditions on such recording and photography as they see fit so as to ensure such recording does not interfere with the orderly conduct of the meeting.

Where such permission has been granted, should at any time during the course of the meeting the Presiding Member be of the view that the video recording or photography of the meeting is interfering with the orderly conduct of the meeting, the Presiding Member may direct the video recording or photography of the meeting to cease.

Video recording and photography of items considered 'In-confidence' under the provisions of the Local Government Act 1999 is prohibited.

5.2 PRESENTATION OF COMMITTEE RECOMMENDATIONS TO COUNCIL

It is the policy of this Council that the Presiding Member of any Council Committee will present the Committee Minutes and Recommendations to Council.

Should a Presiding Member of any Committee not be able to attend a Council Meeting then they may nominate in advance, any other Member of such Committee to present the Committee Minutes and Recommendations to Council.

Should a Presiding Member of any Committee not be in attendance at a Committee Meeting, but is in attendance at the Council meeting at which the Committee Minutes and Recommendations are to be presented, then the Presiding Member of the Committee shall present the Committee Minutes, but may elect to refer any item of business to the Member that presided over the Committee Meeting, or to another Member who attended the Committee meeting, for presentation of the item to Council.

5.3 VOTING 'EN-BLOC'

This Council does not support the use of 'en-bloc' voting during Council and Committee meetings to adopt a number of items, motions or recommendations by one resolution without debate.

En-bloc decision-making is not lawful in relation to items for decision and not considered good practice for other agenda items, and is in conflict with the guiding principles of the Local Government (Procedures at Meetings) Regulations 2013.

5.4 APPOINTMENT OF DEPUTY MAYOR

This policy provision shall only apply where the Council resolves to appoint a Deputy Mayor in accordance with Section 51(3) of the Local Government Act 1999.

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Section 51(4) provides that a Deputy Mayor will be chosen by the members of a Council from amongst their own number and will hold office for a term determined by the Council that must not exceed 4 years. At the expiration of the term a Deputy Mayor is eligible for a further term.

Where Council has resolved to have a Deputy Mayor the Mayor shall immediately call for nominations and acceptances from Members present at the Council Meeting.

If only one nomination is received then that Member is to be declared Deputy Mayor.

Where more than one nomination is received a secret ballot shall be conducted forthwith without debate. Resolutions will be passed to endorse the voting process and appoint the Chief Executive Officer (or any other Senior Officer present at the meeting) as Returning Officer to declare the result and draw lots (if/as necessary).

The following shall apply to the determination of Deputy Mayor:

- Any Member present at the meeting may be nominated.
- The Mayor does not vote on the question of the appointment of Deputy Mayor.
- A Member not in his or her seat at the meeting does not vote.
- The candidate with the highest number of votes (or where two or more candidates receive the equal highest number of votes the first name drawn in the lot) shall be declared the Deputy Mayor.
- A division cannot be called for when a vote on the question of appointing a Deputy Mayor is taken.
- The Mayor may (but is not required to) accept a motion to endorse the appointment of the Deputy Mayor however any failure or variation of the motion shall be of no effect on the result of the secret ballot.

Role of Deputy Mayor

In the absence of the Mayor, the Deputy Mayor may act in the office of the Mayor.

In the Council Chamber, the Deputy Mayor shall assume no precedence, except in the absence of the Mayor, when the Deputy Mayor shall act in the office of Mayor.

Outside the Council Chamber, the Deputy Mayor shall be given precedence, immediately following the Mayor.

5.5 APPOINTMENT TO COMMITTEES AND OTHER BODIES AND ORGANISATIONS

This policy provision applies when Council has been requested or is required to nominate or appoint a Member or any other person to fill a vacant position on any Committee or as delegate/representative on an outside body or organisation.

Where these policy provisions are inconsistent with any legislative or statutory provisions or the Terms of Reference or other governing instrument of any Committee or other body or organisation, then those other provisions shall apply and override this policy (with the exception that Council may, subject to any statutory prohibitions, override the Terms of Reference of its own Committees)

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The Chief Executive Officer shall notify Members of the request and/or requirements associated with the vacancy, including details of the Committee/Body/Organisation Terms of Reference and other relevant information, and will seek a written nomination of any Elected Member, Council Officer or other person with appropriate qualifications and/or experience.

Where Council is required under a legislative or some other requirement under Terms of Reference to seek community or independent nominees to Committee positions, then a public notice shall be published in a newspaper circulating in the area seeking interested persons to nominate within 21 days (or such other period as may be required). Such nominees may also be sought through a targeted process to identify suitable nominees.

The Chief Executive Officer shall present details of all nominees for vacant positions to the next available Council meeting together with a recommendation and draft resolutions that Council may endorse a secret ballot voting process and appoint the Chief Executive Officer (or any other Senior Officer present at the meeting) as Returning Officer to declare the result and draw lots (if/as necessary).

The following shall apply to the appointment of Committee Members and delegates/representatives on other bodies and organisations:

- A nominee need not be present at the meeting, but must provide a written acceptance to the Chief Executive Officer prior to consideration.
- Candidate nominees should display the qualities sought to fill the vacant position including relevant skills, experience and interests.
- Prior to commencing the secret ballot process, by passing a resolution, Council:
 - i. may determine not to nominate or appoint any person to fill a vacancy.
 - ii. should determine the term to apply to the nomination/appointment, that may survive the next general/periodic election.
- The Mayor may vote on the question of position appointments to Committee's and other bodies and organisation's.
- A Member not in his or her seat at the meeting does not vote.
- The candidate with the highest number of votes (or where two or more candidates receive the equal highest number of votes the first name drawn in the lot) shall be declared as being nominated/appointed to the vacant position.
- A division cannot be called for when a vote on the question of appointing a person to fill a vacant position is taken.
- The Mayor may (but is not required to) accept a motion to endorse the filling of the vacant position however any failure or variation of the motion shall be of no effect on the result of the secret ballot.
- Council may determine to appoint proxies/deputies to certain positions to ensure representation in the absence of selected members/delegates/representatives.

South East Local Government Association/Provincial Cities Association Positions

The Mayor shall be the preferred candidate for any Board Member positions (and the Deputy Mayor the preferred candidate for any proxy/deputy position) on a s42 subsidiary (ie South East Local Government Association and Provincial Cities Association).

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Nominations shall only be sought for the position of Board Member and/or proxy/deputy where the Mayor or Deputy Mayor are unable to fill the positions, or to act when both the Mayor and Deputy Mayor may be unavailable, in which case the nomination/appointment procedure shall be as described in this Policy.

Payment of Allowances/Sitting Fees

Council should have a consistent and reasonable approach to payment of allowances/ sitting fees to Members and other community and independent persons appointed to positions on Committees which should be prescribed in the Terms of Reference.

Appointments of Independent Members of a Council committee will be for a term determined by the Council, and may survive the next general/periodic election unless Council specifically resolves otherwise at the time of the appointment (noting that Council may have the right to terminate any appointment at any time, or that the term of appointment may be determined by some other statutory means).

Roles of Nominees/Appointees

Upon nomination/appointment to a position, Council's duly declared nominee/appointee shall be authorised to fill that position, including the exercise of any voting rights.

Where more than one person has been nominated/appointed to fill a position or as deputy/proxy, precedence shall apply based upon the persons position (ie Mayor, Deputy Mayor, Member, CEO etc).

Attendance by Non-Appointed Persons

Subject to any valid provision to the contrary, any non-appointed Elected Member or Council Officer may attend meetings of any Committee or other body or organisation to whom Council has nominated/appointed a Member or delegate/representative, but may not speak or be heard or vote at the meeting unless invited by the meeting organiser and in accordance with a direction of the Council or the Chief Executive Officer.

Independence of Bodies/Organisations

Other bodies and organisations to which Council nominates/appoints Elected Members, Council Officers or other suitably persons as delegates/representatives do not operate under the provisions of the Local Government Act 1999 or other legislation that prescribe meeting procedures and Member obligations.

Any person appointed to a position on a body or organisation (whether a Council Member, Council Officer or some other person) is bound by the governing arrangements applicable to that other body or organisation. In that capacity that person does not represent the interests of Council, but will be required to act in the interests of that body or organisation, which at times may be inconsistent with the interests or a formal position of the Council.

Council may influence but is not to instruct any Elected Member, Council Officer or other person whom it has nominated/appointed as a delegate/representative on another body or organisation as to the manner in which they act in fulfilling their non-Council duties. It is for the delegate/representative to determine how they fulfil their duties on a body or organisation and deal with any conflict that may arise between their competing interests/roles.

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6. INFORMAL GATHERINGS

Section 90(8) of the Act enables Council Members, Committee Members and Council Officers to participate in informal gatherings that are not open to the public and are not required to have formal published agendas and minutes/documents, provided that a matter which would ordinarily form part of the agenda for a formal meeting of a Council or Council Committee is not dealt with in such a way as to obtain or effectively obtain, a decision on the matter outside a formally constituted meeting of the Council or Council Committee.

Informal gatherings may include:

- *planning sessions associated with the development of policies and strategies;*
- *briefing or training sessions,*
- *workshops;*
- *social gatherings to encourage informal communication between members or between members and staff.*

In the interests of transparency this Council tables a 'Record of Proceedings' at the next available Council Meeting with the time/date, attendees, and purpose/matter(s) discussed at informal gatherings.

The Chief Executive Officer may determine not to present a 'Record of Proceedings' for any particular informal gathering.

7. 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 of this Policy may also be obtained by interested members of the community upon payment of a fee in accordance with Council's Schedule of Fees and Charges.

8. REVIEW & EVALUATION

The Council is required to review this code within 12 months after the conclusion of each periodic election. However, it may be reviewed at any other time as required by any legislative changes which may occur.

In accordance with Section 92(5) of the Local Government Act 1999, Council must follow the relevant steps set out in its public consultation policy before adopting, altering or substituting a code of practice relating to the principles, policies, procedures and practices that the Council will apply for public access to council and committee meetings and the release of Council and Committee meeting minutes and documents.

9. GRIEVANCE

Council has established procedures for the review of decisions under Section 270 of the Act for:

- Council, and its Committees;
- employees of Council and
- other persons acting on behalf of Council.

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Should a person be aggrieved about public access to either a meeting or a document then they can lodge an application for review of that decision under the Internal Review of Council Decisions Procedure established by Council. The procedures adopted by Council are available from the Chief Executive Officer, telephone 8721 2555 or from Council web-site www.mountgambier.sa.gov.au.

10. FURTHER INFORMATION

Further information about this Policy may be expressed in writing, addressed to:

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

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File Reference:	AF11/1950
Applicable Legislation:	Local Government Act 1999 Local Government (Procedures at Meetings) Regulations 2013 Freedom of Information Act 1991.
Reference: Strategic Plan – Beyond 2015	Goal 5, Strategic Objective 5
Related Policies:	P195 Community Consultation and Engagement Policy R180 Records Management Policy C290 Internal Review of Council’s Decisions
Related Procedures:	Council Meeting Procedures – for preparation of meeting documents. Confidential Items Register (AR14/13329) Confidential Items Procedures - Management & Website Publication
Related Documents:	Confidentiality Guidelines: How to Apply Section 90 (2013) Council Meeting Procedures Handbook (2013) Minute Takers Handbook for Local Government (2014) Freedom of information – Information Statement

DOCUMENT DETAILS

Responsibility:	MANAGER - GOVERNANCE & PROPERTY
Version:	2.0
Last revised date:	17 th March, 2015
Effective date:	
Minute reference:	
Next review date:	March 2016
<u>Document History</u> First Adopted By Council: Reviewed/Amended:	November 2014 Superseded Policies - C300, C310, C275, C315, S110, S130, M190, C280 & C285, 17 th March, 2015

CORPORATE AND COMMUNITY SERVICES REPORT NO. 79/2015

SUBJECT: PROVINCIAL CITIES ASSOCIATION

REF: AF11/935

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance.

Members have previously been notified via memo in the 20th November 2015 Friday Edition of a motion by the City of Port Lincoln to the Provincial Cities Association Meeting #61 (teleconference) on Wednesday 2nd December 2015, proposing that the Provincial Cities Association be wound up, and if that winding up does not proceed, that the City of Port Lincoln withdraw from the Provincial Cities Association.

The winding up motion as presented in the Provincial Cities Association 2nd December 2015 meeting agenda is reproduced as an attachment to this report for Member's information (**Attachment 1**).

For any Members that are unfamiliar with the Provincial Cities Association, it is a regional subsidiary established under the Local Government Act by Constituent Councils representing South Australia's larger regional cities. The Association Charter contains some 16 objects and purposes for which it was established and these are also attached to this report for Members information (**Attachment 2**).

Having operated over a period of some 18 years (9 years as a regional subsidiary) the Provincial Cities Association provides a representative platform for Constituent Councils to collaborate on matters of interest and concern shared by regional cities, and for coordinated lobbying of both the SA Local Government Association and State Government on issues affecting regional cities.

It would appear from discussions with other constituent councils that there has been a general decline in the role and importance of the Provincial Cities Association over the past several years, and a perception that this particular body may have run its course.

The existence (or otherwise) of the Provincial Cities Association does not prevent this or any other council from working together on matters of shared interest, either informally or utilising other existing subsidiary organisations.

Withdrawal from the Provincial Cities Association would provide only minimal budget savings, with the current (2015/16) budget for association costs of \$16,000 (\$11,000 to November 2015) and similar (approx. \$13,000) in the earlier 2013/14 and 2014/15 years.

With one or more other Constituent Councils seeking to withdraw from the Provincial Cities Association the level of support from (and benefits for) remaining councils could be expected to further diminish over time.

Without going into detail, the Provincial Cities Association Charter and subsidiary provisions in the Local Government Act 1999 provide that a regional subsidiary may be wound up by the Minister publishing a notice in the gazette, acting at the request of the constituent councils.

In past instances such requests have been evidenced by a resolution of each Constituent Council:

- confirming its support of the Notice of motion passed by the Association to have the Association wound up;
- resolving that the Association be wound up on the basis of the terms including the consideration of all necessary information and report/s detailing the reason/s why a recommendation/s for winding up, and confirmation that the assets and liabilities have been identified and addressed appropriately in accordance with the Association's Charter;
- resolving that the Chief Executive Officer be authorised to make written application on behalf of the Council and in conjunction with the Constituent Councils to the Minister for Local

Corporate and Community Services Report No. 79/2015 cont'd...

Government seeking approval for the Association to be wound up (which is to include the reasons for winding up, the confirmation of the management of the assets and liabilities in accordance with the Charter, and a copy of the resolution); and

- resolving that the Council make formal application to the Minister accordingly, for the purpose of achieving the winding up of the Association.

The Notice of Motion and covering letter from the City of Port Lincoln (**Attachment 3**) detail that council's reasoning for proposing the winding up of the Provincial Cities Association; that research funding has not been forthcoming to undertake strategic planning, Charter review, or examination of an approach to (provide) best value to members.

Further that common concerns have been raised (between constituent councils) about the value of the organisation in the current context of other active representative entities. At the same time there appears to be general support for those other bodies such as the South Australian Regional Organisation of Councils (SAROC), the Limestone Coast Local Government Association and the SA Local Government Association.

The Provincial Cities Association Executive Officer, Mr Ian McSporry has confirmed that it is the responsibility of the Association to ensure the management of assets and liabilities in accordance with the Association's Charter. In accordance with the Charter any surplus assets after payment of all expenses shall be returned to the Constituent Councils in proportion to the equity shares (1/7th) of the Constituent Councils prior to passing of the resolution. Similarly, if there are insufficient funds to pay all expenses, a proportionate levy shall be imposed on all Constituent Councils in the financial year prior to the passing of the resolution to wind-up.

A further letter from the Executive Officer dated 3 December 2015 confirms the unanimous resolution of 2 December 2015 that the Association be wound up as soon as practicable and is attached for Members (**Attachment 4**).

Accordingly, this report recommends that Council pass a resolution supporting the proposed winding-up of the Provincial Cities Association, at a time to be determined between the Constituent Councils taking into account the above.

RECOMMENDATION

- (a) Corporate and Community Services Report No. 79/2015 be received;
- (b) the resolution of the Provincial Cities Association of South Australia ('the Association') to wind up is supported;
- (c) the reasons for winding up the Association are confirmed as:
 - i. other representative entities such as Regional Local Government Associations, South Australian Regional Organisations of Councils, Local Government Association of South Australia and Regional Development Australia Boards are covering and actioning issues previously dealt with by the Association;
 - ii. it is the intention for the current constituent members (and possibly others) to meet informally as part of a consultation process (possibly organised through the Local Government Association of South Australia) to discuss on a regular basis, issues of mutual concern to provincial communities;
- (d) notes the advice of the Executive Officer and the audited Annual Financial Statements that the only asset of the Association is cash held within a Bank SA Account held in the Port Augusta Branch of the Bank and that the Association has no liabilities, and accordingly resolves that at the date of winding up of the Association the cash is to be divided equally between constituent members;

Corporate and Community Services Report No. 79/2015 cont'd...

- (e) confirms that the information and resolution in (d) above reflect the appropriate identification and treatment of the assets and liabilities of the Association.
- (f) The date and timing of the winding up to be determined between the Association, Constituent Councils and the Minister;
- (g) Council makes formal application to the Minister for Local Government to request that the Minister winds up the Provincial Cities Association of South Australia regional subsidiary pursuant to Section 33 of the Local Government Act 1999.
- (h) the Chief Executive Officer be authorised to make the necessary application to the Minister for Local Government in accordance with resolutions (b) – (g) above.
- (i) That the Executive Officer and Member Councils of the Association be advised of Council's resolutions herein, and thanked for their endeavours to represent and advocate the interests of South Australia's provincial cities communities.



Michael McCARTHY
MANAGER – GOVERNANCE & PROPERTY

sighted



Mark McSHANE
CHIEF EXECUTIVE OFFICER

3rd December, 2015

7. **Notice Motion**

In accordance with my email advice of the 6th November 2015, the City of Port Lincoln has submitted a "Notice of Motion" which reads as follows: -

"That the City of Port Lincoln, through its representatives, proposes that the Provincial Cities Association be wound up as soon as practicable and should the wind up not proceed, then Council withdraws from the Provincial Cities Association."

A copy of the correspondence received from Mayor Bruce Green is attached (page 30).

On receipt of the advice from the City of Port Lincoln I made contact with the Office of Local Government to ensure that if the Notice of Motion was passed by the Association, what process needed to be observed. The undermentioned response was received from Ms Alex Hart, Acting Manager, Office of Local Government:

The process of winding up of a regional subsidiary is described in Clause 33 of Schedule 2 of the *Local Government Act 1999*.

Clause 33(1)(a) states that a regional subsidiary may be wound up by the Minister acting at the request of the constituent Councils.

In practice, such requests are evidenced by a resolution of each constituent Council:

- confirming its support of the Notice of Motion passed by the Association to have the Association wound up;
- resolving that the Association be wound up on the basis of terms including the consideration of all necessary information and report/s detailing the reason/s why an recommendations/s for the winding up, and confirmation that the assets and liabilities have been identified and addressed appropriately in accordance with the Association's Charter;
- resolving that the Chief Executive Officer be authorised to make written application on behalf of the Council and in conjunction with the Constituent Councils to the Minister for Local Government seeking approval for the Association to be wound-up (which is to include the reasons for the winding-up, the confirmation of the management of the assets and liabilities in accordance with the Charter, and a copy of the resolution); and
- resolving that the Council make formal application to the Minister accordingly, for the purpose of achieving the winding-up of the Association.

Clause 33(2) of the Act states that a subsidiary is wound up by the Minister publishing a notice in the Gazette.

Once the Minister has considered the requests of the Constituent Councils and the information provided, the Minister will formally provide his approval in writing for the winding-up. The Minister will then ensure that a Notice is published in the Gazette.

Clause 33 (3) of the Act states that any assets or liabilities of the subsidiary at the time of winding-up vest in or attach to the constituent Councils on the winding-up in accordance with the Charter.

It is the responsibility of the Association to ensure that the management of any such assets or liabilities is undertaken in accordance with the Association's Charter. The Minister will not formally indicate how this is to be done. It is the responsibility of the Association and each Constituent Council to describe in their report/s and in written application to the Minister what will be done and to evidence that this is in accordance with the Charter. The Minister will merely confirm the requirement described in clause 33(3).

Finally, it would be appreciated if the Constituent Councils could forward each of their written applications (written by each CEO – point 3 above) to the Minister to you as Executive Officer, so that you can then send all of the written applications to the Minister together in one package. This will make the process much smoother, as, in the past, Constituent Councils have sent their written applications separately to the Minister, resulting in significant time delays and often, the applications are not correct and require amendment, resulting in further delays. The Minister will then provide his written approval to you as Executive Officer, and you will then need to provide a copy of that formal approval to each of the Constituent Councils.

I am also seeking advice from State Records on what documentation held by the Association, needs to be forwarded to State Records for their retention, if the Association is wound up in accordance with the Notice of Motion. I would hope to be able to advise members of this requirement prior to, or during the teleconference.

I have also assumed that all of the "winding up process" will be subject to audit by the Association's Auditors John D. Ewen & Associates.

The Notice of Motion is submitted for a directive of the Association.

8. Closure of Meeting

IAN McSPORRAN
EXECUTIVE OFFICER

17th November 2015

1.4 Local Government Act 1999

This Charter must be read in conjunction with Parts 2 and 3 of Schedule 2 to the Act. The Subsidiary shall conduct its affairs in accordance with Schedule 2 to the Act except as modified by this Charter in a manner permitted by Schedule 2.

1.5 Objects and Purposes

The Subsidiary is established to:

- 1.5.1 further develop and implement relationships reflecting a co-operative approach to the development of the Constituent Council's respective communities, representation of their people the productive, and efficient and effective provision, planning, funding and management of services for the mutual benefit of the communities that comprise the Constituent Councils;
- 1.5.2 continue with a process of meetings based on open respectful and co-operative interaction and the exchange of information and resources between the Constituent Councils;
- 1.5.3 progressively develop a collective position of negotiation arrangements between responsible State Ministers and the Constituent Councils covering agreed specific areas;
- 1.5.4 to negotiate with the State Government on programs responsibilities and funding arrangements for the purpose of:
 - more effective, cost efficient and responsive service delivery;
 - clearer definition of roles and responsibilities within any particular functions; and
 - collective lobbying on an on going basis of the State Government for better recognition and real support and resources to the Constituent Council's either collectively and/or individually;
- 1.5.5 collaboratively work with a view to enhance relationships and mechanisms for extensive representation to the State Government;
- 1.5.6 provide leadership to and for individual member Councils in their development of Local Government views on issues that need to be negotiated with the State Government or other levels of government;
- 1.5.7 formulate views on matters of interest to the Constituent Councils and to convey such views to the appropriate groups, bodies and persons at a regional, State and national level;

- 1.5.8 undertake projects (including educational programmes and processes) and activities that benefit the areas of the Constituent Councils and their communities;
- 1.5.9 associate, collaborate and work in conjunction with other local government bodies for the advancement of matters of common interest;
- 1.5.10 to co-ordinate and represent the views of Local Government generally while not precluding the right of the individual Constituent Councils to represent their own views;
- 1.5.11 ensuring that the individual Constituent Councils have the opportunity to present their responsibilities to other governmental bodies;
- 1.5.12 ensuring that other levels of government treat the Constituent Councils with fairness and respect and that the principle of social justice and equity is upheld by the State Government to the Constituent Councils;
- 1.5.13 attempt to identify the challenges facing the Constituent Councils (and make recommendations on how to address them);
- 1.5.14 initiating specific actions on individual issues that the Subsidiary considers relevant to the majority of the member Councils;
- 1.5.15 addressing the long term sustainability and viability of the regional communities of South Australia and in particular the Constituent Councils; and
- 1.5.16 to liaise with the Local Government Association of South Australia to facilitate the Subsidiary's objects and purposes specified in this Clause 1.5;

and in so doing the Subsidiary will give due weight to economic, social and environmental considerations.

1.6 **Powers Functions and Duties**

The powers, functions and duties of the Subsidiary are to be exercised in the performance of the Subsidiary's objects and purposes. The Subsidiary shall have those powers, functions and duties delegated to it by the Constituent Councils from time to time which include but are not limited to:

- 1.6.1 becoming a member or co-operating or contracting with any other association or organisation;
- 1.6.2 entering into contracts or arrangements with any government agency or authority;



9 November 2015

Ian McSparran
Executive Officer
Provincial Cities Association
PO Box 1704
Port Augusta SA 5700

Dear Ian

RE: CITY OF PORT LINCOLN - NOTICE OF MOTION

In 2013, the City of Port Lincoln advised the Provincial Cities Association SA (PCA) of its intention to withdraw from Membership of PCA. Advice was received that at least twelve months' notice was required. Subsequently, PCA agreed to review its Charter and to apply for research funding from LGA R+D Fund to undertake such a review. Funding has not been forthcoming and PCA has not progressed in any strategic planning, Charter review or examination of an approach to best value to members. During this period, Port Lincoln's notice of its withdrawal has remained pending.

Recent discussions with Mayors from four of the PCA member Councils have identified common concerns about the value of the organisation in the current context of active representative entities, including Eyre Peninsula Local Government Association (EPLGA), SA Regional Organisation of Councils (SAROC), LGA and the Upper Spencer Gulf Special Purpose Group.

Based on the last two PCA annual reports, it is difficult to identify issues addressed in PCA's recent activities which are now also covered and actioned by regional organisations (in our case EPLGA) or our State LGA.

Based on my Mayoral report to my Council on Monday 2 November 2015, the City of Port Lincoln resolved as follows:

"That the City of Port Lincoln, through its representatives, proposes that the Provincial Cities Association be wound up as soon as practicable, and should the wind-up not proceed, then Council withdraws from the Provincial Cities Association."

I therefore request that a Notice of Motion to the effect of the above, be listed on the Agenda for the next meeting of the Provincial Cities Association, which I understand is being planned for either 2 or 3 December 2015.

Yours sincerely

Bruce Green
MAYOR



Membership

City of Port Augusta
City of Mount Gambier
City of Port Lincoln
City of Whyalla
Port Pirie Regional Council
Rural City of Murray Bridge

Executive Officer

Mr. Ian McSporran
PO Box 3106
PORT AUGUSTA WEST SA 5700
Mobile: 0419 810 644
Phone: (08) 8642 2092
Email: myallone@bigpond.com

LET0157

3 December 2015

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

Dear Mark

WINDING UP OF PROVINCIAL CITIES ASSOCIATION OF SOUTH AUSTRALIA

I refer to the discussions during Meeting #61 of the Provincial Cities Association held via teleconference on the 2nd December 2015, concerning the Notice of Motion lodged by the City of Port Lincoln regarding the above issue, and confirm that the meeting unanimously passed the following resolution:

1. That the Provincial Cities Association (the Association) resolves in accordance with the Notice of Motion of the City of Port Lincoln, ie that the Association be wound up as soon as practicable, and notes the intention of the City of Port Lincoln to withdraw from the Association if it is not wound up.
2. That the Executive Officer provides a report to Association Member Councils on the assets and liabilities of the Association, and that upon its winding up the assets and liabilities be distributed equally between the Member Councils.
3. That each Member Council be requested to confirm its support for the winding up of the Association by way of resolution, including confirmation of the matters identified by the Office of Local Government.
4. That following the passing of the appropriate resolutions by each Member Council, the Executive Officer conveys all relevant information to the Minister for Local Government together with the Association's request to wind up the Provincial Cities Association regional subsidiary."

In accordance with the contents of the resolution, I advise that the only asset of the Association is cash held within a Bank SA account held in the Port Augusta Branch of the Bank and that the Association has no liabilities.

I also submit for the consideration of your Council a draft resolution (in accordance with the discussions), indicating support for the proposed course of action:

- "1. That Council:
 - a. resolves to support the resolution of the Provincial Cities Association of South Australia ('the Association') to wind up the Association, being a regional subsidiary pursuant to the Local Government Act 1999;
 - b. confirms the following reasons for supporting the winding up of the Association:
 - i. other representative entities such as Regional Local Government Associations, South Australian Regional Organisations of Councils, Local Government Association of South Australia and Regional Development Australia Boards are covering and actioning issues previously dealt with by the Association;
 - ii. it is the intention for the current constituent members (and possibly others) to meet informally as part of a consultation process (possibly organised through the Local Government Association of South Australia) to discuss on a regular basis, issues of mutual concern to provincial communities;
 - c. notes the advice of the Executive Officer and the audited Annual Financial Statements that the only asset of the Association is cash held within a Bank SA Account held in the Port Augusta Branch of the Bank and that the Association has no liabilities, and accordingly resolves that at the date of winding up of the Association the cash is to be divided equally between constituent members;
 - d. confirms that the information and resolution in (1)(c) above reflect the appropriate identification and treatment of the assets and liabilities of the Association.
2. That in pursuant of (1) above, Council makes formal application to the Minister for Local Government to request that the Minister winds up the Provincial Cities Association of South Australia regional subsidiary pursuant to Section 33 of the Local Government Act 1999.
3. That the Chief Executive Officer be authorised to make the necessary application to the Minister for Local Government in accordance with (1) and (2) above.
4. That the Executive Officer and Members Councils of the Association be advised of Council's resolutions herein, and thanked for their endeavours to represent and advocate the interests of South Australia's provincial cities communities."

As indicated in the advice provided to the meeting by the Office of Local Government, should your Council agree with the decision of the Association, confirmation of that decision and a copy of the above resolution should be provided to me to enable all information from constituent members to be lodged with the Minister of Local Government.

I would also like to place on record and thank Rob Donaldson, CEO, City of Port Lincoln for his great assistance in the framing of the relevant resolutions contained herein.

I await your Council's advice on this matter.

With kind regards

Yours sincerely



IAN McSPORRAN
EXECUTIVE OFFICER



Public Health
Citi Centre
11 Hindmarsh Square
Adelaide SA 5000

PO Box 6,
Adelaide SA 5000
DX 243

Tel 08 8226 7100
Fax 08 8226 7100

foodpolicyprograms@health.sa.gov.au
www.sahealth.sa.gov.au

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

city@mountgambier.sa.gov.au

RE: FOOD SAFETY RATING SCHEME

Dear Chief Executive Officer

I am writing to invite your council to participate in the state-wide Food Safety Rating Scheme (the Scheme), due to commence early 2016.

The Scheme aims to encourage improvements in how food businesses manage food safety standards by improving consumer and business awareness of the food safety practices at that site by the display of a Star Rating certificate. The rating is calculated using the results of routine food safety inspections undertaken by local councils and may help to facilitate consumer choice when selecting where to eat out. These types of schemes are currently in operation in Australia and overseas, and there is increasing evidence that these schemes improve food safety outcomes in the food sector.

On 6 October, 2014, a pilot Scheme commenced in South Australia with nine councils actively participating. The pilot has shown that this Scheme successfully demonstrates an opportunity to improve state-wide food safety practices and provide a tangible benefit to SA consumers. As a consequence, the Minister has made an early decision that SA Health should commence refinement of the pilot to enable roll out of a full Scheme in early 2016 across all local councils wishing to voluntarily participate.

The Food Safety Rating Scheme Pilot Assessment Report, which outlines the details and results of the pilot, has been published on the SA Health website and distributed via an LGA circular. (<http://www.sahealth.sa.gov.au/wps/wcm/connect/public+content/sa+health+internet/protecting+public+health/food+standards/food+safety+rating+scheme>)

In summary, from the nine-month pilot, the key statistics are:

- 1032 inspections were conducted across the 9 council areas at P1 and P2 food service businesses (such as cafes, restaurants and hotels);
- 22% (231) of food businesses received a 5 Star certificate;
- 19% (194) of food businesses received a 4 Star certificate;
- 11% (110) of food businesses received a 3 Star certificate; and
- 48% (497) of food businesses did not achieve a Star Rating certificate.

Analysis of the data submitted from the inspections identified common areas of non-compliance with the legislation, and these results are helping SA Health and councils to target awareness and supporting activities in a drive to ultimately improve public health standards.

The SA pilot Scheme was developed with advice from a reference group (with representatives from local government, consumers, industry and Environmental Health Australia SA), and input from public consultation. A similar reference group will be established to make minor modifications to the pilot Scheme prior to broader roll-out.

In order to ensure consistent operation of the SA Scheme, an Overarching Principles document (attached) has been produced based on learnings from the pilot outlining the general Scheme

expectations of councils and SA Health. These principles have been endorsed by LGA who have also committed to support the Scheme implementation and state-wide roll-out.

In summary, the main principles of the Scheme are:

- SA Health and participating councils agree to operate in accordance with the Overarching Principles and Operational Guidance. (The details of the Operational Guidance document will be determined and agreed by the majority of councils participating in the Scheme.)
- The Scheme will remain voluntary for councils to participate in.
- The scope of the Scheme will continue to target high and medium (P1 and P2) food service businesses, and will focus on the direct food safety elements of the food safety legislation.
- The Star Rating will remain a five-star system, with the top available rating reflecting complete compliance with the Food Safety legislation.
- Councils will undertake inspections of appropriate food businesses in their council area using a specially designed form which allows for the inspection outcome to be quantified.
- Inspections should be undertaken at the normal inspection frequency as determined by the Food Business Risk Classification System, and follow-up actions should continue as per current practices.
- SA Health will translate the inspection score into a star rating and issue the certificate.
- It will be at the discretion of the business owner whether to display the certificate.
- Where possible, this Scheme will be designed to minimize any additional burden on councils. There will be no change for businesses as compared to the pre-scheme period.
- SA Health has committed to provide training and support for local government EHOs and businesses for 24 months from early 2016, when the Scheme will be formally reviewed.
- SA Health will prepare supporting documentation to target businesses and consumers.

New councils that wish to take part in the Scheme will be asked to release all EHOs who engage in food inspections for a full day of training. New councils will be fully supported by SA Health to be ready to commence participation in the Scheme in early 2016. For councils already participating in the pilot Scheme, it is recommended that they continue as per the pilot until formal release of the new Scheme. Appropriate training and support will be provided to EHOs at these councils to ensure a smooth transition into the state-wide scheme.

If you wish to participate in this Scheme please inform Dr Kate Turner as soon as possible but no later than 30 November, 2015, and nominate a dedicated point of contact that can attend review sessions, provide feedback as required, and facilitate all EHOs attending an initial training session.

For those Councils not wishing to make a commitment now, there will be future opportunities to enter the Scheme; however, SA Health would appreciate an indication of this intention. If you wish to discuss this matter further, or require more information at this stage, please contact Dr Kate Turner, telephone 08 8226 7100, or Ms Jo Cammans, telephone 08 8226 7858, or email foodpolicyprograms@health.sa.gov.au.

Yours sincerely



PROFESSOR PADDY PHILLIPS
CHIEF MEDICAL OFFICER & CHIEF PUBLIC HEALTH OFFICER
SYSTEM PERFORMANCE AND SERVICE DELIVERY

05/11/2015

Attachment: Overarching Principles document

Overarching Principles

SA FOOD SAFETY RATING SCHEME STATE AND LOCAL GOVERNMENT RESPONSIBILITIES

(as at October 2015)

Food regulation in South Australia is a partnership between state and local government (LG). Food safety is an important aspect of public health and there is broad community expectation for government intervention to secure a safe food supply.

Food Safety Rating Schemes (FSRS) are aimed at improving food safety risk and consistency by providing consumers with a recognizable indication of the food safety compliance of a food business.

SA Health, in conjunction with local government, has recently completed a pilot Food Safety Rating Scheme (the Scheme) and, due to the initial success and potential of this Scheme, proposes to release this state wide in 2016 for voluntary participation of all councils.

This Overarching Principles document originates from state and local government commitment to manage food safety and is intended as a guide for the agencies to work together, in addition to their regulatory obligations, to consistently strive towards safer provision food in South Australia.

RESPONSIBILITIES

The following outlines the responsibilities of each party in implementing the Scheme and will be further supported by detailed operating guidelines which will be developed in conjunction with participating councils.

Overarching responsibilities

SA Health will be responsible for:

- Coordinating all LG participating in the Scheme including the provision of training and practical support, regular updates and feedback sessions.
- Receipt of data, processing received inspections and issuing of certificates.
- Development and implementation of a communication and media strategy, to focus on communication of results, increasing business and council engagement and building awareness and understanding.

LG will be responsible for:

- Undertaking food business inspections at businesses within scope, and submitting copies of inspection forms to SA Health in a timely manner.
- Conducting inspections with a focus on high risk food activities, according to the SA Food Business Risk Classification framework, and guidelines outlined in this document.
- Providing a dedicated point of contact between the LG and SA Health, and facilitate attendance at regular update / feedback sessions.

SA Health and LG together will aim to:

- Use the Scheme as a positive tool to drive improved public health standards across P1 and P2 (high and medium) food service businesses across SA.
- Work in accordance with the specific Food Safety Rating Scheme – Operational Guidelines.
- Where modifications are required to the Operational Guidelines, agree to actively participate in discussions and abide by the majority decision of the FSRS Working Group (FSRS WG) to ensure operational consistency across the state.
- Periodically review the overarching principles and resource commitments during the operation of the Scheme and formally after 24 months of operation.

FSRS Operating Guideline Principles and Communication Strategies

SA Health will be responsible for:

1. Establishing and chairing the FSRS WG and a FSRS Reference Group (including LG, consumer and industry representatives).
2. Ensuring appropriate training and supporting materials are available to councils prior to commencing the scheme.
3. Ensuring the agreed inspection form is available to operating councils to conduct routine inspections.
4. Receiving inspection forms / findings from operating councils. Processing and securely holding data electronically.
5. Providing appropriate data summaries to councils as required, and periodically review the data for reporting and assessment purposes.
6. Timely production and distribution of certificates for eligible routine inspections either directly to the business or to the council for distribution.
7. Joint ownership of FSRS certificates with the inspecting LG council.
8. Acting appropriately in receipt of appeals / grievances of scores and other food related complaints.
9. Where appropriate (e.g. on investigation of a food safety incident), removing FSRS certificates from a business and/or reissuing. SA Health must inform LG of any such action.
10. Developing food business supporting information, to promote and raise awareness of the scheme.
11. Coordinating regular meetings / updates with the FSRS WG and the FSRS Reference Group.
12. Ensuring, where possible, that development of the scheme is aligned to reporting required annually for the South Australian Food Act Report, to minimise the duplication of data analysis by LG.
13. Facilitating regular update meetings between the FSRS WG. These meetings will enable discussion of operational issues to ensure consistent and effective operation of the FSRS.
14. Providing reasonable ad hoc summary information to councils on request.
15. Developing and coordinating a media and communication plan to assist councils in the production of a consistent message about all aspects of the FSRS.
16. Hosting a webpage on the SA Health website to provide information and supporting material.
17. Ensuring, that where practicable, all participating LG are informed of any proactive media / communication releases, and assisting LG with any media requests as required.

LG (participating in the Scheme) will be responsible for:

1. Ensuring all EHOs are made available for training prior to commencing the scheme.
2. Conducting inspections as per the *Exercise of Functions under the Food Act MOU* to all businesses within the agreed scope of the scheme, using the designated FSRS form. The form may be used for other business inspections, but those premises out of scope will not be awarded a certificate.
3. Conducting inspections in accordance with the principles of the SA Food Business Risk Classification System, with the focus of the inspection being directed to the food processes with the highest risks.
4. Using the inspection form and scoring options as directed in the training.
5. Agreeing to supply the duplicate form, or supply information electronically as agreed between the two parties, in a timely manner to SA Health for processing.
6. Conducting routine inspections at appropriate intervals, according to the business's risk classification and inherent food safety risk.
7. Joint ownership of FSRS certificates with SA Health.
8. Acting appropriately in receipt of appeals / grievances of scores and other food related complaints.
9. Where appropriate (e.g. on investigation of a food safety incident), removing FSRS certificates from a business and/or reissuing. LG must inform SA Health of any such action.
10. Nominating a dedicated point of contact within the council to attend meetings/ receive information and coordinate to all EHOs within their council.
11. Providing inspection findings to SA Health in a timely manner for processing.
12. Informing SA Health of any local media conducted about FSRS.

Financial expectations

1. LG will not charge eligible businesses any additional fees (over and above those normally charged by council) to conduct inspections, or for the provision of advice or support relating to this Scheme.
2. SA Health will not charge LG for training or information provided in support of the Scheme.

From: [Ken & Debbie Diedrich](#)
To: [City Emails](#)
Subject: Valley Lakes Boat Mooring Area
Date: Sunday, 1 November 2015 11:55:26 AM

Good Morning,

As a regular user of the boating area at the Valley Lakes, ourselves and many other boating enthusiasts are finding now the bank is extremely dangerous where the boats pull up to.

There is no longer a beach of sand and now a large drop into the water off the grassed area. Entry into the water is extremely difficult and slippery and the large drop has seen many injure themselves whilst trying to enter the water to get the their boats.

Not only that the boats have no secure area to be moored to now resulting in damage to vessels also.

I'm sure the council would be willing to find a solution to this well used and very popular boating area by means of a substantial amount of extra sand being dumped in the boat mooring area and/or the bank being scrapped off to make entry to the water easier for patrons. Both would be a significant help to all users.

Your thoughts and reply would be greatly appreciated

Kind Regards

Ken & Debbie Diedrich
Ph: 0421 798 798

PICK AVE DELI & BAKERY
34 PICK AVE MT GAMBIER
SA 5290 PH (08) 8725 2405
ABN 45 678 031 523

DARYL SEXTON

DEAR SIR

I AM WRITING TO YOU ON BEHALF OF
PICK AVE. DELI AND BAKERY.

DUE TO THE FREQUENT USE OF THE
SHOWGROUNDS AND THE UPGRADE OF OUR
BUSINESS, WE WOULD LIKE TO CHANGE THE
PARKING TIMES ON OUR SIDE OF THE
ROAD, TO 15 MINUTE PARKING INSTEAD
OF 30 MINUTE PARKING.

OUR BUSINESS HOURS ARE

MONDAY — FRIDAY 6am — 6pm

SATURDAY 7.30am — 5pm

SUNDAY 8.00am — 5pm

YOURS SINCERELY



DARREN MURRELL

OWNER AND LANDLORD OF PICK AVE. DELI AND BAKERY
7/10/15

TRAFFIC IMPACT STATEMENT

Installation of 15 Minute Parking Zone
Pick Avenue (Western Side)

Part A - Traffic Management

It is the view of the undersigned that the installation of a 15 minute parking zone on Pick Avenue (western side) will not be detrimental to traffic management in the area.

Part B - Road Safety Effects

It is anticipated that the proposal will not have any negative impacts on road safety.

Conclusion

It is the opinion of the undersigned that the proposal to install a 15 minute parking zone on Pick Avenue (western side) will not have negative impacts on traffic management or road safety and is therefore deemed appropriate for the area.



.....
Daryl SEXTON
DIRECTOR OPERATIONAL SERVICES

1st December 2015
Ref. AF14/52
SW

Proposed 15 Minute Parking Zone - Pick Avenue (Western Half)



Plot Date: 1st December 2015



NOTES OF MEETING OF BOUNDARY ROADS ADVISORY GROUP

Discussion held at 3:00 p.m. on Thursday, 12th November 2015
Civic Centre, 10 Watson Terrace, Mount Gambier, (Operational Services - Level 1)

City of Mount Gambier: Mr Daryl Sexton, Director - Operational Services
Mr Daryl Morgan, Engineering Manager

District Council of Grant: Cr Alan Hill
Mayor Richard Sage
Mr Adrian Schutz, Works Manager

Discussion was held regarding the Boundary Roads Works Program for the next 5 year period (commencing 2015/16).

An extract from the City of Mount Gambier Infrastructure Asset Management Plan of the Boundary Roads affecting both the City of Mount Gambier and District Council of Grant was tabled.

Budget

Carry over funds from 2014/2015	\$385,000.00
Budget allocation for 2015/2016 (\$82,000 per Council)	<u>\$164,000.00</u>

TOTAL: \$549,000.00

As a result, the following 5 year program was discussed.

Year 1 2015/2016

Intersection Realignment	Bishop Road/Kennedy Avenue	\$200,000.00*
Bishop Road (subject to Development Schedule of Empak)	Construction to link with Empak Homes subdivision. Contribution to be negotiated with Empak Homes.	\$100,000.00*
Lake Terrace East	Contribution to the reconstruction of Lake Terrace East – East of the Council Boundary to Lewis Avenue	\$138,000.00
O'Leary Road	Pavement regulation and reseal	\$29,000.00
Pinehall Avenue	Reseal from Sturm Road to Penola Road	\$83,000.00
		<u>\$550,000.00</u>

*These projects may not occur in 2015/16 because an application for blackspot funding has been made for Bishop Road / Kennedy Avenue intersection realignment and the outcome may not be known until May / June 2016.

Bishop Road construction is "tied" to stage 5A of the Empak Land Development project and the actual timing of the required works is still to be determined.

Year 2 2016/2017

Grant Avenue	Asphalt "braking" areas of Bay Road and White Avenue	\$11,000.00
Wireless Road West/ Wandilo Road	Kerb and repair intersection (south side)	\$7,000.00

Attamurra Road/ Houston Drive	Asphalt intersection	\$4,000.00
Hawkins Road	Seal to drain west side, road reseal.	\$14,000.00
McCormicks Road	Grade shoulder, repairs to intersection of Nelson Road	\$6,000.00
Tollner Road (reseal)	Mount Percy Road to Avey Road	\$18,000.00
	TOTAL:	<u>\$60,000.00</u>

Year 3 2017/18

Periodic Reseals allow \$60,000.00

Year 4 2018/19

Periodic Reseals allow \$60,000.00

Year 5 2019/20

Periodic Reseals allow \$60,000.00

Council officers will prepare reports to their respective Councils regarding the above discussion.

Note: the \$60,000.00 per in Year 3, 4 & 5 would be equivalent to \$30,000.00 per Council per year.

Discussion closed at 3:20 p.m.

13 November 2015
AF11/1228
SM

South Australia

Environment Protection (Air Quality) Policy 2016

under section 28 of the *Environment Protection Act 1993*

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Schedule 1—Stack emissions (clause 5(1)(a))

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Schedule 2—Prohibited substances

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- 1 Interpretation
- 2 Ground level concentrations

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Schedule 5—Revocation of environment protection policies

- 1 Revocation of environment protection policies
-

Part 1—Preliminary

1—Short title

This policy may be cited as the *Environment Protection (Air Quality) Policy 2016*.

2—Commencement

This policy will come into operation on a day to be fixed by the Governor by notice in the Gazette.

3—Interpretation

- (1) In this policy, unless the contrary intention appears—

Act means the *Environment Protection Act 1993*;

approved solid fuel heater standard means AS/NZS 4013:2014 or a standard from an overseas jurisdiction approved by the Authority as being equivalent to, or more stringent than, AS/NZS 4013:2014;

AS/NZS 4013:2014 means AS/NZS 4013:2014 *Domestic solid fuel burning appliances - Method for determination of flue gas emissions* published jointly by Standards Australia and Standards New Zealand, as in force at the commencement of this policy;

certificate of compliance, in relation to a heater, means a certificate issued or approved by the Authority certifying that heaters of the same model as that heater comply with an approved solid fuel heater standard;

cubic metre or *m³* means that volume of dry gas which occupies a cubic metre at a temperature of 0° Celsius and at an absolute pressure equivalent to 101.3 kilopascals (1 atmosphere);

domestic incinerator means an incinerator that is situated on residential premises for burning waste from the premises;

emits a pollutant to air—see subclause (2);

listed waste means waste of a kind specified in Schedule 1 Part B of the Act;

mandatory provision—see subclause (4);

metropolitan Adelaide has the same meaning as in the *Development Act 1993*;

particles as PM_{2.5} means particulate matter with an equivalent aerodynamic diameter of 2.5 micrometres or less;

particles as PM₁₀ means particulate matter with an equivalent aerodynamic diameter of 10 micrometres or less;

ppm means parts per million by volume;

prescribed testing, monitoring or modelling method, for an activity or development, means—

- (a) a testing, monitoring or modelling method set out for the activity or development in—
 - (i) *Ambient Air Quality Assessment Guideline 2015* prepared by the Authority; or
 - (ii) *Emission Testing Methodology for Air Pollution 2012* prepared by the Authority; or
- (b) some other testing, monitoring or modelling method approved by the Authority for the activity or development;

prohibited substance—see clause 10(1);

road has the same meaning as in the *Road Traffic Act 1961*;

road-related area has the same meaning as in the *Road Traffic Act 1961*;

solid fuel heater means any solid fuel burning appliance that is designed, manufactured or adapted for use in domestic premises (whether or not it is actually used in such premises);

stack, in relation to premises, means an outlet intended for the emission to air of pollutants produced on the premises, and includes a chimney, flue or vent;

tyre waste means waste comprised of tyres or tyre pieces;

vessel means a ship, boat or other water craft.

- (2) For the purposes of this policy, a person emits a pollutant to air if the person causes or allows the pollutant to be emitted into the air or fails to prevent it from entering or escaping into the air.
- (3) A reference in this policy to the burning of matter in the open includes a reference to the burning of matter in a domestic incinerator.
- (4) In this policy, the expression *mandatory provision* followed by a statement as to the category of offence is to be taken to signify that contravention of the provision at the foot of which the expression appears is, for the purposes of Part 5 of the Act, an offence of the category so stated.

Note—

Unless the contrary intention appears, terms used in this policy that are defined in the Act have the respective meanings assigned to those terms by the Act.

4—Application of policy

- (1) This policy does not apply in relation to—
 - (a) the destruction of property pursuant to a direction of the Commissioner of Police under section 52E of the *Controlled Substances Act 1984*; or
 - (b) an activity undertaken in the course of, or in connection with, fire-fighting, or the training of firefighters or fire investigators, by or on behalf of—
 - (i) the South Australian Metropolitan Fire Service; or
 - (ii) the South Australian Country Fire Service; or
 - (iii) the South Australian State Emergency Service; or
 - (iv) the South Australian Fire and Emergency Services Commission; or
 - (c) any other activity undertaken by a person pursuant to an authority given to the person by or under the *Fire and Emergency Services Act 2005*.
- (2) If, immediately before the commencement of this policy, a prescribed activity of environmental significance was being lawfully undertaken by a person in a manner that would contravene a provision of this policy, that provision will not apply in relation to the activity so undertaken until the expiry of the second year of operation of this policy.
- (3) In this clause—

firefighter has the same meaning as in the *Fire and Emergency Services Act 2005*;
fire-fighting has the same meaning as in the *Fire and Emergency Services Act 2005*.

Part 2—Air quality measures

Division 1—Emission of pollutants from premises

5—Emission of pollutants from premises

- (1) The following provisions apply in relation to the emission of pollutants from premises:
 - (a) the occupier of premises must ensure that, if an activity specified in column 2 of the table in Schedule 1 clause 2 is carried on at the premises, a pollutant specified in column 1 is not emitted to air—
 - (i) at a level exceeding that specified for the pollutant in column 3; or
 - (ii) in contravention of a requirement (if any) specified for the pollutant in column 4,

(when evaluated at the stack using a prescribed testing, monitoring or modelling method for the pollutant and activity);
 - (b) the occupier of premises must ensure that, if the premises are fitted with a stack for the emission of pollutants to air, the pollutants are not emitted to air other than via the stack;

- (c) the occupier of premises must ensure that the emission of pollutants to air from the premises is not caused through any failure to take reasonable and practicable measures—
- (i) to maintain fuel-burning equipment, control equipment or any other plant or equipment in an efficient condition; or
 - (ii) to operate fuel-burning equipment, control equipment or any other plant or equipment in a proper and efficient manner; or
 - (iii) to carry out maintenance of fuel-burning equipment, control equipment or any other plant or equipment in a proper and efficient manner; or
 - (iv) to process, handle, move or store goods or materials in or on the premises in a proper and efficient manner.

Mandatory Provision: Category B offence.

- (2) The Authority or another administering agency may, by notice in writing given to the occupier of premises at which an activity referred to in this clause is carried on, fix a suitable testing point at the premises to enable the Authority or another administering agency to evaluate emissions at the stack (as referred to in subclause (1)(a)).
- (3) An occupier to whom a notice has been given under subclause (2) must ensure that the testing point is, at all times, in a suitable condition and available for testing on request by an authorised officer.

Mandatory Provision: Category B offence.

- (4) This clause does not apply in relation to emissions from—
- (a) a domestic activity; or
 - (b) a motor vehicle.
- (5) In this clause—
motor vehicle does not include a crane, vessel or locomotive.

Division 2—Localised ambient air quality objectives

6—Localised ambient air quality objectives

- (1) The Authority may, by amendment of this policy under clause 17, declare that localised ambient air quality objectives apply in respect of an area or areas described or delineated in the declaration in which an activity of a particular kind, or proximate or related activities, specified in the declaration are carried on.
- (2) The owner or occupier of premises in an area or areas described or delineated in a declaration under this clause at which an activity specified in the declaration is carried on, must ensure that a pollutant specified in the declaration is not emitted to air from the premises in such a way as to cause the ambient concentration of the pollutant specified for the pollutant in the declaration to be exceeded (when evaluated at ground level using a testing, monitoring or modelling method approved by the Authority).

Mandatory provision: Category B offence.

- (3) If a declaration is made under this clause, another provision of this policy that is inconsistent with that declaration will not apply to the extent of the inconsistency in relation to the specified activity or activities in the specified area or areas.

Division 3—Burning offences

Subdivision 1—Burning of matter in the open

7—Interpretation

In this Subdivision—

matter does not include a prohibited substance.

8—Burning of matter in the open

- (1) The owner or occupier of premises within a council area must not cause or permit the burning of matter by fire in the open on the premises.

Mandatory Provision: Category B offence.

- (2) A person must not cause or permit the burning of matter by fire in the open on a road or road-related area.

Mandatory Provision: Category B offence.

- (3) However, subject to any bans or other restrictions under the *Fire and Emergency Services Act 2005*—

- (a) subclause (1) does not apply to the burning of matter by fire in the open in the following circumstances:

- (i) the preparation of food or a beverage;
- (ii) the burning of charcoal within a brazier, chiminea or fire pit for the purpose of heating an outdoor area;
- (iii) the burning of timber or other plant matter on non-residential premises in a council area outside of metropolitan Adelaide for the purposes of—
 - (A) disposing of agricultural or forestry waste; or
 - (B) barbecuing, picnicking, scouting or similar outdoor recreational activities,

provided that the timber or plant matter is dry and reasonable steps are taken to avoid burning of the matter within 200 metres of any adjacent residential premises;

- (iv) the disposal, in accordance with an environmental authorisation, of gaseous waste produced in the course of a prescribed activity of environmental significance;
- (v) on premises in a council area, or part of a council area, outside of metropolitan Adelaide identified in a declaration made by the Authority in accordance with clause 9, provided that the burning is carried on in accordance with the conditions specified in the declaration; and

- (b) subclause (2) does not apply to the burning of matter by fire in the open on a road or road-related area in a council area, or part of a council area, outside of metropolitan Adelaide identified in a declaration made by the Authority in accordance with clause 9, provided that the burning is carried on in accordance with the conditions specified in the declaration.
- (4) In this clause—
- agricultural waste*** means waste produced in the course of agriculture and includes dead stock, diseased crops, crop stubble or other crop waste and waste resulting from the clearing of land for farming.

9—Council responsibility for burning of matter in the open

- (1) The Authority may, on application by a council, declare, by notice in the Gazette—
- (a) that clause 8(1) does not apply to the burning of matter by fire in the open on premises within the whole or a part of the area of the council; or
 - (b) that clause 8(2) does not apply to the burning of matter by fire in the open on a road or road-related area within the whole or part of the area of the council.
- (2) An application under subclause (1) must be made in a manner and form determined by the Authority.
- (3) The Authority must not make a declaration under this clause in relation to a council unless satisfied that—
- (a) the council has caused public notice to be published in a newspaper circulating within its area—
 - (i) informing owners and occupiers of premises in the area of the proposed declaration; and
 - (ii) inviting interested persons to make written submissions to the council on the proposed declaration within a period specified by the council (being a period of at least 6 weeks); and
 - (b) the views expressed in the written submissions have been considered by the council.
- (4) A notice under subclause (1)—
- (a) must identify (by reference to maps or written descriptions, or both) the area or areas to which the declaration relates; and
 - (b) must specify any zones that are delineated in the relevant Development Plan for the area or areas; and
 - (c) must specify the conditions to which the declaration is subject—
 - (i) which may include (but are not limited to) conditions relating to any 1 or more of the following:
 - (A) permitted times or periods of time for burning;
 - (B) the material or class of material that may be burned;
 - (C) monitoring and enforcement of conditions;

- (D) reporting to the Authority of any outcomes or other matters relating to the declaration; and
- (ii) which may vary according to the nature of the areas or zones specified in the notice.
- (5) The Authority must, in determining—
- (a) an application for a declaration under this clause; or
 - (b) what should be the conditions of such a declaration,
- take into account that the burning of matter in the open within 200 metres of residential premises should be avoided.
- (6) The Authority may, by further notice in the Gazette, vary or revoke a declaration under this clause.
- (7) A declaration under this clause has effect from the date of publication of the notice or a future date specified in the notice and remains in force according to its terms for a period specified in the notice or until revoked by the Authority.

Subdivision 2—Burning of prohibited substances

10—Burning of prohibited substances

- (1) A person must not cause or permit the burning of a substance listed in Schedule 2 (a *prohibited substance*) by fire (whether inside a building or in the open).
 Mandatory provision: Category A offence.
- (2) Subclause (1) does not apply in relation to the burning of a prohibited substance by fire by the holder of an environmental authorisation in accordance with the authorisation.

11—Environmental harm

For the purposes of section 5(1)(b) of the Act, the emission to the environment of ash or other residual matter caused by burning a prohibited substance by fire is declared to constitute environmental harm.

Division 4—Solid fuel heaters

12—Sale of solid fuel heaters

- (1) A person must not sell a solid fuel heater unless—
- (a) the heater is marked in accordance with an approved solid fuel heater standard; and
 - (b) a certificate of compliance exists in relation to the heater; and
 - (c) in the case of the sale to a person whose business includes the wholesale or retail sale of heaters, a copy of the certificate has been given to the purchaser.
- Mandatory provision: Category B offence.
- (2) Subclause (1)(a) only applies in relation to a solid fuel heater to the extent that the relevant approved solid fuel heater standard applies to solid fuel heaters of that model.

- (3) This clause does not apply in relation to a solid fuel heater that is a fixture in premises that are being sold.

13—Installation of solid fuel heaters

- (1) A person must not install a solid fuel heater unless—
- (a) the heater is marked in accordance with an approved solid fuel heater standard; and
 - (b) to the extent that the approved solid fuel heater standard contemplates requirements that are expressed as mandatory in relation to the installation of solid fuel heaters—the installation is carried out in accordance with those requirements.

Mandatory provision: Category B offence.

- (2) Subclause (1) only applies in relation to a solid fuel heater to the extent that the relevant approved solid fuel heater standard applies to solid fuel heaters of that model.
- (3) In addition, AS/NZS 2918:2001 *Domestic solid fuel burning appliances - Installation* published jointly by Standards Australia and Standards New Zealand, as in force at the commencement of this policy applies in relation to the installation of a solid fuel heater to the extent that the standard contemplates requirements that are expressed as recommendations in relation to the installation of solid fuel heaters of that model.

14—Interference with solid fuel heaters

- (1) A person must not—
- (a) alter, or cause or permit the alteration of, the structure, exhaust system or air inlet of a solid fuel heater in relation to which a certificate of compliance exists; or
 - (b) mark, or cause or permit to be marked, on a heater that it complies with an approved solid fuel heater standard if the heater is not of a model that is the subject of the relevant certificate of compliance.

Mandatory provision: Category B offence.

- (2) Nothing in this clause prevents a person from carrying out genuine repair work on a heater.

15—Prevention of excessive smoke

- (1) The owner or occupier of premises at which a solid fuel heater is used must not cause or permit excessive smoke to be emitted to the air from the heater.
- (2) Without limiting the circumstances in which smoke may be taken to be excessive for the purposes of subclause (1), smoke emitted to the air from a solid fuel heater will be taken to be excessive if a visible plume of smoke extends into the air from the flue or chimney of the heater for a continuous period of not less than 10 minutes, including a period of not less than 30 seconds when the plume extends into the air at least 10 metres from the point at which the smoke is emitted from the flue or chimney.

16—Sale of green firewood etc

- (1) A person must not cause or permit the sale of firewood or other solid fuel for use in a solid fuel heater if the firewood or other solid fuel has an internal moisture content exceeding 20%, except to a wholesaler or retailer of firewood or other solid fuel.
- (2) If a retailer of firewood or other solid fuel holds firewood or other solid fuel with an internal moisture content exceeding 20% on the retail premises, that firewood or other solid fuel must be stored in a separate area that is clearly marked by a sign stating that the firewood or other solid fuel in that area is not available for retail sale.
- (3) For the purposes of this clause—
 - (a) the internal moisture content of firewood or other solid fuel will be determined in accordance with equipment and a testing method approved by the Authority; and
 - (b) wood or other solid fuel being offered for retail sale in an area of a firewood or other solid fuel retailer's premises will be taken to have an internal moisture content exceeding 20% if the average internal moisture content of a selection of not less than 10 pieces of the wood or other solid fuel in that area exceeds 20%.

Part 3—Matters relating to Part 5 of Act**17—Amendment of policy by Gazette notice under section 32 of Act**

- (1) Pursuant to section 32(1)(c) of the Act, this policy may be amended by the Minister, by notice in the Gazette—
 - (a) so as—
 - (i) to declare that localised air quality objectives apply in respect of an area or areas; or
 - (ii) to declare or modify an activity or a pollutant or concentration level of a pollutant for the area or areas,
for the purposes of clause 6; or
 - (b) so as to modify Schedule 1, Schedule 2, Schedule 3 or Schedule 4; or
 - (c) so as to make other amendments (including amendment of Part 1) as a consequence of an amendment referred to in a preceding subparagraph; or
 - (d) as a consequence of—
 - (i) an amendment to the Act, the making, variation or revocation of regulations under the Act or the making, amendment or revocation of another environment protection policy; or
 - (ii) the amendment, revocation or substitution of another Act, or a code, standard, guidelines or other document, referred to in the policy.
- (2) An amendment is to be in the form of a textual amendment and, as such, a provision may be deleted from, substituted in or inserted into the policy and material may be deleted from, substituted in or inserted into a provision of the policy.

- (3) The Authority cannot make a recommendation to the Minister for an amendment referred to in this clause unless—
- (a) the proposal has been reduced to writing, clearly setting out the purpose and likely impact of and reasons for the proposed amendment; and
 - (b) in addition, in the case of an amendment under subclause (1)(a)—consultation has been undertaken as follows:
 - (i) relevant organisations and industries and the community likely to be affected by the proposed amendment have been consulted;
 - (ii) the views expressed by those consulted have been considered by the Authority and communicated to the Minister.

Part 4—Matters relating to Part 6 of Act

18—Matters relating to Part 6 of Act

In determining any matters under Part 6 of the Act in relation to an activity or development—

- (a) the Authority must take into account whether the activity or development has resulted, or may result, in the concentration of a pollutant specified in column 1 of the table in Schedule 3 clause 2 exceeding the maximum concentrations specified in column 4 or 5 for that pollutant over the averaging time specified in column 3 for that pollutant (based on evaluations at ground level using a prescribed testing, monitoring or modelling method for the pollutant and activity or development); and
- (b) the Authority must take into account whether the activity or development has resulted, or may result, in the number of odour units specified in column 2 of the table in Schedule 4 being exceeded for the number of persons specified in column 1 over a 3 minute averaging time 99.9% of the time (based on evaluations at ground level using a prescribed testing, monitoring or modelling method for odour evaluation set out in the document entitled *Odour assessment using odour source modelling 2007* (EPA 373/07) prepared by the Authority); and
- (c) the Authority must take into account whether the activity or development has resulted or may result in the pollution of the air in any other manner; and
- (d) the Authority must consider the requirements that should, in the event of an authorisation being granted, be imposed on all relevant persons for the purposes of preventing or minimising the pollution of the air or its harmful effects; and
- (e) in imposing any such requirements, the Authority must take into account (without limitation)—
 - (i) the requirements relating to appropriate separation distances between premises involved in the activity or development set out in the document entitled *Guidelines for Separation Distances 2007* (EPA 714/07) prepared by the Authority; and

- (ii) any code, standard, guidelines or other document referred to in this policy that applies to the activity or development or to the relevant area; and
- (iii) in addition, in the case of an exemption from a provision of this policy—whether the exemption should be subject to a condition—
 - (A) requiring a monitoring and reporting program to be carried out in relation to the activity; and
 - (B) if necessary, requiring the program to be independently checked and verified at regular intervals and the checked and verified results to be made available to the Authority.

Schedule 1—Stack emissions (clause 5(1)(a))

1—Interpretation

In this Schedule—

boiler means a vessel in which water is heated for any purpose by any combustible materials with a total heat release of 100 or more megajoules per hour.

2—Stack emissions

Pollutant	Activity	Maximum pollutant level	Other requirements
Acid gases	Manufacture of sulphuric acid	200mg/m ³ as sulphur trioxide equivalent	There must be no persistent mist
Antimony or its compounds	Any activity	10mg/m ³	
Arsenic or its compounds	Any activity	10mg/m ³	
Cadmium or its compounds	Any activity	3mg/m ³	
Lead or its compounds	Any activity	10mg/m ³	
Mercury or its compounds	Any activity	3mg/m ³	
Any 2 or more of the 5 pollutants listed immediately above (other than particulate matter)	Any activity	10mg/m ³	

Pollutant	Activity	Maximum pollutant level	Other requirements
Carbon monoxide	Any activity	1000mg/m ³	
Chlorine or chlorine compounds	Any activity emitting chlorine or chlorine compounds	200mg/m ³ as chlorine equivalent	
Fluorine, hydrofluoric acid or fluorine compounds	Any activity except primary aluminium smelters	50mg/m ³ as hydrofluoric acid equivalent	
	Primary aluminium smelters	20mg/m ³ as hydrofluoric acid equivalent	
Hydrogen sulphide gas	Any activity	5mg/m ³	
Nickel carbonyl	Any activity	0.5mg/m ³	
Nickel or its compounds (other than nickel carbonyl)	Any activity	20mg/m ³	
Nitric acid or oxides of nitrogen	Manufacture of nitric acid or sulphuric acid	2000mg/m ³ as nitrogen dioxide equivalent	The plume must be colourless
Oxides of nitrogen	Fuel burning (other than internal combustion engines) with a maximum heat input rate greater than 150 000 MJ/hr gross—	(a) for gaseous fuels	350mg/m ³ referenced to 7% by volume of oxygen
		(b) for liquid or solid fuels	500mg/m ³ referenced to 7% by volume of oxygen
		Power generation of 250MW or greater	700mg/m ³ referenced to 7% by volume of oxygen
		Gas turbines for power generation of 10MW or greater—	
		(a) for gaseous fuels	70mg/m ³ referenced to 15% by volume of oxygen
		(b) for liquid or solid fuels	150mg/m ³ referenced to 15% by volume of oxygen

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Schedule 1—Stack emissions (clause 5(1)(a))

Pollutant	Activity	Maximum pollutant level	Other requirements
	Gas turbines for power generation of less than 10MW	90mg/m ³ referenced to 15% by volume of oxygen	
Particulate matter	Any activity other than heating metals or metal ores	100mg/m ³ , referenced, in the case of boilers and incinerators, to 12% by volume of carbon dioxide	
	Heating metals or metal ores (other than cold blast cupolas)	100mg/m ³	
Sulphur dioxide	Sulphuric acid plant	1000mg/m ³	
Sulphuric acid mist or sulphur trioxide	Any activity	100mg/m ³ as sulphur trioxide equivalent	

Schedule 2—Prohibited substances

A listed waste

Copper chromium arsenate or other timber preservation chemicals

Plastics

Tyre waste

A substance or material containing, or contaminated with, a listed waste or a substance listed above.

Schedule 3—Ground level concentrations (clause 18(a))

1—Interpretation

(1) In this Schedule—

IARC means the International Agency for Research on Cancer;

USEPA means the United States Environmental Protection Agency.

(2) A reference to a classification specified in column 2 of the table in clause 2 followed by "(IARC)" or "(USEPA)" is a reference to that classification as determined by IARC or USEPA (as the case may be).

2—Ground level concentrations

Pollutant	Classification	Averaging time	Maximum concentration (mg/m ³ unless otherwise specified)	Maximum concentration (ppm)
Acetaldehyde	Odour	3 minutes	0.083	0.042
	Toxicity	3 minutes	6.44	3.2
Acetic acid	Odour	3 minutes	0.55	0.20
	Toxicity	3 minutes	0.9	0.32
Acetone	Toxicity	3 minutes	44	16.7
Acrolein	extremely toxic (USEPA)	3 minutes	0.00084	0.00033
Acrylic acid	Toxicity	3 minutes	0.22	0.067
Acrylonitrile	Group B1 carcinogen (USEPA)	3 minutes	0.015	0.0067
Alpha chlorinated toluenes and benzoyl chloride	Group 2A carcinogen (IARC)	3 minutes	0.019	0.0033
Ammonia	Toxicity	3 minutes	0.66	0.83
Aniline	Toxicity	3 minutes	0.27	0.067
Antimony and compounds	Toxicity	3 minutes	0.019	-
Arsenic and compounds	Group 1 carcinogen (IARC)	3 minutes	0.00019	-
Asbestos	Group 1 carcinogen (IARC)	3 minutes	0.33 fibres/litre	-
Asphalt (petroleum) fumes	Toxicity	3 minutes	0.19	-
Barium (soluble compound)	Toxicity	3 minutes	0.019	-
Benzene	Group 1 carcinogen (IARC)	3 minutes	0.058	0.017
		12 months	0.01	0.003
Benzo(a)pyrene as a marker for polycyclic aromatic hydrocarbons	Group 2A carcinogen (IARC)	3 minutes	0.0008	-
		12 months	0.3 nanogram/m ³	-
Beryllium and beryllium compounds	Group 1 carcinogen (IARC)	3 minutes	0.000008	-

Environment Protection (Air Quality) Policy 2016
Schedule 3—Ground level concentrations (clause 18(a))

Pollutant	Classification	Averaging time	Maximum concentration (mg/m³ unless otherwise specified)	Maximum concentration (ppm)
Biphenyl	Toxicity	3 minutes	0.047	0.0067
Bromochloromethane	Toxicity	3 minutes	38	6.7
Bromoform (tribromomethane)	Toxicity	3 minutes	0.19	0.017
Bromotrifluoromethane	Toxicity	3 minutes	222	33
1,3-butadiene	Group 1 carcinogen (IARC)	3 minutes	0.08	0.033
n-Butanol	Odour	3 minutes	0.98	0.3
	Toxicity	3 minutes	5.57	1.7
n-Butyl acetate	Odour	3 minutes	2.02	0.39
	Toxicity	3 minutes	26	5.0
Butyl acrylate	Odour	3 minutes	0.2	0.035
Butyl mercaptan	Odour	3 minutes	0.013	0.004
	Toxicity	3 minutes	0.066	0.017
Cadmium and cadmium compounds	Toxicity; Group 1 carcinogen (IARC)	3 minutes	0.000036	-
Carbon black	Toxicity	3 minutes	0.11	-
Carbon disulphide	Odour	3 minutes	0.14	0.042
	Toxicity	3 minutes	1.02	0.32
Carbon monoxide	Toxicity	1 hour	31.24	25
		8 hours	11.25	9.0
Carbon tetrachloride (tetrachloromethane)	Toxicity	3 minutes	0.023	0.0033
Chlorine	Toxicity	3 minutes	0.11	0.033
Chlorine dioxide	Toxicity	3 minutes	0.01	0.0033
Chlorobenzene	Odour	3 minutes	0.22	0.042
	Toxicity	3 minutes	1.64	0.32
Chloroform (trichloromethane)	Toxicity	3 minutes	1.75	0.33
Chloromethane (methyl chloride)	Toxicity	3 minutes	3.7	1.7
Chromium (III) compounds	Toxicity	3 minutes	0.019	-
Chromium VI compounds	Group 1 carcinogen (IARC)	3 minutes	0.00019	-

Pollutant	Classification	Averaging time	Maximum concentration (mg/m ³ unless otherwise specified)	Maximum concentration (ppm)
Copper dusts and mists	Toxicity	3 minutes	0.036	-
Copper fume	Toxicity	3 minutes	0.0073	-
Cotton dust (raw)	Toxicity	3 minutes	0.0073	-
Crotonaldehyde	Toxicity	3 minutes	0.22	0.067
Cumene (isopropyl benzene)	Odour	3 minutes	0.043	0.008
	Toxicity	3 minutes	8.8	1.6
Cyclohexane	Toxicity	3 minutes	38.2	10
Cyclohexanol	Toxicity	3 minutes	7.5	1.7
Cyclohexanone	Odour	3 minutes	0.53	0.12
	Toxicity	3 minutes	3.5	0.82
Cyanide (as CN)	Toxicity	3 minutes	0.19	-
Diacetone alcohol	Odour	3 minutes	1.42	0.28
o-Dichlorobenzene	Toxicity	3 minutes	10.9	1.7
1,2-dichloroethane (ethylene dichloride)	Mutagen (USEPA); Group 2B carcinogen (IARC)	3 minutes	0.14	0.033
1,2-Dichloroethylene	Toxicity	3 minutes	28.7	6.7
Dichlorvos	Toxicity	3 minutes	0.036	0.0033
Diethylamine	Odour	3 minutes	0.07	0.02
	Toxicity	3 minutes	1.06	0.32
Dimethylamine	Odour	3 minutes	0.019	0.0094
	Toxicity	3 minutes	0.64	0.32
Dinitrobenzene (all isomers)	Toxicity	3 minutes	0.036	0.005
Dinitrotoluene	Toxicity	3 minutes	0.06	-
Diphenyl ether	Odour	3 minutes	0.15	0.02
Epichlorohydrin	Group 2A carcinogen (IARC)	3 minutes	0.027	0.0067
Ethanol	Odour	3 minutes	4.1	2.0
	Toxicity	3 minutes	68.4	33.3
Ethanolamine	Toxicity	3 minutes	0.27	0.1
Ethyl acetate	Odour	3 minutes	24.1	6.3
	Toxicity	3 minutes	25.76	6.6
Ethyl acrylate	Odour	3 minutes	0.0009	0.0002

Environment Protection (Air Quality) Policy 2016
Schedule 3—Ground level concentrations (clause 18(a))

Pollutant	Classification	Averaging time	Maximum concentration (mg/m³ unless otherwise specified)	Maximum concentration (ppm)
	Toxicity	3 minutes	0.72	0.16
Ethylbenzene	Toxicity	3 minutes	15.8	3.3
Ethyl butyl ketone	Toxicity	3 minutes	8.4	1.7
Ethyl chloride (chloroethane)	Toxicity	3 minutes	94.5	33.3
Ethylene glycol (vapour)	Toxicity	3 minutes	2.2	-
Ethylene oxide	Group 1 carcinogen (IARC)	3 minutes	0.0066	0.0033
Fluoride	Bioaccumulation	24 hours	0.003	0.0034
		7 days	0.002	0.002
		90 days	0.001	0.00059
Fluorine	Toxicity	3 minutes	0.058	0.033
Formaldehyde	Toxicity; Group 1 carcinogen (IARC)	13 minutes	0.044	0.033
		24 hours	0.054	0.04
n-Hexane	Toxicity	3 minutes	6.4	1.7
2-Hexanone	Toxicity	3 minutes	3.6	0.83
Hydrogen chloride	Toxicity	3 minutes	0.27	0.17
Hydrogen cyanide	extremely toxic (USEPA)	3 minutes	0.404	0.33
Hydrogen sulphide	Odour	3 minutes	0.00015	0.0001
	Toxicity	3 minutes	0.51	0.32
Iron oxide fume	Toxicity	3 minutes	0.19	-
Lead (as particles)	Toxicity	12 months	0.0005	-
Magnesium oxide fume	Toxicity	3 minutes	0.36	-
Maleic anhydride	Toxicity	3 minutes	0.036	0.0083
Manganese and compounds	Toxicity	3 minutes	0.036	-
MDI (Diphenylmethane diisocyanate)	extremely toxic (USEPA)	3 minutes	0.00008	-
Mercury				
- inorganic	Bioaccumulation	3 minutes	0.004	-
- organic	Bioaccumulation	3 minutes	0.00036	-
Methanol	Odour	3 minutes	6.0	4.3
	Toxicity	3 minutes	9.5	6.7

Pollutant	Classification	Averaging time	Maximum concentration (mg/m ³ unless otherwise specified)	Maximum concentration (ppm)
Methyl acrylate	Toxicity	3 minutes	1.3	0.33
Methylamine	Odour	3 minutes	0.0055	0.0042
	Toxicity	3 minutes	0.47	0.32
Methyl bromide (bromomethane)	Toxicity	3 minutes	0.69	0.17
Methylene chloride (dichloromethane)	Toxicity	3 minutes	6.3	1.7
Methyl ethyl ketone	Odour	3 minutes	6.4	2.0
	Toxicity	3 minutes	17.5	4.9
Methyl isobutyl ketone	Odour	3 minutes	0.45	0.1
	Toxicity	3 minutes	7.3	1.6
Methyl mercaptan	Odour	3 minutes	0.00092	0.00042
	Toxicity	3 minutes	0.035	0.016
Methyl methacrylate	Odour	3 minutes	0.23	0.05
	Toxicity	3 minutes	14.63	3.2
Methyl styrene	Odour	3 minutes	0.27	0.052
	Toxicity	3 minutes	8.84	1.7
Nickel and nickel compounds	Group 1 carcinogen (IARC)	3 minutes	0.00036	0.00017
Nitric acid	Toxicity	3 minutes	0.19	0.067
Nitrobenzene	Odour	3 minutes	0.005	0.00094
	Toxicity	3 minutes	0.175	0.032
Nitrogen dioxide	Toxicity	1 hour	0.25	0.12
		12 months	0.06	0.03
Particles as PM ₁₀	Toxicity; Group 1 carcinogen (IARC)	124 hours	0.05	-
Particles as PM _{2.5}	Toxicity; Group 1 carcinogen (IARC)	124 hours	0.025	-
		12 months	0.008	-
Pentachlorophenol	extremely toxic (USEPA)	3 minutes	0.0019	-
n-Pentane	Toxicity	3 minutes	65.5	20
2-Pentanone	Toxicity	3 minutes	25.4	6.7
Perchloroethylene (tetrachloroethylene)	Odour	3 minutes	6.9	0.94

Environment Protection (Air Quality) Policy 2016
Schedule 3—Ground level concentrations (clause 18(a))

Pollutant	Classification	Averaging time	Maximum concentration (mg/m³ unless otherwise specified)	Maximum concentration (ppm)
	Toxicity	3 minutes	12.2	1.7
Phenol	Odour	3 minutes	0.039	0.0094
	Toxicity	3 minutes	0.14	0.032
Phosgene	extremely toxic (USEPA)	3 minutes	0.014	0.0033
Phosphine	Odour	3 minutes	0.0061	0.0042
	Toxicity	3 minutes	0.015	0.01
Photochemical oxidants (as ozone)	Toxicity	1 hour	0.21	0.1
		4 hours	0.17	0.08
Phthalic anhydride	Toxicity	3 minutes	0.22	0.033
n-propanol	Odour	3 minutes	0.082	0.03
	Toxicity	3 minutes	17.9	6.2
Propylene glycol monomethyl ether	Toxicity	3 minutes	13.1	3.3
Propylene oxide	Group B2 carcinogen (USEPA)	3 minutes	0.17	0.067
Pyridine	Odour	3 minutes	0.014	0.0042
	Toxicity	3 minutes	0.57	0.16
Respirable crystalline silica— inhaled in the form of quartz or cristobalite (measured as PM _{2.5})	Group 1 carcinogen (IARC)	3 minutes	0.00036	-
Silver metal	Toxicity	3 minutes	0.004	-
Silver, soluble compounds (as Ag)	Toxicity	3 minutes	0.00036	-
Styrene (monomer)	Odour	3 minutes	0.23	0.05
	Toxicity	3 minutes	7.6	1.64
Sulphur dioxide	Toxicity	1 hour	0.57	0.2
		24 hours	0.23	0.08
		12 months	0.06	0.02
Sulphuric acid	Toxicity	3 minutes	0.036	-
TDI (toluene-2,4-diisocyanate and toluene-2,6-diisocyanate)	extremely toxic (USEPA)	3 minutes	0.00008	-
Toluene	Odour	3 minutes	0.71	0.17

Pollutant	Classification	Averaging time	Maximum concentration (mg/m ³ unless otherwise specified)	Maximum concentration (ppm)
	Toxicity	3 minutes	13.4	3.2
		24 hours	4.11	1.0
		12 months	0.41	0.1
1,1,1-trichloroethane (methyl chloroform)	Toxicity	3 minutes	24.8	4.2
1,1,2-trichloroethane	Toxicity	3 minutes	1.97	0.33
Trichloroethylene	Group 1 carcinogen (IARC)	3 minutes	0.98	0.17
Trichlorofluoromethane	Toxicity	3 minutes	204	33.3
Triethylamine	Odour	3 minutes	0.39	0.09
	Toxicity	3 minutes	0.43	0.1
Trimethylbenzene (mixed isomers)	Toxicity	3 minutes	4.4	0.83
Vinyl chloride	Group 1 carcinogen (IARC)	3 minutes	0.047	0.017
Vinyl toluene	Toxicity	3 minutes	8.8	1.7
Welding fume (total particulate)	Toxicity	3 minutes	0.19	-
Wood dust				
- hardwoods	Group 1 carcinogen (IARC)	3 minutes	0.036	-
- softwoods	Group 1 carcinogen (IARC)	3 minutes	0.019	-
Xylenes (as total of ortho, meta and para isomers)	Odour	3 minutes	0.38	0.08
	Toxicity	3 minutes	12.4	2.7
		24 hours	1.18	0.25
		12 months	0.95	0.2
Zinc chloride fume	Toxicity	3 minutes	0.036	-
Zinc oxide fume	Toxicity	3 minutes	0.19	-

Schedule 4—Odour levels (clause 18(b))

Number of people	Odour units (3 minutes average, 99.9% of time)
2000 or more	2
350 - 1999 (inclusive)	4
60 - 349 (inclusive)	6
12 - 59 (inclusive)	8
Single residence (fewer than 12)	10

Schedule 5—Revocation of environment protection policies

1—Revocation of environment protection policies

The following environment protection policies are revoked:

- (a) the *Environment Protection (Air Quality) Policy 1994*;
- (b) the *Environment Protection (Burning) Policy 1994*;
- (c) the environment protection policy constituted of the *National Environment Protection (Ambient Air Quality) Measure 1998*;
- (d) the *Environment Protection (Motor Vehicle Fuel Quality) Policy 2002*;
- (e) the *Environment Protection (Solid Fuel Heaters) Policy 2015*.

COUNCIL DEVELOPMENT ASSESSMENT PANEL

Meeting held on Thursday, 19th November 2015 at 5.45 p.m. in the Conference Room, Level One - Operational Services, Civic Centre

MINUTES

PRESENT: Mrs E Travers (Presiding Member)
Cr I Von Stanke, Cr C Greco, Cr M Lovett, Ms E Finnigan, Mrs M Trotter and Mr P Seebohm

APOLOGY/IES: Nil

COUNCIL OFFICERS: Senior Planner, Simon Wiseman
Project Officer, Josh Wilson
Administrational Officer - Operational Services, Sarah Moretti

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF 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 THE LAND.

MINUTES: Cr Greco moved that the minutes of the Meeting held on Thursday, 15th October 2015 be taken as read and confirmed.

Ms Finnigan seconded

Carried

1. Development Number: 381/0354/2015
Applicant: Thomson Bilt
Owner: A J Kurray
Description: To construct a garage in association with existing dwelling, garage and carport with a total floor area of approximately 107 metres
Address: 10 Gordon Street, Mount Gambier
Nature of Development: Consent / Category 1
Zoning: Residential
Report: Council Development Assessment Panel Report No. 22 / 2015
Correspondence: Letter from Applicant L.36

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 22 / 2015 be received;
- (b) The Applicant and Owner be advised that having regard to the Development Plan and all supporting documentation, the proposed development is considered not to be seriously at variance with Councils Development Plan and be granted Development Plan Consent subject to the following Conditions:
 1. The development shall be carried out in accordance with the Plan/s as approved by Council and with the Conditions of Approval.
 2. The garage shall only be used for purposes associated with the existing residential land use of the subject property.
- (c) The Applicant and Owner be advised that the reasons for Councils approval are:
 1. It is not at serious variance with Councils Development Plan.

2. It is to be used for residential use/ storage and by no means Commercial use/ storage.

Carried

2. Development Number: 381/0362/2015
 Applicant: M W Fox
 Owner: K L & W A Collins
 Description: To construct two carports and a garage for a total floor area of approximately 196 square metres
 Address: 5-7 Torrensdale Road, Suttontown
 Nature of Development: Consent / Category 1
 Zoning: Residential
 Report: Council Development Assessment Panel Report No. 23 / 2015
 Correspondence: Letter from Owner L.37

The Council Development Assessment Panle moved it be recommended:

- (a) Council Development Assessment Panel Report No. 23 / 2015 be received;
- (b) The Applicant and Owner be advised that having regard to the Development Plan and all supporting documentation, the proposed development is considered not to be seriously at variance with Councils Development Plan and be granted Development Plan Consent subject to the following Conditions:
1. The development shall be carried out in accordance with the Plan/s as approved by Council and with the Conditions of Approval.
 2. The garage shall only be used for purposes associated with the existing residential land use of the subject property.
 3. The use of the property shall not create a nuisance and/or disturbance for any person/s and/or property in the immediate area.
- (c) The Applicant and Owner be advised that the reasons for Councils approval are:
1. It is not at serious variance with Councils Development Plan.
 2. It is to be used for residential use/ storage and by no means Commercial use/ storage.

Carried

MOTIONS WITHOUT NOTICE - Nil

The meeting closed at 5:47 p.m.

20 November 2015
 AF14/354
 SM

CONFIRMED THIS

DAY OF

2015.

.....
 PRESIDING MEMBER

MOUNT GAMBIER CEMETERY TRUST

Minutes of Meeting held at Carinya Gardens Cemetery Reception Area, Grant Avenue,
Mount Gambier, on Friday 20th November 2015 at 12.15 p.m.

MINUTES

PRESENT: Cr B Collins (Presiding Member)
Cr I Von Stanke
Mr T Bolton and G Ware

APOLOGIES: Mr Ware moved the apology received from Cr M Lovett be accepted.

Mr Bolton seconded

Carried

COUNCIL MEMBERS

AS OBSERVERS: 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 Von Stanke moved the minutes of the previous meeting held on 21st August 2015 be taken as read and confirmed.

Mr Bolton seconded

Carried

QUESTIONS: (a) With Notice - nil submitted.
(b) Without Notice –

1. FINANCIAL STATEMENT - Income and Expenditure as at 31st October 2015 – Ref. AF11/1371

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance.

The financial statement as at 31st October 2015 was not presented at the meeting.

2. BUDGET ESTIMATES – 2015/16 – Ref. AF11/1371

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance.

Cr Von Stanke moved the Budget estimates for 2015/16 be adopted.

Mr Ware seconded

Carried

Mount Gambier Cemetery Trust Minutes of 20th November 2015 Cont'd...

3. MOUNT GAMBIER CEMETERY TRUST – Terms of Reference – Ref. AF11/1371

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

The Secretary reported:

- (a) Council, on 27th January 2015, resolved “*Council or the relevant standing committee will review the Terms of Reference of all Committees and Sub-Committees by 31st August, 2015 to provide for the opportunity to alter or amend Terms of Reference to reflect Council’s aims and objectives. This review does not preclude the winding up of any Committee or Sub-Committee*”.
- (b) the Trust, on 21st August 2015, resolved “*the matter be left lie on the table until the next meeting*”.

Cr Von Stanke moved the Trust recommend the following changes be made to the Terms of Reference of the Mount Gambier Cemetery Trust:

- (i) **Page 3 – Delete 2.1.17 as it duplicates 2.1.10;**
- (ii) **Page 3 – Rename 2.1.18 to 2.1.17;**
- (iii) **Page 3 – Rename 2.1.19 to 2.1.18;**
- (iv) **Page 4 – 3.3 – Replace ‘cremations’ with ‘crematoria’;**
- (v) **Page 6 – 10. – Rename 10.0;**
- (vi) **Page 7 – 13. – Rename 13.0;**
- (vii) **Page 8 – 14. – Rename 14.0;**
- (viii) **Page 12 – 18. – Rename 18.0;**
- (ix) **Page 12 – 19. – Rename 19.0;**
- (x) **Page 12 – Remove extra line between 19.1 and 19.2.**

Mr Bolton seconded

Carried

4. CARINYA GARDENS CEMETERY – Application to place non-conforming memorial plaque – Ref. AF11/1345

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

The Secretary reported a request has been made for the placement of a granite memorial plaque on a burial allotment.

Cr Von Stanke moved:

- (a) **the report be received;**

Mount Gambier Cemetery Trust Minutes of 20th November 2015 Cont'd...

(b) the Trust have no object to a 380mm x 215mm granite memorial plaque being placed on the burial allotment of the late Barry Francis Wright, subject to the following conditions:

- a proof for the plaque being forwarded to the cemetery for final approval;
- the applicant arranging for the fixing of the plaque to the concrete headblock;
- the Trust will not be held responsible for any future damage or weathering of the plaque.

Mr Bolton seconded

Carried

5. CARINYA GARDENS CEMETERY – Master Plan – Road Construction – Ref. AF11/1377

Goal: *Building Communities*

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

Cr Von Stanke moved the estimate from Council of \$170,000 for the construction of roadways and a roundabout adjacent the She-Oak Garden be accepted.

Mr Ware seconded

Carried

6. NEXT MEETING

Cr Von Stanke moved the next meeting of the Trust be held on Friday 29th January 2015 at 12.15 p.m.

Mr Bolton seconded

Carried

Mount Gambier Cemetery Trust Minutes of 20th November 2015 Cont'd...

MOTIONS WITHOUT NOTICE:

4. **ENVIRONMENTAL MANAGEMENT** - Project Management - Solar Systems at Council Facilities - Ref. AF11/407

Goal: *Environment*

Strategic Objective: (i) *Systematically build Council as an environmentally sustainable organisation.*

Cr Von Stanke moved:

- (a) \$14,000 be allocated in the Trust's 2015/16 budget for the installation of a solar system to the administration building at Carinya Gardens Cemetery;
- (b) the Trust authorise Council to engage Quark Consulting to undertake project management of the solar system.

Mr Bolton seconded

Carried

5. **MOUNT GAMBIER CEMETERY TRUST** – Future Funding – Ref. AF11/1371

Goal: *Environment*

Strategic Objective: (i) *Support the preservation and enhancement of the City's unique natural and built heritage for future generations.*

Cr Von Stanke moved Council be requested to investigate future funding models for the City cemeteries, including provision for future maintenance of Carinya Gardens Cemetery and the provision of a new cemetery when required.

Mr Bolton seconded

Carried

The meeting closed at 1.00 p.m.

CAM

CONFIRMED THIS

DAY OF

2016.

.....
PRESIDING MEMBER

MOUNT GAMBIER CEMETERY TRUST

TERMS OF REFERENCE

A Committee of Council Established
pursuant to the provisions of Section 41
of the
Local Government Act 1999

Terms of Reference for the conduct of the business of the Committee were approved and adopted by the City of Mount Gambier at its meeting held on 17th December 2013.

MOUNT GAMBIER CEMETERY TRUST

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MOUNT GAMBIER CEMETERY TRUST

TERMS OF REFERENCE

(ESTABLISHED PURSUANT TO SECTION 41 OF THE LOCAL GOVERNMENT ACT 1999)

1.0 Name

The name of the Committee shall be the MOUNT GAMBIER CEMETERY TRUST (in these Terms of Reference referred to as “the Trust”).

2.0 Interpretation

For the purposes of these Terms of Reference, unless inconsistent with the subject matter or context:

2.1 Definition

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

2.1.2 “Auditor” means the Auditor prescribed in the Local Government Act 1999 and the Auditor for the Council.

2.1.3 “Cemeteries” mean:

(a) the public cemetery known as Carinya Gardens Cemetery and Mount Gambier Crematorium and established on that piece of land situated in the Hundred of Blanche, County of Grey, being portion of Section 855, containing 4.25 hectares or thereabouts and Section 856, containing 7.3 hectares or thereabouts and being the whole of the land comprised in Certificate of Title Register Book Volume 2512 Folio 5 which said piece of land is the property of Council;

AND

(b) Section J and portion of Section H only of the public cemetery known as the Lake Terrace Cemetery and established on that piece of land situated in the Hundred of Blanche, County of Grey, being:

(1) Section 78, containing 3.2 hectares or thereabouts and being the whole of the land comprised in Certificate of Title, Register Book Volume 320, Folio 15;

Terms of Reference of the Mount Gambier Cemetery Trust cont'd....

- (2) Section 405, containing 2.88 hectares or thereabouts, being the land situate the present Cemetery Reserve, east of Section 78 and contained in Certificate of Title, Register Book Volume 625, Folio 191;
- (3) Section 413, containing 2.03 hectares or thereabouts and contained in Certificate of Title, Register Book Volume 116, Folio 79; and
- (4) Section 412, containing 2.04 hectares or thereabouts contained in Reserve

of which the said pieces of land are the property of Council.

- 2.1.4 "Chief Executive Officer" means the Chief Executive Officer for the time being of the Council.
- 2.1.5 "Commencement Date" means the date on which the Trust was established and became operative pursuant to Clause 3.2.
- 2.1.6 "Committee" means the Committee of Management established pursuant to Clause 6.0.
- 2.1.7 "Committee Member" means a member of the Trust and includes the Presiding Member.
- 2.1.8 "Trust" means the Mount Gambier Cemetery Trust.
- 2.1.9 "Council" means the City of Mount Gambier.
- 2.1.10 "Presiding Member" means the person appointed to that position pursuant to Clause 10.
- 2.1.11 "Acting Presiding Member" means Acting Presiding Member of the Trust and appointed pursuant to Clause 10.
- 2.1.12 "District Council" means the District Council of Grant.
- 2.1.13 "Extraordinary Vacancy" means a vacancy in an office arising otherwise than by effluxion of time.
- 2.1.14 "Financial Year" means a twelve month period between and including 1st July and 30th June.
- 2.1.15 "Management Committee" means the Committee established pursuant to Clause 6.0.

Terms of Reference of the Mount Gambier Cemetery Trust cont'd...

2.1.16 "Observers" means those persons attending any meeting of the Trust, but do not have a vote on any matter to be determined by the Trust.

~~2.1.17 "Presiding Member" means the Presiding Member of the Trust and appointed pursuant to Clause 10.~~

2.1.187 "Secretary" means the person appointed by Council to carry out those duties in accordance with the Terms of Reference of the Trust and any other administrative discretion associated with the administration of the Trust.

2.1.198 "Singular" includes a reference to the "plural".

2.2 Defined Terms

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

2.3 Local Government Act

These Terms of Reference shall be interpreted in every report to be subject to the provisions of the Act.

2.4 Notices

All notices to be given to the Trust shall be addressed to:

The Secretary
Mount Gambier Cemetery Trust

and addressed to the usual and current business office or address of the Trust and the notice may, unless specified otherwise and without prejudice to any other means of service, be deemed to be delivered by ordinary post in which case the same shall be said to have been given two (2) clear business days after the same was posted.

3.0 Establishment

3.1 "The Trust" is established under Section 41 of the Local Government Act 1999.

3.2 "The Trust" was established by Council and became operative on the 17th December, 1998.

Terms of Reference of the Mount Gambier Cemetery Trust cont'd....

3.3 "The Trust" was established to undertake the care, control and management, preservation, public access and public appreciation of cemeteries, ~~cremations~~crematoria, cemetery grounds, etc. within the Council area being and including, Carinya Gardens Cemetery and the portion of the Lake Terrace Cemetery, as referred to herein at Clause 2.1.4.

4.0 Delegation

The Council has delegated to the Trust, the power to receive and expend revenue reasonably required to enable it to carry out the objectives for which it is established.

5.0 Objectives

5.1 The Trust is created for the express purpose of undertaking the care, control and management of the Carinya Garden Cemetery and including Section J and portion of Section H only of the Lake Terrace Cemetery:

5.2 To establish an income stream to the Trust that is reasonable, fair, understandable and acceptable.

5.3 To establish an expenditure strategy of the Trust which is reasonable, fair, understandable and accountable.

5.4 To develop an organisational and operational framework which is creative, effective and accountable.

5.5 To develop a strategy to attract extra income to the Trust from other sources.

5.6 The Trust may engage and/or liaise with other bodies of similar aspirations to join with the Trust to enable the Trust to achieve its Objectives.

5.7 To ensure the affairs of the Trust are operated in a proper and business like manner and on accepted business and/or commercial terms.

6.0 Membership of the Committee

6.1 Membership of the Trust shall be:

6.1.1 Two members nominated by the Council.

6.1.2 One member nominated by the District Council.

6.1.3 One representative appointed by the Mount Gambier and Districts Ministers' Association.

Terms of Reference of the Mount Gambier Cemetery Trust cont'd....

- 6.1.4 One representative appointed by the membership of the Trust, as defined in 6.1.1; 6.1.2 and 6.1.3 as community representatives.
- 6.2 The term of office of each of the members appointed, shall be for a period of four years expiring on the 31st October in the year that Council holds its General Elections.
- 6.3 The Council reserves the right from time to time to remove any member of the Committee and appoint another member in their stead. All members hold office at the pleasure of Council.
- 6.4 Members of the Trust and other persons willing or agreeing to assist the Trust to achieve its Objectives are deemed to be volunteers of Council, as their role is an activity clearly defined by Council and for which the Council approves.

7.0 Casual Vacancies and Replacement of Representatives

- 7.1 The Council may replace any representative on the Committee or fill any casual vacancy, by notifying the Trust the identity of the person proposed to replace the representative or fill the casual vacancy.
- 7.2 A member appointed to fill an extraordinary vacancy, shall hold office only for the unexpired term of the member in whose place they are appointed.
- 7.3 The office of a member of the Trust becomes vacant if the member:
 - 7.3.1 dies;
 - 7.3.2 resigns by notice in writing to the Secretary;
 - 7.3.3 is removed from office on the ground of mental or physical incapacity to carry out official duties satisfactorily;
 - 7.3.4 becomes an officer or employee of the Trust;
 - 7.3.5 is declared bankrupt;
 - 7.3.6 is absent from three consecutive ordinary meetings of the Trust;
 - 7.3.7 ceases to be an elected member of Council or the District Council.

Terms of Reference of the Mount Gambier Cemetery Trust cont'd....

8.0 No Proxy

The appointment of a person as a proxy for any Member on the Committee or the Trust is not permissible.

9.0 Resignation of Representatives

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

10.0 Presiding Member and Acting Presiding Member

10.1 The appointment of the Presiding Member of the Trust be by resolution of the Trust from amongst the Members who comprise the Trust, such appointment to be for a period not exceeding one year.

10.2 The Presiding Member, when present, shall preside at all meetings of the Trust.

10.3 In the absence of the Presiding Member at any meetings of the Trust, the Members when present at that meeting of the Trust, shall appoint an Acting Presiding Member, who shall preside at that meeting.

11.0 Quorum

At all meetings of the Trust, three representatives shall constitute a quorum.

12.0 Meetings of the Trust

12.1 The Trust shall meet as and when determined by the Trust, but must meet at least three times every financial year.

12.2 The Secretary shall give notice to each Committee Member, at least three clear days prior to any meeting.

12.3 The notice of meeting must:

- be in writing;
- set out the date, time and place of the meeting;
- contain or be accompanied by the agenda for the meeting.

12.4 The Secretary shall forward a copy of the notice of a meeting of the Trust to the Council.

Terms of Reference of the Mount Gambier Cemetery Trust cont'd....

- 12.5 Notice must be given to the public of the times and places of meetings of the Trust, by causing a copy of the notice and agenda for a meeting to be placed on public display at the principal office of the Council, the Council's website, and the cemetery office as soon as practicable after the time that notice of the meeting is given to the Members of the Trust.
- 12.6 The notice and agenda must be kept on public display until the completion of the relevant meeting.
- 12.7 The Secretary must, at the request of the Presiding Member or at least two Members of the Trust, call a special meeting of the Trust.
- 12.8 All notices of meetings shall be issued under the hand of the Secretary of the Trust.
- 12.9 No business shall be transacted at any meeting of the Trust unless a quorum of representatives is present at the time when the meeting proceeds to business.
- 12.10 Each Member, including the Presiding Member, present at any meeting of the Trust, must vote on any matter requiring determination and all decisions shall be decided on a simple majority of votes cast.
- 12.11 Each Member present at any meeting of the Trust, shall have one deliberative vote only, including the Presiding Member, (or person acting as Presiding Member).
- 12.12 The Presiding Member has a deliberative vote at any meeting of the Trust, but does not, in the event of an equality of votes, have a casting vote.

| **13.0 Procedure at Meetings**

- 13.1 The procedure to be observed in relation to the conduct of meetings of the Trust will be as determined by the Council.
- 13.2 If Council has not determined any procedures, the procedures shall be determined by the Trust;
- 13.3 If the Trust has not determined any procedures, the procedures shall be determined by the Presiding Member.

Terms of Reference of the Mount Gambier Cemetery Trust cont'd....

14.0 Sub-Committees of the Committee

- 14.1 The Committee has a discretion to appoint sub-committees of its membership to undertake a specific task for the Committee.
- 14.2 Sub-Committee(s) appointed to undertake specific tasks for the Committee may also include persons not appointed to the Committee.
- 14.3 Meetings of any Sub-Committee must include a person who is a person appointed to the Committee and that person shall preside at all meetings of the Sub-Committee.

15.0 Establishment and Funds

15.1 Establishment

- 15.1.1 The Mount Gambier Cemetery Trust is hereby established.
- 15.1.2 Council shall appoint a Secretary of the Trust, under such terms, conditions and costs as the Council thinks appropriate.
- 15.1.3 The Secretary shall have the powers given to and the duties imposed by any by-law passed by the Council and any Act or Regulations for the time being in force in relation to cemeteries.

15.2 Funds

- 15.2.1 Subject to any conditions that the Council may from time to time impose, the Trust may receive, invest and expend all or any of the revenue derived from the cemeteries.
- 15.2.2 Subject to any conditions that the Council may from time to time impose, the Trust may accept any gift, devise or bequest for any purpose of the cemeteries and may give effect to any conditions or stipulations relating thereto, which are in accordance with this Rule.
- 15.2.3 The Trust shall apply all moneys received as revenue of the cemeteries first in the payment of the working expenses and maintenance costs of the cemetery and the repayment of any overdraft incurred for the payment of any such working expenses or maintenance costs.
- 15.2.4 Subject to Clause 15.2.3, the Trust may apply the revenue of the cemeteries in or towards improvements and additions to the cemeteries.

Terms of Reference of the Mount Gambier Cemetery Trust cont'd....

15.2.5 The Trust may from time to time, after providing for the matters referred to in Clauses 15.2.3 and 15.2.4, set aside out of the revenue of the cemeteries such amount as the Trust thinks fit to form a reserve fund to provide for the payment of future working expenses and maintenance costs of and future improvements and additions to the cemeteries and for the purchase of land for a new cemetery site and for the establishment and development thereon and the Trust may expend the reserve fund or any part thereof for any such purpose.

15.2.6 The reserve fund and any interest thereon or income therefrom shall until expended as aforesaid be invested. The said interest and income shall form part of the reserve fund.

15.3 Services

15.3.1 The Trust may, subject to any conditions from time to time imposed by the Council, enter in to contracts for the supply of labour services, goods or other contractor services, for the purpose of the conduct of the cemeteries.

15.4 Development

15.4.1 The Trust may erect any buildings or other structures and make any improvements which the Trust considers necessary for the conduct of the cemeteries.

15.4.2 Pursuant to the Act, the Trust may erect and maintain a crematorium within the cemeteries.

16.0 Liability of the Trust

16.1 A liability incurred by the Trust, may be enforced against the Trust or the Council.

16.2 No liability attaches to a Member of the Trust for an honest act or omission by the Member or the Trust in the performance or discharge, or purported performance or discharge, of the Member/s or the Trust's functions or duties.

Terms of Reference of the Mount Gambier Cemetery Trust cont'd....

17.0 Records of the Trust

17.1 Accounting

- 17.1.1 The Trust shall ensure that adequate and proper accounting records are maintained in respect of the Trust.
- 17.1.2 The Trust's annual budget shall be forward to Council for approval.
- 17.1.3 A financial statement shall be prepared by the Trust as soon as is practicable after the conclusion of any financial year and which shall be audited on an annual basis by the Auditor for the time being of the Council.
- 17.1.4 The audited accounts must be submitted to the Council by the day determined by the Council for inclusion as part of the Council's financial statements and Annual Report.
- 17.1.5 A copy of the said financial statements shall be forwarded to the Council and the District Council.
- 17.1.6 All moneys received by the Trust shall be paid to the credit of the Trust with a bank or financial institution at Mount Gambier.
- 17.1.7 No money shall be withdrawn from any such bank or financial institution except by cheque signed by at least two of the following: Chief Executive Officer, a Trust Member, Trust Secretary.
- 17.1.8 The Trust may pay to any Member or the Secretary any travelling or other expenses necessarily incurred by the Member or the Secretary on the business of the Trust.

17.2 Council

- 17.2.1 Members shall be paid by the Trust, such fees (if any) as shall from time to time be fixed by the Council.
- 17.2.2 The Trust shall, subject to any conditions from time to time imposed by the Council, have the care, control and management of the cemeteries and may do all things necessary to conduct the cemeteries as public cemeteries but no property in the cemeteries or in the revenue, investments, funds or other assets thereof shall pass to the Trust.

Terms of Reference of the Mount Gambier Cemetery Trust cont'd....

17.2.3 The Trust may do anything it deems necessary for the upkeep, maintenance, improvement and management of the cemeteries and subject to any conditions from time to time imposed by the Council may expend the revenue of the cemeteries and the reserve fund or any part thereof for any such purpose.

17.2.4 The scale of fees and charges which shall be payable for the grant of burial rights and in respect of other rights and services granted or given in respect of the cemeteries shall be such as from time to time fixed by the Council.

17.3 Administration

17.3.1 The Secretary shall present a financial statement of the Trust to each meeting of the Trust.

17.3.2 The Secretary must cause minutes to be kept of the proceedings of the Trust or committees of the Trust.

17.3.3 The minutes of the proceedings of a meeting must include:

17.3.3.1 the names of the Members present and the time at which they entered or left the meeting;

17.3.3.2 the names of observers or visitors to any meetings;

17.3.3.3 every motion or amendment and the names of the mover and seconder;

17.3.3.4 whether the motion or amendment is carried, lost or lapsed.

17.3.4 Minutes of the Trust shall be distributed to all Members of the Trust within five days after the Meeting.

17.3.5 A copy of the minutes of the Trust shall be distributed to the Council and the District Council.

17.3.6 Minutes of the Trust, shall be submitted for confirmation at the next meeting or a subsequent meeting of the Trust and if confirmed, shall be signed by the Presiding Member or other person presiding at the subsequent meeting.

Terms of Reference of the Mount Gambier Cemetery Trust cont'd....

- 17.3.7 In the conduct and management of the Cemetery the Trust shall comply with any Act, By-Law or Regulation for the time being in force and applicable to the cemeteries and where the provisions of this Rule and any such Act, By-Law or Regulation conflict, the provisions of such Act, By-Law or Regulation, shall prevail.
- 17.3.8 The Trust may delegate to the Secretary or to such other person or persons as it shall think fit, all or any of its duties and powers hereunder.
- 17.3.9 No Member of the Trust shall be personally liable in respect of any transaction, act or omission of the Trust entered into, done or made in good faith for the purpose of the care, control and management of the cemeteries.

18.0 Amendments to these Terms of Reference

- 18.1 It will be lawful for the Council by resolution of the Council to revoke, vary or add to any of the provisions of these Terms of Reference at its own discretion.
- 18.2 The Council may at any time, abolish the Trust, but in that event, all rights and liabilities possessed or incurred by the Trust under any contract or otherwise shall vest in and attach to the Council and all such rights and liabilities may be enforced by or against the Council.

19.0 Interpretation of these Terms of Reference

- 19.1 Should there be any dispute to the definition and/or interpretation of these Terms of Reference, or any part thereof or any irregularities whatsoever, then the dispute shall be determined summarily by the Council and the decision of the Council shall be final and binding.
- 19.2 Any person or organisation having any grievance as to the management, operation, interpretation or definition of the Terms of Reference, or the Trust, or wishing to make recommendations as to the general operation of the Trust, shall communicate in writing any such grievance to the Trust and the Council.
- 19.3 The Council shall determine the grievance or recommendation and advise the author and the Trust of its decision.

Terms of Reference of the Mount Gambier Cemetery Trust cont'd....

- (a) The Terms of Reference were established and duly passed by the Council of the City of Mount Gambier at a meeting of the Council held on the 17th December 2013.

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

Note: These Terms of Reference replace the Mount Gambier Cemetery Trust Rules initially adopted by Council on 17th December 1998.

Adopted by Council: 17 th December 2013	Amended: 28 th January 2014	Amended:
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OPERATIONAL SERVICES REPORT NO. 22/2015

SUBJECT: TRAFFIC MANAGEMENT - Ramsay Avenue - Letter from Brad Shannon - Ref. AF111/1867

Goal: Building Communities
Strategic Objective: (i) The identified needs of the community are met, through implementing Long Term Asset Management Plan and Infrastructure Plans

Council has received a letter from a local resident regarding traffic concerns in Ramsay Avenue. The author of the letter is concerned that the road is unsafe and that there is also a speed issue.

In response to this letter Council Officers have undertaken recent traffic counts and have compared these figures with those collected in 2011 and 2013 to determine any alarming trends.

In addition Council staff have also requested the accident reports from the Department of Planning, Transport and Infrastructure, for the period 2010 to 2014 (last 5 year history, noting that 2015 data is not available). For the last five (5) years there have been no recorded fatality or injury crashes for Ramsay Avenue.

The detailed traffic count data for 2011, 2013 and 2015 is presented below, but in summary the following points briefly describe the traffic conditions experienced on Ramsay Avenue on a typical day:

- From 2011 to 2013
 - Traffic volume decreased by 165 vehicles/day (10% decrease)
 - Average speed decreased by 7.5 km/hour
 - 85th percentile speed decrease by 6 km/hour
- From 2013 to 2015
 - Traffic volumes decreased by 77 vehicles/day (5.5% decrease)
 - Average speed increased by 4.5 km/hour
 - 85th percentile speed increase by 4.3 km/hour
- Current (2015) summary data
 - Average volume (vehicles/day) 1320 vehicles/day
 - Average speed 45 km/hour
 - 85th percentile speed 53.3 km/hour

Comments on data:

- The drop in traffic on Ramsay Avenue from 2011 to 2013 could possibly be attributed to the installation of the traffic lights at Pick Avenue and Jubilee Highway resulting in less traffic coming from Conroe Drive now using Kennedy Avenue instead of Ramsay Avenue
- The average volume (current) of 1320 vehicles/day is reasonable for the road environment and carrying capacity of Ramsay Avenue
- The average speed (current) of 45 km/hour is within acceptable limits given the 50 km/hour speed limit. Noting the “25 km/hour when children present school zone”

SUMMARY

Given the latest traffic data is within acceptable limits and the lack of accidents for Ramsay Avenue, there is no justification to suggest that Ramsay Avenue is a dangerous road and

requires the installation of additional traffic management devices as suggested by the author of the letter to Council.

RECOMMENDATION

- (a) Operational Services Report No. 22/2015 be received;
- (b) Council take no further action with respect to implementing traffic management devices in Ramsay Avenue at this point in time given the absence of accident history and the lack of supporting traffic data that would justify the implementation of such devices;
- (c) a copy of this report be provided to the author of the recent letter to Council.



Daryl MORGAN
ENGINEERING MANAGER

sighted:



Mark McSHANE
CHIEF EXECUTIVE OFFICER

16th November 2015
LM

Attachment: Road Traffic Data Summary - Ramsay Avenue
(Refer Item of Operational Services Committee Minutes)

ROAD TRAFFIC DATA SUMMARY

ROAD **Ramsay Ave**
 LOCATION Derwent Crt to Tamar Dr
 COUNT PERIOD 1/4/2011 to 15/4/2011

	DIRECTION		
	NORTH	SOUTH	BOTH
Ave Vol (veh/day)	728	832	1560
Ave Speed (km/h)	48.1	47.1	47.55
85th%tile Speed (km/h)	55	55	55
% short (class 1)	93.51	95.01	94.31
% medium (class 2,3,4,5)	6.22	4.79	5.46
% long (class>5)	0.27	0.2	0.23

ROAD **Ramsay Ave**
 LOCATION Ralston Rd to Tamar Dr
 COUNT PERIOD 21/1/2013 to 12/2/2013

	DIRECTION		
	NORTH	SOUTH	BOTH
Ave Vol (veh/day)	651	746	1397
Ave Speed (km/h)	40	41	40.5
85th%tile Speed (km/h)	47.5	49.7	49
% short (class 1)	91.54	93.28	92.47
% medium (class 2,3,4,5)	7.97	6.55	7.22
% long (class>5)	0.49	0.17	0.31

ROAD **Ramsay Ave**
 LOCATION Ralston Rd to Tamar Dr
 COUNT PERIOD 2/11/2015 to 16/11/2015

	DIRECTION		
	NORTH	SOUTH	BOTH
Ave Vol (veh/day)	631	689	1320
Ave Speed (km/h)	45.1	44.8	45
85th%tile Speed (km/h)	52.6	53.6	53.3
% short (class 1)	94.4	92.14	93.22
% medium (class 2,3,4,5)	5.44	7.53	6.52
% long (class>5)	0.16	0.33	0.26

Weekly Vehicle Counts (Virtual Week)**VirtWeeklyVehicle-51**

Site: Ramsay Avenue.0.0NS
Description: Ralston Rd to Tamar Crt
Filter time: 12:24 Monday, 2 November 2015 => 9:42 Monday, 16 November 2015
Scheme: Vehicle classification (AustRoads94)
Filter: CIs(1 2 3 4 5 6 7 8 9 10 11 12) Dir(NESW) Sp(10,160) Headway(>0)

Hour	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Averages	
								1 - 5	1 - 7
0000-0100	0.0	0.5	2.5	3.5	5.5	6.5	1.5	2.4	2.9
0100-0200	0.0	1.0	1.5	3.0	2.0	6.0	3.0	1.5	2.4
0200-0300	0.5	1.5	4.0	2.0	6.0	7.5	3.0	2.8	3.5
0300-0400	2.0	2.5	6.0	8.0	9.5	4.0	1.0	5.6	4.7
0400-0500	2.5	3.5	9.0	6.0	9.5	3.0	1.0	6.1	4.9
0500-0600	7.0	10.0	18.0	20.5	20.0	16.0	2.0	15.1	13.4
0600-0700	27.0	21.0	49.5	49.5	47.0	26.0	8.0	38.8	32.6
0700-0800	44.5	42.0	88.0	92.5	80.5	41.5	12.5	69.5	57.4
0800-0900	82.0	97.0<	146.0<	174.0<	158.0<	66.5	13.5	131.4<	105.3<
0900-1000	45.5	39.5	71.0	89.0	74.0	105.0	30.5	63.8	64.9
1000-1100	88.0	45.5	89.5	77.0	114.5	107.0<	41.5	82.3	79.8
1100-1200	92.0<	78.5	88.0	90.0	84.5	101.0	51.0<	86.0	82.9
1200-1300	79.5	114.0	114.5	125.5	129.0	109.5<	56.5<	112.5	104.1
1300-1400	103.5	103.5	104.5	112.0	98.5	96.5	41.5	104.4	94.3
1400-1500	100.5	94.0	104.0	97.0	117.5	92.0	43.0	102.6	92.6
1500-1600	163.5<	160.0<	171.0<	173.5<	150.5<	67.5	42.5	163.7<	132.6<
1600-1700	135.5	132.0	147.0	133.0	142.5	86.5	43.5	138.0	117.1
1700-1800	123.5	133.5	127.5	127.0	116.5	88.5	40.0	125.6	108.1
1800-1900	78.0	74.0	81.5	91.0	92.5	65.5	40.0	83.4	74.6
1900-2000	53.0	57.0	61.5	68.0	62.0	57.5	26.5	60.3	55.1
2000-2100	36.0	36.0	40.5	41.5	49.0	41.5	18.5	40.6	37.6
2100-2200	29.0	30.0	31.0	31.5	39.5	25.5	12.5	32.2	28.4
2200-2300	12.5	14.0	16.0	20.0	26.0	8.0	5.0	17.7	14.5
2300-2400	4.0	7.0	7.0	7.5	11.5	4.0	1.0	7.4	6.0
Totals									
0700-1900	1136.0	1113.5	1332.5	1381.5	1358.5	1027.0	456.0	1263.2	1113.8
0600-2200	1281.0	1257.5	1515.0	1572.0	1556.0	1177.5	521.5	1435.1	1267.4
0600-0000	1297.5	1278.5	1538.0	1599.5	1593.5	1189.5	527.5	1460.2	1287.9
0000-0000	1309.5	1297.5	1579.0	1642.5	1646.0	1232.5	539.0	1493.7	1319.6
AM Peak	1100	0800	0800	0800	0800	1000	1100		
	92.0	97.0	146.0	174.0	158.0	107.0	51.0		
PM Peak	1500	1500	1500	1500	1500	1200	1200		
	163.5	160.0	171.0	173.5	150.5	109.5	56.5		

* - No data.

Speed Histogram

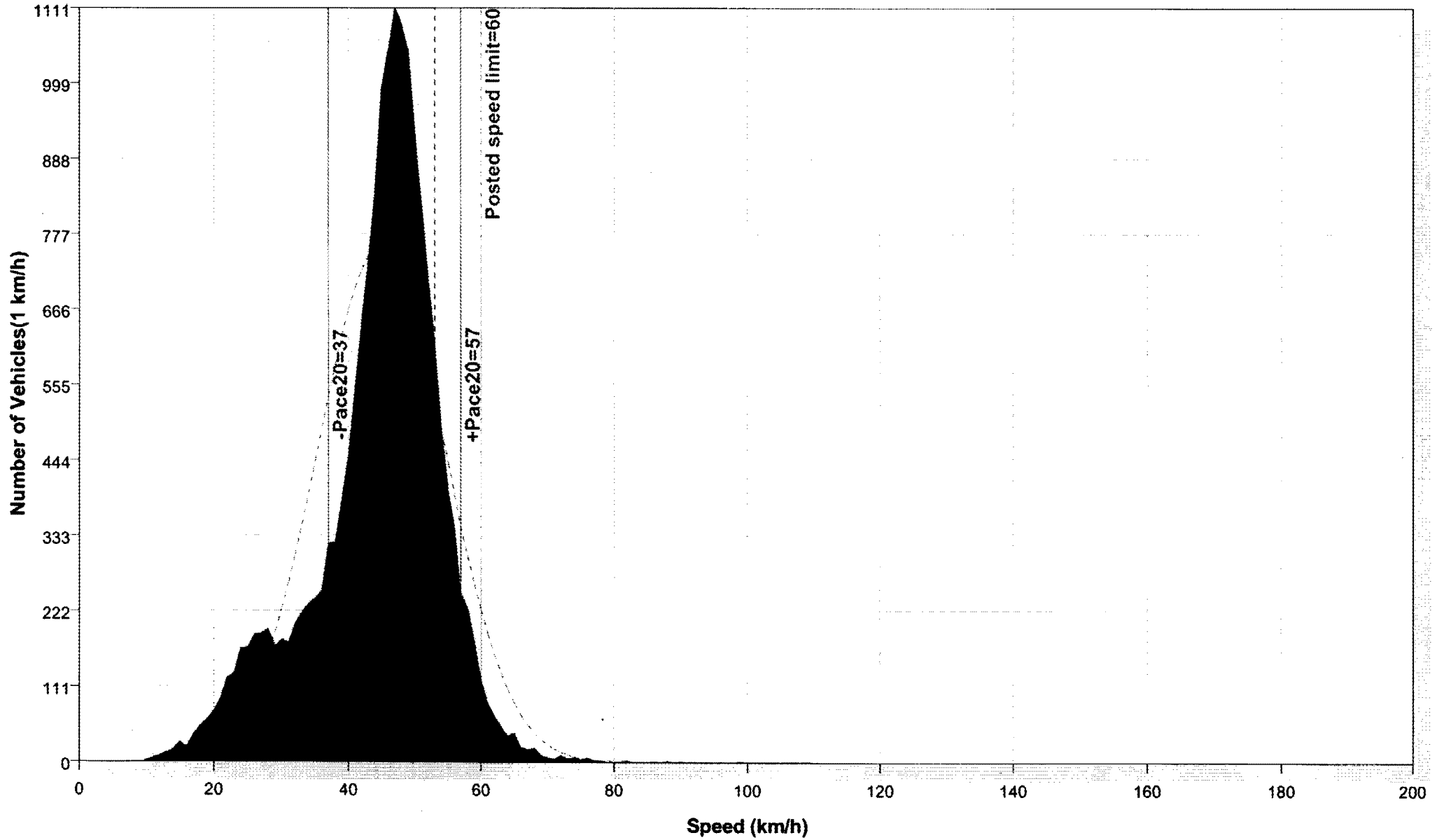
SpeedHist-52 (Metric) Site: Ramsay Avenue.0.0NS

Description: Ralston Rd to Tamar Cr

Filter time: 12:24 Monday, 2 November 2015 => 9:42 Monday, 16 November 2015

Filter: Cls(1 2 3 4 5 6 7 8 9 10 11 12) Dir(NESW) Sp(10,160) Headway(>0)

Scheme: Vehicle classification (AustRoads94)



MetroCount Traffic Executive Speed Histogram

SpeedHist-52 -- English (ENA)

Datasets:

Site: [Ramsay Avenue] Ralston Rd to Tamar Crt
Direction: 7 - North bound A>B, South bound B>A. Lane: 0
Survey Duration: 12:23 Monday, 2 November 2015 => 9:42 Monday, 16 November 2015
Zone:
File: Ramsay Avenue16Nov2015.EC0 (Plus)
Identifier: V228PZP7 MC56-L5 [MC55] (c)Microcom 19Oct04
Algorithm: Factory default (v3.21 - 15315)
Data type: Axle sensors - Paired (Class/Speed/Count)

Profile:

Filter time: 12:24 Monday, 2 November 2015 => 9:42 Monday, 16 November 2015
Included classes: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
Speed range: 10 - 160 km/h.
Direction: North, East, South, West (bound)
Separation: All - (Headway)
Name: Default Profile
Scheme: Vehicle classification (AustRoads94)
Units: Metric (meter, kilometer, m/s, km/h, kg, tonne)
In profile: Vehicles = 18312 / 18332 (99.89%)

Speed Statistics

Vehicles = 18312
Posted speed limit = 60 km/h, Exceeding = 539 (2.94%), Mean Exceeding = 64.46 km/h
Maximum = 99.5 km/h, Minimum = 10.3 km/h, Mean = 45.0 km/h
85% Speed = 53.3 km/h, 95% Speed = 58.0 km/h, Median = 46.4 km/h
20 km/h Pace = 37 - 57, Number in Pace = 13909 (75.96%)
Variance = 92.33, Standard Deviation = 9.61 km/h

Weekly Vehicle Counts (Virtual Week)

VirtWeeklyVehicle-12

Site: .0.ONS
 Description: RAMSAY AVE (Derwent Crt to Tamar Cr)
 Filter time: 14:21 Friday, 1 April 2011 => 13:43 Friday, 15 April 2011
 Scheme: Vehicle classification (AustRoads94)
 Filter: Cls(1 2 3 4 5 6 7 8 9 10 11 12) Dir(NESW) Sp(10,160) Headway(>0)

Hour	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Averages	
								1 - 5	1 - 7
0000-0100	4.0	5.0	6.5	8.5	12.0	11.5	15.0	7.2	8.9
0100-0200	2.5	5.0	5.0	4.0	4.5	4.5	10.0	4.2	5.1
0200-0300	1.5	2.5	4.0	3.0	6.0	5.5	11.0	3.4	4.8
0300-0400	0.5	1.5	1.5	1.0	4.5	3.0	4.5	1.8	2.4
0400-0500	5.0	3.0	4.0	4.0	4.5	7.5	8.0	4.1	5.1
0500-0600	8.5	6.5	6.0	6.5	6.0	7.5	5.0	6.7	6.6
0600-0700	12.5	18.5	17.0	20.5	20.5	14.5	4.5	17.8	15.4
0700-0800	46.0	50.0	57.5	55.0	54.0	32.5	12.5	52.5	43.9
0800-0900	98.0	84.5	105.0	99.0	92.0	75.5	35.5	95.7	84.2
0900-1000	168.5<	173.0<	174.0<	186.0<	137.0<	100.5	51.5	167.7<	141.5<
1000-1100	98.0	108.5	101.0	103.0	88.5	123.0	88.0	99.8	101.4
1100-1200	91.5	88.0	79.5	103.0	96.5	125.5<	108.5<	91.7	98.9
1200-1300	107.0	97.5	94.0	111.0	78.0	115.0	97.0	97.5	99.9
1300-1400	129.0	117.0	130.5	119.0	70.5	119.5<	98.0	113.2	111.9
1400-1500	110.5	128.0	124.5	99.0	79.5	103.0	83.0	108.3	103.9
1500-1600	100.0	110.0	97.0	117.0	121.0	97.5	103.0<	109.0	106.5
1600-1700	155.0<	136.0	148.5<	142.0	136.5<	100.5	91.5	143.6<	130.0<
1700-1800	124.0	133.5	141.5	144.5	132.0	107.0	98.5	135.1	125.9
1800-1900	130.0	145.5<	143.5	151.0<	132.0	90.5	85.0	140.4	125.4
1900-2000	84.5	84.0	95.5	95.0	94.0	84.0	55.5	90.6	84.6
2000-2100	49.5	60.5	59.5	68.5	63.5	43.5	49.5	60.3	56.4
2100-2200	32.5	34.5	37.5	59.0	46.0	41.5	23.0	41.9	39.1
2200-2300	31.0	21.0	28.0	39.5	31.0	41.0	14.0	30.1	29.4
2300-2400	13.5	12.0	24.5	16.0	22.0	29.0	12.0	17.6	18.4
Totals									
0700-1900	1357.5	1371.5	1396.5	1429.5	1217.5	1190.0	952.0	1354.5	1273.5
0600-2200	1536.5	1569.0	1606.0	1672.5	1441.5	1373.5	1084.5	1565.1	1469.1
0600-0000	1581.0	1602.0	1658.5	1728.0	1494.5	1443.5	1110.5	1612.8	1516.9
0000-0000	1603.0	1625.5	1685.5	1755.0	1532.0	1483.0	1164.0	1640.2	1549.7
AM Peak	0900	0900	0900	0900	0900	1100	1100		
	168.5	173.0	174.0	186.0	137.0	125.5	108.5		
PM Peak	1600	1800	1600	1800	1600	1300	1500		
	155.0	145.5	148.5	151.0	136.5	119.5	103.0		

* - No data.

MetroCount Traffic Executive Speed Histogram

SpeedHist-13 -- English (ENA)

Datasets:

Site: [] RAMSAY AVE (Derwent Cr to Tamar Cr)
Direction: 7 - North bound A>B, South bound B>A. Lane: 0
Survey Duration: 14:20 Friday, 1 April 2011 => 13:43 Friday, 15 April 2011
Zone:
File: Ramsay.EC0 (Plus)
Identifier: 1975FBS5 MC56-6 [MC55] (c)Microcom 02/03/01
Algorithm: Factory default (v3.21 - 15315)
Data type: Axle sensors - Paired (Class/Speed/Count)

Profile:

Filter time: 14:21 Friday, 1 April 2011 => 13:43 Friday, 15 April 2011
Included classes: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
Speed range: 10 - 160 km/h.
Direction: North, East, South, West (bound)
Separation: All - (Headway)
Name: Default Profile
Scheme: Vehicle classification (AustRoads94)
Units: Metric (meter, kilometer, m/s, km/h, kg, tonne)
In profile: Vehicles = 21696 / 21714 (99.92%)

Speed Statistics

Vehicles = 21696
Posted speed limit = 60 km/h, Exceeding = 1164 (5.37%), Mean Exceeding = 64.36 km/h
Maximum = 100.6 km/h, Minimum = 10.4 km/h, Mean = 47.5 km/h
85% Speed = 55.4 km/h, 95% Speed = 60.1 km/h, Median = 48.6 km/h
20 km/h Pace = 40 - 60, Number in Pace = 17148 (79.04%)
Variance = 85.46, Standard Deviation = 9.24 km/h

Weekly Vehicle Counts (Virtual Week)

VirtWeeklyVehicle-14

Site: Ramsay Ave.0.0NS
Description: Ralston Rd to Tamar Crt
Filter time: 8:59 Monday, 21 January 2013 => 10:04 Tuesday, 12 February 2013
Scheme: Vehicle classification (AustRoads94)
Filter: Cls(1 2 3 4 5 6 7 8 9 10 11 12) Dir(NESW) Sp(10,160) Headway(>0)

Hour	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Averages	
								1 - 5	1 - 7
0000-0100	3.3	1.5	4.7	3.7	1.7	11.3	14.0	2.9	5.5
0100-0200	2.0	1.5	0.7	4.7	1.7	4.3	5.7	2.1	2.9
0200-0300	1.0	2.0	3.0	2.3	2.3	6.7	7.0	2.1	3.4
0300-0400	6.7	4.3	4.3	4.3	6.7	7.3	5.0	5.2	5.5
0400-0500	4.7	7.0	7.0	7.3	8.3	7.3	7.3	6.9	7.0
0500-0600	11.3	13.5	15.0	15.7	13.7	8.7	8.0	13.8	12.3
0600-0700	36.0	44.8	46.3	41.7	44.7	23.3	13.0	42.8	36.1
0700-0800	59.7	89.0	83.7	83.7	79.7	38.3	19.7	79.8	65.9
0800-0900	81.3	152.8<	136.7<	147.7<	140.7<	65.7	38.0	130.1<	109.7<
0900-1000	66.8	81.5	89.0	99.3	94.0	85.0	63.0	84.7	81.9
1000-1100	83.3	68.5	93.3	81.0	127.7	118.3	84.3<	89.0	92.2
1100-1200	89.8<	89.7	93.0	95.7	101.3	125.3<	80.0	93.6	96.1
1200-1300	108.8	112.3	119.7	111.7	123.3	125.3<	81.3	114.8	111.6
1300-1400	93.3	109.0	89.0	101.0	118.3	100.7	83.7<	101.6	99.0
1400-1500	89.8	104.0	97.7	92.3	108.7	86.0	77.7	97.9	93.5
1500-1600	123.5<	128.0<	142.7<	143.3<	129.3	83.3	72.0	132.8<	117.7<
1600-1700	117.3	125.3	129.3	132.0	137.3<	84.7	78.3	127.6	115.0
1700-1800	100.3	125.3	132.3	120.7	131.0	97.0	74.7	120.6	111.1
1800-1900	70.3	81.3	80.7	86.7	86.7	74.0	69.7	80.4	78.1
1900-2000	48.3	60.0	60.0	64.7	50.7	47.7	40.7	56.2	52.9
2000-2100	37.0	41.7	43.3	45.7	49.3	42.0	34.7	43.0	41.7
2100-2200	24.3	29.3	28.0	31.7	35.0	37.7	21.0	29.3	29.3
2200-2300	15.5	16.7	21.7	13.7	23.0	26.7	10.0	17.9	18.0
2300-2400	6.8	6.3	8.3	9.0	19.7	17.3	8.0	9.8	10.6
Totals									
0700-1900	1083.7	1266.7	1287.0	1295.0	1378.0	1083.7	822.3	1252.7	1171.9
0600-2200	1229.2	1442.5	1464.7	1478.7	1557.7	1234.3	931.7	1424.0	1331.9
0600-0000	1251.4	1465.5	1494.7	1501.3	1600.3	1278.3	949.7	1451.8	1360.6
0000-0000	1280.4	1495.2	1529.3	1539.3	1634.7	1324.0	996.7	1484.7	1397.1
AM Peak	1100	0800	0800	0800	0800	1100	1000		
	89.8	152.8	136.7	147.7	140.7	125.3	84.3		
PM Peak	1500	1500	1500	1500	1600	1200	1300		
	123.5	128.0	142.7	143.3	137.3	125.3	83.7		

* - No data.

MetroCount Traffic Executive Speed Histogram

SpeedHist-15 -- English (ENA)

Datasets:

Site: [Ramsay Ave] Ralston Rd to Tamar Crt
Direction: 7 - North bound A>B, South bound B>A. Lane: 0
Survey Duration: 8:58 Monday, 21 January 2013 => 10:04 Tuesday, 12 February 2013
Zone:
File: Ramsay Ave12Feb2013.EC0 (Plus)
Identifier: 1975FBS5 MC56-6 [MC55] (c)Microcom 02/03/01
Algorithm: Factory default (v3.21 - 15315)
Data type: Axle sensors - Paired (Class/Speed/Count)

Profile:

Filter time: 8:59 Monday, 21 January 2013 => 10:04 Tuesday, 12 February 2013
Included classes: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
Speed range: 10 - 160 km/h.
Direction: North, East, South, West (bound)
Separation: All - (Headway)
Name: Default Profile
Scheme: Vehicle classification (AustRoads94)
Units: Metric (meter, kilometer, m/s, km/h, kg, tonne)
In profile: Vehicles = 31021 / 31106 (99.73%)

Speed Statistics

Vehicles = 31021
Posted speed limit = 60 km/h, Exceeding = 798 (2.57%), Mean Exceeding = 65.94 km/h
Maximum = 143.2 km/h, Minimum = 10.0 km/h, Mean = 40.5 km/h
85% Speed = 49.0 km/h, 95% Speed = 55.4 km/h, Median = 40.7 km/h
20 km/h Pace = 32 - 52, Number in Pace = 23677 (76.33%)
Variance = 95.66, Standard Deviation = 9.78 km/h