

5 April 2018

**MAYOR
COUNCILLORS
CITY OF MOUNT GAMBIER**

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

Operational Standing Committee
(Conference Room - Level 1):

Tuesday, 10 April 2018 at 7:30 a.m.

An agenda for the meeting is enclosed.



Mark McSHANE
CHIEF EXECUTIVE OFFICER

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AGENDA OF ORDINARY OPERATIONAL STANDING COMMITTEE MEETING

Meeting to be held in the Conference Room, Civic Centre, 10 Watson Terrace, Mount Gambier
on Tuesday, 10 April 2018 at 7:30 a.m.

PRESENT

Mayor Andrew Lee

Cr Mark Lovett (Presiding Member)
Cr Christian Greco
Cr Ian Von Stanke
Cr Steven Perryman
Cr Des Mutton

COUNCIL OFFICERS

Chief Executive Officer	- Mr M McShane
General Manager Community Wellbeing	- Ms B Cernovskis
General Manager Council Business Services	- Mrs P Lee
General Manager City Growth	- Dr J Nagy
General Manager City Infrastructure	- Mr N Serle
Manager Governance and Property	- Mr M McCarthy
Customer Service Officer	- Ms S Wilson

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.

1. APOLOGY(IES)

Apology(ies) received from Cr

That the apology from Cr _____ be received.

Moved: _____ Seconded: _____

2. CONFIRMATION OF OPERATIONAL STANDING COMMITTEE MINUTES

Meeting held on 13 March 2018.

That the minutes of the Operational Standing Committee meeting held on 13 March 2018 be confirmed as an accurate record of the proceedings of that meeting.

Moved: _____ Seconded: _____

3. QUESTIONS

3.1. With Notice

Nil submitted.

3.2. Without Notice

4. DEPUTATIONS

Nil



5. COMMITTEE MINUTES AND RECOMMENDATIONS

5.1. Minutes of Community Engagement and Social Inclusion Sub-Committee - 15 March 2018

That the minutes of the Community Engagement and Social Inclusion Sub-Committee meeting held 15 March 2018 be noted.

Moved: Seconded

5.2. Governance - Community Engagement and Social Inclusion Sub-Committee - Vulnerable Families - Report No. AF17/432

- (a) That a Community Day be hosted in the North West area of Mount Gambier in the 2018/2019 financial year.
- (b) That Council host a 4th year Uni SA social work student to design a pathway tool for consumers to access community services.

Moved: Seconded:

5.3. Minutes of Heritage Sub-Committee - 28 March 2018

That the minutes of the Heritage Sub-Committee meeting held 28 March 2018 be noted.

Moved: Seconded

5.4. Heritage Adviser Report - February 2018 - Report No. AR18/11618

- (a) That Heritage Sub-Committee Report No. AR18/11618 titled '*Heritage Advisor Report - February*' as presented to the Heritage Sub-Committee on 28 March 2018 be noted.

Moved: Seconded:

5.5. Governance - Heritage Committee - Further Development of Work Plan - Report No. AF17/294

- (a) That the attached project plans for:
- Rook Walk 100 Year Anniversary
 - 150th Celebration of the Lake Terrace Cemetery
 - Railway Station Building
- be endorsed by Council and funded as per presented plans.
- (b) That additional funding required for subsequent stages are to be separately endorsed.

Moved: Seconded:



6. OPERATIONAL STANDING COMMITTEE REPORTS

Operational Standing Committee Reports commence on the following page.



6.1. Works in Progress - City Infrastructure - Report No. AR18/12120

COMMITTEE	Operational Standing Committee
MEETING DATE:	10 April 2018
REPORT NO.	AR18/12120
RM8 REFERENCE	AF17/243
AUTHOR	Daryl Morgan
SUMMARY	Update of works that are currently being undertaken and/or completed by the City Infrastructure Department.
COMMUNITY PLAN REFERENCE	Goal 2: Our Location

REPORT RECOMMENDATION
(a) That Operational Standing Committee Report No. AR18/12120 titled ' <i>Works in Progress - City Infrastructure</i> ' as presented to the Operational Standing Committee on 10 April 2018 be noted.

Moved:

Seconded:



Background

Works in progress and works completed are reported on a monthly basis to Council as part of the governance process to ensure planned and budgeted infrastructure works are completed in a timely manner.

Discussion

The following projects have field work currently in progress:

Commenced Tasks	% Completed
• Reuse Market site - shed construction	90%
• Bailey Street road reconstruction	50%
• Rail Trail (stage 2) shared path	65%
• Valley Lakes Disc Golf	95%
• Carpark resurfacing program	90%
• Caldwell Street road reconstruction	40%
• Elizabeth Street road reconstruction	15%
• Wireless Road East concrete footpath construction	20%
• Wireless Rd – Wandilo Rd intersection shoulder widening	20%
• Hawkins Road shoulder repairs	20%
• Elizabeth St drainage works	40%
• Line marking program	70%
• Blackall Lane drainage works and road construction	10%

Completed Tasks

- McCormick Road shoulder repairs
- Commercial Street West road reconstruction
- CBD redevelopment - Helen Street paving
- Depot yard bitumen sealing works

Conclusion

It is recommended that this report be received and noted for information by Council.

Attachments

Nil



Daryl MORGAN
MANAGER ENGINEERING DESIGN & CONTRACTS





Nick SERLE
GENERAL MANAGER CITY INFRASTRUCTURE

28 March 2018
SW



6.2. Strategic Projects - Report No. AR18/12097

COMMITTEE	Operational Standing Committee
MEETING DATE:	10 April 2018
REPORT NO.	AR18/12097
RM8 REFERENCE	AF17/505
AUTHOR	Mark McShane
SUMMARY	This report provides a summary status update of identified projects.
COMMUNITY PLAN REFERENCE	Goal 1: Our People
	Goal 2: Our Location
	Goal 3: Our Diverse Economy
	Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage

REPORT RECOMMENDATION
<p>(a) That Operational Standing Committee Report No. AR18/12097 titled '<i>Strategic Projects</i>' as presented to the Operational Standing Committee on 10 April 2018 be noted.</p> <p>(b) That Strategic Project reports be presented to the Operational Standing Committee every two months.</p>

Moved:

Seconded:



Background

Council is delivering significant numbers of strategic projects during 2018 and beyond and this report provides a summary status update of identified projects. Comprehensive reports on specific projects will be provided as required to gain feedback from and to inform Councillors.

Discussion

A series of comprehensive strategic reports were developed and endorsed by Council during 2017 resulting in a significant number of recommendations. Over several months in late 2017 Councillors, via a number of workshops and formal Council reports, distilled and prioritised a number of projects to be delivered in 2018 (and beyond with most of the projects being non reoccurring and delivering outcomes for a higher level strategy). The practice during 2017 was regular reporting to Councillors on the status of strategy development and this will continue focusing now on the status of project implementation. There is a significant amount of work and resources necessary to effectively deliver these outcomes now and in future years.

Further to the above category there are a number of other projects that will be delivered in full or part during 2018 and these will be included in the report.

The summary key project report will be supplemented by more comprehensive reports to the appropriate Sub-Committee, Standing Committee and Council.

While this report identifies key strategic projects the significant number of other activities, actions and customer service functions continues as does the ongoing continuous improvement of services.

Conclusion

During 2017 Council commissioned a number of strategic reports collectively presenting approximately 118 recommendations that have been reviewed and prioritised by Councillors for action.

Further major projects supporting the Community plan are also being delivered in 2018.

Attachments

[Attachment 1 \(AR18/12099\): Council Strategic Plan](#)



Mark McSHANE
CHIEF EXECUTIVE OFFICER

3 April 2018
SW



6.3. Delegation of Powers - Update - Report No. AR18/12833

COMMITTEE	Operational Standing Committee
MEETING DATE:	10 April 2018
REPORT NO.	AR18/12833
RM8 REFERENCE	AF11/495
AUTHOR	Michael McCarthy
SUMMARY	A report to update the powers and functions delegated to the Chief Executive Officer under the Expiation of Offences and Fines Enforcement and Debt Recovery Acts.
COMMUNITY PLAN REFERENCE	Goal 3: Our Diverse Economy

REPORT RECOMMENDATION

- (a) That Operational Standing Committee Report No. AR18/12833 titled '*Delegation of Powers - Update*' as presented to the Operational Standing Committee on 10 April 2018 be noted.
- (b) The Council hereby revokes its previous delegations to its Chief Executive Officer of those powers and functions under the Expiation of Offences Act to take effect from 30 April 2018.
- (c) In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Acts and specified in the proposed Instruments of Delegation contained in Appendices 5 and 36 (annexed to Operational Standing Committee Report No. AR18/12833 titled '*Delegation of Powers – Update*' as indicated below are hereby delegated this 17th day of April 2018 to the person occupying the office of Chief Executive Officer of the Council to take effect from 30th April 2018 subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instruments of Delegation:
- Expiation of Offences Act 1996 (Appendix 5)
 - Fines Enforcement and Debt Recovery Act 2017 (Appendix 36).
- (d) The powers and functions may be further delegated by Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.



- (e) For the purpose of these delegations, all delegations to the Chief Executive Officer extend to any person appointed to act in the position of Chief Executive Officer.
- (f) For the purpose of these delegations, all further delegations made by the Chief Executive Officer extend to any person who is appointed to act in the position of the delegate.

Moved:

Seconded:



Background

At its meeting on 20 February 2018, Council reviewed delegations to the Chief Executive Officer as required each year in accordance with Section 44(6) of the Local Government Act 1999.

Discussion

In response to legislative changes the Local Government Association has released updated and new delegation templates for the following Acts:

- *Expiation of Offences Act 1996 (updated)*
- *Fines Enforcement and Debt Recovery Act 2017 (new).*

The new delegations proposed under these two Acts are to take effect from 30 April 2018 when the relevant legislative provisions commence.

It would be appropriate that delegations now be made/re-made to the Chief Executive Officer under these Acts and for subsequent sub-delegations to be made to other Council Officers.

Conclusion

This report recommends that delegations be made to the Chief Executive Officer under the Expiation of Offences Act 1996 and Fines Enforcement and Debt Recovery Act 2017 using the Local Government Association delegation templates.

Attachments

[Attachment 1 \(AR18/13144\): Instrument of Delegation Expiation of Offences Act 1996 \(Appendix 5\)](#)

[Attachment 2 \(AR18/13148\): Instrument of Delegation Fines Enforcement and Debt Recovery Act 2017 \(Appendix 36\)](#)



Michael McCARTHY
MANAGER GOVERNANCE & PROPERTY



Pamela LEE
GENERAL MANAGER COUNCIL BUSINESS SERVICES

3 April 2018
MMcC



6.4. First Nations of the South East Native Title Claim - Report No. AR18/12710

COMMITTEE	Operational Standing Committee
MEETING DATE:	10 April 2018
REPORT NO.	AR18/12710
RM8 REFERENCE	AF17/296
AUTHOR	Michael McCarthy
SUMMARY	This report provides an update on Federal Court matters associated with the native title claim lodged for the south east region of South Australia.
COMMUNITY PLAN REFERENCE	Goal 3: Our Diverse Economy
	Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage

REPORT RECOMMENDATION

- (a) That Operational Standing Committee Report No. AR18/12710 titled '*First Nations of the South East Native Title Claim*' as presented to the Operational Standing Committee on 10 April 2018 be noted.

Moved:

Seconded:



Background

At the Council meeting held on 21 November 2017 it was resolved to engage Norman Waterhouse Lawyers to represent Council in conjunction with the other Limestone Coast Councils on matters relating to the First Nations of the South East Native Title Claim. The resolutions of 21 November 2017 were as follows:

- “(a) That Strategic Standing Committee Report No. AR17/43714 titled ‘First Nations of the South East Native Title Claim’ as presented to the Strategic Standing Committee on 13 November 2017 be noted.*
- (b) That Council engage Norman Waterhouse Lawyers to represent Council in conjunction with the other Limestone Coast Councils on matters relating to the First Nations of the South East Native Title Claim.*
- (c) That Council Register to become a party to proceedings if the First Nations of the South East’s Native Title Claim (No 1) is registered by the National Native Title Tribunal and that the Chief Executive Officer and Mayor be authorised to execute any documentation necessary to give effect to this resolution.”*

Accordingly, Norman Waterhouse were engaged in relation to this matter and have proceeded to liaise with the National Native Title Tribunal on behalf of the represented Councils.

Discussion

On 16 March 2018 Council was formally advised by email letter from the National Native Title Tribunal that the First Nations of the South East #1 Native Title Claim application (Federal Court Application No. SAD211/2017) had been made and that application to become a party to the application must be made on or before 3 July 2018.

In accordance with resolution (c) of 21 November 2017 and the terms of engagement Norman Waterhouse have confirmed that they have made application on behalf of the Limestone Coast Councils to become a party to the application.

Conclusion

Further information on the First Nations of the South East Native Title Claim will be presented formally to Council as the claim progresses with the Federal Court/National Native Title Tribunal.

Attachments

Nil



Michael McCARTHY
MANAGER GOVERNANCE & PROPERTY





Pamela LEE
GENERAL MANAGER COUNCIL BUSINESS SERVICES

29 March 2018
MMcC



7. MOTION(S)

7.1. With Notice

Nil Submitted

7.2. Without Notice



8. CONFIDENTIAL ITEMS

8.1 Consideration for Exclusion of the Public

Item No. 8.2

The following Agenda Item be received, discussed and considered in confidence by excluding the public pursuant to Section 90(2) of the Local Government Act 1999, and an order be made that the public (with the exception of Mayor A Lee, Councillors - M Lovett, C Greco, D Mutton, S Perryman and I Von Stanke and Council Officers - M McShane, B Cernovskis, P Lee, J Nagy, N Serle, M McCarthy and S Wilson) be excluded from the meeting in order for the Agenda Item (*Sale of Land for non-payment of Rates*) to be considered in confidence.

The Council is satisfied that, pursuant to Section 90(3)(a) of the Act the information to be received, discussed or considered in relation to this Agenda Item is:

- Information the disclosure of which would involve the unreasonable disclosure of Information concerning the personal affairs of any person (living or dead), being information regarding the property of a ratepayer that Council is proposing to commence a sale process in accordance with Section 184 of the Act for the non-payment of rates.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances by the need to keep the personal financial information and discussion confidential whilst the matter is being settled.

Item No.	Subject Matter	S90(3) Grounds
8.2	Sale of land for non-payment of Rates - Report No. PR18/2387	(a)

Moved:

Seconded:



8.4 Consideration for Exclusion of the Public

Item No. 8.5

The following Agenda Item be received, discussed and considered in confidence by excluding the public pursuant to Section 90(2) of the Local Government Act 1999, and an order be made that the public (with the exception of Mayor A Lee, Councillors - M Lovett, C Greco, D Mutton, S Perryman and I Von Stanke and Council Officers - M McShane, B Cernovskis, P Lee, J Nagy, N Serle, M McCarthy and S Wilson) be excluded from the meeting in order for the Agenda Item (Condition of Property) to be considered in confidence.

The Operational Standing Committee is satisfied that, pursuant to section 90(3)(a) of the Act the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of:

- Information concerning the personal affairs of any person (living or dead), which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence or the right to a fair trial.

The Council is satisfied that the information to be received, discussed or considered in relation to this item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of the occupier of the property.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances as the matter is personal to the occupier of the property.

Item No.	Subject Matter	S90(3) Grounds
8.5	Condition of Property - Report No. AR18/12359	(a) & (f)

Moved:

Seconded:



8.7 Consideration for Exclusion of the Public

Item No. 8.8

The following Agenda Item be received, discussed and considered in confidence by excluding the public pursuant to Section 90(2) of the Local Government Act 1999, and an order be made that the public (with the exception of Mayor A Lee, Councillors - M Lovett, C Greco, D Mutton, S Perryman and I Von Stanke and Council Officers - M McShane, B Cernovskis, P Lee, J Nagy, N Serle, M McCarthy and S Wilson) be excluded from the meeting in order for the Agenda Item (Illegal Development and Intervention Order) to be considered in confidence.

The Operational Standing Committee is satisfied that, pursuant to section 90(3)(a) of the Act the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of:

- Information concerning the personal affairs of any person (living or dead), which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence or the right to a fair trial.

The Council is satisfied that the information to be received, discussed or considered in relation to this item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of the occupier of the property.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances as the matter is personal to the occupier of the property.

Item No.	Subject Matter	S90(3) Grounds
8.8	Illegal Development and Intervention Order - Report No. AR18/12877	(a) & (f)

Moved:

Seconded:

Meeting closed at a.m.

AR18/13268



9. REPORT ATTACHMENTS



Council Strategic Plan



Strategic Projects:

Ref	Works in progress
1	Signage
2	Public Access WiFi
3	Lady Nelson Precinct
4	Innovation Hub
5	Reuse Market
6	Gig City & High Speed Fibre
7	One Desk Customer Service
8	Rail Trail - Shared Path



Ref number	1
Description	Signage
Reference	Signage Strategy document. Elected Member's workshop - 27 November 2017 - Signage Strategy. Council Resolution 19 December; Signage Strategy - Inclusions of Boandik Language - Report No. AR17/49103.
Project outcomes	<ul style="list-style-type: none"> - Improved signage in the City of Mount Gambier. - Signs included on the asset database and maintained in accordance with the IAMP.
Phases in project plan	<ol style="list-style-type: none"> 1. Review signage strategy. 2. Capture sign data (photographs, GPS locations) and enter into asset register. 3. Present new sign design / appearance to Elected Members for decision. 4. Scope sign removal, replacement (including Boandik language where determined by relevant stakeholders) and maintenance. 5. Tender and award of contract. 6. Construction and commissioning. 7. Post implementation review.
Progress to date	<ol style="list-style-type: none"> 1. Complete. 2. Complete. 3. Scheduled for April 2017. 4. In progress.

Ref number	2
Description	Public Access WiFi
Reference	Council Resolution 21/11/2017 - Initial Public Wifi Project - Report AR17/37775
Project outcomes	<ul style="list-style-type: none"> - Free public WiFi at Umpherston, Blue Lake (from aquifer tours - cactus garden) and Railway Land.
Phases in project plan	<ol style="list-style-type: none"> 1. Project Plan. 2. Investigation and research. 3. Scoping. 4. Tender and award of contract. 5. Construction and commissioning. 6. Post implementation review.
Progress to date	<ol style="list-style-type: none"> 1. Complete. 2. Complete. 3. Complete. 4. Complete. 5. In progress expected completion 30 April.

Ref number	3
Description	Lady Nelson Precinct
Reference	Council Meeting 19 th December 2018
Project outcomes	<ul style="list-style-type: none"> - Cosmetic Changes to Lady Nelson Centre. - Multi-purpose mobile unit for tourism, events, library, gallery outreach and community engagement.
Phases in project plan	<ol style="list-style-type: none"> 1. Research. 2. Costing of physical and operational needs. 3. Operational model. 4. Approval. 5. Implementation strategy. 6. Post implementation review.



Progress to date	<ul style="list-style-type: none"> - Cosmetic changes to Visitor Centre surrounds made, including garden care and signs. Internal updating of furniture and painting and display refresh. Wetlands area quotes for restoration. - Smaller Mobile Visitor Information van, options under consideration. No recommendation for council to date.
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Ref number	4
Description	Innovation Hub
Reference	Council Resolution 18 April, 2017 Digital Strategy and the New Venture Institute
Project outcomes	<ul style="list-style-type: none"> - New Venture Institute (NVI) establishing a business innovation hub in Mount Gambier for the City and Region. - Direct support for startups and existing developing small business. - Direct benefit to employment and economic development.
Phases in project plan	<ol style="list-style-type: none"> 1. Council endorses the NVI proposal with \$100,000 commitment. 2. Council supports NVI in their Federal Government grant application 3. Physical Hub established in Mount Gambier. 4. Marketing commitment of the innovation hub to attract small and startup businesses. 5. Ongoing monitoring, data analysis and review.
Progress to date	<ul style="list-style-type: none"> - Council financially supports the NVI bid for Federal Government funding for the innovation hub. - Ongoing discussions between NVI and Council. - Mayor and CEO supported by Tony Pasin, Member for Barker lobby Federal Government. - NVI win Federal Government Grant. - NVI investigate suitable site for innovation hub. - Business information session conducted by NVI 7 December 2017. - Ongoing action by NVI to determine a location and possible co-location partners. - Further information session by NVI on 19 March, 2018. Well attended by potential start up businesses. - NVI commencing first program on Monday, 9 April out of temporary accommodation.

Ref number	5
Description	Reuse Market
Reference	Council Resolution August 2017
Project outcomes	<ul style="list-style-type: none"> - Establish a working ReUse Market that is recognised as best practice in governance and operation. - Raise awareness and educate the community about waste reduction through education program. - Change community behaviours. - Protect the environment. - Reduce costs to community of waste processing (recycling or dumping). - Reduce waste to landfill. - Engage community and volunteers in sustainability behaviours and attitudes e.g. re-use activities.
Phases in project plan	<ol style="list-style-type: none"> 1. Research. 2. Costing of physical and operational needs. 3. Council Approval.



	<p>4. Operational model.</p> <p>5. Implementation strategy.</p>
Progress to date	<ul style="list-style-type: none"> - Item collection commenced at the WTS. - WTC shed construction commenced. - Yard has been cleaned up. - Diseased trees have been removed. - Cleaning contractor engaged to clean the offices. - Mentoring has commenced with Anita Saunders. - Job Description has been developed for the Reuse Market coordinator, Interviews have been completed and the successful applicant will be notified by 30 April.

Ref number	6
Description	Gig City & High Speed Fibre
Reference	Part of the State Government funding for regional GIG City . September Strategic and Operational Standing Committee briefings and feedback from Councillors on fibre optic route.
Project outcomes	<ul style="list-style-type: none"> - Deliver gig speed access for the innovation hub (NVI) and other identified facilities in Mount Gambier including potential access for businesses. - Economic advantage for business support and attracting new business.
Phases in project plan	<ol style="list-style-type: none"> 1. Project managed by State Government (DSD) with range of stakeholders including City of Mount Gambier. 2. Current and potential fibre route mapping. 3. Decision made by AARNet on optic fibre route in consultation with other government departments. 4. Layout and connection.
Progress to date	<ul style="list-style-type: none"> - Data and fibre map consolidation. - Several meetings with DSD and a large number of stakeholders, complex matters. - Feedback from Councillor an optimum route for fibre (approximately \$500,000 spend). - DSD and AARNet commit to route before the State Government commences caretaker mode. - Possible fibre layout by April 2018. - CEO and General Manager City Growth - further meetings with DSD regarding business case for \$500,000 expenditure. In progress.


Ref number	7
Description	One Desk Customer Service
Reference	Part of organisational restructure and commitment to continuous improvement of customer service.
Project outcomes	<ul style="list-style-type: none"> - Deliver one customer service hub for all external facing customer service channels and internal customer and administrative services support established that is flexible and adaptive to changing service requirements. - Service inventory confirmed. - Service standards and charter reviewed/updated. - Staffing model developed and implemented. - Relevant multi service training developed and delivered to staff. - Service procedures reviewed/updated. - Measures of performance and KPI reporting implemented.



Phases in project plan	<ol style="list-style-type: none"> 1. Project plan and research. 2. Future state model. 3. Implementation including testing. 4. Launch including communications. 5. Post implementation review.
Progress	<ul style="list-style-type: none"> - Team Leader, Leanne Little (internal appointment) commenced 26/2/2018 and customer service officers advised of change in reporting structure and staff roster implemented. Monitoring of work load and rostering in place. - Internal structural changes to accommodate CSO staff in one location documented. - After hours phone support moved to LGA preferred provider. - Project team meeting weekly. - Test and trial completed. - Communication with staff and Friday Edition updates for Elected Members. - Job Description documented and internal recruitment for Team Leader closes 7/2/2018. - CRMs, scripts, Standard Operating Procedures (SOP's), phone internal routing reviewed and updated. - Data collecting and analysis and draft roster prepared.

Ref number	8
Description	Rail Trail - Shared Path
Reference	Part of budget works 2017/2018
Project outcomes	<ul style="list-style-type: none"> - Extension of Rail Trail to Shepherdson Road via Hastings Cunningham. - Extension of existing Rail Trail to the west of White Avenue to Jubilee Highway.
Phases in project plan	<ol style="list-style-type: none"> 1. Concept. 2. Community consultation. 3. Detailed design and costing & report to Council for approval. 4. Funding submissions / allocation on budget. 5. Construction of stages of Rail Trail.
Progress to date	<ol style="list-style-type: none"> 1. Completed. 2. Completed. 3. Completed. 4. Completed and Ongoing for various stages. 5. Commenced (this stage due for completion by end of June 30 2018).




	APPENDIX [5]	Version No:	4
	<u>INSTRUMENT OF DELEGATION UNDER THE</u> <u>EXPIATION OF OFFENCES ACT 1996</u>	Delegation Effective:	30 April, 2018

NOTES


1. Conditions or Limitations: conditions or limitations may apply to the delegations contained in this Instrument. Refer to the Schedule of Conditions at the back of this document.
2. Refer to the relevant Council resolution(s) to identify when these delegations were made, reviewed and or amended.

POWERS AND FUNCTIONS DELEGATED IN THIS INSTRUMENT


1.	Certain Offences may be Expiated
1.1	The power pursuant to Section 5(1) of the Expiation of Offences Act 1996 (“the Act”) to issue an expiation notice under the Act to a person alleged to have committed an offence under an Act, regulation or by-law, and the alleged offence may accordingly be expiated in accordance with the Act.
2.	Expiation Notices
2.1	The power pursuant to Section 6(3)(b)(ii) of the Act to authorise a person in writing to give an expiation notice for an alleged offence.
3.	Review of Notices on Ground that Offence is Trifling
3.1	The power pursuant to Section 8A(2) and (3) of the Act to require an alleged offender who is seeking a review of the notice on the ground that the offence is trifling:
3.1.1	to provide further information; and
3.1.2	to provide a statutory declaration verifying the information contained in, or supporting, an application for review.
3.2	The power pursuant to Section 8A(4) of the Act to determine an application for review before providing the Chief Recovery Officer with relevant particulars under Section 22 of the Fines Enforcement and Debt Recovery Act 2017 in respect of the offence to which the application relates.
3.3	The duty pursuant and subject to Section 8A(5) and (6) of the Act upon being satisfied the offence is trifling to withdraw the expiation notice in respect of the offence by giving written notice to the alleged offender.
3.4	The power pursuant to Section 8A(6a) of the Act, if an enforcement determination made under section 22 of the Fines and Enforcement Debt Recovery Act 2017 is revoked on the ground that the alleged offender had not had a reasonable opportunity to apply for review of the notice under Section 8A of the Act, and the alleged offender makes an application under Section 8A of the Act within 14 days of being notified of the revocation, to withdraw the expiation notice under Section 8A of the Act.

	APPENDIX [5]	Version No:	4
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3A. Deliberately left blank
4. Expiation Reminder Notices
<p>4.1 The duty pursuant to Section 11(1) of the Act where an alleged offender has neither paid the expiation fee nor entered into an arrangement under Section 20 of the Fines Enforcement and Debt Recovery Act 2017 and the Council has not received a statutory declaration or other document sent to the Council by the alleged offender in accordance with a notice required by law to accompany the expiation notice, by the end of the expiation period, and before the Delegate takes any action under this Act or the Fines Enforcement and Debt Recovery Act 2017 to enforce the expiation notice, to give an expiation reminder notice in the prescribed form to the alleged offender.</p>
5. Expiation Enforcement Warning Notices
<p>5.1 The duty pursuant to Section 11A(1) of the Act where the Council has received a statutory declaration or other document sent to the Council by the alleged offender in accordance with a notice required by law to accompany the expiation notice or expiation reminder notice, and before the Delegate takes action under this Act or the Fines Enforcement and Debt Recovery Act 2017 to enforce the expiation notice, to give an expiation enforcement warning notice, in the prescribed form, to the alleged offender.</p>
6. Late Payment
<p>6.1 The power pursuant to Section 12 of the Act to accept late payment of the amount due under an expiation notice at any time before an enforcement determination is made under Section 22 of the Fines Enforcement and Debt Recovery Act 2017.</p>
7. Deliberately left blank

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8. Withdrawal of Expiation Notices	
8.1	<p>The power pursuant to Section 16(1) of the Act, to withdraw an expiation notice with respect to all or any of the alleged offences to which an expiation notice relates where:</p> <p>8.1.1 in the opinion of the Delegate the alleged offender did not commit the offence or offences, or that the notice should not have been given with respect to the offence or offences;</p> <p>8.1.2 the Council as issuing authority receives a statutory declaration or other document sent to the Council by the alleged offender in accordance with a notice required by law to accompany the expiation notice or expiation reminder notice; or</p> <p>8.1.3 the notice is defective; or</p> <p>8.1.3A in the opinion of the Delegate the alleged offender is suffering from a cognitive impairment that excuses the alleged offending; or</p> <p>8.1.4 the Delegate decides that the alleged offender should be prosecuted for the offence or offences.</p>
8.2	<p>The power pursuant to Section 16(5) of the Act, where an expiation notice is withdrawn under subsection (1), to commence prosecution for an offence to which the notice related.</p>
8.3	<p>The duty pursuant to Section 16(6) of the Act, subject to Section 16(7) of the Act, to withdraw an expiation notice if it becomes apparent that the alleged offender did not receive the notice until after the expiation period, or has never received it, as a result of error on the part of the Council as issuing authority or failure of the postal system or failure in the transmission of an email.</p>
8.4	<p>The duty pursuant to Section 16(11) of the Act, where an expiation notice is withdrawn under Section 16 of the Act and the notice of withdrawal does not specify that the notice is withdrawn for the purposes of prosecuting the alleged offender, and if an enforcement determination has been made under Section 22 of the Fines Enforcement and Debt Recovery Act 2017, to inform the Chief Recovery Officer of the withdrawal of the notice.</p>

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9. Provision of Information

9.1 The power pursuant to Section 18 of the Act to enter into an agreement with the Chief Recovery Officer in relation to:

9.1.1 the manner in which the Chief Recovery Officer is to provide information to the Council in relation to action taken by the Chief Recovery Officer under the Act in respect of an expiation notice issued by the Council; and


9.1.2 the manner in which the Council is to provide information to the Chief Recovery Officer in relation to the issuing of an expiation notice by the Council or any other action taken by the Council in respect of an expiation notice so issued.

INSTRUMENT OF DELEGATION UNDER THE
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SCHEDULE OF CONDITIONS

**CONDITIONS OR LIMITATIONS
APPLICABLE TO DELEGATIONS
CONTAINED IN THIS INSTRUMENT**

Paragraph(s) in instrument to which conditions/limitations apply	Conditions / Limitations
Nil	

 <p>City of Mount Gambier</p>	APPENDIX [27] <u>INSTRUMENT OF DELEGATION UNDER THE FINES ENFORCEMENT AND DEBT RECOVERY ACT 2017</u>	TRIM Doc Ref:	AR18/12841
		Delegation Effective:	30/04/2018

NOTES

1. Conditions or Limitations: conditions or limitations may apply to the delegations contained in this Instrument. Refer to the Schedule of Conditions at the back of this document.
2. Refer to the relevant Council resolution(s) to identify when these delegations were made, reviewed and or amended.

POWERS AND FUNCTIONS DELEGATED IN THIS INSTRUMENT

1.	Amounts Due Under Expiation Notices may be Treated as Part of Pecuniary Sum	<p>The power pursuant to Section 9(2) of the Fines Enforcement and Debt Recovery Act 2017 (the Act) if a debtor requests the making of an aggregation determination but no enforcement determination has been made under Section 22 of the Act in relation to the expiation amount, to pay the prescribed fee.</p>
2.	Arrangements as to Manner and Time of Payment	<p>The power pursuant to Section 20(4) of the Act to agree with the Chief Recovery Officer the manner in which the Chief Recovery Officer is to give the Council notice of an arrangement entered into under Section 20 of the Act.</p> <p>The power pursuant to Section 20(18) of the Act to agree with the Chief Recovery Officer the manner in which, if an arrangement terminates under Sections 20(15) or (17) of the Act, the chief Recovery Officer is to give the Council notice of the termination and the amount then outstanding (taking into account, where the arrangement required the performance of community service, the number of hours of community service to be performed).</p>
3.	Enforcement Determination	<p>The power pursuant to Section 22(1) of the Act to enforce an expiation notice against the alleged offender by providing to the Chief Recovery Officer the particulars determined by the Chief Recovery officer relating to:</p> <ul style="list-style-type: none"> (a) the alleged offender; and (b) the offence or offences that remain unexpiated; and (c) the amount due under the notice; and (d) compliance by the council with the requirements of the Act and any other Act.
3.1		The power pursuant to Section 22(2) of the Act to pay the prescribed fee.

SCHEDULE OF CONDITIONS

**CONDITIONS OR LIMITATIONS
APPLICABLE TO DELEGATIONS
CONTAINED IN THIS INSTRUMENT**

Section(s) in Act to which conditions/ limitations apply	Conditions / Limitations