

THE ORDINARY MEETING OF THE DISTRICT COUNCIL OF MURRUMBIDGEE WILL BE HELD
IN THE COUNCIL CHAMBERS, REDBANKS ROAD, MURRUMBIDGEE ON MONDAY
27 JULY 2015, COMMENCING AT 7:00PM



.....
Katrina Márton

CHIEF EXECUTIVE OFFICER

AGENDA

1. ATTENDANCE

- 1.1 Present
- 1.2 Councillors Apologies
- 1.3 Councillors Absent

2. CONFIRMATION OF MINUTES

- 2.1 Council Meeting held on Monday 13 July 2015 (MB Folios 13040 to 13047, inclusive).
- 2.2 Special Council Meeting on Monday 20 July 2015 (MB Folios 13048 to 13054, inclusive).

3. BUSINESS ARISING

- 3.1

4. DECLARATION OF MEMBERS' INTEREST

- 4.1

5. OPEN FORUM

- 5.1 **Speakers**

6. BRIEFINGS

- 6.1 SA Water Northern Area Irrigation Scheme (NAIS) Community Consultation – Georgina House, Gerry Harris and Jane Wilson (Stakeholder Engagement)

7. MAYOR'S REPORT

- 7.1 Meetings Attended and / or Discussions Held (CON12/1199)

8. MINUTES AND/OR RECOMMENDATIONS

8.1 Economic and Infrastructure Advisory Committee

- 8.1.1 No Minutes

8.2 Community Development and Advisory Committee

- 8.2.1 No Minutes

8.3 Audit Committee

- 8.3.1 No Minutes

8.4 Mallala and Districts Historical Committee

- 8.4.1 Minutes of meeting held 15 July 2015 (CON12/871)

8.5 Mallala and Districts Homes Committee

- 8.5.1 Minutes of meeting held 1 July 2015 (CON12/872)

9. ASSOCIATED ORGANISATIONS

9.1 Gawler River Floodplain Management Authority

- 9.1.1 No Minutes

9.2 Central Local Government Region

- 9.2 No Minutes

10. QUESTIONS WHICH NOTICE HAS BEEN GIVEN

10.1 Questions on Notice

10.2 Notice of Motion

- 10.2.1 CWMS Mallala Fees and Charges Fact Sheet (CON12/537)

- 10.2.1 Reducing Speed Limits within Lewiston (CON12/537)

11. QUESTIONS WHICH NOTICE HAS NOT BEEN GIVEN

Rules from Local Government Act 1999 Regulations:-

- * Questions and replies are not entered in the minute book unless expressly required by resolution.
- * No debate shall be allowed on any question or reply to any question.

12. PETITIONS

- 12.1 No Petitions

13. DEPUTATIONS

- 13.1 No Deputations

14. ADJOURN INTO STANDING COMMITTEE

- 14.1 No Agenda for Strategic Planning and Development Policy Committee

15. ADOPTION OF STANDING COMMITTEE RECOMMENDATIONS

- 15.1 No recommendations

16. ITEMS FOR NOTING / INFORMATION / ACTIVITY REPORTS

16.1 Items for Information / Noting

- 16.1.1 Finance Report (CON12/491)
- 16.1.2 Waste Management Strategy – Fourth Quarter Report (CON12/332)

16.2 Activity Reports

- 16.2.1 No Activity Reports

17. ITEMS FOR DECISIONS

- 17.1 Joy Baluch AM Memorial Statue – Contribution (CON12/569)
- 17.2 Bank Account Signatories (CON12/503)
- 17.3 Wattle Range Council – Coastal Protection Funding (CON12/308)
- 17.4 Annual review of Code of Practice – Meeting Procedures, proposed change to the commencement time for Ordinary Council meetings, and proposal for Ordinary Council Meetings to be held monthly commencing Monday 17 August 2015.(CON12/547)
- 17.5 Notice of pending removal from Council Development Assessment Panel (CON12/547)


18. URGENT BUSINESS

18.1

19. CONFIDENTIAL ITEMS

19.1

20. CLOSURE

 District Council of Mallaala	2. CONFIRMATION OF MINUTES
MONDAY 27 July2015	

Items:

- 2.1 Council Meeting held on Monday 13 July 2015 (MB Folios 13040 to 13047, inclusive).
- 2.2 Special Council Meeting on Monday 20 July 2015 (MB Folios 13048 to 13054, inclusive).



MINUTES OF THE ORDINARY MEETING OF THE DISTRICT COUNCIL OF MALLALA HELD IN THE MALLALA COUNCIL CHAMBERS, REDBANKS ROAD, MALLALA ON MONDAY 13 JULY 2015, COMMENCING AT 7:00 PM

1. ATTENDANCE

1.1 Present

Mayor D Kennington (Mayor) and Crs T Keen, P Daniele, B Summerton, K McColl, S Jones, M Lawrence, A Picard, E Stubing and Messrs K Márton (Chief Executive Officer), R Foster (General Manager, Infrastructure and Planning), J Tanti (Governance Officer), G Graham (Finance Co-ordinator), P Cleghorn (Strategic Infrastructure Coordinator), C Muzyk (Strategic Projects Coordinator), and A Humphrys (Minute Secretary)

1.2 Councillor's Apologies

Nil

1.3 Councillor's Absent

Cr Strudwicke

2. GENERAL BUSINESS

Moved Cr Lawrence Seconded Cr Summerton

"that the minutes of meeting held on held on Tuesday 22 June 2015 (MB Folios 13021 to 13035, inclusive), be accepted as read and confirmed."

CARRIED (2015/201)

3. BUSINESS ARISING

3.1 No Business Arising

4. DECLARATION OF MEMBERS' INTEREST

4.1 Cr Keen declared an interest in item 16.1.2 - *Two Wells Memorial Gardens Upgrade*, as Cr Keen is an Associate Member of the Two Wells RSL Sub Branch.

Cr Lawrence declared an interest in item 16.1.2 - *Two Wells Memorial Gardens Upgrade*, as Cr Lawrence is a Full Member of the Two Wells RSL Sub Branch.

Cr Jones declared an interest in item 16.1.2 - *Two Wells Memorial Gardens Upgrade*, as Cr Jones is an Associate Member of the Two Wells RSL Sub Branch.

Cr McColl declared an interest in item 16.1.2 - *Two Wells Memorial Gardens Upgrade*, as Cr McColl is an Associate Member of the Two Wells RSL Sub Branch.

5. **OPEN FORUM**

The Mayor sought leave of the meeting to suspend Part 2 of the Local Government (Procedures at Meetings) Regulations 2013 for 'Open Forum' and Annual Business Plan Submissions. The meeting was suspended at 7.01 pm.

5.1 **Margherita Panella** *Old Port Wakefield Road, Two Wells*

- Inconsistencies of the Development Act and the Development Plan of the District Council of Mallala in regards to keeping sheep on property.

ANNUAL BUSINESS PLAN SUBMISSION

Dean Cook *Wasleys Road, Mallala*

- Considers \$586 per annum CWMS charge for Mallala Residents to be excessive and has requested that it be removed from the Annual Business Plan 2015-2016.

Meeting resumed at 7.15 pm

6. **BRIEFINGS**

6.2 No Briefings

7. **MAYOR'S REPORT**

7.1 No Mayor's Report

8. **MINUTES AND/OR RECOMMENDATIONS**

8.1 **Economic and Infrastructure Advisory Committee**

8.1.1 No Minutes

8.2 **Environmental Management Advisory Committee**

8.2.1 Minutes of meeting held 6 July 2015 (CON12/1181)

8.3 **Audit Committee**

8.3.1 Minutes of meeting held 22 June 2015 (CON12/522)

8.4 **Council Development Assessment Panel**

8.4.1 Minutes of meeting held 7 July 2015 (CON12/218)

9. **ASSOCIATED ORGANISATIONS**

9.1 **Gawler River Floodplain Management Authority**

9.1.1 Minutes of meeting held 17 June 2015 (CON12/314)

9.2 **Central Local Government Region**

9.2 No Minutes

10. **QUESTIONS WHICH NOTICE HAS BEEN GIVEN**

10.1 **Questions on Notice**

10.1.1 No Question on Notice

10.2 **Notice of Motion**

10.2.1 Future District Council of Mallala annual rate increase (CON12/537)

Moved Cr Jones Seconded Cr

“that any future District Council of Mallala annual rate increase be aligned to and not exceed the average percentage of each current year of recognized and accepted South Australian Consumer Price Index”

Motion Withdrawn

11. **QUESTIONS WHICH NOTICE HAS NOT BEEN GIVEN**

Rules from Local Government Act 1999 Regulations:-

* Questions and replies are not entered in the minute book unless expressly required by resolution.

* No debate shall be allowed on any question or reply to any question.

12. **PETITIONS**

12.1 No Petitions

13. **DEPUTATIONS**

13.1 No Deputations

14. ADJOURN INTO STANDING COMMITTEE

14.1 No Agenda for Strategic Planning and Development Policy Committee

15. ADOPTION OF STANDING COMMITTEE RECOMMENDATIONS

15.1 No recommendations

16. ITEMS FOR NOTING / INFORMATION / ACTIVITY REPORTS**16.1 Items for Information / Noting**

16.1.1 Prepayment of Financial Assistance Grant (CON12/1131)

Moved Cr McColl Seconded Cr Summerton

“that the Council, having considered Item 16.1.1 – *Prepayment of Financial Assistance Grant*, dated 13 July 2015, receive and note the report.”

CARRIED (2015/202)

16.1.2 Two Wells Memorial Gardens Upgrade (CON12/925)

Moved Cr McColl Seconded Cr Lawrence

“that Council, having considered Item 16.1.2 - *Two Wells Memorial Gardens Upgrade*, dated 13 July 2015, receive and note the report”.

CARRIED (2015/203)

Attachment 1 of report 16.1.2 dated 13 July 2015 - *Two Wells Memorial Gardens Upgrade*, was a previous report (*Report 13.1.1 dated 23 June 2014, Two Wells Memorial*) of which the attachments were not included within the 13 July 2015 agenda. Councillors requested that the attachments be provided.

16.2 Activity Reports

16.2.1 Infrastructure and Planning Services Activity Report (CON12/1191)

Moved Cr Summerton Seconded Cr Keen

“that the Council, having considered Item 16.2.1 *Infrastructure and Planning Services Activity Report*, dated 13 July 2015, receive the report.”

CARRIED (2015/204)

16.2.2 Development Plan Amendment Activity Report (CON12/248)

Moved Cr McColl Seconded Cr Summerton

“that Council, having considered Item 16.2.2 – *Development Plan Amendment Activity Report*, dated 13 July March 2015, receive the report.”

CARRIED (2015/205)

16.2.3 Animal Management Plan - Fourth Quarter Report (CON12/171)

Moved Cr Keen Seconded Cr McColl

“that Council, having considered 16.2.3 – *Animal Management Plan – Fourth Quarter Report*, dated 13 July 2015, receive the report.”

CARRIED (2015/206)

17. ITEMS FOR DECISIONS

17.1 Community Representative Appointment to the Community Development and Advisory Committee (CON12/1046)

Moved Cr Jones Seconded Cr Keen

“that the Council, having considered Item 17.1 – *Community Representative Appointment to the Community Development and Advisory Committee*, dated 13 July 2015, receive and note the report.”

CARRIED (2015/207)

Moved Cr Keen Seconded Cr Stubing

“that Council, having considered Item 17.1 - *Community Representative Appointment to the Community Development and Advisory Committee*, dated 13 July 2015, endorse the appointment of Sylvia Nieuwenhuizen as a community representative to the Community Development and Advisory Committee.”

CARRIED (2015/208)

17.2 Mallala CWMS Domestic Pump Rebate (CON12/334)

Moved Cr Summerton Seconded Cr Stubing

“that the Council, having considered Item 17.2 – *Mallala CWMS Domestic Pump Rebate*, dated 13 July 2015, receive and note the report.”

CARRIED (2015/209)

Moved Cr Lawrence Seconded Cr Stubing

“that the Council, having considered Item 17.2 - *Mallala CWMS Domestic Pump Rebate*, dated 13 July 2015, determine that a yearly rebate be provided to those properties that were required to have a Domestic Pump installed as part of the initial construction phase of \$30 for the initial year with a yearly indexation.”

CARRIED (2015/210)

“that the Council, having considered Item 17.3 – *Review of the National Parks and Wildlife (Wildlife) Regulations 2001*, dated 13 July 2015, receive and note the report.”

Moved Cr Jones Seconded Cr Summerton

“that Council, having considered Item 17.3 - *Review of the National Parks and Wildlife (Wildlife) Regulations 2001*, dated 13 July 2015, authorises the Chief Executive Officer to lodge a submission in support of the proposed changes to the legislation as described in the Discussion Paper”.

Moved Cr Keen Seconded Cr Lawrence

That the following be added:

- with additional comments including protected habitat for local and protected species”.

CARRIED (2015/212)

“that Council, having considered Item 17.3 - *Review of the National Parks and Wildlife (Wildlife) Regulations 2001*, dated 13 July 2015, authorises the Chief Executive Officer to lodge a submission in support of the proposed changes to the legislation as described in the Discussion Paper with additional comments including protected habitat for local and protected species”.

CARRIED (2015/213)

17.4 Proposal to Lease Community Land - Public Consultation (CON12/959)

Moved Cr Daniele Seconded Cr Keen

“that the Council, having considered Item 17.4 – *Proposal to Lease Community Land – Public Consultation*, dated 13 July 2015, receive and note the report.”

CARRIED (2015/214)

Moved Cr Daniele Seconded Cr Keen

“that the Council, having considered Item 17.4 – *Proposal to Lease Community Land – Public Consultation*, dated 13 July 2015, endorse administration to seek Community Consultation in accordance with Council's Public Consultation Policy for the proposed lease of part allotment 740, of part section 276, hundred of Grace, Mallala, commonly known as Mallala CFS & Museum.”

CARRIED (2015/215)

17.5 Chief Executive Officer Review Committee - Draft Terms of Reference (CON12/521)

Moved Cr Summerton Seconded Cr Keen

“that the Council, having considered Item 17.5 – *Section 41 Chief Executive Officer Review Committee – Draft Terms of Reference*, dated 13 July 2015, receive and note the report.”

(2015/216)

Moved Cr Summerton Seconded Cr McColl

“that the Council, having considered Item 17.5 – Section 41 Chief Executive Officer Review Committee – Draft Terms of Reference, dated 13 July 2015, adopt the Terms of Reference for the Chief Executive Officer Review Committee.”

CARRIED (2015/217)

18. URGENT BUSINESS

18.1 No Urgent Business

19. CONFIDENTIAL ITEMS

19.1 No Confidential Items

20. CLOSURE

There being no further business, the Mayor declared the meeting closed at 8.10 pm

Confirmed as a true record.

Mayor:

Date: ____/____/____



**MINUTES OF THE SPECIAL MEETING OF THE DISTRICT COUNCIL OF MALLALA
HELD IN THE MALLALA COUNCIL CHAMBERS, REDBANKS ROAD, MALLALA ON
MONDAY 20 JULY 2015, COMMENCING AT 7:00 PM**

1. ATTENDANCE

1.1 Present

Mayor D Kennington and Crs T Keen, E Stubing, P Daniele, B Summerton, K McColl, S Jones and Messrs K Márton (Chief Executive Officer), G Graham (Finance Coordinator), J Tanti (Governance Officer) and A Humphrys (Minute Secretary)

1.2 Councillors Apologies

Crs Lawrence, Picard and Strudwicke

1.3 Councillors Absent

Nil

2. GENERAL BUSINESS

The Mayor sought leave of the meeting to suspend Part 2 of the Local Government (Procedures at Meetings) Regulations 2013 for discussion and questions. The meeting was suspended at 7.03 pm.

Meeting resumed at 7.41 pm

2.1 Draft Annual Business and Budget 2015-2016 (Including Rates Declaration and Valuations Adoption) (CON12/1151)

Moved Cr Daniele Seconded Cr Summerton

“that the Council having considered Item 2.1 – *Draft Annual Business Plan & Budget 2015-2016 (including Rates Declaration and Valuations Adoption)*, dated 20 July 2015, pursuant to and in accordance with Section 123(6) of the Local Government Act 1999 and Regulation 6 of the Local Government (Financial Management) Regulations 2011, noting the two (2) submissions received, adopts the Annual Business Plan and Budget 2015-2016 as it’s Annual Business Plan and Budget for the 2015-2016 financial year, with the following alterations:

- Reduction in 2015-2016 Financial Assistance Grants (FAG) from the Local

Government Grants Commission due to a prepayment of 50% of the grant made in the 2014-2015 year on 29 June 2015 for an amount of \$658,872

- The addition of an explanatory note on the effect of the pre payment of 50% of Financial Assistance Grants (FAG) on page 28
- The edits as noted by the Audit Committee and endorsed by Council at the Ordinary Council Meeting 22 June 2015.

Adoption of the 2015-2016 Budget

that Council, having considered Item 2.1 – *Draft Annual Business Plan & Budget 2015-2016 (including Rates Declaration and Valuations Adoption)*, dated 20 July 2015, pursuant to Section 123 (7) of the *Local Government Act 1999* and Regulation 7 of the *Local Government (Financial Management) Regulations 2011*, adopt the Annual Budget for the financial year ending 30 June 2016, as presented in the Draft Annual Business Plan and Budget 2015-2016 which includes:

- (a) a budgeted income statement, balance sheet and statement of cash flows, presented in a manner consistent with the Model Financial Statements; and
- (b) a statement whether projected operating income is sufficient to meet projected operating expenses for the relevant financial year; and
- (c) a summary of operating and capital investment activities presented in a manner consistent with the note in the Model Financial Statements entitled Uniform Presentation of Finances; and
- (d) estimates with respect to the Council's operating surplus ratio, asset sustainability ratio and net financial liabilities ratio presented in a manner consistent with the note in the Model Financial Statements entitled Financial Indicators.

Adoption of Valuations

that Council, having considered Item 2.1 - *Draft Annual Business Plan & Budget 2015-2016 (including Rates Declaration and Valuations Adoption)*, dated 20 July 2015, recommends that Council, in accordance with Section 167(2)(a) of the *Local Government Act 1999*, adopts for rating purposes for the financial year ending 30 June 2016 the most recent valuations of the Valuer-General available to the Council of the Capital Value of all land within the Council's area, totalling \$1,629,056,840 of which \$1,601,671,268 is the total Capital Value of rateable land.

Declaration of Rates and Service Charges 2015-2016

that Council, having considered Item 2.1 - Draft Annual Business Plan & Budget 2015-2016 (including Rates Declaration and Valuations Adoption, dated 20 July 2015, determines as follows:

General Rate

Pursuant to the provisions of Sections 151, 152 and 156 of the Local Government Act 1999, to declare differential general rates on rateable land within its area for the financial year ending 30 June 2016 based on land use as follows:

0.4368 cents in the dollar on rateable land of Residential, Vacant Land and Other land uses

0.5678 cents in the dollar on rateable land of Commercial Shop, Commercial Office, Commercial Other, Industry Light and Industry Other land uses 0.3971 cents in the dollar on rateable land of Primary Production land use and further that pursuant to the provisions of Section 166(1)(l) of the Local Government Act 1999, rebates be granted to provide relief against what would otherwise amount to a substantial change in rates payable by individual ratepayers due to changes in the rating structure, to the extent that the total rates (inclusive of the fixed charge and waste service charge) raised on each assessment shall not incur an increase of greater than 10% due to the change in rating structure over the previous year's (2014/2015) general rate amount except:

- where the increase is the result of changes in rebates or concessions; or
- is the result of valuation increases; or
- where a change of ownership has occurred in the previous eighteen months; or
- where a new allotment has been created; or
- where the land use has changed.

Fixed Charge

In accordance with the provisions of sections 151 and 152 of the Local Government Act 1999, to declare a fixed charge of \$100.00 on all rateable land within its area for the financial year ending 30 June 2016.

Rate Cap

Pursuant to Section 153(3) of the Local Government Act 1999 Council, in declaring a general rate under this section, has considered and determined NOT to fix a maximum increase in the general rate to be charged on any rateable land within its area that constitutes the principal place of residence of a principal ratepayer.

Waste Collection Charge

That pursuant to the provisions of Section 155 of the Local Government Act 1999, the Council imposes an annual service charge for the year ending 30 June 2016 of \$180.00 on all land to which the Council provides or makes available the prescribed service of waste collection.

Annual Service Charge – Community Wastewater Management Scheme

Pursuant to and in accordance with Section 155 of the Local Government Act 1999 and for the financial year ending 30 June 2016, Council imposes the following annual service charges based on the nature of the service and varying according to the level of usage of the service, on all land to which the Council provides or makes available the prescribed service of the collection, treatment or disposal of waste as part of a Community Wastewater Management Scheme (CWMS):

Middle Beach

Large tank: \$405.00

Small Tank: \$375.00

Mallala

Per property connection \$586.

Separate Rate

Natural Resources Management Levy

In accordance with Section 95 of the *Natural Resources Management Act 2004* and Section 154 of the *Local Government Act 1999*, for the financial year ending 30 June 2016 and in order to reimburse Council for amounts contributed to the Adelaide and Mount Lofty Ranges Natural Resources Management Board, the Council declares a separate rate of 0.009568 cents in the dollar, on all rateable land within the area of the Council and the area of the Adelaide and Mount Lofty Ranges Natural Resources Management Board.

Rebate and Remissions of Rates 2015 -2016

Pursuant to and in accordance with Sections 162 and 163 of the *Local Government Act 1999*, the Council grants mandatory rebates of 100 percent (%) of the rates imposed for the year ending 30 June 2016 on the following assessments:

Assessment No	Organisation	Section
12948	Uniting Church Cemetery	163

20099	Anglican Church	162
20123	Catholic Church Mallala	162
20149	Uniting Church Mallala	162
20164	Catholic Cemetery	163
20180	Grace Plains Cemetery	163
20230	Barabba Cemetery	163
20495	Mallala Cemetery	163
30387	Dublin Cemetery	163
30536	Uniting Church Windsor	162
36947	Catholic Church Two Wells	162
40295	Two Wells Cemetery	163
40303	Uniting Church Sunday School	162
40378	Anglican Church Two Wells	162
41855	Shannon Cemetery	163
43125	Catholic Church Endowment Society	162
43133	Catholic Church Endowment Society	162
43141	Catholic Church Endowment Society	162
43158	Catholic Church Endowment Society	162

Pursuant to and in accordance with Section 166(1)(f)(h)(j) of the *Local Government Act 1999*, the Council, being satisfied that the land identified below is being used by an organisation which, in the opinion of Council, provides a benefit or service to the local community, grants discretionary rebates of 100 percent (%) of the rates imposed for the year ending 30 June 2016 on the following assessments:

Asses No	Organisation	Asses No	Organisation
1784	Two Wells Golf Club	40543	Two Wells Trotting Trainers and Owners Association
13722	Mallala Bowling Club	43059	Mallala Football Club
20081	Homes for the Aged (Aerodrome)	43067	Mallala RSL Club

20206	Moquet Le	43190	Mallala CWA
20263	Allen, Hall, Richter etc (Trustees)	46268	SA Rifle Association Incorporated
20289	Mallala Netball Club	47944	Mallala Homes for Aged Committee
20362	St John Ambulance Service Inc	47951	Mallala Homes for Aged Committee
21576	Adelaide Pistol Club	47969	Mallala Homes for Aged Committee
22350	SA Sport Parachute Club	47977	Mallala Homes for Aged Committee
23689	SA Rifle Association Incorporated	47985	Mallala Homes for Aged Committee
29207	Port Parham Social Club	47993	Mallala Homes for Aged Committee
30486	Long Plains Memorial Hall	40550	Adelaide Plains Dog and Obedience Club
30510	Long Plains Recreation Oval	43117	Mallala Tennis Club
38935	United Pistol & Shooting Club	12971	Two Wells Pony Club
40345	Two Wells Community Centre	40337	Two Wells Football Club
40386	Two Wells Bowling Club		

Pursuant to and in accordance with Section 182 of the *Local Government Act 1999*, the Council, being satisfied that the payment of general rates would cause hardship, remits in full the general rates and Regional NRM Levy imposed on the following assessments for the year ending 30 June 2016:

Assessment No.	Organisation	Section
47662	Council Home Unit - Mallala	182

Payment of Rates

that in accordance with the provisions of Section 181(2) of the *Local Government*

Act 1999, the District Council of Mallala hereby determines that all rates shall be payable in four equal or approximately equal instalments falling due on the following dates:

18 September 2015, 4 December 2015, 4 March 2016 and 3 June 2016.”

CARRIED (2015/218)

2.2 Schedule of Fees and Charges 2015-2016 (CON12/1131)

Moved Cr Daniele Seconded Cr McColl

“that the Council, having considered Item 2.1 - *Schedule of Fees and Charges 2015-2016*, dated 20 July 2015, adopts the Schedule of Fees and Charges as presented, for the 2015-2016 financial year.”

CARRIED (2015/219)

3. CLOSURE

There being no further business, the Mayor declared the meeting closed at 7.46 pm

Confirmed as a true record.

Mayor:

Date: ____/____/____

MONDAY 27 July2015**Items:****7.1 Activities and Meetings attended**

7.1 Meetings Attended and / or Discussions Held (CON12/1199)


7.1 Meetings Attended and / or Discussions Held
Container No: CON12/1199
Document No: D15/13249
Report Date: 27 July 2015
Prepared by: Mayor Duncan Kennington

June 2015

Sun	Mon	Tues	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19 CEO Appraisal Committee Workshop	20
21 • Audit Committee Meeting • Ordinary Council Meeting	22	23	24	25 Regional Capability Community Fund (RCCF)	26	27
28	29	30				

July 2015

Sun	Mon	Tues	Wed	Thu	Fri	Sat
			1	2 • Mallala School – tree propagation & planting + CEO • Interview ABC Radio	3 CEO and Deputy Mayor Briefing	4
5	6 Environmental Management Committee Meeting (EMAC)	7	8 Department of Primary Industries and Resources of South Australia Workshop	9	10 Regions in Focus Road show Premier's Department + CEO	11
12	13 Ordinary Council Meeting	14	15	16 Regional Youth Bus - Dublin	17 Future of Horticulture in the Northern Plains Seminar	18
19	20 Special Council Meeting	21	22	23	24 LGA's Annual Mayors' and Chairpersons' Seminar	25
26	27 Interview Panel – General Managers	28	29	30	31	

 District Council of Mallala	8. MINUTES AND/OR RECOMMENDATIONS
MONDAY 27 July 2015	

Items:

8. MINUTES AND/OR RECOMMENDATIONS

8.1 Economic and Infrastructure Advisory Committee

8.1.1 No Minutes

8.2 Community Development and Advisory Committee

8.2.1 No Minutes

8.3 Audit Committee


8.3.1 No Minutes

8.4 Mallala and Districts Historical Committee

8.4.1 Minutes of meeting held 15 July 2015 (CON12/871)

8.5 Mallala and Districts Homes Committee

8.5.1 Minutes of meeting held 1 July 2015 (CON12/872)

 District Council of Murrumbidgee	8.4 Murrumbidgee and Districts Historical Committee
MONDAY 27 July 2015	

Items:


8.4 Murrumbidgee and Districts Historical Committee

8.4.1 Minutes of meeting held 15 July 2015 (CON12/871)

Mallala & Districts Historical Committee

Minutes of meeting held Wednesday July 15th. 2015 at 7.00pm.

No meeting was held due to want of a quorum

 District Council of Murrumbidgee	8.5 Murrumbidgee and Districts Homes Committee
<p align="center">MONDAY 27 July 2015</p>	

Items:

8.5 Murrumbidgee and Districts Homes Committee

8.5.1 Minutes of meeting held 1 July 2015 (CON12/872)



MINUTES OF THE MEETING OF THE DISTRICT COUNCIL OF MALLALA, MALLALA AND DISTRICTS HOMES COMMITTEE HELD IN THE MALLALA COUNCIL CHAMBERS, REDBANKS ROAD, MALLALA ON THURSDAY 1 JULY 2015, COMMENCING AT 10.32 AM

1. ATTENDANCE

1.1 Members Present

C Standley, C Dunlop, D Galanos (JWH), Cr M Strudwicke, Cr M Lawrence

Administration / Guests:

A Sawtell (Customer and Library Services Coordinator), L Seccafien (Community Development Officer), D Robinson (Junction Australia)

1.2 Members Apologies

I Giannikos

1.3 Members Absent

Nil

Customer and Library Services Coordinator, A Sawtell opened the meeting and called for nominations for the position of Chairperson.

2. APPOINTMENT OF CHAIRPERSON

2.1 Moved Cr Lawrence Seconded C Dunlop

"that the Committee, having considered Item 2.1 – *Appointment of Chairperson*, dated 1 July 2015, appoint Cr Strudwicke to the role of chairperson for a period of twelve (12) months."

CARRIED (2015/04)

Cr Strudwicke welcomed all members and introduced D Robinson from Junction Australia. All members provided an overview of their role on the committee to date.

3. **CONFIRMATION OF MINUTES**

3.1 Moved C Standley Seconded Cr Lawrence

“that the Minutes of the Mallala & Districts Homes Committee Meeting held on Wednesday 4 March 2015 be accepted as read and confirmed.”

CARRIED (2015/05)

4. **BUSINESS ARISING**

4.1 Service fee Error – D Galanos discussed an error in fee retrieval from the Lutheran Community Housing Support Unit, who were outsourced to provide accounting services, to the Barossa & Districts Housing Association during the term they managed Council’s units.

A Sawtell will discuss this matter with the Chief Executive Officer.

5. **REPORTS**

5.1 Finance and Maintenance Report

Junction Australia requested to provide more comprehensive maintenance reports to the Committee in the future.

Moved Cr Lawrence Seconded C Dunlop

“that the Committee, having considered Item 5.1 – *Finance and Maintenance Report March/April 2015*, dated 1 July 2015, receives and notes the report “

CARRIED (2015/06)

6. **LAND MANAGEMENT AGREEMENT**

6.1 Junction Australia – Lease Agreement Renewal and Key Performance Indicators

Moved Cr Lawrence Seconded C Standley

“that the Committee, having considered Item 6.1 – *Junction Australia – Lease Agreement Renewal and Key Performance Indicators*, dated July 1 2015, receives and notes the report “

CARRIED (2015/07)

Moved Cr Lawrence Seconded C Dunlop

“that the Committee, having considered Item 6.1 – *Junction Australia – Lease Agreement Renewal and Key Performance Indicators*, dated 1 July 2015, agree that the Chairperson of the Mallala and Districts Homes

Committee represents the Committee when Council staff and representatives from Junction Australia review the Lease Agreement Renewal and Key Performance Indicators for the 'Dunstan Court' Units and Unit 2/7 Chivell Street, Mallala "

CARRIED (2015/08)

7. GENERAL BUSINESS

Deb Robinson gave a brief overview of the services provided by Junction Australia. Prior to the meeting Deb viewed the Dunstan Court Units and Unit 2/7 Chivell Street, Mallala.

8. NEXT MEETING

7.1 10am, Wednesday 2 September 2015

9. CLOSURE


There being no further business, the Chairman declared the meeting closed at 11.20 am.

Confirmed as a true record

Chairman:

Date: ____/____/____

MONDAY 27 July 2015**Items:****9. ASSOCIATED ORGANISATIONS****9.1 Gawler River Floodplain Management Authority****9.1.1 No Minutes****9.2 Central Local Government Region****9.2 No Minutes**

 District Council of Mallaala	10 QUESTIONS WHICH NOTICE HAS BEEN GIVEN
MONDAY 27 July2015	

Items:


10. QUESTIONS WHICH NOTICE HAS BEEN GIVEN

10.1 Questions on Notice


10.2 Notice of Motion

10.2.1 CWMS Mallaala Fees and Charges Fact Sheet (CON12/537)


10.2.1 Reducing Speed Limits within Lewiston (CON12/537)

 District Council of Mallala	10.2.1 CWMS Mallala Fees and Charges Fact Sheet
	Container No: CON12/537
Report Date: 27 July 2015	Prepared by: Cr Jones

Preamble:	<p>As referenced in the District Council of Mallala Draft Annual Business Plan and Budget 2015-2016, under the heading “Mallala Township CWMS” reads in part; Mallala Community Wastewater Management Scheme construction complete, under <i>Local Government Act 1999</i> a CWMS annual service charge can be levied to achieve full recovery cost over the life of the scheme. The initial service charge 2015-2016 year is proposed at \$586 for each property unit.</p> <p>I therefore propose the following motion:</p>
Motion:	<p>"that Council provide an information sheet to be sent to all residents within the township of Mallala disclosing detailed costs associated with construction, operation and maintenance over the life of the Mallala CWMS, together with rationale of the proposed initial annual service charge of \$586.00."</p>

 District Council of Mallala	10.2.2 Reducing Speed Limits within Lewiston
	Container No: CON12/537
Report Date: 27 July 2015	Prepared by: Cr McColl

Preamble:	<p>Lewiston over many years has become a highly populated area within the Council region. I believe it is timely and prudent to investigate reducing the current speed limits within the built up areas of Lewiston. The roads around Lewiston, don't have footpaths or road verges that allow horse riders, bike riders, walkers and children accessing school buses to move away from traffic that in most cases is travelling at the current sign posted speed limits of 80km per hour. I have also sought feedback from our Local Two Wells Police, Barossa Highway Patrol and some other local SAPOL Motorbike Police Officers that speeding well in excess of 80kms per hour is a common occurrence on some roads within the Lewiston area. Lewiston also had a fatality occur within the last 5 years that was speed related. I raise this motion in order to provide for a safer community.</p>
Motion:	<p>"that council staff investigate and report back to council on the process and cost of reducing the speed limit of all Lewiston Roads to 60km per hour, with the exception of Boundary Road, Gawler River Road, Gawler Road, Old Port Wakefield Road."</p>

 District Council of Mallala	
MONDAY 27 July2015	

Items:

11. QUESTIONS WHICH NOTICE HAS NOT BEEN GIVEN

Rules from Local Government Act 1999 Regulations:-

- * Questions and replies are not entered in the minute book unless expressly required by resolution.
- * No debate shall be allowed on any question or reply to any question.

12. PETITIONS

- 12.1 No Petitions

13. DEPUTATIONS


- 13.1 No Deputations

14. ADJOURN INTO STANDING COMMITTEE

- 14.1 No Agenda for Strategic Planning and Development Policy Committee

15. ADOPTION OF STANDING COMMITTEE RECOMMENDATIONS

- 15.1 No Recommendations

 District Council of Mallaala	16 ITEMS FOR NOTING / INFORMATION / ACTIVITY REPORTS
MONDAY 27 July2015	

Items:


16.1 Items for Information / Noting

16.1.1 Finance Report (CON12/491)

16.1.2 Waste Management Strategy – Fourth Quarter Report (CON12/332)

16.2 Activity Reports

16.2.1 No Activity Reports

		16.1.1 Finance Report
		Container No: CON12/491 Document No: D15/13289
Report Date:	27 July 2015	Prepared by: Finance Co-ordinator
Corporate Objective:	5.5.2 Develop and maintain long term financial planning, management and reporting ensuring resources are provided to deliver services and manage Council's assets.	

Purpose:	To provide Council with an update of Financial Position as at 30 June 2015 including funds and performance against budget:
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Recommendation:	"that Council, having considered Item 12.6.1 - <i>Finance Report</i> , dated 27 July 2015, recommends to Council that it notes and receives the report as at 30 June 2015."
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Impact Summary

Organisational and Governance

Financial	Provision of a total cash balance to enable Council to meet their monthly financial commitments and monitor financial performance.
Legislation	Nil
Risk	Nil
Consultation	Nil
Asset Management Plans	Nil
Service Standards	Nil

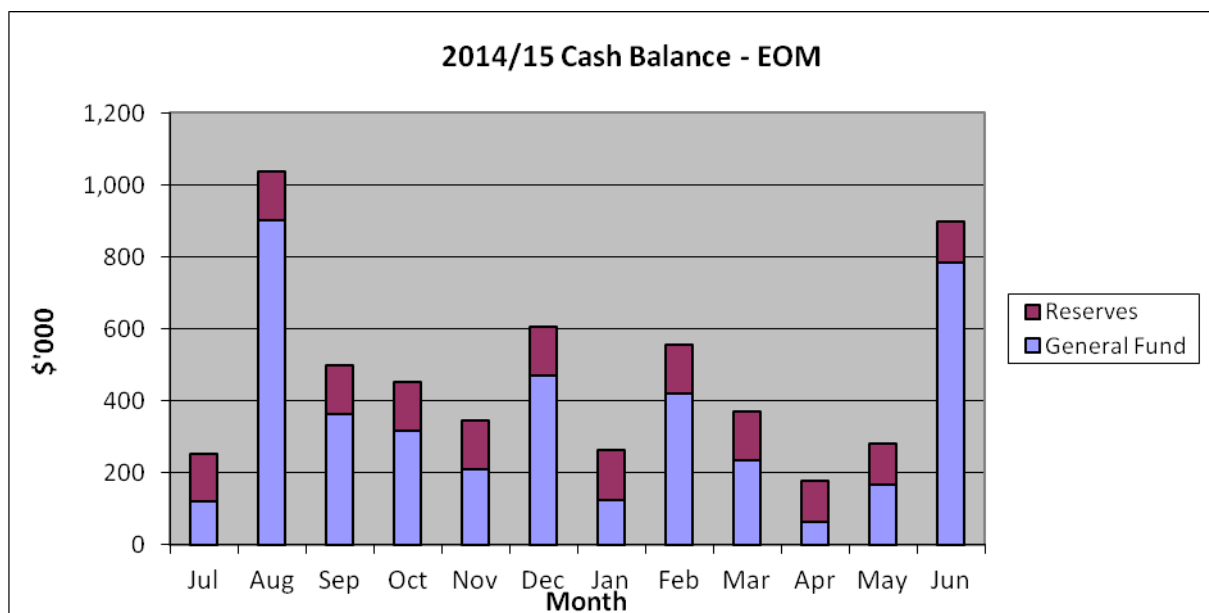
The Bank Reconciliation Statements show the following account balances, inclusive of investments and overdraft, as at 30 June 2015:

	Account	\$ Balance
(1)	District Fund Account	97,241
(1.a)	LGFA 24hr Investment	683,918
	Sub total	\$ 781,159
(2)	Other	<u>114,804</u>
	Sub total	\$ 114,804
TOTAL		\$ 895,963

Note

(1.b)	LGFA Overdraft Debenture 123*	<i>\$(5,000,000)</i>
(1.c)	LGFA Overdraft Debenture 124*	<i>\$ (350,000)</i>

Cash balance at the end of each month:



District Council of Mallala
Capital Work Projects For Period Ending June 2015

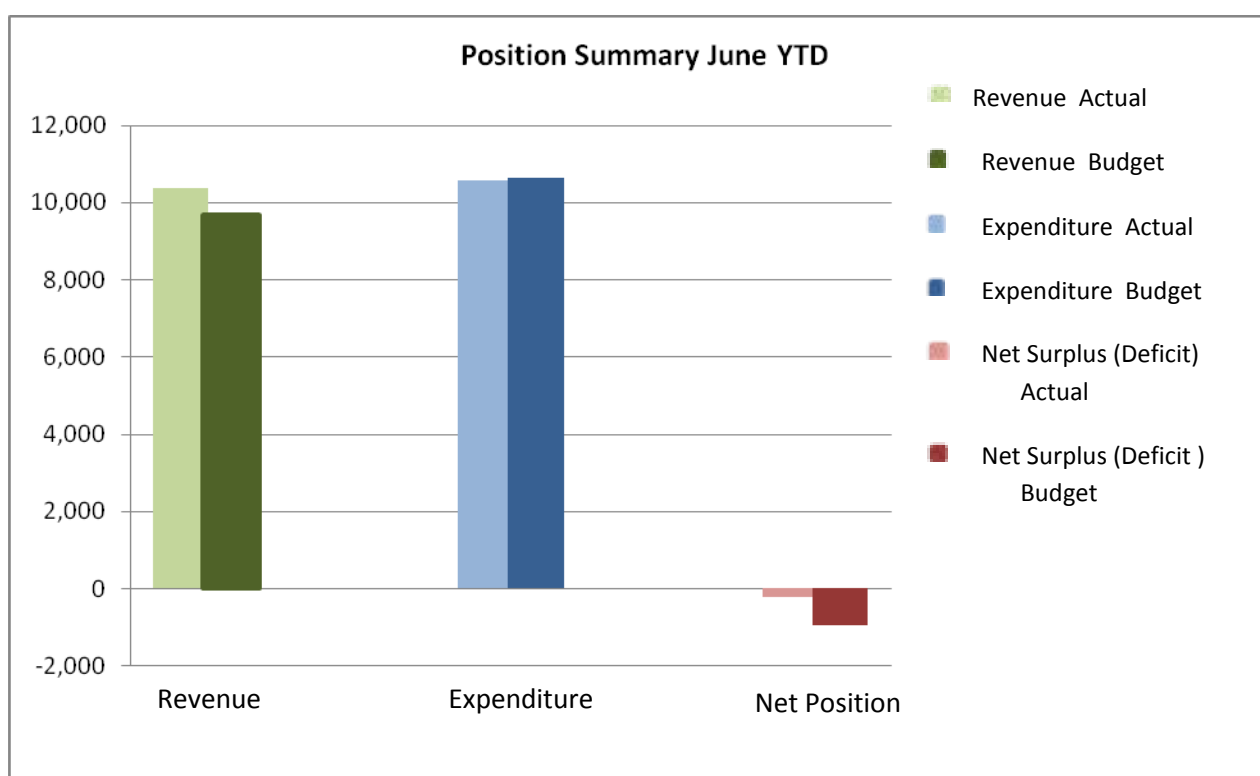
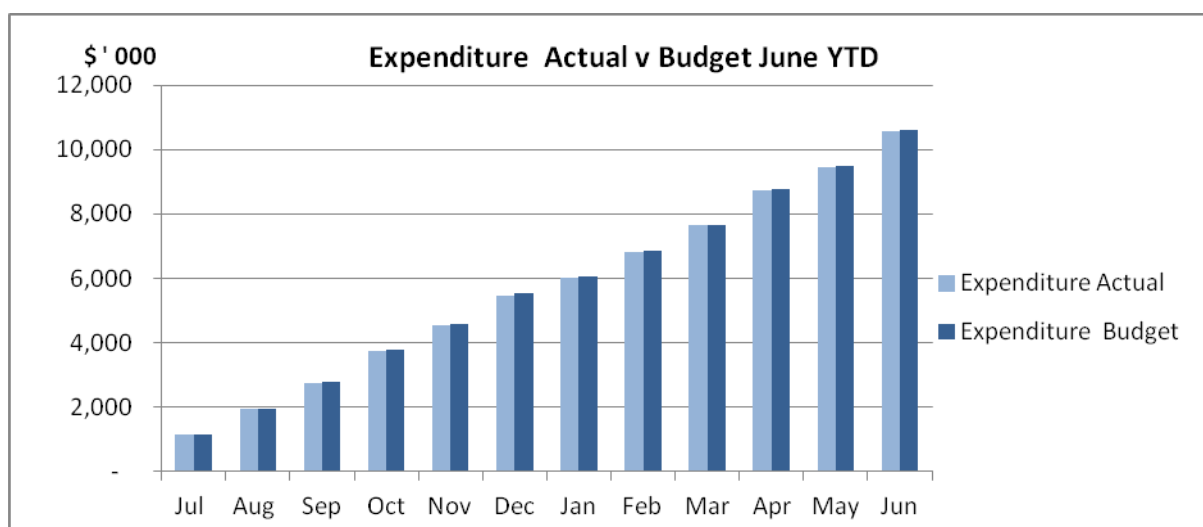
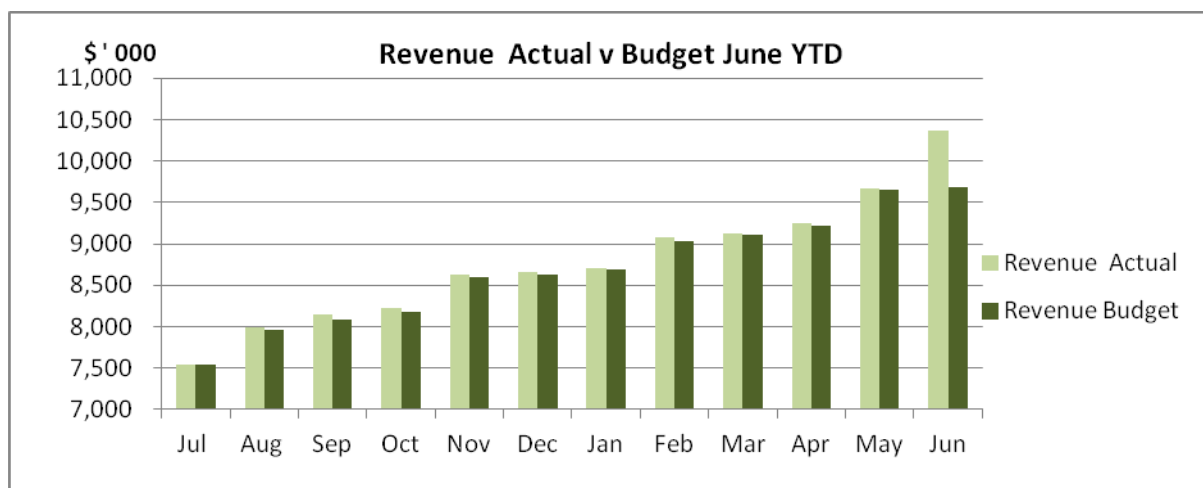
Capital Project	YTD Actuals	Annual Current Budget
Foot Paths	46,668	46,340
Land & Buildings	60,602	95,855
Office & ICT Equipment	33,827	33,425
Minor Capital Projects	94,124	95,776
Plant, Machinery & Vehicles	81,129	70,000
Roads - Arterial Construction	1,169,223	1,169,918
Roads - Sealed	134,944	135,000
Roads - Unsealed Re-sheeting	633,449	547,806
Reserves & Playgrounds	177,643	152,298
Mallala CWMS	2,326,318	2,450,000
Total	4,758,113	4,796,418



District Council of Mallala

Income Statement for Period Ending June 2015

	YTD Actual \$ ' 000	YTD Budget \$ ' 000	YTD Variance \$ ' 000	Original Budget \$ ' 000	Current Budget \$ ' 000
<u>Revenue</u>					
Rates	7,439	7,441	(2)	7,441	7,441
Statutory Charges	406	394	12	361	394
User Charges	87	78	8	72	78
Operating Grants & Subsidies	1,973	1,314	659	1,218	1,314
Investment Income	4	2	2	1	2
Reimbursements	406	404	2	372	404
Other Revenue	53	53	0	39	53
Total Revenue	10,367	9,686	682	9,504	9,686
<u>Expenses</u>					
Employee Costs	4,556	4,553	(3)	4,740	4,553
Materials, contracts & other expenses	3,416	3,456	40	3,915	3,456
Finance Charges	446	450	4	455	450
Depreciation	2,166	2,166	0	2,197	2,166
Total Expenses	10,584	10,625	41	11,308	10,625
NET SURPLUS /(DEFICIT)	(217)	(939)	722	(1,804)	(939)



Full Year Variances Explanations (over \$15,000 or 10% of item budget)


Full year to 30 June 2015

Significant favourable variance \$658,872 Financial Assistance Grant prepayment.

Statutory charges favourable variance \$12,000:- Development Fees \$9,000 and Fines on late rate payment \$3,000

User charges favourable variance \$8,000:- Road Rental Charge not budgeted \$5,500 and additional Waste Bin charges \$2,500

Material, contracts and other expenses \$40,000 favourable variance resulting primarily from higher than expected capital project internal cost recovery for rubble.

		16.1.2 Waste Management Strategy – Fourth Quarter Report
		Container No: CON12/332 Document No: D15/13314
Report Date: 13 July 2015		Prepared by: Team Leader Waste
Corporate Objective:	3.1.1 Deliver waste and recycling collection services 3.1.2 Promote recycling, reuse and minimisation of waste materials to the community and industry 3.1.3 Effectively manage waste disposal and recycling facilities 3.1.4 Investigate the integration of current waste disposal and recycling facilities with existing industry facilities	

Purpose:	To provide progress on the key performance indicators/outcomes in regards to the Waste Management Strategy.
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Recommendation 1:	“that the Council, having considered Item 16.1.2 - <i>Waste Management Strategy – Fourth Quarter Report</i> , dated 27 July 2015, receive the report.”
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Impact Summary

Organisational and Governance	
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Financial	Nil
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Legislation	Nil
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Risk	Nil
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Consultation	Nil
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Asset Management Plans	Nil
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Service Standards	Nil
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Background

The District Council of Mallala Waste Management Strategy incorporates Council's waste management policies, a summary of its current waste management practices, waste assets and infrastructure, issues that have been identified to date, and describes a set of actions that are considered priority responses for an improved waste and recycling service to the Community.

Discussion

The aims of the District Council of Mallala Waste Management Strategy are to:

- provide high quality and environmentally responsible kerbside waste and recycling collection service to the community
- ensure that the community is informed and actively participates in initiatives
- provide environmentally responsible, economic and cost effective waste management services
- ensure that Council operates and manages cost effective and best proactive waste management facilities
- ensure Council provides waste management services and facilities that meet the needs and expectations of the current and future community
- ensure that Council conducts its operations and services in an environmentally sustainable manner.

In order to monitor progress of the strategy, a quarterly progress report for the period ending 30 June 2015 is provided in **Attachment 1**.

Summary

Implementation of the Waste Management Strategy commenced in July 2014. This report provides detail on the implementation for the fourth quarter of 2014-15.






Attachment 1
to report 16.1.2
dated 13 July 2015

Waste Management Strategy – Fourth Quarter Report

WASTE MANAGEMENT STRATEGY 2014-2020

Quarterly Progress Report April – June 2015

Status Indicators


	Withdrawn
	Review
	Urgent Review
	On Schedule
	Completed
	Overdue

GOAL: 1 The District Council of Mallala provides a high quality and environmentally responsible kerbside waste and recycling collection service to the community

OBJECTIVE: 1.1 Provide a kerbside collection service that meets the needs of the community


STRATEGY: 1.1.1 Periodically review the satisfaction level of the kerbside collection service

ACTION: Incorporate waste management services into Council Customer Service assessment

Target Date	% Complete	Status	Comments
30/06/2015	50%		Survey questions drafted. Community Services advised that at this time no community survey is planned, hence action will be carried over into 2015-16 financial year.

STRATEGY: 1.1.2 Periodically review and update the kerbside collection policy and kerbside collection guidelines


ACTION: Annually review of the Kerbside Collection Policy and Kerbside Collection Guideline

Target Date	% Complete	Status	Comments
30/06/2015	85%		Draft kerbside collection guidelines reviewed complete with track changes. Subject to management review and approval. A report will be presented to Council on the new policy and guidelines in 2015-16.

OBJECTIVE: 1.2 Minimise the amount of material sent to landfill via the kerbside collection service


STRATEGY: 1.2.1 Periodically undertake a kerbside waste audit

ACTION: Develop and implement an annual kerbside waste audit program

Target Date	% Complete	Status	Comments
30/06/2016	100%		Auditing of Mallala township and Tangari Estate Two Wells completed. Results were made available December 2014. Three staff members were trained throughout the audit process. Zero Waste has indicated they will provide Council with tags to assist further auditing. Guidelines specific to DCM adapted from zero waste guide lines.


STRATEGY: 1.2.2 Landfill tonnages and recycling statistics are reported on annual basis

ACTION: Maintain a database of landfill tonnages and recycling statistics reported on an annual basis

Target Date	% Complete	Status	Comments
30/06/2015	100%		Statistics collated and presented to Council as part of the monthly activity reports, which will be incorporated as part of Councils Annual Report as required by the Local Government Act 1999.

STRATEGY: 1.2.3 Improve segregation of kerbside waste

ACTION: Develop and distribute fact sheets and bin lid stickers that describe appropriate segregation of kerbside waste


Target Date	% Complete	Status	Comments
30/06/2015	100%		Stickers placed on Recycle and Organics bins, fact sheets placed in letter boxes and under door mats during the bin auditing process. This will be continued during future audits. To be included in proposed audit procedure.

GOAL: 2 The community is informed and actively participate in Council initiatives to provide environmentally responsible, economic grid cost effective waste management services

OBJECTIVE: 2.1 Educate the community and increase awareness to reduce, reuse and recycle waste


STRATEGY: 2.1.1 Increase community awareness throughout the district on waste avoidance

ACTION: Develop and implement an ongoing community education campaign throughout the district emphasising waste avoidance

Target Date	% Complete	Status	Comments
30/06/2015	100%		New calendars for townships supplied by Zero Waste contain an error that needs rectifying prior to making available to residents. The calendars contain clear, readily accessible information for residents. The calendar could also form the basis for councils waste and recycling web page. Will be updated for 2015/16 financial year and distributed before September 2015 (possibly with rates notice) and also placed on council's web site.


STRATEGY: 2.1.2 Increase community awareness on the kerbside collection system, waste minimisation, recycling and composting

ACTION: Develop and implement an awareness and education program that informs the community on the kerbside collection system, waste minimisation, recycling and composting

Target Date	% Complete	Status	Comments
30/06/2015	100%		Recycling presentations have been made at the Mallala Primary school and to the Mallala Lions Club. Manned displays have been set up at local businesses to allow the public the opportunity to discuss recycling and waste avoidance. New calendar design will provide an immediate point of reference for resident on kerbside collection, waste minimisation, recycling and composting. Council's waste officer to present an overview of council waste services and activities to Mallala Probus club.

OBJECTIVE: 2.2 Educate the community to dispose of waste in an environmentally responsible manner**STRATEGY: 2.2.1 Increase awareness on the inappropriate and illegal dumping of waste**

ACTION: Develop and implement an education and awareness program to reduce irresponsible disposal of waste such as illegal dumping.

Target Date	% Complete	Element Status	Comments
30/06/2015	25%		A presentation is being developed to show council service in waste management and includes section on illegal dumping. The presentation to be used with interested groups.

OBJECTIVE: 2.3 The Commercial Sector that operates within the District manages and disposes of waste in an environmentally responsible manner**STRATEGY: 2.3.1 Provide consistent, clear and responsive development assessment and compliance processes that facilitate environmentally responsible management of waste by the business sector that operate within the District**

ACTION: Increase compliance and enforcement of on-site management of waste on business, commercial and industrial premises

Target Date	% Complete	Element Status	Comments
5/06/2015	%		Not started

ACTION: Review provisions in the Development Plan to ensure that all new development provides appropriate on site management of waste

Target Date	% Complete	Element Status	Comments
30/06/2016	%		Scheduled for 2015-2016

STRATEGY: 2.3.2 Work in partnership with the business community to ensure appropriate waste management practices

ACTION: Develop networks and partnership with industry groups to ensure appropriate waste management practices


Target Date	% Complete	Element Status	Comments
30/06/2017	%		Scheduled for 2015-2016

GOAL: 3 The District Council of Mallala operates and manages cost effective and best practice waste management facilities

OBJECTIVE: 3.1 To provide the community with cost effective waste management facilities and services


STRATEGY: 3.1.1 More efficiently manage waste management costs and allow clear and accurate progress reporting on waste management costs

ACTION: Review and amend the method of budgeting used to enable more efficient management and allow clear and accurate progress reporting on waste management costs

Target Date	% Complete	Element Status	Comments
30/06/2015	%		Scheduled to commence in 2015.

STRATEGY: 3.1.2 Improve the mechanism that waste is sorted and transported to landfill to maximise resource recovery and provide the most cost effective management per tonne of material

ACTION: Develop and implement the Mallala Resource Recovery Waste Management Plan , Two Wells Transfer Station Waste Management Plan and the Two Wells Transfer Station Closure Plan

Target Date	% Complete	Element Status	Comments
30/06/2017	50%		An Environment Management Plan for the Two Wells Transfer Station has been approved by the Environment Protection Agency. The audit form to understand the composition of waste being delivered to councils transfer stations is being trialled.

STRATEGY: 3.1.3 Facilitate Hard Waste Salvage Facilities at both Transfer Stations to minimise waste sent to landfill and manage the operations effectively


ACTION: Review and amend the layout and operation of the Two Wells Transfer Station and Mallala Resource Recovery Centre to facilitate the installation of Hard Waste

Target Date	% Complete	Element Status	Comments
5/06/2015	%		Scheduled to commence in 2015-2016


OBJECTIVE: 3.2 To maximise the recovery and subsequent reuse and recycling of materials entering Council Waste Transfer Stations

STRATEGY: 3.2.1 Improve the mechanism that waste are received, sorted and processed at the waste transfer stations


ACTION: Develop and distribute fact sheets to assist residents to segregate waste prior to collection at the waste transfer stations.

Target Date	% Complete	Element Status	Comments
30/06/2015	100%		Signs erected at both Two Wells transfer station and Mallala resource recovery centre informing of cost saving to customer if they have pre sorted or are prepared to their rubbish into the appropriate waste receptacle. Information also included on waste and recycling calendar distributed to households. Prices for dumping of recyclables/organics reflected on web site as being cheaper than standard fees.

ACTION: Install additional signage at the waste transfer stations to assist users to place waste in appropriate containers at the waste transfer station

Target Date	% Complete	Element Status	Comments
30/06/2015	100%		New signs installed at transfer stations. More signs may be required as further steps are taken throughout the implementation of the strategy.


ACTION: Promote incentives such as reduced fees for residents who sort waste prior to drop off at the waste transfer stations

Target Date	% Complete	Element Status	Comments
30/06/2015	100%		Reduced fees are in place for sorted materials to encourage reduce contamination of bins, notices on waste calendars and at transfer stations.


STRATEGY: 3.2.2 Provide cost effective options for residents to dispose of materials that can be reused or recycled**ACTION: Develop and implement a program that provides cost effective options for residents to dispose of materials that can be reused or recycled**

Target Date	% Complete	Element Status	Comments
30/06/2017	%		Scheduled to commence in 2016-2017

OBJECTIVE: 3.3 To maximise appropriate location, management and operation of Council's Waste Transfer Stations**STRATEGY: 3.3.1 Expand services to incorporate other areas such as commercial, construction and demolition waste****ACTION: Explore opportunities to expand services to incorporate other areas such as commercial, construction and demolition waste**

Target Date	% Complete	Element Status	Comments
30/06/2018	%		Scheduled to commence in 2014-2015


STRATEGY: 3.3.2 Provide appropriate waste management services to the Two Wells Township post closure of the Two Wells Transfer Station**ACTION: Explore options for the relocation of the Two Wells Transfer Station.**

Target Date	% Complete	Element Status	Comments
30/06/2016	%		Scheduled to commence in 2014-2015

ACTION: Strategically plan for the closure and relocation of the Two Wells Transfer Station.


Target Date	% Complete	Element Status	Comments
30/06/2018	%		Scheduled for 2017-2018, pending development within the Town Centre.

GOAL: 4 Improved Waste Services that meet the needs and expectations of the current and future community**OBJECTIVE: 4.1 The District Council of Mallala provides waste management services and facilities that meets the needs and expectations of the community****STRATEGY: 4.1.1 Improve waste management services and facilities meet the needs of the community****ACTION: Undertake a community needs analysis of the waste management services and facilities**

Target Date	% Complete	Element Status	Comments
30/06/2018	50%		Proposed to include waste services in Council annual Community survey. Governance and community service officer ask to notify waste services when the next community survey is due to be sent.

STRATEGY: 4.1.2 Investigate the need for a periodic hard waste collection service provide by Council

ACTION: Undertake a community needs analysis for periodic hard waste collection.

Target Date	% Complete	Element Status	Comments
30/06/2015	50%		Questions regarding the need for a hard waste collection have been included in the kerbside survey that is to be included as part of the community survey.

OBJECTIVE: 4.2 To plan for and implement waste management services that meet the needs of a growing community

STRATEGY: 4.2.1 Integrate waste disposal and recycling services and facilities with existing industry facilities

ACTION: Undertake a cost benefit analysis of integrating waste disposal and recycling services and facilities with existing industry facilities

Target Date	% Complete	Element Status	Comments
30/06/2019	%		Scheduled for 2018-2019

STRATEGY: 4.2.2 Investigate future public/private partnerships in providing waste management services and facilities for a growing community

ACTION: Develop networks with the waste industry and seek opportunities to develop partnerships in providing waste management services and facilities for a growing community


Target Date	% Complete	Element Status	Comments
30/06/2017	%		Scheduled for 2016-2017

GOAL: 5 The District Council of Mallala provides environmentally sustainable services and facilities

OBJECTIVE: 5.1 Minimise waste production and maximise recycling and reuse within all Council operations

STRATEGY: 5.1.1 Develop an organisational approach to waste management issues such as waste minimisation and recycling

ACTION: Establish a “Green Team” to address an organisational approach to waste management issues such as waste minimisation and recycling

Target Date	% Complete	Element Status	Comments
30/06/2015	%		Scheduled to commence in 2015

STRATEGY: 5.1.2 Establish effective waste minimisation and recycling systems for all Council operations and Council events

ACTION: Develop an organisation waste management plan

Target Date	% Complete	Element Status	Comments
30/06/2016	%		Scheduled for 2015-2016

ACTION: Develop and review Council policy incorporating areas such as purchasing, office recycling and management of corporate waste.


Target Date	% Complete	Element Status	Comments
30/06/2016	%		Scheduled for 2015-2016


ACTION: Undertake a waste audit of Council operations and Council events.

Target Date	% Complete	Element Status	Comments
30/06/2016	%		Scheduled for 2015-2016

STRATEGY: 5.1.3 Educate all employees in how to appropriately use the recycling systems


ACTION: Develop an in-house program to educate all employees in how to use the recycling systems

Target Date	% Complete	Element Status	Comments
30/06/2015	50%		Presentation being developed for departmental meetings on recycling initiatives.

 District Council of Murrumbidgee	17 ITEMS FOR DECISION
MONDAY 27 July 2015	

Items:

- 17.1 Joy Baluch AM Memorial Statue – Contribution (CON12/569)
- 17.2 Bank Account Signatories (CON12/503)
- 17.3 Wattle Range Council – Coastal Protection Funding (CON12/308)
- 17.4 Annual review of Code of Practice – Meeting Procedures, proposed change to the commencement time for Ordinary Council meetings, and proposal for Ordinary Council Meetings to be held monthly commencing Monday 17 August 2015.(CON12/547)
- 17.5 Notice of pending removal from Council Development Assessment Panel (CON12/547)

	17.3 Wattle Range Council – Coastal Protection Funding
	Container No: CON12/308 Document No:
Report Date: 27 July 2015	Prepared by: Executive Assistant
	1.4.2 Promote and support community arts, historical and cultural facilities and events

Purpose:	To provide information to the elected members in order to consider participating, by providing a formal contribution to the bronzed life-sized memorial sculpture statue in attribute to Joy Baluch AM.
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Recommendation 1:	<p>“that Council having considered Item 17.1 – <i>Joy Baluch AM Memorial Statue - Contribution</i>, dated 27 July 2015, endorses providing a financial contribution to the memorial by:</p> <p>A) donating \$1,000, or</p> <p>B) donating a dollar amount to be decided; or</p> <p>C) directing the Chief Executive Officer to write to Port Augusta City Council, acknowledging the correspondence and declining a contribution to the tribute.”</p>
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Impact Summary

Organisational and Governance

Financial	Costs incurred as per the amount as decided by the Elected members and allocated from Council's operating budget.
Legislation	Nil
Risk	Nil
Consultation	Nil
Asset Management Plans	Nil
Service Standards	Nil

Background

Nancy Joy Baluch "Member of the Order of Australia" AM was an Australian politician who served as Mayor of Port Augusta, South Australia from 1981 to 1993 and from 1995 until her death.

Her term as mayor of 29 years is believed to be an Australian record.

Baluch was born in Port Augusta. She attended Cook and Port Augusta Primary Schools and Port Augusta High School. She worked as head stenographer for the Mechanical Engineering Branch of Commonwealth Railways between 1949 and 1953, and was owner/proprietor of a motel from 1961 to 1981. She was elected to Port Augusta City Council in 1970.

Baluch became involved in local politics after her son, a severe asthmatic, was born and she became a campaigner for improved health services. After becoming mayor in 1981, she led the successful effort to ban drinking in public places in Port Augusta. She also came to public notice when she imposed a night-time curfew on the citizens of the town in order to reduce violence.

Baluch campaigned for solar-thermal technology to replace coal-fired power having lost her husband to a lung cancer attributed to the power stations where he worked (he was a non-smoker). He predeceased her by 16 years.

She died, still the serving mayor, on 14 May 2013 after a long battle with breast cancer. As a public tribute to the late Mayor Joy Baluch AM, a significant and courageous leader for Port Augusta for more than 40 years, a bronzed sculpture has been commissioned.

The sculpture will take pride of place in Gladstone Square and is expected to take about 12 months to complete. Well renowned sculptor Linda Klarfeld has been commissioned to create the piece that will capture the spirit of the late Mayor. Her works include bronzed statues of the late Dr Victor Chang, Cricketer Keith Miller, and Saint Mary Mackillop.

Discussion

The broader community is invited to be a part of the project by providing contributions towards the cost of the sculpture. Mayor Sam Johnston of Port Augusta City Council has contacted all councils by email, and requested that the invitation be extended to Council for consideration (**Attachment 1**).

A fundraising group led by Anne Kroes and Graham Baker, has been established to raise money towards the cost of the sculpture, which will cost \$120,000 plus installation costs.

More details are included in Port Augusta City Council's press release: Statue to honour the late Joy Baluch AM (**Attachment 2**). Port Augusta City Council will provide a weekly update of the funds raised on the council website www.portaugusta.sa.gov.au

Recognition of contributions will be in the form of an engraved paver to be located adjacent the statue. Eligibility for a paver will relate to the following contributions:

- Individuals \$500
- Local Businesses \$500
- Councils \$1,000

Attachment 1
to report 17.1
dated 27 July 2015

Joy Baluch AM Memorial Statue – Contribution

From: Melanie Jenkins [<mailto:MJenkins@portaugusta.sa.gov.au>]

Sent: Monday, 20 July 2015 10:17 AM

To: city@adelaidecitycouncil.com; mail@ahc.sa.gov.au; alex@alexandrina.sa.gov.au; fmapy@anangu.com.au; barossa@barossa.sa.gov.au; barunga@barungawest.sa.gov.au; records@berribarmera.sa.gov.au; cityof@campbelltown.sa.gov.au; council@ceduna.sa.gov.au; council@charlessturt.sa.gov.au; admin@cgvc.sa.gov.au; council@cleve.sa.gov.au; dccp@cpccouncil.sa.gov.au; council@coorong.sa.gov.au; info@coppercoast.sa.gov.au; dce@elliston.sa.gov.au; council@frc.sa.gov.au; council@franklinharbour.sa.gov.au; council@gawler.sa.gov.au; council@goyder.sa.gov.au; info@dcgrant.sa.gov.au; mail@holdfast.sa.gov.au; kicouncil@kicouncil.sa.gov.au; council@dckem.sa.gov.au; council@kimba.sa.gov.au; info@kingstondc.sa.gov.au; light@light.sa.gov.au; mail@dclep.sa.gov.au; council@loxtonwaikerie.sa.gov.au; Info; council@marion.sa.gov.au; postbox@mid-murray.sa.gov.au; mitcham@mitchamcouncil.sa.gov.au; council@dcmtbarker.sa.gov.au; City Emails; postmaster@mtr.sa.gov.au; j.daniels@rcmb.sa.gov.au; council@nlc.sa.gov.au; ceo@nacouncil.sa.gov.au; townhall@npsp.sa.gov.au; mail@onkaparinga.sa.gov.au; karen.freeman@orraroo.sa.gov.au; council@peterborough.sa.gov.au; playford@playford.sa.gov.au; customer.service@portenf.sa.gov.au; Admin; plcc@plcc.sa.gov.au; council@pirie.sa.gov.au; admin@prospect.sa.gov.au; council@renmarkparinga.sa.gov.au; council@robe.sa.gov.au; roxby@roxbycouncil.com.au; city@salisbury.sa.gov.au; council@southernmallee.sa.gov.au; dcstreaky@streakybay.sa.gov.au; office@tatiara.sa.gov.au; cttg@cttg.sa.gov.au; dctumby@tummybay.sa.gov.au; pobox1@unley.sa.gov.au; localgov@victor.sa.gov.au; admin@wakefieldrc.sa.gov.au; walkerville@walkerville.sa.gov.au; council@wattlerange.sa.gov.au; csu@wtcc.sa.gov.au; council@whyalla.sa.gov.au; admin@wudinna.sa.gov.au; council@yankalilla.sa.gov.au; admin@yorke.sa.gov.au

Subject: Joy Baluch AM Memorial Statue - Contribution

Dear Mayor/CEO

The Port Augusta City Council is inviting individuals and Councils to pay tribute to the late Mayor Joy Baluch AM, by contributing to a bronzed life-sized sculptured statue. Linda Klarfeld has been commissioned to create the sculpture which will be located in the Port Augusta City Centre, in Gladstone Square facing the Council Chambers. The community has been actively involved in fundraising towards the memorial statue.

It would be appreciated if you could extend this invitation to your Council for consideration.

Attached is a flyer containing further information and details outlining how a donation can be made. (Please feel free to forward this email onto your networks).

Mayor Sam Johnson

Per:

Melanie Jenkins | Executive Assistant

Office of the Chief Executive Officer & Mayor



E mjenkins@portaugusta.sa.gov.au | **P** 08 8641 9144 | **F** 08 8641 0357

Civic Centre, 4 Mackay Street (PO Box 1704) Port Augusta SA 5700

www.portaugusta.sa.gov.au

Attachment 2
to report 17.1
dated 27 July 2015

Joy Baluch AM Memorial Statue - Contribution

The Joy Baluch AM

Contribute Towards Memorial Statue



The late Mayor Joy Baluch AM was a determined and passionate leader, who spearheaded social change. Mrs Baluch was a role model for women, proving women can be successful in Local Government. A pioneer of the industry, she joined Local Government when it was dominated by men. She also ran numerous successful businesses during her time as a Councillor and Mayor and was a mother and grandmother. Over four decades she left her mark on Local Government and served on numerous committees and boards, including member and President of the Local Government Association of SA, Chair of the Provincial Cities Association, Chair of the Upper Spencer Gulf Common Purpose Group and Vice President of the Australian Local Government Women's Association SA Branch.

She was a fierce adversary who fought strongly for her city of Port Augusta, the Spencer Gulf, the State's provincial cities and local government generally. Mayor for 29 years, Mrs Baluch was widely respected due to her straight talking manner, strong will, and compassion. Her sense of humour, down-to-earth manner and colourful vocabulary made her well-liked.

As a tribute to Mayor Baluch AM, a bronzed statue will be located in the Port Augusta City Centre, in the park facing the Council Chamber where she presided for almost three decades. The community is fundraising towards the memorial statue.

How to Contribute

Port Augusta City Council is inviting individuals and Councils to pay tribute to the late Mayor by contributing to the bronzed statue. Councils making a substantial contribution will be recognised at the statue site.

Donations can be made by cheque to:

Joy Baluch AM Statue | Port Augusta City Council
PO Box 1704 Port Augusta, SA, 5700



Or by Visa or Mastercard through Council's website at **PortAugusta**
www.portaugusta.sa.gov.au and clicking on the photo link. **CITY COUNCIL**


About the Artist

Linda Klarfeld is one of Australia's best known figurative bronze sculptors. She has been commissioned to create the Sculpture of the late Mayor Joy Baluch AM that captures her spirit of being a true people's person. Ms Klarfeld's works include bronzed statues of the late Dr Victor Chang, Cricketer Keith Miller, and Saint Mary Mackillop. The life-sized sculpture will feature the impeccably dressed Late Mayor seated at a table setting with an empty chair beside her. People will be able to sit at the table and reflect on her public life and the important role she played in Local Government.



**Clay model in the studio,
ready for bronzing.**
27 July 2015

"centre of the universe..."
Ordinary Council Meeting Page 64 of 107
~ Joy Baluch AM

		17.2 Bank Account Signatories
		Container No: CON12/503 Document No: D15/11327
Report Date:	27 July 2015	Prepared by: Finance Officer
Corporate Objective:	5.4 Effective financial management that ensures Council's financial sustainability.	

Purpose:	To notify Council of the proposed changes to signatories on Council bank accounts.
-----------------	--

Recommendation 1:	"that the Council, having considered Item 17.2 – <i>Bank Account Signatories</i> , dated 27 July 2015, receive and note the report."
Recommendation 2:	"that the Council having considered Item 17.2 - <i>Bank Account Signatories</i> , dated 27 July 2015, recommends that Gary Robert Mavrinac and Peter Jeffery Sellar be removed as authorised signatories to all Council Trading Bank Accounts, and authorises Council staff to finalise the administrative requirements associated."

Impact Summary

Organisational and Governance

Financial	Assist in maintaining security and control of Council's bank accounts.
Legislation	Internal Controls and <i>Local Government Act 1999</i> .
Risk	Reduce the risk of misappropriation of Council's funds.
Consultation	Nil.
Asset Management Plans	Nil.
Service Standards	Removal of signatories to ensure the integrity of the financial resources of Council.

Background


The recent departure of the General Manager Infrastructure and Planning, and the General Manager of Corporate and Community Services in July 2015, has resulted in the requirement of the banking authorities to be updated to reflect their removal.

Discussion

Gary Robert Mavrinac, General Manager Infrastructure and Planning ceased employment with Council effective 10 July 2015 and Peter Jeffery Sellar, General Manager of Corporate and Community Services on extended leave until 28 August 2015 upon which he will cease employment has resulted in the requirement for both employees to be removed as Council.

Summary

Approval is required to remove bank account signatories to maintain the integrity regarding access to Council's financial resources.

		17.3 Wattle Range Council – Coastal Protection Funding
		Container No: CON12/308 Document No: D15/13443
Report Date:	27 July 2015	Prepared by: Executive Assistant
Corporate Objective:	4.1.3 Establish and implement plans for sustainable coastal land use and conservation of ecosystems	

Purpose:	To inform Elected Members of a request from the Wattle Range Council to provide a formal letter of support to the SA Local Government Association (LGA), for the purposes of lobbying the government for additional significant funding to assist with Coastal Protection.
-----------------	--

Recommendation:	<p>“that Council having considered Item 17.3 – <i>Wattle Range Council – Coastal Protection Funding</i>, dated 27 July 2015, responds to Wattle Range Council by:</p> <p><u>Option 1</u></p> <p>directing the Chief Executive Officer to write to SA Local Government Association (LGA), requesting that the LGA lobby government on behalf of Councils for additional significant funding to assist with Coastal Protection;</p> <p>or,</p> <p><u>Option 2</u></p> <p>directing the Chief Executive Officer to write to Wattle Range Council to advise that The District Council of Mallala will not be in support.”</p>
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Impact Summary

Organisational and Governance	
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Financial	Nil
Legislation	Nil
Risk	Nil
Consultation	Nil
Asset Management Plans	Nil
Service Standards	Nil

Background

Wattle Range Council is in the Limestone Coast of South Australia (**Attachment 1**), and is one of the most economically diverse Local Government regions in South Australia.

With a population of approximately 12,500 people, the Council - formed through a merger in 1997 between the District Councils of Beachport, Penola and Millicent - stretching from the sea to the border.

At the Wattle Range Council meeting held 14 April 2015 a resolution was made:

“Cr Brown move that Council write to all South Australian rural coastal Councils asking that they write to the SA Local Government Association (LGA) supporting Wattle Range Council’s request that the LGA lobby government on behalf of Councils for additional significant funding to assist Councils deal with coastal protection.

Cr Dunnicliff seconded. CARRIED”

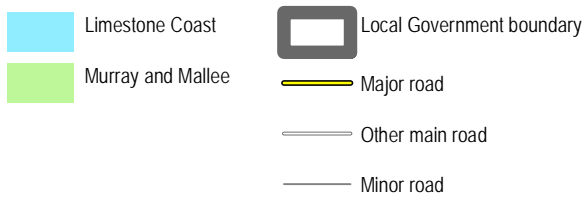
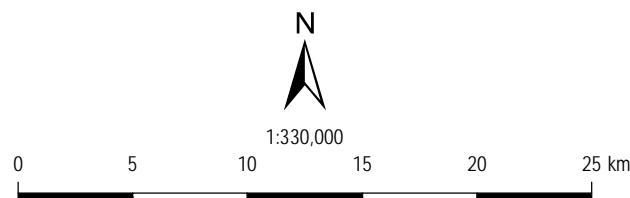
Discussion

Wattle Range Council Chief Executive Officer, Peter Harriott, has contacted Councils identified as having coastal protection as an area within their region (**Attachment 2**).

Attachment 1
to report 17.3
dated 27 July 2015

Wattle Range Council – Coastal Protection Funding

Limestone Coast South Australian Government Regions



Produced by Department of Planning and Local Government
GPO Box 1815 Adelaide SA 5001
www.dplg.sa.gov.au
Data Source Local governments and roads supplied by
Department for Transport, Energy and Infrastructure.
Projection Lambert Conformal Conic
Compiled November 2010

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Government of South Australia
Department of Planning
and Local Government

SPMR ID: 2137

Attachment 2
to report 17.3
dated 27 July 2015

Wattle Range Council – Coastal Protection Funding



Wattle Range
COUNCIL

PO Box 27, Millicent SA 5280
www.wattlerange.sa.gov.au

Our Ref: 9.24.1/6
coulet rural coast cls re coast protection 230615

24 June 2015

Mr Peter Sellar
District Council of Mallala
PO Box 18
MALLALA SA 5502

Dear Peter

Coastal Protection Funding

At Council's meeting held 14 April the following resolution was made:

"Cr Brown moved that Council write to all South Australian rural coastal Councils asking that they write to the SA Local Government Association (LGA) supporting Wattle Range Council's request that the LGA lobby government on behalf of Councils for additional significant funding to assist Councils deal with coastal protection.

Cr Dunnicliff seconded. CARRIED"

Our Council is concerned about the rising sea levels and cost of coastal protection and care.

The Wattle Range Council has a considerable length of coastline and increasing winter storm surges, rising sea levels and limited local resources all contribute to deteriorating coastlines and infrastructure such as groynes, beach access and boat ramps.

This deterioration is largely a climate change matter which cannot be dealt with just on a local basis. The Wattle Range Council calls for State Government Assistance in the form of increased funding for coastal protection works.

Good work is underway in producing Regional climate change adaption strategies and the Wattle Range Council has its own Climate Change Adaptation Report from 2009.

Whilst managed retreat has been practised in the Wattle Range Area, this technique is only suitable in some locations such as the Southend Caravan Park, where cabins have been permanently removed.

Other areas such as the Beachport Jetty Foreshore area are too developed to do this and physical works are required such as wave attenuation structures.

The Salmon Hole area of Beachport is susceptible to blowing out the primary dune which would then infiltrate a section of the township.

Council is about to undertake a study of this area, however it is obvious that significant assistance is required.

I am sure that this is not an uncommon set of circumstance and that other Coastal councils are in a similar predicament.


Therefore the Wattle Range Council is asking that your Council support our campaign to have the LGA lobby the State Government for a specific stream of funding for Rural Coastal Councils to manage coastal erosion.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'P. Harriott', is written over a horizontal line.

Peter Harriott
CHIEF EXECUTIVE OFFICER

Telephone: (08) 8733 0900
Email: pah@wattlerange.sa.gov.au

		17.4 Annual review of Code of Practice – Meeting Procedures, proposed change to the commencement time for Ordinary Council meetings, and proposal for Ordinary Council Meetings to be held monthly commencing Monday 17 August 2015.
		Container No: CON 12/573 Document No: D15/13457
Report Date: 27 July 2015		Prepared by: Chief Executive Officer
Corporate Objective:	5.1.2 Strengthen the governance role and teamwork of Councillors through induction, training and development	

Purpose:	To provide information and seek endorsement of the attached revised Code of Practice – Meeting Procedures, new commencement time of 5.30pm for Ordinary Council meetings and proposal for Ordinary Council Meetings to be scheduled to be held monthly on the third Monday of the each month commencing Monday 17 August 2015 until further notice.
-----------------	---

Recommendation 1:	<p>“that Council, having considered Item 17.4 – <i>Review of Code of Practice – Meeting Procedures and Meeting Schedule</i>, dated 27 July 2015:</p> <ol style="list-style-type: none"> 1. adopt the revised Code of Practice – Meeting Procedures (Attachment A); and 2. Change the commencement time of the Ordinary Council meetings to 5.30pm; and 3. Endorse a monthly schedule of Ordinary Council meetings to be held on the third Monday of each month commencing Monday 17th August 2015 until further notice.”
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Recommendation 2:	“that Council, having considered Item 17.4 – <i>Review of Code of Practice – Meeting Procedures and Meeting Schedule</i> , dated 27 July 2015, endorses the proposed changes subject to amendment.”
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Impact Summary

Organisational and Governance	
Financial	
Legislation	Compliance with Section 6 Principal Role of the Council and Chapter 6, Part 1 & 2 of the <i>Local Government Act 1999</i> . Acknowledgement of Guiding Principles per Regulation 4 <i>Local Government (Procedures at Meetings) Regulations 2013</i> .
Risk	Poor decision making and process, exposing Council to civil action, reduction in Community confidence and financial loss.
Consultation	Nil
Asset Management Plans	Nil
Service Standards	Service standards will benefit from the administrative burden of fortnightly Ordinary meetings being lifted, enabling more thorough and effective reporting to Council on a monthly basis.

Background

The Council is bound to undertake meetings in accordance with the *Local Government Act 1999 (the Act)* and *Local Government (Procedures at Meetings) Regulations 2013 (the Regulations)*.

There exists further provisions to enable Councils to adopt, by resolution of at least two-thirds of the members, to determine a code of practice as outlined at Clause 86(8) and Regulation 6 of the above governing documents.

On 23 June 2014 Council resolved (2014/300) to adopt the current Code of Practice – Meeting Procedures.

It is recommended that Council review its Meeting Procedures annually, and this review is provided to Council for consideration.

Discussion

Meeting Procedures

The Act and *Regulations* support the ability to vary specific regulations as Council consider appropriate.

The attached Code of Practice has been changed (tracked) with minor corrections, and with the additions, removals and edits as follows to the respective clauses:

6. Commencement of Meetings and Quorums – change to hours

(6) Council and committee meetings outlined in Part 2 Clause 6, will be adjourned if, where the items listed on the agenda are not considered by Council / committee within three (3) hours of meeting commencement.

9. Public Open Forum – provide opportunity

5) Where the Presiding Member of the meeting considers it appropriate, a response or update on the issue raised may be requested from the CEO or delegate, to be provided as soon as practicable.

14. Amendments to Motions - ADDITION

(1) A member may only speak once to an amendment to the 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.

(2) For the avoidance of doubt:

- (a) any member (including the mover and seconder of the original motion and any other person who has spoken to the original motion at an earlier stage) is entitled to speak to the amendment and, in doing so, is not taken to have spoken to the original motion; and*
- (b) clause 14(4) does not prevent a member from speaking to any further amendment to the original motion.*

17. Addresses by Members, etc. - REMOVAL

- (9) All members and employees must stand when addressing the Council meeting. This requirement does not apply to Committee meetings.*
- (10) The Presiding Member while chairing the meeting is not required to stand unless they are contributing to the debate.*
- (12) A member may seek leave of the meeting to remain seated while addressing the meeting.*

Commencement time for Ordinary Council Meetings

It is considered that the commencement time of 7pm is quite late and that other Councils commence meetings much earlier. This shortens the length of time Administrative staff have to attend, and the costs associated with that attendance.

Further, Council meetings can continue until very late, further affecting staff performance and start times the day after the meeting.

Monthly Ordinary Council Meeting Schedule

A fortnightly Council meeting schedule is very difficult to administer and not ideal for thorough and accurate reporting from Administration to Council. Monthly meetings enable Administration to provide reports to Council that are considered, well researched and well written in order to provide elected members with the best information and advice to make the best informed decisions.

Monthly meetings will also provide the time and flexibility for briefings and workshops to be scheduled on the 'off fortnight'. This means that Council agendas will be free of lengthy presentations and briefings which do not require specific decision making. Of course on occasion due to timing there will be briefings and presentations scheduled at Ordinary meetings, but they will be much more manageable.

Summary


The CEO and Governance Officer have conducted an annual review of the Code of Practice- Meeting Procedures and recommend changes to Council as per Attachment A. The adoption of the Code will assist members of Council and the community in understanding the legislative requirements surrounding meetings and the expected conduct of such meetings, including Section 41 Committees. Following ratification of this revised Code of Practice – Meeting Procedures members of Council’s Section 41 Committee’s will be formally advised of the new Code of Practice.

The CEO is requesting that Members consider changes to the commencement time and frequency of Ordinary Council meetings, to 5.30pm on the third Monday of each month, commencing Monday 17 August 2015.

It should be noted that the December 2015 meeting would be scheduled for Monday 14 December, given the impending Christmas break and an extra Monday in November, in order to ensure a quorum for that meeting.

Attachment 1
to report 17.4
dated 27 July 2015

Annual review of Code of Practice – Meeting Procedures, proposed change to the commencement time for Ordinary Council meetings, and proposal for Ordinary Council Meetings to be held monthly commencing Monday 17 August 2015.

	Code of Practice – Meeting Procedures	
	Version Adoption by Council: 2014 5 Resolution Number: 2014 5 / 300 xxx Current Version: V6. 23	
	Administered by: Chief Executive Officer	Last Review Date: 2014 5 Next Review Date: 201 5 6
TRIM CON: 12/573	Strategic Outcome 5.1: Effective governance, leadership and teamwork.	

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Introduction

The District Council of Mallala is committed to the principle of honest, open and accountable government and encourages community participation in the business of Council.

Sections 86(8) and 89(1) of the Local Government Act 1999 (the Act) provides that meetings of Council or a Council Committee will be conducted according to this Code of Practice – Meeting Procedures (the Code):

- Prescribed by the *Act*;
- Prescribed by *Regulation*; and
- Insofar as this Code is not prescribed by either the *Act* or *Regulations* – as determined by the Council; and
- In relation to Committee meetings, insofar as this Code is not prescribed by the *Act* or *Regulations*, or determined by the Council – as determined by the Council Committee itself.

Part 2 of the *Local Government (Procedures at Meetings) Regulations 2013* specifies certain procedures to be followed during the operation of Council and certain Council Committee meetings. These meetings include:

- Ordinary meetings of Council;
- Meetings of a Council Committee performing regulatory activities; and
- Meetings of any other Council Committee to which the Council has resolved Part 2 will apply.

These *Regulations* provide that Council may develop and adopt a Code of Practice (The Code) for its own meetings of Council and its Committees that varies certain of these provisions.

The Code adopted by Council that are variations of the *Act* and *Regulations*, or concern matters on which the *Act* and *Regulations* are silent, have been inserted in *italics* and bold **like this**, in this Code of Practice to enable them to be read in conjunction with the formal requirements of the *Act* and *Regulations*. Further, the terms '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.

This Code of Practice will be available to the public to assist their understanding of the procedures associated with the operation of both Council and Council Committee meetings of the District Council of Mallala.

Note: Electronic version in TRIM is the controlled version. Printed copies are considered uncontrolled.
Before using a printed copy, verify that it is the current version.

Part 1 – Preliminary

1. Citation

1.

This Code may be cited as the Code of Practice - Meeting Procedures.

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2. Interpretation

2.

(1) In this Code, unless the contrary intention appears:

(a) **Act** means the *Local Government Act 1999*;

(b) **clear days** see sub-clause (2) & (3);

(c) **deputation** means a person or group of persons who wish to appear personally before the Council or Council committee in order to address the council or committee (as the case may be) on a particular matter;

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(d) **formal motion** means a motion:

- (i) that the meeting proceed to the next business; or
- (ii) that the question be put; or
- (iii) that the question lie on the table; or
- (iv) that the question be adjourned; or
- (v) that the meeting be adjourned¹;

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¹ See Clause 152 for specific provisions about formal motions.

(e) **guiding principles** see Clause 53;

(f) **member** means a member of the Council or Council committee (as the case may be);

(g) **point of order** means a point raised to draw attention to an alleged breach of the *Act* or this Code of Practice in relation to the proceedings of a meeting;

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(h) **presiding member** means the person who is the **Presiding Member** of the Council or Council committee (as the case may be) and includes any person who is presiding at a particular meeting;

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(i) **regulatory function** means an activity which involves the making or enforcement of by-laws, orders, standards or other controls under the *Act*.

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(j) **written notice** includes a notice given in a manner or form determined by the Council which includes *either legibly hand written or typed and either in paper or electronic form*.

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(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 into account.

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

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(4) For the purpose of this Code, a vote on whether **leave of the meeting** is granted may be conducted by a show of hands (but nothing in this sub-clause prevents a division from being called in relation to the vote).

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53. Guiding Principles

The following principles (**Guiding Principles**) should be applied with respect to the procedures to be observed at a meeting of the 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-makers confidence in the deliberations undertaken at the meeting.

Part 2 – Meetings of Council and Key Committees

Division 1 - Preliminary

64. Application of Part

- (1) The provisions of this Part apply to, or in relation to:
 - (a) the meetings of the Council; and
 - (b) the meetings of a Council committee performing regulatory activities;
the meetings of:
 - (i) Audit Committee; and*
 - (ii) CEO Performance Appraisal Committee*
 - (c) the meetings of any other Council committee if the Council has, by resolution, determined that this Part should apply to that committee.
- (2) *Where there is any doubt as to whether a committee performs regulatory activities, the Chief Executive Officer (CEO) will make a final determination on the matter.*

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75. 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) Council should, at least once in every financial year, review the operation of this Code under this clause.

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- (3) 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) 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 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.
- (7) Clause 15(4) does not apply to a motion under sub-clause (3).
- (8) This clause does not limit or derogate from the operation of Clause 25.

Division 2 – Prescribed Procedures

86. 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 CEO indicates that a quorum will not be present at a meeting, the CEO may adjourn the meeting to a specified day and time.
- (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~~ **Presiding Member** or, in the absence of a ~~presiding member~~ **Presiding Member**, the CEO, will adjourn the meeting to a specified day and time.
- (4) If a meeting is adjourned for want of a quorum, the CEO will record in the minutes 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 CEO 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; and
 - (c) *where such notice is to be given, notices will be placed on Council's website, its Principal Office and the Two Wells Service Centre.*
- (6) *Council and committee meetings outlined in Part 2 Clause 6, will be adjourned if, where the items listed on the agenda are not considered by Council / committee ~~by~~*

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~~10.30pm, within three (3) hours the option of an additional 30 minute curfew of meeting commencement.~~

97. 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~~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 amendment 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 *subsection (2) of Section 90 of the Act* (see *subsection (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.

10. Meeting Protocol

NA

118. Questions

Comment [J1]: Thoughts on change to meeting frequency

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- (1) A member may ask a question on notice by giving the CEO written notice of the question at least five (5) 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 CEO must ensure that the question is placed on the agenda for the meeting at which the question is to be asked;
 - (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.
- (4) The ~~presiding member~~ 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) *A motion under Clause 44(5) must be made prior to the question without notice and reply being made.*
- (7) The ~~presiding member~~ Presiding Member may rule that a question with or without notice not be answered if the ~~presiding member~~ Presiding Member considers that the question is vague, irrelevant, insulting or improper.

Comment [J2]: Refer cl. 8(7) not reqd to provide answer in agenda; doing so undermines that clause

Comment [J3]: Cl. 8(2)(b) Ques. is already answered via Agenda

129. Public Open Forum

- (1) *To facilitate the holding of the Public Open Forum the Council will apply Clause 25 (Short Term Suspension of Proceedings) of these procedures for a period of up to 30 minutes (or less depending on public requests) at the conclusion of accepting Minutes and considering any Business Arising on each agenda of an Ordinary Council Meeting.*

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to provide an opportunity for members of the public to raise issues for Council's consideration.

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- (2) *A maximum of five (5) minutes per representative will apply. The ~~presiding member~~ Presiding Member may allow for an extension of time if appropriate.*
- (3) *The ~~Presiding Member~~ Presiding Member will introduce the Public Open Forum by providing community members present an overview of the process to be followed during Public Open Forum.*
- (4) *In introducing the Public Open Forum the ~~Presiding Member~~ Presiding Member will note the following in relation to the Public Open Forum:*

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- That the community member provides their name and town/location details,
- Time allowed as per ~~section 12 clause 9(2)~~,
- All questions need to be addressed to the ~~Presiding Member~~Presiding Member and no discussion and/or debate will occur between the community member and individual Council Members,
- The representation must focus on the issue of concern and not about individual Council Members or staff,
- Council Members are able to ask questions of the public through the ~~Presiding Member~~Presiding Member.

(5) Where the Presiding Member of the meeting considers it appropriate, a response or update on the issue raised may be ~~provided requested from to the representative by the CEO or the relevant General Manager~~delegate, to be provided as soon as practicable.

130. Petitions

(1) ~~(1)~~ A petition to the council must:

- be legibly written or typed or printed; and
- clearly set out the request or submission of the petitioners; and
- include the name and address of each person who signed or endorsed the petition; and
- be addressed to the council and delivered to the principal office of the council.

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~~(5)(2)~~ If a petition is received under sub-clause (1), the CEO must ensure 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, is so provided by a policy of the Council, a committee of the Council, *and that a copy of the full petition is provided to Council Members on request.*

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~~(6)(3)~~ Sub-clause (2) may be varied at the discretion of the council pursuant to *Clause 7 of the Local Government (Procedures at Meetings) Regulations 2013.*

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114. Deputations

(1) A person or persons wishing to appear as a deputation at a meeting must deliver (to the ~~principle~~principal office of the Council) a written request to the council *by 5.00pm on the day of the meeting, if the deputation relates to a matter of business on the Agenda.*

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(2) 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 (5) days prior to the day on which the meeting is scheduled.¹.

~~¹ This will enable staff to liaise with the appropriate Presiding Member, prior to distribution of the agenda for the meeting. A notation should appear on the agenda for the meeting in relation to the deputation.~~

(3) The CEO must transmit a request received under sub-clause (1) & (2) to the presiding member.

(4) The presiding member may refuse to allow the deputation to appear at a meeting *or may offer those requesting a deputation the opportunity to appear at a relevant Committee.*

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

(6) 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).

(7) The Council or Council committee may resolve to allow a deputation to appear despite a contrary ruling by the presiding member.

~~(8)~~

~~(9) A Council may refer the hearing of a deputation to a Council committee.~~

~~(10)~~⁽⁸⁾ A person or persons appearing as a deputation will be allowed to speak on an issue for a maximum of ten (10) minutes. The Presiding Member may allow for additional time or speakers.

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~~15~~ Council Meetings – Call Over of Items of Business

Each item on the meeting agenda will be considered separately with Council considering each recommendation made in such reports.

13. Motions

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

¹ *This will enable staff to liaise with the appropriate Presiding Member, prior to distribution of the agenda for the meeting. A notation should appear on the agenda for the meeting in relation to the deputation.*

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- (2) The notice of motion must be given to the CEO at least five (5) clear days before the date of the meeting at which the motion is to be moved.
 - (3) A motion to the effect of which, if carried, would be to revoke or amend a resolution passed since the last general 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 twelve (12) months; or
 - (b) until after the next general election;whichever is the sooner.
 - (5) Subject to the *Act* and this Code, 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 a motion will speak to the motion at the time of moving the motion:
 - (a) ***A member seconding a motion may elect to either speak to the motion at the time of seconding or may reserve their right to speak to the motion until a later stage of the debate. Where a member seconds a motion and reserves their right to speak to it, they will not be considered to have spoken to 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) ***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)(a), may not move or second an amendment to the motion,***
 - (b) ***Wherever practicable, members wishing to move a motion without notice in relation to an item that is different from that recommended in the agenda for that item are encouraged to make available a written copy of their motion to***

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assist the Presiding Member in the conduct of the meeting and in the subsequent preparation of the minutes of the meeting.

- (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 without 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 (i.e. a motion to the same effect) cannot be put until at least one (1) 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 CEO 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.
- (19) Sub-Clauses (9, 10 ~~and~~ 11) may be varied at the discretion of the Council pursuant to Clause 7 of the *Local Government (Procedures at Meetings) Regulations 2013*.

164. Amendments to Motions

- (1) A member who has not spoken to a motion at an 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) A member may only speak once to an amendment to the 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.

(3) — For the avoidance of doubt:

(5)

- (a) any member (including the mover and seconder of the original motion and any other person who has spoken to the original motion at an earlier stage) is entitled to speak to the amendment and, in doing so, is not taken to have spoken to the original motion; and
- (b) clause 14(4) does not prevent a member from speaking to any further amendment to the original motion.

~~(4)(6)~~ If an amendment is lost, only one (1) further amendment may be moved to the original motion.

~~(5)(7)~~ If an amendment is carried, only one (1) further amendment may be moved to the original motion.

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~~(6)~~(8) Sub-clauses (1, 3, 4, ~~and 5, 6 & 7~~) may be varied at the discretion of the Council pursuant to *Clause 7 of the Local Government (Procedures at Meetings) Regulations 2013*.

175. 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.

186. Right of Reply

- (1) *The mover of a motion shall have an opportunity to respond following all debate on a motion (closing the item / right of reply).*
- (2) *Following the conclusion of the right of reply, no further debate shall occur and the motion shall be put.*

197. Addresses by Members, etc.

- (1) A member must not speak for longer than five (5) minutes at any one (1) time without leave of the meeting.
- (2) A member, may, with the leave of the meeting, raise a matter of urgency.
- (3) A member may, with leave of the meeting, make a personal explanation.
 - ~~(a)~~
 - ~~The subject matter of a personal explanation may not be debated.~~
- (4) The subject matter of a personal explanation may not be debated.
- ~~(4)~~(5) The contribution of a member must be relevant to the subject matter of the debate.

~~(5)~~(6) Sub-clauses (1) and (2) may be varied at the discretion of the Council pursuant to *Clause 7 of the Local Government (Procedures at Meetings) Regulations 2013*.

~~(6)~~(7) *A member is at all times during a meeting to address and refer to another member or an employee by their official title or designation.*

~~(7)~~(8) *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 employee.*

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~~(8)(9) All members and employees must stand when addressing the Council meeting.
This requirement does not apply to Committee meetings.~~

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Comment [J4]: PROPOSE REMOVAL

~~(9)(10) The Presiding Member while chairing the meeting is not required to stand unless they are contributing to the debate.~~

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~~(10)(11) If the Presiding Member is to enter the debate, they must only do so between the first and last speaker.~~

~~(12) A member may seek leave of the meeting to remain seated while addressing the meeting.~~

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Comment [J5]: Propose removal per sub-clause 9 & 10.

~~(11)~~
(12)(13) Where practicable, a copy of the personal explanation is provided to the Mayor/Presiding Member before the meeting.

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2018. Voting

- ▲ (1) The presiding member, or any other member, may ask the CEO 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 *Clause 7 of the Local Government (Procedures at Meetings) Regulations 2013*; 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*.

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2419. 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 lost 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~~

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- (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) (4) The CEO will record in the minutes the names of members who voted in the affirmative and the names of the members who voted in the negative (in addition to the result of the vote).~~

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~~(5) Sub-clause (3) may be varied at the discretion of the council pursuant to Clause 7 of the Local Government (Procedures at Meetings) Regulations 2013.~~

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~~(c) Sub-clause (3) may be varied at the discretion of the council pursuant to Clause 7 of the Local Government (Procedures at Meetings) Regulations 2013.~~

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220. Tabling of Information

(1) A member may require the CEO to table any documents of the Council relating to a motion that is before a meeting (and the CEO 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).

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(2) The CEO 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.

231. Urgent Business Items

(1) A member may raise an item for discussion, not already on the agenda, if the item cannot wait until the next meeting of Council.

(2) Members are encouraged to notify the ~~Presiding Member~~ Presiding Member prior to the meeting if they intend to raise a matter as an Urgent Business item.

(3) Where possible, and to facilitate good and informed decision-making, Members are encouraged to raise such Urgent Business Items by way of a motion seeking a report to be submitted.

242. Adjourned 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

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(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 this clause may be varied at the discretion of the Council pursuant to Clause 7 of the *Local Government (Procedures at Meetings) Regulations 2013*.

253. Short-term Suspension of Proceedings

- (1) If the ~~presiding member~~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~~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~~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):
 - (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 observed²; and
~~See particularly Part 4 of Chapter 5 and Chapter 6 of the Act.~~
 - (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~~Presiding Member determines that the period should be brought to an end; or
 - (ii) at least two-third's of the members present at the meeting resolve that the period should be brought to an end.

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² See particularly *Part 4 of Chapter 5 and Chapter 6 of the Act*.

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24. CEO may submit report recommending revocation or amendment of Council decision

(1) The CEO 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 CEO 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 clause may be varied at the discretion of the Council pursuant to Regulation 6.

25. Termination of Meetings in the Event of an Emergency

(1) *In the event of an emergency requiring evacuation of the building the meeting will be deemed to have been suspended in accordance with the requirements of Clause 26 (1).*

(2) *The ~~Presiding Member or~~ CEO or delegate will direct all staff and any visitors to the designated emergency assembly points.*

26. Confidential Items

(1) *The conduct of all Council and committee meetings will be in accordance with Council's Code of Practice - Access to Council Meetings and Documents, which explains the use of confidential provisions under the Local Government Act 1999 at Council and committee meetings.*

Part 3 – Meetings of Other Committees

27. Application of Part

(1) The provisions of this Part apply to or in relation to the meetings of any Council committee that is not subject to the operation of Part 2.

28. Notice of Meetings for Members

(1) 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 subsections (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
- (c) 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
- (d) that it is not necessary for the CEO 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.

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3029. Public Notice of Committee Meetings

- (1) 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 sub-sections (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 CEO after taking into account the nature and purpose of the committee.

310. 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 – Miscellaneous

321. 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 two (2), ignoring any fraction resulting from the division, and adding one (1); or
 - (b) a number determined by the Council. (See also *Section 41(6)* of the *Act*.)

332. Voting at Committee Meetings

- (1) Subject to the *Act* and this Code, 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 the 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~~Presiding Member of a Council committee has a deliberative 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.

343. Points of Order

- (1) The ~~presiding member~~Presiding Member may call to order a member who is in breach of the *Act* or this Code.
- (2) A member may draw to the attention of the ~~presiding member~~Presiding Member a breach of the *Act* or this Code, 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~~Presiding Member will rule on a point of order.
- (5) If an objection is taken to the ruling of the ~~presiding member~~Presiding Member, a motion that the ruling not be agreed with must be moved immediately.
- (6) The ~~presiding member~~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.
- (8) *All Points of Order, and any subsequent ruling and motions of a Point of Order, will be recorded in the minutes of the meeting.*

354. Conduct of Members

The Mandatory Code of Conduct for Council Members will be adhered to for all meetings.

365. Interruption 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; or
 - (c) *use offensive language.*
- (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~~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:
- censure the member; or
 - suspend the member for a part, or for the remainder, of the meeting.
- (6) A member who:
- refuses to leave a meeting in contravention of sub-clause (4); or
 - enters a meeting in contravention of a suspension under sub-clause (5), is guilty of an offence.
- Maximum penalty: \$1,250.

376. Interruption of Meetings by Others

- (1) A member of the public who is present at a meeting of a Council or Council committee must not:
- behave in a disorderly manner; or
 - cause an interruption.
- Maximum penalty: \$500.

387. Public Holidays on Scheduled Meeting Days

- (1) Council meetings will be held one (1) day later in the event of any public holiday falling on any scheduled meeting day.**
- (1)**
- (2) Committee meetings not undertaking a regulatory function will meet on an alternate day as agreed by the committee members.**

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398. Annual Appointment of Committee Chairman, Deputy Chairman and Members

The appointment of Committee Chairman, Deputy Chairman and Members will be in line with the Council endorsed Terms of Reference for the relevant Committee.

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4039. Use of Electronic Media

—The Chairperson may deem appropriate for one (1) or more members to participate in committee meetings, covered by Section 6 Application of Part, via telephone or electronic means. In doing so the method must ensure that all members and any public member present are able to clearly hear the discussions.

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40. Related Documents

Code of Practice – Access to Council Meetings and Documents
Mandatory Council Member Code of Conduct

42. Records Management

All documents relating to this Code of Practice will be registered in Council's Record Management System and remain confidential where identified.

43. Document Review

This Code of Practice will be reviewed annually to ensure legislative compliance and that it continues to meet the requirements of Council its activities and programs. The Council may, at any time, by resolution supported by at least two-thirds of the members of Council as a whole, alter, substitute or revoke this Code of Practice.

44. References

Local Government Act 1999

Local Government (Procedures at Meetings) Regulations 2013

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45. Further Information

Members of the public may inspect this Code of Practice free of charge on Council's website at www.mallala.sa.gov.au or at Council's Principal Office at:

2a Wasleys Rd, Mallala SA -5502

On payment of a fee, a copy of this policy may be obtained.

Any queries in relation to this Code of Practice must be in writing and directed to the Governance [Coordinator/Officer](#).

	17.5 Notice of pending removal from Council Development Assessment Panel
	Container No: CON 12/547 Document No: D15/13452
Report Date: 27 July 2015	Prepared by: Governance Officer
Corporate Objective:	5.1.5 Create a positive and professional team culture through development opportunities, cooperation and accountability

Purpose:	To provide for Council's consideration response received to notice given at the Ordinary Council Meeting of 22 June 2015.
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Recommendation 1:	"that Council, having considered Item 17.5 – <i>Notice of pending removal from Council Development Assessment Panel</i> , dated 27 July 2015, receive and note the report."
Recommendation 2:	<p>"that the Council, having considered Item 17.5 – <i>Notice of pending removal from Council Development Assessment Panel</i>, dated 27 July 2015,...</p> <p><u>Option 1</u></p> <p>remove Councillor Daniele effective immediately for the term of this Council."</p> <p><u>Option 2</u></p> <p>provide for Councillor Daniele to continue his role attaching the following conditions...."</p> <p><u>Option 3</u></p> <p>provide for Councillor Daniele to continue his role in its current capacity."</p>

Impact Summary

Organisational and Governance

Financial	Continuance of this matter utilises human resource hours and potential for additional legal fees.
Legislation	Compliance with Council Member Mandatory Code of Conduct; Terms of Reference of the District Council of Murrumbidgee Council Development Assessment Panel; Development Act 1999 Section 56A.
Risk	Poor decision making and process, reduction in Community confidence and financial loss.
Consultation	Nil
Asset Management Plans	Nil
Service Standards	Nil

Background

The Council meeting of 13 April 2015 considered report item 17.3 Code of Conduct Investigation – Local Government Governance Panel Response. At this time a resolution was made to remove Councillor Daniele from the Council Development Assessment Panel (CDAP) as an outcome of the conduct review.

On 22 June 2015, Council Notice of Motion item 10.2.1 resolved (2015/187) to revoke the decision made to remove Councilor Daniele from the CDAP, and further provided notice, per Clause 4 of the Terms of Reference of the CDAP, of the impending removal with an option to respond to Council within eight weeks.

Discussion

The attached letter has been received by Administration from Cr Daniele and is placed for Council's consideration.

It should be noted that should Council resolve to remove Cr Daniele from the CDAP, the current Terms of Reference require three (3) members of Council, and provision will therefore need to be made to appoint an alternative Member to the vacancy.

Attachment 1
to report 17.3
dated 27 July 2015

Notice of pending removal from Council Development Assessment Panel

7 JUL 2015

6-7-2015

Dear Katrina & Councillors

I wish to thank you for giving me the opportunity to defend myself, about the accusations of Councillor Keen, that I "lied in Council, on 22nd September 2014."

I need to hear from Councillor Keen - what I am supposed to have said on the 22nd also the other "numerous times" to give her reason to accuse me about lying to the Council.

I wish to request that she put in writing what she meant and when I lied on "numerous occasions" so that I can at least understand what has been said against me - then I can defend myself at last, as I was given no option to do so at all, at any time up till now

Yours Sincerely
P. Daniels

MONDAY 27 July2015

Items:

18. URGENT BUSINESS

18.1

19. CONFIDENTIAL ITEMS

19.1