NOTICE OF ORDINARY COUNCIL MEETING

MEMBERSHIP

Mayor Brett Benbow
Cr Phillip Brown  
Cr Ann Johnston  
Cr Maralyn Marsh  
Cr Fran Paynter  
Cr Sunny Singh  
Cr Louise Foote  
Cr Matt Leonard  
Cr John Naisbitt  
Cr Linley Shine

Notice is hereby given pursuant to Sections 83 and 84 of the Local Government Act 1999, that the next ORDINARY COUNCIL MEETING will be held in the Council Chambers, 4 Mackay Street, Port Augusta on TUESDAY 11 DECEMBER 2018 commencing at 5:30pm.

A copy of the Agenda for the above meeting is attached to this notice.

JOHN BANKS  
CHIEF EXECUTIVE OFFICER  
06/12/2018
AGENDA

1. DECLARE MEETING OPEN

2. ADJOURN THE MEETING TO HOLD A COMMUNITY FORUM

   Recommendation
   That the meeting be adjourned to hold a Community Forum in accordance with
   the Community Forum Policy 2.2.08 for a period of no later than 6:00pm.

   Recommendation (at conclusion of Community Forum)
   That the meeting resume.

3. ACKNOWLEDGEMENT OF COUNTRY

   "We would like to pay our respects to the traditional owners of the land on which
   we meet. We acknowledge their ancestors and their sharing of their country. We
   also pay respect to the many Aboriginal groups and cultures that work, walk and
   live in Port Augusta”.

4. PRAYER

   "Almighty God, we humbly beseech thee to grant thy blessing upon the work of
   this Council. To direct and prosper its deliberations to the advancement of this
   City. And for the true and lasting welfare of the people of this Municipality.
   Amen.”

5. CONDOLENCES

   Mathew Carter         Phyllis Butler
   Edward Gade           Ronald Hilder
   Jason Ramsey

6. ATTENDANCE RECORD

   Apologies: Nil

   Leave of Absence:

   Recommendation
   That Leave of Absence for Cr M Leonard from 30/12/2018 to 01/02/2019
   (inclusive) be approved.

7. CONFIRMATION OF PREVIOUS MINUTES (ATTACHED)

   7.1 Recommendation
   That the minutes of the previous Ordinary Council Meeting (AR18/47468)
   held on 27/11/2018, as per copies supplied to Members, be adopted as a
   true and correct record of that meeting.

8. MATTERS OF PUBLIC IMPORTANCE

9. PRESENTATION
   A presentation will be provided under the confidential section of the agenda.

10. FORMAL COMMUNITY QUESTION TIME
    Nil

11. CONFLICT OF INTEREST
12. **CONFIDENTIAL ITEMS**

Opportunity to discuss if any item within this agenda should be discussed under Confidential provisions; or any confidential matter within the agenda that should be debated in the open.

13. **MAYORAL ENGAGEMENTS**


14. **PETITION**

Nil

15. **NOTICE OF MOTION**

15.1 AR18/49414 – Cr Leonard – Shortage of Rural General Practitioners in Port Augusta

16. **MATTERS LAYING ON THE TABLE**

17. **QUESTIONS ON NOTICE**

Nil

18. **QUESTIONS WITHOUT NOTICE**

19. **GENERAL BUSINESS**

20. **COMMITTEE MINUTES**

20.1 AR18/47996 - Port Augusta Alcohol Management Group Meeting 04/12/2018

**Recommendation**

That Council receives and notes the Minutes of the Port Augusta Alcohol Management Group Meeting AR18/47996 held on 04/12/2018.

21. **REPORTS**

21.1 AR18/48817 – Review of Code of Practice – Meeting Procedures Policy 1.1.15

21.2 AR18/48724 – Council Assessment Panel – Appointment of Independent Member

21.3 AR18/48414 – Port Augusta Marine Advisory Committee Membership – Appointment of Elected Member

21.4 AR18/48507 – Strategic Planning & Development Policy Committee Membership – Appointment of Elected Member

21.5 AR18/48444 – CEO Performance Review Committee – Appointment of Elected Members
21.6  AR18/48420 – Australian Arid Lands Botanic Garden Committee – Appointment of Elected Member

21.7  AR18/48411 – Aboriginal Community Committee Membership – Appointment of Elected Member

21.8  AR18/48423 – Port Augusta Alcohol Management Group Membership – Appointment of Elected Member


21.10 AR18/49100 – Title Change Director City & Cultural Services

21.11 AR18/47710 – Community Land Revocation Proposal following Consultation – Land Adjoining Augusta Park Primary School

21.12 AR18/49161 – Electranet Easement Proposal

21.13 AR18/49462 – Bird Lake Rehabilitation

22. INFORMATION ITEMS AND CORRESPONDENCE RECEIVED

22.1 AR18/49270 - Information Report - Correspondence Items

23. REPORTS OF ELECTED MEMBERS

24. DATE, TIME & PLACE OF NEXT ORDINARY COUNCIL MEETING

Tuesday 22 January 2019 (6:00pm) – Council Chambers, Civic Centre, 4 Mackay Street, Port Augusta

25. CLOSURE OF MEETING TO THE PUBLIC (ON RESOLUTION OF A CONFIDENTIAL ORDER)

26. CONFIDENTIAL ITEMS

26.1  AR18/49729  Confidential Order – Presentation from SIMEC Zen Energy

A presentation will be provided by Mr Joe Devries, Project Manager – Development, SIMEC ZEN Energy. Mr Ross Anderson, Assistant Project Manager, SIMEC ZEN Energy and Mr Tom Hateley, Senior Planner, AECOM will also be in attendance.

26.2  AR18/49715  Confidential Order relative to the following report:

AR18/49688  Confidential Report – Bird Lake Rehabilitation Draft Funding Agreement

27. DECLARE MEETING CLOSED
MINUTES OF PORT AUGUSTA CITY COUNCIL MEETING  
HELD ON TUESDAY 27 NOVEMBER 2018

**PRESENT**  

**OFFICERS PRESENT**  
Chief Executive Officer Mr J Banks, Director City Services Mrs M Kretschmer, Director Corporate & Community Services Mrs A O’Reilly, Director Infrastructure Mrs S McKell and Executive Assistant Ms M Jenkins.

**GALLERY PRESENCE**  
10

**MEETING OPEN**  
Mayor Benbow declared the meeting open at 5:30pm.

**ADJOURNMENT**  
Crs Johnston/Naisbitt that the meeting be adjourned to hold a Community Forum in accordance with the Community Forum Policy 2.2.08 for a period of no later than 6:00pm.

**CARRIED**  
Crs Johnston/Naisbitt that the meeting resume at 5:57pm.

**ACKNOWLEDGEMENT**  
“We would like to pay our respects to the traditional owners of the land on which we meet. We acknowledge their ancestors and their sharing of their country. We also pay respect to the many Aboriginal groups and cultures that work, walk and live in Port Augusta”.

**PRAYER**  
“Almighty God, we humbly beseech thee to grant thy blessing upon the work of this Council. To direct and prosper its deliberations to the advancement of this City. And for the true and lasting welfare of the people of this Municipality. Amen.”

**CONDOLENCES**  
Council stood in a moment’s silence as a mark of respect to the following:

<table>
<thead>
<tr>
<th>Louis Choppin</th>
<th>Carolyn Gardner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charles Gow</td>
<td>Judith Hancock</td>
</tr>
<tr>
<td>Allan Hanrahan</td>
<td>Lesley Higginbottom</td>
</tr>
<tr>
<td>Reginald Harrold</td>
<td>Glen Murphy</td>
</tr>
<tr>
<td>Vicki Sullivan</td>
<td>Doris Havelberg</td>
</tr>
<tr>
<td>Walter Deery</td>
<td>Gordon Martin</td>
</tr>
<tr>
<td>Brenton Zubrinich</td>
<td></td>
</tr>
</tbody>
</table>

**ATTENDANCE RECORD**  
Apologies: Nil

Leave of Absence: Nil

**CONFIRMATION OF PREVIOUS MINUTES**  
Crs Brown/Johnston that the minutes of the previous Ordinary Council meeting (AR18/42040) held on 22/10/2018 as per copies supplied to Members, be adopted as a true and correct record of that meeting.

**CARRIED**
MATTERS OF PUBLIC IMPORTANCE  
Nil

PRESENTATION  
Nil

FORMAL COMMUNITY QUESTION TIME  
Nil

CONFLICT OF INTEREST  
Nil

CONFIDENTIAL ITEMS  
Nil

INFORMATION REPORT – MAYORAL ACTIVITIES  

CARRIED

PETITION  
Nil

NOTICE OF MOTION  
Nil

QUESTIONS ON NOTICE  
Nil

QUESTIONS WITHOUT NOTICE  
Crs Brown raised a Question Without Notice which was Taken on Notice by the Chief Executive Officer.

CARRIED

GENERAL BUSINESS - FORMER HUNGRY JACKS RESTAURANT SITE  
Crs Brown/Paynter that Council writes to the owner of the former Hungry Jacks Restaurant site requesting action be taken in relation to the condition of the site.

CARRIED

APPOINTMENT OF DEPUTY MAYOR  
Crs Johnston/Shine that Council:

1. Endorses the 2.1.03 Election of Deputy Mayor Policy.
2. The method for choosing a Deputy Mayor will be by an indicative vote to determine the preferred person.
3. Upon completion of the vote Council will, by resolution, appoint the successful Elected Member as Deputy Mayor.

CARRIED

Crs Johnston/Naisbitt that Council appoints Cr Brown as Deputy Mayor for a period of 12 months, from 27 November 2018 to 30 November 2019.

CARRIED
Crs Johnston/Leonard that Council resolves:

1. That Council meets once in the months of December and January and will meet on 11 December 2018 and 22 January 2019.

2. That Council will meet on the second and fourth Tuesday of each month, commencing February 2019.

3. That the frequency of the meetings will be reviewed in February 2020.

4. That Council will meet in the Council Chamber, Port Augusta Civic Centre, Mackay Street Port Augusta.

5. That Council meetings will commence at 5.30pm.

6. If required an informal gathering will be held on the third Tuesday of the month.

7. That at the start of the Council meeting, the meeting will be temporarily adjourned, for no more than 30 minutes, for the Elected Members to engage in a ‘Community Forum’.

8. That Council endorses the Community Forum Policy.

CARRIED

Cr Paynter called for a Division:

The Mayor declared the vote set aside.


Members voting in the negative: Crs Paynter, Shine, Marsh & Naisibtt.

The Mayor declared the motion CARRIED

Crs Brown/Johnston that Council:

1. Adopts the Ordinary Council Meeting Agenda, as provided.

2. Approves electronic agendas being provided to Elected Members for all Council and Committee Meetings.

CARRIED

Note: The Code of Practice – Meeting Procedures Policy 1.1.15 will be revised and presented to the next available meeting for consideration.

Crs Naisbitt/Johnston that Council:

1. Approves the dissolution of the following Committees:

   1.1 Operations Committee
   1.2 Strategic Management Committee

2. Notes the Audit Committee and Council Assessment Panel as Statutory Committees.
3. Endorses the **Strategic Planning and Development Policy Committee** as a Statutory Committee under the Development Act, and determines that a further report will be prepared for Council to determine the meeting times, membership and Terms of Reference for this Committee.

4. Endorses the **Building Fire Safety Committee** as a Statutory Committee, under the Development Act, noting the Committee’s Terms of Reference.

5. Endorses the **Port Augusta Marine Advisory Committee** as a Section 41 Committee and determines that a further report is to be presented to Council to adopt the Terms of Reference for this committee and to determine the Presiding Member of this Committee.

6. Endorses the **Australasian Arid Lands Botanic Garden Advisory Committee** as a Council Prescribed Committee, and determines that a further report is to be presented to Council to adopt the Terms of Reference for this Committee and to determine the Presiding Member and Sitting Fees of this Committee.

7. Endorses the **Port Augusta Aboriginal Advisory Committee** as a Council Prescribed Committee:
   7.1 Approving the revised structure for the Committee, as an informal committee rather than a formal Section 41 Committee.
   7.2 Notes the Committee’s Terms of Reference.
   7.3 Determines that a further report is to be presented to Council to adopt the Terms of Reference for this Committee and to determine the Presiding Member of this Committee.

8. Endorses the **Alcohol Management Group** as a Council Working Group, noting that an Elected Member is to be appointed to this Committee and that a further report is to be presented to Council to outline the functions of this Group.


**CARRIED**

Cr Shine called for a Division:

The Mayor declared the vote set aside.


Members voting in the negative: Crs Shine, Marsh & Paynter.

The Mayor declared the motion **CARRIED**

**AUDIT COMMITTEE MEMBERSHIP 2018-2022**

**AR18/41116**

**F10/67**

Crs Brown/Johnston **that Council:**

1. Appoints Mr Chad McKnight, Mr Alan Morris and Mr Alan Rushbrook as independent members of Council’s Audit Committee for a period up to 30th November 2022.

2. Appoints Mr Alan Rushbrook as Chairperson of the Audit Committee.
3. Approves remuneration of $400 per meeting for Independent Members and $1,200 per meeting inclusive of travel costs for the Independent Chair.

4. Amends the Terms of Reference for the Audit Committee to reflect the new membership of the Committee.

CARRIED

Crs Johnston/Naisbitt that Council appoints Cr Matt Leonard and Cr Maralyn Marsh as Elected Member representatives of Council’s Audit Committee.

CARRIED

Crs Johnston/Leonard that Council

1. Appoints Cr John Naisbitt as the Elected Member representative to the Council Assessment Panel for a term of up to two years.

2. Amends the Terms of Reference for the Council Assessment Panel to reflect the new membership of the Committee.

CARRIED

Crs Marsh/Johnston that Council supports a nomination being submitted by Cr Linley Shine for a position on the Port Augusta, Roxby Downs and Woomera Health Advisory Council and Cr Louise Foote as proxy.

CARRIED

Crs Johnston/Shine that Council supports a nomination being submitted by Cr Louise Foote as proxy for Cr Linley Shine on the Port Augusta, Roxby Downs and Woomera Health Advisory Council.

CARRIED

Crs Paynter/Naisbitt that Council:

1. Adopts the Elected Members Allowances and Benefits Policy 1.1.04.

2. Determines that allowances will be paid monthly in arrears.

3. Determines that Elected Members will be issued with an iPad with internet connection to enable them to receive Council communication and documents.

4. Determines that the Mayor will be issued with an iPhone and iPad with internet connection to enable receipt of Council communication and documents.

5. Determines that the Mayor will not have exclusive use of a vehicle, but will have access to book a Council Pool Vehicle.

6. Updates Council’s Website with the new Elected Members’ Allowances and Benefits Policy 1.1.04.

CARRIED
ELECTED MEMBER TRAINING & DEVELOPMENT POLICY AND COUNCIL INDUCTION PROGRAM 2018

AR18/46710 F10/265

Crs Johnston/Marsh that Council:

1. Endorses the Elected Member Training and Council Meetings Key Dates 2018/2019 schedule of activities as provided.

2. Endorses the Elected Member Training and Development Policy, as amended.

3. Revokes the Council Induction Policy 2.1.08, as it duplicates information from the Elected Member Training and Development Policy.

CARRIED

REVIEW SUPPLEMENTARY ELECTIONS POLICY 2.1.02

AR18/47152 F18/732

Crs Leonard/Shine that Council:

1. Endorses the Supplementary Elections Policy 2.1.02, as amended.

2. Updates Council’s Website to reflect the new version of the Supplementary Elections Policy 2.1.02.

CARRIED

RECORDING OF COUNCIL MEETINGS POLICY 2.1.12 – ENDORSEMENT

AR18/47480 F18/734

Crs Brown/Singh that the question (below) lie on the table:

“That Council Endorses the Recording of Council Meetings Policy 2.1.12”.

CARRIED

INFORMATION REPORT – CORRESPONDENCE ITEMS FOR COUNCIL MEETING 27/11/2018

AR18/44194 F18/74

Crs Johnston/Marsh that Council receives and notes the report (AR18/44194) dated 01/11/2018, submitted by the Chief Executive Officer concerning Information Report - Correspondence Items for Council Meeting 27/11/2018.

CARRIED

REPORTS OF REPRESENTATIVES

Nil

NEXT COUNCIL MEETING

The next Ordinary Council Meeting will be held on Tuesday 11 December 2018 (@ 5:30pm) in the Council Chambers, Civic Centre, 4 Mackay Street, Port Augusta.

CLOSURE

The meeting was declared closed at 6:46pm.

CONFIRMED:

Mayor ____________________

Date ____________________
COMMUNITY VISION & STRATEGIC PLAN OUTCOMES

3 We Connect
3.6 Council is a responsive organisation that provides services in ways that empower the community to achieve their outcomes.

PURPOSE

To provide Elected Members with a list of engagements attended by Mayor Brett Benbow for the period 28 November – 11 December 2018

RECOMMENDATION


DISCUSSION

Wednesday 28 November 2018
- Together with the CEO Mr John Banks attended a meeting with Ms Catherine Way from DP Energy, re Port Augusta Renewable Energy Park Project.

Thursday 29 November 2018
- Together with the CEO Mr John Banks attended a meeting with Mr Dan Thompson, VP Development and Mrs Louise Foote, Communications & Government Relations Manager, SolarReserve, re update on SolarReserve - Aurora Solar Energy Project.
- Attended the Pre-Opening of OTR Port Augusta West. Noting that Crs Leonard, Singh, Paynter & Naisbitt were in attendance.

Friday 30 November 2018 – Deputy Mayor Brown
- Attended the Spencer Gulf Cities meeting with the Minister for Sport, Police, Emergency Services, Corrections, Hon Corey Wingard, re opportunities across the three Cities to grow in event tourism (including hosting major sporting events) as part of the region’s economic diversification.
Friday 30 November 2018
• Representing the Spencer Gulf Cities, attended the 2018 SA Premier’s Award for Mining & Industry Evening in Adelaide. The Premier’s Awards in Energy and Mining recognise excellence demonstrated by leading resources and energy sector companies and organisations in the areas of diversity, working with communities, and innovation.

Monday 3 December 2018
• Port Augusta Aboriginal Advisory Committee Meeting.

• Stirling North Primary School Graduation.

Tuesday 4 December 2018
• Spencer Gulf Cities Meeting

• Elected Members Induction Session

Wednesday 5 December 2018
• Attended Seaview Christian College 2018 Awards Night, addressed the families and assisted with the handing out of Certificates.

Thursday 6 December 2018
• Together with the CEO Mr John Banks met with Mr Kieran Hurrell, re waterfront restaurant/café proposal.

• Meeting with Mr Malcolm Simes, re Australia Day matters.

• Stirling North Primary School Variety Night/Christmas.

Friday 7 December 2018
• Christmas Pageant and participated in the judging of floats.

Sunday 9 December 2018
• RSL Christmas Luncheon.

Monday 10 December 2018
• Whyalla’s Big Reveal.

• Elected Members Induction Session.

MAYOR BENBOW
28/11/2018
DATE: 04/12/2018  
SUBMITTED BY:  Cr Matt Leonard

Subject/Title of Issue

Shortage of Rural General Practitioners in Port Augusta

Proposed Motion

That Council writes to Medical Students that were formally residents of Port Augusta to:

1. Congratulate them on their pursuit of further education.
2. Invite them to practice in Port Augusta.
3. Connect them with the “Rural Doctors Workforce Agency of South Australia” in relation to potential financial assistance and information.

Background / Intended Purpose of Motion

At the first council meeting for the 40th Council we were provided with correspondence from Senator Bridget McKenzie detailing grant monies that were available through the General Practice Rural Incentives Program or GPRIP. The amounts between her 2 items of correspondence differ and to that end it is wiser that we connect the students themselves with Jason Ahmed from the Rural Doctors Workforce Agency of South Australia for assistance details. It is hoped that by connecting with these students and graduates that we may be able to encourage them to return to practice in Port Augusta.

Chief Executive Officer’s Comments

The proposed resolution is supported and may be implemented within existing resources.
MINUTES OF PORT AUGUSTA ALCOHOL MANAGEMENT GROUP MEETING
HELD ON TUESDAY 4 DECEMBER 2018

PRESENT
Jo Newell (Manager, Community Harmony - PACC) - Chair
Melissa Kretschmer (PACC, Port Augusta City Council)
Lisa Leonard (Port Augusta City Council)
Damien Hutcheon (CBS - Consumer & Business Services)
Michelle Dunemann (Country SA Primary Health Network)
Alwyn McKenzie (AAR–DPC – Aboriginal Affairs & Reconciliation, Dept of Premier & Cabinet)
Sharon Platt (AAR-DPC – Aboriginal Affairs & Reconciliation, Dept of Premier & Cabinet)
Yvonne Barker (DPM&C - Dept Prime Minister & Cabinet – Indigenous Affairs)
Shauna Thompson (Aboriginal Community Engagement)
Nobeleene Mackenzie-Stuart (Aboriginal Community Development Officer)
Jim Munro (Bungala Aboriginal Corporation)
Scott Cugley (Salvation Army)
Steve Monaghan (Pika Wiya Health Service Aboriginal Corporation)
Nick Williams (SAAS - SA Ambulance Service)
Anna Caponi (Vulnerable Persons & Complex Needs Program, Davenport Community Council)
Michelle Fairweather (LWB - Life Without Barriers) via Teleconference

WELCOME
The Chairperson Jo Newell declared the meeting open at 10:33am and welcomed all who were present.

ACKNOWLEDGEMENT
"We would like to pay our respects to the traditional owners of the land on which we meet. We acknowledge their ancestors and their sharing of their country. We also pay respect to the many Aboriginal groups and cultures that work, walk and live in Port Augusta."

APOLOGIES
J. Newell that the following apologies be accepted:
Maralyn Marsh (Red Cross)
Barry Rossiter (Red Cross)
Sunny Singh (Des's Cabs)
Clare Robinson (DCP – Department for Child Protection)
Denise Carey (DASSA - Drug & Alcohol Services South Australia)
Karyn Reid (Community Representative)
Duncan Johnstone (SAAS - SA Ambulance Service)
Glenise Coulthard (Country Health SA)
Sue-Anne Morley (Aboriginal Drug & Alcohol Council SA)
Dora Mushongera (Footsteps Residential Rehabilitation Centre, ADAC – Aboriginal Drug & Alcohol Council SA)
Katie Coulthard (Aboriginal Drug & Alcohol Council SA)
Chris Kennett (DHS – Department of Human Services - Housing SA Northern Country)
Dini Soulio (Commissioner, CBS - Consumer & Business Services)

MINUTES FROM PREVIOUS MEETING
A. McKenzie/Y. Barker moved that minutes from the previous meeting (16/10/2018) be accepted.

CARRIED

BUSINESS ARISING PREVIOUS MEETING
Access to Data – Triple ‘0’ System
D. Hutcheon, Consumer & Business Services advised that in follow up to his enquiry with Deputy Commissioner Consumer Affairs Paul Bertram, the response received was not favourable. Access to ‘Triple 0’ data is not possible with a suggestion provided, that the Alcohol Management Group approach the head of each agency (SAPOL, SAAS & MFS). It was noted that requests have previously been made direct to the head of those organisations however data is not forthcoming.

ACTION: J. Newell to approach Superintendent Paul Roberts to request a summary of SAPOL data pertaining to incidents involving alcohol and other drugs.

ACTION: J. Newell to follow up to obtain statistics/data for the City Safe Program.
Statistical Data
The Department of Human Services (Housing SA) was unable to provide data this year due to their transition to be a Housing Authority. They will provide data into the future. It was intended that a representative attend the PAAMG meeting to explain the difference between Housing as it was compared to being a Housing Authority however the organisation was not represented at this meeting.

Life Without Barriers
The Port Augusta Alcohol Management Group is seeking further data around actual numbers of clients and also sessional data.

M. Edmondson resent statistics which were forwarded in August.

**ACTION:** J. Newell to determine if further statistical information is required from Life Without Barriers.

City Safe Review
A review is being undertaken of the City Safe Program contract with Port Augusta City Council which expires June 2019. An independent facilitator is facilitating a multi-agency forum to look at the findings of the City Safe Program contract review. A report will be presented to Council with the findings.

Save a Mate (SAM) Our Way Program & Sammy D Foundation
J. Newell is awaiting details of the SAM Our Way Program from B. Rossiter in order to progress the Local Drug Action Team program activity.

Sammy D Foundation has scheduled a visit to Flinders View Primary School. The Foundation raises awareness and educates young people about consequences of violent behaviour and risks associated with alcohol and drug misuse. The Foundation is welcoming local sporting and community groups to be involved. Further information can be found on the Sammy D Foundation website and by phoning or emailing the Foundation.

**CORRESPONDENCE**
Managed Taxi Rank Funding
Following the request of the PAAMG, both Council and the Alcohol Management Group wrote to the Attorney-General Hon Vickie Chapman MP, Deputy Premier, in support of continuance of the Managed Taxi Rank funding.

Acknowledgement from the Office of Attorney-General, Hon Vickie Chapman MP was received, and also further correspondence advising that due to election commitments and maintaining budget discipline, the State Government has made the decision to cease Managed Taxi Rank funding into the future.

**GENERAL BUSINESS**
Local Drug Action Team Program (LDAT) Action Plan
The LDAT Community Action Plan which was prepared by J. Newell was tabled for members’ information. Further funding applications can be submitted for programs into the future.

A small working group is required to progress the ‘Bush Activity Program’ which targets the 12-17 year age group. A. Caponi and J. Perry (ADAC) have offered to be part of the working group.

**ACTION:** S. Platt to pass this information on to the Youth Centre to request their involvement. Y. Barker to seek assistance from contacts for programs funded under Alcohol and Other Drugs through the Dept. Prime Minister & Cabinet.

Mobile Assistance Patrol and Assertive Outreach Program Funding
Y. Barker (Dept Prime Minister & Cabinet) spoke to the current status around the Mobile Assistance Patrol (MAP) and Assertive Outreach Program (AOP) funding:
- The department sought an extension of the transition timing process to achieve the best outcome for the programs and ensure limited disruption to services over the peak period
- Advice has been provided of a 12 month extension of the current contract with Council and more time to transition the programs to another organisation
- No formal contracts as yet have been received for the 12 month extension
Controlled Substances (Youth Treatment Orders) Amendment Bill 2018
Attached to agenda for Members’ information only.

OTHER BUSINESS
Announcement Grant Opportunity - Alcohol and Drug Funding
The Commonwealth Government through the Department of Health recently announced a grant opportunity to fund South Australian Alcohol and Other Drugs Treatment services in identified areas of need, inclusive of Port Augusta and the region. The grant opportunity also aims to include delivering treatment services for residential rehabilitation.

ACTION: Y. Barker to forward website link to grant opportunity.

Council Representative for PAAMG
An Elected Member representative for the Port Augusta Alcohol Management Group will be appointed at the Council Meeting on 11 December 2018. The representative will attend the February Alcohol Management Group meeting.

NEXT MEETING
Tuesday, 19 February 2019 10:30am, Civic Centre (Council Chambers).

The Chairperson Jo Newell closed the Meeting at 11:10am.
COMMUNITY VISION & STRATEGIC PLAN OUTCOMES

6 We Achieve
6.3 We aim to provide good governance practices and compliance with all legislative requirements in delivery of services.

PURPOSE

The purpose of this report is to review and endorse the Code of Practice - Meeting Procedures Policy 1.1.15.

RECOMMENDATION

Council:

1. Endorses the Code of Practice - Meeting Procedures Policy 1.1.15, as amended.

2. Updates the Council Website to reflect the updated version of the Code of Practice - Meeting Procedures Policy 1.1.15.

BACKGROUND

The Local Government (Meeting Procedures) Regulations 1999 provides the legislative framework that must be adhered to for the management and operation of Meetings. Council also has the opportunity to develop a Code of Practice - Meeting Procedures Policy which includes discretionary meeting procedures processes not covered by the legislative framework.

Council at its meeting held on 28/2/2011 adopted its first Meeting Procedures Policy and since that time has regularly reviewed the updated the policy. The Code of Practice is made pursuant to Regulation 7 of the Local Government (Procedures at Meetings) Regulations 2013 and must be passed by two-thirds of the members of Council as a whole.

DISCUSSION

The Meeting Procedures Policy 1.1.15 has been updated into the new Policy format, and is attached for review and endorsement. The following items have been removed from the document:

- References to the Operations and Strategic Management Committee Meetings
- Duplicated description of the petition processes
- The requirement for presentation to be made to Management Group prior to Council
- The option for a seconder to reserve their right to speak to the motion at a later point in the debate (as outlined by the regulations)
- The reference to Elected Members using microphones to speak (there are none)
- The ‘Call over of items of business’, as Members may at any time adjourn or lay on the table any items that they do not wish to debate
- Process for changing meeting times where they fall on public holidays
- Specific requirements for the Community Forum, as these are detailed in their own policy

CONFIDENTIALITY PROVISIONS

Not Applicable

RISK MANAGEMENT

1: Financial/Budget/Asset Management

Not Applicable.

2: Legal/Policy

Section 86(8) of the Local Government Act 1999 provides that the procedures to be observed at a meeting of a Council will be as prescribed by regulation or insofar as the procedure is not prescribed by regulation – as determined by the Council.

3: Environment/Planning

Not Applicable.

4: Community

4.1 General
   Not Applicable.

4.2 Aboriginal Community Consultation
   To be provided to the Aboriginal Advisory Committee for information.

Melissa Kretschmer
30/11/2018
1. POLICY STATEMENT

1.1 The Port Augusta City Council is committed to the principle of open, transparent and accountable decision-making and encourages community participation in the business of Council.

Section 86(8) and 89(1) of the Local Government Act 1999 (the Act) provide that meetings of the Council or a Council Committee will be conducted according to the procedures:

a) prescribed by the Act;

b) prescribed by Regulation; and

c) in relation to Council meetings, insofar as the procedure is not prescribed by either the Act or Regulations - as determined by the Council; and

d) in relation to Committee meetings, insofar as the procedure is not prescribed by the Act or Regulations, or determined by the Council - as determined by the Committee itself.

2. PURPOSE

2.1 Purpose

This Code of Practice is made pursuant to Regulation 7 of the Local Government (Procedures at Meetings) Regulations 2013.

2.2 Scope

To establish appropriate meeting procedures that are variations of the Regulations, or concern matters on which the Act and Regulations are silent.

2.3 Strategic Reference

6 We Achieve

6.1 Strong leadership and a committed and focused workforce to effectively manage and progress the City.

6.3 We aim to provide good governance practices and compliance with all legislative requirements in delivery of services.

3. CODE OF PRACTICE MEETING PROCEDURES

Under the Regulations, Council may adopt a Code of Practice that varies certain provision where they are capable of variation. This Code of Practice sets out the meeting procedures to be followed at Council and Committee Meetings and includes variations to meeting procedures that have been adopted by the Port Augusta City Council and these have been inserted (in bold italics and in a box) in the appropriate sections of the Regulations to enable them to be read in conjunction with the formal requirements of the Regulations.
1.1.15 Code of Practice – Meeting Procedures

REGULATIONS UNDER THE LOCAL GOVERNMENT ACT 1999
LOCAL GOVERNMENT (PROCEDURES AT MEETINGS) REGULATIONS 2013

PART 1 - PRELIMINARY

Note: The term ‘regulation’ and ‘sub regulation’ appearing in the Regulations have been substituted with ‘clause’ and sub-clause’ respectively for the purposes of this Code of Practice.

1. CITATION

(1) These procedures may be cited as the “Port Augusta City Council - Code of Practice for Meeting Procedures”.

2. COMMENCEMENT

(1) These procedures were approved by the Port Augusta City Council on 27/11/2018.

3. INTERPRETATION

(1) In these regulations, unless the contrary intention appears-

- **Act** means the [Local Government Act 1999](#);
- **clear days** see subclause (2) and (3);
- **deputation** means a person or group of persons who wish to appear personally before a council or council committee in order to address the council or committee (as the case may be) on a particular matter;
- **formal motion** means a motion-
  - (a) that the meeting proceed to the next business; or
  - (b) that the question be put; or
  - (c) that the question lie on the table; or
  - (d) that the question be adjourned; or
  - (e) that the meeting be adjourned;
- **Guiding Principles** see Clause 5;
- **member** means a member of the council or council committee (as the case may be);
- **point of order** means a point raised to draw attention to an alleged breach of the Act or the Regulations in relation to the proceedings of a meeting;
- **presiding member** means the person who is the presiding member of a council or council committee (as the case may be) and includes any person who is presiding at a particular meeting;
- **written notice** includes a notice given in a manner or form determined by the council.

(2) In the calculation of **clear days** in relation to the giving of notice before a meeting-

- (a) the day on which the notice is given, and the day on which the meeting occurs, will not be taken into account; and
(b) Saturdays, Sundays and public holidays will be taken in account.

(3) For the purposes of the calculation of clear days under sub-clause (2), if a notice is given after 5pm on a day, the notice will be taken to have been given on the next day.

(4) For the purposes of these procedures, a vote on whether leave of the meeting is granted may be conducted by a show of hands (but nothing in the sub-clauses prevents a division from being called in relation to the vote).

Note-

1 See Clause 12 for specific provisions about formal motions.

4. GUIDING PRINCIPLES

(1) The following principles (the Guiding Principles) should be applied with respect to the procedures to be observed at a meeting of a council or a council committee-

(a) procedures should be fair and contribute to open, transparent and informed decision-making;

(b) procedures should encourage appropriate community participation in the affairs of the council;

(c) procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting;

(d) procedures should be sufficiently certain to give the community and decision-making confidence in the deliberations undertaken at the meeting.

PART 2 - MEETINGS OF COUNCILS AND KEY COMMITTEES

DIVISION 1 - PRELIMINARY

5. APPLICATION OF PART

(1) The provisions of this Part apply to, or in relation to

(a) the meetings of the Council;

(b) the meetings of a Council Committee performing regulatory activities; and

(c) the meetings of any other Council Committee if the Council has, by resolution, determined that this Part should apply to that Committee.

(d) the meetings of the Strategic Planning and Development Policy Committee

(2) where there is any doubt as to whether a Committee performs regulatory activities, the Chief Executive Officer will make the final determination on the matter.

6. DISCRETIONARY PROCEDURES

(1) Subject to the requirements of the Act, if a provision of this Part is expressed to be capable of being varied at the discretion of the council pursuant to this clause, then a council may, by a resolution supported by at least two-thirds of the members of the council entitled to vote on the resolution, determine that a code of practice prepared or adopted by the council that establishes its own procedures for the relevant matter or matters will apply in substitution for the relevant provision (and such a determination will have effect according to its terms).
(2) A council should, at least once in every financial year, review the operation of a code of practice under this clause.

(3) A council may at any time, by resolution supported by at least two-thirds of the members of the council entitled to vote on the resolution, alter a code of practice, or substitute or revoke a code of practice.

(4) A council must, in considering the exercise of a power under this clause, take into account the Guiding Principles.

(5) A person is entitled to inspect (without charge) the code of practice of a council under this clause at the principal office of the Council during ordinary office hours.

(6) A person is entitled, on payment of a fee fixed by the council, to a copy of the code of practice.

(7) Clause 13(4) does not apply to a motion under sub-clause (3).

(8) This clause does not limit or derogate from the operation of Clause 21.1.

Note:

1 Furthermore, if a matter is not dealt with by the Act or the Regulations (including under a code of practice under this clause), then the relevant procedure will be-

(a) as determined by the council; or

(b) in the case of a council committee where a determination has not been made by the council-as determined by the committee.

(See Sections 86(8) and 89(1) of the Act).

DIVISION 2 - PRESCRIBED PROCEDURES

7. COMMENCEMENT OF MEETINGS AND QUORUMS

(1) A meeting will commence as soon after the time specified in the notice of meeting as a quorum is present.

(2) If the number of apologies received by the Chief Executive Officer indicates that a quorum will not be present at a meeting, the Chief Executive Officer may adjourn the meeting to a specified day and time.

The Chair and any Member of a Committee may provide apologies to the relevant Council Officer at a meeting of a Section 41 Committee and that apology will be recorded in the minutes of the meeting.

(3) If at the expiration of 30 minutes from the time specified in the notice of meeting as the time of commencement a quorum is not present, the presiding member or, in the absence of a presiding member, the Chief Executive Officer, will adjourn the meeting to a specified day and time.

(4) If a meeting is adjourned for want of a quorum, the Chief Executive Officer will record in the minute book the reason for the adjournment, the names of any members present, and the date and time to which the meeting is adjourned.

(5) If a meeting is adjourned to another day, the Chief Executive Officer must-

(a) give notice of the adjourned meeting to each member setting out the date, time and place of the meeting; and
(b) give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place of the meeting to be placed on display at the principal office of the council.

8. MINUTES

(1) The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.

(2) No discussion on the minutes may occur before confirmation, except as to the accuracy of the minutes as a record of proceedings.

(3) On the confirmation of the minutes, the presiding member will-

(a) initial each page of the minutes, which pages are to be consecutively numbered; and

(b) place his or her signature and the date of confirmation at the foot of the last page of the minutes.

(4) The minutes of the proceedings of a meeting must include-

(a) the names of the members present at the meeting; and

(b) in relation to each member present-

(i) the time at which the person entered or left the meeting; and

(ii) unless the person is present for the whole meeting, the point in the proceedings at which the person entered or left the meeting; and

(c) each motion or amendment, and the names of the mover and seconder; and

(d) any variation, alteration or withdrawal of a motion or amendment; and

(e) whether a motion or amendment is carried or lost; and

(f) any disclosure of interest made by a member; and

(g) an account of any personal explanation given by a member; and

(h) details of the making of an order under sub-section (2) of Section 90 of the Act (see sub-section (7) of that Section); and

(i) a note of the making of an order under subsection (7) of Section 91 of the Act in accordance with the requirements of subsection (9) of that Section; and

(j) details of any adjournment of business; and

(k) a record of any request for documents to be tabled at the meeting; and

(l) a record of any documents tabled at the meeting; and

(m) a description of any oral briefing given to the meeting on a matter of council business; and

(n) any other matter required to be included in the minutes by or under the Act or any regulation.

9. QUESTIONS

(1) A member may ask a question on notice by giving the Chief Executive Officer written notice of the question at least five clear days before the date of the meeting at which the question is to be asked.

(2) If notice of a question is given under sub-clause (1)-
(a) the Chief Executive Officer must ensure that the question is placed on the agenda for the meeting at which the question is to be asked; and

(b) the question and the reply must be entered in the minutes of the relevant meeting.

(3) a member may ask a question without notice at a meeting.

To facilitate the efficiency of meetings, members are encouraged to use the availability of the Chief Executive Officer/Directors prior to the meetings to clarify issues of concern. The presiding member may request that questions without notice be put in writing. Where an answer is not possible at the meeting, the questions may be taken ‘on notice’. Where this occurs, the member is required to put the question in writing and forward it to the Chief Executive Officer.

(4) The presiding member may allow the reply to a question without notice to be given at the next meeting.

(5) A question without notice and the reply will not be entered in the minutes of the relevant meeting unless the members present at the meeting resolve that an entry should be made.

(6) The presiding member may rule that a question with or without notice not be answered if the presiding member considers that the question is vague, irrelevant, insulting or improper.

(7) A member may, with the leave of the presiding member, ask a question prior to the moving of a motion or during a debate on a motion or amendment to a motion for clarification purposes only, without losing their right to speak to the motion or amendment.

10. PETITIONS

(1) A petition to the council must-

(a) be legibly written or typed or printed; and

(b) clearly set out the request or submission of the petitioners; and

(c) include the name and residential address of each person who signed or endorsed the petition; and

(d) be addressed to the council and delivered to the principal office of the council.

(2) If a petition is received under sub-clause (1), the Chief Executive Officer must ensure that the petition or, if the council has so determined as a policy of the council, a statement as to the nature of the request or submission and the number of signatures or the number of persons endorsing the petition, is placed on the agenda for the next ordinary meeting of the council or, if so provided by a policy of the council, a committee of the council.

A statement as to the nature of the request or submission and the number of signatures will be placed on the next agenda of the Council, following receipt. A full copy of the petition will be available for Elected Members upon request.

(3) Sub-clause (2) may be varied at the discretion of the council pursuant to Regulation 6 of the Local Government (Procedures at Meetings) Regulations (and Clause 7 of this Code of Code of Practice).
11. DEPUTATIONS

(1) A person or persons wishing to appear as a deputation at a meeting must deliver (to the principal office of the Council) a written request to the council.

<table>
<thead>
<tr>
<th>Community Members</th>
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</thead>
<tbody>
<tr>
<td>Written requests must be received 4 hours prior to the commencement of the meeting to which the deputation is being requested, if the deputation relates to a matter of business on the Agenda.</td>
</tr>
<tr>
<td>If the matter is not already listed on the Agenda, then the written request must be received at the principal office of the council, five clear days prior to the day on which the meeting is scheduled.</td>
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1 This will enable staff to liaise with the appropriate Presiding Member, prior to the Agenda for the meeting being distributed. A notation should appear on the Agenda for the meeting in relation to the deputation.

<table>
<thead>
<tr>
<th>State Government/Agencies/Organisations/Developers</th>
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<tbody>
<tr>
<td>When representatives from State Government Departments, various agencies, and organisations or developers are seeking approval to make representation to Council, a written request outlining the details of the proposal/information to be imparted to the Council is to be provided to the Chief Executive Officer.</td>
</tr>
<tr>
<td>A verbal presentation will be made to Management Group in the first instance. Following the presentation the relevant Director will prepare a report for Council outlining the issue that the representation will address.</td>
</tr>
<tr>
<td>The Chief Executive Officer will seek approval from the Mayor for the representation to be made.</td>
</tr>
<tr>
<td>A hard copy of presentations must be provided to the Executive Assistant for record purposes.</td>
</tr>
<tr>
<td>If a decision of Council is required in relation to the representation, a further report with appropriate recommendations will be submitted to the Council for consideration.</td>
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</tbody>
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<tr>
<th>Political Parties</th>
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</thead>
<tbody>
<tr>
<td>Political party candidates are permitted to make representation to Council in the lead up to an election, to provide all candidates an opportunity to introduce themselves to the Council.</td>
</tr>
<tr>
<td>Council will not provide support or be seen to endorse any particular political party or candidate.</td>
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</table>

(2) The Chief Executive Officer must transmit a request received under sub-clause (1) to the presiding member.

(3) The presiding member may refuse to allow the deputation to appear at a meeting.

| The presiding member may offer those requesting a deputation the opportunity to appear at a relevant Committee or Sub-Committee. |

(4) The Chief Executive Officer must take reasonable steps to ensure that the person or persons who requested a deputation are informed of the outcome of the request.

(5) If the presiding member refuses to allow a deputation to appear at a meeting, the presiding member must report the decision to the next meeting of the Council or Council Committee (as the case may be).
12. MOTIONS

(1) A member may bring forward any business in the form of a written notice of motion.

(2) The notice of motion must be given to the Chief Executive Officer at least five clear days before the date of the meeting at which the motion is to be moved.

(3) A motion the effect of which, if carried, would be to revoke or amend a resolution passed since the last periodic election of the council must be brought by written notice of motion.

(4) If a motion under sub-clause (3) is lost, a motion to the same effect cannot be brought-

(a) until after the expiration of 12 months; or

(b) until after the next periodic election, whichever is the sooner.

(5) Subject to the Act, Regulations and this Code of Practice, a member may also bring forward any business by way of a motion without notice.

(6) The presiding member may refuse to accept a motion without notice if, after taking into account the Guiding Principles, he or she considers that the motion should be dealt with by way of a written notice of motion.

(7) the presiding member may refuse to accept a motion if the subject matter is, in his or her opinion, beyond the power of the council or council committee (as the case may be).

(8) A motion will lapse if it is not seconded at the appropriate time.

(9) A member moving or seconding a motion will speak to the motion at the time of moving or seconding the motion.

(10) A member may only speak once to a motion except-

(a) to provide an explanation in regard to a material part of his or her speech, but not so as to introduce any new matter; or
(b) with leave of the meeting; or

c) as the mover in reply.

(11) A member who has spoken to a motion may not at a later stage of the debate move or second an amendment to the motion.

A member who has seconded a motion, and has reserved their right to speak to the motion at a later stage pursuant to sub-clause (9), may not move or second an amendment to the motion.

(12) A member who has not spoken in the debate on a question may move a formal motion.

(13) A formal motion must be in the form of a motion set out in sub-clause (14) (and no other formal motion to a different effect will be recognised).

(14) If the formal motion is-

(a) that the meeting proceed to the next business, then the effect of the motion, if successful, is, in the case of an amendment, that the amendment lapses and the meeting proceeds with the consideration of the motion before the meeting without further reference to the amendment and, in the case of a motion, that the motion lapses and the meeting proceeds to the next item of business; or

(b) that the question be put, then the effect of the motion, if successful, is that debate is terminated and the question put to the vote by the presiding member without further debate; or

(c) that the question lie on the table, then the effect of the motion, if successful, is that the meeting immediately moves to the next item of business and the question can then only be retrieved at a later time by resolution (and, if so retrieved, debate is then resumed at the point of interruption); or

(d) that the question be adjourned, then the effect of the motion, if successful, is that the question is disposed of for the time being but debate can be resumed at the later time (at the point of interruption); or

(e) That the meeting be adjourned, then the effect of the motion, if successful, is that the meeting is brought to an end immediately with the consideration of further business.

(15) If seconded, a formal motion takes precedence and will be put by the presiding member without discussion unless the motion is for an adjournment (in which case discussion may occur (but only occur) on the details for resumption).

(16) A formal motion does not constitute an amendment to a substantive motion.

(17) If a formal motion is lost-

(a) the meeting will be resumed at the point at which it was interrupted; and

(b) if the formal motion was put during debate (and not at the end of debate) on a question, then a similar formal motion (ie, a motion to the same effect) cannot be put until at least one member has spoken on the question.

(18) A formal motion for adjournment must include the reason for the adjournment and the details for resumption.

(19) Any question that lies on the table as a result of a successful formal motion under sub-clause (14)(c) lapses at the next general election.
(20) The Chief Executive Officer must report on each question that lapses under sub-clause (19) to the Council at the first ordinary meeting of the Council after the general election.

(21) Sub-clause (9), (10) and (11) may be varied at the discretion of the council pursuant to Regulation 7 of the Local Government (Procedures at Meetings) Regulations (and Clause 7 of this Code of Practice).

13. AMENDMENTS TO MOTIONS

(1) A member who has not spoken to a motion at any earlier stage of the debate may move or second an amendment to the motion.

(2) An amendment will lapse if it is not seconded at the appropriate time.

(3) A person who moves or seconds an amendment (and, if he or she chooses to do so, speaks to the amendment) will, in so doing, be taken to have spoken to the motion to which the amendment relates.

(4) If an amendment is lost, only one further amendment may be moved to the original motion.

(5) If an amendment is carried, only one further amendment may be moved to the original motion.

(6) Sub-clauses (1), (3), (4) and (5) may be varied at the discretion of the Council pursuant to Regulation 6 of the Local Government (Procedures of Meetings) Regulations 2013 (and Clause 7 of this Code of Practice).

14. VARIATIONS ETC

(1) The mover of a motion or amendment may, with the consent of the seconder, request leave of the meeting to vary, alter or withdraw the motion or amendment.

(2) The presiding member must immediately put the question for leave to be granted and no debate will be allowed on that question.

15. ADDRESSES BY MEMBERS ETC

(1) A member must not speak for longer than five minutes at any one time without leave of the meeting.

(2) A member may, with leave of the meeting, raise a matter of urgency.

(3) A member may, with leave of the meeting, make a personal explanation.

(4) The subject matter of a personal explanation may not be debated.

(5) The contribution of a member must be relevant to the subject matter of the debate.

(6) Sub-clause (1) and (2) may be varied at the discretion of the council pursuant to Regulation 6 of the Local Government (Procedures at Meetings) Regulations 2013 (and Clause 7 of this Code of Practice).

A member is at all times during a meeting to address and refer to another Member or an officer or employee by their official title or designation.

A member speaking at a meeting is not to make a personal reflection upon, or impute an improper motive to, another member or to an officer or employee.
16. **VOTING**

(1) The presiding member, or any other member, may ask the Chief Executive Officer to read out a motion before a vote is taken.

(2) The presiding member will, in taking a vote, ask for the votes of those members in favour of the question and then for the votes of those members against the question (and may do so as often as is necessary to enable him or her to determine the result of the voting), and will then declare the outcome.

(3) A person who is not in his or her seat is not permitted to vote.

(4) Sub-clause (3)-

   (a) may be varied at the discretion of the council pursuant to Regulation 6 of the Local Government (Procedures at Meetings) Regulations 2013 (and Clause 7 of this Code of Practice); and

   (b) does not apply in relation to a member participating in a Council Committee Meeting by telephone or electronic means approved in accordance with procedures determined by the Council or Council Committee for the purposes of Section 89 of the Act.

17. **DIVISIONS**

(1) A division will be taken at the request of a member.

(2) If a division is called for, it must be taken immediately and the previous decision of the presiding member as to whether the motion was carried or list is set aside.

(3) The division will be taken as follows-

   (a) the members voting in the affirmative will, until the vote is recorded, stand in their places; and

   (b) the members voting in the negative will, until the vote is recorded, sit in their seats; and

   (c) the presiding member will count the number of votes and then declare the outcome.

(4) The Chief Executive Officer will record in the minutes the names of members who voted in the affirmative and the names of members who voted in the negative (in addition to the result of the vote).

(5) Sub-clause (3) may be varied at the discretion of the Council pursuant to Regulation 6 of the Local Government (Procedures at Meetings) Regulations 2013 (and Clause 7 of this Code of Practice).

18. **TABLING OF INFORMATION**

(1) A member may require the Chief Executive Officer to table any documents of the council relating to a motion that is before a meeting (and the Chief Executive Officer must then table the documents within a reasonable time, or at a time determined by the presiding member after taking into account the wishes of the meeting, and if the member who has required the tabling indicates that he or she
is unwilling to vote on the motion until the documents are tabled, then the matter must not be put to the vote until the documents are tabled).

(2) The Chief Executive Officer may, in tabling a document, indicate that in his or her opinion consideration should be given to dealing with the document on a confidential basis under Section 90 or 91 of the Act.

A Member may table additional information that is before a Council or Committee Meeting where;

a) that additional information relates to a motion that is before the current meeting, and

b) a resolution of the Council or Committee is made at that meeting approving the tabling of the additional information.

If all conditions of the above provisions are met;

c) the additional information must be tabled, and

d) the item for decision must be deferred to the next available meeting to enable the Reporting Officer to consider the additional information within the Report and Recommendations (subject to any matter that may be urgent in nature, in which case, the additional material should be made available at the current meeting to enable consideration before a decision is made).

19. ADJOUNDED BUSINESS

(1) If a formal motion for a substantive motion to be adjourned is carried-

(a) the adjournment may either be to a later hour of the same day, to another day, or to another place; and

(b) the debate will, on resumption, continue from the point at which it was adjourned.

(2) If debate is interrupted for want of a quorum and the meeting is then adjourned, the debate will, on resumption, continue from the point at which it was interrupted.

(3) Business adjourned from a previous meeting must be dealt with before any new business at a subsequent meeting.

(4) The provisions of Clause 20 may be varied at the discretion of Council pursuant to Regulation 6 of the Local Government (Procedures at Meetings) Regulations 2013 (and Clause 7 of this Code of Practice).

20. SHORT-TERM SUSPENSION OF PROCEEDINGS

(1) If the presiding member considers that the conduct of a meeting would benefit from suspending the operation of all or some of the provisions of this Division for a period of time in order to allow or facilitate informal discussions, the presiding member may, with the approval of at least two-thirds of the members present at the meeting, suspend the operation of this Division (or any part of this Division) for a period determined by the presiding member.

(2) The Guiding Principles must be taken into account when considering whether to act under sub-clause (1).

(3) If a suspension occurs under sub-clause (1)-
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(a) a note of the suspension, including the reasons for and period of suspension, must be entered in the minutes; and

(b) the meeting may proceed provided that a quorum is maintained but, during the period of suspension-
   (i) the provisions of the Act must continue to be observed1; and
   (ii) no act or discussion will have any status or significance under the provisions which have been suspended; and
   (iii) no motion may be moved, seconded, amended or voted on, other than a motion that the period of suspension should be brought to an end; and

(c) the period of suspension should be limited to achieving the purpose for which it was declared; and

(d) the period of suspension will come to an end if-
   (i) the presiding member determines that the period should be brought to an end; or
   (ii) at least two-thirds of the members present at the meeting resolve that the period should be brought to an end.

Note-
1 See particularly Part 4 of Chapter 5, and Chapter 6, of the Act.

21. CHIEF EXECUTIVE OFFICER MAY SUBMIT REPORT RECOMMENDING REVOCATION OR AMENDMENT OF COUNCIL DECISION.

(1) The Chief Executive Officer may submit a report to the Council recommending the revocation or amendment of a resolution passed since the last general election of the Council.

(2) The Chief Executive Officer must ensure that the report is placed on the agenda for the meeting at which the report is to be considered.

(3) The provisions of this regulation may be varied at the discretion of the Council pursuant to Regulation 6 of the Local Government (Procedures at Meetings) Regulations 2013 (and Clause 7 of this Code of Practice).

PART 3 - MEETINGS OF OTHER COMMITTEES

22. APPLICATION OF PART

The provisions of this Part apply to or in relation to the meetings of any council committee that is no subject to the operation of Part 2.

23. NOTICE OF MEETINGS FOR MEMBERS

Pursuant to Section 87(15) of the Act, Section 87 is modified in its application in relation to the meetings of a committee to which this Part applies as if sub-sections (4) and (7) to (10) of that Section provided as follows:

(a) that notice of a meeting of the committee may be given in a form determined by the committee after taking into account the nature and purpose of the committee; and

(b) that notice need not be given for each meeting separately; and

Note-
1 See particularly Part 4 of Chapter 5, and Chapter 6, of the Act.
that if ordinary meetings of the committee have a set agenda then notice of such a meeting need not contain, or be accompanied by, the agenda for the meeting; and

that it is not necessary for the Chief Executive Officer to ensure that each member of the committee at the time that notice of a meeting is given is supplied with a copy of any documents or reports that are to be considered at the meeting.

24. PUBLIC NOTICE OF COMMITTEE MEETINGS

Pursuant to Section 88(7) of the Act, Section 88 is modified in its application in relation to the meetings of a committee to which this Part applies as if subsections (2), (3) and (4) provided as follows:

(a) that public notice need not be given for each meeting separately; and

(b) that public notice may be given by displaying a notice and agenda in a place or places determined by the Chief Executive Officer after taking into account the nature and purpose of the committee.

25. MINUTES

(1) The minutes of the proceedings of a meeting must include-

(a) the names of the members present at the meeting; and

(b) each motion carried at the meeting; and

(c) any disclosure of interest made by a member; and

(d) details of the making of an order under subsection (2) of Section 90 of the Act (see subsection (7) of that Section); and

(e) a note of the making of an order under subsection (7) of Section 91 of the Act in accordance with the requirements of subsection (9) of that Section.

(2) The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.

PART 4 - MISCELLANOUS

26. QUORUM FOR COMMITTEES

(1) The prescribed number of members of a council committee constitutes a quorum of the committee and no business can be transacted at a meeting unless a quorum is present.

(2) The prescribed number of members of a council committee is-

(a) unless paragraph (b) applies- a number ascertained by dividing the total number of members of the committee by 2, ignoring any fraction resulting from the division, and adding one; or

(b) a number determined by the council.

Note: See also Section 41(6) of the Act.
27. **VOTING AT COMMITTEE MEETINGS**

(1) Subject to the Act and these procedures, a question arising for decision at a meeting of a council committee will be decided by a majority of the votes cast by the members present at the meeting and entitled to vote on the question.

(2) Each member of a council who is a member of a council committee and who is present at a meeting of the committee must, subject to a provision of the Act to the contrary, vote on a question arising for decision at that meeting.

(3) The presiding member of a council committee has a deliberate vote on a question arising for decision at the meeting but does not, in the event of an equality of votes, have a casting vote.

28. **POINTS OF ORDER**

(1) The presiding member may call to order a member who is in breach of the Act or the Regulations for this Code of Practice.

(2) A member may draw to the attention of the presiding member a breach of the Act or these procedures, and must state briefly the nature of the alleged breach.

(3) A point of order takes precedence over all other business until determined.

(4) The presiding member will rule on a point of order.

(5) If an objection is taken to the ruling of the presiding member, a motion that the ruling not be agreed with must be moved immediately.

(6) The presiding member is entitled to make a statement in support of the ruling before a motion under sub-clause (5) is put.

(7) A resolution under sub-clause (5) binds the meeting and, if a ruling is not agreed with-

   (a) the ruling has no effect; and

   (b) the point of order is annulled.

29. **INTERUPTION OF MEETINGS BY MEMBERS**

(1) A member of a council or council committee must not, while at a meeting-

   (a) behave in an improper or disorderly manner; or

   (b) cause an interruption or interrupt another member who is speaking.

   

   (c) use offensive language; or

   (d) have mobile phones on and leave the table during debate to answer the mobile phone (mobiles should be silenced or turned off during meetings).

(2) Sub-clause (1)(b) does not apply to a member who is-

   (a) objecting to words used by a member who is speaking; or

   (b) calling attention to a point of order; or

   (c) calling attention to want of a quorum.
(3) If the presiding member considers that a member may have acted in contravention of sub-clause (1), the member must be allowed to make a personal explanation.

(4) Subject to complying with sub-clause (3), the relevant member must leave the meeting while the matter is considered by the meeting.

(5) If the remaining members resolve that a contravention of sub-clause (1) has occurred, those members may, by resolution-

(a) censure the member; or

(b) suspend the member for a part, or for the remainder, of the meeting.

(6) A member who-

(a) refuses to leave a meeting in contravention of sub-clause (4); or

(b) enters a meeting in contravention of a suspension under sub-clause (5),

is guilty of an offence.

Maximum penalty: $1,250.

30. INTERRUPTION OF MEETINGS BY OTHERS

A member of the public who is present at a meeting of a council or council committee must not-

(a) behave in a disorderly manner; or

(b) cause an interruption.

Maximum penalty: $500.

PART 5 – OTHER MATTERS

PORT AUGUSTA CITY COUNCIL PROVISIONS

31. Prayer

At the opening of the Council Meeting the Chief Executive Officer or an Elected Member will be invited by the Mayor to recite the following:

“Almighty God, we humble beseech thee to grant thy blessing upon the work of this Council. To direct and prosper its deliberations to the advancement of this City. And for the true and lasting welfare of the people of this Municipality. Amen”.

32. Council Meetings – Call Over of Items of Business

(a) At the commencement of a Council Meeting the Presiding Member may call over Agenda items to enable withdrawal of items.

(b) Elected Members present at the meeting at the time the call over of items is made, may withdraw items from this call should they wish to debate a particular item.

(c) All items of business withdrawn in this manner will be dealt with individually, with the member who withdrew the item having the first opportunity to speak to the item.

(d) Items not withdrawn will not be the subject of debate with
323. Alteration to the Order of Business

The Mayor or presiding member of a Committee Meeting may, in the public interest, seek the leave of the meeting to consider an item of business set down on the Agenda forthwith. The Mayor or Presiding Member will ask the meeting whether leave is granted and if leave is granted, the matter will be considered as the next item of business.

34. Public Holidays on Scheduled Meeting Days

Committee and Council meetings will be held one day later in the event of any public holiday falling on any scheduled meeting day.

35. Conduct of Members

A Code of Conduct – Elected Members has been Gazetted and will be adhered to by Elected Members at all times.

36. Community Forum

A Community Forum is included as part of the Ordinary Council Meeting which require written submissions to be received by the Chief Executive Officer by 10am on the Tuesday the week prior to the Council Meeting at which the question will be considered and answered. The provisions for the Community Forum are outlined within Policy 2.2.08.

37. Acknowledgement Of Country

The Ordinary Council Meeting agenda will include the following statement, which will be read by the Mayor accordingly:

“We would like to pay our respects to the traditional owners of the land on which we meet. We acknowledge their ancestors and their sharing of their country. We also pay respect to the many Aboriginal groups and cultures that work, walk and live in Port Augusta”.

38. Matters of Public Importance

Matters of Public Importance will be included within the Ordinary Council Meeting agenda to provide an opportunity for Elected Members to make a statement in relation to matter of public importance. (An example of this may be a statement in relation to a Bush Fire, where a statement is made that Council should support and provide resources to assist in fighting the fires. Another could be that a prominent community member has passed away and that Council should recognise their commitment to the community).

39. Confidential Items*

The Ordinary Council Meeting agenda will include a section on Confidential Items to provides an opportunity to consider:

40. Closure to the Public for Confidential Items
41. Moving Open Items into Confidential
42. Moving of Confidential Items into Open

40. Reports of Representatives*

The Ordinary Council Meeting agenda will include a Reports of Representatives section to provide Elected Members who have been nominated as the Council Representative on an external body, to report on the activities of the external body.
4. RESPONSIBILITY & REVIEW

4.1 Responsible Officer

Director City Services

4.2 Availability

This policy will be available on Council’s website.

4.3 Review

3.3.1 This policy will be reviewed within 12 months of a General Election for Local Government.

3.3.2 Pursuant to Regulation 7(2) the operation of this Code of Practice will be reviewed at least once in every financial year.

3.3.3 Council may at any time, by resolution supported by at least two-thirds of the members of the Council as a whole, alter a code of practice, or substitute or revoke a code of practice.

5. REFERENCES

5.1 Legislation

Local Government Act 1999
Local Government (Procedures at Meetings) Regulations 2013

5.2 Other References

Code of Conduct for Elected Members 1.1.01 - Gazetted for the purposes of Section 63(1) of the Local Government Act 1999
COMMUNITY VISION & STRATEGIC PLAN OUTCOMES

6 We Achieve
6.1 Strong leadership and a committed and focused workforce to effectively manage and progress the City.
6.3 We aim to provide good governance practices and compliance with all legislative requirements in delivery of services.

PURPOSE

The purpose of this report is to appoint an Independent Member to the Council Assessment Panel to fill a current vacancy.

RECOMMENDATION

Council:

1. Appoints Mr Tony Mitchell as an Independent Member to the Council Assessment Panel for a term concluding 30 June 2019.

2. Amends the Terms of Reference for the Council Assessment Panel to reflect the new membership of the Committee.

BACKGROUND

The Port Augusta City Council Assessment Panel (CAP) was appointed as a relevant authority under the Planning, Development and Infrastructure Act 2016 (PDI Act) by resolution of Council on 25 September 2017. Council resolved that the CAP will be constituted of 5 Members (CAP Members), to be appointed by the Council, comprising four independent persons appointed by Council; and one Elected Member appointed by Council.

Following an expression of interest process, Council received 3 nominations for 4 independent member positions. Three independent members were appointed leaving one position vacant and a deputy member position vacant.

The term of office for the current members concludes on 30 June 2019. Prior to this time Expressions of Interest will need to be called for the next two year term of office (at the expiration of a term of appointment, a member is eligible for reappointment).
DISCUSSION

Council has received an unsolicited expression of interest from Mr Tony Mitchell to fill the currently vacant role of an Independent Member. Mr Mitchell was previously the Elected Member Representative on the Council Assessment Panel, prior to the recent Local Government Election. He has experience participating on this panel and a skill set which will be of great value to Council and the panel. Having a full membership on this committee will assist with obtaining quorums for meetings.

It is proposed to appoint Mr Mitchell for a term of office concluding on 30 June 2019, to bring his membership in line with the other Independent Members. Prior to the conclusion of the current term, expressions of interest will be called for all 5 Independent Member positions, and a Deputy Member Position.

The Terms of Reference for the Council Assessment Panel outline that expressions of interest should be called to fill member positions. Given the proximity to the end of the term and the insufficient number of expressions received previously, it is recommended that an open expression of interest process not be undertaken, and Mr Mitchell be appointed to the vacant position.

The Upper Spencer Gulf Common Purpose Group Inc (trading as ‘Spencer Gulf Cities’) is currently investigating options to establish a Spencer Gulf Cities Joint Planning Board.

The sitting fee for the Council Assessment Panel is $300 (Members) and $350 (Presiding Member) per meeting attended.

CONFIDENTIALITY PROVISIONS

Not applicable.

RISK MANAGEMENT

1: Financial/Budget/Asset Management

A budget allocation is made on an annual basis to cover the cost of the sitting fees for the Council Assessment Panel.

2: Legal/Policy

Section 82 and 83 of the Planning, Development and Infrastructure Act 2016 provides that Council may establish a Council Assessment Panel.

3: Environment/Planning

Not applicable.

4: Community

4.1 General

The Council Assessment Panel meetings are open to the public and members of the community are welcome to attend.

4.2 Aboriginal Community Consultation

Not applicable.

Melissa Kretschmer

29/11/2018
**Council Assessment Panel**

**Terms of Reference**

**PREAMBLE**

On occasion Council is required to establish a Committee for the purposes of undertaking specific functions and duties, to ensure compliance with legislative requirements. Such Committees are classified by Council as Statutory Committees.

### 1. Establishment of the Council Assessment Panel

The Port Augusta City Council Assessment Panel (CAP) was appointed as a relevant authority under Section 82 and 83 of the *Planning, Development and Infrastructure Act 2016* by resolution of Council on 25 September 2017.

### 2. Committee Objectives

The Port Augusta City Council Assessment Panel (CAP) has been established to facilitate the expeditious assessment of development applications made to Council that fall within its delegated authority.

### 3. Committee Activities

The activities of the Council Assessment Panel include:

- i) Determining development applications (in accordance with the provisions of Part 4 of the *Development Act 1993*) in its own right, subject to the commencement of the PDI Act 2016 development assessment provisions;

### 4. Membership:

4.1 The CAP will be constituted of 5 Members (CAP Members), to be appointed by the Council, comprising:

   - i) 4 independent persons appointed by Council; and
   - ii) 1 Elected Member appointed by Council.

**Independent Members include:**

   - i) Mr John Veen
   - ii) Mr James Cargill
   - iii) Ms Jodie Perone
   - iv) **Vacancy** Mr Tony Mitchell

**Elected Member:** Cr **Tony Mitchell** John Naisbitt

4.2 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. **At this time, Council has not taken up this opportunity and has resolved to have a membership of four (4) members, as outlined above.**
5. **Presiding Member of the Committee**

The Council will appoint an Independent Member to be the Presiding Members of the CAP for such term and on such conditions as determined by the Council. Council at its meeting held on 25 September 2017 resolved to appointed Mr John Veen as the Presiding Member of the CDAP. The Presiding Member will preside at any CAP Meeting at which he or she is present. A Presiding Member is eligible to be reappointed as the Presiding Member at the expiry of his or her term.

**Deputy Presiding Member**

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.

6. **Appointment of Deputy Members**

6.1 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.

6.2 Subject to Clause 6.3, a Deputy Member must not be a Member of the Council or State Parliament.

6.3 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).

6.4 Where more than one Deputy Member is appointed, the Council must specify the circumstances in which each Deputy Member (or any one or more of them) will be invited to attend a CAP Meeting.

6.5 In appointing a Deputy Member, the Council may have regard to the matters in Clause 5, as well as to the qualifications and experience of the CAP Member or CAP Members to whom the candidate will be a deputy.

6.6 Unless the context otherwise requires, a reference to a CAP Member in this document includes a Deputy Member.

7. **Expression of Interest**

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

8. **Term of Office**

8.1 Subject to Clause 11, Independent Members will be appointed for a term of up to 2 years and on such other conditions as determined by the Council.

8.2 Subject to Clause 11, the Council Member will be appointed for a term of up to 2 years, however a Council Members term will be terminated at a Local Government General Election and the new Council will be responsible for appointing a Council Member to the CAP at its first meeting of the new Council.

8.3 Deputy Members will be appointed for a term of up to 2 years and on such other conditions as determined by the Council.

8.4 A CAP Member is eligible for reappointment for a further term, or further terms, upon the expiry of his or her current term.

8.5 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.
9. **Vacancy in Membership**

9.1 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.

9.2 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.

9.3 In appointing a CAP Member pursuant to Clause 9.1, the Council may have regard to the matters in Clause 4.2 and 6.5 as the case requires.

9.4 A vacancy in the membership of the CAP will not invalidate any decisions of the CAP, provided a quorum is maintained during meetings.

10. **Conditions of Appointment**

10.1 At all times, CAP Members must act honestly, lawfully, in good faith, and in accordance with any code of conduct applicable to CAP Members.

10.2 CAP Members may be remunerated as determined by the Council for the reasonable time and costs incurred by CAP Members in attending CAP Meetings.

10.3 Different levels of remuneration may be fixed by the Council for Independent Members, the Council Member, the Presiding Member and Deputy Members.

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

10.4.1 CAP Members, excluding the Member who is a Member or former Member of the Council, must be accredited professionals under the Act; and

10.4.2 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.

11. **Removal from Office**

11.1 A CAP Member automatically lose office where:

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

11.1.2 The CAP Member has been convicted of an indictable offence punishable by imprisonment;

11.1.3 in the case of a Council Member, the Member ceases to be a member of the Council.

11.2 Subject to Clause 11.4, 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:

11.2.1 a breach of a condition of his or her appointment as a CAP Member;

11.2.2 misconduct;

11.2.3 a breach of any legislative obligation or duty of a CAP Member;

11.2.4 neglect of duty in attending to role and responsibilities as a CAP Member;

11.2.5 a failure to carry out satisfactorily the duties of his or her office;

11.2.6 a breach of fiduciary duty that arises by virtue of his or her office;

11.2.7 inability to carry out satisfactorily the duties of his or her office;
11.2.8 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; or

11.2.9 for any other reason the Council considers appropriate.

11.3 The removal of CAP Member pursuant to Clause 11.2 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.

11.4 Prior to resolving to remove a CAP Member from office pursuant to Clause 11.2, the Council must:

11.4.1 give written notice to the CAP Member of:
   a) its intention to remove the CAP Member from office pursuant to Clause 11.2, and;
   b) the alleged behaviour of the CAP Member falling within Clause 11.2.1 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;

11.4.2 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; and

11.4.3 have due regard to the CAP Member’s submission in determining whether to remove the CAP Member from office.

12. **Code of Conduct**

Clause 1(1)(c) of Schedule 3 of the *Planning, Development and Infrastructure Act 2016* provides that the Minister may adopt a code of conduct to be observed by members of an assessment panel. Code of Conduct adopted and notice published in the Government Gazette on 29 September 2017. Copy of the Code of Conduct available at www.saplaningportal.sa.gov.au

13. **Confidentiality**

Members of the public are welcome to attend meetings, however may be excluded from attendance pursuant to the provisions of Regulation 13 of the *Planning, Development and Infrastructure (General)(Assessment Panels) Variation Regulations 2017* and outlined within the Council Assessment Panel’s Meeting Procedures.

The Assessment Panel may exclude the public from attendance –

i) during so much of a meeting as is necessary to receive, discuss or consider in confidence any of the following information or matters:
   a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
   b) information the disclosure of which-
      (A) could reasonably be expected to confer a commercial advantage on a person, or to prejudice the commercial position of a person; and
      (B) would, on balance, be contrary to the public interest;
c) information the disclosure of which would reveal a trade secret;
d) commercial information of a confidential nature (not being a trade secret) the disclosure of which-
   (A) could reasonably be expected to prejudice the commercial position of the person
       who supplied the information, or to confer a commercial advantage on a third party;
       and
   (B) would, on balance, be contrary to the public interest;
e) matters affecting the safety or security of any person or property;
f) information the disclosure of which could reasonably be expected to prejudice the
   maintenance of law, including by affecting (or potentially affecting) the prevention,
   detection or investigation of a criminal offence, or the right to a fair trial;
g) matters that must be considered in confidence in order to ensure that the assessment
   panel, or other entity, does not breach any law, or any order or direction of a court or
   tribunal constituted by law, any duty of confidence, or other legal obligation or duty;
h) legal advice;
i) information relating to actual litigation, or litigation that the assessment panel believes
   on reasonable grounds will take place;
j) information the disclosure of which-
   (A) would divulge information provided on a confidential basis by or to a Minister of the
       Crown, or another public authority or official, and;
   (B) Would, on balance, be contrary to the public interest; or
   (C) Curing so much of a meeting that consists of its discussion or determination of any
       application or other matter that falls to be decided by the assessment panel.

14. Delegated Authority

Council has delegated specific powers and functions relating to the assessment of development
applications to the Council Assessment Panel.

15. Conduct and Conflict of Interest of Committee Members

Pursuant to Section 83(1)(g) a member of a CAP must not act in relation to a development if he
or she has a direct or indirect pecuniary interest in any aspect of the development or any body
associated with any aspect of the development.

Without limiting the effect of subsection 83(1)(g), a person will be taken to have a pecuniary
interest in a matter for the purposes of the subsection if an associated of the person has an
interest in the matter.

A person who contravenes subsection 83(1)(g) is guilty of an offence – Maximum penalty
$20,000.

16. Meeting Times & Place

The Council Assessment Panel, meets as required on the second Tuesday of the month at
5:30pm.

17. Register of Interest

Pursuant to Section 83(1)(e) a person appointed as a member of an assessment panel must
disclose his or her financial interest in accordance with Schedule 1.

Upon appointment to the Council Assessment Panel the member must complete and return to
the Chief Executive Officer within 10 working days, a Register of Interest – Primary Return.

Each member of the Council Assessment Panel will also be required to complete and return to
the Chief Executive Officer within 60 days after 1 July each year, a Register of Interest – Ordinary
Return.
18. **Quorum & Voting by Members**

A quorum shall be ascertained by dividing the total number of members of the Panel for the
time being in office by 2, ignoring any fraction resulting from the division, and adding 1.

All Members have equal voting rights. A question arising for a decision will be decided by a
majority of votes cast by all members present. Each member must vote on a motion arising for a
decision.

The Presiding Member, in the event of an equality of votes, will have a casting vote.

19. **Meeting Procedures**

Pursuant to Section 83(1)(ii) of the *Planning, Development and Infrastructure Act 2016* the Panel
will determine its own Meeting Procedures. The Council Assessment Panel will consider Draft
Meeting/Operation Procedures – document AR17/33812 at its first meeting.

20. **Access and Documents**

A minimum of three clear days’ notice of the meeting, accompanied by the agenda, will be
provided to Members of the Committee and the public. Hardcopy agendas will be provided in
the Council Chambers for access by members of the public in attendance.

Minutes will be available within five clear days after a meeting in accordance with Section 91 of
the *Local Government Act 1999* and will be provided to all Members of the Committee and
placed on Council’s Website [www.portaugusta.sa.gov.au](http://www.portaugusta.sa.gov.au) and a hardcopy placed in the Council
Office, Civic Centre, 4 Mackay Street, Port Augusta.

Members of the public are able to attend all meetings of the Assessment Panel, unless excluded
from the meeting by the confidentiality provision of Regulation 13 of the *Planning, Development
and Infrastructure (General)(Assessment Panels) Variation Regulations 2017*.

**NOTE:** For the purposes of the calculation of **clear days** in relation to the giving of notice before
a meeting, the day on which the notice is given, and the day on which the meeting occurs, will
not be taken into account; and Saturdays, Sundays and public holidays will be taken into account.
However, if a notice is given after 5pm on a day, the notice will be taken to have been given on
the next day.

21. **Administrative Support**

To be provided by the Administrative Assistant – Development Services (or another Officer
acting in that position).

**Assessment Manager** – the Chief Executive Officer, pursuant to Section 87(d)(ii) appointed the
Community Planner as the Assessment Manager for the Council Assessment Panel.

The functions of the Assessment Manager include:

a) acting as a relevant authority as provided under the PDI Act 2016 (and, in so acting, is
not subject to direction by an assessment panel or any other person);

b) being responsible for managing the staff and operations of the assessment panel in
relation to which the assessment manager has been appointed;

c) providing advice to the assessment panel (as appropriate).

22. **Sitting Fee**

Council has approved a Sitting Fees for meetings attended by the Members of Council
Development Assessment Panel. The Sitting Fees are as follows:

- Presiding Member - $350 per meeting attended
- All Members - $300 per meeting attended
COMMUNITY VISION & STRATEGIC PLAN OUTCOMES

3 We Connect
3.3 Provide infrastructure and resources that promote a healthy environment and improve social development.

4 We Care
4.3 Value, protect and enhance the quality of our natural and built environment.
4.4 Water, energy and other natural resources and managed responsibility.

6 We Achieve
6.3 We aim to provide good governance practices and compliance with all legislative requirements in delivery of services.

PURPOSE

The purpose of this report is to appoint a new Chairperson to the Marine Advisory Committee in line with the term of office provisions outlined in the Terms of Reference for the Committee.

RECOMMENDATION

Council:
1. Appoints Cr................................as a representative of the Port Augusta Marine Advisory Committee.
2. Appoints the Director Infrastructure as Chairperson of the Marine Advisory Committee.
3. Adopts the Terms of Reference for the Port Augusta Marine Advisory Committee (refer Appendix – AR14/432[v5]), as amended.
4. Approves the calling for Expressions of Interest to fill the current independent member vacancies on the Committee.

BACKGROUND

The Port Augusta Marine Advisory Committee was established to advise Council on all marine matters relating to the Upper Spencer Gulf. The Committee currently meets on an as needs basis, however has not met since February 2017.
The Port Augusta Marine Advisory Committee was established to:

i) Monitor the effects of the Marine Parks in relation to the Upper Spencer Gulf area and report to Council on an as needs basis.

ii) Consider the recommendations from the Port Augusta Waterway Development Study and report to Council on appropriate actions.

iii) Investigate marine infrastructure and activities, including maintenance and report to Council.

iv) Support the work of the Natural Resource Management Board (NRM) as it relates to the conservation and protection of flora and fauna of the Upper Spencer Gulf.

**DISCUSSION**

The Committee has been instrumental in highlighting various marine issues and having local input into initiatives and regulations relating to the local and Upper Spencer Gulf area. A local voice is important with the committee having input pertaining to recreational fishing, boating facilities, navigation beacons, water quality and various other matters.

The Committee previously met on a six monthly basis, however the workload and activities of this Committee do not necessarily warrant regular meetings. It is important to provide an opportunity for community input into marine issues and therefore it is recommended that the Committee continue to meet on an as needs basis.

It is also recommended that this Committee Meeting commence following an ordinary meeting of the Council.

Terms of Reference for the Committee require that the Council appoint the Chairperson. It is recommended that the Director Infrastructure be appointed at the Chairperson of this committee to eliminate the need to pay an additional allowance to the Elected Member for a group that meets sporadically. The Allowance payable for an Elected Member would be 1.25 times the standard allowance.

In relation to the membership of this committee it is recommended that the Director Infrastructure and another Council staff Representative be added to this committee. It is also recommended that a representative from the Department for Planning Transport and Infrastructure be added as an ex-officio member. As this committee has not met for a substantial amount of time, it is recommended that Council conduct an expression of interest to fill the independent member positions.

The Terms of Reference (AR14/432[v5]) is attached for Elected Members consideration and it is recommended that the Terms of Reference be updated to include the new membership that is appointed.

**CONFIDENTIALITY PROVISIONS**

Not applicable.

**RISK MANAGEMENT**

**1: Financial/Budget/Asset Management**

The Remuneration Tribunal have determined that presiding members of Council’s Section 41 Committees will receive an allowance of 1.25 times the standard Elected Member Allowance. By appointing the Director Infrastructure as chair, this will achieve a budget saving.
2: Legal/Policy

Pursuant to Section 41 of the Local Government Act 1999 Council can establish a Committee to assist the Council in the performance of its functions, to inquire into and report to the Council on matters, provide advice to the Council and to exercise, perform or discharge delegated powers, functions or duties.

The Port Augusta Marine Advisory Committee has not been delegated any powers by the Council. It is an advisory committee to the Council.

3: Environment/Planning

The objectives of the Committee are to advise Council on all marine matters relating to the Upper Spencer Gulf.

4: Community

4.1 General
Members of the community are invited to participate as members of the Marine Advisory Committee to provide advice to Council on marine issues.

4.2 Aboriginal Community Consultation
To be provided to the Aboriginal Advisory Committee for information.

Melissa Kretschmer
29/11/2018
Port Augusta Marine Advisory Committee

Terms of Reference

PREAMBLE

A Committee of Council may be established by resolution of the Council. A Committee can be established to assist the Council in the performance of its functions, to inquire into and report to the Council on matters, provide advice to the Council and to exercise, perform or discharge delegated powers, functions or duties.

Pursuant to Section 41(10) of the Local Government Act 1999 the establishment of a committee does not derogate from the power of the Council to act in a matter.

1. Establishment of the Port Augusta Marine Advisory Committee

Pursuant to Section 41 of the Local Government Act 1999 the Council establishes a Committee to be known as the Port Augusta Marine Advisory Committee (referred to in these Terms of Reference as ‘the Committee’).

2. Committee Objectives

Advise Council on all marine matters relating to the Upper Spencer Gulf.

3. Committee Activities

i) Monitor the effects of the Marine Parks in relation to the Upper Spencer Gulf area and report to Council on an as needs basis.

ii) Consider the recommendations from the Port Augusta Waterway Development Study and report to Council on appropriate actions.

iii) Investigate marine infrastructure and activities, including maintenance and report to Council.

iv) Support the work of the Natural Resource Management Board (NRM) as it relates to the conservation and protection of flora and fauna of the Upper Spencer Gulf.

4. Membership:

Membership of the Committee shall comprise the following:

Director Infrastructure
Nominated Council Representative
Independent Members x7
Mr. Robin Sharp
Mr. Peter Huxtable
Mr. Andy Ireland
Mr. Aaron Morgan
Mr. Grant Brusnahan
Mr. Josh Kirkham
Mr. Damon Waterman

Ex-officio members of the Committee:
Mayor – Port Augusta City Council
Department for Planning Transport and Infrastructure Representative
Representative of RDA Board (vacant)
Representative of NRM Board Department for Environment, Water and Natural Resources
5. **Presiding Member of the Committee**

The Chairperson is appointed by Council. Council appointed [Director Infrastructure](#) as the Chairperson of the Marine Advisory Committee. Member Allowances apply as determined by the Remuneration Tribunal.

6. **Term of Office**

Committee to be reviewed following the implementation of the Marine Plan/Parks for the Upper Spencer Gulf and once all recommendations have been suitably addressed from the Port Augusta Waterways Study.

7. **Reporting Arrangements**

The Committee reports and makes recommendations to the Council on any item on the Committee agenda.

Reporting Officers of Council as designated by the Chief Executive Officer, shall provide written reports on specific issues that arise from the Marine Advisory Committee.

8. **Confidentiality**

The confidential provisions of the *Local Government Act 1999* shall apply to ALL members of the Committee. This means that those matters that are deemed to be ‘confidential’ (which includes the report discussions and any resulting decision) must remain confidential, and is not to be discussed outside the forum of the Committee Meeting, until the matter is discussed and determined by the Council. There are substantial penalties for breaches of confidentiality.

9. **Delegated Authority**

Not applicable.

10. **Conduct and Conflict of Interest of Committee Members**

Elected Members of the Committee must comply with the Code of Conduct for Elected Members as published by the Minister for Planning for the purposes of Section 63 (1) of the *Local Government Act 1999* and Chapter 5 Part 4 of the *Local Government Act 1999* relating to Conduct and Disclosure of Interests.

As a member of the Committee, you must not make improper use of your position to gain (directly or indirectly) an advantage for yourself or for another person closely associated with you. You must make sure there is no conflict between your private interests and your role as a public decision maker.

As a Committee Member you will have to declare what your interest is in any matter before the Committee.
11. **Meeting Times & Place**

Committee meetings are **generally** to be held on a six monthly basis (first Tuesday of the month) commencing at 5:30pm in Council Chambers, Civic Centre, 4 Mackay Street, Port Augusta.

12. **Quorum & Voting by Members**

At all meetings of the Committee, a quorum of 50% of the number of members, plus one will apply. Each member of the Committee present at a relevant meeting, **must** vote on any motion put at the meeting.

The Chairperson shall have a deliberate vote but does not in the event of an equality of votes have a casting vote.

13. **Meeting Procedures**

Meetings of the Port Augusta Marine Advisory Committee will be held in accordance with:

i) Local Government Act 1999
ii) Local Government (Procedures at Meetings) Regulations 2013
iii) Council’s Code of Practice – Meeting Procedures 1.1.15
iv) Council’s Code of Practice – Access to Council and Committee Meetings and Documents 1.1.06

14. **Access and Documents**

Pursuant to Section 87 of the **Local Government Act 1999** a minimum of three clear days’ notice of the meeting, accompanied by the agenda, will be provided to Members of the Committee and the public. Hardcopy agendas will be provided in the Council Chambers for access by members of the public in attendance.

Minutes will be available within five clear days after a meeting in accordance with Section 91 of the **Local Government Act 1999** and will be provided to all Members of the Committee and placed on Council’s Website [www.portaugusta.sa.gov.au](http://www.portaugusta.sa.gov.au) and a hardcopy placed in the Council Office, Civic Centre, 4 Mackay Street, Port Augusta.

Members of the public are able to attend all meetings of the Committee, unless excluded from the meeting by the confidentiality provision of Section 90 of the **Local Government Act 1999**.

**NOTE:** For the purposes of the calculation of clear days in relation to the giving of notice before a meeting, the day on which the notice is given, and the day on which the meeting occurs, will not be taken into account; and Saturdays, Sundays and public holidays will be taken into account. However, if a notice is given after 5pm on a day, the notice will be taken to have been given on the next day.

15. **Presentations**

Where a presentation, relating to the business of the Marine Advisory Committee, has been proposed, the Chief Executive Officer must determine if the presentation would be best made directly to Council and if so, then independent members of the Marine Advisory Committee will be invited to attend the Strategic Management Committee at which the presentation will be made.
<table>
<thead>
<tr>
<th>15. Responsible Officer</th>
<th>Director – Infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td>16. Liability and Insurance</td>
<td>Pursuant to Section 80 of the <em>Local Government Act 1999</em> Council must take out a policy of insurance insuring every member of the Council, and a spouse, domestic partner or another person who may be accompanying a member of the Council, against risks associated with the performance or discharge of official functions or duties by members. Further, pursuant to Section 41(12) of the <em>Local Government Act 1999</em> no civil liability attaches to a member of a committee for an honest act or omission in the exercise, performance or discharge, or purported exercise, performance or discharge, of the member's or committee's powers, functions or duties.</td>
</tr>
<tr>
<td>17. Administrative Support</td>
<td>To be provided by the Administrative Assistant – Infrastructure (or another Officer acting in that position). The Executive Officer – the Director Infrastructure shall be the Council Officer responsible for fulfilling the executive role for the Committee including arranging the preparation of agendas, ensuring reports are provided as required and ensuring that Committee decisions are implemented.</td>
</tr>
<tr>
<td>18. Sitting Fee</td>
<td>Not applicable.</td>
</tr>
</tbody>
</table>
COMMUNITY VISION & STRATEGIC PLAN OUTCOMES

6 We Achieve
6.3 We aim to provide good governance practices and compliance with all legislative requirements in delivery of services.

PURPOSE

The purpose of this report is to appoint a new Chairperson to the Strategic Planning and Development Policy Committee in line with the term of office provisions outlined in the Terms of Reference for the Committee.

RECOMMENDATION

Council:

1. Appoints all Elected Members and the Mayor as members of the Strategic Planning and Development Policy Committee.

2. Elects Mayor Benbow or Deputy Mayor Brown to the position of Chairperson for the Strategic Planning and Development Policy Committee.

3. Resolves that the Chairperson position will be effective for the term of the Council.

4. Endorses the Terms of Reference for the Strategic Planning and Development Policy Committee as provided.

5. Resolved that the Committee meet quarterly following an ordinary meeting of the Council.

BACKGROUND

Section 101A of the Development Act 1993 provides that Council must establish a Strategic Planning and Development Policy Committee to provide advice to the Council in relation to the extent to which Council’s strategic planning and development policies accord with the Planning Strategy.

DISCUSSION

It is recommended that the membership of this committee comprise of the Council in its entirety, namely all Elected Members, Deputy Mayor and the Mayor. It is recommended that the Mayor or Deputy Mayor be appointed to the position of Chairperson.
This will eliminate the need to pay an additional allowance to an Elected Member (1.25 times the standard allowance) for a committee that only meets on an as needs basis.

It is proposed that the Committee meet on an as needs basis as resolved by Council, and at least once a year, with the time of the meeting to be following an ordinary meeting of the Council.

**CONFIDENTIALITY PROVISIONS**

Not applicable.

**RISK MANAGEMENT**

1: Financial/Budget/Asset Management

The annual budget includes the necessary budget allocation for Elected Members’ allowances. The Chairperson of this committee would be entitled to receive an allowance of 1.25 times the standard Elected Member Allowance, unless the Mayor or Deputy Mayor is appointed as Chairperson, in which case no additional allowance is payable.

2: Legal/Policy

Section 101A of the *Development Act 1993* provides that Council must establish a Strategic Planning and Development Policy Committee to provide advice to the Council in relation to the extent to which Council’s strategic planning and development policies accord with the Planning Strategy. Section 101A(3) provides that the *Local Government Act 1999* will apply in relation to a committee established under this section as if it were a committee established under that Act.

3: Environment/Planning

Not applicable.

4: Community

4.1 General

The public has access to Council minutes and agendas via the Council Website and also via hardcopy at the Council’s Civic Centre Office, 4 Mackay Street, Port Augusta.

4.2 Aboriginal Community Consultation

To be provided to the Aboriginal Advisory Committee for information.

**Melissa Kretschmer**

**29/11/2018**
Strategic Planning and Development Policy Committee

Terms of Reference

PREAMBLE

A Committee of Council may be established by resolution of the Council. A Committee can be established to assist the Council in the performance of its functions, to inquire into and report to the Council on matters, provide advice to the Council and to exercise, perform or discharge delegated powers, functions or duties.

Pursuant to Section 41(10) of the Local Government Act 1999 the establishment of a committee does not derogate from the power of the Council to act in a matter.

1. Establishment of the Strategic Planning and Development Policy Committee

Pursuant to Section 101A of the Development Act 1993 and Section 41 of the Local Government Act 1999 the Council establishes a Committee to be known as the Strategic Planning and Development Policy Committee (referred to in these Terms of Reference as ‘the Committee’). This Committee also fulfils the requirement of Section 101A of the Development Act 1993.

2. Committee Objectives

To consider and provide advice to Council in relation to the extent to which Council’s Strategic Planning and development policy accord with the Planning Strategy and consider reports regarding Council’s strategic direction and planning process.

3. Committee Activities

Assist Council in undertaking strategic planning and monitoring processes to achieve orderly and efficient development, high levels of integration of transport and land-use planning and targets set out in the Planning Strategy.

4. Membership:

Membership of the Committee shall comprise of all of the Elected Members, Deputy Mayor and the Mayor. The Mayor of the Corporation of the City of Port Augusta is an ex-officio member of the Committee.

5. Presiding Member of the Committee

The Chairperson shall be the Deputy Mayor or the Mayor, elected for the term of the Council, a member, elected on a rotating 12 monthly basis. Nominations will be called for a new Chairperson on the completion of a 12 month term by a member, with the appointment being via an election process.

6. Term of Office
7. **Reporting Arrangements**

The Committee reports and makes recommendations to the Council on any item on the Committee agenda.

Appropriate Officers will forward reports to the Committee for consideration on matters that relate to the strategic planning and development policy and other strategic planning processes.

8. **Confidentiality**

The confidential provisions of the *Local Government Act 1999* shall apply to ALL members of the Committee. This in short means that those matters that are deemed to be 'confidential' (which includes the report discussions and any resulting decision) must remain confidential, and is not to be discussed outside the forum of the Committee Meeting, until the matter is discussed and determined by the Council. There are substantial penalties for breaches of confidentiality.

9. **Delegated Authority**

Not applicable.

10. **Conduct and Conflict of Interest of Committee Members**

All members of the Committee must comply with the Code of Conduct for Elected Members as published by the Minister for Planning for the purposes of Section 63 (1) of the *Local Government Act 1999* and Chapter 5 Part 4 of the *Local Government Act 1999* relating to Conduct and Disclosure of Interests.

As a member of the Committee, you must not make improper use of your position to gain (directly or indirectly) an advantage for yourself or for another person closely associated with you. You must make sure there is no conflict between your private interests and your role as a public decision maker.

As a Committee Member you will have to declare what your interest is in any matter before the Committee.

11. **Meeting Times & Place**

The Committee meeting will be held in the Council Chambers on the 2nd Tuesday of the month (December’s Meeting may be an exception due to Christmas period), on an as needs basis, commencing at 5:30pm, or at the conclusion of the an Ordinary Council Meeting on an as needs basis.

12. **Quorum & Voting by Members**

A quorum shall be 5, however if the Mayor is (as ex officio) present the quorum will be 6. Each member of the Committee present at a meeting, must vote on any motion put at that meeting.
13. Meeting Procedures

Meetings of the Strategic Planning and Development Policy Committee will be held in accordance with:

i) Local Government Act 1999
ii) Local Government (Procedures at Meetings) Regulations 2013
iii) Council’s Code of Practice – Meeting Procedures 1.1.15
iv) Council’s Code of Practice – Access to Council and Committee Meetings and Documents 1.1.06

14. Access and Documents

Pursuant to Section 87 of the Local Government Act 1999 a minimum of three clear days’ notice of the meeting, accompanied by the agenda, will be provided to Members of the Committee and the public. Hardcopy agendas will be provided in the Council Chambers for access by members of the public in attendance.

Minutes will be available within five clear days after a meeting in accordance with Section 91 of the Local Government Act 1999 and will be provided to all Members of the Committee and placed on Council’s Website www.portaugusta.sa.gov.au and a hardcopy placed in the Council Office, Civic Centre, 4 Mackay Street, Port Augusta.

Members of the public are able to attend all meetings of the Committee, unless excluded from the meeting by the confidentiality provision of Section 90 of the Local Government Act 1999.

NOTE: For the purposes of the calculation of clear days in relation to the giving of notice before a meeting, the day on which the notice is given, and the day on which the meeting occurs, will not be taken into account; and Saturdays, Sundays and public holidays will be taken into account. However, if a notice is given after 5pm on a day, the notice will be taken to have been given on the next day.

15. Responsible Officer

Chief Executive Officer

16. Liability and Insurance

Pursuant to Section 80 of the Local Government Act 1999 Council must take out a policy of insurance insuring every member of the Council, and a spouse, domestic partner or another person who may be accompanying a member of the Council, against risks associated with the performance or discharge of official functions or duties by members.

17. Administrative Support

To be provided by the Executive Assistant (or another Officer acting in that position).

18. Sitting Fees

Not applicable – Member Allowances apply as determined by the Remuneration Tribunal.
COMMUNITY VISION & STRATEGIC PLAN OUTCOMES

6 We Achieve
6.1 Strong leadership and a committed and focused workforce to effectively manage and progress the City.
6.3 We aim to provide good governance practices and compliance with all legislative requirements in delivery of services.

PURPOSE

The purpose of this report is to provide Elected Members with an opportunity to consider the Internal Management Control Policy 3.1.18 relating to the CEO Performance Evaluation and Development and the CEO Performance Review Committee’s Terms of Reference and if acceptable, to adopt the documents accordingly.

RECOMMENDATION

Council:


2. Appoints Mayor Brett Benbow, Deputy Mayor Phillip Brown and Cr....................... to the CEO Performance Review Committee.

3. Notes that the Mayor and Deputy Mayor are appointed for the Council term, and the Elected Member appointment is for a 12 month period.

4. Adopts the updated CEO Performance Review Committee Terms of Reference AR14/39911[v3], as amended.

BACKGROUND

As part of the Remuneration Tribunal’s determination regarding Elected Members Allowances and Benefits, the Chief Executive Officer’s performance review committee is to be classified as a ‘prescribed committee’.

DISCUSSION

To ensure that the CEO Performance Evaluation and Development process is undertaken in a professional manner, the following documents and structure were implemented:
1) Internal Management Control Policy 3.1.18 – CEO Performance Evaluation and Development - AR18/48485 (attached)

2) Evaluation Tool (contained within above Policy) – AR14/33867 (attached)

3) CEO Performance Review Committee Terms of Reference – AR14/39911[v3] (attached)

4) Establishment of a CEO Performance Review Committee.

Council has previously established a CEO Performance Review Committee with the composition of the Committee being the Mayor, Deputy Mayor and one Elected Member (appointed by Council) and an Independent Facilitator appointed prior to each review. Other than the Mayor and Deputy Mayor, appointments to the Committee are made for a 12 month period only. It is at the discretion of Council to determine the composition of this committee. The Committee will meet twice a year in February and September. The Mayor will be the Chair of the Committee.

This structure of performance evaluation gives clarity to the CEO in regard to the annual performance and will, if necessary, identify areas of improvement to ensure a high level of performance is achieved and maintained.

CONFIDENTIALITY PROVISIONS

The CEO Performance Evaluation and Development assessment and recommendations as determined by the CEO Performance Review Committee would be reported to Council, by the Human Resource Manager under Confidential Provisions, subject to the provisions of Section 90(3)(a) of the Local Government Act 1999.

RISK MANAGEMENT

1: Financial/Budget/Asset Management

There will be costs incurred in relation to the engagement of an Independent facilitator to participate in the CEO Performance Review Committee and a budget allocation is allocated within the 2018/2019 budget.

2: Legal/Policy

The Local Government Act 1999 provides that Council may establish committees to assist council in the performance of its functions.

The Internal Management Control Policy 3.1.18 was established to provide guidelines in relation to the process to be undertaken in regard to CEO Performance Evaluations and Development.

3: Environment/Planning

Not applicable.

4: Community

4.1 General

Not applicable.

4.2 Aboriginal Community Consultation

Not applicable.

Melissa Kretschmer

29/11/2018
1. POLICY STATEMENT

1.1 One of the important functions or responsibilities of the Council is to assure the organisation has effective executive management. This includes hiring the Chief Executive Officer (CEO), setting expectations as defined in the employment contract, job description and the annual goals and objectives of the Council, and evaluating the performance of the CEO. The Council establishes policies of the organisation and delegates authority and responsibility to manage and run the organisation to the CEO.

2. PURPOSE

2.1 Purpose

A formal evaluation process is necessary for the purpose of assuring that Council and CEO have a clear consensus of the of the organisation’s goals, job expectations and performance measures. Through evaluation, Council can systemically maintain accountability for the actions of the CEO. The evaluation process should be a regular and formal process to avoid or reduce subjective judgments of performance. By complying with a formal evaluation process, performance expectations can be made clear. A review of the progress on the delivery of Council’s Strategic Plan should be included in the process to ensure agreement on the direction the organisation takes over a given time frame. Use of a formal evaluation strengthens the congruence between the vision, goals, and objectives of the Council and those of the CEO.

2.2 Scope

The CEO Performance Evaluation will address the following items:

a) Focusing the CEOs activities on the Council’s Strategic Plan
b) Providing a mechanism to assess how effectively the CEO has implemented Council policies and decisions
c) Providing a basis for future CEO performance expectations
d) Facilitating coordination and teamwork among the Council’s leadership
e) Creating a formal system for CEO professional and personal development
f) Communicating Council expectations of the CEO
g) Protecting the CEO against considerable risk associated with the job
h) Establishing parameters for CEO performance that enable the Council to retain, provide constructive feedback regarding CEO professional and personal performance and if necessary, reasonably and appropriately terminate the CEO.

2.3 Strategic Reference

6 We Achieve
6.1 Strong leadership and a committed and focused workforce to effectively manage and progress the City.
6.3 We aim to provide good governance practices and compliance with all legislative requirements in delivery of services.
3. **PRINCIPLES**

3.1 **Timing of Evaluation**

3.1.1 The evaluation process will be undertaken annually during the month of September.

3.1.2 A mid-year performance review will be undertaken annually during the month of February, to allow for the provision of feedback to the CEO in relation to the current goals and objectives.

3.2 **Composition of Evaluation Panel**

3.2.1 The evaluation panel shall comprise the:

   a) Mayor;
   b) Deputy Mayor;
   c) One Elected Member; and
   d) An independent facilitator

3.2.2 To assure continuity, at least one member of the panel, other than the Mayor and Deputy Mayor, will who participated in the immediate prior year review, should participate in the process in the subsequent year.

3.2.3 To assure new perspective, at least one of the panel members should change every year at the discretion of the Mayor.

3.3 **Conducting the Evaluation**

3.3.1 The Panel ensures it has:

   a) A current strategic plan with clearly specified vision, mission, and set of values organisational goals and objectives
   b) A job description for the CEO
   c) A shared understanding of the purposes of the CEO evaluation
   d) A copy of the Evaluation Tool
   e) Any relevant evidence to support performance statements

3.3.2 The Panel will review the Performance Evaluation Process, inform the Council of the commencement of the process, and invite elected members to provide any comments to the panel by a specified date.

3.3.3 The CEO completes the same tool and a written status report of the current year’s goals (Section 2 – Evaluation Tool) together with the goals for the upcoming year and submits to the panel.

3.3.4 The Panel meets and conducts the evaluation process, comparing results to CEOs self-evaluation and report.

3.3.5 An interview is then conducted with the Panel and CEO, at a location that is private, confidential, and free from interruptions. The purpose of the interview is to collect and assess information relative to standards of performance and to discuss future actions where the goals and objectives of the Council may need adjustment or identify the future directions the Council and the Chief Executive should be taking.

3.3.6 After the interview, the Independent Facilitator prepares a draft written evaluation report. The draft, once endorsed by the Panel, will be provided to the CEO for comment. The CEO comments will then be considered by the Panel and where reasonable, will be incorporated in the final Evaluation Tool report. The completed final Evaluation Tool will then be presented to Council for information and included in the CEO’s personal file. A copy of the final Evaluation Tool report will also be provided to the CEO.
3.3.7 If a dispute arises between the Panel and the CEO in relation to the contents of the final report, the matter will be presented to Council by the Independent Facilitator for determination. Only the matter in dispute is to be resolved by the Council, as the remainder of the final report is agreed between the Panel and CEO.

3.3.7 The Mayor then meets with the CEO the morning after the Council Meeting to discuss the results of the process, and the resulting decision.

3.4 Evaluation Tool

The Professional Standards (Section 1 - Evaluation Tool) offers an objective method of evaluating the CEO. Each dimension should have a performance rating to indicate the CEOs performance from requiring significant improvement to outstanding, using the following definitions of levels of performance. Additional written comments are encouraged to be made.

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<tr>
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</thead>
<tbody>
<tr>
<td>Demonstrates very limited knowledge, skills and understanding of the tasks and responsibilities associated with the role</td>
<td>Demonstrates limited knowledge, skills and understanding and regularly requires support</td>
<td>Consistently demonstrates a sound level of knowledge, skills and understanding and applies this with occasional guidance.</td>
<td>Performance consistently demonstrates a high level of knowledge, skills and understanding and is able to apply this independently</td>
<td>Without exception demonstrates and applies a very high level of knowledge, skills and understanding and is able to widely apply this independently</td>
</tr>
</tbody>
</table>

4. RESPONSIBILITY & REVIEW

3.1 Responsible Officer

Human Resource Coordinator is responsible for ensuring Evaluation Reports are placed on Chief Executives personnel file and maintained under confidential provisions.

3.2 Availability

This policy will be available on Council’s intranet.

3.3 Review

This policy will be reviewed within 12 months of a General Election for Local Government, or as required to meet other obligations.

5. REFERENCES

5.1 Legislation

*Local Government Act 1999*

5.2 Other References

- Code of Conduct- Council Officers 1.1.07
- Employee Performance Standards 3.1.15
- Evaluation Tool – AR14/33867
## Section 1 – Professional Standards Evaluation

### Leadership & Managerial Qualities

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<thead>
<tr>
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<tbody>
<tr>
<td>Implements strategies that are aligned with and contribute to deliver of Council’s Strategic Plan</td>
<td>1</td>
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<td>5</td>
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<tr>
<td>Exercises sound judgement and political nous</td>
<td>1</td>
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<td>5</td>
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<tr>
<td>Responds appropriately to internal and external influences and their likely impact on risk, governance, sustainability and organisational performance</td>
<td>1</td>
<td>2</td>
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<tr>
<td>Thinks conceptually about long term opportunities and considers a wide range of strategic options in conjunction with emerging trends</td>
<td>1</td>
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<tr>
<td>Performs functions within the scope of responsibility and refers unrelated matters appropriately</td>
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<td>5</td>
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<tr>
<td>Demonstrates an understanding of value creation</td>
<td>1</td>
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<tr>
<td>Facilitates an organisational culture required for the organisation to succeed</td>
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<tr>
<td>Helps employees to understand the personal and professional behavioural implications on the culture of the organisation</td>
<td>1</td>
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<tr>
<td>Maintains a work style which is open to constructive suggestions</td>
<td>1</td>
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<tr>
<td>Functions as an effective leader, gaining the respect and cooperation of others</td>
<td>1</td>
<td>2</td>
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<td>5</td>
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<tr>
<td>Evaluates programs, practices, policies, procedures and personnel effectively</td>
<td>1</td>
<td>2</td>
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<tr>
<td>Uses creative, innovation problem-solving strategies for adapting to uncertainties and complexities</td>
<td>1</td>
<td>2</td>
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<td>5</td>
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<tr>
<td>Manages current budget and performance data to assure continued success of the organisation</td>
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<td>5</td>
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<tr>
<td>Communications appropriately matters of importance to staff</td>
<td>1</td>
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### Personal Qualities

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<tr>
<td>Displays integrity and promotes ethical corporate behaviour and practice</td>
<td>1</td>
<td>2</td>
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<td>Exercises the courage required to make corporate decisions that are in the best interests of the organisation even when these may not be popular</td>
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<td>2</td>
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<tr>
<td>Functions as a self-starter, setting high personal standards and pursuing goals with a high level of personal drive and energy</td>
<td>1</td>
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### Judgement and Sensitivity

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<tr>
<td>Affirms the unique contributions of all persons recognising their diverse backgrounds and varying needs in the workplace</td>
<td>1</td>
<td>2</td>
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<td>Challenges, motivates, evaluates, and rewards employees and managers toward the achievement of goals and objectives</td>
<td>1</td>
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<td>Values people and shows genuine concern for their well-being</td>
<td>1</td>
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<td>5</td>
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<td>Builds a track record of achieving results and meets commitments in a timely and effective manner</td>
<td>1</td>
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<td>5</td>
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<tr>
<td>Generates realistic solutions to effectively solve problems</td>
<td>1</td>
<td>2</td>
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<tr>
<td>Constructively engages key stakeholders on key issues</td>
<td>1</td>
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</tr>
</tbody>
</table>
**Knowledge and Skills**

- Demonstrates thorough knowledge and understanding of Council management and operations  
- Is a prudent steward of physical and financial resources  
- Evaluates and identifies that facilities and equipment are required for the Council's immediate and long-term goals  
- Assures the Council operations are in accordance with applicable standards, codes, laws, and regulations  
- Anticipates trends and opportunities affecting Council operations and develops an appropriate and timely response

**Council Relations**

- Works closely with Council in developing and delivering the Strategic Plan  
- Communicates well with the Council, providing appropriate information at and between meetings  
- Is accessible to individual Council members  
- Works with Council to create an optimal governance environment  
- Assesses the Council's financial status, providing complete reports to the Council on a quarterly basis  
- Evaluates the results of programs and services and reports findings on a regular basis to the Council  
- Provides ongoing education programs for the members of Council  
- Develops investment strategies for Council  
- Supports the policies, procedures, and philosophy of the Council  
- Facilitates productive and cooperative Council/CEO relations

**Council Staff Relations**

- Communicates with and works closely with the Council Staff members on matters of mutual concern  
- Assists when appropriate with the development and revision of human resource procedures and control systems  
- Is an effective liaison between the Council and Council staff.

**Community Relations/Political Effectiveness**

- Develops programs promoting a positive image of Council, and creates awareness of available services to local community  
- Has the respect of his peers in local, state, and federal local government organisations  
- Is willing to listen to diverse views  
- Maintains an active advocacy role in promoting the needs of the Council and its strategy  
- Effectively communications activities of the Council to the residents of the Port Augusta municipality  
- Develops and maintains effective contacts, relationships and networks to deliver business outcomes

**Other Comments:**

………………………………………………………………………………………………………………………………………………………….
Section 2 – Current Year Goal Achievement

A list of current year’s goals for the CEO (personal) and Council (organisational) and the status of accomplishment/completion should be done by the CEO and provided to the panel prior to the evaluation.

Status of Current Goals for

Section 3 – CEO Strengths and Development Needs

Identification of strengths and areas where development is needed should be incorporated into the coming year’s goals. The identification of how the organisation can assist the CEO in addressing developmental needs should also be included in this section.

• What are the CEO’s major strengths? (List 2 or 3)

1

2

3

• What are the areas that need further development? (List 2 or 3)

1

2

3

• What assistance or resources are needed to address developmental needs?
Section 4 – Personal & Organisational Goals Coming Year

The evaluation panel in conjunction with the CEO should list and discuss CEO (personal) and Council goals for the coming year.

Personal and Organisational Goals for

Section 5 – Overall Performance Rating

An overall performance rating should take into consideration:

1. Assessment as per evaluation tool.
2. Evaluation of whether the CEO accomplished the current year’s goals and objectives.

<table>
<thead>
<tr>
<th>Rating</th>
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<tbody>
<tr>
<td>Outstanding</td>
</tr>
<tr>
<td>Achieving</td>
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<tr>
<td>Competent</td>
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<tr>
<td>Requires Improvement</td>
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<tr>
<td>Requires Significant Improvement</td>
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</table>

COMMENTS:
PREAMBLE

A Committee of Council may be established by resolution of the Council. A Committee can be established to assist the Council in the performance of its functions, to inquire into and report to the Council on matters, provide advice to the Council and to exercise, perform or discharge delegated powers, functions or duties.

Pursuant to Section 41(10) of the Local Government Act 1999 the establishment of a Committee does not derogate from the power of the Council to act in a matter.

1. Establishment of the CEO Performance Review Committee

Pursuant to Section 41 of the Local Government Act 1999 the Council establishes a Committee to be known as the CEO Performance Review Committee (referred to in these Terms of Reference as 'The Committee').

2. Committee Objectives

To report and provide advice to Council on the performance of the Chief Executive Officer in achieving the annual Key Performance Indicators, as determined by Council.

3. Committee Activities

To assess the performance of the CEO against the KPI's determined by Council on an annual basis, and to complete the CEO Performance Evaluation and Development Form (AR14/33819) and to present to Council for consideration.

4. Membership:

The membership of the CEO Performance Committee shall be the Mayor, Deputy Mayor, one Elected Member and an Independent facilitator. The Membership of the CEO Performance Committee will comprises the following:

Elected Members:
Mayor Brett Benbow
Deputy Mayor Phillip Brown
Cf .........................
Independent Facilitator: To be determined on an annual basis.

5. Presiding Member of the Committee

The Mayor is appointed as the Chairperson of the CEO Performance Review Committee.

6. Term of Office

The Mayor, and Deputy Mayor will be appointed for the Term of Council (4 years), for continuity of process. The Elected Members are is appointed for a 12 month period. For continuity of process, at least one member of the panel, other than the Mayor, who participated in the immediate prior year review, should participate in the process in the subsequent year. To assure new perspective, at least one of the panel members should change every year at the discretion of the Mayor and the replacement of that Panel Member will be formally appointed by Council.
7. **Reporting Arrangements**

   The Committee reports and makes recommendations to the Council on the CEO Performance Evaluation and Development assessment.

8. **Confidentiality**

   The confidential provisions of the *Local Government Act 1999* shall apply to ALL members of the Committee. This in short means that those matters that are deemed to be ‘confidential’ (which includes the report discussions and any resulting decision) **must remain confidential**, and is not to be discussed outside the forum of the Committee Meeting, until the matter is discussed and determined by the Council. There are substantial penalties for breaches.

9. **Delegated Authority**

   The Committee has authority to seek any information it requires from any employee of the Council (after advising the Chief Executive Officer in order to perform its duties and to obtain, at the Council’s expense, (after consultation with the Chief Executive Officer) outside legal or other professional advice on any matter within its Terms of Reference.

10. **Conduct and Conflict of Interest of Committee Members**

    Elected Members of the Committee must comply with the Code of Conduct for Elected Members as published by the Minister for Planning for the purposes of Section 63 (1) of the *Local Government Act 1999* and Chapter 5 Part 4 of the *Local Government Act 1999* relating to Conduct and Disclosure of Interests.

    As a member of the Committee, you must not make improper use of your position to gain (directly or indirectly) an advantage for yourself or for another person closely associated with you. You must make sure there is no conflict between your private interests and your role as a public decision maker. As a Committee Member you will have to declare what your interest is in any matter before the Committee.

11. **Meeting Times & Place**

    The CEO Performance Review Committee undertakes the CEO Performance Evaluation and Development review in September each year and a mid-year review in February each year, at a location that is private, confidential and free from interruptions.

12. **Quorum & Voting by Members**

    The quorum shall be 50% of the number of members, plus one. Each member of the Committee present at a relevant meeting, must vote of any motion put at that meeting. The Presiding Member shall have a deliberative vote but does not in the event of an equality of votes have a casting vote.

13. **Meeting Procedures**

    Meetings of the CEO Performance Review Committee will be held in accordance with:
   i) *Local Government Act 1999*
   ii) *Local Government (Procedures at Meetings) Regulations 2013*
   iii) Council’s Code of Practice – Meeting Procedures 1.1.15
   iv) Council’s Code of Practice – Access to Council and Committee Meetings and Documents 1.1.06

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Page 2 of 3
December 2018 (AR14-39911[v3])
14. **Access and Documents**

Pursuant to Section 87 of the *Local Government Act 1999* a minimum of three clear days’ notice of the meeting, accompanied by the agenda, will be provided to Members of the Committee and the public.

Minutes will be available within five clear days after a meeting in accordance with Section 91 of the *Local Government Act 1999* and will be provided to all Members of the Committee and placed on Council’s Website [www.portaugusta.sa.gov.au](http://www.portaugusta.sa.gov.au) and a hardcopy placed in the Council Office, Civic Centre, 4 Mackay Street, Port Augusta.

Members of the public are able to attend all meetings of the Committee, unless excluded from the meeting by the confidentiality provision of Section 90 of the *Local Government Act 1999*.

**NOTE:** For the purposes of the calculation of *clear days* in relation to the giving of notice before a meeting, the day on which the notice is given, and the day on which the meeting occurs, will not be taken into account; and Saturdays, Sundays and public holidays will be taken into account. However, if a notice is given after 5pm on a day, the notice will be taken to have been given on the next day.

15. **Responsible Officer**

Human Resource Manager

16. **Liability and Insurance**

Pursuant to Section 80 of the *Local Government Act 1999* Council must take out a policy of insurance insuring every member of the Council, and a spouse, domestic partner or another person who may be accompanying a member of the Council, against risks associated with the performance or discharge of official functions or duties by members.

Further, pursuant to Section 41(12) of the *Local Government Act 1999* no civil liability attaches to a member of a committee for an honest act or omission in the exercise, performance or discharge, or purported exercise, performance or discharge, of the member’s or committee’s powers, functions or duties.

17. **Administrative Support**

The Human Resource Manager shall provide sufficient administrative support to the Committee to adequately carry out its functions.

The Committee shall:

i) have access to reasonable resources in order to carry out its duties;

(Note that this is subject to any budget allocation being approved by Council)

18. **Sitting Fee**

The Mayor is appointed as Chairperson and therefore no sitting fees apply. Refer Remuneration Tribunal determination.
COMMUNITY VISION & STRATEGIC PLAN OUTCOMES

1 We Thrive
1.4 Maintain and develop tourism attractions and visitor services.

4 We Care
4.3 Value, protect and enhance the quality of our natural and built environment.
4.4 Water, energy and other natural resources and managed responsibility.
4.5 Our cultural and built heritage is recognised, conserved and promoted as a key contributor to our identity.

6 We Achieve
6.3 We aim to provide good governance practices and compliance with all legislative requirements in delivery of services.

PURPOSE

The purpose of this report is to appoint an Elected Member to the Australian Arid Lands Botanic Garden Committee in line with the term of office provisions outlined in the Terms of Reference for the Committee.

RECOMMENDATION

Council:

1. Appoints Cr.........................as a Member of the Australian Arid Lands Botanic Garden Committee.

2. Approves a sitting fee of $170 per meeting for Independent Committee Members.

3. Adopts the Terms of Reference for the Australian Arid Lands Botanic Garden Committee (refer Appendix – AR14/431[v6]), as amended.

4. Approves the calling for Expressions of Interest to fill the current independent member vacancies on the Committee.

BACKGROUND

The Australian Arid Lands Botanic Garden Committee was established to monitor the implementation of the AALBG Strategic Plan and to provide advice to Council on opportunities for the development of The Australian Arid Lands Botanic Garden to ensure that it becomes an internationally recognised centre of excellence for AridSmart Plants and outback visitor experiences.
DISCUSSION

The Membership of the AALBG Committee includes a member from the Business sector, Tourism sector, a representative from the Friends of the AABLG Botanic Garden and the Adelaide Botanic Garden, an Elected Member, the Chief Executive Officer, Director Corporate & Community Services. The term of office is for 4 years and this expires at each General Election.

It is considered that the objectives and activities of this Committee are still relevant and it is important to retain this Committee to continue the ongoing development of the Botanic Garden and associated tourism activities and direction.

Previously independent members of this committee were paid a sitting fee of $100 per meeting, in an endeavour to attract members. It is proposed to change the sitting fee to $170 to bring this figure in line with the Remuneration Tribunal allowances.

Previously the Elected Member representative was appointed as the Presiding Member of the Committee. It is proposed to change the Terms of Reference to require an Independent Member or Staff Member to be appointed at the Presiding Member. This will bring the committee in line with other Prescribed Committees and eliminate the need to pay the Elected Member an additional allowance. The Allowance payable would be 1.25 times the standard allowance, which appears excessive for a committee that meets twice a year.

Terms of References for the Committee have been amended to allow the committee to appoint a Presiding Member. The Terms of Reference (AR14/431[v6]) is attached for Elected Members consideration and it is recommended that the Terms of Reference be adopted to include the Elected Member that is appointed.

Several independent members have recently resigned from this committee, and it is recommended that Council conduct an expression of interest to fill the current vacancies.

CONFIDENTIALITY PROVISIONS

Not applicable.

RISK MANAGEMENT

1: Financial/Budget/Asset Management

Not applicable.

2: Legal/Policy

The Local Government Act 1999 provides the legislative framework for the establishment of Committees to assist Council in the performance of its functions. The Committee has not been delegated any powers by the Council.

3: Environment/Planning

The activities of the Committee include bringing environmental views to Council on matters relating to the Australian Arid Lands Botanic Garden.

4: Community

4.1 General
Members of the community are invited to participate as members of the Committee to provide advice to Council on opportunities for the Garden.

4.2 Aboriginal Community Consultation
To be provided to the Aboriginal Advisory Committee for information.

Melissa Kretschmer
29/11/2018
PREAMBLE

A Committee of Council may be established by resolution of the Council. A Committee can be established to assist the Council in the performance of its functions, to inquire into and report to the Council on matters, provide advice to the Council and to exercise, perform or discharge delegated powers, functions or duties.

Pursuant to Section 41(10) of the Local Government Act 1999 the establishment of a committee does not derogate from the power of the Council to act in a matter.

1. Establishment of the Australian Arid Lands Botanic Garden Committee

Pursuant to Section 41 of the Local Government Act 1999 the Council establishes a Prescribed Committee to be known as the Australian Arid Lands Botanic Garden Committee (referred to in these Terms of Reference as ‘the Committee’).

2. Committee Objectives

The objectives of the Committee is to monitor the implementation of the AALBG Strategic Plan and to provide advice to Council on opportunities for the development of The Australian Arid Lands Botanic Garden to ensure that it becomes an internationally recognised centre of excellence for AridSmart Plants and outback visitor experiences.

3. Committee Activities

i) To monitor the implementation of the Strategic Plan that implements the Master Plan dated 13 May 2009, Interpretation Plan dated May 2009, and Vision Plan dated June 2010, as adopted by Council.
ii) To bring business principles and tourism, environmental and community views to the development of the AALBG.
iii) To assist in keeping the Strategic Plan under review.
iv) To establish sub-committees as considered appropriate.
v) To seek reports on the above topics and issues.

4. Membership:

The Membership of the Committee is to comprise of:

i) One Elected Member of the Port Augusta City Council being Cr .......................... 
ii) A representative of the Friends of The Australian Arid Lands Botanic Garden being John Zwar.
iii) A representative of the Local Business Community - vacant
iv) A representative of the Local Tourism Industry – Carly Archer and Natasha Paul Vacant
v) A representative of the Adelaide Botanic Garden – John Sandham
vi) The Chief Executive Officer
vii) The Director Corporate & Community Services

5. Presiding Member of the Committee

The Committee must elect one of the Elected Independent Members or a staff member on the Committee to be its Presiding Member – Cr .......................... elected. A fee of $150 will
only be paid to the Elected Member who is appointed as the Chairperson in line with the Member Allowances as determined by the Remuneration Tribunal.

6. Term of Office

4 years – Membership of the Committee terminates at the end of each Council term, and the purpose and necessity for the Committee will be reviewed by the new Council.

7. Reporting Arrangements

The Committee provides advice and makes recommendations to the Council on any item on the Committee agenda. The Committee may recommend policy changes to Council. Appropriate Officers will forward reports to the Committee for consideration on matters that relate to the performance against the outcomes required to be achieved by the Strategic Plan.

8. Confidentiality

The confidential provisions of the *Local Government Act 1999* shall apply to ALL members of the Committee. This in short means that those matters that are deemed to be ‘confidential’ (which includes the report discussions and any resulting decision) **must remain confidential**, and is not to be discussed outside the forum of the Committee Meeting, until the matter is discussed and determined by the Council. There are substantial penalties for breaches of confidentiality.

9. Delegated Authority

The Committee will have the power to make decisions on any matter relating to its functions and duties within the limitations of legislation and budget allocations but is not to make operational decisions which remain the responsibility of the Chief Executive Officer and staff.

10. Conduct and Conflict of Interest of Committee Members

Elected Members of the Committee must comply with the Code of Conduct for Elected Members as published by the Minister for Planning for the purposes of Section 63 (1) of the *Local Government Act 1999* and Chapter 5 Part 4 of the *Local Government Act 1999* relating to Conduct and Disclosure of Interests.

As a member of the Committee, you must not make improper use of your position to gain (directly or indirectly) an advantage for yourself or for another person closely associated with you. You must make sure there is no conflict between your private interests and your role as a public decision maker. As a Committee Member you will have to declare what your interest is in any matter before the Committee.

11. Meeting Times & Place

Meetings will be held at The Australian Arid Lands Botanic Garden Conference Room at least twice a year.

12. Quorum & Voting by Members

A quorum for the Committee shall be a half of the members plus one (ignoring any fraction). Each member of the Committee present at a meeting shall have one vote. The Presiding Member shall have a deliberative vote but does not in the event of an equality of votes have a casting vote.
13. **Meeting Procedures**

Meetings of The Australian Arid Lands Botanic Garden Committee will be held in accordance with:

- i) *Local Government Act 1999*
- ii) *Local Government (Procedures at Meetings) Regulations 2013*
- iii) *Council’s Code of Practice – Meeting Procedures 1.1.15*
- iv) *Council’s Code of Practice – Access to Council and Committee Meetings and Documents 1.1.06*

14. **Access and Documents**

Pursuant to Section 87 of the *Local Government Act 1999* a minimum of three clear days’ notice of the meeting, accompanied by the agenda, will be provided to Members of the Committee and the public.

Minutes will be available within five clear days after a meeting in accordance with Section 91 of the *Local Government Act 1999* and will be provided to all Members of the Committee and placed on Council’s Website [www.portaugusta.sa.gov.au](http://www.portaugusta.sa.gov.au) and a hardcopy placed in the Council Office, Civic Centre, 4 Mackay Street, Port Augusta.

Members of the public are able to attend all meetings of the Committee, unless excluded from the meeting by the confidentiality provision of Section 90 of the *Local Government Act 1999*.

*NOTE: For the purposes of the calculation of clear days in relation to the giving of notice before a meeting, the day on which the notice is given, and the day on which the meeting occurs, will not be taken into account; and Saturdays, Sundays and public holidays will be taken into account. However, if a notice is given after 5pm on a day, the notice will be taken to have been given on the next day.*

15. **Presentations**

Where a presentation, relating to the business of the Committee has been proposed, the Chief Executive Officer must determine if the presentation would be best made directly to Council and if so, then independent members of the Committee will be invited to attend the Council Meeting at which presentation will be made.

16. **Responsible Officer**

Director Corporate & Community Services

17. **Liability and Insurance**

Pursuant to Section 80 of the *Local Government Act 1999* Council must take out a policy of insurance insuring every member of the Council, and a spouse, domestic partner or another person who may be accompanying a member of the Council, against risks associated with the performance or discharge of official functions or duties by members.

Further, pursuant to Section 41(12) of the *Local Government Act 1999* no civil liability attaches to a member of a committee for an honest act or omission in the exercise, performance or discharge, or purported exercise, performance or discharge, of the member’s or committee’s powers, functions or duties.

18. **Administrative Support**

Council’s Chief Executive Officer will allocate appropriate human resources to ensure that
reports, agenda, notices of meetings and minutes of the Committee are recorded and managed in accordance with legislative compliance requirements. Other professional human resources will be allocated as required. Any staff attendance apart from those who are members of the Committee, will have no voting rights and will not be considered as part of the Committee Membership.

Executive Officer – the Manager of the AALBG, shall be the Council Officer responsible for fulfilling the executive officer role for the Committee including arranging the preparation of agendas, ensuring reports are provided as required and ensuring that Committee decisions are implemented.

19. Sitting Fee

Council at its meeting held on 11 December 2018 has approved a Sitting Fees of $170 for meetings attended by the Independent Members of the Committee.

Members (not Elected Members) – $100 per meeting attended
COMMUNITY VISION & STRATEGIC PLAN OUTCOMES

3  We Connect
3.2 Walk and work together in unity with our Aboriginal communities.

5  We Celebrate
5.2 Work with the diverse Aboriginal communities living in and visiting our City to celebrate their contributions and their relationships with land and sea.

6  We Achieve
6.3 We aim to provide good governance practices and compliance with all legislative requirements in delivery of services.

PURPOSE

The purpose of this report is to appoint an Elected Member to the Port Augusta Aboriginal Community Committee and to provide Elected Members an opportunity to consider amendments to the Terms of Reference for the Committee.

RECOMMENDATION

Council:

1. Appoints Cr........................................ as the Elected Member representative for the Port Augusta Aboriginal Community Committee.

2. Adopts the Port Augusta Aboriginal Community Committee’s Terms of Reference (AR14/433[v6]), as amended.

BACKGROUND

The Port Augusta Aboriginal Advisory Committee was established by Council on 24 June 2013. The objectives of this Committee are to provide a voice to Council relating to issues affecting the Aboriginal community so that Council is kept informed of what is occurring within its community and how Council can be more inclusive of Aboriginal views.

At its meeting on 27 November 2018, Council endorsed changing this committee from a Section 41 Committee to a Council Prescribed Committee. As a result it is proposed to change the name of this committee to the Aboriginal Community Committee, removing the reference to ‘advisory’ as this implies a lesser formality of the group.
DISCUSSION

The Port Augusta Aboriginal Community Committee has now been established as a Prescribed Committee rather than a Section 41 Committee. This will allow for more informal meeting arrangements, as this group has previously struggled to get a quorum. The structure change will broaden the opportunity for Aboriginal participation on the Committee as the meeting times can be more flexible.

The Committee’s activities include:

a) To facilitate continued dialogue with the Aboriginal Community Engagement Group to ensure a collaborative approach is taken to addressing local issues as identified within the Local Action Agreement – Closing the Gap in Port Augusta.

b) Monitor and report to Council on the outcomes achieved as identified within the Local Action Agreement.

c) Monitor and report to Council on the outcomes achieved as identified within the Reconciliation Action Plan.

d) Review the Reconciliation Action Plan every two years and recommend new initiatives and strategies to ensure this is a living document and supports the changing needs, over time, of our community.

Membership currently includes the Co-Chairs of the Aboriginal Community Engagement Group, Chief Executive Officer and an Elected Member.

An updated Terms of Reference (AR14/433[v6]) is attached for Elected Members consideration and endorsement.

CONFIDENTIALITY PROVISIONS

Not applicable.

RISK MANAGEMENT

1: Financial/Budget/Asset Management

Not applicable.

2: Legal/Policy

The Local Government Act 1999 provides the legislative framework for the establishment of Committees to assist Council in the performance of its functions.

3: Environment/Planning

Not applicable.

4: Community

4.1 General
Access to the Committee’s agenda is available on Council’s website.

4.2 Aboriginal Community Consultation
To be provided to the Aboriginal Advisory Committee for information.

Melissa Kretschmer
29/11/2018
PREAMBLE

A Committee of Council may be established by resolution of the Council. A Committee can be established to assist the Council in the performance of its functions, to inquire into and report to the Council on matters, provide advice to the Council and to exercise, perform or discharge delegated powers, functions or duties.

Pursuant to Section 41(10) of the Local Government Act 1999 the establishment of a committee does not derogate from the power of the Council to act in a matter.

1. Establishment of the Port Augusta Aboriginal Community Advisory Committee

Pursuant to Section 41 of the Local Government Act 1999 the Council establishes a Committee to be known as the Port Augusta Aboriginal Community Advisory Committee (referred to in these Terms of Reference as ‘the Committee’) as a Council prescribed committee.

2. Committee Objectives

To provide advice and guidance to the Council on the strategies and priorities that the Council should implement within the Port Augusta Aboriginal Community to ensure that positive outcomes are achieved that are consistent with the cultural requirements of the diverse Aboriginal Community.

Keep Council informed of issues impacting the Aboriginal Community and how Council can be more inclusive of Aboriginal groups, individuals and communities.

3. Committee Activities

i) To provide advice and guidance to Council

ii) Consult with and develop partnerships with relevant Aboriginal bodies to develop and implement activities consistent with the cultural requirements of the community.

iii) Develop a partnership and communication with the Aboriginal Community.

iv) To act as the REP Working Group for the Council’s Reconciliation Mission Statement which will include monitoring, reviewing and reporting to Council on the implementation of actions within the Strategic Plan and making recommendations for changes of the plan to ensure it is a living document that reflects the changing needs of the community.

v) Facilitate and conduct Aboriginal Community consultation and engagement activities as required.

vi) To elevate issues through to Council that the Aboriginal Community require assistance and support with.

vii) To monitor the implementation of the Regional Public Health Plan and other Council planning documents where required and assist with ensuring a collaborative approach is taken to addressing the actions identified.
4. **Membership:**

Membership of the Committee shall comprise the following:

i) 6 Members of the Aboriginal Community as nominated and selected by ACEG and endorsed by Council.

ii) Chief Executive Officer

iii) Cr ........................................

The Mayor of the Corporation of the City of Port Augusta is an *ex-officio* member of the Committee.

5. **Presiding Member of the Committee**

There will be 2 Co-Chairpersons who will be appointed by the Advisory Committee. An Aboriginal and Non-Aboriginal Member will share this role. It will be the responsibility of these members to pre-determine who will chair upcoming meetings prior to Meeting being convened.

6. **Term of Office**

4 years – Membership of the Committee terminates at the end of each Council term, and the purpose and necessity for the Committee will be reviewed by the new Council.

7. **Reporting Arrangements**

The Committee reports and makes recommendations to the Council on any item on the Committee agenda.

Reporting Officers of Council as designated by the Chief Executive Officer, shall provide written reports on specific issues that arise from the Aboriginal Advisory Committee.

Council Officers to provide reports to the Advisory Committee with recommendations that they require comment on (frequency of these to be determined and finalised when standing agenda items are finalised).

Aboriginal Advisory Committee minutes, which will also include recommendations, will be forwarded to Council for approval.

8. **Confidentiality**

The confidential provisions of the *Local Government Act 1999* shall apply to ALL members of the Committee. This in short means that those matters that are deemed to be ‘confidential’ (which includes the report discussions and any resulting decision) must remain confidential, and is not to be discussed outside the forum of the Committee Meeting, until the matter is discussed and determined by the Council. There are substantial penalties for breaches of confidentiality.

9. **Delegated Authority**

Not applicable.
10. **Conduct and Conflict of Interest of Committee Members**

Elected Members of the Committee must comply with the Code of Conduct for Elected Members as published by the Minister for Planning for the purposes of Section 63 (1) of the *Local Government Act 1999* and Chapter 5 Part 4 of the *Local Government Act 1999* relating to Conduct and Disclosure of Interests.

As a member of the Committee, you must not make improper use of your position to gain (directly or indirectly) an advantage for yourself or for another person closely associated with you. You must make sure there is no conflict between your private interests and your role as a public decision maker.

As a Committee Member you will have to declare what your interest is in any matter before the Committee.

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11. **Meeting Times & Place**

Committee meetings are to be held on a monthly basis (first Monday of the month) commencing at an agreed time by the Committee.

Meetings will be predominantly held in the Council Chambers but require the flexibility to meet off site in other locations when and where required.

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12. **Quorum & Voting by Members**

At all meetings of the Committee, a quorum shall be 4 members, 50% of the number of members, plus one.

Each member of the Committee present at a relevant meeting, must vote of any motion put at that meetings.

The Presiding Members shall have a deliberative vote but does not in the event of an equality of votes have a casting vote.

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13. **Meeting Procedures**

Meetings of the Port Augusta Aboriginal Community Advisory Committee will be held in accordance with:

1. *Local Government Act 1999*
2. *Local Government (Procedures at Meetings) Regulations 2013*
3. *Council’s Code of Practice – Meeting Procedures 1.1.15*
4. *Council’s Code of Practice – Access to Council and Committee Meetings and Documents 1.1.06*
14. **Access and Documents**

Pursuant to Section 87 of the *Local Government Act 1999* a minimum of three clear days’ notice of the meeting, accompanied by the agenda, will be provided to Members of the Committee and the public.

Minutes will be available within five clear days after a meeting in accordance with Section 91 of the *Local Government Act 1999* and will be provided to all Members of the Committee and placed on Council’s Website [www.portaugusta.sa.gov.au](http://www.portaugusta.sa.gov.au) and a hardcopy placed in the Council Office, Civic Centre, 4 Mackay Street, Port Augusta.

Members of the public are able to attend all meetings of the Committee, unless excluded from the meeting by the confidentiality provision of Section 90 of the *Local Government Act 1999*.

**NOTE:** For the purposes of the calculation of **clear days** in relation to the giving of notice before a meeting, the day on which the notice is given, and the day on which the meeting occurs, will not be taken into account; and Saturdays, Sundays and public holidays will be taken into account. However, if a notice is given after 5pm on a day, the notice will be taken to have been given on the next day.

15. **Responsible Officer**

Chief Executive Officer

16. **Liability and Insurance**

Pursuant to Section 80 of the *Local Government Act 1999* Council must take out a policy of insurance insuring every member of the Council, and a spouse, domestic partner or another person who may be accompanying a member of the Council, against risks associated with the performance or discharge of official functions or duties by members.

Further, pursuant to Section 41(12) of the *Local Government Act 1999* no civil liability attaches to a member of a committee for an honest act or omission in the exercise, performance or discharge, or purported exercise, performance or discharge, of the member’s or committee’s powers, functions or duties.

17. **Administrative Support**

To be provided by the Aboriginal Community Development Officer (or another Officer acting in that position).

The Executive Officer – the Chief Executive Officer shall be the Council Officer responsible for fulfilling the executive role for the Committee including arranging the preparation of agendas, ensuring reports are provided as required and ensuring that Committee decisions are implemented.

18. **Sitting Fee**

Not applicable.
COMMUNITY VISION & STRATEGIC PLAN OUTCOMES

3 We Connect
3.3 Provide infrastructure and resources that promote a healthy environment and improve social development.
3.4 Provide information and support that enables people to easily make connections to the services they need.

4 We Care
4.2 Facilitate services and develop partnerships to enable appropriate care for people in our communities.

6 We Achieve
6.3 We aim to provide good governance practices and compliance with all legislative requirements in delivery of services.

PURPOSE

The purpose of this report is to appoint an Elected Member to the Port Augusta Alcohol Management Group.

RECOMMENDATION

Council:

1. Appoints Cr................................. as the Elected Member representative for the Port Augusta Alcohol Management Group.

2. Notes the Port Augusta Alcohol Management Group Terms of Reference.

BACKGROUND

In 2005 as a response to escalating public intoxication and anti-social behaviour a total city dry area (Dry Zone) regulation became effective in Port Augusta.

The Port Augusta Alcohol Management Group (PAAMG) is the committee responsible for the monitoring of the Dry Zone. The group is a multi-agency forum whose aim is to provide leadership in the planning, facilitation, monitoring, implementation and action of holistic, coordinated initiatives and strategies in response to alcohol and other drug use and misuse within the community of Port Augusta.
DISCUSSION

Council at times, establishes working groups to assist in monitoring certain activities within the City. The Alcohol Management Group is such a Group and Council appoints an Elected Member to this Group to ensure that the Member is able to contribute and keep other Elected Members informed on the work being undertaken by the Group.

The Alcohol Management Group has developed its Term of Reference based on the requirements that this Group must fulfil, as determined by the Liquor and Licensing Commissioner, following the introduction of the Total City Dry Areas.

Membership currently includes the Manager Community Harmony, Director City Services and an Elected Member. Membership of the PAAMG reflects a mix of local and non-local representatives from agencies involved in appropriate service provision, including local, state, federal and non-government agencies.

The Terms of Reference for the Port Augusta Alcohol Management Group is attached for Elected Members information.

CONFIDENTIALITY PROVISIONS

Not applicable.

RISK MANAGEMENT

1: Financial/Budget/Asset Management

Not applicable.

2: Legal/Policy

The Local Government Act 1999 provides the legislative framework for the establishment of Committees to assist Council in the performance of its functions.

3: Environment/Planning

Not applicable.

4: Community

4.1 General
Minutes of the PAAMG are included within the Council Agenda which is publicly available on Council’s website.

4.2 Aboriginal Community Consultation
To be provided to the Aboriginal Advisory Committee for information.

Melissa Kretschmer  
29/11/2018
ALCOHOL MANAGEMENT GROUP

TERMS OF REFERENCE - 2017-2019

Auspice:
The Port Augusta Alcohol Management Group (formerly The Port Augusta Dry Zone Steering Committee) is convened and supported by the Port Augusta City Council.

Aim:
The Port Augusta Alcohol Management Group (PAAMG) is a multi agency forum whose aim is to provide leadership in the planning, facilitation, monitoring, implementation and action of holistic, coordinated initiatives and strategies in response to alcohol and other drug use and misuse within the community of Port Augusta.

Objectives:
1. Provide leadership on the development of integrated service provision related to alcohol use and misuse in the community
2. Facilitate the development of a broad strategy to address the effects of and reduce the incidence of alcohol misuse within the community (Alcohol and Other Drug Management Plan)
3. Develop data sets or evaluation methods to determine the effectiveness of all programs/initiatives that may be implemented and review the statistical data on a regular basis to determine the effectiveness of initiatives and where appropriate, support service providers to adjust the initiative with the funding body
4. Identify service gaps and advocate appropriate responses
5. Continue to monitor the effectiveness and assess the impact of the Total Dry Zone regulation
6. Provide leadership and support for formal evaluation processes for the Total Dry Zone and other initiatives
7. Ensure effective, inclusive and better targeted communication, consultation and engagement with the community
8. Advocate for appropriate services and new funding, encouraging agencies to work collaboratively to ensure that interventions are strategic, integrated and sustainable
9. Consider provisions of relevant legislation and other local Strategic Plans as part of the monitoring process
**Membership:**
Membership reflects a mix of local and non local representatives from agencies involved in appropriate service provision, including local, state, federal and non-government agencies.

**Full Membership: (as per table below)**

<table>
<thead>
<tr>
<th>LOCAL</th>
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</thead>
<tbody>
<tr>
<td>Aboriginal Affairs &amp; Reconciliation (Port Augusta)</td>
</tr>
<tr>
<td>Aboriginal Communities Development Officer</td>
</tr>
<tr>
<td>Aboriginal Drug and Alcohol Council (ADAC) Stepping Stones Day Centre &amp; Footsteps North West Regional Residential Rehabilitation Centre</td>
</tr>
<tr>
<td>Australian Red Cross (Port Augusta)</td>
</tr>
<tr>
<td>Consumer &amp; Business Services – SA Office of the Liquor &amp; Gambling Commissioner</td>
</tr>
<tr>
<td>Country SA PHN</td>
</tr>
<tr>
<td>Davenport Community Council</td>
</tr>
<tr>
<td>Department of Prime Minister &amp; Cabinet</td>
</tr>
<tr>
<td>Housing SA</td>
</tr>
<tr>
<td>Life Without Barriers</td>
</tr>
<tr>
<td>Pika Wiya Health Service Aboriginal Corporation</td>
</tr>
<tr>
<td>Port Augusta City Council</td>
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<tr>
<td>Port Augusta Hospital &amp; Regional Health Services Inc.</td>
</tr>
<tr>
<td>SAPOL (Port Augusta)</td>
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</tbody>
</table>

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<thead>
<tr>
<th>PERIODIC ATTENDANCE / INVITED TO PRESENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aboriginal Family Support Services</td>
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<tr>
<td>City Safe Patrol</td>
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<tr>
<td>Clubs SA</td>
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<tr>
<td>Community Representative - K Reid</td>
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<tr>
<td>Department for Child Protection</td>
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<tr>
<td>Department of Corrections (Port Augusta Prison)</td>
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<td>Des’s Cabs</td>
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<tr>
<td>Drug &amp; Alcohol Services SA (Port Augusta)</td>
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<tr>
<td>Flinders and Far North Doctors Association</td>
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<tr>
<td>HeadSpace</td>
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<tr>
<td>Mission Australia</td>
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<tr>
<td>Port Augusta Youth Centre &amp; Local Youth Representation (Schools)</td>
</tr>
<tr>
<td>Salvation Army</td>
</tr>
<tr>
<td>SA Ambulance (Port Augusta)</td>
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<tr>
<td>Uniting Care Wesley Country SA (Port Augusta)</td>
</tr>
</tbody>
</table>
Proxies:
Proxies need to be fully informed of the responsibilities of membership and the business of
the Group to reduce time spent on updating new representatives.

Invited Membership:
Various other persons may be admitted or invited into the Group for periods of time as
determined by the Group.

Sub Groups:
Sub Groups or Working Parties may be formed at various times to develop proposals,
programs or initiatives for consideration and endorsement by the full PAAMG.

Quorum:
A Quorum will be 50% of the Group plus one.

Meetings:
Date: Meetings will be held bi-monthly on the 2\textsuperscript{nd} Tuesday of the month (commencing in
February each year where the meeting will take place on the 3\textsuperscript{rd} Tuesday and
December meeting being the 1\textsuperscript{st} Tuesday)

Time: 10.30am to 12.30pm

Venue: Port Augusta City Council (Council Chambers)
(Coffee, tea, biscuits will be provided)

Terms of Reference endorsed by the Group on: 14 August 2018

Chairperson: Jo Newell
Date: 14/08/2018
REPORT FOR: Council
MEETING DATE: 11 December 2018
REPORT FROM: Director City Services
FILE NAME: F18/733 RECORd NO: AR18/48772

COMMUNITY VISION & STRATEGIC PLAN OUTCOMES

<table>
<thead>
<tr>
<th>6</th>
<th>We Achieve</th>
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<tr>
<td>6.3</td>
<td>We aim to provide good governance practices and compliance with all legislative requirements in delivery of services.</td>
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</table>

PURPOSE

The purpose of this report is to provide an overview of the Policy Review Process following the General Election and for Council to adopt the Document Control Policy 2.4.05, as amended.

RECOMMENDATION

Council:

1. Approves the Policy Review process to be undertaken over the next 12 months.
2. Adopts the Document Control Policy 2.4.05, as amended.
3. Updates Council Website to reflect this updated Policy.

BACKGROUND

Council is responsible for developing policy direction and the Chief Executive Officer is charged with the task of implementing those policy decisions through the administrative arm of the Council. Council Policies include both Council/Statutory and Internal/Administrative Policies.

Council has a total of 127 Policies which are required to be reviewed within 12 months after a General Election, in line with legislative changes or by direction of Council.

Of the 127 Policies, 46 of these are listed as Council/Statutory Policies which Council must review. Six of these policies were reviewed and endorsed at the first meeting of Council and one discontinued.

The remaining 81 Internal/Administrative Policies will be reviewed by the Management Group, unless Council specifically requests to review a particular Policy.

DISCUSSION

1. Policy Review Process

The ensure that all Policies are reviewed within 12 months after a General Election, approximately two policies will be presented to each Council Meeting for review and endorsement.
To facilitate the review process, Administration will review each Policy and mark up any proposed changes. The policies will be emailed to Elected Members for review and feedback, prior to being presented to Council for endorsement. Elected Members will be provided a period of one week to forward any further feedback/comments to the Director City Services, for consideration.

2. **Document Control Policy**

   Council has a Document Control Policy 2.4.05 to ensure a consistent review process relating to Council Policies.

   Policies are identified as being either Council/Statutory Policies or Internal/Administrative Policies. Policies that are required to be reviewed by Council, are listed as Statutory or Council policies. Administration Policies are reviewed and updated by the Management Group.

   This ensures that Council can review policies at a strategic level, and all policies are able to be reviewed and updated in a timely matter. This reduces the time taken in preparing reports to Council for minor administrative and operational processes.

   The Document Control Policy 2.4.05 clearly outlines the difference between Statutory/Council and Administration Policies. The Policy has been reviewed and it is recommended that the Policy be adopted, as amended.

**CONFIDENTIALITY PROVISIONS**

Not applicable.

**RISK MANAGEMENT**

1: **Financial/Budget/Asset Management**

Not applicable.

2: **Legal/Policy**

The *Local Government Act 1999* provides that Council must develop and adopt a number of policies for the effective and efficient management of processes within Council, Council’s Statutory/Council Policies address these requirements.

Council may also wish to develop other Internal/Administrative Policies, to provide staff with relevant guidelines and practices that must be adhered to when undertaken their operational roles and responsibilities.

3: **Environment/Planning**

Not applicable.

4: **Community**

   4.1 **General**
   
   Council Policies are placed on Council’s Website for easy access by the community. Hard copies are also available to be reviewed at the Civic Centre and may be purchased for a fee as determined by Council, refer Fees and Charges Register.

   4.2 **Aboriginal Community Consultation**
   
   To be provided to the Aboriginal Advisory Committee for information.

*Melissa Kretschmer*

*29/11/2018*
1. POLICY STATEMENT

Council is committed to developing and reviewing a broad range of policies to assist in the governance and administration of its operations. Policies assist Council in its delivery of robust and transparent governance in line with Council’s policy role as outlined in Section 59 of the Local Government Act 1999.

2. PURPOSE

2.1 Purpose

To provide a process for the review of Council and Administration policies.

2.2 Scope

This Policy applies to all Policies endorsed by Council.

2.3 Strategic Reference

6 We Achieve
6.3 We aim to provide good governance practices and compliance with all legislative requirements in delivery of services.

3. PRINCIPLES

3.1 Policies set out Council’s position and accepted role on various matters regarding its operations, role and service provision.

3.2 Policies that have been determined to be Council/Statutory ‘public’ documents will be developed, reviewed and adopted by the Council. Administration/Internal Policies are developed and formally adopted by Council in the first instance and then reviewed and adopted by Management Group on an ongoing basis.

3.3 Policies will be reviewed within 12 months following a General Election, and additionally when required in line with legislative changes or by resolution of Council.

3.4 All policies will be identified as a Council/Statutory Policy or an Internal/Administrative Policy.

3.5 Council may, at any time, by resolution require any policy to be reviewed and referred back to Council for consideration following the review.

3.6 The Policy review process will include Elected Member and employee consultation, and may include public consultation where required by the policy or legislation.

4. RESPONSIBILITY & REVIEW

4.1 Responsible Officer

Director City Services

4.2 Availability

This policy will be available on Council’s website.
4.3 Review

This policy will be reviewed within 12 months of a General Election for Local Government, or as required to meet other obligations.

5. REFERENCES

5.1 Legislation

Local Government Act 1999
<table>
<thead>
<tr>
<th>Policy No.</th>
<th>Policy Name</th>
<th>Council or Administration</th>
<th>Public Yes/No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1.01</td>
<td>Statutory Code of Conduct - Elected Members</td>
<td>Council</td>
<td>Yes</td>
</tr>
<tr>
<td>1.1.02</td>
<td>Elected Members’ Training and Development</td>
<td>Council</td>
<td>Yes</td>
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<tr>
<td>1.1.03</td>
<td>Council Members’ Caretaker Role During Election Period</td>
<td>Council</td>
<td>Yes</td>
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<tr>
<td>1.1.04</td>
<td>Elected Members’ Allowances and Benefits</td>
<td>Council</td>
<td>Yes</td>
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<tr>
<td>1.1.05</td>
<td>Internal Review of a Council Decision</td>
<td>Council</td>
<td>Yes</td>
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<tr>
<td>1.1.06</td>
<td>Statutory Code of Practice Access to Council &amp; Committee Meetings and Documents</td>
<td>Council</td>
<td>Yes</td>
</tr>
<tr>
<td>1.1.07</td>
<td>Local Government (General) Employee Code of Conduct (Council Employees)</td>
<td>Council</td>
<td>Yes</td>
</tr>
<tr>
<td>1.1.08</td>
<td>Public Consultation &amp; Engagement</td>
<td>Council</td>
<td>Yes</td>
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<td>1.1.09</td>
<td>Purchasing, Contracts and Tendering</td>
<td>Council</td>
<td>Yes</td>
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<td>1.1.10</td>
<td>Rating Policy 2018/2019</td>
<td>Council</td>
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<td>1.1.11</td>
<td>Financial - Internal Control</td>
<td>Council</td>
<td>Yes</td>
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<td>1.1.12</td>
<td>Disposal of Land &amp; Assets</td>
<td>Council</td>
<td>Yes</td>
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<td>1.1.13</td>
<td>Order Making</td>
<td>Council</td>
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<td>1.1.14</td>
<td>Street Names</td>
<td>Council</td>
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<td>1.1.15</td>
<td>Code of Practice - Meeting Procedures</td>
<td>Council</td>
<td>Yes</td>
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<td>1.1.16</td>
<td>Prudential Management</td>
<td>Council</td>
<td>Yes</td>
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<td>1.1.17</td>
<td>Complaints Policy</td>
<td>Administration</td>
<td>Yes</td>
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<td>1.1.18</td>
<td>Requests for Service</td>
<td>Administration</td>
<td>Yes</td>
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<td>1.1.19</td>
<td>Informal Gatherings</td>
<td>Council</td>
<td>Yes</td>
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<tr>
<td>1.2.01</td>
<td>CDAP - Code of Conduct</td>
<td>Council</td>
<td>Yes</td>
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<tr>
<td>1.2.02</td>
<td>CDAP - Compliance with Code of Conduct (Complaints)</td>
<td>Council</td>
<td>Yes</td>
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<tr>
<td>1.2.03</td>
<td>Building Inspections</td>
<td>Council</td>
<td>Yes</td>
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<tr>
<td>Policy No.</td>
<td>Policy Name</td>
<td>Council or Administration</td>
<td>Public Yes/No</td>
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<tr>
<td>2.1.01</td>
<td>Voters’ Rolls</td>
<td>Council</td>
<td>Yes</td>
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<td>2.1.02</td>
<td>Supplementary Elections</td>
<td>Council</td>
<td>Yes</td>
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<tr>
<td>2.1.03</td>
<td>Election of Deputy Mayor</td>
<td>Council</td>
<td>Yes</td>
</tr>
<tr>
<td>2.1.05</td>
<td>Council Committees, Panels and Advisory Groups</td>
<td>Council</td>
<td>Yes</td>
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<tr>
<td>2.1.06</td>
<td>Appointment of Representatives on Boards &amp; Organisations</td>
<td>Council</td>
<td>Yes</td>
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<tr>
<td>2.1.07</td>
<td>Elected Members Initiating Action</td>
<td>Council</td>
<td>Yes</td>
</tr>
<tr>
<td>2.1.08</td>
<td>Mayors/Chairpersons Obtaining Legal Advice</td>
<td>Council</td>
<td>Yes</td>
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<tr>
<td>2.1.09</td>
<td>Council Induction</td>
<td>Council</td>
<td>Yes</td>
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<td>2.1.10</td>
<td>Complaints Handling under Council Members’ Code of Conduct</td>
<td>Council</td>
<td>Yes</td>
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<tr>
<td>2.1.11</td>
<td>Elected Members Attending Council or Committee Meetings via Telephone</td>
<td>Administration</td>
<td>Yes</td>
</tr>
<tr>
<td>2.1.12</td>
<td>Recording of Council Meetings</td>
<td></td>
<td>Policy not yet approved</td>
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<td>2.2.01</td>
<td>Public Statements</td>
<td>Council</td>
<td>Yes</td>
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<td>2.2.03</td>
<td>Customer First Service Charter</td>
<td>Administration</td>
<td>Yes</td>
</tr>
<tr>
<td>2.2.04</td>
<td>Use of Council’s Official Documents, Brand &amp; Logo by Elected Members</td>
<td>Administration</td>
<td>Yes</td>
</tr>
<tr>
<td>2.2.05</td>
<td>Council’s Corporate Seal</td>
<td>Administration</td>
<td>Yes</td>
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<tr>
<td>2.2.06</td>
<td>Use of City Brand &amp; Logo</td>
<td>Administration</td>
<td>Yes</td>
</tr>
<tr>
<td>2.2.07</td>
<td>Acknowledging Traditional Custodians</td>
<td>Administration</td>
<td>Yes</td>
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<td>2.2.08</td>
<td>Community Forum Policy</td>
<td>Administration</td>
<td>Yes</td>
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<td>2.2.11</td>
<td>Social Media</td>
<td>Administration</td>
<td>Yes</td>
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<td>2.2.13</td>
<td>Customer Charter – Community Wastewater Management System (CWMS) Services</td>
<td>Administration</td>
<td>Yes</td>
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<tr>
<td>2.3.01</td>
<td>Port Augusta City Council – Appropriate Naming</td>
<td>Administration</td>
<td>Yes</td>
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<tr>
<td>2.3.02</td>
<td>Crown Land Under Council’s Care, Control &amp; Management</td>
<td>Administration</td>
<td>Yes</td>
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<tr>
<td>2.3.03</td>
<td>Reporting of Hazards (Potential Injury to members of the Public)</td>
<td>Administration</td>
<td>Yes</td>
</tr>
<tr>
<td>2.3.05</td>
<td>Application of Delegations</td>
<td>Council</td>
<td>Yes</td>
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<tr>
<td>2.3.06</td>
<td>Application of Delegations to the Council Development Assessment Panel</td>
<td>Council</td>
<td>Yes</td>
</tr>
<tr>
<td>2.3.07</td>
<td>A Safe Environment - Minimising the Risk of Harm to Children &amp; Vulnerable People</td>
<td>Council</td>
<td>Yes</td>
</tr>
<tr>
<td>2.3.08</td>
<td>Model Guidelines for the Control of Election Signs - for Federal, State &amp; local Government Elections, Referenda &amp; Polls</td>
<td>Council</td>
<td>Yes</td>
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<td>2.3.09</td>
<td>Gifts/Donations and Commemorative Memorials on Local Government Land</td>
<td>Council</td>
<td>Yes</td>
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<td>2.3.10</td>
<td>Information Sharing/Gathering</td>
<td>Administration</td>
<td>Yes</td>
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<td>Christmas Holiday Closure</td>
<td>Council</td>
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<td>2.3.12</td>
<td>Provision of Council Resources to support Emergency Services in Emergencies</td>
<td>Administration</td>
<td>Yes</td>
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<td>2.3.13</td>
<td>Unattended Children at Council Facilities</td>
<td>Administration</td>
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<td>2.3.14</td>
<td>Guidelines for the Receipt and Assessment of Unsolicited Proposals</td>
<td>Administration</td>
<td>Yes</td>
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<td>2.3.15</td>
<td>Dealing with Disruptive Behaviours</td>
<td>Administration</td>
<td>Yes</td>
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<tr>
<td>Policy No.</td>
<td>Policy Name</td>
<td>Council or Administration</td>
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<td>2.3.16</td>
<td>Body Worn Video Device (Camera)</td>
<td>Administration</td>
<td>Yes</td>
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<td>2.3.17</td>
<td>Camera Surveillance</td>
<td>Administration</td>
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<td>2.4.01</td>
<td>Whistleblower Protection</td>
<td>Council</td>
<td>Yes</td>
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<td>2.4.02</td>
<td>Risk Management</td>
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<td>Environmental Policy</td>
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<td>Quality Policy</td>
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<td>Document Control</td>
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<td>Dog Management</td>
<td>Administration</td>
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<td>Cat Management</td>
<td>Administration</td>
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<td>2.5.03</td>
<td>Council Enforcement Policy</td>
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<td>2.5.04</td>
<td>Barking Dogs</td>
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<td>Destruction &amp; Control Orders</td>
<td>Administration</td>
<td>Yes</td>
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<td>2.5.06</td>
<td>Dog Attack &amp; Harassment</td>
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<td>Emergency Vehicle Removal</td>
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<td>Yes</td>
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<td>2.5.08</td>
<td>Evidence Collection</td>
<td>Administration</td>
<td>Yes</td>
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<td>2.5.09</td>
<td>Expiating Offences</td>
<td>Administration</td>
<td>Yes</td>
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<td>2.5.10</td>
<td>Parking Expiation</td>
<td>Administration</td>
<td>Yes</td>
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<td>2.5.11</td>
<td>Removing a Vehicle Under Section 237</td>
<td>Administration</td>
<td>Yes</td>
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<td>2.5.12</td>
<td>Unclaimed Goods</td>
<td>Administration</td>
<td>Yes</td>
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<td>2.5.13</td>
<td>Wandering Dogs</td>
<td>Administration</td>
<td>Yes</td>
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<td>2.5.14</td>
<td>Seizing &amp; Impounding a Dog</td>
<td>Administration</td>
<td>Yes</td>
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<td>2.5.15</td>
<td>Review and Withdrawal of an Expiation Notice</td>
<td>Administration</td>
<td>Yes</td>
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<td>2.6.01</td>
<td>Rate Rebates</td>
<td>Council</td>
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<td>2.6.03</td>
<td>Fees &amp; Charges</td>
<td>Council</td>
<td>Yes</td>
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<td>2.6.08</td>
<td>Fraud &amp; Corruption Prevention</td>
<td>Council</td>
<td>Yes</td>
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<td>2.6.09</td>
<td>Debt Collection</td>
<td>Administration</td>
<td>Yes</td>
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<td>2.6.10</td>
<td>Council Funding Policy</td>
<td>Council</td>
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<td>2.6.11</td>
<td>Treasury Management</td>
<td>Council</td>
<td>Yes</td>
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<td>2.6.12</td>
<td>Budget Reporting and Amendment</td>
<td>Council</td>
<td>Yes</td>
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<td>2.7.04</td>
<td>Interaction of the Development Act 1993 (SA), the State Records Act 1997 (SA) and the Freedom of Information Act 1991 (SA) with the Copyright Act 1968 (Cth)</td>
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<td>General Disposal Schedule 32 - Records of Relevance to the Royal Commission into Institutional Response to Child Sexual Abuse</td>
<td>Administration</td>
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<td>2.8.01</td>
<td>Use of Council Open Space Areas by Fitness Groups</td>
<td>Administration</td>
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<td>2.8.02</td>
<td>Central Oval Electronic Screen Advertising</td>
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COMMUNITY VISION & STRATEGIC PLAN OUTCOMES

6 We Achieve

6.1 Strong leadership and a committed and focused workforce to effectively manage and progress the City.
6.3 We aim to provide good governance practices and compliance with all legislative requirements in delivery of services.

PURPOSE

The purpose of this report is to provide clarity and certainty of operations in relation to the change of title for Director City and Cultural Services to Director City Services.

RECOMMENDATION

Council:

That any reference to Director City and Cultural Services in a Council Policy or Resolution apply to the Director City Services.

BACKGROUND

Upon retirement of the Director City and Cultural Services, the role was advertised with a new title of Director City Services.

DISCUSSION

Following the appointment of the Director City Services in September 2018, it is proposed that Council acknowledge that references to that position, previously known as Director City and Cultural Services, will apply to the new title of Director City Services.

CONFIDENTIALITY PROVISIONS

Not Applicable

RISK MANAGEMENT

1: Financial/Budget/Asset Management

Not Applicable
2: Legal/Policy
Not Applicable

3: Environment/Planning
Not Applicable

4: Community
   4.1 General
       Not Applicable
   4.2 Aboriginal Community Consultation
       Not Applicable

John Banks
03/12/2018
COMMUNITY VISION & STRATEGIC PLAN OUTCOMES

6 We Achieve
6.3 We aim to provide good governance practices and compliance with all legislative requirements in delivery of services.

PURPOSE

The purpose of this report is to seek approval for the revocation of the Community Land classification applicable to portion of Allotment 55 in DP 75624 CR6010/433, adjacent to Augusta Park Primary School, following approval from the Department of Planning, Transport and Infrastructure of the revocation proposal process undertaken by Council.

RECOMMENDATION

Council:

1. Revokes the Community Land classification applicable to Allotment 55 in DP 75624 as described within Crown Record Volume 6010, Folio 433 being land adjacent to Augusta Park Primary School where the RICE buildings and other infrastructure is located.


3. Advises Crown Lands (Department of Environment, Water and Natural Resources) that the Community Land classification applicable to Allotment 55 in DP 75624 as described within Crown Record Volume 6010, Folio 433 has been revoked.

4. Updates the Community Land Management Plans with the updated details and plan following the land division.

BACKGROUND

The State Government approached Council in April 2018 to rectify an encroachment issue relating to the construction of the RICE building, sheds and parking facilities, alongside of the Augusta Park Primary School.

To rectify this issue so that this area can be rededicated to the Minister for Education under a more appropriate classification, Council was required to undertake a revocation proposal process which includes public consultation. The revocation proposal process was required as Allotment 55 is under Council’s care, control and management and is classified as Community Land, under the Local Government Act 1999.
Council at its meeting held on 23 July 2018 resolved to commence a public consultation and engagement process in relation to the proposed revocation of the Community Land.

Following the consultation process, Council at its meeting held on 24 September 2018 resolved to seek Ministerial approval for the Revocation Proposal relating to the removal of the community land classification applicable to the portion of the land.

On 8 November 2018, Council received approval from the Chief Development Officer (Department of Planning, Transport and Infrastructure) for Council’s proposal to revoke the classification as community land applicable to Allotment 55 in Deposited Plan 75624, and contained within Crown Record Volume 6010, Folio 433.

It is recommended that Council formally revoke the community land classification applicable to the subject land pursuant to section 194(3)(b) of the Local Government Act 1999.

**DISCUSSION**

The Remote & Isolated Children’s Exercise Inc (RICE) buildings and other infrastructure were constructed alongside the Augusta Park Primary School many years ago. The placement of the buildings has created an encroachment onto the adjoining Crown Land which is under Council’s care, control and management and dedicated for parkland purposes.

If the Community Land classification is revoked from the portion of land, subject to the encroachment over Allotment 55, Council is then able to relinquish care, control and management over this portion and the State Government departments can then sub-divide the section off of Allotment 55 and deal with the rededication of the area, for education purposes, internally.

Relinquishing this portion of Allotment 55 has no impact on the Council or those Community Groups who have a lease/licence to occupy other areas of Allotment 55. Council received no submissions as part of the consultation and engagement process.

Pursuant to Section 193(6) of the Local Government Act 1999, Council must give notice in the SA Government Gazette of a resolution to exclude land from classification as Community Land. It is recommended that an advertisement be published in the SA Government Gazette to ensure compliance with the Act (refer Appendix A).

The Bailey Street Reserve which is located within Allotment 55 in DP 75624 as described within Crown Record Volume 6010, Folio 433 is registered within the Community Land Management Plan in ‘Ancillary’. The details within the Community Lands Management Plan will need to be updated once the land division is completed.

**CONFIDENTIALITY PROVISIONS**

Not applicable.

**RISK MANAGEMENT**

1: Financial/Budget/Asset Management

The State Government approved reimbursing Council costs associated with the revocation proposal process. The full cost of the revocation process is being reimbursed by the Department for Education. All costs are being collated and the Department for Education is being invoiced accordingly.
**2: Legal/Policy**

Section 194 of the *Local Government Act 1999* outlines the legislative framework that must be adhered to in relation to revoking the classification of Community Land that is applicable to Local Government land.

**3: Environment/Planning**

Rededicating this portion of land for school purposes to the Minister for Education will better reflect the current use of the land.

**4: Community**

4.1 General

The community has been provided an opportunity to comment on the revocation proposal during the consultation period.

4.2 Aboriginal Community Consultation

To be provided to the Aboriginal Advisory Committee for information.

*Melissa Kretschmer*

*23/11/2018*
PORT AUGUSTA CITY COUNCIL

Revocation of Community Land Classification

Council at its meeting held on 11 December 2018, resolved to revoke the Community Land Classification applicable to Allotment 55 in Deposited Plan 75624 as described within Crown Record Volume 6010, Folio 433 having complied with all requirements in relation to Section 194 of the Local Government Act 1999.

John Banks
CHIEF EXECUTIVE OFFICER

COMMUNITY VISION & STRATEGIC PLAN OUTCOMES

1 We Thrive
1.5 Develop and maintain effective infrastructure connections that support economic and social development.

4 We Care
4.4 Water, energy and other natural resources and managed responsibility.

PURPOSE

This report is to provide Elected Members with a copy of the proposal submitted by Electranet in relation to widening their current easement over Council land, and seek in principal support to enter into an agreement for the changes to the easement.

RECOMMENDATION

Council:

Approves the widening of the current easement, on the condition that Electranet provide appropriate compensation for the additional land captured by the easement.

BACKGROUND

Electranet are replacing the 132kV 'Pimba' transmission line, that passes through a number of parcels of land held by Council. Electranet currently holds an easement for the existing infrastructure, and is seeking to widen the easement by a further 20 metres, for the upgrade and duplication of the infrastructure, to support development within our region.

DISCUSSION

On 23 October 2018, Council received a proposal from Electranet under Section 47 request under the Electricity Act 1996. The Act requires Electranet to obtain agreement from Council, as the authority responsible for public land, in relation to proposed works to replace existing electricity infrastructure.

Under the same Act they are required to provide Council with 7 days notice of the proposed works, which is currently scheduled for January 2019.

Electranet are seeking written agreement from Council to proceed with the works. They have provided a draft approval letter for Council to sign, which is attached for reference, together with the plans and letter of proposal.
In a previous letter dated 30 August 2018 received by Electranet, they informed Council that independent valuers Jones Lange Lasalle will be engaged to prepare valuations and assessment of the relevant compensation to Council for the land impacted by the widening of the easement.

An additional plan is attached for Council’s reference to give further context as to where the relevant infrastructure is located.

**CONFIDENTIALITY PROVISIONS**
Not applicable.

**RISK MANAGEMENT**

1: **Financial/Budget/Asset Management**

Compensation will be paid by Electranet for the additional land that is subjected to easement conditions.

2: **Legal/Policy**

Electranet is conducting these works in accordance with the Electricity Act 1996, and will obtain all required approvals to conduct the work including Development, Cultural Heritage and Native Vegetation.

3: **Environment/Planning**

As above.

4: **Community**

   4.1 **General**
   Not applicable.

   4.2 **Aboriginal Community Consultation**
   To be provided to the Aboriginal Advisory Committee for information.

Melissa Kretschmer
03/12/2018
Your ref.  
Our ref EG30947

23 October 2018

Ms M Kretschmer  
Director City Services  
Port Augusta City Council  
P O Box 1704  
PORT AUGUSTA SA 5700

Dear Melissa,

Re: ElectraNet 132kV Line Replacement – Port Augusta

As you are aware, ElectraNet has commenced a project to replace the 132kV 'Pimba' transmission line that passes through a number of land parcels held by the Port Augusta City Council (table of affected land parcels attached).

Once completed, the new transmission line will provide essential network support for two major projects in South Australia and will have the capacity to support significant further investment in industry and employment in the Port Augusta region.

The line will be rebuilt as a double circuit line (carrying six wires/conductors instead of three) on the western side of the existing line. One circuit will be energised at 275kV and the second at 132kV (the existing line voltage).

The replacement structures will be located within the easement held by ElectraNet and Transmission Lessor Corporation. When the new line is commissioned the old transmission line and structures will be removed.

These works constitute the replacement of existing electricity infrastructure on public land pursuant to Section 47(1)(b) of the Electricity Act 1996 (SA) (Act).

As you know, we are required to seek the agreement of the Port Augusta City Council (PACC), as the authority responsible for the public land, pursuant to Section 47(3) of the Act.

We confirm that all works will comply with the required development, cultural heritage, environmental and native vegetation approvals and we understand that any agreement reached with PACC will be conditional on such compliance.

The Act requires we provide PACC not less than 7 days’ notice of our intention to carry out work on the Land. Please accept this letter as notice of our intention to carry out the work described in January 2019. Your early written agreement will allow us to confirm the construction schedule.
Prior to entry ElectraNet will negotiate access for the purposes of undertaking construction with any occupants in accordance with the terms and conditions of our easements.

Should you require further information, please do not hesitate to contact me.

Yours sincerely

Michael Bailis  
Senior Property Advisor

Table of affected parcels held or Licensed by Corporation of the City of Port Augusta

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<th>Lot Plan</th>
<th>CT/CR</th>
<th>Licensed</th>
<th>Easement ref</th>
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<td>Statutory Easement*</td>
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<tr>
<td>H330600SE348</td>
<td>CT5514/855</td>
<td></td>
<td>AQ2559249**</td>
</tr>
<tr>
<td>H330600SE439</td>
<td>CT5514/855</td>
<td></td>
<td>AQ2559249**</td>
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<tr>
<td>H330600SE445</td>
<td>CT5602/231</td>
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<td>A new easement may be required for overhang</td>
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<td>D50346AL1</td>
<td>CR5870/651</td>
<td>SAPN OL010771 City of Port Augusta OL018001</td>
<td>AQ2559249**</td>
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*Statutory easement pursuant to Schedule 1 – Special provisions, Section 2 of the Electricity Corporations (Restructuring and Disposal) Act 1999.

**Easements held under TT8252760 (AQ2559249) are appurtenant to the freehold land contained in CT5412/124 owned by Transmission Lessor Corporation and held by ElectraNet subject to Transmission Network Lease 9061500. The construction of public works within the easement prior to 23 December 1996 is a ‘previous exclusive possession act’ under the Native Title Act 1993 (Cth) and will have completely extinguished native title in the easement.
ElectraNet Pty Ltd (ElectraNet)
PO Box 7096
HUTT STREET SA 5000

ElectraNet 132kV Line Replacement Project – Port Augusta

The Port Augusta City Council (PACC) acknowledges receipt of the notice of intention to carry out line replacement work (Work) on the land identified in the table below in January 2019 pursuant to Section 47(3) of the Electricity Act 1996 (SA) (Act) issued by ElectraNet on 24 October 2018.

The Department confirms its agreement for the line replacement work to proceed conditional upon ElectraNet's compliance with all applicable development, cultural heritage and native vegetation approvals for the Work and ElectraNet is required to provide the Department with copies of those approvals not less than 7 days prior to the commencement of Work.

As provided by Section 47 (13) of the Act ElectraNet will be required to make good any damage caused by the exercise of powers under Section 47 as soon as practicable or pay reasonable compensation for the damage.

Table of affected parcels held by Corporation of the City of Port Augusta (Land)

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<th>Licenced</th>
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<td>CRS870/651</td>
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<td>AQ2559249**</td>
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Signed for and on behalf of

Port Augusta City Council

NAME: ____________________________

POSITION: ________________________
Corridor and Valuation Plan

Map Reference:
OID 38.0 38.1 38.2
City of Port Augusta

ElectraNet Map Request Number:
30947 Kaishaan

Created By: Bates, Michael (E/N)  
Created Date: 12-05-2018

Note: This plan has been prepared using the Digital Cadastral Database DCDB for information purposes and is known to be inaccurate in this instance. All details will require confirmation by Licensed Surveyor and may require further field survey to complete.
Corridor and Valuation Plan

Map Reference:
OID 21 City of Port Augusta
(Road Parcel)

ElectraNet Map Request Number: 3047 Korhaan

Note: This plan has been prepared using the Digital Cadastral Database (DDB) for information purposes and is known to be inaccurate in this location. All details will require confirmation by Licensed Surveyor and may require further field survey to complete.
Council holds several titles and a road reserve.

Council's land interest is an unused road reserve.

○ = Power line towers
COMMUNITY VISION & STRATEGIC PLAN OUTCOMES

1. **We Thrive**
   1.2 Continue to promote Port Augusta as a great location to live, learn, work and visit.
   1.3 Develop partnerships to attract investors in business proposals and new developments that contribute to a diversified and robust economy.
   1.4 Maintain and develop tourism attractions and visitor services.
   1.5 Develop and maintain effective infrastructure connections that support economic and social development.

3. **We Connect**
   3.2 Walk and work together in unity with our Aboriginal communities.
   3.3 Provide infrastructure and resources that promote a healthy environment and improve social development.

4. **We Care**
   4.3 Value, protect and enhance the quality of our natural and built environment.
   4.4 Water, energy and other natural resources and managed responsibility.

5. **We Celebrate**
   5.2 Work with the diverse Aboriginal communities living in and visiting our City to celebrate their contributions and their relationships with land and sea.

6. **We Achieve**
   6.3 We aim to provide good governance practices and compliance with all legislative requirements in delivery of services.
   6.5 We use and manage our financial resources in the best interests of our community, and to ensure financial sustainability and organisational efficiency now and into the future.

**PURPOSE**

To inform Council that the South Australian Government has committed $3.2 million in funding (20018/19 budget) in the form of a Grant Funding Agreement to Council for the project management of the rehabilitation of Bird Lake as described within the Tonkin Consulting Pty Ltd (Tonkin Consulting) report.
RECOMMENDATION

That Council:

1. Authorise the Chief Executive Officer to sign and execute a Funding Agreement between the Minister for Energy & Mining and Port Augusta City Council for the Project Management of the Rehabilitation of Bird Lake as described within the Tonkin Consulting Pty Ltd (Tonkin Consulting) report.

2. Emphasises the importance of a communications and engagement strategy as described within the Tonkin Consulting Management Plan that clearly defines the framework and consultation process, and aligns with Council’s Public Consultation and Engagement Policy and IAP2 guiding principles.

3. Draws to the attention of the South Australian Government the necessary approvals that are required under State & Commonwealth legislation for the project and the Council’s commitment to work cooperatively and with flexibility in respect to the projects timing to achieve the best practicable project outcomes.

BACKGROUND

Immediately following the announcement of the Port Augusta Power Stations in June 2015 Council commenced representations to the State & Federal Governments in respect to the impact of the cessation of water flow into Bird Lake and the environmental and amenity consequences.

In October 2018 Council received correspondence from Hon Dan van Holst Pellekaan MP confirming the South Australian Government’s commitment to assist with the rehabilitation of Bird Lake to address the ongoing effects of the drying out of the lake on the local community and the allocation of $3.2 million in funding.

DISCUSSION

The background, scope and risks associated with the project are described within the Tonkin Consulting Bird Lake Rehabilitation Plan dated October 2016 (ATTACHMENT A).

The timing and scope of the project is dependent upon a number of critical factors including the access to fill from the Flinders Power burrow pit site and approvals.

The project management plan will require a revised timeline and milestones which will inform the deed and require the Minister to re-approve variations.

CONFIDENTIALITY PROVISIONS

Not applicable.

RISK MANAGEMENT

1: Financial/Budget/Asset Management

A project Risk Register has been developed as part of the Project Management Plan – referenced Appendix A of ATTACHMENT A.

2: Legal/Policy

Legal and Regulatory Risks as described within clause 6 of Appendix A of ATTACHMENT A.
3: Environment/Planning
A number of Environmental, Licencing and Regulatory Agency approval as described within ‘4.5 Approval’ page 8 of the Project Management Plan are required for the projects implementation.

4: Community

4.1 General

The Port Augusta community is a critical stakeholder in the project. A communications and engagement strategy is described and funded within the Tonkin Consulting Management Plan to clearly define the consultation process and alignment with Council’s Public Consultation and Engagement Policy and IAP2 guiding principles.

Individuals and groups within the Port Augusta community are familiar with the multiple actions and representations that have led to the development of the Bird Lake Management Plan and Funding Agreement. However a project of this scale, complexity and importance will require a comprehensive and appropriately resourced engagement strategy.

4.2 Aboriginal Community Consultation
To be provided to the Aboriginal Advisory Committee for information.

Native Title Act 1993 –

The Native Title Act requires that groups are notified of future acts that may affect land or waters over which native title is claimed.

Aboriginal Heritage Act 1998

The Act will be considered & implemented prior to on-ground works occurring on the site or making management decisions that may impact on Aboriginal sites, objects or remains.

JOHN BANKS
05/12/2018
### Document History and Status

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<th>Reviewed</th>
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<td>SEM</td>
<td>MoH</td>
<td>SEM</td>
<td>11 September 2018</td>
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<td>B</td>
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<td>SEM</td>
<td>PACC</td>
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Ref No. 20161109-01 R001B

Bird Lake Rehabilitation Project Management Plan
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1 Background

The Augusta Lakes, on the south-eastern approach to Port Augusta, is a salt lake system which originally stretched from Railway Lake, on the northern side of the Railway Line through to Port Paterson and Spencer Gulf in the south. Ash disposal ponds, constructed as part of the Augusta Power Station operations intersected and infilled the southern-most ponds in the system, and as a result, the lake on the southern side of the Augusta Highway, known as Bird Lake, is the terminal lake in the system. On the northern side of the highway, between Bird Lake and Railway Lake, is Pink Lake.

The location of Bird Lake is shown in Figure 1.1.

![Location plan](image)

*Figure 1.1 Location plan*

Bird Lake, whilst not a permanent lake naturally, was inundated permanently since the early 1970s and historically suffered from issues relating to odour and nuisance insects. The lake was kept full by pumping water from the Augusta Power Stations operations' ash disposal ponds (via a polishing pond) and maintaining an appropriate salinity range to preclude the breeding of insects such as midge flies. Excess water from the polishing pond and Bird Lake discharged to Highway Creek, a natural tidal creek feeding into the Spencer Gulf.

Despite causing some secondary issues, the water level and salinity management regime implemented within Bird Lake largely kept odour and insect issues under control for several decades.
With the closure of the Northern Power Station in May 2016, the pumping of water from the ash disposal ponds ceased, cutting off supply to Bird Lake. Evaporation over spring and summer saw the lake dry out in the shallowest areas throughout the summer of 2016/2017. By early 2018 the lake had dried completely. In addition to the aesthetic impacts of the exposed lake bed, a strong and offensive odour was emitted from the exposed lake sediment, most prominent over the summer of 2016/17.

In early 2017, Tonkin Consulting was engaged by Port Augusta City Council (Council) to assess the physical and chemical characteristics of Bird Lake with the aim of determining the implications of the future management options proposed. Council's preferred management option involved returning the lake to its "near natural state", whilst ensuring that the odour and insect issues, and any other public health issues, could be managed.

The primary and immediate concern for Council and Port Augusta residents was the odour being generated from the lake, along with any health impacts associated with the drying lake.

Sediment characterisation completed as part of the Tonkin study identified the primary source of odour as decaying cyanobacterial mats which fringe the lake. This grew over many years of permanent inundation with hypersaline phosphate-rich water drained from the ash disposal ponds. With the loss of water supply, drying of the lake and exposure of the algal mats, the decomposition of this layer is responsible for much of the smell emanating from the lake.

Based on Council's preference, the short-term remediation plan for the lake is based upon strategically 'capping' (covering) lake sediments where the decaying cyanobacterial mat is nearest to receptors and where ground conditions are more favourable. Placed capping material can then be revegetated to provide longer-term stabilisation of the capping material and improve the overall aesthetics of the lake fringes.

This Project Management Plan details the proposed approach to the implementation of the project from funding commitment to completion of the civil works, revegetation and evaluation phases and identifies key milestones for the project's delivery.

1.1 Project objectives

The objectives of the project are:

- **Safety in design** – the project must be safe to construct and not represent any future risk to public safety.
- **Maximise value-for-money** – A fixed budget is available to deliver the project, and the works to be completed must be maximised.
- **Sustainable solution** – The solution should minimise ongoing Council costs of operations and maintenance.
- **Manage odour** – The works should suppress odour from the site.
- **Control dust** – The works should be completed to minimise the risk of dust generation during and after completion of the works.
- **Manage public health/nuisance** – Risks associated with nuisance insect breeding should be managed.
- **Manage stormwater** – The works must ensure there is no increased flood risk to adjoining properties or infrastructure.
- **Improve public amenity** – The works will seek to improve the amenity of the lake once established.
2 Governance arrangements

Appropriate governance arrangements are required to ensure the project is delivered on time, within budget and meets the key project objectives.

The proposed governance arrangements will ensure that:
- Accountability for delivery rests with a single organisation
- Clear, timely and relevant consultation occurs between the South Australian Government, Council, other key stakeholders and the community
- Sound and responsible financial management is achieved over the life of the project
- Risks are identified and managed throughout the life of the project
- Value for money is delivered.

The Bird Lake Remediation project will be delivered by the Port Augusta City Council, with a funding agreement in place between the Council and the Minister for Energy and Mining. In order to manage the implementation of the project, it is proposed that a Project Management Group be established to direct the works, with a Project Manager appointed to facilitate the implementation.

The membership of the Project Management Group is yet to be finalised, but will likely include the following:
- Suzanne McKell – Director Infrastructure
- Michael Walmsley – Manager Planning, Building and Environment
- Melissa Kreuschner – Director City Services
- Brenton Daw – Senior Technical Officer
3 Project scope

The preferred approach to the management of Bird Lake post-closure of the Augusta Power Stations is to return the lake to its "near natural state" whilst managing issues such as odour, dust, nuisance insects and any other public health risks.

The approach involves placement of fill material over areas of the lake bed deemed most likely to present an ongoing odour risk due to the presence of a decomposing algal mat. Following placement of fill, these areas would then be revegetated with appropriate native species.

Approximate mapping of the areas considered at highest risk of generating odour was completed on the basis of limited site investigations informed by a site visit in February 2017, conducted as the lake continued to dry out. These areas were compared to historical aerial photographs of the site when water was shallower and some idea of the lake's bathymetry could be inferred.

A drone flyover by Council staff in September 2017 provided some additional confirmation of the assumed areas.

The extent of algal mat considered at highest likelihood of generating odour in the short to medium term is shown in Figure 3.1. The areas have been adjusted slightly from the 2017 mapping (Tonkin Consulting 2017) following capture of new aerial imagery flown in April/May 2018 when the lake was completely dry.

Key aspects of the management plan include:

- Placement of appropriate fill to an appropriate depth (nominally 300 mm) around the fringes of the lake and central island where odour is being emitted from decomposing algal mats. Access to the island in the centre of the lake can likely be gained by bridging to the southern end of the island from the Flinders Power access bund. Finished surfaces will be trimmed to be visually appealing and to support the revegetation plan for the site.
- Preservation of salt crust where present in deeper areas of the lake bed to prevent exposure and decomposition of the underlying algal mat.
- Revegetation of the fill material to provide stability (dust control) and a visual buffer to the dry lake bed.

Some minor ancillary works will need to be undertaken to accommodate existing (minor) stormwater discharge points into the lake adjacent the Shell service station and underneath the Augusta Highway.

Removal of the now redundant cloth screens installed adjacent the highway to control salt foam could also be undertaken to improve the overall appearance of the lake.
4 Implementation

4.1 Sequence of activities

This section discusses the high-level sequence of activities required to implement the project. The delivery schedule is provided in Section 5.2.

Council are seeking completion of the project by Winter 2019. In order to meet this deadline a number of critical path activities must be progressed as a matter of priority.

4.2 Project management

The project will be delivered by Council, with in-house resources allocated as required to support the project.

It is proposed that an external Project Manager be appointed once funding has been approved to facilitate all required works to enable construction and ongoing evaluation. The Project Manager will be funded through the project budget allocation.

The Project Manager will have responsibility for:

- Contractor engagement and value engineering
- Confirmation of Project Scope
- Procurement of construction documentation
- Schedule management
- Budget management
- Maintenance of project risk register and safety in design register
- Tender and contract award
- Construction supervision and contract administration.

Support will be provided in obtaining the necessary approvals and with stakeholder consultation, although both of these activities will be led by Council.

4.3 Contractor engagement – confirm scope and value engineering

The preferred procurement approach, as outlined in Section 7, involves embarking on a collaborative contractor engagement process, or Managing Contractor model. The aim of this early and collaborative contractor engagement is to draw on the contractor’s experience to drive value and innovative ideas to complete the most rehabilitation works within the available budget. It is also intended that this process concludes with further confidence in the scope of works that can be achieved, and the associated costs.

It is proposed to commence the engagement process once funding is committed, and once approval for negotiation with the preferred contractor is granted.

A value engineering process will seek to optimise the rehabilitation works through the identification and selection of the best for project options. This process, which will involve the Contractor, Project Manager, technical specialists, key stakeholders (as required) and Council, will be undertaken through a series of meetings and/or workshops and will typically consider:

- Constructability issues, including construction methods and access requirements
- Materials sourcing
- Safety
Program and timing
- Durability (e.g. fill depth and extent)
- Project risks
- Environmental impact
- Cost
- Lessons Learnt.

At the conclusion of the exercise a scope of work, construction methods, borrow source and contingency plans will be agreed.

Safety in design

The Work Health and Safety Act 2012 (SA) ("WHS Act") and the Work Health and Safety Regulations 2012 (SA) ("WHS Regulations") legislated the use of international standard risk management principles to identify and mitigate hazards, throughout the project lifecycle. Safety in Design is now the responsibility of all parties involved in a project and mandates the identification and mitigation of hazards, to provide a product which is safe to construct, commission, operate, maintain and de-commission.

The solution will take into consideration safety of all persons:
- during the construction of the works
- accessing, operating or utilising the completed Works
- maintaining and monitoring the Works.

The Safety in Design process incorporates the following broad steps:
- Establish the context for the design
- Identify the foreseeable uses of the design
- Identify hazards relevant to the phase of the project
- Undertake an assessment of risk
- Develop the Safety in Design risk assessment
- Identify potential control measures and determine residual risk based on the So Far As Is Reasonably Practical (SFAIRP) legal principle
- Monitor and review the design process at critical stages
- Communicate and consult with stakeholders regarding Safety in Design.

The Project Manager will be responsible for the management of the SID program for the works.

4.4 Civil works scope and specifications

The works largely involve placement of fill material, and as such a traditional detailed design is not required.

Once the scope of the works has been confirmed, layout plans will be developed showing the extent of fill placement, classifying into high and lower priority areas. The string lines defining the extent of fill will be provided to the civil contractor. These plans will also note any minor ancillary works required, such as amendment of drainage infrastructure to maintain current stormwater drainage provisions.

In addition to layout plans, the contractor will be provided with a scope of works and performance specification. It is envisaged that the areas classified as "high priority" will form the minimum scope of works.
The plans and specification will be prepared by Tonkin Consulting, or other suitably qualified consultant.

4.5 Approvals

Work has commenced on identifying the range of approvals required under State and Commonwealth legislation. Processes to obtain the required approvals will commence in September 2018. Council intends to obtain all necessary approvals prior to commencing on-ground works.

All on-ground works will be undertaken in accordance with the Work Health and Safety Act 2012 (SA) to ensure that safe work practices are used. Compliance with other relevant acts, including local government acts and policies, will be ensured.

A summary of the relevant approvals under Commonwealth and State legislation relating to the proposed project activities is provided in Table 4.1.

<table>
<thead>
<tr>
<th>Table 4.1 Commonwealth and State approvals</th>
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<td>Act</td>
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<tr>
<td>Native Title Act 1993</td>
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<td>Act</td>
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<td>Act</td>
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</tr>
<tr>
<td>Native Vegetation Act 1991</td>
</tr>
<tr>
<td>Natural Resources Management Act 2004</td>
</tr>
<tr>
<td>Parliamentary Committees Act 1991</td>
</tr>
</tbody>
</table>

### 4.6 Access

The majority of land within the project area is owned by Council. A map showing land tenure/ownership is provided in Figure 4.1.
Access will need to be negotiated with several parties for placement of fill material within their land, and in other cases, approval will be required for access through land only.

Of note are the following:
- Land on the western side of the lake under private ownership occupied by the Port Augusta Pistol Club and Small Bore Rifles Range Club
- A single parcel of land in the centre of the lake currently owned by a deceased estate.
- Land parcels in the north-eastern corner of the lake owned/occupied by Shell (service station) and Access Training Centre Pty Ltd (behind Highway One Motel)
- A single parcel of crown land on the eastern side of the lake. Located on the fringe of the former lake, it is proposed to avoid undertaking works on this parcel of land, the boundaries will be pegged prior to works. Access across the land may be required, however this will need to be determined in conjunction with the contractor. Placement of permanent fill will be avoided.
- Land parcels either side of the crown allotment under private ownership. It is unlikely that significant works are required on these parcels, although access over the land will likely be required.

Additionally, access through Flinders Power land may be required, dependent upon the source of borrow material.

Engagement with affected land holders will commence following initial engagement with the contractor, and once the access requirements are more clearly understood. Council have already commenced discussions with Flinders Power. This will be an ongoing engagement process.

4.7 Environmental management

Dust management

Management of dust both during and post-construction is considered a key environmental management issue. Dust from the uncapped surface of the lake is not considered an issue and has not presented as a problem over the past two years since the lake began to dry. It is also not a problem within Pink Lake, which has been dry for a period of many years.

The risk of dust generation will be directly linked to the placement of fill material as part of the remediation project and may exist until such time as sufficient vegetation establishes within the filled areas.

Dust has been a major issue within the Ash Disposal Areas of the Flinders Power site and continues to present a management issue. The potential for dust generation from the Bird Lake site is therefore likely to be closely scrutinised.

A number of trials have been occurring within the Flinders Power site and will provide valuable information to guide the most appropriate methods of dust suppression within Bird Lake. Methods of dust control in order of preference will include:
- Undertaking earthworks in autumn, when the risk of strong southerly winds has reduced.
- Considering the use of 'silt fences' in strategic areas, perpendicular to the prevailing wind direction, to create wind breaks at the ground surface.
- Considering the use of temporary 'cover crops' of suitable, sterile annual grasses, as is currently being trialled by Flinders Power. These are intended to be fast growing crop species which will provide immediate soil binding and create a microclimate and organic matter for the slower establishment of native species. It is understood that more will be known about the success or failure of this technical over the coming months.
• Utilising water carts for opportunistic application of water to suppress dust on windy days.

• Considering the use of synthetic dust suppressants as a measure of last resort. Again, the experience and trials conducted by Flinders Power are expected to inform the best products to use if required.

A dust management plan will be prepared prior to the commencement of construction. This will also include the need to manage dust generation from access tracks and borrow pits.

Native vegetation management
The outer edges of the lake bed to be filled is currently devoid of vegetation, native or otherwise. Notwithstanding this, there are some ‘dune’ areas surrounding the lake that do have established vegetation of varying quality, including:

• the central island
• eastern fringe of the lake, between the Shell service station and Ash Disposal Area
• western fringe of the lake between the Augusta Highway and the pistol club.

The works will aim to minimise disturbance of existing vegetation, however as access over the land will be required, some disturbance will be inevitable.

A limited survey of areas adjacent the lake was undertaken by Delta Environmental in 2017. This identified vegetation communities and species occurring, but did not investigate State or Nationally listed species.

A search of NatureMaps indicated the presence of a state rated flora species, which may necessitate a more comprehensive vegetation survey of areas likely to be disturbed as part of the approvals process prior to works commencing.

Dependent upon the source of borrow material, additional native vegetation considerations will apply.

Aboriginal heritage
The Aboriginal Heritage Act 1988 (the Act) protects all Aboriginal sites, objects and ancestral remains throughout South Australia. Planning will be undertaken, including consultation with traditional owners to identify potential sites of significance and to consider potential impacts on Aboriginal heritage within the project area.

Prior to commencing works, information will be gathered about any known Aboriginal heritage within the project area. This will include:

• A search of the Register of Aboriginal Sites and Objects and the Central Archive
• Consultation with relevant local Aboriginal heritage organisations, through a suitably qualified archaeologist and/or anthropologist. This will likely involve the completion of a desktop assessment in the first instance, to identify any potential risk of damage to heritage during the works. There is currently no Recognised Aboriginal Representative Body (RARB) within the region.

The outcomes of the above will determine the need for any additional requirements, such as a site-based Aboriginal heritage survey, a Discovery Plan, Cultural Heritage Management Plan or monitoring during construction.

The obligations of the Contractor under the Aboriginal Heritage Act 1988 whilst on site will be clearly articulated within the project specification.

Stormwater management
A stormwater management plan can be provided if required as part of the approval process. Tonkin Consulting undertook a stormwater investigation in 2017, looking at sources of water...
discharging into the lake. The investigation concluded that external, direct discharges of stormwater into the lake are limited, but include:

- A culvert near the driveway entry to the Shell Service Station, in the north-eastern corner of the lake. This drains a relatively small catchment including the service station and Highway One Motel.
- Culverts under the Augusta Highway, originally used to allow flow from Bird Lake to Pink Lake, but now serves as the only discharge from Pink Lake in very large events.
- Direct runoff from the Augusta Highway southern carriageway.

The primary source of stormwater entering the lake is direct rainfall on the lake itself.

No changes are proposed to the existing stormwater drainage infrastructure adjacent to the lake. Provision will be made to allow discharge of stormwater culverts from the highway and adjacent the Shell service station into the lake via swales cut through the fill material and lined if necessary.

Additionally, runoff pathways are visible in the south-western corner of the lake, presumably from the Ash Disposal Area. Similar provisions may be required at this location.

The existing outflow culvert from the lake into Hospital Creek will be maintained.

**Baseline aerial survey**

Aerial survey flown in early May 2018 has recently been obtained. This will serve as an important tool for future monitoring of the salt crust layer within the lake, and areas deemed at risk of odour generation. Generally, the darker sediments visible on the lake bed (as depicted on the aerial photo) are considered most likely to be an odour risk (compared to white areas indicative of salt crust).

### 4.8 Civil works construction

**Construction methodology**

Some high-level discussions with McMahon Services personnel have already occurred to gain an understanding of how the works will be completed and what the major risks and constraints are.

Based on experiences gained at the Ash Disposal Area, the construction methodology will likely include:

- Loading of materials onto trucks by excavator at the borrow site
- Carting of material to the lake:
  - If the Flinders Power borrow pit is used, material will be carted directly in articulated dump trucks, and dumped where required.
  - If an external borrow source is used, material will be loaded onto a truck/trailer or semi tipper, carted to the western side of the lake and stockpiled near the rifle club. From here it will be loaded onto articulated dump trucks and carted where required.
- Where filling extends 30-40 m (max.) from the edge of the lake, material will be pushed out directly from the lake edge using a low-ground pressure earth moving machine such as a PistenBully.
- Where filling extends further into soft materials (e.g. on eastern side of lake), platforms ("fingers") of fill material (up to 1 m thick) will be built perpendicular to the lake shore to enable dump truck access to the deeper areas of the lake. The PistenBully will then push material out perpendicular to the fingers. Material used to construct the fingers will be progressively recovered as the PistenBully works back towards the shore line.
An access finger will be built from the Polishing Pond bund to the southern tip of the island to gain access to the fringes of the central island. Filling will most likely occur from the southern end of the lake, working from the polishing pond bund. On the eastern side of the lake, progressive filling will occur in a northerly direction towards the highway to minimise disturbance to fringing dunes. On the southern and western side, where access is better, filling should be able to occur directly from the shoreline. Further consideration will be given to the methodology required to fill along the edge of the highway, in conjunction with the Contractor.

Construction equipment will likely include:
- Excavator (at borrow pit)
- Bulldozer
- Articulated dump trucks
- PistonBulk
- Water cart(s)

Additionally, if an external borrow source is used (i.e. not the Flinders Power borrow pit) material will be carted to site by truck & trailer or semi tipper.

Production rate
McMahon Services have indicated a likely production rate of 800–1000 m³/day material placed. This is largely driven by the maximum number of plant that can feasibly be operated within the site. Preliminary estimates are based on 4 articulated dump trucks carting material from the borrow pit to the lake.

With a conservative estimate of 800 m³/day, placement of the estimated 70,000 m³ of material will take around 4 months, based on normal construction rosters.

Borrow pit
Options for the supply of material to use for capping the algal mat on the lake bed are currently being explored.

Options identified to date include:
- Flinders Power borrow pit – discussions with Flinders Power are ongoing. This borrow source is the closest available and will likely represent the lowest cost source, subject to achieving a mutually agreeable commercial arrangement with Flinders Power.
- Council Airport stockpile – whilst a suitable source of material, in adequate quantity, the costs of transporting material 9 km from the source to Bird Lake will significantly compromise the project. Due to the volume of material to be carted, there may also be significant impacts on the local road network with trucks running continuously between the airport and Bird Lake.
- Bungilla solar farm – similar carting distance to the airport, and available material has been deemed unsuitable for the works.

As the borrow source will heavily influence the cost of earthworks, finding a suitable low-cost source represents a significant risk to the project.

4.9 Revegetation

Revegetation of the filled areas of Bird Lake, and any other affected areas, will include:
- Collection of seed
- Preparation of soil surface for sowing, including harrowing
- Spreading of seed using hand broadcasting or mechanical broadcasting.

Dependent upon the source of borrow material, and native vegetation clearance requirements (if any), a revegetation management plan may be required as a condition of native vegetation clearance approval. If so, it may be possible to draw upon information in the plan prepared by Flinders Power for the Ash Disposal Area, adapted to take advantage of lessons learned over the 12-18 months of works at the adjacent site.

Revegetation works within the Ash Disposal Area have been undertaken by Succession Ecology (SE), who have been responsible for preparing native vegetation clearance approval documentation, vegetation assessments, Significant Environmental Benefits (SEB) calculations and development of the revegetation plan, including species lists.

Seed used in the revegetation of the Ash Dam, and other areas of the Power Station site, has also been collected and sown by SE.

It is understood that a significant stock of seed collected in 2016 and 2017 is currently held by SE and would be available for the Bird Lake Project. Additional seed will be collected opportunistically throughout spring, summer and autumn, once SE have been engaged to provide revegetation services for the project.

It is likely that some additional reseeding of disturbed areas will be required following completion of the works. The extent will be dependent upon the source of borrow material, access tracks required to cart material and disturbance as a result of obtaining access to various parts of the lake.

4.10 Monitoring and evaluation

Details of the proposed monitoring and evaluation are provided in Section 10.
5 Project milestones

5.1 Milestones
The following key project milestones have been identified:
1. Submission of Project Management Plan
2. Approval of Project Management Plan and funding commitment
3. Appoint Project Manager
4. Civil works specifications, following contractor engagement and value engineering
5. Engage Succession Ecology for revegetation specifications and collection of seed
6. Project Approvals secured
7. Tender call
8. Contract award and commencement of civil works
9. Completion of civil works
10. Completion of seeding
11. Completion of secondary seeding

5.2 Delivery schedule
The delivery schedule has been based around local climatic conditions with the intent of minimising the risk of dust generation during earthworks and maximising the potential for successful revegetation.

Key scheduling includes:
- Commencing earthworks after summer, which is when the strongest southerly winds occur.
- Revegetation in mid to late autumn while soil temperatures are still warm enough to encourage plant growth but daily maximums have reduced.

McMahon Services have provided an indicative production rate of 800-1000 m³/day for fill placement. Based on an indicative 70,000 m³ of fill material and likely construction rosters, a 4-month construction timeframe is anticipated.

With commencement in March, works could likely be completed by end June 2019. Whilst this is later than ideal for vegetation establishment, progressive seeding would be undertaken such that high priority areas are seeded at the more optimum time.

An indicative project schedule, identifying key project milestones, is provided in Figure 5.1.
6 Project budget

6.1 Construction costs

An indicative construction cost was provided as part of the 2017 Bird Lake management options report. Funding has been sought on the basis of this budget figure.

The project estimate prepared in 2017 is summarised in Table 6.1.

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<td>Bulk earthworks</td>
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<tr>
<td>Revegetation</td>
<td>$150,000</td>
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<td><strong>Sub-total</strong></td>
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<td>Contingency (30%)</td>
<td>$615,000</td>
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<tr>
<td>Preliminaries (20%)</td>
<td>$535,000</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$3,200,000</strong></td>
</tr>
</tbody>
</table>

Costs were based upon the following:
- Earthworks rate of $25-$30/m³, with access to the Flinders Power Borrow Site. No allowance was made for supply cost associated with material from the borrow pit.
- Allowance of $3,500/ha for seed collection and spreading was made.
- Preliminaries 20% (mobilisation and demobilisation, site establishment, survey control, environmental management, testing and QA, site management and supervision).
- Contingency 30%.

The estimates did not allow for:
- Latent conditions.
- Changes in scope.
- Market conditions.
- Approvals.
- Cultural heritage assessments or monitoring.
- Site contamination and remediation testing.
- Further studies and investigations, including native vegetation assessments.
- Stakeholder consultation.
- In-house management of the project by Council or third-party Project Manager.
- Construction supervision and superintendence.
- Land acquisition and/or compensation.

6.2 Project delivery costs

Whilst not included in the original project budget estimate, project delivery costs will need to be funded from within the available budget.
The following allowances have been made within the re-forecast project budget, which follows in Section 6.3.

- Project Management – an allowance of 7.5% of the capital cost estimate ($200,000) has been made for Project Management. Whilst lower than the commonly adopted 10%, it is proposed that some in kind support is provided by Council staff.

- Consultation, community engagement, media – an allowance of $100,000 has been made for community and stakeholder consultation and engagement. This is intended to cover the cost of support by a consultant and disbursement costs associated with consultation activities. The remainder of costs will be covered by Council.

- Aboriginal heritage – the involvement of aboriginal groups, including clearance surveys and the need for monitoring during construction is yet to be determined. An allowance of $50,000 has been made to cover items such as preparation of an Aboriginal Cultural Heritage desktop risk assessment and site inspection, if required.

- Approvals – a range of approvals will be required. Until the requirements are better understood, an allowance of $50,000 has been made which may be required for planning support to Council.

- Preparation of management plans – a nominal $15,000 allowance has been made for the preparation of management plans as may be required to gain approval for the works. This may include stormwater management plan, dust management, construction environmental management plan etc.

- Native vegetation management – an allowance of $30,000 has been made for native vegetation management. This may include vegetation surveys, preparation of revegetation specifications and preparation of native vegetation clearance approval documentation, if required.

- Design and specifications – no specific allowance made. It is assumed that this is completed by the Project Manager and is therefore included in this allowance. No significant design work is required.

- Additional site investigations / environmental testing – an allowance of $20,000 has been made for environmental testing as may be required for the import or disposal of fill material.

Project delivery costs are estimated at just over 15% of the total project cost.

6.3 Budget re-forecast

Based on the budget available, the available funding has been reforecast to include Project Delivery costs. This has largely been funded from the money previously set aside as project contingency, which has been reduced from 30% to 10%.

Potential cost increases throughout construction will be funded through a reduction in the scope of the works undertaken, rather than an increase in contract value. In that respect, it is intended to maintain the civil works construction budget at approximately $2,500,000.

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civil works</td>
<td></td>
</tr>
<tr>
<td>Bulk earthworks</td>
<td>$1,900,000</td>
</tr>
<tr>
<td>Contingency (10%)</td>
<td>$190,000</td>
</tr>
<tr>
<td>Preliminaries (20%)</td>
<td>$420,000</td>
</tr>
<tr>
<td><strong>Sub-total</strong></td>
<td><strong>$2,510,000</strong></td>
</tr>
<tr>
<td>Revegetation</td>
<td></td>
</tr>
<tr>
<td>Revegetation – seed collection and spreading (2 events)</td>
<td>$150,000</td>
</tr>
</tbody>
</table>
Contingency (10%) & $15,000
Sub-total & $165,000
Works sub-total & $2,675,000

Project delivery
Project Management Plan & $15,000
Project Management (design and construction) & $200,000
Consultation & $100,000
Cultural Heritage & $50,000
Approvals & $50,000
Management Plans & $15,000
Revegetation specifications & $20,000
Native Vegetation approvals & $10,000
Environmental testing & $20,000

Project Delivery sub-total & $480,000
Project delivery contingency & $45,000

PROJECT TOTAL & $3,220,000

6.4 Budget expenditure

The proposed expenditure assumes the implementation of the Bird Lake project over a 12-month period from October 2018. This assumes construction takes place over a 4-month period from March to June, and secondary seeding is completed in Spring 2019.
<table>
<thead>
<tr>
<th>Component</th>
<th>Sep 18</th>
<th>Oct 18</th>
<th>Nov 18</th>
<th>Dec 18</th>
<th>Jan 19</th>
<th>Feb 19</th>
<th>Mar 19</th>
<th>Apr 19</th>
<th>May 19</th>
<th>Jun 19</th>
<th>Jul 19</th>
<th>Aug 19</th>
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<tbody>
<tr>
<td>Project Management Plan</td>
<td>15,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>Project Management</td>
<td>20,000</td>
<td>20,000</td>
<td>10,000</td>
<td>5,000</td>
<td>5,000</td>
<td>20,000</td>
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<td>20,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Approvals and Environmental testing</td>
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<td>10,000</td>
<td>30,000</td>
<td>10,000</td>
<td>10,000</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cultural heritage allowance</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
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<td>Management plans</td>
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<td>5,000</td>
<td>5,000</td>
<td></td>
<td></td>
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<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Consultation</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
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<td>10,000</td>
<td>10,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contractor Engagement &amp; Civil Works Specifications (from FM budget)</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revegetation specifications &amp; native vegetation approvals</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Tender and Contract Award (from FM budget)</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5,000</td>
</tr>
<tr>
<td>Civil Works</td>
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<td>827,500</td>
<td>827,500</td>
<td>827,500</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revegetation</td>
<td>40,000*</td>
<td>40,000*</td>
<td>40,000*</td>
<td>40,000*</td>
<td>40,000*</td>
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<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secondary seeding</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Project delivery contingency</td>
<td>4,500</td>
<td>4,500</td>
<td>4,500</td>
<td>4,500</td>
<td>4,500</td>
<td>4,500</td>
<td>4,500</td>
<td>4,500</td>
<td>4,500</td>
<td>4,500</td>
<td>4,500</td>
<td>4,500</td>
<td>4,500</td>
</tr>
<tr>
<td>TOTAL</td>
<td>15,000</td>
<td>79,500</td>
<td>79,500</td>
<td>69,500</td>
<td>34,500</td>
<td>34,500</td>
<td>712,000</td>
<td>712,000</td>
<td>702,000</td>
<td>702,000</td>
<td>34,500</td>
<td></td>
<td>5,000</td>
</tr>
</tbody>
</table>

* payment likely in the following month
7 Procurement approach

7.1 Project delivery

Council are currently considering options to assist with the delivery of the project, including the appointment of a Project Manager to act on Council's behalf throughout the project delivery phase.

It is envisaged that the appointed project manager will manage tender processes, as required to deliver the scope of works. Individual commissions may be based on direct negotiation, select tender or open tender, dependent upon the services required.

7.2 Construction

Traditional contract options have been considered for completing the required works. The Bird Lake rehabilitation project has a number of specific challenges and opportunities that do not lend itself to a traditional contract method. These include:

- The current budget may not be adequate to complete the full, or preferred scope of works.
- There is considerable uncertainty with the sub-surface ground conditions which will impact on construction methodology and overall price.
- The environment is unique, but similar to the Ash Disposal Area on the adjacent Flinders Power land, and is likely to present similar challenges throughout construction.
- The works program, based on commencement in March 2013, leaves limited time available for an extensive Expression of Interest, and Request for Tender process.

The challenges represent risks to the project's success. Whilst the risks could contractually be transferred to a contractor, this will most certainly come at an increased cost.

The preferred procurement approach involves a collaborative contracting model with a preferred contractor, where the contractor is engaged to deliver the project based on a functional brief/specification for a maximum price.

To capitalise on the lessons learned on the rehabilitation of the Ash Disposal Area and minimise the risks associated with challenging (unknown) ground conditions, it is proposed to undertake a direct negotiation with McMahon Services, the Civil Contractor on the Flinders Power site. McMahon Services have the site-specific knowledge, plant and operators to complete the works and represent the lowest risk to delivering the scope of works. Their understanding of the challenges and preferred plant will enable them to price the works realistically, without excessive risk-based contingency.

It is envisaged that the Contractor will provide fixed costs for preliminaries, profit, overheads etc. with earthworks to be undertaken on volumetric rates. In order to provide some certainty that the agreed outcomes can be undertaken within the available budget, a minimum scope of works (area to be covered) will need to be included within the scope of works documentation.

An open, collaborative working relationship with the Contractor will be required throughout to ensure that value for money is achieved.

7.3 Revegetation

Similar to the justification provided above, it is proposed to undertake a direct negotiation process with Succession Ecology for completion of the revegetation aspects of the project. This will include development of the revegetation specification, species selection, and completion of any surveys or native vegetation applications required to complete the works.
Succession Ecology have developed considerable experience on the Flinders Power site, have existing seed stock available and will be well placed to deliver the works required.

Quotations for consulting services will be sought prior to engagement. The contract for revegetation services will be based upon rates for seed collection, supply and spreading, with a minimum areal coverage identified. The final scope of revegetation will be dependent upon the final scope of earthworks completed.
8 Risk management

8.1 Project risks

A preliminary assessment of project risks has been completed in accordance with the Australian/New Zealand Standard (AS/NZS 4360:2004).

A risk review workshop was held with Council in August 2018 to identify all material risks relating to the implementation of the project.

At the workshop the risk areas, risks, causes, and consequences were identified. Ratings were given to the likelihood and consequence which resulted in an overall risk rating. Mitigation measures were then considered and the likelihood and consequence ratings re-evaluated in the context of these mitigation strategies.

8.2 Risk Register

All risks are documented in a project risk register, included in Appendix A. The project risk register is a ‘live’ document that will be maintained throughout project planning and delivery. The risk register is categorised under the following areas:

- Design
- Environment
- Financial
- Human Resources
- Stakeholder
- Political
- Legal and regulatory
- Operations
- Safety.

A total of 42 risks have been identified for the project. The most notable risks, rated as ‘extreme’ are summarised in Table 8.1.

8.3 Risk Allocation

The allocation of risk primarily remains with the proponent (Council). The risks will be managed throughout the planning and implementation phases of the project to achieve stakeholder approval, planning and to ensure other requirements are properly met.
<table>
<thead>
<tr>
<th>No.</th>
<th>Risk Area</th>
<th>Issue</th>
<th>Cause</th>
<th>Impact</th>
<th>Control measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.02</td>
<td>Design</td>
<td>Failure of revegetation</td>
<td>Incorrect specification of seed and revegetation plan</td>
<td>Ongoing risk of dust generation. Poor aesthetics.</td>
<td>Lessons learned from ash dam rehabilitation to be applied to Bird Lake. Revegetation to be undertaken ideally at optimal time to promote success</td>
</tr>
<tr>
<td>2.01</td>
<td>Environment</td>
<td>Dust generation during construction</td>
<td>Windy, dry weather. Difficulty in controlling dust due to access to fill areas</td>
<td>Complaints by residents and/or EPA. Need for control measures at additional project expense.</td>
<td>Works to be timed to minimise risks. Contractor responsible for dust management</td>
</tr>
<tr>
<td>2.08</td>
<td>Environment</td>
<td>Long-term dust management issues</td>
<td>Failure of revegetation; dust generation due to windy weather</td>
<td>Public complaints</td>
<td>Dust management plan to be developed. Budget provision for ongoing dust management</td>
</tr>
<tr>
<td>3.01</td>
<td>Financial</td>
<td>Project not funded</td>
<td>Funding support not received from SA Government</td>
<td>Project unable to proceed due to Council's inability to fund</td>
<td>Preparation of Project Management Plan for approval by SA Gov. In principal agreement received.</td>
</tr>
<tr>
<td>3.04</td>
<td>Financial</td>
<td>Increased project costs due to fill import</td>
<td>Project costs were based upon fill material being sourced from Flinders Power borrow pit. If this source is not available, alternative source will need to be identified at higher cost.</td>
<td>Project costs will increase if fill material needs to be imported from site further away. Scope will need to be reduced to compensate.</td>
<td>Negotiations with Flinders Power ongoing. Alternative fill sources being explored by Council</td>
</tr>
<tr>
<td>5.01</td>
<td>Stakeholder</td>
<td>Negative public feedback / perception</td>
<td>Insufficient communication / engagement to explain project and implementation timelines</td>
<td>Community complaints, negative media coverage</td>
<td>Community engagement plan to be considered, with external support to Council. Multiple strategies to be employed</td>
</tr>
<tr>
<td>5.02</td>
<td>Stakeholder</td>
<td>Complaints throughout construction</td>
<td>Environmental issues, including dust generation, noise, throughout construction</td>
<td>Community complaints, EPA intervention</td>
<td>Community expectations to be managed throughout construction. Timing to minimise risks of dust</td>
</tr>
</tbody>
</table>
9 Stakeholder and community engagement

Stakeholder engagement will be led by Council, with support provided as required by an appropriately qualified consultant.

A communications and engagement strategy will be developed which:

- Clearly defines the framework of the consultation process, and aligns with Council’s Public Consultation and Engagement Policy and IAP2 guiding principles
- Identifies all potential stakeholders
- Ensures adequate liaison with Flinders Power as adjacent land owners to maximise the opportunity to capitalise on the lessons learned whilst rehabilitating the Ash Disposal Area, and existing management plans
- Ensures adequate liaison with adjacent property owners directly and indirectly affected by the works
- Ensures adequate engagement with traditional owners and aboriginal communities of interest
- Aims to educate the community on the project objectives and set realistic expectations.
- Targets community and stakeholder engagement through a range of communication methods including signage, community meetings, print media, newsletters, Council website, social media etc.
- Provides regular and informative community updates in a range of formats (Council website, fact sheets, newsletters, social media, print media).

It is anticipated that the stakeholder and community engagement will commence following confirmation of the project’s funding and announcement by Council and or the South Australian Government.
10 Evaluation plan

Monitoring of the rehabilitated lake area will be completed on a monthly basis for a period of (nominally) one year. Monitoring will be completed by Council staff. Following the first year post-completion, less frequent monitoring will be undertaken.

A report will be prepared following each inspection to provide a summary of:

- Vegetative cover
- Vegetation die off
- Scouring and erosion
- Odour
- Other observations, e.g. insects, site security etc.

A more comprehensive inspection will be undertaken in Spring 2018 (~3-months post-completion) to assess the success of the revegetation program and provide recommendations for secondary seeding.
Appendix A

Risk Register
## SF1: PROJECT RISK REGISTER

### Bird Lake Remediation

**Partial Description of Project:**

Removal of all contaminated sediments from the bottom of Lake. Removal of contaminated sediments.

### Risk Assessment

<table>
<thead>
<tr>
<th>Event</th>
<th>Risk area</th>
<th>Issue</th>
<th>Context</th>
<th>Potential / consequence</th>
<th>Likelihood</th>
<th>Control Measures</th>
<th>Residual Risk</th>
<th>Action Required</th>
<th>Responsible Person</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.01</td>
<td>Design</td>
<td>Site limitations and project requirements</td>
<td>Other general and specific risk factors, site conditions, and regulatory requirements</td>
<td>Site limitations, design and construction issues</td>
<td>4 3 12</td>
<td>Generation to be given to additional site investigation, budgeting, permitting, and ongoing design and construction issues</td>
<td>4 3 10</td>
<td>Council / PME</td>
<td>Identified</td>
</tr>
<tr>
<td>3.02</td>
<td>Design</td>
<td>Nature of risk recognition</td>
<td>Incorrect specification of soil and vapor intrusion plan</td>
<td>Site limitations, design and construction issues</td>
<td>4 3 12</td>
<td>Site limitations, design and construction issues</td>
<td>4 3 10</td>
<td>Council / PME</td>
<td>Identified</td>
</tr>
<tr>
<td>3.03</td>
<td>Design</td>
<td>Site limitations and project requirements</td>
<td>Other general and specific risk factors, site conditions, and regulatory requirements</td>
<td>Site limitations, design and construction issues</td>
<td>4 3 12</td>
<td>Site limitations, design and construction issues</td>
<td>4 3 10</td>
<td>Council / PME</td>
<td>Identified</td>
</tr>
</tbody>
</table>

### 2.5 Environmental

- **Environmental:** Site contamination, potential for groundwater and surface water impacts, regulatory requirements.
- **Context:** Site limitations, design and construction issues.
- **Residual Risk:** Site limitations, design and construction issues.

### Action Required

- **Council / PME:** Identified

---

**37**
<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
<th>Column 5</th>
<th>Column 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Data 1</td>
<td>Data 2</td>
<td>Data 3</td>
<td>Data 4</td>
<td>Data 5</td>
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<td>Data 33</td>
<td>Data 34</td>
<td>Data 35</td>
<td>Data 36</td>
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</table>

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**Note:** The table structure and data are placeholders. Actual content would require specific input.
## RISK ASSESSMENT GUIDE

### Likelihood

<table>
<thead>
<tr>
<th>Level</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>High</td>
<td>The event is certain to occur at any point</td>
</tr>
<tr>
<td>4</td>
<td>The event will occur</td>
</tr>
<tr>
<td>3</td>
<td>The event almost certainly will occur</td>
</tr>
<tr>
<td>2</td>
<td>The event is unlikely to occur, although it could occur during work activities</td>
</tr>
<tr>
<td>1</td>
<td>The event will not likely occur</td>
</tr>
</tbody>
</table>

### Consequence / Severity / Impact

<table>
<thead>
<tr>
<th>Level</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Catastrophic</td>
<td>Verdict of void proceedings or loss of project in full or in part</td>
</tr>
<tr>
<td>Major</td>
<td>Major event which will be enforced with proper management</td>
</tr>
<tr>
<td>Moderate</td>
<td>Minor event which can be managed under normal circumstances</td>
</tr>
<tr>
<td>Minor</td>
<td>Minor event with consequences which can be readily managed or minimised</td>
</tr>
<tr>
<td>Insufficient</td>
<td>The event may not occur, and it is seen as only minimal level of risk</td>
</tr>
</tbody>
</table>

### EVENT LIKELIHOOD Matrix

<table>
<thead>
<tr>
<th>EVENT LIKELIHOOD Matrix</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
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<tbody>
<tr>
<td>Low</td>
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<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>Moderate</td>
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<td>4</td>
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<td>High</td>
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<tr>
<td>Catastrophic</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
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</table>

### PROJECT RISK LEVELS

<table>
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<th>2</th>
<th>3</th>
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</thead>
<tbody>
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<td>3</td>
</tr>
<tr>
<td>High Risk</td>
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<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Exception Risk</td>
<td>1</td>
<td>2</td>
<td>3</td>
</tr>
</tbody>
</table>
3  We Connect
3.6  Council is a responsive organisation that provides services in ways that empower the community to achieve their outcomes.

PURPOSE

To keep Elected Members informed of general correspondence items.

RECOMMENDATION


The following items of correspondence are attached for member’s information:

1. Letter from Mr David Durant, Vice-President, North Adelaide Basketball Club Inc, thanking Council (on behalf of the North Adelaide Rockets Basketball Club) for supporting the Club’s players to travel to Rome in October to play the U15/16 Champions at the Stellazzurra Basketball Academy.

2. Letter from Vickie Chapman MP, Deputy Premier, Attorney-General, re funding for the Port Augusta Managed Taxi Rank. (AR18/48341)

Reference to Council Resolution 22/10/2018 – AR18/42662 – "That Council writes to the Attorney-General Hon Vickie Chapman MP, Deputy Premier, in support of continuance of the Managed Taxi Rank funding”.

3. Letter from Senator the Hon Bridget McKenzie, Minister for Regional Services, Sport, Local Government & Decentralisation, re number of General Practitioner’s in Port Augusta. (AR18/49033)

2. That Council writes to State and Federal Health Ministers seeking their views as to whether or not they regard the current number of GP’s as appropriate for current and future needs, being mindful of anticipated increased demands associated with the expansion of the Port Augusta Prison and Renewable Energy Projects within the area.”

JOHN BANKS
28/11/2018
Dear Mr. Dearlove,

On behalf of the North Adelaide Rockets Basketball Club I am writing to thank Port Augusta Council for supporting our players to travel to Rome in October to play the U15/U16 Champions at the Stellazzurra Basketball Academy. Your generous donation is greatly appreciated and was integral to our fundraising success to make this opportunity possible for the team. Your support will have an enduring impact as this inaugural trip has set up the Club's relationship with Stellazzurra Basketball Academy to grow and benefit future generations of South Australian basketballers.

With your support we raised $32,841.23 enabling the traveling party of players, coaches and delegates from the North Adelaide Basketball Club to be immersed in Stellazzurra’s coaching regime, considered amongst the top three elite European academies for basketball development. Day to day activities included trainings and physical testing, exposing the boys to the most modern coaching techniques from Europe. Advanced physical training and nutrition techniques were also encompassed, and the boys had the opportunity to play several exhibition games against some of Europe’s top NBA prospects.

Our players and coaches have benefited from the tremendous professional experience of the Stellazzurra staff and coaches who are dedicated to developing the most talented junior basketballers in the world and have developed over 50 professional players at the academy.

The Rockets are the first South Australian team invited to attend the Academy and since returning from the trip the tangible benefits of their experience have translated onto the court, passing new skills and knowledge to fellow players and teammates.

The Club is looking forward to continuing the opportunity for other players in coming years and host a reciprocal follow up visit to South Australia from the Stellazzurra Basketball Academy in 2019. Once again, thank you for your generous contribution towards the development of North Adelaide Basketball Club and players.

Yours sincerely,

David Durant
Vice-President

Championships
ABA Central Conference Women's Champions 2014
ABA Central Conference Men's Champions 2007
CABL Blitz Pre Season Champions: 2007 & 2008
Bank SA State League Champions: 2006 & 2007
Women's State League 2003
Junior State Championships 2003-2004
CERTIFICATE OF APPRECIATION

Awarded to

Port Augusta Council

for your support of the
North Adelaide Basketball Club
U16 Boys, Stellazurra Tour

Awarded by

Wayne Shold
NABC President
The Hon Vickie Chapman MP

27 November 2018

Mr John Banks
Chief Executive Officer
Port Augusta City Council
PO Box 1704
PORT AUGUSTA SA 5700

Email: admin@portaugusta.sa.gov.au

Dear Mr Banks

I write in response to your correspondence received on 29 October 2018 in relation to the ceasing of funding for the Port Augusta Managed Taxi Rank.

The Government acknowledges your concerns regarding the cessation of funding toward concierge services at ranks. As part of the 2018-19 State Budget, the Government has had to make some hard decisions. These decisions are not easy, but are necessary to ensure the Government delivers its election commitments, and commenced the task of financial repair while maintaining budget discipline across the forward estimates.

I understand the Port Augusta City Council has notified Consumer and Business Services of an intent to vary the agreement to extend the funding period to 31 March 2019. The Commissioner will consider an amendment of this nature.

Thank you for writing on this important matter.

Yours sincerely

[Signature]

VICKIE CHAPMAN MP
DEPUTY PREMIER
ATTORNEY-GENERAL
Senator the Hon Bridget McKenzie
Deputy Leader of The Nationals
Minister for Regional Services
Minister for Sport
Minister for Local Government and Decentralisation
Senator for Victoria

Mr John Banks
Chief Executive Officer
Port Augusta City Council
PO Box 1704
PORT AUGUSTA SA 5700

Dear Mr Banks

Thank you for your correspondence of 30 August 2018 to the Minister for Health, the Hon Greg Hunt MP, regarding the number of GPs in Port Augusta, South Australia. This matter has been referred to me as the Minister for Regional Services, Sport, Local Government and Decentralisation with portfolio responsibility for this matter.

Addressing inequities in access to high quality medical care has been a longstanding challenge in Australia. The Liberal National Government recognises that many locations around Australia face unique health workforce challenges, but it is the smaller communities where the effect of workforce shortages is most acute. While the Liberal National Government does not have a direct role in employing health professionals, it does have a number of programs to support communities in delivering essential health services.

This includes funding Rural Workforce Agencies in each state and the Northern Territory around $86 million (GST inclusive) over three years to deliver the Rural Health Workforce Support Activity, which provides a range of activities aimed at improving the access, quality and sustainability of the rural health workforce. The Rural Workforce Agency in South Australia, the Rural Doctors Workforce Agency, continues to monitor and support health workforce issues in Port Augusta and can be contacted on (08) 8234 8277, or via their website at www.ruraldoc.com.au, for recruitment assistance.

The Liberal National Government also provides support for GPs in rural areas under the General Practice Rural Incentives Program. This program aims to encourage medical practitioners to practice in regional and remote communities and to promote careers in rural medicine through the provision of financial incentives. Under the General Practice Rural Incentives Program, a doctor working in Port Augusta can receive incentives of up to $18,000 per year.

As you may be aware, the District of Workforce Shortage (DWS) system is an impartial mechanism used by the Liberal National Government to encourage a more equitable distribution of medical services across Australia. The District of Workforce Shortage system is updated annually using the latest Medicare billing and population statistics, with the last update being in April 2018.

Ref No: MC18-019642

28 NOV 2018
Under the District of Workforce Shortage system, Port Augusta is classified as a non-District of Workforce Shortage area as the GP to population ratio is better than the Australian average. While medical practices in Port Augusta are unable to employ some restricted medical practitioners, they may still employ non-restricted general practitioners.

I acknowledge your query regarding whether the current number of GPs is appropriate for current and future needs given a potential increase in population due to an expansion of the Port Augusta Prison and renewable energy projects. The DWS system takes into account both population data from the Australian Bureau of Statistics and billing data from Medicare, and consequently would account for any population changes in future DWS updates.

The Commonwealth has established a Distribution Working Group to address the maldistribution of the health workforce in Australia. One of the core responsibilities will be to consider mechanisms to encourage an equitable distribution of the health workforce. The other focus of the Group is to review the DWS classification system and the appropriateness of continuing to use the model in an Australian context.

The Distribution Working Group met recently on 8 June 2018 and discussed DWS and Modified Monash Model issues which had been identified as a barrier to the recruitment and retention of health professionals by a number of towns. Members reviewed quantitative and qualitative analysis of workforce issues of the towns presented and concluded that the issues raised were not related to the DWS or the Modified Monash Model classification systems. This included the town of Port Augusta in South Australia. The Distribution Working Group will conclude in late 2018 and recommendations to Liberal National Government will be used to inform future rural distribution policy.

In the 2018-19 Budget, the Liberal National Government announced the Stronger Rural Health Strategy, a carefully calibrated suite of measures to address each stage of medical workforce supply – teaching, training and retention. It is a historic 10-year plan to meet current and future health workforce challenges and it supports the largest overhaul of Australia’s health workforce in decades. The Strategy will deliver a comprehensive package of reforms in a $350 million investment over five years from 2017-18. This will provide all Australians with the right mix of qualified health professionals in the right place, at the right time to deliver high quality health care. It includes a range of incentives, targeted funding and bonding arrangements to meet head-on the challenge of redistributing the workforce across regional, rural and remote Australia, beyond the cities and metropolitan areas.

Thank you for taking the time to write on this issue.

Yours sincerely,

[Signature]

Bridget McKenzie
Under the provisions of Section 90 of the Local Government Act 1999, a meeting of a Council or Council Committee must be conducted in a place open to the public, unless:

"... the public be excluded from attendance at a meeting to the extent (and only to the extent) that the council or council committee considers it to be necessary and appropriate to act in a meeting closed to the public in order to receive, discuss or consider in confidence any information or matter listed in sub-section (3) (of the Act) ...."

Sub-section (3) of Section 90 then lists 13 areas or items for which the Council can issue “an order that the public be excluded from attendance at a portion of the meeting” to enable the matter to be considered in confidence.

After the Council has determined the matter in confidence, an order can be issued to retain the confidentiality of the matter for a period of time.

**RECOMMENDATION**

**Council:**

1. Orders (pursuant to the provisions of Section 90(2) of the Local Government Act 1999), that the public, with the exception of the following Council Staff Chief Executive Officer Mr J Banks, Director City Services Mrs M Kretschmer, Director Corporate & Community Services Mrs A O'Reilly, Director Infrastructure Mrs S McKell & Executive Assistant Ms M Jenkins, be excluded from attendance at the meeting to hear a presentation from SIMEC Zen Energy.

2. Is satisfied that, pursuant to Section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this agenda item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party.

3. Is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information may result in a competitor receiving the information to the detriment of the developer.

4. That having considered report AR18/49729 in confidence under Section 90(2) & 3(d) of the Act, the Council, pursuant to Section 91(7) of the Act orders that all documentation and minutes relating to this agenda item, be retained in confidence until lodgement of a development application, and that this order be reviewed every 12 months.

**JOHN BANKS**

06/12/2018
CONFIDENTIAL ORDER

REPORT FOR: Council
MEETING DATE: 11 December 2018
REPORT FROM: Chief Executive Officer
REPORT TITLE: Confidential Order – Bird Lake Rehabilitation - Draft Funding Agreement
FILE NAME: F11/3857 | RECORD NO: AR18/49715

Under the provisions of Section 90 of the Local Government Act 1999, a meeting of a Council or Council Committee must be conducted in a place open to the public, unless:

"... the public be excluded from attendance at a meeting to the extent (and only to the extent) that the council or council committee considers it to be necessary and appropriate to act in a meeting closed to the public in order to receive, discuss or consider in confidence any information or matter listed in sub-section (3) (of the Act) ...."

Sub-section (3) of Section 90 then lists 13 areas or items for which the Council can issue "an order that the public be excluded from attendance at a portion of the meeting" to enable the matter to be considered in confidence.

After the Council has determined the matter in confidence, an order can be issued to retain the confidentiality of the matter for a period of time.

RECOMMENDATION

Council:

1. Orders (pursuant to the provisions of Section 90(2) of the Local Government Act 1999), that the public, with the exception of the following Council Staff – Chief Executive Officer Mr J Banks, Director City Services Mrs L Heron, Director Corporate & Community Services Mrs A O'Reilly, Director Infrastructure Mrs S McKell & Executive Assistant Mrs M Kretschmer, be excluded from attendance at the meeting to discuss report AR18/4968 concerning Bird Lake Rehabilitation – Draft Funding Agreement

2. Is satisfied that, pursuant to Section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this agenda item is commercial information of a confidential nature the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage of a third party.

3. Is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of information could place the Council in a position of breach of contract as it is a term of the Agreement that it be kept confidential.

4. That having considered report AR18/4968 in confidence under Section 90(2) & 3(d) of the Act, the Council, pursuant to Section 91(7) of the Act orders that all documentation and minutes relating to this agenda item, be retained in confidence until consent is granted by the SA Government and that this order be reviewed every 12 months.

JOHN BANKS
06/12/2018