

6 September 2017

**MAYOR  
COUNCILLORS  
CITY OF MOUNT GAMBIER**

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

**Strategic Standing Committee**  
*(Committee Room - Level 4):*

Monday, 11 September 2017 at 5:30 p.m.

An agenda for the meeting is enclosed.



**Mark McSHANE**  
CHIEF EXECUTIVE OFFICER

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## **AGENDA OF ORDINARY STRATEGIC STANDING COMMITTEE MEETING**

Meeting to be held in the Committee Room, Civic Centre, 10 Watson Terrace, Mount Gambier  
on Monday, 11 September 2017 at 5:30 p.m.

**PRESENT** Mayor Andrew Lee  
  
Cr Josh Lynagh  
Cr Sonya Meziniec  
Cr Frank Morello  
Cr Hanna Persello  
Cr Penny Richardson

<b>COUNCIL OFFICERS</b>	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
	Administration Officer	- Mrs M Telford

**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 STRATEGIC STANDING COMMITTEE MINUTES**

Meeting held on 7 August 2017.

That the minutes of the Strategic Standing Committee meeting held on 7 August 2017 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. STRATEGIC STANDING COMMITTEE REPORTS**

Strategic Standing Committee Reports commence on the following page.



## 5.1. Internal Review of Council Actions - Report No. AR17/31363

<b>COMMITTEE</b>	Strategic Standing Committee
<b>MEETING DATE:</b>	11 September 2017
<b>REPORT NO.</b>	AR17/31363
<b>RM8 REFERENCE</b>	AF11/1749
<b>AUTHOR</b>	Michael McCarthy
<b>SUMMARY</b>	<p>Council is required by Section 270(8) of the Act to initiate and consider a report on an annual basis relating to the:</p> <ul style="list-style-type: none"> <li>• Number of applications received under the provisions of Section 270; and</li> <li>• Kinds of matters to which the applications relate; and</li> <li>• Outcome of applications.</li> </ul> <p>No formal applications were received in relation to Section 270 during the 2016/2017 Financial Year.</p>
<b>COMMUNITY PLAN REFERENCE</b>	Goal 3: Our Diverse Economy

### REPORT RECOMMENDATION

- (a) That Strategic Standing Committee Report No. AR17/31363 titled '*Internal Review of Council Actions*' as presented to the Strategic Standing Committee on 11 September 2017 be noted.
- (b) That the background and discussion material contained in Strategic Standing Committee Report No. AR17/31363 relating only to Section 270 of the Local Government Act 1999 be included in Council's 2016/2017 Annual Report.

Moved:

Seconded:



## Background

Section 270 of the Local Government Act 1999 (the Act) relates to the internal review of council actions or decisions.

In March 2017 Council reviewed and adopted an updated policy and procedure *C290 - Internal Review of Council's Decisions* in accordance with the requirements of Section 270.

Council is required by Section 270(8) of the Act to initiate and consider a report on an annual basis that relates to the:

- Number of applications received under the provisions of Section 270; and
- Kinds of matters to which the applications relate; and
- Outcome of applications.

The Local Government (General) Regulations further prescribes that the report required under Section 270(8) is material that is included in the annual report of Council.

## Discussion

During the 2016/2017 Financial Year, no formal applications were received in relation to Section 270 of the Act or Council's Internal Review of Council's Decisions Policy.

During the 2016/2017 a request was received for an internal review of determinations relating to a personal access application made under the provisions of the Freedom of Information Act 1991.

The outcome of that review confirmed and upheld a determination with regard to the calculation of advance deposit amounts, confirmed and varied a determination regarding the calculation and request for a further advance deposit amount, and reversed a determination to refuse to continue dealing with the application.

## Conclusion

It is proposed that the background and discussion material in this report relating only to Section 270 of the Local Government Act 1999 be included in Council's 2016/2017 Annual Report in fulfillment of the legislative/regulatory requirements.

## Attachments

Nil



**Michael McCARTHY**  
MANAGER GOVERNANCE & PROPERTY



**Pamela LEE**  
GENERAL MANAGER COUNCIL BUSINESS SERVICES

17 August 2017  
MMc



## 5.2. Dimjalla Skate Park Lease - Report No. AR17/32380

<b>COMMITTEE</b>	Strategic Standing Committee
<b>MEETING DATE:</b>	11 September 2017
<b>REPORT NO.</b>	AR17/32380
<b>RM8 REFERENCE</b>	AF11/2200
<b>AUTHOR</b>	Michael McCarthy
<b>SUMMARY</b>	In March 2017 Council noted the lease expiry date for the Dimjalla Skate Park site.  This report presents a further proposed lease period for the site for consideration.
<b>COMMUNITY PLAN REFERENCE</b>	Goal 3: Our Diverse Economy

<b>REPORT RECOMMENDATION</b>
<p>(a) That Strategic Standing Committee Report No. AR17/32380 titled '<i>Dimjalla Skate Park Lease</i>' as presented to the Strategic Standing Committee on 11 September 2017 be noted.</p> <p>(b) Any lease interest over the Dimjalla Skate Park site on Attamurra Road (portion of Certificate of Title Volume 5602 Folio 876) be excluded from classification as community land in accordance with Section 193(4) of the Local Government Act 1999.</p> <p>(c) That the Mayor and Chief Executive Officer be authorised to finalise and affix the Common Seal to any necessary documents to secure a further lease of the Dimjalla Skate Park site on similar terms to the arrangements that expire 30 June 2018.</p>

Moved:

Seconded:



## Background

Council currently leases privately owned land located east of the junction of Attamurra Road and Jubilee Highway East (portion of Certificate of Title Volume 5602 Folio 876) for open space purposes comprising the Dimjalla Skate Park.

In March 2017 Council noted that a 2<sup>nd</sup> and (final) right of renewal would be exercised for the leased land for the period 1 July 2017 to 30 June 2018.

The right of renewal has been formally documented with the landowner.

## Discussion

Following discussion at the March 2017 Council meeting the administration expressed interest in further tenure of the Dimjalla Skate Park site. Communication from the landowner indicates that they are prepared to renew the lease beyond 30 June 2018 on similar terms/period (2+1+1).

A commencing rental for the further lease period is yet to be negotiated, however it is proposed that an offer be made to 'round-up' the current rental for the first year; and CPI adjust annually for the remaining 3 years of a 4 year term.

Achievement of the proposed arrangements would secure the Dimjalla Skate Park site for a period up to 30 June 2022.

## Conclusion

This report recommends that Council authorise the Mayor and Chief Executive Officer to finalise and affix the Common Seal to any necessary documents to secure a further lease for the Dimjalla Skate Park site on similar terms to the arrangements that expire 30 June 2018.

## Attachments

Nil



**Michael McCARTHY**  
MANAGER GOVERNANCE & PROPERTY



**Pamela LEE**  
GENERAL MANAGER COUNCIL BUSINESS SERVICES

18 August 2017  
MMcC



**5.3. Policy Review – C200 Request For Service/Complaint - Report No. AR17/32268**

<b>COMMITTEE</b>	Strategic Standing Committee
<b>MEETING DATE:</b>	11 September 2017
<b>REPORT NO.</b>	AR17/32268
<b>RM8 REFERENCE</b>	AF11/1948
<b>AUTHOR</b>	Michael McCarthy
<b>SUMMARY</b>	This report presents a reviewed policy incorporating procedures for requests for service and complaint handling.
<b>COMMUNITY PLAN REFERENCE</b>	Goal 3: Our Diverse Economy

**REPORT RECOMMENDATION**

- (a) That Strategic Standing Committee Report No. AR17/32268 titled '*Policy Review – C200 Request for Service / Complaint*' as presented to the Strategic Standing Committee on 11 September 2017 be noted.
- (b) That amended and renamed Request for Service / Complaint Policy C200 be adopted as attached to Strategic Standing Committee Report No. AR17/32268.

Moved:

Seconded:



## Background

The development and maintenance of policies, practices and procedures for dealing with both requests for service and complaints are fundamental for good administration and a requirement of Section 270 of the Local Government Act 1999.

At the Council meeting on 21 March 2017 Council adopted an updated Complaints Policy C200 together with updated Internal Review of Council's Decisions and Whistleblowers Protection policies.

A review of Council's Complaint and Section 270 (Internal Review of Council's Decisions) Policies has identified an opportunity for improvement in Council's policy suite to include a policy for dealing with 'Requests for Service'.

## Discussion

Council provides an extensive range of services and infrastructure to the community and discharges obligations under many pieces of legislation.

Most requests for service fit within well established guidelines which can be followed and explained to any applicant. Council aims to manage requests for service efficiently and effectively.

A request for service can be distinguished from a complaint as follows:

- A request for service is an application to have Council or its representative(s) take some form of action to provide or improve a Council service.
- A complaint is an expression of dissatisfaction with a product or service delivered by the Council or its representative(s) that have failed to reach the standard stated, implied or expected, including a service that has been, or should have been delivered.

Where ambiguity arises from a request for service that is presented in the form of a complaint, Council will deal with a matter as a request for service, rather than a complaint, in the first instance.

The updated policy attached to this report elaborate on the above and provide direction to the administration on dealing with requests for service and complaints.

## Conclusion

This report recommends that Council adopt the amended and renamed Request for Service/Complaint Policy.

## Attachments

[Attachment 1 \(AR17/35063\): Request for Service / Complaint Policy C200](#)





**Michael McCarthy**  
MANAGER GOVERNANCE & PROPERTY



**Pamela LEE**  
GENERAL MANAGER COUNCIL BUSINESS SERVICES

17 August 2017  
MMcC



**5.4. Policy Review - C320 Use of Council Chamber and Reception Area - Report No. AR17/34042**

<b>COMMITTEE</b>	Strategic Standing Committee
<b>MEETING DATE:</b>	11 September 2017
<b>REPORT NO.</b>	AR17/34042
<b>RM8 REFERENCE</b>	AF11/1950
<b>AUTHOR</b>	Michael McCarthy
<b>SUMMARY</b>	This report presents a reviewed policy for the use of the Council Chamber and Reception Area.
<b>COMMUNITY PLAN REFERENCE</b>	Goal 3: Our Diverse Economy

<b>REPORT RECOMMENDATION</b>
<p>(a) That Strategic Standing Committee Report No. AR17/34042 titled '<i>Policy review – C320 Use of Council Chamber and Reception Area</i>' as presented to the Strategic Standing Committee on 11 September 2017 be noted.</p> <p>(b) That the updated Council Policy '<i>C320 Council Chamber and Reception Area – Use of</i>' be adopted as attached to Strategic Standing Committee Report No. AR17/34042.</p>

Moved:

Seconded:



## Background

Council periodically reviews its policies over the term of the Council to ensure they remain up to date with legislative requirements, Council and community expectation and emerging practices in local government.

## Discussion

Council Policy '*C320 Council Chamber and Reception Area – Use of*' has been reviewed and is presented in the updated policy format with minor wording changes.

## Conclusion

The reviewed and updated Council Policy '*C320 Council Chamber and Reception Area – Use of*' is presented for consideration.

It is proposed that the policy be next scheduled for review from September 2019, during the first year of the next Council term.

## Attachments

[Attachment 1 \(AR17/35064\): Draft Policy C320 – Council Chamber and Reception Area – Use of](#)



**Michael McCARTHY**  
MANAGER GOVERNANCE & PROPERTY



**Pamela Lee**  
GENERAL MANAGER COUNCIL BUSINESS SERVICES

30 August 2017  
MMcC



**5.5. Policy Review - M240 Members - Access to Information - Report No. AR17/34072**

<b>COMMITTEE</b>	Strategic Standing Committee
<b>MEETING DATE:</b>	11 September 2017
<b>REPORT NO.</b>	AR17/34072
<b>RM8 REFERENCE</b>	AF11/1950
<b>AUTHOR</b>	Michael McCarthy
<b>SUMMARY</b>	This report presents a reviewed policy for Members access to information
<b>COMMUNITY PLAN REFERENCE</b>	Goal 3: Our Diverse Economy

**REPORT RECOMMENDATION**

- (a) That Strategic Standing Committee Report No. AR17/34072 titled '*Policy Review – M240 Members – Access to Information*' as presented to the Strategic Standing Committee on 11 September 2017 be noted.
- (b) That the updated Council Policy '*M240 Members – Access to Information*' be adopted as attached to Strategic Standing Committee Report No. AR17/34072.

Moved:

Seconded:



## Background

Council periodically reviews its policies over the term of the Council to ensure they remain up to date with legislative requirements, Council and community expectation and emerging practices in local government.

## Discussion

Council Policy '*M240 Members – Access to Information*' has been reviewed and is presented in the updated policy format with minor wording changes mainly comprising the insertion of the relevant legislative provisions from the Local Government Act 1999.

This Policy should be read together with the *Code of Conduct for Council Members* that contains specific provisions relating to Council Member requests for information and dealing with information received in their capacity as Council Members.

Council received in May 2017 a report detailing the Council Officer positions nominated by the Chief Executive Officer as delegates for Council Member requests for information.

This Policy should also be read with Council's Caretaker Policy C305 that contains provisions relating to information access during the caretaker period prior to local government elections.

## Conclusion

The reviewed and updated Council Policy '*M240 Members – Access to Information*' is presented for consideration.

It is proposed that the policy be next scheduled for review from September 2019, during the first year of the next Council term.

## Attachments

[Attachment 1 \(AR17/35066\): Draft Policy M240 Members – Access to Information](#)



**Michael McCARTHY**  
MANAGER GOVERNANCE & PROPERTY



**Mark McSHANE**  
CHIEF EXECUTIVE OFFICER

30 August 2017  
MMcC



**5.6. Policy Review - T120 Tree Policy - Report No. AR17/34544**

<b>COMMITTEE</b>	Strategic Standing Committee
<b>MEETING DATE:</b>	11 September 2017
<b>REPORT NO.</b>	AR17/34544
<b>RM8 REFERENCE</b>	AF11/1957
<b>AUTHOR</b>	Sinaway Georgiou
<b>SUMMARY</b>	This report presents a reviewed policy for the management of trees on Council property.
<b>COMMUNITY PLAN REFERENCE</b>	Goal 2: Our Location

**REPORT RECOMMENDATION**

- (a) That Strategic Standing Committee Report No. AR17/34544 titled '*Policy Review - T120 Tree Policy*' as presented to the Strategic Standing Committee on 11 September 2017 be noted.
- (b) That the updated Council Policy '*T120 Tree Policy*' as attached to the Strategic Standing Committee Report No. AR17/34544 be adopted.

Moved:

Seconded:



## Background

Council periodically reviews its policies over the term of the Council to ensure they remain up to date with legislative requirements, Council and community expectation and emerging practices in local government.

## Discussion

'T120 Tree Policy' has been reviewed and is presented with the following changes required:

- Remove part (c) from section 1 (introduction) - *"The objective of Councils annual street tree program is to increase the population of street trees by 300 per annum until 2017"*
- Include part (h) in section 3 (disposal of surplus wood) - *"The Chief Executive Officer and/or General Manager City Infrastructure to have the authority to allocate any surplus wood supplies not utilised by local service clubs/organisations under this policy, to be made available for sale to the public at the Mount Gambier Reuse Market."*
- Update section 7 - list of adopted tree species planting schedule

## Conclusion

The reviewed and updated Council Policy 'T120 Tree Policy' is presented for consideration.

It is proposed that the policy be next scheduled for review in September 2021.

## Attachments

[Attachment 1 \(AR17/35069\): Draft Council Policy 'T120 Tree Policy'](#)



**Sinaway GEORGIU**  
ENGINEERING TECHNICAL OFFICER



**Nick SERLE**  
GENERAL MANAGER CITY INFRASTRUCTURE

4 September 2017  
SW



**5.7. Policy Review - M130 Media - Statements on behalf of Council - Report No. AR17/34065**

<b>COMMITTEE</b>	Strategic Standing Committee
<b>MEETING DATE:</b>	11 September 2017
<b>REPORT NO.</b>	AR17/34065
<b>RM8 REFERENCE</b>	AF11/1950
<b>AUTHOR</b>	Michael McCarthy
<b>SUMMARY</b>	This report presents a reviewed policy for the making of statements on behalf of Council
<b>COMMUNITY PLAN REFERENCE</b>	Goal 3: Our Diverse Economy

**REPORT RECOMMENDATION**

- (a) That Strategic Standing Committee Report No. AR17/34065 titled '*Policy Review – M130 Media – Statements on behalf of Council*' as presented to the Strategic Standing Committee on 11 September 2017 be noted.
- (b) That the updated Council Policy '*M130 Media – Statements on behalf of Council*' be adopted as attached to Strategic Standing Committee Report No. AR17/34065.

Moved:

Seconded:



## Background

Council periodically reviews its policies over the term of the Council to ensure they remain up to date with legislative requirements, Council and community expectation and emerging practices in local government.

## Discussion

Council Policy '*M130 Media – Statements on behalf of Council*' has been reviewed and is presented in the updated policy format with minor wording changes.

This Policy should be read together with the Codes of Conduct for Council Members and for Council Employees that contain specific provisions relating to personal comments to the media and public comments on Council decisions and other matters.

## Conclusion

The reviewed and updated Council Policy '*M130 Media – Statements on behalf of Council*' is presented for consideration.

It is proposed that the policy be next scheduled for review from September 2019, during the first year of the next Council term.

## Attachments

[Attachment 1 \(AR17/35070\): Draft Policy M130 Media – Statements on behalf of Council](#)



**Michael McCARTHY**  
MANAGER GOVERNANCE & PROPERTY



**Mark McSHANE**  
CHIEF EXECUTIVE OFFICER

30 August 2017  
MMcC



**5.8. Policy Review - E200 Employees - Service Awards - Gifts at Resignation or Retirement - Report No. AR17/34060**

<b>COMMITTEE</b>	Strategic Standing Committee
<b>MEETING DATE:</b>	11 September 2017
<b>REPORT NO.</b>	AR17/34060
<b>RM8 REFERENCE</b>	AF11/1955
<b>AUTHOR</b>	Michael McCarthy
<b>SUMMARY</b>	This report presents a reviewed policy for Employee Service Awards and Retirement/Resignation Gifts
<b>COMMUNITY PLAN REFERENCE</b>	Goal 3: Our Diverse Economy

**REPORT RECOMMENDATION**

- (a) That Strategic Standing Committee Report No. AR17/34060 titled '*Policy Review – E200 Employees - Service Awards – Gifts at Retirement or Resignation*' as presented to the Strategic Standing Committee on 11 September 2017 be noted.
- (b) That the updated Council Policy '*E200 Employees – Service Awards – Gifts at Retirement or Resignation*' be adopted as attached to Strategic Standing Committee Report No. AR17/34060.

Moved:

Seconded:



## Background

Council periodically reviews its policies over the term of the Council to ensure they remain up to date with legislative requirements, Council and community expectation and emerging practices in local government.

## Discussion

Council Policy '*E200 Employees – Services Awards – Gifts at Retirement or Resignation*' has been reviewed and is presented in the updated policy format with minor wording changes.

## Conclusion

The reviewed and updated Council Policy '*E200 Employees – Services Awards – Gifts at Retirement or Resignation*' is presented for consideration.

It is proposed that the policy be next scheduled for review from September 2019, during the first year of the next Council term.

## Attachments

[Attachment 1 \(AR17/35072\): Draft Policy E200 Employees – Services Awards – Gifts at Retirement or Resignation](#)



**Michael McCARTHY**  
MANAGER GOVERNANCE & PROPERTY



**Mark McSHANE**  
CHIEF EXECUTIVE OFFICER

30 August 2017  
MMcC



**5.9. New Policy - C700 Corporate Branding and Identity - Report No. AR17/34079**

<b>COMMITTEE</b>	Strategic Standing Committee
<b>MEETING DATE:</b>	11 September 2017
<b>REPORT NO.</b>	AR17/34079
<b>RM8 REFERENCE</b>	AF11/1950
<b>AUTHOR</b>	Michael McCarthy
<b>SUMMARY</b>	This report presents a replacement policy addressing matters relating to Council Branding, Coat of Arms, (Mount Gambier) Flag and use of Council letterhead.
<b>COMMUNITY PLAN REFERENCE</b>	Goal 3: Our Diverse Economy

**REPORT RECOMMENDATION**

- (a) That Strategic Standing Committee Report No. AR17/34079 titled '*New Policy – C700 Corporate Branding and Identity*' as presented to the Strategic Standing Committee on 11 September 2017 be noted.
- (b) That the new Council Policy '*C700 Corporate Branding and Identity*' be adopted as attached to Strategic Standing Committee Report No. AR17/34079.
- (c) That the following policies (now replaced by Policy C700) now be deleted:  
*C190 Community Identity*  
*C160 Coat of Arms*  
*F130 Flag*  
*M260 Members – Use of Council Letterhead*

Moved:

Seconded:



## Background

Council periodically reviews its policies over the term of the Council to ensure they remain up to date with legislative requirements, Council and community expectation and emerging practices in local government.

Council currently has 3 policies relating to Council branding and identity, comprising:

- C190 Community Identity (corporate colours and community logo)
- C160 Coat of Arms
- F130 Flag

## Discussion

Council Policies '*C190 Community Identity*', '*C160 Coat of Arms*' and '*F130 Flag*' all contain references to corporate colours, logo and coat of arms that identity the City of Mount Gambier.

The review and amalgamation of these policies was deferred pending a period of transition and community acceptance of the branding and logo adopted by Council in 2015. It is now considered appropriate to incorporate the adopted branding, logo and colours into the relevant policies.

A new combined Policy '*C700 Corporate Branding and Identity*' is presented in the updated policy format incorporating all of Council's branding, colours and designs in a single policy.

The provisions of Council Policy '*M260 Members – Use of Council Letterhead*' that relate to the use of Council's brand and identity have also been incorporated into the new policy.

## Conclusion

The new Council Policy '*C700 Corporate Branding and Identity*' is presented for consideration.

It is proposed that the policy be next scheduled for review from September 2019, during the first year of the next Council term.

## Attachments

[Attachment 1 \(AR17/35073\): Draft Policy C700 Corporate Branding and Identity](#)



**Michael McCARTHY**  
MANAGER GOVERNANCE & PROPERTY



**Mark McSHANE**  
CHIEF EXECUTIVE OFFICER

30 August 2017  
MMcC



**5.10. Cultural and Heritage Development Plan and Youth Engagement Strategy Progress Report - Report No. AR17/35026**

<b>COMMITTEE</b>	Strategic Standing Committee
<b>MEETING DATE:</b>	11 September 2017
<b>REPORT NO.</b>	AR17/35026
<b>RM8 REFERENCE</b>	AF17/263, AF17/211
<b>AUTHOR</b>	General Manager Community Wellbeing
<b>SUMMARY</b>	This report provides a status update on the Cultural and Heritage Development Plan and the Youth Engagement Strategy.
<b>COMMUNITY PLAN REFERENCE</b>	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**

- (a) That Strategic Standing Committee Report No. AR17/35026 titled '*Cultural and Heritage Development Plan and Youth Engagement Strategy Progress Report*' as presented to the Strategic Standing Committee on 11 September 2017 be noted.

Moved:

Seconded:



## Background

Council has commissioned the development of a number of strategic documents to guide effective implementation of the City Futures Papers and Community Plan.

The final documents to be delivered are the Cultural and Heritage Development Plan and the Youth Engagement strategy. The purpose of this report is to provide an update on the progress of the engagement initiatives and status of these documents.

## Discussion

		<b>Status</b>
Cultural & Heritage Development Plan	<p>Consultation has continued with key stakeholders during July and August.</p> <p>Undertaking analysis of data to identify key themes and prepare for final round of consultation.</p>	Ongoing
Youth Engagement Strategy	<p>Strategy for Engagement launched at the Careers Expo in August.</p> <p>Undertaking consultation with key stakeholders.</p> <p>Secured 3<sup>rd</sup> year Uni SA Social Work student to contribute to the Youth Engagement Strategy.</p>	Ongoing

### Cultural and Heritage Development Plan

Initial analysis of the consultation feedback has identified the need to undertake further consultation to seek clarity on emerging themes and ensure that feedback is representative of our community. Additional stakeholder consultations have included:

- Children
- Seniors
- History and Heritage interest groups
- Aboriginal community
- Melaleuca community
- Volunteers
- Disability sector
- Sporting groups
- Migrant/new arrival

Consultation will also occur with the newly formed Council Heritage Sub-Committee.

A summary of the feedback received to date is currently being developed and will be the content for the final round of consultation. At the conclusion of this consultation phase a draft report will be presented to Council.



## Youth Engagement Strategy

" #MyMTG- A Youth Engagement Strategy for Mount Gambier" was launched at the Careers Expo in August 2017. The response received was overwhelming with over 450 surveys completed on the day and an additional 60 online surveys completed over the subsequent weekend.

The consultation continues to ensure that we are able to present a collective youth voice, this includes:

- Student leaders
- Young professionals
- Consumers of Library youth programs and services
- Young Aboriginal people
- Young Migrants
- Consumers of mental health and wellbeing services
- Students of alternative education
- Pop Culture and Youth Music
- Users of skate park and recreational facilities
- Young carers
- Youth Disability

A Student Leader's Forum is scheduled for Thursday, 7<sup>th</sup> September 2017 in City Hall and a community day is scheduled for Melaleuca Reserve on Sunday, 10<sup>th</sup> September 2017.

Analysis of feedback will commence in October 2017.

## Conclusion

There are a number of natural synergies with the community and stakeholder engagement for the Cultural and Heritage Development plan and Youth Engagement strategy. In these instances we have ensured efficiencies with the engagement initiatives to avoid community fatigue. The level and calibre of response received to date promises to guide quality direction for Council that is representative of the grassroots voice of our Community.



**Barbara CERNOVSKIS**  
GENERAL MANAGER COMMUNITY WELLBEING



**Mark McSHANE**  
CHIEF EXECUTIVE OFFICER

5 September 2017  
MJT



## 5.11. Strategic Planning Workshops - City Growth - Report No. AR17/34150

<b>COMMITTEE</b>	Strategic Standing Committee
<b>MEETING DATE:</b>	11 September 2017
<b>REPORT NO.</b>	AR17/34150
<b>RM8 REFERENCE</b>	AF15/83
<b>AUTHOR</b>	Judy Nagy
<b>SUMMARY</b>	The number of recommendations contained in recent City Growth Strategy Reports will require prioritisation to inform future implementation plans. Member workshops to undertake an evaluation and prioritisation process will form an important part in setting of priorities for the future.
<b>COMMUNITY PLAN REFERENCE</b>	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

- (a) That Strategic Standing Committee Report No. AR17/34150 titled '*Strategic Planning Workshops – City Growth*' as presented to the Strategic Standing Committee on 11 September 2017 be noted.

Moved:

Seconded:



## Background

As part of a process to establish a rich evidence base for City Growth strategies, a number of independent experts have been commissioned to provide Council with reports over the last 12 months. Each of the reports individually makes important recommendations for action with a total 118 recommendations requiring analysis and prioritization.

The reports include the following with the number of recommendations made noted for each report.

City Growth Strategy	32
Digital Strategy	24
Visitor Information Servicing	31
Signage Strategy	13
Tourism Data Collection	18
TOTAL	118

## Discussion

Individually each report makes important conclusions and recommendations for action based on wide research. However, the strong synergies between the findings in the reports suggest that reports would more appropriately be assessed as a collective to tease out the linkages between recommendations and across the reports. These linkages can provide valuable information to assist with determination of strategic priorities that would inform implementation plans.

Members will take part in workshops to identify key priorities with indicative timelines to guide the development of an implementation framework from which specific implementation plans can be determined. The implementation plans will then require assessment of resourcing needs that include human resources, capital needs and on going operational costs associated with the proposed plans.

This staged approach give due recognition to the need for:

- alignment with the Community Plan
- weighing of priorities against other strategies from (for example) the Community Wellbeing Portfolio
- determination of the financial consequences for
  - Council operational costs
  - Capital needs
- Human resource needs to develop and implement strategies
- Timelines allowing for progressive implementation as resources permit over
  - short timeframes 2018
  - medium term timeframes 2019-2020
  - long term timeframes after 2020

Outcomes from this process will have consequences into the future and generate tangible and intangible outcomes. The tangible may be reflected in (for example) improved signage, spaces for knowledge building (a business incubator) WiFi hardware, an increasingly population and more diverse businesses in the region. The intangible may be in the form of improved web based resources, knowledge and capability development of people, improved connectivity and improved wellbeing.



## Conclusion

Dedicating time to ensure that the recommendations from reports are carefully considered and prioritized will assist with mapping of timeframes for implementation. The timeframes can then be used to prepare detailed implementation plans to ensure that proposed outcomes, resources and timeframes are aligned to achieve the plans.

## Attachments

Nil



**Judy NAGY**  
GENERAL MANAGER CITY GROWTH



**Mark McSHANE**  
CHIEF EXECUTIVE OFFICER

30 May 2017  
JNMJT



**5.12. Visitor Information Services - Update on Implementation Plans - Report No. AR17/34119**

<b>COMMITTEE</b>	Strategic Standing Committee
<b>MEETING DATE:</b>	11 September 2017
<b>REPORT NO.</b>	AR17/34119
<b>RM8 REFERENCE</b>	AF17/264
<b>AUTHOR</b>	Judy Nagy
<b>SUMMARY</b>	It is proposed that the implementation plan for Visitor Information Services be delayed pending outcomes from Elected Member workshops that will prioritize recommendations made in a number of recent City Growth reports.
<b>COMMUNITY PLAN REFERENCE</b>	Goal 2: Our Location
	Goal 3: Our Diverse Economy
	Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage

**REPORT RECOMMENDATION**

- (a) That Strategic Standing Committee Report No. AR17/34119 titled '*Visitor Information Services - Update on Implementation Plans*' as presented to the Strategic Standing Committee on 11 September 2017 be noted.
- (b) That the recommendation of the Strategic Standing Committee dated 10<sup>th</sup> July 2017 as follows:
- “a draft implementation plan including timeframe, resources and budget is developed by September 2017, for consideration by Councillors, staff and identified stakeholders to guide discussion and input and a finalised implementation plan.”*
- be postponed until the outcomes of the Elected Member workshops are known.

Moved:

Seconded:



## Background

At the meeting of the Strategic Standing Committee on 10th July 2017, the committee endorsed the *Tourism and Visitor Information Services Review*. During this meeting it was recommended

*“That a draft implementation plan including timeframe, resources and budget is developed by September 2017, for consideration by Councillors, staff and identified stakeholders to guide discussion and input and a finalised implementation plan.”*

The Strategic Standing Committee on 7 August 2017 endorsed the following reports:

AR17/29485 titled ‘*Tourism Data Collection Report*’

AR17/29113 titled ‘*Signage Strategy Report*’

AR17/29794 titled ‘*Mount Gambier City Growth Strategy 2017-2027*’

Each of these reports recommended:

*“That a Draft Implementation Plan including timeframes, resourcing needs with preliminary estimates is developed by October 2017, for consideration by Councillors, staff and identified stakeholders to inform a Final Implementation Plan.”*

Each report has a list of recommendations presenting a challenge to interpret dependencies and to determine an appropriate pathway forward.

## Discussion

Each of the reports noted above provide some important evidence to inform future strategies and actions and it will be important to consider all recommendations before determining any individual implementation plan. Elected Members workshops are being held in September to assist with determining interrelationships and priorities.

## Conclusion

It is proposed that implementation planning for Visitor Information Services be undertaken after outcomes from Elected Member workshops are known.

## Attachments

[Attachment 1 \(AR17/35074\) Strategic Standing Committee Report - Visitor Information Services](#)



**Judy NAGY**  
GENERAL MANAGER CITY GROWTH



A handwritten signature in black ink, appearing to read 'Mark McSHANE', written in a cursive style.

**Mark McSHANE**  
CHIEF EXECUTIVE OFFICER

30 August 2017  
JN/MJT



**5.13. Establishment of Council Assessment Panel (CAP) - Report No. AR17/31687**

<b>COMMITTEE</b>	Strategic Standing Committee
<b>MEETING DATE:</b>	12 September 2017
<b>REPORT NO.</b>	AR17/31687
<b>RM8 REFERENCE</b>	AF17/81
<b>AUTHOR</b>	Michael Silvy
<b>SUMMARY</b>	A report to recommend the establishment of a Council Assessment Panel (CAP), membership and delegations.
<b>COMMUNITY PLAN REFERENCE</b>	Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage
	Goal 3: Our Diverse Economy

**REPORT RECOMMENDATION**

- (a) That Strategic Standing Committee Report No. AR17/31687 titled '*Establishment of Council Assessment Panel (CAP)*' as presented to the Strategic Standing Committee on 12 September 2017 be noted.
- (b) That the Council;
- i. Establish a Council Assessment Panel under Section 83 of the Planning, Infrastructure and Development Act 2016 effective 1/10/2017 to replace the Council Development Assessment Panel.
  - ii. Adopt the Terms of Reference for the Council Assessment Panel as attached to Report No. AR17/31687 (Attachment 1).
  - iii. Appoint Cr Von Stanke as the sole Elected Member of the new Council Assessment Panel, thanking Cr Greco and Cr Mutton for their service.
  - iv. Appoint the 4 current Independent Members of the Council Development Assessment Panel, Elizabeth Travers – Presiding Member, Emily Finnigan, Margaret Trotter and Peter Seebohm to the Council Assessment Panel until the end of their existing term February 2019.
  - v. Receive the draft Code of Conduct (Attachment 2) to be observed by Panel Members under Schedule 3 of the Planning, Infrastructure and Development Act.
  - vi. In exercise of the powers contained in Section 20 and 34(23) of the Development Act 1993, the powers and functions under the Development Act 1993 and the Development Regulations 2008, as contained in the proposed Instrument of Delegation (Attachment 3 Schedule 1) Council Assessment Panel Delegations are hereby delegated to the Council Assessment Panel from 1 October 2017. This is subject to any conditions specified herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.
  - vii. Adopt updated Council Policy 'D140 Planning – Development Act – Delegations' as attached to Strategic Standing Committee Report No. AR17/33687 effective 1/10/2017.

Moved:

Seconded:



## Background

On 20<sup>th</sup> June, Council resolved to;

- (a) *That Strategic Standing Committee Report No. AR17/21313 titled 'Changes to Council's Development Assessment Panel' dated 7 June 2017 as presented to the Strategic Standing Committee on 13 June 2017 be noted.*
- (b) *That the Council;*
  - 1. *Requests administration to develop a complying 'Terms of Reference' for a Council Assessment Panel in anticipation of the changes needed to commence on 1 October 2017. A further report to be presented to Council for endorsement in due course.*
  - 2. *Commence a process to fill the membership positions required for the new Council Assessment Panel by 1 October 2017.*

This resolution was in response to changes made by the State Government to the planning system in South Australia. A State Planning Commission has been established and was formalised on 1 April 2017 with the commencement of the new Planning, Development and Infrastructure Act 2016 (PDI Act).

As part of the staged implementation process for the new Act, a new 'Council Assessment Panel' (CAP) must be established under Section 83 of the PDI Act by 1 October 2017. Development assessment decisions will transition from the existing Council Development Assessment Panel to the new CAP.

## Discussion

Council is required to establish a new Council Assessment Panel (CAP) from 1 October 2017. The transitional provisions of the Planning, Development and Infrastructure Act 2016 (PDI Act) provide as follows:

*On and after the designated day, a reference in the repealed Act to a council's development assessment panel will, subject to subclause (3), be taken to be a reference to an assessment panel appointed by the council under this Act.*

*The functions of the assessment panel established under this clause will be to act as a delegate of the council for the purposes of the repealed Act.*

The practical application of these provisions is that for an interminate period (until further steps are activated in the transition to the new PDI Act regime) the Council Assessment Panel (CAP) as established under the PDI Act will perform essentially the same functions as the Council Development Assessment Panel (CDAP) in accordance with the Development Act 1993.

To give effect to these new arrangements the Council is required to establish a CAP, ensuring that its membership, delegated powers and procedural arrangements comply with the PDI Act.

Council's current Development Assessment Panel (DAP) comprises seven (7) members, including four (4) Independent Members and three (3) Elected Members; Cr Von Stanke, Cr Greco and Cr Mutton. Under the changes required to establish the new Council Assessment Panel (CAP), council must reduce the number of panel members to five (5) in total, including not more than one (1) Elected Member. Council must therefore reduce the number of Elected Members from three (3) to one (1).



Discussions with the current Elected Members panel members at the last DAP meeting held on 20 July 2017 indicated a desire for Cr Von Stanke to remain as the sole Elected Member on the new CAP, with Cr Greco and Cr Mutton choosing to relinquish their panel duties.

The Chief Executive Officer will also appoint an Assessment Manager under Section 87 of the PDI Act before 1 October 2017. In accordance with the Act the functions of an Assessment Manager include:

- acting as a relevant authority as provided under this Act (and, in so acting, is not subject to direction by an assessment panel or any other person);
- being responsible for managing the staff and operations of the assessment panel in relation to which the assessment manager has been appointed;
- providing advice to the assessment panel (as appropriate).

## Conclusion

The recommendations of this report include:

- The establishment of a Council Assessment Panel from 1 October 2017 under Sections 83 of the Planning, Infrastructure and Development Act.
- The adoption of Terms of Reference for the Council Assessment Panel.
- The appointment of membership of the Council Assessment Panel to include a single Elected Member and the 4 Independent Members (Elizabeth Travers – Presiding Member, Emily Finnigan, Margaret Trotter and Peter Seeborn) as are currently appointed to the Council Development Assessment Panel until the end of their term expiring in February 2019.
- The delegation of development assessment functions under the Development Act 1993 to the Council Assessment Panel from 1 October 2017.
- The review and adoption of an updated Development Act Delegations Policy D140.
- Further, in accordance with the provision of the DPI Act and the CAP Terms of Reference a separate process will be undertaken to identify and appoint a Deputy Member(s).

## Attachments

[Attachment 1 \(AR17/35077\): Council Assessment Panel Terms of Reference](#)

[Attachment 2 \(AR17/35078\): DRAFT Code of Conduct for Panel Members](#)

[Attachment 3 \(AR17/35079\): Schedule I – Council Assessment Panel Delegations](#)

[Attachment 4 \(AR17/35080\): DRAFT Policy D140 Development Act - Delegations](#)



**Michael SILVY**  
MANAGER DEVELOPMENT & REGULATORY



**Judy NAGY**  
GENERAL MANAGER CITY GROWTH

25 August 2017  
MMcC



**5.14. Long Term Financial Plan 2017/2018 to 2026/2027 - Report No. AR17/31386**

<b>COMMITTEE</b>	Strategic Standing Committee
<b>MEETING DATE:</b>	11 September 2017
<b>REPORT NO.</b>	AR17/31386
<b>RM8 REFERENCE</b>	AF11/1787
<b>AUTHOR</b>	Kahli Rolton
<b>SUMMARY</b>	The purpose of this report is to formally adopt the Long Term Financial Plan 2017/2018 to 2026/2027 in accordance with the Local Government Act 1999, Chapter 8, Part 1, Section 122.
<b>COMMUNITY PLAN REFERENCE</b>	Goal 3: Our Diverse Economy

**REPORT RECOMMENDATION**

- (a) That Strategic Standing Committee Report No. AR17/31386 titled '*Long Term Financial Plan 2017/2018 to 2026/2027*' as presented to the Strategic Standing Committee on 11 September 2017 be noted.
- (b) That the Draft Long Term Financial Plan 2017/2018 to 2026/2027 AR17/2810 be marked as final, formally adopted by Council and uploaded to Council's website.

Moved:

Seconded:



## Background

In accordance with the Local Government Act 1999, Chapter 8, Part 1, Section 122, Council must develop and adopt a Long Term Financial Plan (LTFP) for a period of at least 10 years within two years following each general election of Council.

The City of Mount Gambier's (the Council) LTFP was prepared in February 2017 in consultation with Elected Members. A Members' information workshop was held on Tuesday 28 February 2017 to discuss the LTFP and 2017/2018 Budget.

Following this, a draft LTFP was presented to the Audit Committee on Tuesday 7 March 2017. The Audit Committee moved the LTFP be recommended to be received.

## Discussion

No material changes have been made to the LTFP since presented to Elected Members at the information workshop held in February 2017 and the Audit Committee in March 2017.

The LTFP is presented to Council for adoption. Following adoption, the LTFP will be uploaded to Council's website.

## Conclusion

To meet legislative requirements prescribed in Section 122 of the Local Government Act 1999, Council formally adopt the LTFP and it be made available to the public via the Council's website.

## Attachments

[Attachment 1 \(AR17/35076\): City of Mount Gambier Long Term Financial Plan 2017/2018 to 2026/2027 February 2017](#)



**Kahli ROLTON**  
MANAGEMENT ACCOUNTANT



**Pamela LEE**  
GENERAL MANAGER COUNCIL BUSINESS SERVICES

13 August 2017  
KR



**5.15. Removal of Land Management Agreement - 23 Ferrers Street - RSL Car Park - Report No. AR17/32341**

<b>COMMITTEE</b>	Strategic Standing Committee
<b>MEETING DATE:</b>	11 September 2017
<b>REPORT NO.</b>	AR17/32341
<b>RM8 REFERENCE</b>	DA17/273
<b>AUTHOR</b>	Michael Silvy
<b>SUMMARY</b>	To remove a Land Management Agreement between Council and the RSL registered on the title at 23 Ferrers Street – RSL Car Park
<b>COMMUNITY PLAN REFERENCE</b>	Goal 2: Our Location
	Goal 3: Our Diverse Economy

**REPORT RECOMMENDATION**

- (a) That Strategic Standing Committee Report No. AR17/32341 titled '*Removal of Land Management Agreement - 23 Ferrers Street - RSL Car Park*' as presented to the Strategic Standing Committee on 11 September 2017 be noted.
- (b) That Council proceed with the removal of the Land Management Agreement between the City of Mount Gambier and the Returned and Services League (Mount Gambier Sub-Branch and Memorial Club) Inc. dated 30 September 2010.
- (c) That the removal of the Land Management Agreement for the property located at 23 Ferrers Street be at the full cost and arrangement of the Returned and Services League (Mount Gambier Sub-Branch and Memorial Club) Inc. including all document preparation costs, legal and conveyancing costs, lodgement and registration fees, and including reimbursement/payment of any out-of-pocket expenses incurred by the Council in dealing with the removal of the Land Management Agreement from the date of this resolution.
- (d) That the Chief Executive Officer and Mayor be authorised to affix the Common Seal to any documentation necessary to give effect to the removal of the Land Management Agreement for the property located at 23 Ferrers Street in accordance with resolutions (b) and (c).

Moved:

Seconded:



## Background

Returned and Services League (Mount Gambier Sub-Branch and Memorial Club) Inc. (RSL) has over many years provided recreational and entertainment facilities for the benefit of their members and the community. In addition to RSL members, other clubs utilize meeting rooms for functions and for the conduct of community activities.

Club facilities were significantly upgraded in 2010 with the plans to secure increased patronage. During the upgrade of facilities in 2010 at 16 Sturt Street, part of approval for the development included the provision of additional parking at 23 Ferrers Street (conditions of the approval for DA381/0174/2010). The RSL have noted that parking at 23 Ferrers Street is currently underutilized and is not convenient for member usage.

The location of the Mount Gambier RSL is amongst significant public car parking and patronage of the RSL tends to be in the evening when the public car parks are not in demand. Thus, convenient public car parking tends to be preferred by RSL patrons and the more distant facilities at 23 Ferrers Street remain underutilized.

In order to more efficiently manage their resources, the RSL have requested that parking conditions imposed during development in 2010 be removed with a two stage process required to affect the changes for removal of previously imposed conditions.

The steps are:

1. Removal of a condition in the development approval requiring that the land at 23 Ferrers Street be used as a car park creating 46 carparks.
2. The Land Management Agreement (LMA) between Council and the RSL that links 23 Ferrers Street to the RSL facility and ensures the property is used as a car park, be removed.

Step 1 requires approval by the Council Development Assessment Panel (CDAP). This has been successfully concluded with consent given by CDAP for the condition to be removed at the meeting held on 17<sup>th</sup> August, 2017.

Step 2 follows from the CDAP decision, with Council now in a position to consider the removal of the Land Management Agreement (executed on 30 September 2010) from the property at 23 Ferrers Street.

## Discussion

CDAP (membership includes three elected members) confirmed the underutilization of car parking at 23 Ferrers Street. CDAP agreed to the removal of the condition from Development Application DA381/0145/2010 as the removal will not affect car parking in the locality to a significant degree from and recommended:

*"(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 at serious variance with Council's Development Plan and be granted Development Plan Consent subject to no conditions."*



The existence of a Land Management Agreement for a condition that no longer exists in a development application is the issue now to be resolved.

## Conclusion

On the basis that the RSL is no longer required to meet a condition of a development approval this report recommends that Council proceed with the removal of the Land Management Agreement between the City of Mount Gambier and the Returned and Services League (Mount Gambier Sub-Branch and Memorial Club) Inc. dated 30 September 2010.

## Attachments

[Attachment 1 \(AR17/35062\): Land Management Agreement by Deed between City of Mount Gambier and Returned Services League \(Mount Gambier Sub-Branch and Memorial Club\) Inc.](#)



**Michael SILVY**  
MANAGER DEVELOPMENT AND REGULATORY



**Judy NAGY**  
GENERAL MANAGER CITY GROWTH

4 September 2017  
MS/JN



**6. MOTION(S)**

**6.1. With Notice**

Nil Submitted

**6.2. Without Notice**


Meeting closed at                      p.m.

AR17/23868



## **7. REPORT ATTACHMENTS**



 City of Mount Gambier	<b>C200 – REQUEST FOR SERVICE AND COMPLAINT POLICY</b>	Version No:	3
		Issued:	19 September 2017
		Next Review:	November, 2019

## 1 INTRODUCTION

Local Government provides an extensive range of services and infrastructure to communities and discharges obligations under many pieces of legislation.

Section 270 of the *Local Government Act 1999* requires Council to develop and maintain policies, practices and procedures for dealing with:

‘any reasonable request for the provision of a service by the Council or for the improvement of a service provided by the Council.’

‘complaints about the actions of the Council, employees of the Council, or other persons acting on behalf of the Council.’

Council is committed to the provision of quality service to customers and regards complaints as an opportunity to improve practices and procedures and to resolve matters.

This policy aims to:

- Provide guidance on what may constitute a reasonable request for a service or an improvement to a service
- Distinguish between requests, complaints and feedback to Council and give direction on management of requests
- Establish a standardised process for assessing and processing requests including the collation of information which can be used to directly inform service improvements
- Provide a fair, consistent and structured process for Council’s customers if they are dissatisfied with a Council action, decision or service.


## 2 PRINCIPLES UNDERLYING THIS POLICY

This policy is based on five principles which are fundamental to the way Council approaches complaint handling. They are:

- Fairness: treating complainants fairly requires impartiality, confidentiality and transparency at all stages of the process
- Accessibility: to be accessible there must be broad public awareness about Council’s policy and a range of contact options
- Responsiveness: this will be achieved by providing sufficient resources, well trained staff and review and improvement of the systems
- Efficiency: complaints will be resolved as quickly as possible, while ensuring that they are dealt with at a level that reflects their level of complexity
- Integration of different areas of Council where the complaint overlaps functional responsibilities.

In processing requests for service emphasis will be placed on:

- Public safety and emergencies
- Fulfilling Council’s strategic and business plans
- Using Council resources effectively

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- Guidelines and conditions of externally funded programs

### 3 INTERPRETATION

In this Policy:

**Business Day** means a day when the Council is normally open for business, i.e. Monday to Friday, excluding public holidays.

A **Complaint** is an expression of dissatisfaction with a product or service delivered by the Council or its representatives that have failed to reach the standard stated, implied or expected. This includes complaints about a service that has been, or should have been delivered.

**Council** refers to the City of Mount Gambier.

**Employee** includes a person employed directly by the Council in a full time, part time or casual capacity (whether that position is permanent or contractual) and persons providing services to, or on behalf of, the Council even though they may be employed by another party.

**Feedback** can take the form of comments, both positive and negative, about services provided by Council without necessarily requiring a corrective action, change of services or formal review of a decision. Feedback may, however, influence future service reviews and delivery methods.

A **Request for Service** is an application to have Council or its representative take some form of action to provide or improve a Council service.

Where ambiguity exists, Council will deal with a matter as a Request for Service, rather than a Complaint, in the first instance.

Complaints which are determined to be about matters that are not Council's responsibility, such as disputes between neighbours, will not be handled under this policy.


### 4 REQUESTS FOR SERVICE

Requests for service will be assessed in the context of the services and work provided for in Council's Annual Business Plan and Budget and according to the conditions of externally funded programs.

#### 4.1 Reasonable Request for Service

In determining how to respond to a request for service Council will consider:

- An assessment of risk
- Statutory responsibilities
- The content of Council's Strategic Management Plans, Annual Business Plan and Budget and annual works program .
- Relevant Council policies and codes
- Established service standards and response times for regular Council activities.

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#### 4.2 Processing a Request for Service

In Council's experience, most requests fit within well established guidelines which will be explained to an applicant at the outset. Council aims to manage requests efficiently and effectively. Employees are provided with a level of authority to advise applicants of the likely timeframe to complete the action required.

Where further evaluation is necessary before committing Council to undertake the work the applicant will be informed accordingly. If a request cannot be fulfilled in a reasonable timeframe the applicant will be advised, including an explanation of why this decision was taken.

Where an applicant is not satisfied with the Council's decision, it is open to the applicant to lodge a complaint against the decision under Council's Complaints Policy.

#### 4.3 Timeframes for Response

The circumstances of individual requests for service will vary greatly. In the majority of cases requests will be processed promptly and the applicant advised verbally or by return post/email.

Routine requests are often subject to service response standards. For example, uncollected rubbish bins will be collected within 48 hours and assessment of public safety concerns will occur, where practicable, the same day a request is received.

Other requests may be best suited to scheduling to coincide with work in a particular suburb or season. Examples of this include tree pruning on Council streets and attention to minor drainage problems. Requests for major works or new services will be referred to Council for consideration as part of the next annual cycle of review and public consultation.


Council staff will respond within [10] business days advising of Council's intentions in regard to the request.

#### 4.4 Recording Requests for Service

A person can make application for a service in a number of ways:

- Completion of the appropriate form on Council's website
- Telephone
- Email
- Letter
- Petition to Council
- Visit a Council customer service office.

All requests will be recorded in Council's records management system in such a way that the information can also be analysed for service improvement opportunities.

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#### 4.5 Rejected Requests

All rejected requests will be recorded and may be reconsidered at a future date, such as in conjunction with the preparation of an Annual Business Plan and Budget. Council will receive a report on the number and nature of requests, including the percentage of rejected requests, at least twice a year.

## 5 COMPLAINT HANDLING

Council welcomes complaints as a way of improving its services and programs as well as providing an opportunity to put things right. Lessons learnt from complaints will be used to directly inform service improvements.

Emphasis is placed on resolving complaints as quickly as possible. However where complaints cannot be settled in the first instance, Council will ensure that they are dealt with through appropriate, more formal procedures by staff with the authority to make decisions.

Except for minor tier 1 responses, (refer 5.2 Procedures for resolving complaints below) Council will try to ensure that, whenever possible, complaints will be handled independently of the original decision-maker or officer involved in the matter that is the subject of the complaint.

A person can make a complaint in a number of ways:

1. Complete the appropriate form on Council's website
2. Telephone
3. Email
4. Letter
5. Visit a Council customer service office.


All complaints will be recorded in Council's records management system in such a way that the information can also be analysed for service improvement opportunities.

Complainants will be advised of the likely timeframe required to investigate and resolve a complaint and regularly updated as to progress where necessary.

Employees will be trained to manage complaints efficiently and effectively, and provided with a level of delegated authority appropriate for the nature of complaints they are expected to resolve.

The following steps will be followed by staff to ensure complaints are dealt with efficiently and effectively:

1. Acknowledge complaints promptly
2. Assess the complaint - simple problems may not need to be investigated
3. Plan the investigation where one is warranted
4. Investigate the complaint
5. Respond to the complainant with a clear decision
6. Follow up any customer service concerns
7. Consider whether there are systemic issues which need correction.

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		Issued:	19 <sup>th</sup> September 2017
		Next Review:	November, 2019

### 5.1 Timeframes for Response

Where a complaint cannot be resolved immediately the complainant will be advised of the process to be undertaken. Council will respond within [5] business days, acknowledging receipt of the complaint and where possible, resolving it at that time. If a resolution is not possible at that time, the complainant will be kept regularly informed of progress, either by email, letter or personal contact.

### 5.2 Procedures for resolving complaints

Complaints may vary greatly in their level of complexity and seriousness. Wherever possible complaints will be resolved when first reported, but if necessary officers will escalate complaint handling as set out below.

The complaints procedure consists of a three tiered scheme.

#### 1. *Immediate response to resolve the complaint*

All staff are empowered to handle complaints in the first instance and it is preferable that they are dealt with promptly at the initial point of contact and at the appropriate officer level.

#### 2. *Complaint escalated to a more senior officer*

A complaint will be directed to a more senior officer in the Council, where circumstances indicate that the complaint would be more appropriately handled at a higher level. This may occur, for example, where an officer has been involved in the matter that is the subject of the complaint, where the complaint is about an issue that requires a decision to be made at a more senior level, or where a complaint concerns a matter that ranges across more than one Council work area.

#### *Internal review of a Council decision by statutory process*


#### 3. *Internal review of a Council decision under s270 of the Local Government Act 1999*

This is a process established by legislation that enables a Council to reconsider all the evidence relied on to make a decision, including new evidence if relevant.

This process is generally a last resort in the complaint handling process, but may also be used in situations which are not able to be resolved by other means, such as a complaint about a decision of the CEO.

[Refer Council's Internal Review of Council's Decisions Policy]

While Council prefers to work with its customers to resolve complaints quickly and effectively, a complainant will always retain the right to seek other forms of resolution, such as contacting the Ombudsman, or taking legal action at any time. Note however that as a general rule, the Ombudsman prefers a complaint to be addressed by Council in the first instance, unless this is not appropriate in the circumstances.

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### 5.3 Alternative Procedures

There are other complaint procedures which apply to particular types of complaints. If the complaint would be more appropriately dealt with by another process this will be explained to the complainant at the outset.

For example:

- Complaints against a Councillor or the Chief Executive Officer
- Freedom of Information applications
- Insurance claims
- Decisions made under legislation other than the *Local Government Act*, such as the *Development Act 1993* or *Expiation of Offences Act 1996*.

In some instances, it may be appropriate to consider mediation, conciliation or neutral evaluation under the Council's scheme authorised by section 271 of the Local Government Act. Costs and expenses of the appointment and work of a mediator, conciliator or evaluator will be shared equally between the Council and the other party.

### 5.4 Unreasonable Complainant Conduct

All complaints received by Council will be treated seriously and complainants will be treated courteously. However, occasionally the conduct of a complainant can be unreasonable. This may take the form of unreasonable persistence, unreasonable demands, a lack of cooperation, argumentative or threatening behaviour. What can be termed 'unreasonable' will vary depending on a number of factors and Council aims to manage these situations in a fair and equitable manner.

Where a complainant's behaviour consumes an unwarranted amount of Council resources or impedes the investigation of their complaint, a decision may be made to apply restrictions on contact with the person. Before making any decision to restrict contact, the complainant will be warned that if the specified behaviour(s) or actions continue, restrictions may be applied.


Any decision to suspend action on a complaint will be made by the Chief Executive Officer or his/her delegate and communicated in writing to the complainant in accordance with Council's Unreasonable Complainant Policy.

### 5.5 Using Complaints to Improve Service

Quality of service is an important measure of Council's effectiveness. Learning from complaints is a powerful way of helping to develop the Council and increase trust among the people who use our services.

In addition to making changes to procedures and practices where appropriate, Council will review and evaluate the information gained through its complaints handling system on an annual basis to identify systemic issues and improvements to service. Council will receive a report on the number and nature of complaints received, including the percentage of unresolved complaints, at least once a year.

Where appropriate, complainants will be provided with an explanation of changes proposed or made as a result of the investigation of their complaint.

 City of Mount Gambier	<b>C200 – REQUEST FOR SERVICE AND COMPLAINT POLICY</b>	Version No:	3
		Issued:	19 <sup>th</sup> September 2017
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## 5.6 Privacy and Confidentiality

Complainants have a right to expect that their complaint will be investigated in private, to the extent possible. The identity of complainants will be made known only to those who need to know in the process of investigating and resolving the complaint. The complaint will not be revealed or made public by the Council, except where required by law.

All complaints lodged with Council are subject to the Freedom of Information Act 1991 and confidentiality cannot be guaranteed under the provisions of that legislation.

## 5.7 Remedies

Where complaints are found to be justified Council will, where practicable, remedy the situation in a manner which is consistent and fair for both Council and complainants. The solution chosen will be proportionate and appropriate to the circumstances.

As a general principle the complainant should, so far as possible, be put in the position they would have been in, had things not gone wrong. This may mean providing the desired service or changing a decision. Sometimes, however, it may only be possible to offer an apology.

Compensation will only be offered in cases where the loss or suffering is considered substantial. The Elected Council and the CEO are the only representatives authorised to offer financial compensation and may consult with the Local Government Association Mutual Liability Scheme before taking any such action.

## 5.8 Alternative Remedies

Council may seek to use alternative dispute resolution methods such as mediation to resolve a complaint in circumstances where the CEO or his/her delegate deems such a course of action appropriate and the complainant is amenable to that process.


When advising a complainant of the outcome of an investigation of a complaint, Council will provide information about alternative remedies, including any rights of appeal and the right to make a complaint to an external agency such as the SA Ombudsman.

## 6 REVIEW AND EVALUATION

In order to ensure Council continues to provide the best possible complaints handling service for its customers, this policy will be subject to periodic evaluation and review and within 12 months after each general election of Council.

## 7. AVAILABILITY OF POLICY

This Policy will be available for inspection at Council's principal office during ordinary business hours and to download free of charge from Council's website [www.mountgambier.sa.gov.au](http://www.mountgambier.sa.gov.au). Copies will also be provided to interested members of the community upon request and payment of a fee in accordance with Council's Schedule of Fee and Charges.

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## 8. FURTHER INFORMATION

The City of Mount Gambier's Contact Officers for advice about the policy and procedures for complaints are the following:

Chief Executive Officer

General Manager, Council Business Services

Manager, Governance and Property


For further information about this Procedure please contact any of the above mentioned Officers, c/-

PO Box 56,  
Mount Gambier SA 5290

Phone: 8721 2555,

Fax: 8724 9791,

Email: [city@mountgambier.sa.gov.au](mailto:city@mountgambier.sa.gov.au).

	<b>C200 – REQUEST FOR SERVICE AND COMPLAINT POLICY</b>	Version No:	3
		Issued:	19 <sup>th</sup> September 2017
		Next Review:	November, 2019

File Reference:	AF11/1740
Applicable Legislation:	Local Government Act 1999 s270
Reference: Community Plan	Our Economy
Related Policies:	Internal Review of Council's Decisions Policy C290 Whistleblower's Protection Policy W150 Fraud & Corruption Prevention Policy F225 Members Complaints Handling Policy M265 Records Management R180
Related Procedures:	Complaints Procedures Unreasonable Complainant Conduct Records Management Procedures
Related Documents:	Managing Unreasonable Complainant Conduct - Practice Manual Code of Conduct for Council Employees Code of Conduct for Council Members

## DOCUMENT DETAILS

Responsibility:	Manager Governance & Property
Version:	3.0
Last revised date:	19 <sup>th</sup> September 2017
Effective date:	19 <sup>th</sup> September 2017
Minute reference:	Council Meeting 19 <sup>th</sup> September, 2017, Strategic Standing Committee Item 5.3
Next review date:	November, 2019
<u>Document History</u> First Adopted By Council: Reviewed/Amended:	16 <sup>th</sup> February, 2010 21 <sup>st</sup> March, 2017, 19 <sup>th</sup> September, 2017

 City of Mount Gambier	<b>C320 COUNCIL CHAMBER AND RECEPTION AREA - USE OF</b>	Version No:	1
		Issued:	15 September 2017
		Next Review:	September 2019

## 1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier ("Council") for the use of the Council Chamber and the Reception Area.

## 2. POLICY

Use of the Council Chamber and Reception Area will be confined to uses and activities involving Council.

Uses other than Council activities will require the approval of the Mayor and the Chief Executive Officer.

A fee for use, determined by the Chief Executive Officer, may be required for any non Council functions/activities, held in either of the above areas.

## 3. REVIEW & EVALUATION

This Policy is scheduled for review by Council in September 2019; however, will be reviewed as required by any legislative changes which may occur.

## 4. AVAILABILITY OF POLICY


This Policy will be available for inspection at Council's principal office during ordinary business hours and on the Council's website [www.mountgambier.sa.gov.au](http://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.

	<b>C320 COUNCIL CHAMBER AND RECEPTION AREA - USE OF</b>	Version No:	1
		Issued:	15 September 2017
		Next Review:	September 2019

File Reference:	AF11/1740
Applicable Legislation:	N/A
Reference: Strategic Plan – Beyond 2015	Goal 1 Strategy 7 Goal 2 Strategy 1
Related Policies:	N/A
Related Procedures:	N/A
Related Documents:	N/A

## DOCUMENT DETAILS

Responsibility:	Chief Executive Officer
Version:	1.0
Last revised date:	15 September, 2017
Effective date:	15 September, 2017
Minute reference:	Council Meeting 15 September 2017, Strategic Standing Committee Item 5.4
Next review date:	September, 2019
<u>Document History</u> First Adopted By Council: Reviewed/Amended:	18 February 1999 15 April 2003, 19 September 2006, 17 March 2009, 15 September 2017

 City of Mount Gambier	<b>M240 MEMBERS - ACCESS TO INFORMATION</b>	Version No:	2
		Issued:	19 September 2017
		Next Review:	September 2019

## 1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier ("Council"). Council Members require access to certain information in order to perform their functions and duties, in particular to assist them in making informed decisions. The Local Government Act 1999 (the LG Act) provides the legislative basis for this access.

This Policy seeks to facilitate appropriate access by Council Members to relevant documents and other information held by Council.

## 2. POLICY OBJECTIVES

The objectives of this Policy are:


- to promote the accessibility of information to Council Members
- to balance the important considerations of access to information by Council Members, and the need to carefully manage sensitive, personal, private and confidential information, the public availability of which may cause detriment to the Council, the community or another party; and
- to facilitate informed decision making in an environment of mutual trust and respect for the respective functions, roles and responsibilities of Council Members and employees.

## 3. LEGISLATION

The Local Government Act details members access to information as:

### Section 61 - Access to information by members of councils

- (1) A member of a council is entitled at any reasonable time, in connection with the performance or discharge of the functions or duties of the member (whether under this or another Act), without charge, to have access to any relevant council document, including (but not limited to):
  - (a) a copy of a written contract entered into by the council, or a copy of a document relating to a contract that is proposed to be entered into by the council;
  - (b) accounting records kept by the council;
  - (c) financial statements and other documents prepared by the council under Chapter 8.
- (2) A request for access to a document under subsection (1) should be directed to the chief executive officer, or another officer specified by the chief executive officer for the purposes of this section.
- (3) The chief executive officer or another officer providing access to a document under subsection (1) may indicate to the member that information contained in the document is, or should be considered as, confidential.

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		Next Review:	September 2019

#### 4. POLICY

In general, a Council Member will be provided access to all documents held by Council unless they are irrelevant to the Member's function or duties.

Council Members will not be granted access to documents regarding the personal affairs of Council employees, except for the Register of Interests that is required to be maintained under Section 116 of the LG Act and be made available for Council Members' inspection upon request (LG Act, Section 118).

#### 5. PROCEDURES

A request for access to a Council document under Section 61 of the LG Act may be directed in the first instance to the Chief Executive. The request may be made in person, by phone or in writing, eg by email. The request should identify the document/s being sought with enough detail for the document/s to be identified and retrieved, and state the reason(s) for the request.

##### 5.1 Consideration of Request

Unless there is a clear reason to the contrary, a Council Member will be provided access to the document/s if they are held by Council. Where access to a document is not provided, the reason is to be provided to the Council Member in writing by the Chief Executive Officer.

##### 5.2 Provision of Access to Documents


The form of access to the document/s will be negotiated with the Council Member to accommodate the particular needs of the Member and administrative efficiency.

Where the document is publicly available, eg posted on Council's website, the Member may be provided with a hard copy or sent a link to the relevant page on the website.

Where access is granted to a document that is not publicly available and there is no sensitivity to the document, a copy of the document will be provided to the Member in an agreed form.

Where the document is assessed by the Chief Executive Officer to be of wider interest, the advice (and the document/detail the subject of the specific enquiry) will be sent to all Council Members, for information.

Where there is a degree of sensitivity or there are other reasons to restrict distribution of the document/s (eg if the documents contain legal advice, confidential information or internal corporate information) access may be limited to 'view only' access at a mutually convenient time at the Council Office. Email advice confirming the 'view only' access arrangements will be sent to the Member. A Council Member may seek to have the decision to only grant 'view only' access reviewed by the Mayor. Where the document may be of wider interest, a copy of the advice (and the specific details) will be sent to all Council Members.

 City of Mount Gambier	<b>M240 MEMBERS - ACCESS TO INFORMATION</b>	Version No:	2
		Issued:	19 September 2017
		Next Review:	September 2019

## 6. MEETING PROCEDURE REGULATION 19

Meeting Procedure Regulation 19 has the effect of requiring the 'tabling' of a document before a vote of the Council or Committee on a matter related to that document. The determination of the application of Meeting Procedure Regulation 19 is the responsibility of the Presiding Member at the meeting, if necessary advised by the Chief Executive Officer. Where the Presiding Member refuses to require a document to be 'tabled', the refusal and the reasons for the refusal are to be recorded in the minutes of the meeting. The determination of the Presiding Member in relation to Meeting Procedure Regulation 19 may be changed by resolution of the relevant meeting.

## 7. REQUESTS FOR OTHER INFORMATION

Where the information being sought is not in the form of existing Council document/s, and the request requires more than a simple response, the Chief Executive Officer will determine how the material being the subject of the information requested will be it will be presented. This may include but go beyond a formal report to Council, an informal report to all Councillors or an information session for Councillors.

## 8. OTHER ISSUES

This Policy does not limit the rights of a Council Member to use the Questions on Notice (Reg 10) or the Notice of Motion (Reg 13) provisions of the Local Government (Procedures at Meetings) Regulations 2000 to seek answers to questions or to request that a report be prepared on certain issues.


Nor does this Policy restrict a Council Member from exercising their rights as a citizen to use the provisions of the Freedom of Information Act 1991 to seek access to certain documents held by Council.

## 9. REVIEW & EVALUATION

This Policy is scheduled for review by Council in September 2019, however, will be reviewed as required by any legislative changes which may occur.

## 10. 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](http://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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		Issued:	19 September 2017
		Next Review:	September 2019

File Reference:	AF11/1740
Applicable Legislation:	Local Government Act 1999
Reference: Strategic Plan – Beyond 2015	Goal 3 Strategic Objective 10
Related Policies:	<ul style="list-style-type: none"> <li>• Code of Conduct for Elected Members</li> <li>• Fraud and Corruption Prevention Policy</li> <li>• Whistleblowers Protection Policy</li> <li>• Computer Use Policy</li> </ul>
Related Procedures:	<ul style="list-style-type: none"> <li>• Internal Review of Councils Decision Procedure</li> </ul>
Related Documents:	N/A

## DOCUMENT DETAILS

Responsibility:	CHIEF EXECUTIVE OFFICER
Version:	2.0
Last revised date:	19 <sup>th</sup> September, 2017
Effective date:	19 <sup>th</sup> September, 2017
Minute reference:	19 <sup>th</sup> September, 2017, Strategic Standing Committee Item 5.5
Next review date:	September 2019
<u>Document History</u> First Adopted By Council: Reviewed/Amended:	December, 2009 19 September 2017


 City of Mount Gambier	<b>T120 TREE POLICY</b>	Version No:	4.0
		Issued:	19 September 2017
		Next Review:	September 2021

## 1. INTRODUCTION

- (a) This document sets out the policy of the City of Mount Gambier ("Council") for the management of trees situated on Council property as set out below:
  - (i) streets; and
  - (ii) parks, gardens, reserves and playgrounds.
- (b) It is the policy of Council that all streets be planted according to a defined street scaping plan and planting be aimed at beautifying the street as a whole, rather than individual properties.

## 2. STREET TREES

- (a) Council has resolved that, where applicable, to plant streets with the same species of tree, but the species may vary from one side of the street to the other.
- (b) In some streets, it may be necessary to remove a small number of existing trees to try and maintain uniformity within a street.
- (c) A list of tree species suitable for planting in the City has been adopted and is outlined in Section 7 of this Policy.
- (d) The list provided will be reviewed annually so that preferred species may be added to the list.
- (e) In selecting the type of tree suitable for a particular street, the following criteria should be taken into consideration:
  - (i) the character and amenity of the individual street;
  - (ii) the actual width of the footpath, or if a footpath width is less than 1.5 metres between the back of the kerb and the boundary, a tree not be planted;
  - (iii) the location of species as set out by individual utilities outlined in the species list in Section 7.
- (f) On footways, Council permits the development of footpaths adjoining residential allotments through the planting of approved trees and or lawn by residents subject to:
  - (i) A clear trafficable pedestrian way of 1.5 metres width by 2.5 metres height being retained at all times along the footpath;
  - (ii) No vegetation (except lawn) to be planted within 6.0 metres of the intersection of the junction of two or more streets;
  - (iii) Planting being in accordance with an approved Streetscape Plan in accordance with 2(c).


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(g) Notification to Residents:

- (i) Where Council undertakes street tree plantings, whether the street has been selected by Council, or letters received from residents of a particular street, all residents will be informed in writing prior to the commencement of the plantings.
- (ii) Council invite comment on the proposed plantings of trees within each individual street with comments to be received up to four (4) weeks from the date of issue, in accordance with Council's Public Consultation policy.
- (iii) Council notify residents of Council's conditions and feedback of the consultation.
- (iv) Should Council resolve not to adopt a particular street to be included in an annual street tree program due to popular demand from a majority of residents, those willing to have a tree planted will still be supplied with a tree.

(h) Notification to Authorities:

- (i) Council invites comments on the proposed plantings of trees as outlined on the annual street tree program, with comments to be received up to four (4) weeks from the date of issue to the following authorities:
  - APA Group
  - SA Power Networks
  - SA Water
  - Telstra
- (i) Council is to review previously planted streets and individual trees that have been vandalised and replaced with the species originally planted. If the specific cultivar is not available then replace with one that is of similar characteristics i.e. flower colour, size, shape etc.
- (j) Where Council grants approval for the removal of a tree for the benefit of a resident, and the tree is in a healthy state, removal and where applicable replacement will be at the ratepayers expense. This may apply where a tree is located in an area where a resident wishes to remove a tree for a supplementary driveway.
- (k) Council is frequently requested to remove street trees. The reasons for seeking the removal can vary considerably and each case is to be assessed on its merits.
  - (i) A resident may seek removal of a tree in writing to the General Manager City Infrastructure, stating their name, address, location of the tree and the reasons for the request for the removal of the tree.
  - (ii) For each request for removal of a street tree, an assessment of the tree is to be undertaken and a recommendation submitted to the General Manager City Infrastructure, or in his absence the Chief Executive Officer.

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- (iii) If the tree is diseased to the point that it is unlikely to recover, is too big for its location (based on size of tree in relation to footpath width, vehicle sight distance or power lines) or is causing or is likely to cause damage to adjoining property infrastructure the General Manager City Infrastructure, or in his absence the Chief Executive Officer, may grant approval to remove the tree.
- (iv) Removal of a sound tree of appropriate size and location for reasons of appearance, overshadowing or dropping of foliage etc. is generally not supported and any recommendation to remove a tree on this basis is to be referred to Council for a final decision.
- (v) This Policy does not apply to dead trees, which may be removed on the authority of either the General Manager City Infrastructure or Chief Executive Officer

### 3. DISPOSAL OF SURPLUS WOOD

- (a) Council, in the course of its normal maintenance function, quite often is involved in tree pruning and/or removal that results in a supply of surplus timber that is suitable for firewood.
- (b) Council will make surplus wood available to local service clubs/organisations on the provision that the club/organisation be a "not for profit" club/organisation and that the club/organisation be responsible for all activities associated with the surplus wood (eg. cutting, splitting, loading and cartage).
- (c) The surplus wood will be stored at a location specified by Council.
- (d) Any wood accessed by a club/organisation in accordance with this policy must not be sold or used for private purposes. The intention of this policy is that such wood will be provided to needy families free of charge by the club/organisation, or the wood can be sold as a fund raising activity by the Club.
- (e) Access to the wood to be on a "first in, first served" basis and applications to be made to Council, in writing, for access to surplus wood.
- (f) The Chief Executive Officer and/or General Manager City Infrastructure to have the authority to allocate wood supplies in accordance with this policy.
- (g) Any organisation participating in this activity must indemnify the Council against any actions that may result as a consequence of this policy.
- (h) The Chief Executive Officer and/or General Manager City Infrastructure to have the authority to allocate any surplus wood supplies not utilised by local service clubs/organisations under this policy, to be made available for sale to the public at the Mount Gambier Reuse Market.

### 4. RESERVES

- (a) Botanic Park - Commemorative and Memorial Trees

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- (i) Approval is granted for service clubs to place plaques at the foot of each of the existing lemon scented gums at Botanic Park to commemorate deceased members of the Clubs from within Mount Gambier.
  - (ii) Clubs to provide (or bear the cost) of the plaques, plinths, installation thereof, future maintenance and replacement of plaques etc.
  - (iii) Council will provide, as and when required, further advanced growth lemon scented gums as a boulevard to Botanic Park and as a perimeter planting to this entire area to which further commemorative plaques may be placed in the future.
  - (iv) An area be set aside at Botanic Park for the placement of suitable tree species which may be planted by persons, including a special plaque, in remembrance of other persons or groups.
- (b) Hastings Cunningham Reserve - Memorials
- (i) An area be set aside at Hastings Cunningham Reserve for the placement of suitable tree species, which may be planted by persons, including a special plaque, in remembrance of other persons or groups.
- (c) Marist Park
- (i) An area of Marist Park, to the east side of the roadway from Shepherdson Road, be set aside to allow the planting of a tree and placement of a plaque by Rotary Exchange students to celebrate their time on Mount Gambier.

## 5. **TRANSPORTATION, HANDLING AND DISPOSAL OF INFECTED OR DISEASED WOOD MATERIAL**

- (a) When pruning/removing trees with fungi/disease:
- (i) all infected or diseased prunings and felled trees should be destroyed by burning;
  - (ii) the material should not be mulched or carted to the greenwaste pile, but cut into manageable pieces and carted away to the designated burn site;
  - (iii) stumps should be ground out as soon as practicable after the tree is felled and the material carted away to the designated burning site;
  - (iv) establish the safest route to transport the material to the designated burning site to help minimize the spread of disease during transport.
- (b) Sterilise pruning equipment if the disease is present, or suspected to be present, on the tree being pruned/felled.
- (c) All remaining plant material such as chips and sawdust should be swept and removed from site and transported to the designated burning site.

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(d) Common symptoms of diseased trees include:

- (i) leaf yellowing and death
- (ii) fruit distortion
- (iii) stem, root and flower rot
- (iv) stem cankers
- (v) dieback within a tree
- (vi) leaf curl etc.

(e) If in doubt about the health of a tree or the request to implement this policy, contact the Engineering Technical Officer.

## 6. PROPERTY OWNER VEGETATION


- (a) Pursuant to Section 299(1) of the *Local Government Act 1999*, Council may issue notice to the owner or occupier of adjoining land to remove or cut back vegetation which has encroached onto any street, road or footpath.
- (b) Should there be no response to this request within seven (7) days from the issue date of the notice, Council may undertake the work and seek to recover the expenses incurred for the relevant works.

## 7. ADOPTED TREE SPECIES PLANTING SCHEDULE

	BOTANICAL NAME	COMMON NAME	SA POWER	SA WATER SCHEDULE	PLANT ORIGIN	PLANT TYPE	COMMENTS
1	<i>Acacia melanoxylon</i>	Blackwood		2	N	E	Grows Well, Good Structure
2	<i>Acer buergerianum</i>	Trident Maple			E	D	Grows Well, Moderate
3	<i>Acer Campestre</i>	Hedge Maple					Grows Slow
4	<i>Acer negundo</i>	Box Maple		2	E	D	Grows Well, Moderate
5	<i>Acer palmatum sp.</i>	Japanese Maple	2				Grows slow
6	<i>Acer rubrum sp.</i>	Canadian Maple			E	D	Grows Well, Slow
7	<i>Acmena smithii</i>	Lillypilly			N	E	Grows Well, Moderate
8	<i>Betula pendula</i>	Silver Birch		2	E	D	Grows Well
9	<i>Betula pendula</i> 'Dalecarlica'	Cut Leaf Birch		2	E	D	Grows Well
10	<i>Betula platyphylla var. Japonica</i> 'Whitespire'	Asian White Birch			E	D	Grows Well
11	<i>Callistemon viminalis</i> 'Harkness'	Gawler Hybrid Bottlebrush	2	1	N	E	Grows Well
12	<i>Callistemon viminalis</i>	Weeping Bottlebrush	2	1	N	E	Grows Well
13	<i>Carpinus betulus</i> 'Frans Fontaine'	Common Hornbeam			E	D	Moderate Growth

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14	<i>Cercis canadensis</i> 'Forest Pansy'	Purple-leaved Eastern Redbud	2		E	D	Grows Well, But Slow
15	<i>Eucalyptus platypus</i> var <i>heterophylla</i>	Round Leaved Moort	P	2	N	E	Grows Well
16	<i>Eucalyptus leucoxydon</i> subsp. 'Euky Dwarf'	Euky Dwarf	2	2	N	D	Grows Growth
17	<i>Eucalyptus leucoxydon</i> var. <i>Megalocarpa</i> 'Rosea'	Yellow Gum	2	2	N	E	Grows Well
18	<i>Fraxinus ornus</i> 'Meczek'	Flowering ash	P	2	E	D	Grows Slow, But Outstanding Form & Structure
19	<i>Geijera parviflora</i>	Australian Willow	2	1	N	E	Grows Vey Slow
20	<i>Geijera salicifolia</i>	Scrub Willow			N	E	Grows Very Slow
21	<i>Gleditsia triacanthos</i> var <i>inermis</i> 'Sunburst'	Honey Locust		2	E	D	Grows Slow
22	<i>Hakea Laurina</i>	Pincusion Hakea	2	1	N	D	Grows Well, Fast, Blows Over in Heavy Winds
23	<i>Hymenosporum flavum</i>	Native Frangipani		2	N	E	Grows Well In Some Areas, Slow
24	<i>Koelreuteria paniculata</i>	Golden Rain Tree	2	2	E	D	Very Slow
25	<i>Lagerstroemia indica</i> sp	Crepe Myrtle	2	1	E	D	Vey Slow, Grows Well
26	<i>Liriodendron tulipifera</i>	Tulip Tree		2	E	D	Grows Well
27	<i>Liriodendron tulipifera</i> 'Fastigiatum'	Upright Tulip Tree		2	E	D	Grows Well
28	<i>Lophostemon</i> <i>confertus</i>	Brush Box			N	D	Grows Well
29	<i>Liquidamber styraciflua</i>	Liquidamber		2	E	D	Grows Slow
30	<i>Malus ioensis</i> 'Purpurea'	Crab Apple	2	1	E	D	Grows Well, Moderate
31	<i>Pistacia chinensis</i>	Chinese Pistachio		2	E	D	Unknown
32	<i>Platanus x acerifolia</i>	London Plane			E	D	Grows Slow
33	<i>Prunus cerasifera</i> 'Nigra'	Purple Leaf Cherryplum	2	1	E	D	Grows Well, Moderate
34	<i>Prunus fruticosa</i> 'Globasa'	Designer Cherry		1	E	D	Grows Well, Moderate
35	<i>Prunus persica</i> sp.	Flowering Peach	2	1	E	D	Attracts Leaf Curl, Very Slow
36	<i>Prunus 'sekiyama'</i> syn. 'Kanzan'	Flowering Cherry	2	1	E	D	Unknown
37	<i>Prunus serrulata</i>	Japanese Flowering Cherry		1	E	D	Unknown
38	<i>Pyrus betulifolia</i> 'Southworth Dancer'	Southworth Dancer Pear		2	E	D	Grows Well, Fast
39	<i>Pyrus calleryana</i> 'Aristocrat'	Aristocrat Pear		2	E	D	Grows Well, Fast
40	<i>Pyrus calleryana</i> 'Capital'	Capital Pear		2	E	D	Grows Well, Fast
41	<i>Pyrus calleryana</i> x <i>betulaefolia</i> 'Edgedell'	Edgedell Pear		2	E	D	Grows Well, Fast
42	<i>Pyrus calleryana</i> 'Glen's Form' Chanticleer	Callery Pear		2	E	D	Grows Well, Fast
43	<i>Pyrus salicifolia</i> 'Pendula'	Willow Leaf Pear	2	2	E	D	Grows Well, Fast
44	<i>Pyrus ussuriensis</i>	Manchurian Pear		2	E	D	Grows Well, Fast
45	<i>Quercus palustris</i>	Pinoak			E	D	Grows Slow
46	<i>Sophora japonica</i>	Pagoda Tree		2	E	E/D	Unknown

 City of Mount Gambier	<b>T120 TREE POLICY</b>	Version No:	4.0
		Issued:	19 September 2017
		Next Review:	September 2021

47	<i>Tilia Cordata</i>	Linden		2	E	D	
48	<i>Tilia Cordata</i> <i>'Shamrock'</i>	Linden		2	E	D	
48	<i>Ulmus glabra</i> <i>'Lutescens'</i>	Golden Elm			E	D	Grows Moderate
49	<i>Ulmus parvifolia</i>	Chines Elm			E	D	
50	<i>Ulmus parvifolia</i> 'Todd'	Chines Elm			E	D	
51	<i>Zelkova serrata</i> 'Green Vase'	Green Vase Japanese Zelkova			E	D	Grows Well, Slow

	<b>Trail Trees</b>
	These trees only to be planted in large road reserves or nature strips

(P) - Not listed but ok to plant under powerlines

**ETSA List 1** - Species with expected height between 2 and 3 metres

**ETSA List 2** - Species with expected height between 3 and 6 metres

In South Australia a great deal of research has been done to determine the suitability of various trees for planting near sewers. Some of the results of this research have been incorporated into Regulation 24 of the Sewerage Act. This contains two schedules which list over 200 trees and shrubs, the planting of which in streets is controlled, but which may be planted on private property without the need to obtain prior approval from SA Water.

**Schedule 1** lists those which may be planted in streets but not closer than 2 metres to any sewer or connection without written approval from SA Water.

**Schedule 2** lists those which may be planted in streets but not closer than 3.5 metres to any sewer or connection without written approval from SA Water.

#### Provisionally Classified Schedule 2

Any tree which is not listed in these schedules may not be planted in any street in any declared drainage area without the prior approval in writing of the South Australian Water Corporation.

In addition to Schedule 1 and 2, approximately 400 trees and shrubs have been *provisionally* classified into the same two groups. The distinction between the trees listed in Schedule 1 and 2 and those which are only provisionally classified is that the latter may not be planted in streets or roads without the prior written approval of the South Australian Water Corporation for home gardens.

The Schedules quoted are for guidance only as Regulations 24 does not apply to private property.

In addition under Regulation 37 of the Waterworks Act, trees and shrubs must not be planted in a public street or road closer than one metre to any water main or service connection. Approval may be obtained by submitting in writing details of proposed planting to the contact detailed above


 City of Mount Gambier	<b>T120 TREE POLICY</b>	Version No:	4.0
		Issued:	19 September 2017
		Next Review:	September 2021

## 8. REVIEW & EVALUATION

This Policy is scheduled for review by Council in September 2021, however, will be reviewed as 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](http://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	<b>T120 TREE POLICY</b>	Version No:	4.0
		Issued:	19 September 2017
		Next Review:	September 2021

File Reference:	AF11/1747
Applicable Legislation:	Local Government Act 1999
Reference: Community Plan	Goal 2: Our Location
Related Policies:	
Related Procedures:	
Related Documents:	AF11/1259 <a href="http://plantselector.botanicgardens.sa.gov.au/">http://plantselector.botanicgardens.sa.gov.au/</a>

## DOCUMENT DETAILS

Responsibility:	General Manager City Infrastructure
Version:	4.0
Last revised date:	19 <sup>th</sup> September, 2017
Effective date:	19 <sup>th</sup> September, 2017
Minute reference:	Council Meeting 19 <sup>th</sup> September, 2017 - Strategic Standing Committee Item No. 5.6
Next review date:	September 2021
<u>Document History</u> First Adopted By Council: Reviewed/Amended:	18 <sup>th</sup> May 2004 19 <sup>th</sup> September 2006; 17 <sup>th</sup> February 2009, 17 <sup>th</sup> July, 2014; 16 <sup>th</sup> May, 2017; 19 <sup>th</sup> September, 2017

 City of Mount Gambier	<b>M130 MEDIA - STATEMENTS ON BEHALF OF COUNCIL</b>	Version No:	1
		Issued:	15 September 2017
		Next Review:	September 2019

## 1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier ("Council") for media statements on behalf of Council.

## 2. POLICY

Statements to the media for and on behalf of Council, are only to be made by the Mayor or Chief Executive Officer, or another Member or employee authorised by the Mayor or Chief Executive Officer to make any statement.

The Mayor or Chief Executive Officer are empowered to respond publicly from time to time to any letters to the editor, editorial statements and/or any articles in the media generally, which are inaccurate or unbalanced and which warrant a correction, further explanation or the provision of other relevant details.

The response shall be for the express purpose of providing to the public an accurate statement regarding the correct position of Council

This Policy does not prevent individual Council Members expressing their own personal point of view on any particular Council issue provided their comments are prefaced as being personal views and not necessarily the views of Council.

## 3. REVIEW & EVALUATION

This Policy is scheduled for review by Council in September 2019, however, will be reviewed as required by any legislative changes which may occur.

## 4. AVAILABILITY OF POLICY

This Policy will be available for inspection at Council's principal office during ordinary business hours and on the Council's website [www.mountgambier.sa.gov.au](http://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	<b>M130 MEDIA - STATEMENTS ON BEHALF OF COUNCIL</b>	Version No:	1
		Issued:	15 September 2017
		Next Review:	September 2019

File Reference:	AF11/1740
Applicable Legislation:	Local Government Act 1999 Section 63
Reference: Strategic Plan – Beyond 2015	Goal 3 Strategy 10
Related Policies:	N/A
Related Procedures:	N/A
Related Documents:	N/A

## DOCUMENT DETAILS

Responsibility:	Chief Executive Officer
Version:	1.0
Last revised date:	15 September, 2017
Effective date:	15 September, 2017
Minute reference:	Council Meeting 15 September 2017, Strategic Standing Committee Item 5.7
Next review date:	September, 2019
<u>Document History</u> First Adopted By Council: Reviewed/Amended:	21 July 2009 15 September 2017

 City of Mount Gambier	<b>E200 EMPLOYEES - SERVICE AWARDS GIFTS AT RESIGNATION OR RETIREMENT</b>	Version No:	1
		Issued:	15 September 2017
		Next Review:	September 2019

## 1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier ("Council") for employee service awards and gifts at resignation or retirement.

## 2. POLICY

### Service Awards - 20 Years Service

An appropriate presentation, e.g. gift basket or similar, be made to an employee completing twenty (20) years accumulative service with Council, irrespective of whether such service is continuous or with a break or breaks.

Value of gift up to \$100

### Service Awards - 25 Years Service

An appropriate presentation, e.g. gold watch or similar, be made to an employee completing twenty-five (25) years accumulative service with Council, irrespective of whether such service is continuous or with a break or breaks.

Value of gift \$400

### Service Awards - 30 Years Service

The recognition for thirty (30) years accumulative service with Council, irrespective of whether such service is continuous or with a break or breaks, is a dinner voucher to the value of \$150 at a selected local venue.

### Service Awards - 35 Years Service

The recognition for thirty five (35) years service is to be agreed to between the employee and the Chief Executive Officer to the value of \$250.

### Resignation/Retirement Awards

An appropriate presentation be made to an employee who, upon retiring, resigning, or otherwise leaving the Council's service and having served a minimum of 10 years of accumulative full time service be provided with a gift to the value of \$200.

## 3. REVIEW & EVALUATION

This Policy is scheduled for review by Council in September 2019, however, will be reviewed as required by any legislative changes which may occur.

## 4. AVAILABILITY OF POLICY

This Policy will be available for inspection at Council's principal office during ordinary business hours and on the Council's website [www.mountgambier.sa.gov.au](http://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	<b>E200 EMPLOYEES - SERVICE AWARDS GIFTS AT RESIGNATION OR RETIREMENT</b>	Version No:	1
		Issued:	15 September 2017
		Next Review:	September 2019

File Reference:	AF11/1745
Applicable Legislation:	N/A
Reference: Strategic Plan – Beyond 2015	Goal 1 Strategy 7
Related Policies:	N/A
Related Procedures:	N/A
Related Documents:	N/A

## DOCUMENT DETAILS

Responsibility:	Chief Executive Officer
Version:	1.0
Last revised date:	15 September, 2017
Effective date:	15 September, 2017
Minute reference:	Council Meeting 15 September 2017, Strategic Standing Committee Item 5.8
Next review date:	September, 2019
<u>Document History</u> First Adopted By Council: Reviewed/Amended:	18 February 1999 15 April 2003, 19 September 2006, 19 May 2009, 15 September 2017

 City of Mount Gambier	<b>C700 CORPORATE BRANDING AND IDENTITY</b>	Version No:	1
		Issued:	15 September 2017
		Next Review:	September 2019

## 1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier ("Council") for Corporate Branding and Identity.

Council has a number of means we identify ourselves to the community. Establishment and maintenance of our branding is important in promoting our image external to Council

## 2. POLICY

### Community Identity - Council and Community Identification

Council (as a means of providing a community identity for itself and the community of Mount Gambier) has developed and adopted a logo.

This community identity should assist the Council and the community of Mount Gambier in creating unity, presentation and a sense of purpose for Mount Gambier and any joint endeavours for the City's promotion.

#### *Corporate Colours*

The official colours of Mount Gambier logo be:

	<u>Coated</u>	<u>Uncoated</u>
• Grey	Cool Grey 9	9c
• Buff	7535u	c
• Green	348u	c
• Blue	Process Cyan u	299c

and wherever possible, these official colours be used (or a combination of the four (4) colours).

#### *Community Logo*

The Council logo for Mount Gambier generally and Council specifically, is as depicted and that business, community groups, sporting groups and others, be encouraged to use the Council logo.

In granting consent to use this community logo, any proposed use that has the potential to commercialise, profit from, down-grade, offend or compromise the true intent and meaning of the Council logo, must be referred to Council for consideration.

A Style Guide is available from Media and Communications to ensure accurate representation of all Council Branding e.g. style, version and colour.

 City of Mount Gambier	<b>C700</b> CORPORATE BRANDING AND IDENTITY	Version No:	1
		Issued:	15 September 2017
		Next Review:	September 2019

Version One



Version Two



### Coat of Arms - Official

Council, (having applied for and been granted official status from the School of Heraldry, London) has had prepared and registered its official Coat of Arms, as depicted herein.

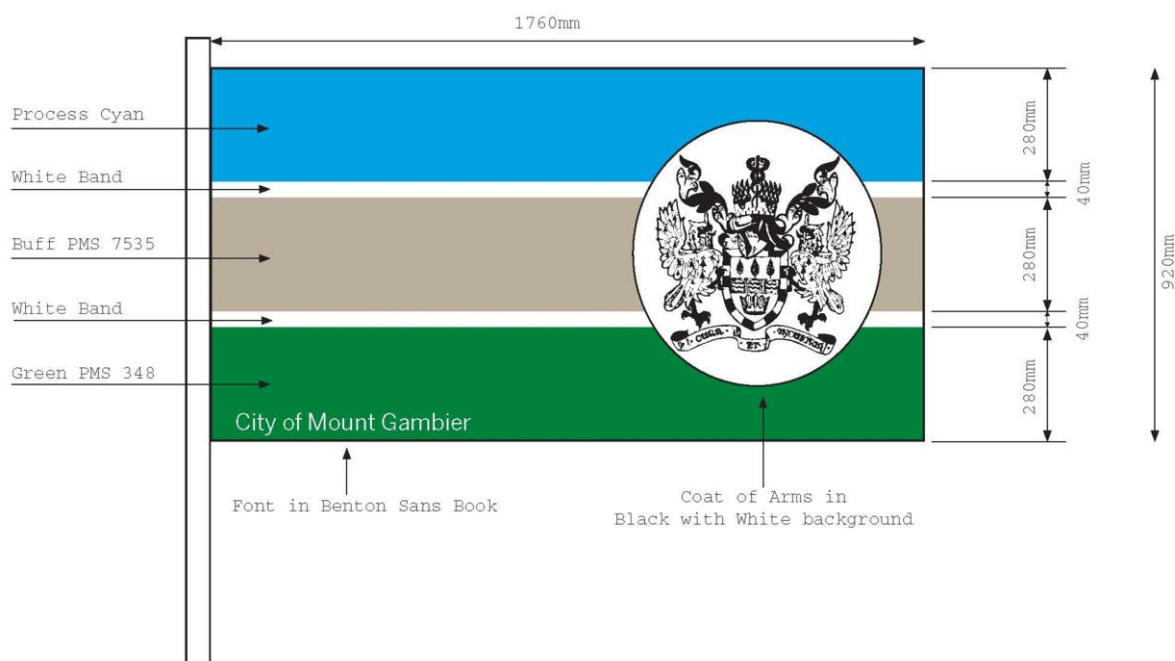
Given the significance and importance of an official Coat of Arms for Council and the citizens of Mount Gambier, Council will restrict the use of the Coat of Arms to official Council and other relevant civic and ceremonial matters and discourages indiscriminate use.



 City of Mount Gambier	<b>C700 CORPORATE BRANDING AND IDENTITY</b>	Version No:	1
		Issued:	15 September 2017
		Next Review:	September 2019

## Flag - Mount Gambier

The official flag for Council and Mount Gambier be as herein depicted:



As a means of promoting the display, use and understanding of the Mount Gambier flag, that Council make available free of charge, the Mount Gambier flag for use by any person, group, business, etc. within the Council area, as and when required.

## Members - Use of Council Letterhead

The use of Council letterhead by Members is not permitted, except where a Member is conducting a meeting or follow up on behalf of Council, or wishes to correspond with other Members of other Councils, following attendance on Council's behalf at functions, conferences or seminars. Copies of the correspondence must be registered in Council's record management system.

## 3. REVIEW & EVALUATION

This Policy is scheduled for review by Council in September 2019; however, will be reviewed as required by any legislative changes which may occur.

## 4. AVAILABILITY OF POLICY

This Policy will be available for inspection at Council's principal office during ordinary business hours and on the Council's website [www.mountgambier.sa.gov.au](http://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	<b>C700 CORPORATE BRANDING AND IDENTITY</b>	Version No:	1
		Issued:	15 September 2017
		Next Review:	September 2019

File Reference:	AF11/1740
Applicable Legislation:	Local Government Act 1999 Section 63
Reference: Strategic Plan – Beyond 2015	Goal 1 Strategy 7
Related Policies:	C190 Community Identity Council and Community Identification (Superseded) C160 Coat of Arms - Official (Superseded) F130 Flag - Mount Gambier (Superseded) M260 Members - Use of Council Letterhead (Superseded)
Related Procedures:	N/A
Related Documents:	N/A

## DOCUMENT DETAILS

Responsibility:	Chief Executive Officer
Version:	1.0
Last revised date:	15 September, 2017
Effective date:	15 September, 2017
Minute reference:	Council Meeting 15 September 2017, Strategic Standing Committee Item 5.9
Next review date:	September, 2019
<u>Document History</u> First Adopted By Council: Reviewed/Amended:	15 September 2017

**REPORT TITLE****Visitor Information Services**

<b>COMMITTEE</b>	Strategic Standing Committee
<b>MEETING DATE:</b>	10 July 2017
<b>REPORT NO.</b>	AR17/25424
<b>RM8 REFERENCE</b>	AF17/264
<b>AUTHOR</b>	Mark McShane
<b>SUMMARY</b>	This report provides a summary of the Tourism and Visitor Information Services Review and suggests a process to commence implementation.
<b>COMMUNITY PLAN REFERENCE</b>	Goal 1: Our People

**REPORT RECOMMENDATION**

- (a) That Strategic Standing Committee Report No. AR17/25424 titled '*Visitor Information Services*' dated 30 June 2017 as presented to the Strategic Standing Committee on 10 July 2017 be noted.
- (b) That a draft implementation plan including timeframe, resources and budget is developed by September 2017, for consideration by Councillors, staff and identified stakeholders to guide discussion and input and a finalised implementation plan.

## Background

Over the past several years consideration has been given to the future delivery of visitor information services in Mount Gambier. The Lady Nelson Visitor Information and Discovery Centre has been operating for approximately 30 years and obviously over that time much has changed in how tourists gain information, book accommodation and experiences and generally plan their trips. Much of this is now done prior to arriving at a location and is fundamentally changing the role and function of visitor information centres across Australia and elsewhere.

To assist Council with visitor information services into the future, consultants Claire Ellis and Kristine Peters were engaged to thoroughly review and to consider appropriate ways forward.

The consultants engaged with Councillors, Tourism Mount Gambier, Stakeholders and staff applying their comprehensive understanding of other Visitor Information Centres and the changing nature of visitor information servicing. A Councillor Workshop was held on 20<sup>th</sup> March to allow for input into the review process. This was followed by a second Workshop on 26<sup>th</sup> June, 2017 where Councillors were presented with the first draft and key recommendations from the report for discussion. Councillors also had an opportunity for a “one-on-one” with the consultants on 1<sup>st</sup> May, 2017. The report “Tourism and Visitor Information Services Review” is attached.

## Discussion

The comprehensive review and report details nine recommendations and in summary they are:

1. Multi Channel visitor information servicing including increasing focus on digital content and access with a need to reviewing face-to-face information service.
2. Implementing a multiple layered or tiered approach to visitor services that decentralise visitor services and significantly alters the current Lady Nelson Visitor Information Centre physical facility and functions.
3. Develop one comprehensive tourism website.
4. Build internal and external networks and collaboration to integrate visitor information services into other Council functions.
5. Focus on public access wi-fi and signage.
6. Re purpose the Lady Nelson Centre whilst retaining a component for visitor services. Decommission the Discovery Centre.
7. Formalise visitor information services from the Main Corner.
8. Integration of the Main Corner and Riddoch Art Gallery (Arts, Culture and Heritage) into a major community and tourism draw card.
9. Consider the value of formal VIC accreditation, the yellow “i” status.
10. Revitalise and enhance Mount Gambier attractions – be “open for business”.



The report recognises the integration of findings into and across a number of other Council strategies including Digital, Signage and Arts, Culture and Heritage. Several of the recommendations mirror findings in other reports and hence are complimentary in achieving tourism (and other) outcomes.

The report provides a suggested initial and measured implementation plan over a realistic timeframe given the nature and number of recommendations. The visitor economy is a recognised major component of the City's economic development strategy as is implementation of Tourism Mount Gambier's strategy. A well thought through, integrated implementation strategy may occur over an extended period, perhaps several years, to achieve the report's recommendation. Several major recommendations including re-purposing the Lady Nelson Centre must be fully explored including thorough stakeholder engagement process. While a multitude of community use and benefits for the facility are likely to be suggested, each must have an appropriate business model, be analysed in terms of capital and implementation costs and ongoing operating costs to Council. It may also be appropriate to consider the potential for shared resourcing and financial input from community groups and the need for appropriate governance structures to be established to support such collaborations. The report acknowledges that a component of The Lady Nelson should provide visitor services as well as office accommodation for visitor services, events and tourism staff.

## Conclusion

The review into Tourism and Visitor Information Services in Mount Gambier is comprehensive in its findings and recommendations. Of significant challenge will be the implementation of the recommendations, integration with other Council Strategies and developing a realistic timeframe and requirement for resources and budget.

The initial approach should be to consider the recommendations and develop a draft implementation plan and schedule to guide discussion and input from Councillors, staff and identified stakeholders.

As noted during 2017/2018 Councillor Budget Workshops there was an expectation that there would be a resource and budget impact to implement the visitor services review and this is now realised.

## Attachments

Attachment 1 (AR17/25934): Tourism and Visitor Information Services Review



**Mark McSHANE**  
CHIEF EXECUTIVE OFFICER

4 July 2017  
LD





## **City of Mount Gambier Council Assessment Panel**

### **TERM OF REFERENCE**

Adopted by the City of Mount Gambier at its meeting held on  
19<sup>th</sup> September, 2017.

**City of Mount Gambier Council Assessment Panel  
Terms of Reference  
Applicable from 1 October 2017**

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## 1. BACKGROUND

- 1.1 The City of Mount Gambier Assessment Panel (**CAP**) was appointed as a relevant authority under Section 82 and 83 of the *Planning, Development and Infrastructure Act 2016 (Act)* by resolution of the City of Mount Gambier (**the Council**) on 19 September 2017.
- 1.2 The CAP is a relevant authority under the Act and, during transition to the Act, will act as a delegate of the Council for the purpose of the *Development Act 1993*.

## 2. MEMBERSHIP OF CAP

### Appointment of Members

- 2.1 The CAP will be constituted of 5 Members (**CAP Members**), to be appointed by the Council, comprising:
  - 2.1.1 one Member of the Council (**Council Member**);
  - 2.1.2 4 Independent Members (**Independent Members**), not being Members of the Council or State Parliament.
- 2.2 The Council may determine that the CAP will be constituted by a different number of members for different classes of development, in which case the relevant details will be specified by the Council.
- 2.3 When appointing CAP Members, the Council may have regard to the following:
  - 2.3.1 the candidate's knowledge of the operation and requirements of the Act and, during transition to the Act, the Development Act;
  - 2.3.2 in relation to Independent Members, the candidate's qualifications or experience in a field that is relevant to the activities of the CAP;
  - 2.3.3 in relation to the Council Member, the candidate's experience in local government;
  - 2.3.4 that a balance of qualifications and experience among CAP Members is desirable;
  - 2.3.5 that gender diversity among CAP Members is desirable;
  - 2.3.6 such other matters as the Council considers relevant.

### Appointment of Deputy Members

- 2.4 The Council must appoint at least one Deputy Member to the CAP for the purpose of filling in for a CAP Member who is unable to attend a CAP meeting or part of a CAP meeting.
- 2.5 Subject to clause 2.6, a Deputy Member must not be a Member of the Council or State Parliament.

- 2.6 Where a Deputy Member appointed for the Council Member is also a member of the Council, that person may not act as a deputy for any other CAP Member (whereas a Deputy Member who is not a member of the Council may act as a deputy for any CAP Member).
- 2.7 Where more than one Deputy Member is appointed, the Council must specify the circumstances in which each Deputy Members (or any one or more of them) will be invited to attend a CAP meeting.
- 2.8 In appointing a Deputy Member, the Council may have regard to the matters in clause 2.3, as well as to the qualifications and experience of the CAP Member or CAP Members to whom the candidate will be a deputy.
- 2.9 Unless the context otherwise requires, a reference to a CAP Member in this document includes a Deputy Member.

### **Expression of Interest**

- 2.10 The Council will call for expressions of interest for appointment of CAP Members.

### **Presiding Member and Acting Presiding Member**

- 2.11 The Council will appoint an Independent Member to be the Presiding Member of the CAP for such term and on such conditions as determined by the Council.
- 2.12 The Presiding Member will preside at any CAP meeting at which he or she is present.
- 2.13 In the event that the Presiding Member is not present at a meeting (or part thereof) an Acting Presiding Member will be appointed by those CAP Members who are present at the meeting.
- 2.14 A Presiding Member is eligible to be reappointed as the Presiding Member at the expiry of his or her term of office as Presiding Member.
- 2.15 In the event that the Presiding Member resigns or is removed from office, the Council will appoint an Independent Member to be the Presiding Member for such term and on such conditions as determined by the Council.

### **Term of Appointment**

- 2.16 Subject to clause 5, Independent Members will be appointed for a term of up to 2 years and on such other conditions as determined by the Council.
- 2.17 Subject to clause 5, the Council Member will be appointed for a term of up to 2 years and on such other conditions as determined by the Council.
- 2.18 Deputy Members will be appointed for a term of up to 2 years and on such other conditions as determined by the Council.
- 2.19 A CAP Member is eligible for reappointment for a further term, or further terms, upon the expiry of his or her current term.

- 2.20 A CAP Member whose term of office has expired may nevertheless continue to act as a Member until the vacancy is filled or for a period of six months from the expiry of the Member's term of office, whichever occurs first.

### **3. VACANCY IN MEMBERSHIP**

- 3.1 In the event of a vacancy arising in the office of a CAP Member, the Council may appoint a person to be a CAP Member for the balance of the original CAP Member's term of office as soon as is reasonably practicable in the same manner as the original CAP Member was appointed.
- 3.2 The CAP Member appointed to fill a vacancy may be a Deputy Member in which case that person will automatically cease to be a Deputy Member.
- 3.3 In appointing a CAP Member pursuant to clause 3.1, the Council may have regard to the matters in clause 2.2 or 2.8 as the case requires.
- 3.4 A vacancy in the membership of the CAP will not invalidate any decisions of the CAP, provided a quorum is maintained during meetings.

### **4. CONDITIONS OF APPOINTMENT**

- 4.1 At all times, CAP Members must act honestly, lawfully, in good faith, and in accordance with any code of conduct applicable to CAP Members.
- 4.2 CAP Members may be remunerated as determined by the Council for the reasonable time and costs incurred by CAP Members in attending CAP meetings.
- 4.3 Different levels of remuneration may be fixed by the Council for Independent Members, the Council Member, the Presiding Member and Deputy Members.

#### **4.3.1 Sitting fees (including GST):**

- |                                |       |
|--------------------------------|-------|
| • Independent Presiding Member | \$250 |
| • Other Independent Members    | \$200 |
| • Council Member appointees    | \$200 |
| • Council Officer appointees   | NIL*  |

(the above sitting fees are for formal ordinary meetings of a Panel which are likely to be monthly when a substantial majority of the CAP business will be conducted)

#### **4.3.2 Should it be necessary to convene formal special meetings of a Panel then the likely sitting fees will be as follows on the basis of the lesser number of items on the agenda:**

- |                                |      |
|--------------------------------|------|
| • Independent Presiding Member | \$60 |
| • Other Independent Members    | \$50 |
| • Council Member appointees    | \$50 |
| • Council Officer appointees   | NIL* |

#### **4.3.3 Where the meeting does not require the attendance of Members in person and can be undertaken by phone link up due to a small agenda**

and the minor nature of items for discussion and no site inspection is necessary the sitting fees be as follows:

- Independent Presiding Member \$60
- Other Independent Members \$50
- Council Member appointees \$50
- Council Officer appointees NIL\*

***\*Special Note: It is not the intention of the Council to appoint any Council Officers to any Panel.***

- 4.3.4 Travel reimbursement of 57.8 cents per kilometer may be available upon application to Council should a member of the Council Development Assessment Panel not be a resident within the City of Mount Gambier and the District Council of Grant.
- 4.3.5 A review of the sitting fees and expenses etc. will be undertaken within 6 months of the formation of the new Panel.
- 4.3.6 Invoices seeking payment for attendance at a meeting of the Council Development Assessment Panel shall be submitted regularly, on a monthly basis, after the meeting of the Council Development Assessment Panel for that month.
- 4.3.7 It is the view of the Councils that the sitting fees referred to above are sufficient to be inclusive of:
  - (a) view of all sites to be considered (and related travel costs);
  - (b) review of the agenda for each meeting;
  - (c) assessment of the applications against the provisions of the Development Plan;
  - (d) attendance at every Panel meeting;
  - (e) discussions with Council Officers, at the DAP meeting, regarding alternate recommendations or queries in relation to agenda items.

4.4 Upon the commencement of Section 83(1)(c) of the Act:

- 4.4.1 CAP Members, excluding a Member who is a Member or former Member of the Council, must be accredited professionals under the Act;
- 4.4.2 CAP Members who are Members or former Members of the Council must have sufficient experience in local government to satisfy the Council that they are appropriately qualified to act as a Member of the CAP.

## 5. REMOVAL FROM OFFICE

5.1 A CAP Member will automatically lose office where:

- 5.1.1 the CAP Member has become bankrupt or has applied to take the benefit of a law for the relief of insolvent debtors;

- 5.1.2 the CAP Member has been convicted of an indictable offence punishable by imprisonment;
  - 5.1.3 in the case of a Council Member, the Member ceases to be a member of the Council.
- 5.2 Subject to Clause 5.4, the Council may by resolution remove a CAP Member from office where, in the opinion of the Council, the behaviour of the CAP Member amounts to:
- 5.2.1 a breach of a condition of his or her appointment as a CAP Member;
  - 5.2.2 misconduct;
  - 5.2.3 a breach of any legislative obligation or duty of a CAP Member;
  - 5.2.4 neglect of duty in attending to role and responsibilities as a CAP Member;
  - 5.2.5 a failure to carry out satisfactorily the duties of his or her office;
  - 5.2.6 a breach of fiduciary duty that arises by virtue of his or her office;
  - 5.2.7 inability to carry out satisfactorily the duties of his or her office.
  - 5.2.8 except in relation to Deputy Members, a failure without reasonable excuse to attend three consecutive CAP meetings without the CAP previously having resolved to grant a leave of absence to the CAP Member;
  - 5.2.9 in relation to a Deputy Member, a failure without reasonable excuse on three consecutive occasions to attend a meeting of the CAP when requested to do so;
  - 5.2.10 for any other reason the Council considers appropriate.
- 5.3 The removal of the CAP Member pursuant to clause 5.2 will take effect upon the Council passing a resolution to remove the CAP Member from office (unless the Council resolves otherwise), and such resolution will be confirmed in writing to the CAP Member within 7 days of being passed.
- 5.4 Prior to resolving to remove a CAP Member from office pursuant to clause 5.2, the Council must:
- 5.4.1 give written notice to the CAP Member of:
    - 5.4.1.1 its intention to remove the CAP Member from office pursuant to clause 5.2;
    - 5.4.1.2 the alleged behaviour of the CAP Member falling within clause 5.2.1 or reason the Council considers it appropriate to remove the CAP Member,
- not less than 7 days before the meeting of the Council at which the matter is to be considered.

- 5.4.2 give the CAP Member an opportunity to make submissions to the Council on its intention to remove the CAP Member from office either orally at the Council meeting at which the matter is to be considered, or in writing by such date as the Council reasonably determines;
- 5.4.3 have due regard to the CAP Member's submission in determining whether to remove the CAP Member from office.

28 August 2017  
Ref. AR17/33514



Assessment  
Panel

## Assessment Panel Members – Code of Conduct

### Introduction

Under Schedule 3 of the *Planning, Development and Infrastructure Act 2016* (PDI Act) the Minister may adopt a code of conduct to be observed by members of an assessment panel established under the PDI Act. This code of conduct sets out standards of conduct and professionalism that are to be observed by all members of assessment panels under the PDI Act. This code of conduct must be read in conjunction with the Act.

For the purposes of the PDI Act, a key requirement is that all members of assessment panels must carry out, and be seen to carry out, their functions with the highest ethical standards so as to maintain public confidence in the integrity of development assessment under the Act.

The code is the key tool to ensure that all members of assessment panels act honestly and ethically with a high degree of accountability. If a member of an assessment panel has any doubt in regard to any function they may perform under the Act they should seek the advice of the panel's assessment manager or some other appropriate person.

While some members of an assessment panel may also be bound by other codes of conduct or professional standards issued by their respective professional associations, they have no legal status under the Act. If there is a conflict between a requirement in this code of conduct and any other professional code or standard, this code prevails for the purposes of the Act.

### Legislative framework

Under section 15 of the PDI Act, all members of assessment panels are subject to a statutory duty as described in the section as follows:

(1) *It is expected that a person or body that—*

- (a) seeks to obtain an authorisation under this Act; or*
- (b) performs, exercises or discharges a function, power or duty under this Act; or*
- (c) takes the benefit of this Act or is otherwise involved in a process provided by this Act, will—*
- (d) act in a cooperative and constructive way; and*
- (e) be honest and open in interacting with other entities under this Act; and*
- (f) be prepared to find reasonable solutions to issues that affect other interested parties or third parties.*

(2) Without limiting subsection (1), a person or body performing, exercising or discharging a function, power or duty under this Act must—

- (a) exercise professional care and diligence; and
- (b) act honestly and in an impartial manner; and
- (c) be responsible and accountable in its conduct; and
- (d) comply with any code of conduct, service benchmark or other requirement that applies in relation to the person or body.

(3) The Minister may, after taking into account the advice of the Commission, establish and maintain service benchmarks for the purposes of this section.

(4) The principles and benchmarks under this section— (a) do not give rise to substantive rights or liabilities; but (b) may lead to action being taken on account of a breach of a code of conduct or professional standard that applies in relation to a relevant person or body.

### **Code of conduct requirements**

In acting as a member of an assessment panel, a member must comply with the following requirements.

#### **General duties**

1. A member of an assessment panel must in performing, exercising or discharging a function, power or duty under the PDI Act, act in accordance with the general duties as set out in section 15 of the PDI Act.

#### **Act in the public interest**

2. A member of an assessment panel must act in a manner that promotes or protects the public interest.

#### **Procedures**

3. A member of an assessment panel must ensure that the procedures specified in the Act or prescribed in the *Planning Development and Infrastructure (General) Regulations 2017* are complied with.
4. A member of an assessment panel must respect the panel procedures in relation to public comments and communication with the media

#### **Regard for honesty**

5. A member of an assessment panel must act with integrity, good faith and equity and must not discriminate toward any person in performing their duties.
6. A member of an assessment panel must advise the assessment manager and the Commission immediately if the member:
  - a. is the subject of a formal investigation into, or have been found to have, breached any other code of conduct, ethical standards or similar, either in another State or through a professional body of which they are a member; or
  - b. has been found guilty of a breach of any Act related to planning, building or a development related matter.

### **Conflict of interest**

7. A member of an assessment panel who has a direct or indirect personal or pecuniary interest in a matter before the council development assessment panel (other than an indirect interest that exists in common with a substantial class of persons)—
  - a. must, as soon as he or she becomes aware of his or her interest, disclose the nature and extent of the interest to the panel; and
  - b. must not take part in any hearings conducted by the panel, or in any deliberations or decision of the panel, on the matter and must be absent from the meeting when any deliberations are taking place or decision is being made.
8. A member of an assessment panel will be taken to have an interest in a matter for the purposes of item 7 if an associate of the member (within the meaning of section 3 (7) of the PDI Act) has an interest in the matter.
9. If an interest has been declared by a member of an assessment panel the nature of the interest must be recorded in the minutes of the meeting.

### **Making decisions and taking action**

10. A member of an assessment panel must take all reasonable steps to obtain all relevant facts and information when making a decision on a matter before the panel.
11. A member of an assessment panel must ensure that the member's decisions and actions are reasonable, fair and appropriate to the circumstances, based on consideration of all relevant facts obtained, and supported by adequate documentation.
12. A member of an assessment panel must not approach or discuss with an applicant or representor any application which is either before the panel or will come before the panel at some future time expect during the course of a panel meeting where the application forms part of the agenda and the applicant or representor has a right to be heard by the panel.
13. Except where required as part of the assessment of a particular decision such as a formal panel viewing of a site of a proposed development, you should not enter the site even if invited by the land owner or a neighbouring property owner or any other person.
14. A member of an assessment panel must not:
  - a. engage in consultation outside of the panel process with any party on a proposed development application that is likely to be heard by the panel;
  - b. give advice to an applicant or other third party on a development application after it has been lodged outside of a panel meeting;
  - c. speak at a public meeting for or against a proposal where the purpose of the meeting is to discuss either a proposed development or a development application unless required by the Act;
  - d. express an opinion on a development application or a proposed development outside of a panel meeting; and

- e. engage in any other act or omission which may give rise to a reasonable presumption that you have prejudged a development proposal or application.

#### **Public comment**

- 15. Only the presiding member or another person determined by the panel is permitted to speak publicly to the media and address the public on behalf of the panel. No other panel member may make comment to the media or the public in relation to any matter before the panel or any decision of the panel.

#### **Protection and use of information**

- 16. A member of an assessment panel must maintain the integrity and security of confidential information in their possession and must not use confidential information gained by virtue of the member's official position for the purpose of securing a private benefit for the member or any other person.
- 17. A member of an assessment panel must not disclose information acquired in the course of their professional work other than if consent of the relevant person has been granted or where there is a legal or professional duty to disclose such information.

#### **Proper exercise of power**

- 18. A member of an assessment panel must not take advantage of the member's position, power or duties for the purpose of obtaining, either directly or indirectly, any preferential treatment or other improper advantage for the member or any other person.

#### **Gifts and benefits**

- 19. A member of an assessment panel must not seek or accept a gift or benefit that is intended to, is likely to or could be perceived as likely to, cause them to act in an unfair or biased manner in the course of the member's duties.
- 20. A member of an assessment panel must take all reasonable steps to ensure that a person related to the member does not receive gifts or benefits that could appear to be an attempt to influence or secure or have the effect of influencing or securing a favour from the member of an assessment panel. A person is related to a member of an assessment panel for the purpose of this provision if the person is spouse, de facto partner, sibling, parent or child of the member of the assessment panel.

#### **Bias**

- 21. A member of an assessment panel should always have regard to any affiliation, disposition or any material, pecuniary or other interest that would lead to a reasonable apprehension that they may be biased in carrying out any aspect of their role under the Act.

## SCHEDULE I

### DELEGATIONS MADE UNDER DEVELOPMENT ACT 1993 TO COUNCIL ASSESSMENT PANEL

Head Delegation Reference	Section/Regulation	Details
1	Section 6	Change of land use declaration
10.1.1	Section 33(1)a	Assessment of Development Proposal - Provisions of appropriate Development Plan
10.1.3	Section 33(1)c	Assessment of Development Proposal - Land Division/Conditions
10.1.4	Section 33(1)d	Assessment of Development Proposal - Land Division
10.1.5	Section 33(1)e	Assessment of Development Proposal - Encroachments
10.2	Section 33(3)	Assessment of Development Proposal - Reserved Decision
12	Section 35	Special provisions relating to Development Plan Assessment
14	Section 37	Consultation with other authorities or agencies
16	Section 37A	Developments involving fortifications
17	Section 38	Public Notification
18.10	Section 39 / Reg. 17	Refuse Non Complying Development
21	Section 42	Attaching of Conditions
26.1	Section 50	Open Space Contribution
30.1	Section 52	Saving Provisions
46.1	Section 74	Advertisements
59.1	Regulation 16	Nature of Development
60	Regulation 17	Non Complying Development
62	Regulation 20	Amended Applications
65	Regulation 24	Referrals and concurrence
69	Regulation 29	Land Division Applications
70	Regulation 30	Underground Mains Area
83	Regulation 51	Width of Roads and thoroughfares
84	Regulation 52	Road Widening
85	Regulation 53	Requirements as to forming roads
86	Regulation 54	Construction of Roads, Bridges, Drains and Services
87	Regulation 55	Supplementary Land Division Provisions
88	Regulation 58	General Land Division
89	Regulation 59	Division of Land by Strata Title
90	Regulation 60	General Provisions

 City of Mount Gambier	<b>D140 - DEVELOPMENT ACT DELEGATIONS</b>	Version No:	4
		Issued:	19 <sup>th</sup> September, 2017
		Next Review:	February 2019

## 1. INTRODUCTION

This policy is established pursuant to Section 34(27) of the Development Act 1993 (“the Act”).

Under the Act and the Development Regulations 2008 (“the Regulations”), the City of Mount Gambier (“the Council”) is responsible for the management of most development within its area.

Under Section 34(23) of the Act the Council is *required* to delegate all of its powers and functions as a relevant authority, with respect to determining whether or not to grant development plan consent under the Act. This means, that Council’s *development assessment* functions must be exercised by a person (e.g. an officer of Council) or body (e.g. the Council Assessment Panel) that has been given delegated authority by the Council.

The Council therefore delegates its development assessment powers and functions, under the Act and the Regulations, to other persons or bodies.

## 2. DELEGATIONS

- (a) Council will make the various delegations required by Section 34(23) of the Act.
- (b) Section 20 of the Act determines Council’s power to delegate its development assessment powers and functions under the Act and states:

“(1) ... a council, may delegate a power or function vested or conferred under this Act.

(2) A delegation -

- (a) may be made—
  - (i) to a particular person or body; or
  - (ii) to the person for the time being occupying a particular office or position; or
  - (iii) to a subsidiary established under the Local Government Act 1999; and...
- (c) may be made subject to conditions and limitations specified in the instrument of appointment; and
- (d) subject to any other provision of this Act or the regulations, is revocable at will and does not derogate from the power of the delegator to act in a matter; and

(3) A power or function delegated under this section may, if the instrument of delegation so provides, be further delegated.”

- (c) Section 34(23) of the Act states:

“A council must delegate its powers and functions as a relevant authority with respect to determining whether or not to grant development plan consent under this Act to -

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- (a) *its council development assessment panel; or*
- (b) *a person for the time being occupying a particular office or position (but not including a person who is a member of the council); or*
- (c) *a regional development assessment panel (if such a delegation is consistent with the extent to which the panel may act under the provisions of the regulations constituting the panel and in addition to the operation of subsection (1)(ab))."*

- (c) Council delegates all of its powers and functions under the Act and Regulations to the Chief Executive Officer of the Council ("the CEO"). The Council also empowers the CEO to sub delegate those powers and functions to other Council officers.
- (d) Council also delegates its powers and functions as a relevant authority with respect to determining whether or not to grant development plan consent ("the development assessment powers and functions") to the City of Mount Gambier Council Assessment Panel ("the CAP") established under Section 83 of the Planning, Development & Infrastructure Act 2016.

The CAP delegations are set out in Schedule I of Appendix 21 (Delegations made under the Development Act 1993) of Council's Delegation Register.

- (e) Where the CAP, the Chief Executive Officer and sub-delegates share the same delegated powers and functions, a determination on a development application may only be made by one delegate. Accordingly, it is the policy of this Council that:
  - i. Where the CAP, the Chief Executive Officer and sub-delegates share the same delegated powers and functions, the sub-delegate or Chief Executive Officer will, subject to (ii), exercise the delegated power or function.
  - ii. The Chief Executive Officer or General Manager City Growth will refer any development application to the CAP for determination in the following circumstances:
    - a) where an application has been publicly notified and representations received; or
    - b) where the Chief Executive Officer or General Manager City Growth consider in the circumstances that determination by the CAP is warranted.

### 3. REVIEW AND EVALUATION

This Policy is scheduled for review by Council in February 2019; however, will be reviewed as required by any legislative changes which may occur.

### 4. AVAILABILITY OF POLICY

This Policy will be available for inspection at Council's principal office during ordinary business hours and on the Council's website [www.mountgambier.sa.gov.au](http://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:	AF11/1746, AF11/1020, AF14/108
Applicable Legislation:	Local Government Act 1999 Development Act 1993 Planning, Development & Infrastructure Act 2016
Reference: Strategic Plan – Beyond 2015	
Related Policies:	
Related Procedures:	Council Assessment Panel Terms of Reference Council Assessment Panel Procedures
Related Documents:	City of Mount Gambier Delegations Register Sub-Delegation Register Instrument of sub-delegation, Appendices & Schedule

## DOCUMENT DETAILS

Responsibility:	Manager Governance and Property
Version:	4.0
Last revised date:	19 <sup>th</sup> September, 2017
Effective date:	19 <sup>th</sup> September, 2017
Minute reference:	Council Meeting 19 <sup>th</sup> September, 2017 – Strategic Standing Committee Item 5.13
Next review date:	February 2019
<u>Document History</u> First Adopted By Council: Reviewed/Amended:	27 <sup>th</sup> March 2007 21 <sup>st</sup> April, 2015, 16 <sup>th</sup> May, 2017, 19 <sup>th</sup> September 2017



City of  
Mount Gambier

A photograph of a cave interior, showing a pool of water reflecting the surrounding rock formations. The cave walls are made of layered rock, and the water is a deep blue-green color. The lighting is dim, with some light reflecting off the water and the rock surfaces.

# Long Term Financial Plan 2017/2018 to 2026/2027 February 2017

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# 1. LONG TERM FINANCIAL PLAN FRAMEWORK

## 1.1 *Introduction*

The Local Government Act requires Council to develop and adopt Strategic Management Plans. This includes preparation of a Long Term Financial Plan (LTFP) which expresses in financial terms the activities Council proposes to undertake over the medium to longer term.

The key objective of Council's LTFP is to guide the direction of Council in a financially sustainable manner while still meeting the needs and expectations of our communities and achieving Council's corporate objectives as specified in the Community Plan and related strategies. The LTFP ensures there is understanding of the impact of decisions made today on Council's future sustainability over a period of at least ten (10) years.

Council operates under a continuous improvement philosophy due to the dynamic economic, political and fiscal operational environment. Each year Council reviews and updates its LTFP as part of the strategic planning process and to ensure it reflects and aligns with our changing environment.

To illustrate the expected long term financial performance and whether financial sustainability is being achieved, the LTFP must be presented in a manner consistent with the relevant South Australia Model Financial Statements for each future year covered. This includes estimates of the key financial ratios, operating surplus, net financial liabilities and asset sustainability ratio.

## 1.2 *Strategic Planning Framework*

Together the Futures Paper and the Community Plan – The Futures Paper 2016-2020 provide the strategies and actions to guide Council into the future and to serve as a blueprint to build a progressive, knowledge based city that embraces new technologies, culture and sustainable living.

### 1.2.1 *The City Development Framework Project*

The City Development Framework Project was fundamental in the development of the Futures Paper. This project commenced to ensure we have a robust and planned approach to meet the current and future challenges facing the City. The project involved the development of overall strategies for development, incorporating economic, social, environment and community opportunities and aspirations.

The Futures Paper looks forward and focuses on two key questions:

1. Is what we have done in the past going to sustain our community and economy into the future?
2. What do we need to do to change or introduce to ensure that our community and economy are sustainable into the future?

Most importantly the Futures Paper was developed entirely on the aspirations and issues raised and identified from people within the community.

It is important to identify that the development of the Futures Paper is based on sound academic research that has identified four key characteristics of successful cities:

- Home to a highly skilled population;
- Centrally located, at the heart of a rich market and/or well positioned for trade with expanding markets;
- Has a diversified economy with a significant proportion of high order services;
- Boasts a climate and/or natural setting superior to most other cities in the nation.

In using and applying the Futures Paper as a guiding strategy for the long term development of the City, Council will be able to develop policies and allocate resources where the most gain can be achieved.

### **1.2.2 The Community Plan**

The Community Plan represents Council's vision, aspirations and priorities of the community now and into the future. It describes Council's values, how we work together and outlines the strategic initiatives to achieve ongoing sustainability and prosperity. The Community Plan was endorsed by Council at its meeting in May 2016.

The Community Plan together with the Futures Paper are now Council's key strategic documents and are supported by the Long Term Financial Plan, the Asset Management Plan and the Annual Budget. These plans identify the direction, services and facilities that Council wishes to provide for the Community, specifically for the next four years but also for the future.

The Community Plan is a significant departure from the previous Strategic Plan and significant work has commenced to consider how to effectively deliver the outcomes.

### **1.2.3 Our Vision**

***"An inclusive city where people lead fulfilling lives"***

What makes Mount Gambier the thriving successful place that people are proud to call home is the richness and diversity of:

- Our People;
- Our Location;
- Our Economy; and
- Our Climate, Natural Resources, Art, Culture and Heritage.

It is these elements that will all contribute towards the future growth and development of the City and form the goals of Council's Community Plan.

Council strives to create vibrancy, promote our identity and build a reputation as a place to live, work, visit and invest. To provide a future for our people we need economic growth and employment as well as recreational and educational opportunities.

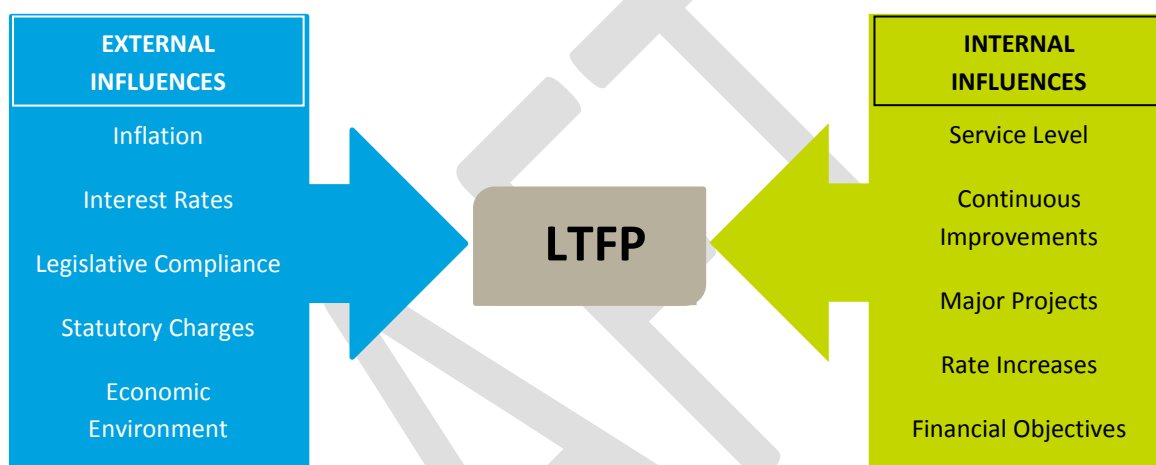
The Vision is supported by the above mentioned 4 goals which identify what is important to the community and how the community would like to see the City develop and grow. Working together both Council and the community can collectively achieve these goals.

### 1.3 Long Term Financial Plan Review, Input & Analysis

Each annual review process provides an opportunity to introduce new assumptions or enhance the information that Council's LTFP is based upon. The financial reports and information at the center of the current review include:

- 2015/2016 Audited Financial Statements
- 2016/2017 Council Budget
- Infrastructure and Asset Management Plan 2016/2017 to 2026/2027

Further to this, the LTFP incorporates a number of other significant factors arising from the ever changing environment in which Council operates. It should be noted that Council does not have the ability to control all of these factors, namely external influences.



#### 1.3.1 Key Assumptions

Council's financial projections over the long term planning horizon are not meant to be a prediction of financial position or performance but rather an indication of direction and financial capacity. Projections are shaped by a variety of underlying and dynamic assumptions including the continuation of existing services at current service standards and no internal changes to services or investment in new or upgraded assets other than what is already resolved and planned.

Significant issues and assumptions identified in developing projections for 2017/2018 and future years include:

- Freeze on indexation of Federal Government Grants
- Increase in Environment Protection Authority's solid waste levy
- Increasing cost of electricity charges
- Increases in mandatory rate rebates to community housing properties
- Council Organisational Restructure – Best People, Best Community
- Rates – 4.5% increase (2017/18 – 2026/27)
- Employee Costs – annual increase 2% incorporating indicative EBA increases, Award increments, periodic reclassifications and growth in staffing
- Election expenses – four (4) yearly election expenses \$90k

Where possible Council ensures these issues will be offset by aggregate projected operating revenues and proposed variations in the range and level of services provided whilst maintaining overall financial sustainability.

The following capital works projects have not been included as they require further Council consideration, detailed costing and financial analysis or are subject to community consultation:

- Indoor Recreation Centre (noting previous consideration given)
- Contribution to regional Airport (District Council of Grant)
- Railway Station Building
- Skate Park
- Civic Centre Courtyard upgrade
- The Lady Nelson “Discovery Centre” review
- City Economic Blue Print (City Growth)
- Building a Connected Regional City – Digital Strategy (capital component only)
- Materials Recovery Centre
- Signage Strategy & Action (capital component only)

Any other capital works projects for the final five years of the term of the Long Term Financial Plan remain unallocated to allow Council to continually review its position in this regard. **At any point in time future Councils will have the flexibility to determine allocation of further capital works projects, elect to reduce debt or a combination of both.**

#### 1.4 Financial Sustainability

*“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.”*

Definition endorsed at the National General Assembly of Local Government in Canberra, November 2006.

##### 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 future generations to address the issue of repairing/replacing worn out buildings, infrastructure and equipment.

Council is the custodian of infrastructure and assets with a current written down value in excess of \$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 and therefore Council’s Infrastructure and Asset Management Plan significantly influences the Long Term Financial Plan.

Council 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 their assets beyond the current budget period. It is incumbent on Council to carefully consider information about the stock and service levels of infrastructure and other assets and the contribution that current ratepayers are making to their consumption.

In line with requirements in the Local Government Act, Council must prepare an Infrastructure and Asset Management Plan, covering a period of at least 10 years which addresses these considerations.

### How is it measured?

To ensure that each generation '**pays their way**', it is crucial that current ratepayers effectively fund the current net cost of services provided and community assets consumed. Without this being achieved future generations are effectively subsidising the current cost of service provision and asset consumption.

The financial sustainability of Council is measured by the operating surplus/(deficit) as disclosed in the Statement of Comprehensive Income. A Council's long-term financial sustainability is dependent upon ensuring that on average, over time its expenses are less than its associated revenues.

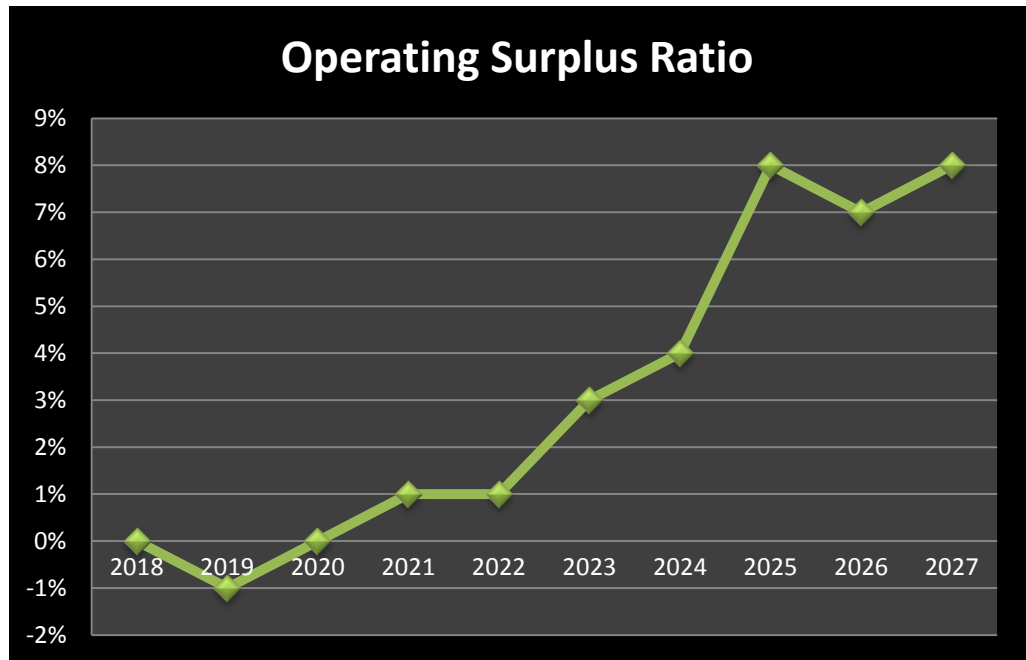
The following local government sector wide indicators have been developed specifically to focus attention on factors identified as key to securing long-term financial security:

Key Financial Indicator			Minimum Target Range	Maximum Target Range
<b>Operating Surplus Ratio</b>	By what percentage does the operating income vary from operating expenses?	The operating surplus ratio is the operating surplus expressed as a percentage of operating income.	<b>0%</b>	<b>10%</b>
<b>Net Financial Liabilities Ratio</b>	How significant is the net amount owed to others, compared with operating income?	The net financial liabilities ratio is calculated by expressing net financial liabilities at the end of a financial year as a percentage of operating income for the year. If the ratio falls, over time, this indicates that Council's capacity to meet its financial obligations from operating income is strengthening.	<b>0%</b>	<b>100%</b>
<b>Asset Sustainability Ratio</b>	Are Assets being renewed and replaced in an optimal way?	The Asset Sustainability Ratio is calculated by measuring capital expenditure on renewal or replacement of assets for a period, divided by the optimal level of such expenditure proposed in Council's Infrastructure and Asset Management Plan.	<b>90%</b>	<b>110%</b>

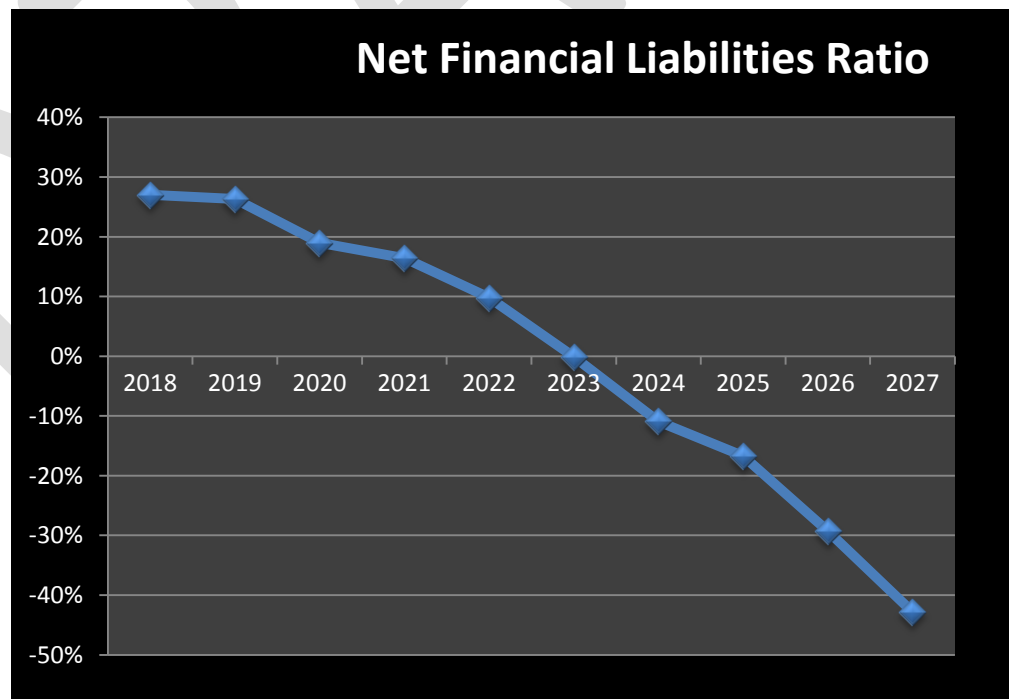
Local Government of South Australia, Financial Sustainability, Information Paper 9, Financial Indicators

### 1.4.1 Forecast Key Financial Indicators

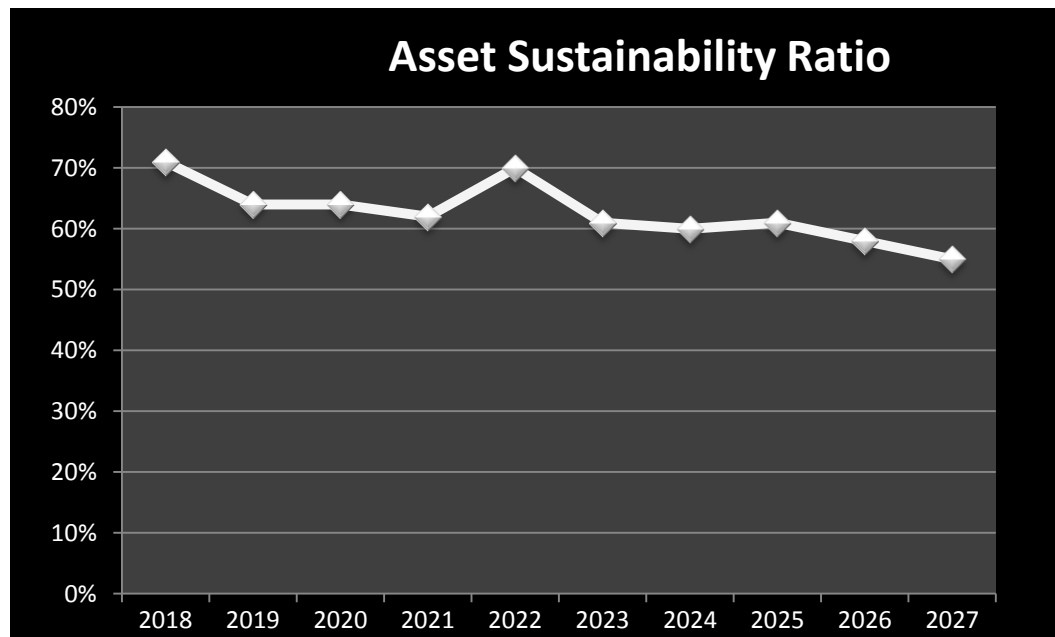
The following graphs illustrate the financial sustainability of the City of Mount over the life of the LTFP.



The City of Mount Gambier is forecast to meet Operating Surplus Ratio standards for the first 7 years of the LTFP. The remaining 3 years exceed the maximum target range, reaching up to 15%. Council is forecasting increasing surpluses over the life of the LTFP.



The City of Mount Gambier is in a very strong financial position. The Net Financial Liabilities Ratio is falling indicating that Council will have capacity to meet its financial obligations from operating revenues over the longer term. This is due to a combination of revenues forecast to increase and liabilities forecast to decrease.



On occasions, Council will accelerate or reduce asset expenditures over time to compensate for prior events and annual budget fluctuations, or invest in assets by spending more now to reduce future maintenance.

The City of Mount Gambier's forecast Asset Sustainability Ratio ranges from 55% to 72% and averages only 63% over the life of the LTFP. Council is currently working on refining the Infrastructure and Asset Management Plan and its key inputs and assumptions. Council aims to achieve at least 80% Asset Sustainability Ratio following this refinement process. Whilst this is 10% below the minimum Local Government Sector Wide Indicator, Council considers this target more reasonable to attain taking into account the current average Asset Sustainability Ratio of 63%.

#### **1.4.2 Long Term Financial Plan Projections**

The financial projections contained in this plan are necessarily based on a variety of estimates and assumptions. A modest change in one may have a material effect on the projections. Equally, the level of confidence in projections diminishes with each additional year along the 10 year time horizon. However, they do provide Council and the Community with a reasonable indication of Council's capacity to not only continue delivering existing services and programs, but to improve services to meet the needs of its community.

As already noted, the base case assumes a 'no change' policy (i.e. a continuation of existing services and programs). As Council responds to changing community expectations, it will make decisions to change services and invest in new and improved infrastructure, such as community facilities, that will be funded from the projected strong financial capacity.

Council continues to strive to our Community's service demands, noting these demands are currently concentrated on the areas of health and well-being and economic development whilst also maintaining the flexibility to respond to changing circumstances as well as initiate new and improved services. We endeavor to meet our Community's demands by:

- Continually reviewing and enhancing services that have been identified as important to our Community;

- Investment in renewal and replacement of our assets and infrastructure in the most cost-effective manner;
- Taking advantage of opportunities and responding to emerging issues; and
- Growing opening in the latter years of the Plan to use additional borrowings to fund new (or upgrade) facilities and assets.

As with all projections, the view can change as underlying circumstances change. For this reason, Council closely monitors its strategic and financial planning outlook.

The projections indicate that, based on current assumptions, Council is in a sound financial position with a favourable outlook over the term of the Plan, but with very tight operating budgets for the first five (5) years of the plan..

These projections are summarised in the Forecast Financial Statements, see item 3 of this document.

### **1.5 Long Term Financial Plan Risks**

This LTFP has been developed based on the best information and assumptions available at the time. Users of information contained in the 2017/2018 LTFP should be aware that there are inherent risks associated with the outcomes reported, as circumstances (i.e. change in legislative requirements) may bring about changes that could materially affect the outcome and projected results of the LTFP. To ensure that the Plan is timely and relevant to Council's forecasts it will be reviewed and updated on an annual basis.

## 2. FUNDING THE LONG TERM FINANCIAL PLAN

### 2.1 General Rates

Council continues to rely heavily on rate revenue to fund its annual activities. General rate revenue contributed to 72.12% of Council's operating revenue for the 2015/2016 financial year.

### 2.2 Rate Comparisons

Mount Gambier's average residential rates are low in comparison with the State averages for both Metropolitan and Regional Councils. For the 2016/2017 financial year, Mount Gambier is rating at 17.6% lower than the average for all SA Regional Councils.

Average for all SA Metro Councils	\$1,505
Average for all SA Regional Councils	\$1,295
<b>Average for City of Mount Gambier</b>	<b>\$1,101</b>

### 2.3 Borrowing Strategies

Borrowings provide an alternative source of funding to enable Council to achieve its objectives and a means by which cash flows can be averaged out over a longer timeframe. They should always be reviewed in light of the LTFP and the objective of financial sustainability.

Debt can be considered as an appropriate source of funding:

- (a) In the achievement of strategic objectives of Council and within the context of long term financial sustainability.
- (b) In the creation of long term infrastructure and the cost spread over the life of the asset and future users.
- (c) As a means by which to fund major capital expenditure only and not as a funding source for operating/recurrent expenditure commitments.

Council's Treasury Management Policy stipulates borrowing and investment direction. Existing borrowings are a mixture of fixed and variable interest loans designed to manage liquidity and interest rate risk.

Existing borrowings are with the Local Government Finance Authority (LGFA), being the preferred financial institution guaranteed by the SA Government.

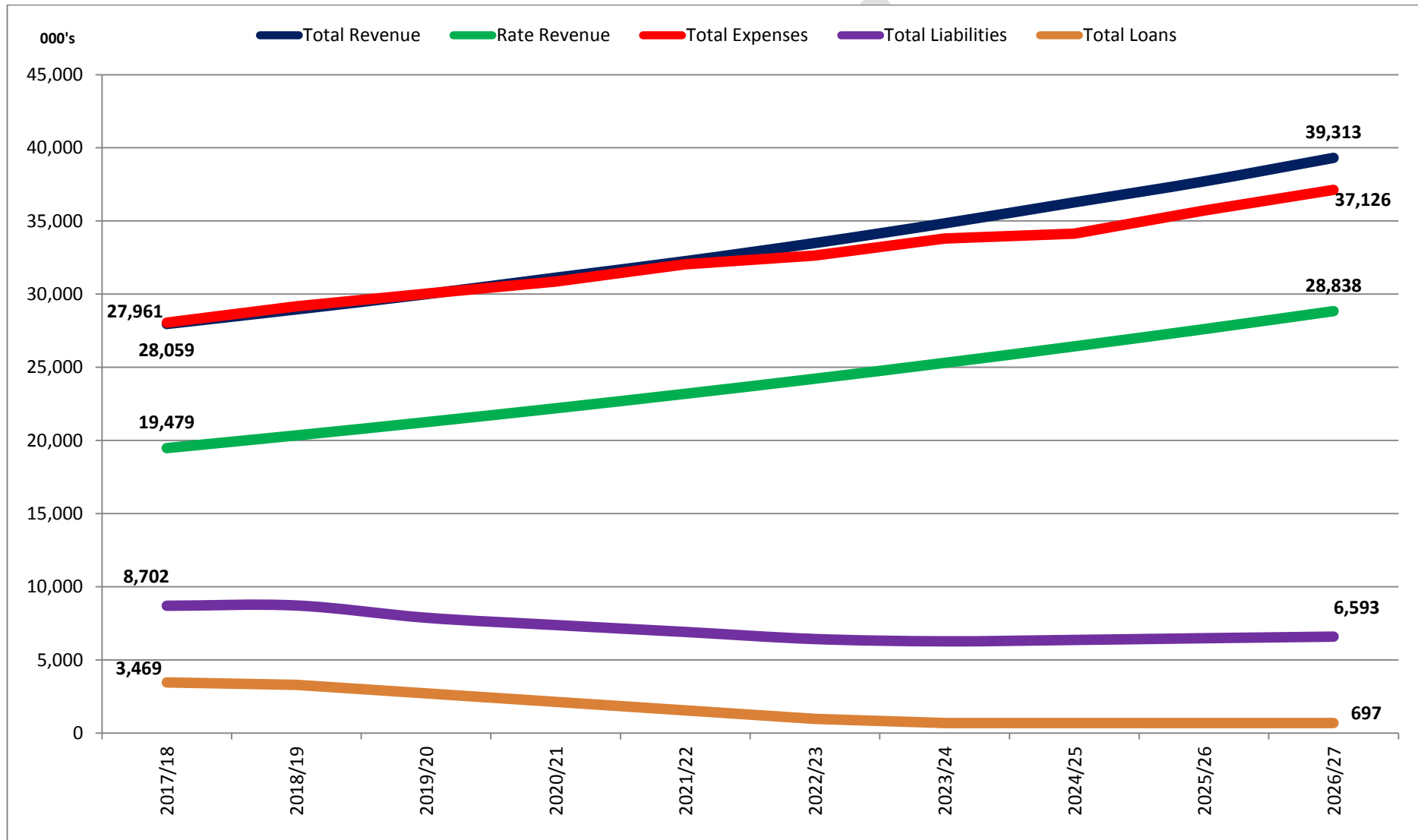
## **2.4 Forecast Borrowings**

*Council's variable interest loans operate on 'Treasury Management' principles (guided by Council's Treasury Management Policy) which enables Council to utilise cash resources in a holistic way and to significantly reduce loan interest expenditure.*

No additional borrowings are provided for in Council's 2016/2017 Budget, however an amount of \$2.64m allocated from previous Budgets but not spent is carried forward into the 2016/2017 Budget as 'Works in Progress'. This 'Works in Progress' amount comprised of \$2.6m capital funds and \$0.40m operating funds carried forward.

New major capital works projects and associated funding for the final five years of the term of the LTFP remain unallocated to allow Council to continually review its position in this regard. At any point in time future Councils will have the flexibility to determine allocation of further major capital works projects, elect to reduce debt or a combination of both.

### 3. FORECAST FINANCIAL STATEMENTS



### 3.1 Forecast Statement of Comprehensive Income

Year Ended 30 June:	2016 Actual \$(000)	2017 Estimate \$(000)	2018 Plan Year 1 \$(000)	2019 Plan Year 2 \$(000)	2020 Plan Year 3 \$(000)	2021 Plan Year 4 \$(000)	2022 Plan Year 5 \$(000)	2023 Plan Year 6 \$(000)	2024 Plan Year 7 \$(000)	2025 Plan Year 8 \$(000)	2026 Plan Year 9 \$(000)	2027 Plan Year 10 \$(000)
<b>INCOME</b>												
Rates	18,327	18,649	19,479	20,346	21,253	22,200	23,189	24,222	25,302	26,430	27,608	28,838
Statutory Charges	340	402	410	418	426	434	442	451	460	469	478	487
User Charges	3,806	3,508	3,771	3,826	3,882	3,939	3,997	4,056	4,117	4,179	4,242	4,306
Grants, subsidies, contributions	2,250	3,751	3,807	3,864	3,922	3,981	4,041	4,102	4,164	4,226	4,289	4,353
Investment Income	32	11	11	11	11	59	63	129	252	413	521	750
Reimbursements	274	108	110	112	114	116	118	120	122	125	128	131
Other Income	382	365	373	381	389	397	405	413	421	430	439	448
<b>Total Revenues</b>	<b>25,411</b>	<b>26,794</b>	<b>27,961</b>	<b>28,958</b>	<b>29,997</b>	<b>31,126</b>	<b>32,255</b>	<b>33,493</b>	<b>34,838</b>	<b>36,272</b>	<b>37,705</b>	<b>39,313</b>
<b>EXPENSES</b>												
Employee costs	10,066	10,438	11,048	11,270	11,497	11,728	11,964	12,205	12,450	12,700	12,955	13,216
Materials, contracts & other expenses	8,955	9,311	9,820	10,318	10,659	11,104	11,544	12,101	12,480	12,976	13,493	14,030
Depreciation	6,704	6,975	6,616	7,011	7,204	7,438	7,977	7,845	8,445	8,162	9,008	9,848
Finance Costs	236	372	575	565	663	593	551	495	423	291	261	232
Other Expenses	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total Expenses</b>	<b>25,961</b>	<b>27,096</b>	<b>28,059</b>	<b>29,164</b>	<b>30,023</b>	<b>30,863</b>	<b>32,036</b>	<b>32,646</b>	<b>33,798</b>	<b>34,129</b>	<b>35,717</b>	<b>37,126</b>
<b>OPERATING SURPLUS/(DEFICIT) BEFORE CAPITAL AMOUNTS</b>	<b>(550)</b>	<b>(302)</b>	<b>(98)</b>	<b>(206)</b>	<b>(26)</b>	<b>263</b>	<b>219</b>	<b>847</b>	<b>1,040</b>	<b>2,143</b>	<b>1,988</b>	<b>2,187</b>
Net gain/(loss) on disposal or revaluations	(124)	(309)	(400)	(410)	(420)	(431)	(442)	(453)	(464)	(450)	(450)	(450)
Amounts specifically for new assets	585	0	569	0	0	0	0	0	0	0	0	0
Physical resources free of charge	604	630	50	50	50	50	50	50	50	50	50	50
<b>NET SURPLUS/(DEFICIT)</b>	<b>515</b>	<b>19</b>	<b>121</b>	<b>(566)</b>	<b>(396)</b>	<b>(118)</b>	<b>(173)</b>	<b>444</b>	<b>626</b>	<b>1,743</b>	<b>1,588</b>	<b>1,787</b>
<b>Other Comprehensive Income</b>												
Changes in revaluation surplus - IPP & E	3,932	0	0	0	636	18,488	0	0	0	505	19,397	0
Impairment (expense) / recoupments offset to asset revaluation reserve	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total Other Comprehensive Income</b>	<b>3,932</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>636</b>	<b>18,488</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>505</b>	<b>19,397</b>	<b>0</b>
<b>TOTAL COMPREHENSIVE INCOME</b>	<b>4,447</b>	<b>19</b>	<b>121</b>	<b>(566)</b>	<b>240</b>	<b>18,370</b>	<b>(173)</b>	<b>444</b>	<b>626</b>	<b>2,248</b>	<b>20,985</b>	<b>1,787</b>

### 3.2 Forecast Statement of Financial Position

Year Ended 30 June:	2016 Actual	2017 Estimate	2018 Plan Year 1	2019 Plan Year 2	2020 Plan Year 3	2021 Plan Year 4	2022 Plan Year 5	2023 Plan Year 6	2024 Plan Year 7	2025 Plan Year 8	2026 Plan Year 9	2027 Plan Year 10
	\$(000)	\$(000)	\$(000)	\$(000)	\$(000)	\$(000)	\$(000)	\$(000)	\$(000)	\$(000)	\$(000)	\$(000)
<b>ASSETS</b>												
<b>Current Assets</b>												
Cash & Equivalent Assets	991	0	0	0	1,070	1,155	2,619	5,357	8,938	11,324	16,423	22,295
Trade & Other Receivables	1,158	1,152	1,152	1,118	1,118	1,118	1,118	1,118	1,118	1,118	1,118	1,118
Investments & Other Financial Assets	0	0	0	0	0	0	0	0	0	0	0	0
Inventories	39	39	0	0	0	0	0	0	0	0	0	0
Sub-total	2,188	1,191	1,152	1,118	2,188	2,273	3,737	6,475	10,056	12,442	17,541	23,413
Non-current assets held for sale	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total Current Assets</b>	<b>2,188</b>	<b>1,191</b>	<b>1,152</b>	<b>1,118</b>	<b>2,188</b>	<b>2,273</b>	<b>3,737</b>	<b>6,475</b>	<b>10,056</b>	<b>12,442</b>	<b>17,541</b>	<b>23,413</b>
<b>Non-Current Assets</b>												
Receivables	68	34	0	0	0	0	0	0	0	0	0	0
Other Financial Assets	0	0	0	0	0	0	0	0	0	0	0	0
Equity Accounted Investments in Council Businesses	0	0	0	0	0	0	0	0	0	0	0	0
Investment Property	0	0	0	0	0	0	0	0	0	0	0	0
Infrastructure, Property, Plant & Equipment	234,422	235,419	235,679	235,165	233,499	251,284	249,176	246,398	243,287	243,243	259,246	255,270
Inventories	0	0	39	39	39	39	39	39	39	39	39	39
Other Non-Current Assets	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total Non-Current Assets</b>	<b>234,490</b>	<b>235,453</b>	<b>235,718</b>	<b>235,204</b>	<b>233,538</b>	<b>251,323</b>	<b>249,215</b>	<b>246,437</b>	<b>243,326</b>	<b>243,282</b>	<b>259,285</b>	<b>255,309</b>
<b>Total Assets</b>	<b>236,678</b>	<b>236,644</b>	<b>236,870</b>	<b>236,322</b>	<b>235,726</b>	<b>253,596</b>	<b>252,952</b>	<b>252,912</b>	<b>253,382</b>	<b>255,724</b>	<b>276,826</b>	<b>278,722</b>
<b>LIABILITIES</b>												
<b>Current Liabilities</b>												
Trade & Other Payables	2,092	2,092	2,133	2,169	2,203	2,221	2,257	2,283	2,322	2,338	2,375	2,402
Borrowings	239	392	3,032	950	582	582	582	272	0	0	0	0
Provisions	2,435	2,435	2,553	2,596	2,635	2,678	2,720	2,763	2,807	2,852	2,898	2,945
Landfill Provision	0	0	0	0	0	0	0	0	0	0	0	0
Sub-total	4,766	4,919	7,718	5,715	5,420	5,481	5,559	5,318	5,129	5,190	5,273	5,347
Liabilities Relating to Non-Current Assets held for sale	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total Current Liabilities</b>	<b>4,766</b>	<b>4,919</b>	<b>7,718</b>	<b>5,715</b>	<b>5,420</b>	<b>5,481</b>	<b>5,559</b>	<b>5,318</b>	<b>5,129</b>	<b>5,190</b>	<b>5,273</b>	<b>5,347</b>
<b>Non-Current Liabilities</b>												
Trade & Other Payables	0	0	0	0	0	0	0	0	0	0	0	0
Borrowings	3,675	3,469	697	2,715	2,133	1,551	969	697	697	697	697	697
Provisions	209	209	287	290	331	352	385	414	447	480	514	549
Landfill Provision	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total Non-Current Liabilities</b>	<b>3,884</b>	<b>3,678</b>	<b>984</b>	<b>3,005</b>	<b>2,464</b>	<b>1,903</b>	<b>1,354</b>	<b>1,111</b>	<b>1,144</b>	<b>1,177</b>	<b>1,211</b>	<b>1,246</b>
<b>Total Liabilities</b>	<b>8,650</b>	<b>8,597</b>	<b>8,702</b>	<b>8,720</b>	<b>7,884</b>	<b>7,384</b>	<b>6,913</b>	<b>6,429</b>	<b>6,273</b>	<b>6,367</b>	<b>6,484</b>	<b>6,593</b>
<b>NET ASSETS</b>	<b>228,028</b>	<b>228,047</b>	<b>228,168</b>	<b>227,602</b>	<b>227,842</b>	<b>246,212</b>	<b>246,039</b>	<b>246,483</b>	<b>247,109</b>	<b>249,357</b>	<b>270,342</b>	<b>272,129</b>
<b>EQUITY</b>												
Accumulated Surplus	54,680	54,699	54,820	54,254	53,858	53,740	53,567	54,011	54,637	56,380	57,968	59,755
Asset Revaluation Reserve	168,968	168,968	168,968	168,968	169,602	188,090	188,090	188,090	188,090	188,595	207,992	207,992
Other Reserves	4,382	4,382	4,382	4,382	4,382	4,382	4,382	4,382	4,382	4,382	4,382	4,382
<b>TOTAL EQUITY</b>	<b>228,028</b>	<b>228,047</b>	<b>228,168</b>	<b>227,602</b>	<b>227,842</b>	<b>246,212</b>	<b>246,039</b>	<b>246,483</b>	<b>247,109</b>	<b>249,357</b>	<b>270,342</b>	<b>272,129</b>

### 3.3 Forecast Statement of Cash Flows

Year Ended 30 June:	2016 Actual \$('000)	2017 Estimate \$('000)	2018 Plan Year 1 \$('000)	2019 Plan Year 2 \$('000)	2020 Plan Year 3 \$('000)	2021 Plan Year 4 \$('000)	2022 Plan Year 5 \$('000)	2023 Plan Year 6 \$('000)	2024 Plan Year 7 \$('000)	2025 Plan Year 8 \$('000)	2026 Plan Year 9 \$('000)	2027 Plan Year 10 \$('000)
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>												
<u>Receipts</u>												
Rates		18,849	19,479	20,346	21,253	22,200	23,189	24,222	25,302	26,430	27,608	28,838
Statutory Charges		402	410	418	426	434	442	451	460	469	478	487
User Charges		3,508	3,775	3,829	3,885	3,941	4,000	4,059	4,120	4,181	4,245	4,309
Grants, subsidies, contributions		3,751	3,807	3,864	3,922	3,981	4,041	4,102	4,164	4,226	4,289	4,353
Investment Income		11	11	11	11	59	63	129	252	413	521	750
Reimbursements		108	110	112	114	118	118	120	122	125	128	131
Other Income		365	378	386	393	399	410	416	426	432	444	451
Spare Income 2		0	0	0	0	0	0	0	0	0	0	0
Employee costs		(10,438)	(10,849)	(11,222)	(11,415)	(11,663)	(11,887)	(12,131)	(12,371)	(12,621)	(12,873)	(13,132)
Materials, contracts & other expenses		(9,311)	(9,791)	(10,292)	(10,634)	(11,091)	(11,518)	(12,083)	(12,451)	(12,965)	(13,466)	(14,011)
Finance Costs		(372)	(575)	(565)	(663)	(593)	(551)	(495)	(423)	(291)	(261)	(232)
Loss - Joint Ventures		0	0	0	0	0	0	0	0	0	0	0
Other Expenses		0	0	0	0	0	0	0	0	0	0	0
<b>Net Cash provided by (or used in) Operating Activities</b>		<b>6,673</b>	<b>6,755</b>	<b>6,887</b>	<b>7,292</b>	<b>7,783</b>	<b>8,307</b>	<b>8,790</b>	<b>9,601</b>	<b>10,399</b>	<b>11,113</b>	<b>11,944</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>												
<u>Receipts</u>												
Amounts Specifically for New/Upgraded Assets		0	569	0	0	0	0	0	0	0	0	0
Sale of Renewed/Replaced Assets		0	0	0	0	0	0	0	0	0	0	0
Sale of Surplus Assets		0	0	0	0	0	0	0	0	0	0	0
Proceeds of disposals - Invest. Prop.		0	0	0	0	0	0	0	0	0	0	0
Net disposal of Investment Securities		0	0	0	0	0	0	0	0	0	0	0
Pods of disposal - Real Estate Devel.		0	0	0	0	0	0	0	0	0	0	0
Repayments of Loans by Community Groups		40	34	34	0	0	0	0	0	0	0	0
Distributions Received from Associated Entities		0	0	0	0	0	0	0	0	0	0	0
<u>Payments</u>												
Expenditure on Renewal/Replacement of Assets		(4,837)	(4,671)	(4,495)	(4,581)	(4,598)	(5,561)	(4,781)	(5,027)	(4,987)	(5,288)	(5,337)
Expenditure on New/Upgraded Assets		(2,814)	(2,555)	(2,362)	(691)	(2,518)	(700)	(709)	(721)	(3,026)	(746)	(735)
Purchase of Investment Property		0	0	0	0	0	0	0	0	0	0	0
Net purchase of Investment Securities		0	0	0	0	0	0	0	0	0	0	0
Acquisitions - Real Estate developments		0	0	0	0	0	0	0	0	0	0	0
Loans Made to Community Groups		0	0	0	0	0	0	0	0	0	0	0
Capital Contributed to Associated Entities		0	0	0	0	0	0	0	0	0	0	0
<b>Net Cash Provided by (or used in) Investing Activities</b>		<b>(7,611)</b>	<b>(6,523)</b>	<b>(6,823)</b>	<b>(5,272)</b>	<b>(7,116)</b>	<b>(6,261)</b>	<b>(5,470)</b>	<b>(5,748)</b>	<b>(8,013)</b>	<b>(6,014)</b>	<b>(6,072)</b>
<b>CASH FLOWS FROM FINANCING ACTIVITIES</b>												
<u>Receipts</u>												
Proceeds from Borrowings		0	0	2,800	0	0	0	0	0	0	0	0
Proceeds from Aged Care Facility Deposits		0	0	0	0	0	0	0	0	0	0	0
<u>Payments</u>												
Repayments of Borrowings		(195)	(206)	(2,772)	(582)	(582)	(582)	(582)	(272)	0	0	0
Repayment of Finance Lease Liabilities		0	0	0	0	0	0	0	0	0	0	0
Repayment of Aged Care Facility Deposits		0	0	0	0	0	0	0	0	0	0	0
<b>Net Cash provided by (or used in) Financing Activities</b>		<b>(195)</b>	<b>(206)</b>	<b>(172)</b>	<b>(582)</b>	<b>(582)</b>	<b>(582)</b>	<b>(582)</b>	<b>(272)</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Net Increase/(Decrease) in cash held</b>		<b>(1,133)</b>	<b>(74)</b>	<b>(108)</b>	<b>1,438</b>	<b>85</b>	<b>1,464</b>	<b>2,738</b>	<b>3,581</b>	<b>2,386</b>	<b>5,099</b>	<b>5,872</b>
Opening cash, cash equivalents or (bank overdraft)		947	(186)	(260)	(368)	1,070	1,155	2,619	5,357	8,938	11,324	16,423
<b>Closing cash, cash equivalents or (bank overdraft)</b>	<b>947</b>	<b>(186)</b>	<b>(260)</b>	<b>(368)</b>	<b>1,070</b>	<b>1,155</b>	<b>2,619</b>	<b>5,357</b>	<b>8,938</b>	<b>11,324</b>	<b>16,423</b>	<b>22,295</b>

### 3.4 Forecast Statement of Changes in Equity

Year Ended 30 June:	2016 Actual	2017 Estimate	2018 Plan Year 1	2019 Plan Year 2	2020 Plan Year 3	2021 Plan Year 4	2022 Plan Year 5	2023 Plan Year 6	2024 Plan Year 7	2025 Plan Year 8	2026 Plan Year 9	2027 Plan Year 10
	\$(000)	\$(000)	\$(000)	\$(000)	\$(000)	\$(000)	\$(000)	\$(000)	\$(000)	\$(000)	\$(000)	\$(000)
<b>ACCUMULATED SURPLUS</b>												
Balance at end of previous reporting period	53,930	54,680	54,699	54,820	54,254	53,858	53,740	53,567	54,011	54,637	56,380	57,968
Net Result for Year	515	19	121	(566)	(396)	(118)	(173)	444	626	1,743	1,588	1,787
Other Comprehensive Income	0	0	0	0	0	0	0	0	0	0	0	0
Transfers to Other Reserves	(2,752)	0	0	0	0	0	0	0	0	0	0	0
Transfers from Other Reserves	2,987	0	0	0	0	0	0	0	0	0	0	0
<b>Balance at end of period</b>	<b>54,680</b>	<b>54,699</b>	<b>54,820</b>	<b>54,254</b>	<b>53,858</b>	<b>53,740</b>	<b>53,567</b>	<b>54,011</b>	<b>54,637</b>	<b>56,380</b>	<b>57,968</b>	<b>59,755</b>
<b>ASSET REVALUATION RESERVE</b>												
Land	31,370	31,370	31,370	31,370	31,370	34,820	34,820	34,820	34,820	34,820	38,575	38,575
Buildings & Other Structures	75,418	75,418	75,418	75,418	75,418	82,147	82,147	82,147	82,147	82,147	88,711	88,711
Infrastructure	57,758	57,758	57,758	57,758	57,758	66,067	66,067	66,067	66,067	66,067	75,145	75,145
Plant & Equipment	769	769	769	769	1,276	1,276	1,276	1,276	1,276	1,739	1,739	1,739
Minor Plant	34	34	34	34	52	52	52	52	52	69	69	69
Office Equipment	0	0	0	0	17	17	17	17	17	18	18	18
Other	3,617	3,617	3,617	3,617	3,711	3,711	3,711	3,711	3,711	3,735	3,735	3,735
Caroline Landfill	0	0	0	0	0	0	0	0	0	0	0	0
Asset Group 9	0	0	0	0	0	0	0	0	0	0	0	0
Asset Group 10	0	0	0	0	0	0	0	0	0	0	0	0
<b>Balance at end of period</b>	<b>168,966</b>	<b>168,966</b>	<b>168,966</b>	<b>168,966</b>	<b>169,602</b>	<b>188,090</b>	<b>188,090</b>	<b>188,090</b>	<b>188,090</b>	<b>188,595</b>	<b>207,992</b>	<b>207,992</b>
<b>OTHER RESERVES</b>												
Balance at end of previous reporting period	4,617	4,382	4,382	4,382	4,382	4,382	4,382	4,382	4,382	4,382	4,382	4,382
Transfers from Accumulated Surplus	2,752	0	0	0	0	0	0	0	0	0	0	0
Transfers to Accumulated Surplus	(2,987)	0	0	0	0	0	0	0	0	0	0	0
<b>Balance at end of period</b>	<b>4,382</b>	<b>4,382</b>	<b>4,382</b>	<b>4,382</b>	<b>4,382</b>	<b>4,382</b>	<b>4,382</b>	<b>4,382</b>	<b>4,382</b>	<b>4,382</b>	<b>4,382</b>	<b>4,382</b>
<b>TOTAL EQUITY AT END OF REPORTING PERIOD</b>	<b>228,028</b>	<b>228,047</b>	<b>228,168</b>	<b>227,602</b>	<b>227,842</b>	<b>246,212</b>	<b>246,039</b>	<b>246,483</b>	<b>247,109</b>	<b>249,357</b>	<b>270,342</b>	<b>272,129</b>

## 4. GLOSSARY

### ***Asset Sustainability Ratio***

Asset Sustainability Ratio indicates whether the Council is renewing or replacing existing non-financial assets at the same rate as its assets are used or 'consumed'. The ratio is calculated by measuring capital expenditure on renewal and replacement of assets relative to the level of depreciation. Where a Council has a soundly based Infrastructure and Asset Management Plan, a more meaningful asset sustainability ratio would be calculated by measuring the actual level of capital expenditure on renewal and replacement of assets (or proposed in the Budget) with the optimal level identified in the Plan.

### ***Financial Assets***

Financial Assets include cash, investments, loans to community groups, receivables and prepayments, but excludes equity held in Council businesses, inventories and land held for resale.

### ***Financial Sustainability***

Financial Sustainability is where planned long-term service and infrastructure levels and standards are met without unplanned and disruptive increases in rates or cuts to services.

### ***Infrastructure and Asset Management Plan***

A tactical plan for Council's Land, Building and Structure, Infrastructure, Plant and Equipment and other physical assets with the objective of providing the required level of service, maintenance and renewal of such assets in the most cost effective and efficient manner.

### ***Net Financial Liabilities Ratio***

Net Financial Liabilities Ratio expresses Net Financial Liabilities as a percentage of total operating revenue. The ratio allows interested parties to readily equate the outstanding level of the Council's accumulated financial obligations against the level of one-year's operating revenue. Where the ratio reduces over time, it generally indicates that the Council's capacity to meet its financial obligations is strengthening.

### ***Net Lending/ (Borrowing)***

Net Lending/ (Borrowing) equals Operating Surplus / (Deficit), less net outlays on non-financial assets. The Net Lending / (Borrowing) result is a measure of the Council's overall (i.e. Operating and Capital) budget on an accrual basis. Achieving a zero result on the Net Lending / (Borrowing) measure in any one year essentially means that the Council has met all of its expenditure (both operating and capital) from the current year's revenues.

### ***Non-financial or Physical Assets***

Non-financial or Physical Assets refers to infrastructure, land, buildings, plant, equipment, furniture and fittings, library books and inventories.

**Operating Deficit**

Operating Deficit is where operating revenues are less than operating expenses (ie. operating revenue is therefore not sufficient to cover all operating expenses).

**Operating Expenses**

Operating Expenses are operating expenses shown in the Income Statement, including depreciation, but excluding losses on disposal or revaluation of non-financial assets.

**Operating Revenues**

Operating Revenues are incomes shown in the Income Statement, but exclude profit on disposal of non-financial assets and amounts received specifically for new/upgraded assets (e.g. from a developer). For ratios calculated where the denominator specified is total operating revenue or rate revenue, Natural Resource Management (NRM) levy revenue is excluded.

**Operating Surplus**

Operating Surplus is where operating revenues are greater than operating expenses (ie. operating revenue is therefore sufficient to cover all operating expenses).

**Operating Surplus Ratio**

Operating Surplus Ratio expresses the operating surplus (deficit) as a percentage of general and other rates.

7/7 Robbie

# **LAND MANAGEMENT AGREEMENT BY DEED**

**BETWEEN**

**CITY OF MOUNT GAMBIER  
("Council")**

**AND**

**RETURNED AND SERVICES LEAGUE (MOUNT GAMBIER SUB-BRANCH AND  
MEMORIAL CLUB) INC  
("Owner")**

**THIS AGREEMENT** is made the

day of

2010

**BETWEEN:**            **CITY OF MOUNT GAMBIER** of PO Box 56 of Mount Gambier SA 5290 (hereinafter, with its successors and assigns, called "the Council") of the one part

**AND:**                    **THE RETURNED AND SERVICES LEAGUE (MOUNT GAMBIER SUB-BRANCH AND MEMORIAL CLUB) INC** of PO Box 80 Mount Gambier SA 5290 (hereinafter, together with its executors, administrators, successors and assigns as the case may be, called "the Owner") of the other part

**RECITALS:**

- A. The Owner is the registered proprietor of an estate in fee simple:
- i. in the whole of the land comprised in Allotment 225 in Filed Plan 194027 in the area named Mount Gambier Hundred of Blanche as contained in Certificate of Title Register Book Volume 5774 Folio 860, otherwise known as 23 Ferrers Street, Mount Gambier (hereinafter called "the Car Park Land"); and
  - ii. in the whole of the land comprised in Allotment 100 in Filed Plan 52130 in the area named Mount Gambier Hundred of Blanche as contained in Certificate of Title Register Book Volume 6036 Folio 100, otherwise known as 16 Sturt Street, Mount Gambier (hereinafter called "RSL land").
- B. By Development Application No. 381/0649/2007, pursuant to the provisions of the *Development Act 1993* (hereinafter called "the Act") the Owner sought and obtained Provisional Development Plan Consent on 21 February 2008 for the redevelopment and upgrading of the Mount Gambier Community RSL building (hereinafter called "the RSL building") on the RSL land (hereinafter called "the Initial Consent"). Annexed hereto and marked "A" is a copy of the Initial Consent and the final Development Approval (hereinafter called "the Initial Approval").
- C. The Initial Consent contained a Condition, being Condition No 3, which required the construction of a nineteen (19) car car park on adjacent land at 18 Sturt Street, Mount Gambier (hereinafter called "the Sturt Street Land"). This condition was imposed as the upgrade of the RSL building on the RSL Land was at variance with the Development Plan in relation to car parking spaces.
- D. The parties acknowledge that when the Initial Approval was issued Condition Number 3 became Condition No 8, and the parties further acknowledge that this change has no material impact on the subsequent development applications.
- E. Subsequent to receiving the Initial Consent and the Initial Approval, the Owner determined that the Sturt Street Land was not suitable for a car park.

- F. By Development Application No. DA 381/0174/2010, the Owner sought and obtained Provisional Development Plan Consent to change the use of the Car Park Land and construct a forty six (46) car car park, which was to be used in connection with the RSL building on the RSL land and the business conducted therein (hereinafter called "the First Further Approval") . Annexed hereto and marked "B" is a copy of the First Further Approval and marked "C" is a copy of the approved site plan (being Drawing No 1756-10-PL01, Revision 2 dated 4 May 2010).
- G. In conjunction with the First Further Approval, by Development Application No. DA 381/0145/2010, the Owner sought and obtained approval to delete Condition 3 from the Initial Approval (hereinafter referred to as the Second Further Approval). Annexed hereto and marked "D" is a copy of the Second Further Approval.
- H. The Council agreed to grant its consent to the First Further Approval on the basis that the Owner entered into this Agreement and undertook to observe and perform the terms of this Agreement.
- I. The Council and the Owner now wish to ensure that the Car Park Land is used only as a car park associated with the use of the RSL Land and in conjunction with the Initial Approval.
- J. Pursuant to the provisions of Section 57(2) of the Act, the Owner has agreed with the Council to enter into this Agreement relating to the development, management, preservation and conservation of the Car Park Land, subject to the terms and conditions hereinafter mentioned.

**NOW THIS AGREEMENT WITNESSES** as follows:

**1. INTERPRETATION**

- 1.1 The parties acknowledge that the matters recited above are true and accurate and agree that they shall form part of the terms of this Agreement.
- 1.2 In the interpretation of this Agreement unless the context shall otherwise require or admit:
  - 1.2.1 Words and phrases used in this Agreement which are defined in the Act or in the regulations made under the Act shall have the meanings ascribed to them by the Act or the regulations as the case may be;
  - 1.2.2 References to any statute or subordinate legislation shall include all statutes and subordinate legislation amending, consolidating or replacing the statute or subordinate legislation referred to;
  - 1.2.3 The term "the Owner", where the Owner is a company or incorporated association, includes its successors, assigns and transferees and, where the Owner is a person, includes his heirs, executors, administrators and transferees and where the Owner consists of more than one person or company, the term includes each and every one or more of such persons or companies jointly and each of them severally and their respective successors, assigns, heirs, executors, administrators and transferees of the companies or persons being registered or entitled to be registered as the proprietor of an estate in fee simple to the Land or to each and every one

of all separate allotments into which the Land may be divided after the date of this Agreement, subject however to such encumbrances, liens and interests as are registered and notified by memoranda endorsed on the Certificate of Title thereof;

- 1.2.4 The term "person" shall include a corporate body;
- 1.2.5 The terms "the Car Park Land" or "the RSL land" shall include any part or parts of the Land or the RSL land;
- 1.2.6 Any term which is defined in the statement of the names and descriptions of the parties or in the Recitals shall have the meaning there defined;
- 1.2.7 Words importing the singular or plural shall be deemed to include the plural and the singular respectively;
- 1.2.8 Words importing any gender shall include every gender;
- 1.2.9 Where two or more persons are bound hereunder to observe or perform any obligation or agreement, whether express or implied, then they shall be bound jointly and each of them severally;
- 1.2.10 Specifying anything in this Agreement after the words 'including', 'includes' or 'for example' or similar expressions does not limit what else is included unless there is express wording to the contrary;
- 1.2.11 'Business day' will mean any weekday other than a day which is a public holiday in South Australia
- 1.2.12 Where the day or the last day for doing an Act is not a business day, the day or last day for doing that act will be the next following business day;
- 1.2.13 A provision of this Agreement must not be construed to the disadvantage of a party merely because that party was responsible for the preparation of this Agreement or the inclusion of the provision in this Agreement.
- 1.3 Clause headings are provided for reference purposes only and shall not be resorted to in the interpretation of this Agreement.
- 1.4 The requirements of this Agreement are at all times to be construed as additional to the requirements of the Act and any other legislation affecting the Car Park Land.

## **2 OWNER'S OBLIGATIONS**

- 2.1 The Owner shall not commence or proceed with or cause, suffer or permit to be commenced or proceeded with any applications pursuant to the Act, any Act passed in substitution for the Act, the *Real Property Act 1886* or any Act passed in substitution of the *Real Property Act 1886* or any other relevant Act to undertake any division of the Car Park Land.
- 2.2 The Owner shall not use the Car Park Land for any purpose other than as a car park.

2.3 The Owner of the Car Park Land will ensure that the car park is only used by patrons of the facilities on the RSL Land.

2.4 A sign shall be erected on the Car Park Land by the Owner before the Car Park Land is first used as a car park indicating that the Car Park Land is to be used only by the Owner's patrons and invitees.

### **3 RESTRICTION ON LEASING AND OTHER DEALINGS**

The Owner shall not grant any lease, licence, easement or other right of any nature whatsoever which may give any person the right to possession or control of or entry on to the Car Park Land, which right would enable such person to breach any of the obligations imposed on the Owner by this Agreement unless such grant:

3.1 is expressed in writing;

3.2 is made with the previous written consent of the Council; and

3.3 contains as an essential term a covenant by the grantee not to do or omit to do (or suffer or permit any other person to do or omit to do) any act matter or thing which would constitute a breach by the Owner of the Owner's obligations under this Agreement.

### **4 COUNCIL'S POWERS OF ENTRY**

4.1 The Council and any employee or agent of the Council authorised by the Council may at any reasonable time enter the Car Park Land for the purpose of:

4.1.1 inspecting the Car Park Land and any building or structure thereon;

4.1.2 exercising any other powers of the Council under this Agreement or pursuant to law.

4.2 If the Owner is in breach of any provision of this Agreement, the Council may, by notice in writing served on the Owner:

4.2.1 specify the nature of the breach; and

4.2.2 require the Owner to remedy the breach within such time as may be nominated by the Council in the notice (being not less than twenty eight (28) days from the date of service of the notice)

4.3 If, following notice being given by the Council pursuant to clause 4.2 herein, the Owner fails to remedy the breach, the Council or its servants or agents may carry out the requirements of the notice and, in doing so, may enter and perform any necessary works upon the Car Park Land.

4.4 If in a notice referred to in Clause 4.2 the Council requires the removal of the building or structure from the Car Park Land, the Council and its servants or agents are hereby authorised and empowered by the Owner:

4.4.1 to enter and remove the building or structure from the Car Park Land; and

4.4.2 to dispose of the building or structure in any manner determined by the Council;

provided that if the building or structure shall have monetary value then the Council shall use its best endeavours to realise that monetary value and shall, after the disposal, account to the Owner and pay to him the realised value less all expenses incurred.

4.5 The Council may delegate any of its powers under this Agreement to any person.

4.6 The Owner agrees to pay to the Council all costs incurred by the Council in exercising its powers pursuant to clause 4.

## **5 VARIATION AND WAIVER**

5.1 This Agreement may not be varied except by a Supplementary Agreement signed by the Council and the Owner.

5.2 The Council may waive compliance by the Owner with the whole or any part of the obligations on the Owner's part herein contained provided that no such waiver shall be effective unless expressed in writing and signed by the Council.

## **6 NOTICES**

Notice shall for the purposes of this Agreement be properly served on the Owner if it is:

6.1 posted to the Owner's last address known to the Council; or

6.2 affixed in a prominent position on the Car Park Land.

## **7 COSTS**

7.1 The Owner agrees with the Council to:

7.1.1 bear the Owner's own legal and other costs arising out of the negotiation, preparation, execution and completion of this Agreement;

7.1.2 pay any costs or expenses incurred by the Council which are payable by the Owner to the Council under the terms of this Agreement (including in accordance with clause 4.6) and further agrees that any:

7.1.2.1 such costs or expenses will be recoverable by the Council as a debt due;

7.1.2.2 any costs or expenses will be paid howsoever arising; and

7.1.2.3 legal costs will be payable on a full indemnity basis.

7.2 The Council agrees to:

7.2.1 bear its own legal and other costs arising out of the negotiation, execution and completion of this Agreement; and

7.2.2 pay all stamp duty, registration fees and mortgagee fees (if any) on this Agreement and its notation.

## 8 NOTATION OF THIS AGREEMENT

Each party shall do and execute all such acts, documents and things as shall be necessary to ensure that, as soon as is possible after the execution of this Agreement by all necessary parties, this Agreement is lodged at the Lands Titles Office and a memorial thereof entered on the Certificate of Title for the Car Park Land an, pursuant to the provisions of Section 57(5) of the Act, in priority to any other registerable interest in the Land save and except for the estate and interest of the Owner therein.

## 9 GOVERNING LAW

The law governing the interpretation and implementation of the provisions of this Agreement shall be the law of South Australia.

## 10 GENERAL PROVISIONS

10.1 If any provision of this Agreement shall be found by a Court of competent jurisdiction to be invalid or unenforceable in law then and in such case the parties hereby request and direct such Court to sever such provision from this Agreement and note that the severing of that provision will not effect the remaining provisions in the Agreement.

10.2 This Agreement records the entire agreement between the parties as to its subject matter.

**EXECUTED** as a Deed.

The **COMMON SEAL** of CITY )  
**OF MOUNT GAMBIER** was affixed )  
in the presence of: )

.....  
Mayor

.....  
Chief Executive Officer

30/9/2010  
.....



The **COMMON SEAL** of THE  
RETURNED AND SERVICES  
LEAGUE (MOUNT GAMBIER  
SUB-BRANCH AND MEMORIAL  
CLUB) INC was affixed in the  
presence of:



*[Signature]*

PRESIDENT IAN. M. ROBERTSON

*[Signature]*

state Vice President

**WESTPAC BANKING CORPORATION**, being a person with a legal interest in the Land by registered Mortgage No. 11123925, **HEREBY CONSENTS** to the Owner entering into this Agreement.

SIGNED by .....

**WESTPAC BANKING CORPORATION**  
By its Attorney

.....  
of Adelaide in the State of South Australia  
Branch Manager (South Australia) as  
Attorney for  
**WESTPAC BANKING CORPORATION**  
in the presence of:

Power of Attorney No. ....

.....  
Witness

.....  
Address

.....  
Business Telephone Number

I certify that the Attorney for the ..... with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed this instrument in my presence.

Signature of Witness:.....

Denise Britt

Print Full Name of Witness (BLOCK LETTERS)

Address of Witness: 360 COLLINS ST MELBOURNE VIC

Business Hours Telephone No. 03 96084873

SIGNED by **Ralph Scarcella** of 360 Collins Street Melbourne as Tier Three Attorney for Westpac Banking Corporation under Power of Attorney Registered No. 9037336.

*[Signature]*  
Signature

By executing this instrument the attorney states that the attorney has received no notice of the revocation of the power of attorney.

The Owner **HEREBY CERTIFIES** pursuant to Section 57(4) of the Development Act 1993 that no other person has a legal interest in the Land.

The **COMMON SEAL** of THE  
RETURNED AND SERVICES  
LEAGUE (MOUNT GAMBIER  
SUB-BRANCH AND MEMORIAL  
CLUB) INC was affixed in the  
presence of:



PRESIDENT *IAN M. ROBERTSON*

state Vice President

## **“ATTACHMENT A”**

### **“INITIAL CONSENT and APPROVAL”**

**(See Recital B)**



## SCHEDULE 11

## DECISION NOTIFICATION FORM

DEVELOPMENT NUMBER  
381/0649/2007

FOR DEVELOPMENT APPLICATION: DATED: 13/12/2007

REGISTERED ON: 13/12/2007

TO MR JASON COOPER (AS AGENT)  
CHAPMAN HERBERT ARCHITECTS PTY LTD  
76 GRAY STREET  
MOUNT GAMBIER SA 5290 (RSL INC.)

LOCATION OF PROPOSED DEVELOPMENT: 1/16 STURT STREET, MOUNT GAMBIER

## Property Description:


UNI: 1 SEC: 67 SP: 10672 CT: 5245/890

## Nature of Proposed Development:

TO CONSTRUCT ADDITIONS AND ALTERATIONS TO AN EXISTING HOTEL AND OFFICE

From: CITY OF MOUNT GAMBIER

In respect of this proposed Development you are informed that:

Nature of Decision	Consent Granted	No. of Conditions	Authorised Officer
Development Plan Consent	21 February 2008	8	
Land Division	NOT APPLICABLE		
Land Division (Strata)	NOT APPLICABLE		
Building Rules Consent	STILL REQUIRED		
<b>DEVELOPMENT APPROVAL</b>	<b>STILL REQUIRED</b>		

N/A representation(s) were received from third parties concerning your Category 3 proposal. If there were third party representations, any consent/approval or consent/approval with conditions does not operate until the periods specified in the Act have expired. Reasons for this decision, any conditions imposed, and the reasons for imposing those conditions are set out on the attached sheet.

**NO WORK CAN COMMENCE ON THIS DEVELOPMENT UNLESS A DEVELOPMENT APPROVAL HAS BEEN OBTAINED.**

If one or more consents have been granted on this Notification Form, you must not start any site works or building work or change of the use of the land until you have also received notification of a Development Approval.

Date of Decision: 21 February 2008

<input checked="" type="checkbox"/>	Council Chief Executive Officer or delegate
<input checked="" type="checkbox"/>	Sheets Attached

Signed: 

Date: 22 February 2008

**\*PLEASE READ THE INFORMATION ON THE BACK OF THIS FORM**



## DEVELOPMENT APPLICATION NO: 381/0649/2007

### CONDITIONS OF DEVELOPMENT PLAN CONSENT

1. The development shall be carried out in accordance with the Plan as approved by Council and with the Conditions of Approval.
2. The building and land shall not be used for purposes other than those approved by Council.
3. The nineteen (19) car parking spaces shown on the plan/s which are mentioned in the letter to Council from Chapman Herbert Architects dated 22 January 2008 need to be constructed no later than twelve (12) months after the lease expires on 1 March 2009.
4. The car parking and driveway areas and footpath crossover as shown on the plan/s approved by Council, shall be graded, paved and sealed with bitumen or other similar material and linemarked to the reasonable satisfaction of Council.
5. Provision shall be made for the disposal of stormwater and surface drainage to the reasonable satisfaction of Council.
6. Landscaping shall be undertaken and maintained at all times to the reasonable satisfaction of Council.
7. The advertising sign/s shall be maintained in a state of good repair and tidy condition at all times.
8. The building and surroundings shall be maintained in a state of good repair and tidy condition at all times.

### ADVICE

The reasons for Council's Conditions of Development Plan Consent are:

1. To ensure that the proposed development improves and enhances the amenity and character of the area.
2. To ensure orderly and proper development.

**Simon WISEMAN**  
PLANNING OFFICER



Mount Gambier

Reference: 381/0649/2007 JP  
Enquiries to: Simon Wiseman

28 April 2009

Mr Jock Chambers  
RSL Inc  
PO Box 80  
MOUNT GAMBIER SA 5290

Dear Jock

**RE: PUBLIC DISPLAY OF MILITARY EQUIPMENT  
18 STURT STREET, MOUNT GAMBIER**

Thank you for your letter requesting to locate a Memorabilia display opposite the RSL building at 18 Sturt Street, Mount Gambier.

As part of the upgrade of the RSL building condition 8 as attached to the Development Approval requested that 18 Sturt Street be made into car parking spaces to service the RSL building opposite.

If you seek to vary that particular condition you would be required to lodge a new Development Application.

Please note that the current RSL building is seriously deficient in car parking spaces.

Should you wish to discuss this matter further, and / or require any additional information or details, please contact the undersigned.

Yours faithfully

**Simon WISEMAN  
PLANNING OFFICER**

Enc. Conditions of Approval



## SCHEDULE 11

### DECISION NOTIFICATION FORM

DEVELOPMENT NUMBER  
381/0649/2007

FOR DEVELOPMENT APPLICATION: DATED: 13/12/2007

REGISTERED ON: 13/12/2007

TO JASON COOPER (AS AGENT)  
CHAPMAN HERBERT ARCHITECTS PTY LTD  
76 GRAY STREET  
MOUNT GAMBIER SA 5290 (RSL)

LOCATION OF PROPOSED DEVELOPMENT: 1/16 STURT STREET, MOUNT GAMBIER

#### Property Description:

UNI: 1 SEC: 67 SP: 10672 CT: 5245/890



#### Nature of Proposed Development:

**STAGE TWO (2) - TO CONSTRUCT ADDITIONS AND ALTERATIONS TO AN EXISTING HOTEL AND OFFICES**

From: CITY OF MOUNT GAMBIER

Classification under the Building Code: U

In respect of this proposed Development you are informed that:

Nature of Decision	Consent Granted	No. of Conditions	Authorised Officer
Development Plan Consent	21 February 2008	8	
Land Division	NOT APPLICABLE		
Land Division (Strata)	NOT APPLICABLE		
Building Rules Consent	27 June 2008 – <b>STAGE TWO (2)</b>	PRIVATELY CERTIFIED (see attached)	
<b>DEVELOPMENT APPROVAL</b>	4 JUNE 2008 – <b>STAGE ONE (1)</b> 11 July 2008 – <b>STAGE TWO (1)</b>	8	

N/a representation(s) were received from third parties concerning your Category 3 proposal. If there were third party representations, any consent/approval or consent/approval with conditions does not operate until the periods specified in the Act have expired. The reasons for this decision, any conditions imposed, and the reasons for imposing those conditions are set out on the attached sheet.

**NO WORK CAN COMMENCE ON THIS DEVELOPMENT UNLESS A DEVELOPMENT APPROVAL HAS BEEN OBTAINED.**

If one or more consents have been granted on this Notification Form, you must not start any site works or building work or change of the use of the land until you have also received notification of a Development Approval.

Date of Decision: 11 July 2008

☒ Council Chief Executive Officer or delegate  
☒ Sheets Attached

Signed: 

Date: 11 July 2008

**\*PLEASE READ THE INFORMATION ON THE BACK OF THIS FORM**



# City of Mount Gambier

DEVELOPMENT APPLICATION NO: 381/0649/2007

## CONDITIONS OF DEVELOPMENT APPROVAL

1. The development shall be carried out in accordance with the Plan as approved by Council and with the Conditions of Approval.
2. The building and land shall not be used for purposes other than those approved by Council.
3. The carparking and driveway areas and footpath crossover as shown on the plans approved by Council shall be graded, paved and sealed with bitumen or other similar material and linemarked to the reasonable satisfaction of Council.
4. Provision shall be made for the disposal of stormwater and surface drainage to the reasonable satisfaction of Council.
5. Landscaping shall be undertaken and maintained at all times to the reasonable satisfaction of Council.
6. The advertising sign/s shall be maintained in a state of good repair and tidy condition at all times.
7. The building and surroundings shall be maintained in a state of good repair and tidy condition at all times.
8. The nineteen (19) car parking spaces shown on the plans and which are mentioned in the letter to Council from Chapman Herbert Architects dated 22<sup>nd</sup> January 2008 need to be constructed no later than twelve (12) months after the lease expires on 1<sup>st</sup> March 2009.

## ADVICE

The Applicant be advised the reasons for Council's Conditions are:

1. To ensure that the proposed development improves and enhances the amenity and character of the area.
2. To ensure orderly and proper development.
3. The approved development is considered not to be at serious variance with Council's Development Plan.

**Simon WISEMAN**  
PLANNING OFFICER

**John BEST**  
ASSISTANT BUILDING SURVEYOR

11 July 2008

**“ATTACHMENT B”**

**“FIRST FURTHER APPROVAL”**

**(See Recital F)**



ATTACHMENT "B"

Development No: 381/0174/2010 LM  
Enquiries To: Simon Wiseman

6 July 2010

Attention: Mr Hamish Price  
Chapman Herbert Architects Pty Ltd  
76 Gray Street  
MOUNT GAMBIER SA 5290

Dear Hamish

RE: CARPARK  
**23 FERRERS STREET, MOUNT GAMBIER**

Further to the above Development Application, you are advised that Council has taken into account the relevant matters associated with this development and has made a decision on the application.

Council has granted approval to change the use from vacant land to that of a car park to be directly associated with the existing RSL building located at 16 Sturt Street, at 23 Ferrers Street, Mount Gambier, subject to ten (10) Conditions. The Decision Notification Form for the approval is attached.

Please note all works specified in the development shall be commenced within twelve months and substantially completed within three years of the date of approval unless otherwise stated by any conditions attached. No outdoor signs shall be erected or displayed on the land unless the approval of Council is first obtained.

Further enquiries should be referred to the undersigned.

Yours faithfully

**Simon WISEMAN**  
**PLANNING OFFICER**

Enc. Development Approval  
Approved Plans  
Notice to Council/Things to Remember



# City of Mount Gambier

## SCHEDULE 11

### DECISION NOTIFICATION FORM

DEVELOPMENT NUMBER  
381/0174/2010

FOR DEVELOPMENT APPLICATION: DATED: 05/05/2010

REGISTERED ON: 05/05/2010

TO CHAPMAN HERBERT ARCHITECTS PTY LTD (AS AGENT)  
76 GRAY STREET  
MOUNT GAMBIER SA 5290 (RSL (MOUNT GAMBIER SUB BRANCH) INC.)

LOCATION OF PROPOSED DEVELOPMENT: 23 FERRERS STREET, MOUNT GAMBIER

#### Property Description:

LOT: 225 SEC: 1103 FP: 194027 CT: 5774/860

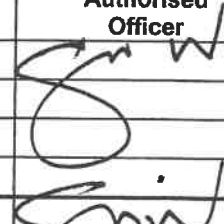
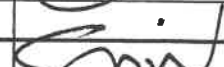
#### Nature of Proposed Development:

TO CHANGE THE USE FROM VACANT LAND TO THAT OF A CAR PARK TO BE DIRECTLY ASSOCIATED WITH THE EXISTING RSL BUILDING LOCATED AT 16 STURT STREET

From: CITY OF MOUNT GAMBIER

Classification under the Building Code: 7

In respect of this proposed Development you are informed that:

Nature of Decision	Consent Granted	No. of Conditions	Authorised Officer
Development Plan Consent	6 July 2010	10	
Land Division	NOT APPLICABLE		
Land Division (Strata)	NOT APPLICABLE		
Building Rules Consent	NOT REQUIRED	-	
<b>DEVELOPMENT APPROVAL</b>	6 July 2010	10	

N/a representation(s) were received from third parties concerning your Category 3 proposal. *If there were third party representations, any consent/approval or consent/approval with conditions does not operate until the periods specified in the Act have expired.* The reasons for this decision, any conditions imposed, and the reasons for imposing those conditions are set out on the attached sheet.

**NO WORK CAN COMMENCE ON THIS DEVELOPMENT UNLESS A DEVELOPMENT APPROVAL HAS BEEN OBTAINED.**

If one or more consents have been granted on this Notification Form, you must not start any site works or building work or change of the use of the land until you have also received notification of a Development Approval.

Date of Decision: 6 July 2010

☒ Council Chief Executive Officer or delegate  
☒ Sheets Attached

Signed: 

Date: 6 July 2010

**\*PLEASE READ THE INFORMATION ON THE BACK OF THIS FORM**



# City of Mount Gambier

DEVELOPMENT APPLICATION NO: 381/0174/2010

## CONDITIONS OF DEVELOPMENT APPROVAL

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 Applicant shall submit a Works and Services application to establish the inverts and crossovers between the subject land and the road carriageway, in accordance with Plan/s approved by Council, at the Applicant's expense.
3. The car parking and driveway areas and footpath crossover as shown on the plan/s approved by Council, shall be graded, paved and sealed with bitumen or other similar material and line-marked and maintained in a useable condition at all times.
4. The car parking spaces shall measure not less than 2.6 metres in width and 5.5 metres in length.
5. Direction signs for traffic shall be placed on the site of the proposed development.
6. Adequate landscaping and lighting shall be placed on the site as per the approved plans.
7. Landscaping shall be undertaken and maintained at all times.
8. An appropriate lighting scheme for any proposed illumination of the subject land shall be submitted to Council for approval by Council prior to its installation.
9. The car park shall be maintained in a state of good repair and tidy condition at all times.
10. Stormwater from the proposed development shall be disposed of so that it does not affect the stability of the proposed development or any other building on the site or the neighbouring property, and so that it does not create an unhealthy condition on the site.

## ADVICE

The Applicant be advised the reasons for Council's Conditions are:

1. To ensure that the proposed development improves and enhances the amenity and character of the area.
2. To ensure orderly and proper development.
3. The approved development is considered not to be at serious variance with Council's Development Plan.

**Simon WISEMAN**  
PLANNING OFFICER

6 July 2010  
LM

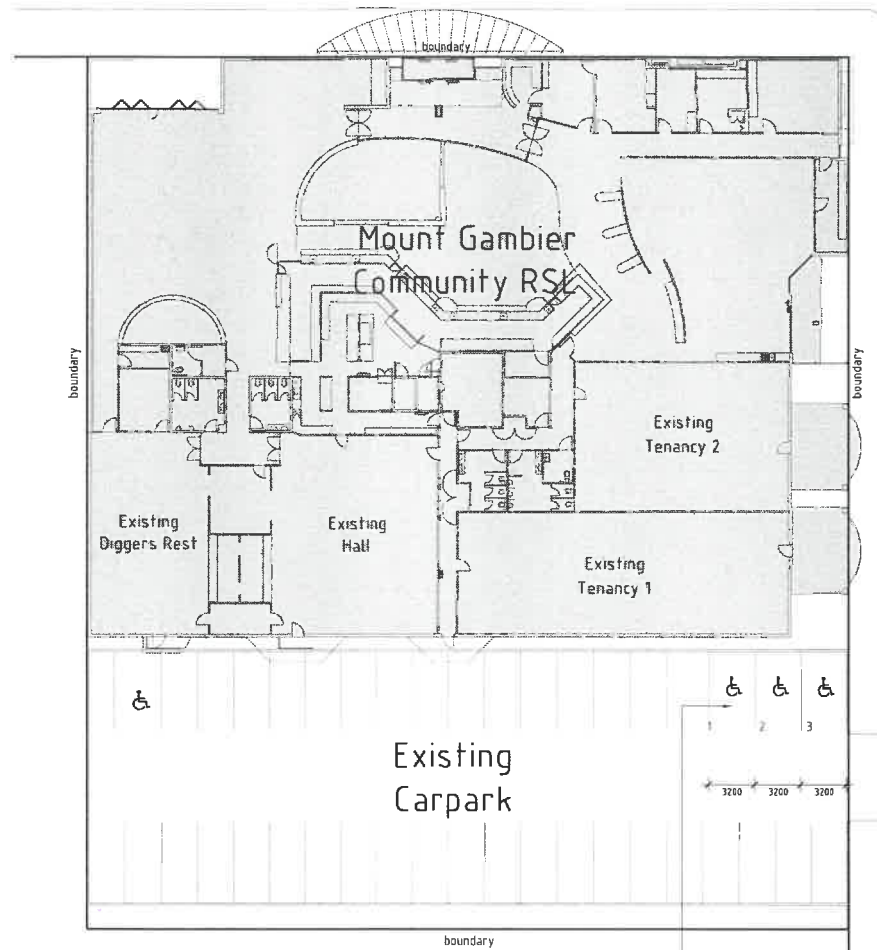
**Daryl SEXTON**  
DIRECTOR – OPERATIONAL SERVICES

**“ATTACHMENT C”**

**“APPROVED PLAN”**

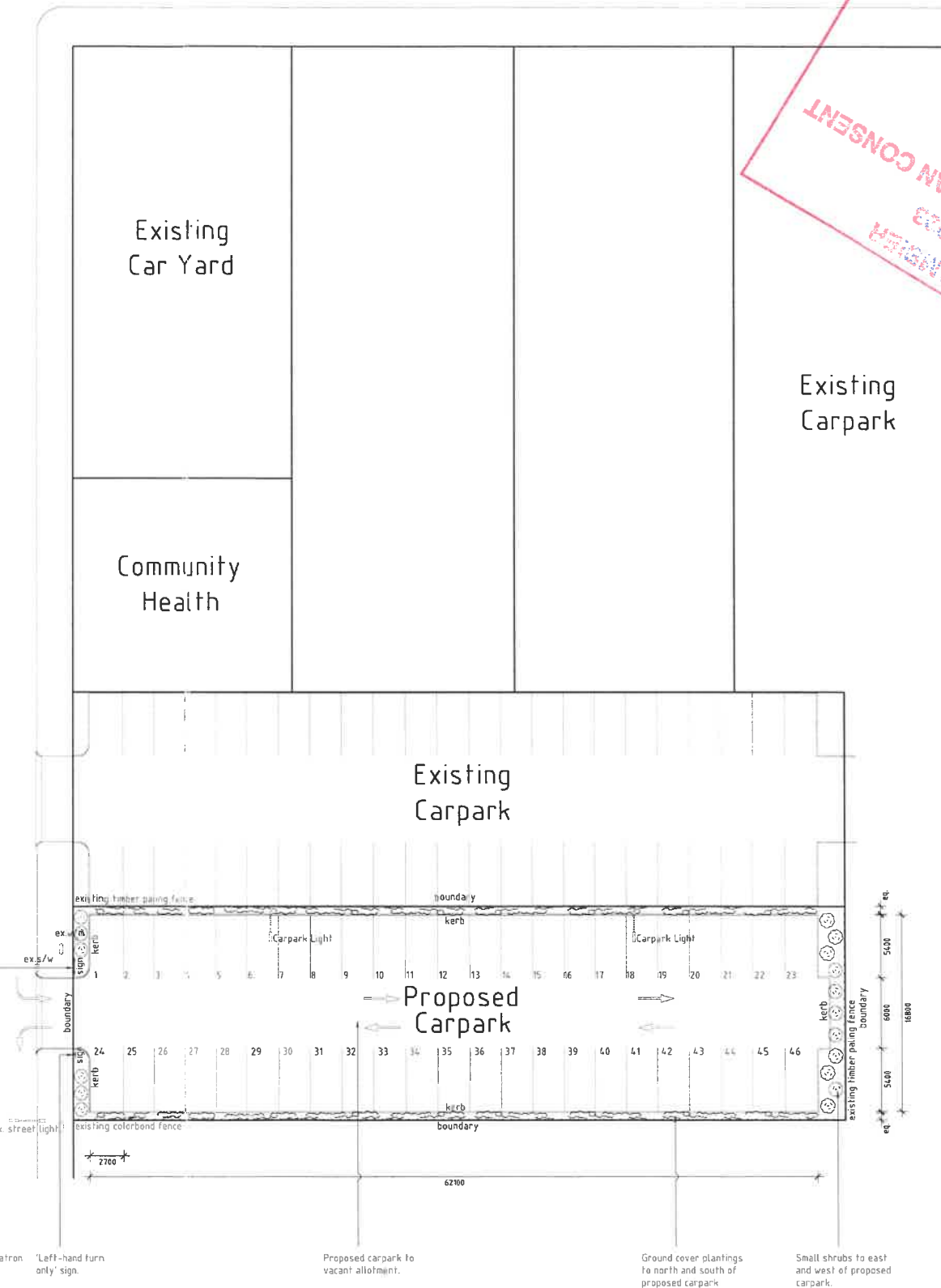
**(See Recital F)**

STURT STREET

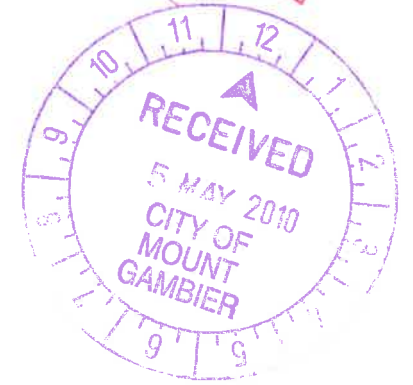


FERRERS STREET

Existing Island



Existing Carpark



REV	DATE	ISSUE / AMENDMENT DETAILS	DRN	CHKD
2	04.05.10	Re-issued to COUNCIL	HDP	SPH
1	03.05.10	Issued to COUNCIL	HDP	SPH
0	30.04.10	Issued for CLIENT REVIEW	HDP	SPH

**MOUNT GAMBIER COMMUNITY RSL**

**Proposed Site Carparking**

Cnr Sturt & Ferrers Streets  
Mount Gambier, SA

Site Carparking Plan 1:250

**Chapman Herbert architects**

Chapman Herbert Architects Pty Ltd  
76 Gray Street  
Mount Gambier SA 3200  
Phone (08) 8723 8366  
Fax (08) 8723 0200  
Email mtg@chapmanherbert.com.au  
Web www.chapmanherbert.com.au

TO BE READ IN CONJUNCTION WITH SPECIFICATION NUMBER:		DATE	
ELECTRONIC FILE	DRAWN BY	HDP	04.05.2010
1756-10-PL01.DWG	DRAWING NO.	1756-10-PL01	2

RSL - Site Carparking Plan Scale 1:250



**“ATTACHMENT D”**

**“SECOND FURTHER APPROVAL”**

**(See Recital G)**



ATTACHMENT 'D'

Development No: 381/0145/2010 LM  
Enquiries To: Simon Wiseman

6 July 2010

Attention: Mr Jock Chambers  
Mount Gambier Community RSL  
P O Box 80  
MOUNT GAMBIER SA 5290

Dear Jock

RE: VARIATION TO CONDITION  
18 STURT STREET, MOUNT GAMBIER

Further to the above Development Application, you are advised that Council has taken into account the relevant matters associated with this development and has made a decision on the application.

Council has granted approval to vary condition eight (8) of Development Approval 381/0649/2007 at 18 Sturt Street, Mount Gambier, subject to one (1) Condition. The Decision Notification Form for the approval is attached.

Please note all works specified in the development shall be commenced within twelve months and substantially completed within three years of the date of approval unless otherwise stated by any conditions attached. No outdoor signs shall be erected or displayed on the land unless the approval of Council is first obtained.

Further enquiries should be referred to Marc van Riet, Building Officer or to the undersigned.

Yours faithfully

**Simon WISEMAN**  
PLANNING OFFICER

Enc: Development Approval  
Approved Plans  
Notice to Council/Things to Remember



# City of Mount Gambier

## SCHEDULE 11

### DECISION NOTIFICATION FORM

DEVELOPMENT NUMBER  
381/0145/2010

FOR DEVELOPMENT APPLICATION: DATED: 13/04/2010

REGISTERED ON: 13/04/2010

TO MOUNT GAMBIER COMMUNITY RSL  
P O BOX 80  
MOUNT GAMBIER SA 5290

LOCATION OF PROPOSED DEVELOPMENT: 18 STURT STREET, MOUNT GAMBIER

#### Property Description:

LOT: 232 SEC: 1103 FP: 194034 CT: 5705/727



#### Nature of Proposed Development:

TO VARY CONDITION EIGHT (8) OF DEVELOPMENT APPROVAL 381/0649/2007

From: CITY OF MOUNT GAMBIER

Classification under the Building Code: 10B

In respect of this proposed Development you are informed that:

Nature of Decision	Consent Granted	No. of Conditions	Authorised Officer
Development Plan Consent	24 May 2010	1	
Land Division	NOT APPLICABLE		
Land Division (Strata)	NOT APPLICABLE		
Building Rules Consent	NOT REQUIRED	-	
<b>DEVELOPMENT APPROVAL</b>	6 July 2010	1	

N/a representation(s) were received from third parties concerning your Category 3 proposal. If there were third party representations, any consent/approval or consent/approval with conditions does not operate until the periods specified in the Act have expired. The reasons for this decision, any conditions imposed, and the reasons for imposing those conditions are set out on the attached sheet.

**NO WORK CAN COMMENCE ON THIS DEVELOPMENT UNLESS A DEVELOPMENT APPROVAL HAS BEEN OBTAINED.**

If one or more consents have been granted on this Notification Form, you must not start any site works or building work or change of the use of the land until you have also received notification of a Development Approval.

Date of Decision: 6 July 2010

☒ ☒

Council Chief Executive Officer or delegate  
Sheets Attached

Signed: 

Date: 6 July 2010

**\*PLEASE READ THE INFORMATION ON THE BACK OF THIS FORM**



# City of Mount Gambier

DEVELOPMENT APPLICATION NO: 381/0145/2010

CONDITIONS OF DEVELOPMENT APPROVAL

- (1) The Applicant must construct another car park on nearby land at 23 Ferrers Street comprising of 46 car park spaces and that, that car park must be constructed by 30<sup>th</sup> September 2010 and as per the plan now approved.

ADVICE

The Applicant be advised the reasons for Council's Conditions are:

1. To ensure that the proposed development improves and enhances the amenity and character of the area.
2. To ensure orderly and proper development.
3. The approved development is considered not to be at serious variance with Council's Development Plan.

  
**Simon WISEMAN**  
PLANNING OFFICER  
6 July 2010  
LM

  
**Daryl SEXTON**  
DIRECTOR – OPERATIONAL SERVICES