NOTICE OF COUNCIL MEETING
You are hereby advised that an Ordinary Meeting of the Coorong District Council will be held at the Coorong Civic Centre, 95 – 101 Railway Terrace, Tailem Bend (and by electronic means via Zoom) on 21 April 2020 commencing at 2:00pm.

Bridget Mather
CHIEF EXECUTIVE OFFICER

A G E N D A
Tuesday 21 April 2020
Coorong Civic Centre, Tailem Bend
(and by electronic means via Zoom)
2:00pm

Civic Prayer
Almighty God, help us to duly and faithfully carry out our numerous duties to the best of our judgement and ability for the advancement of this district and the benefit of all whom we are here to serve.

Amen

Indigenous Acknowledgement
The Coorong District Council acknowledges the traditional owners of the land on which we meet.

1. APOLOGIES
2. CONFIRMATION OF MINUTES Ordinary meeting (incl. confidential) held on 17 March 2020 Special meeting held on 7 April 2020
3. ADJOURNED BUSINESS ................................................................. Nil
4. MINUTE ACTION LIST
5. QUESTIONS
   5.1 Questions with Notice; ................................................................. Nil
   5.2 Questions without Notice ............................................................ 3
6. PETITIONS ................................................................. Nil
7. DEPUTATIONS ................................................................. Nil
7.1 PUBLIC QUESTION TIME ............................................................. 6

Note: The page numbering is split between the sections i.e. OCEO = Office of the CEO, CC = Community & Corporate, and IA = Infrastructure & Assets
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8.1 MAYOR’S REPORT ................................................................. 7
8.2 COUNCIL MEMBERS’ REPORTS; Councillors Jaensch & Rowntree .................................................. 8

9. NOTICES OF MOTION ......................................................................................................................... Nil

9.1 MOTIONS WITHOUT NOTICE ........................................................................................................... 10

10. OFFICE OF THE CHIEF EXECUTIVE OFFICER REPORT ................................................................. Nil

11. COUNCIL POLICIES ......................................................................................................................... OCEO-2
    1 Council Members Allowance, Benefits and Support Policy review .............................................. OCEO-2
    2 Debt Recovery & Financial Hardship Policy review ....................................................................... OCEO-4
    3 Community Engagement Policy update ....................................................................................... OCEO-7

12. SECTION 41 COMMITTEES AND SECTION 43 SUBSIDIARIES ......................................................... OCEO-9
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13. COMMUNITY & CORPORATE REPORT ......................................................................................... CC-1
    1 Delegations – annual review and update ...................................................................................... CC-1
    2 Delegations arising from the public access and public consultation notice (no 2) 2020 .............................. CC-11
    3 2020/21 dog registration fees .................................................................................................... CC-14
    4 Council’s response to COVID-19 (rates) ...................................................................................... CC-16
    5 Waiving of fines & interest until 31 December 2020 ..................................................................... CC-20
    6 Update – service review ................................................................................................................. CC-22

14. INFRASTRUCTURE & ASSETS REPORT ......................................................................................... IA-1
    1 Property acquisition opportunity – Tailem Bend rotunda ............................................................... IA-1

15. INFORMATION DOCUMENT ............................................................................................................. UNDER SEPARATE COVER

16. CONFIDENTIAL ITEMS .................................................................................................................... C-1
    1 Chief Executive Officer’s key performance indicators ..................................................................... C-1
    2 Motion with notice – Cr. JJ Arthur ................................................................................................. C-2
    3 Question with notice – Cr. Arthur .................................................................................................. C-3

17. CLOSURE
3. ADJOURNED BUSINESS

NIL
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<tr>
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<tbody>
<tr>
<td>043/20 Mar</td>
<td>CR. LF ROWNTREE – AUDITOR GENERAL’S REPORT ON CREDIT CARD MANAGEMENT</td>
<td>CEO</td>
<td>May 2020</td>
<td>Quotes were sought from 3 companies to carry out audit – now assessing before progressing audit.</td>
<td>May 2020</td>
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<td></td>
<td>Moved Cr. Rowntree, Sec. Cr. Taylor that Council conduct a more thorough investigation into the financial and administrative relationship between the Mayor and the Council for the period January 2014 to February 2020. This investigation should cover (but not be limited to) all credit card transactions, fuel card transactions, Mayoral allowance payments, reimbursements, any administrative or statutory dealings with Council; payment of debts and any financial benefits paid to the former Mayor for goods or services.</td>
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<td>045/20 Mar</td>
<td>MOTOR VEHICLE POLICY</td>
<td>DCC</td>
<td>June 2020</td>
<td>June 2020</td>
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<td></td>
<td>Moved Cr. Arthur, Sec. Cr. Qualmann that:</td>
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<tr>
<td></td>
<td>1. The Motor Vehicle Policy be reviewed and updated by the Chief Executive Officer and presented to Council; and</td>
<td>DIA</td>
<td>June 2020</td>
<td>June 2020</td>
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<td></td>
<td>2. Council be provided with the details of private use of vehicles being used in conjunction with salary packaging and/or commuter use, and total cost.</td>
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<td>418/19 Dec</td>
<td>CR. JJ ARTHUR – PRESENTATION OF 2018-19 FINANCIAL INFORMATION</td>
<td>DCC</td>
<td>May 2020</td>
<td>AASB require a set suite of documents – 2018/19 is now complete. An overview of these documents will be highlighted in the new Annual Business Plan.</td>
<td>To be advised.</td>
</tr>
<tr>
<td></td>
<td>Moved Cr. Arthur, Sec. Cr. Rowntree that a simplified format of the financial information (financial statements) requested by ratepayers for the 2018-2019 financial year be provided (a separate page to be uploaded to Council’s website).</td>
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<tr>
<td>419/19 Dec</td>
<td>CR. JJ ARTHUR – MAJOR PLANT</td>
<td>DIA</td>
<td>March 2020</td>
<td>Data currently being updated in order to supply correct figures to members.</td>
<td>June 2020</td>
</tr>
<tr>
<td></td>
<td>Moved Cr. Arthur, Sec. Cr. Qualmann that:</td>
<td>DIA</td>
<td>March 2020</td>
<td></td>
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<tr>
<td></td>
<td>1. Council be provided with updated hourly rates for major plant and the actual hourly costing against budgeted figures for the grader just traded.</td>
<td>DIA</td>
<td>March 2020</td>
<td></td>
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<td></td>
<td>2. This information to be provided back to Council no later than March 2020.</td>
<td>DIA</td>
<td>March 2020</td>
<td></td>
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<tr>
<td>430/19 Dec</td>
<td>FUTURE OF TAILEM INFO STATION AND RAIL MUSEUM</td>
<td>DC</td>
<td>December 2019</td>
<td>Complete</td>
<td></td>
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<td>Minute</td>
<td>Details</td>
<td>Responsible officer</td>
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<td>2</td>
<td>Schedule a meeting with both the Tailem Info Station association committee members and Tailem Info Station volunteers to advise on the outcome of Council’s decision; Schedule a meeting with the Tailem Info Station association to undertake a transition of financial obligations and to determine the most appropriate use of profitable funds; and Write a letter of thanks to the Tailem Info Station association for their commitment and dedication to the operations of the Tailem Info Station and Rail Museum.</td>
<td>DCC</td>
<td>February 2020</td>
<td>Discussions had commenced re: use of funds, however now on hold due to COVID-19.</td>
<td>Complete</td>
</tr>
<tr>
<td>310/19</td>
<td>FORMAL MOTION</td>
<td>CEO</td>
<td>To be advised.</td>
<td>Motion cannot be resumed until a Council Member moves a motion to bring back for discussion.</td>
<td>Complete</td>
</tr>
<tr>
<td>359/19</td>
<td>MOTION WITHOUT NOTICE</td>
<td>CEO</td>
<td>February 2020</td>
<td>Consulting with Rural City of Murray Bridge prior to presenting to a workshop.</td>
<td>August 2020</td>
</tr>
<tr>
<td>282/19</td>
<td>MOTION WITHOUT NOTICE</td>
<td>CEO</td>
<td>November 2019</td>
<td>Now in process of engaging consultant.</td>
<td>To be advised.</td>
</tr>
<tr>
<td>293/19</td>
<td>ROAD NAMING REQUEST – THORNLEY BARN ROAD</td>
<td>DIA</td>
<td>December 2019</td>
<td>Report will be provided to Council after community engagement period has closed.</td>
<td>June 2020</td>
</tr>
<tr>
<td>246/19</td>
<td>COORONG INFRASTRUCTURE &amp; ASSETS COMMITTEE – MINUTES OF MEETING HELD 1 AUGUST 2019</td>
<td>DIA</td>
<td>October 2019</td>
<td>Will review to ensure that the purchase of fuel is in line with Council’s</td>
<td>July 2020</td>
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DCC = Director Community & Corporate

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<tr>
<td>004/19</td>
<td>• The purchase of all fuels for Council use;</td>
<td>DIA</td>
<td>February 2019</td>
<td>Procurement Policy. It is recognised that current storage methods of bulk fuel are not compliant and a 2020/21 budget item has been included to address this. Review of fuel card usage will be undertaken this financial year.</td>
<td>June 2020</td>
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<tr>
<td>Jan</td>
<td>• The storage methods of all fuels for Council use;</td>
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<td></td>
<td>• Monitoring and recording all fuel usage for Council use.</td>
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<td>011/19</td>
<td>MOTION WITHOUT NOTICE</td>
<td>CEO</td>
<td>June 2019</td>
<td>Investigated matter. Putting in place a system that will address the disclosure of confidential items.</td>
<td>June 2020</td>
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<td>Jan</td>
<td>Moved Cr. Taylor, Sec. Cr. Rowntree to be provided with a formal report, listing land (occupied and unoccupied) which is owned by Coorong District Council or under Council’s care and control.</td>
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<td>CR. JJ ARTHUR – RELEASE AND RETENTION OF CONFIDENTIAL ITEMS</td>
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<td>Moved Cr. Arthur, Sec. Cr. Leng that Council investigate and address the manner in which confidential items (minutes, reports and attachments) are retained and released from confidence so that going forward, all released information is accurately recorded and accessible to the public.</td>
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| 035/19 Feb | CR. JJ ARTHUR – DEVELOPMENT OF MOTOR VEHICLES, PLANT AND MACHINERY POLICY  
Moved Cr. Arthur, Sec. Cr. Qualmann that Council:  
1. Direct the Chief Executive Officer to investigate and develop a Motor Vehicles, Plant and Machinery Policy;  
2. Require the policy to be presented to the Coorong Finance Committee for review and consideration;  
3. Require the policy be put to Council for consideration and adoption following review from the Coorong Finance Committee. | DIA | May 2019 | Motor Vehicle Policy is still being reviewed. The AMP is the framework for management of motor vehicles, plant and machinery in local government. The AMP as it relates to Plant and Machinery is currently in draft, and a workshop will be provided to Council in April 2020. Once the AMP has been adopted, Council can further consider whether there is a need for a Plant and Machinery Policy. | June 2020 |
| 006/19 Jan | MOTION WITHOUT NOTICE  
Moved Cr. Leng, Sec. Cr. Bland that a report be provided to Councillors of a list of all street bins that Council supply on the highways and surrounds. | DIA | February 2019 | Awaiting information from DPTI. | May 2020 |
| 027/19 Jan | INTENTION TO RELEASE ORANA AUSTRALIA LTD FROM LEASE - WADMORE HOUSE, 76 PRINCES HIGHWAY, MENINGIE  
Moved Cr. Jaensch, Sec. Cr. Hill that Council:  
1. Authorise the Mayor and Chief Executive Officer to prepare and execute surrender of lease documentation to release Orana Australia Ltd from its lease agreement of Wadmore House, 76 Princes Highway, Meningie (Allotment 50, CT 5980/136);  
2. Commence a period of community engagement, seeking expressions of interest from local businesses and community groups for lease of the site, subject to Council approval; | DIA | July 2019 | Deed of Surrender of Lease signed, awaiting execution from Orana. A masterplan of the site will be developed to then engage with the community. | Complete |

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<td>3.</td>
<td>That the community engagement includes opportunity for inspections of the building and infrastructure.</td>
<td>DIA</td>
<td>August 2019</td>
<td></td>
<td>June 2020</td>
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<tr>
<td>4.</td>
<td>That a structural report be prepared, including costing, to bring the building to a safe and functional standard.</td>
<td>DIA</td>
<td>April 2019</td>
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<td>Complete</td>
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<td>150/16 Jul</td>
<td><strong>MOTION WITHOUT NOTICE</strong>&lt;br&gt;Moved Cr. Middleton, Sec. Cr. Leng that Council directs the Chief Executive Officer to report back to Council in relation to solar systems to offset power usage at key Council building sites.</td>
<td>DIA</td>
<td>October 2017</td>
<td>Reviewing proposal received and presentation provided by LGA Procurement. Investigating economic return of moving to solar on existing Council buildings.</td>
<td>July 2020</td>
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<td>164/16 Jul</td>
<td><strong>ROAD CLOSURE IN RELATION TO DEVELOPMENT APPLICATION # 571-105-15</strong>&lt;br&gt;Moved Cr. Simcock, Sec. Cr. Barrie that Council:&lt;br&gt;1. Authorises the engagement of a surveyor for the purpose of the commencement of the process to close the portions of unmade public road that run through Q90, Q92 &amp; Q93 DP D93487 CT 6139/942, A11 D15841 CT 5523/639, A10 D15841 CT5523/661 and Lot 8 D12062 CT 5470/1 (as shown on the attached plan), in accordance with the <em>Roads (Opening &amp; Closing) Act 1991</em> including:&lt;br&gt;• Preparation of preliminary plans;&lt;br&gt;• Preparation of a statement of affected parties; and&lt;br&gt;• Undertaking community engagement&lt;br&gt;2. Council authorise the preparation and implementation of an agreement with Robert Sherrah and Stephen Brainger committing them to purchase the land, with a quarry agreement, as negotiated, as full consideration for the land value and the applicants to cover all of Council’s costs for the process and the transfer of the land subject to:&lt;br&gt;• The outcome and Council direction as a result of the community engagement; and&lt;br&gt;• Successful completion of the Road Process Order&lt;br&gt;3. Council pursuant to Section 37(b) of the Local Government Act 1999 authorises the Mayor and Chief Executive Officer to enter into and execute all documentation necessary to complete the road closure process.</td>
<td>DIA</td>
<td>August 2017</td>
<td>Community consultation has been completed by Steed Surveyors. A report will be prepared to submit to Council.</td>
<td>Ongoing</td>
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<td>DIA</td>
<td>February 2018</td>
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<td>Ongoing</td>
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<td></td>
<td>DIA</td>
<td>February 2018</td>
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| 042/20 Mar | AUDITOR-GENERAL’S REPORT – COORONG DISTRICT COUNCIL CREDIT CARD USE & MANAGEMENT  
Moved Cr. Rowntree, Sec. Cr. Leng that Council receive the ‘Auditor-General’s report – Coorong District Council credit card use and management’ report and note the actions being implemented to address the recommendations provided by the Auditor-General in regard to credit card use and management. | CEO                 | March 2020            |                                                                       | Complete |
| 044/20 Mar | FORMAL MOTION  
Moved Cr. Leng, Sec. Cr. Rowntree that the Council Members Allowance, Benefits & Support Policy item be adjourned to enable a workshop to be held within six weeks for the reviewed policy to be presented for ratification by May 2020. | DCC                 | May 2020              | Policy was circulated to members by email – report tabled in April Council agenda for consideration. | Complete |
| 046/20 Mar | COORONG FINANCE COMMITTEE – MINUTES OF MEETING HELD 3 MARCH 2020  
Moved Cr. Qualmann, Sec. Cr. Rowntree that Council receive the minutes of the Coorong Finance Committee meeting held on 3 March 2020. | DCC                 | March 2020            |                                                                       | Complete |
| 047/20 Mar | COORONG FINANCE COMMITTEE – MINUTES OF MEETING HELD 3 MARCH 2020  
Moved Cr. Taylor, Sec. Cr. Hill Council notes that the Finance Committee will meet on a quarterly basis with the reviewed Terms of Reference to be presented in April 2020. | DCC                 | April 2020            |                                                                       | Complete |
| 048/20 Mar | COONALPYN COMMUNITY HALL COMMITTEE – MINUTES OF MEETING HELD 24 FEBRUARY 2020  
Moved Cr. Rowntree, Sec. Cr. Qualmann that Council receive the minutes of the Coonalpyn Community Hall Committee meeting held on 24 February 2020. | CEO                 | March 2020            |                                                                       | Complete |
| 049/20 Mar | LITTLE CORELLA MANAGEMENT  
Moved Cr. Qualmann, Sec. Cr. Leng that Council continue to support the Little Corella Management strategy that is currently in place to reduce the impact caused by the Little Corella flocks within the Coorong District Council area. | DCC                 | March 2020            |                                                                       | Complete |
| 051/20 Mar | DROUGHT COMMUNITIES PROGRAMME EXTENSION – PHASE 2  
Moved Cr. Hill, Sec. Cr. Rowntree: | CEO                 | April 2020            |                                                                       | Complete |

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<td>1. That Council support application for $1 million funding through Phase 2 of the Drought Communities Programme Extension for the following projects to be delivered by 31 December 2020; a. The preparation of an Adverse Events Plan at a cost of $2,000; b. The engagement of an auditor to allow for an independent audit of project expenditure to be submitted as part of the acquittal process at a cost of $3,000; and c. A listing of projects to be submitted as part of the application be drawn from the following: i. Drought Support Coordinator at a cost of $65,000 ii. Coonalpyn Pool Precinct at a cost of $335,000 iii. Community Hall upgrades at a cost of $135,000 iv. Wadmore House precinct at a cost of $60,000 v. Tintinara Golf Club at a cost of $46,000</td>
<td>CEO</td>
<td>April 2020</td>
<td>Complete</td>
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<td></td>
<td>2. That Council reaffirm its intent to include the following projects as part of the Phase 2 application; a. Tintinara Football Clubroom and Netball Courts Upgrade at a cost of $250,000; b. Peake Netball Courts Upgrade at a cost of $104,000.</td>
<td>CEO</td>
<td>June 2020</td>
<td>Complete</td>
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<td></td>
<td>3. That Council staff continue to investigate the project proposals relating to Wadmore House, Meningie Skate Park, Coonalpyn Pool Precinct and Tailem Bend Netball Club as a matter of priority to allow ‘shovel ready’ status for future funding opportunities.</td>
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<td>053/20 Mar</td>
<td>APPPOINTMENT OF MEMBERS TO THE COUNCIL ASSESSMENT PANEL</td>
<td>DCC</td>
<td>March 2020</td>
<td>Complete</td>
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<td>Moved Cr. Qualmann, Sec. Cr. Rowntree that Council: 1. As of the operative date of the new planning system, as determined by the Minister (likely to be in July 2020), pursuant to Section 83 of the Planning, Development and Infrastructure Act, appoints the following members to the Council Assessment Panel for a period of two years:- i. Bruce Ballantyne (Presiding Member) ii. Cherry Getsom (Independent Member) iii. Andrew Humby (Independent Member) iv. Myles Somers (Independent Member) v. Cr. Glynis Taylor (Council Member). Plus, deputy members:- i. Cameron Gibbons (Deputy Independent Member)</td>
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<td>ii. Cr. Brenton Qualmann (Deputy Council Member). 2. Resolves, for clarity, that the operation and appointments of the current Council Assessment Panel remains as per the decision of Council dated 17 September 2019, up until the operative date of the new planning system, as determined by the Minister (likely to be in July 2020).</td>
<td>DCC</td>
<td>March 2020</td>
<td></td>
<td>Complete</td>
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<tr>
<td>172/19 Jun</td>
<td>MOTION WITHOUT NOTICE</td>
<td>Moved Cr. Rowntree, Sec. Cr. Taylor that management provide to the Finance Committee a two page summary of the service review process to be followed.</td>
<td>CEO</td>
<td>July 2019</td>
<td>Service review funds included in draft 2020/21 budget, to be scoped in late 2020 / early 2021.</td>
</tr>
<tr>
<td>034/19 Feb</td>
<td>CR. JJ ARTHUR – DEVELOPMENT OF COUNCIL MEMBERS AND STAFF TRAVEL AND ACCOMMODATION POLICY</td>
<td>Moved Cr. Arthur, Sec. Cr. Rowntree that Council: 1. Direct the Chief Executive Officer to investigate and develop a Council Members and Staff Travel and Accommodation Policy; 2. Require the policy to be presented to the Coorong Finance Committee for review and consideration; 3. Require the policy be put to Council for consideration and adoption following review from the Coorong Finance Committee.</td>
<td>DCC</td>
<td>May 2019</td>
<td>Council Members Allowance &amp; Benefits Policy review will be tabled at April 2020 Ordinary Council meeting. Staff travel and accommodation will be reviewed as part of internal HR practices, with a policy/guidelines developed.</td>
</tr>
<tr>
<td>122/18 Jun</td>
<td>INTENTION TO GRANT LEASE – TAILEM BEND GOLF CLUB INC.</td>
<td>Moved Cr. Leng, Sec. Cr. Wright that Council: 1. Commence a period of community engagement concerning its intention to grant a lease or licence over a portion of Certificate of Title Volume 5754 Folio 502, as indicated in the plan annexed to this report, for a period of five (5) years with a right of renewal for a further five (5) years, to Tailem Bend Golf Club Inc. 2. Apply for the consent of the Minister to grant a lease or licence over Crown Land. 3. Sets the initial annual rent in accordance with Council’s schedule of fees and charges, and subject to annual Consumer Price Index increases.</td>
<td>DIA</td>
<td></td>
<td>Lease was altered to reflect larger area required by CFS.</td>
</tr>
<tr>
<td>Minute</td>
<td>Details</td>
<td>Responsible officer</td>
<td>Target completion date</td>
<td>Notes</td>
<td>Review</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
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<td>-----------------------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>4.</td>
<td>Agrees that any fees associated with the preparation of the new lease or licence agreement be met by the Tailem Bend Golf Club Inc.</td>
<td>DIA</td>
<td>April 2019</td>
<td>Lease signed and executed.</td>
<td>Complete</td>
</tr>
<tr>
<td>5.</td>
<td>Subject to no negative feedback being received during the community engagement period, authorise the Chief Executive Officer and Mayor to affix the Council seal to execute the relevant lease or licence documentation.</td>
<td>CEO</td>
<td></td>
<td></td>
<td>Complete</td>
</tr>
</tbody>
</table>

CEO = Chief Executive Officer      DIA = Director Infrastructure & Assets      DCC = Director Community & Corporate

*denotes completed item and removal will occur at following month’s agenda.
5.1 QUESTIONS WITH NOTICE

NIL

5.2 QUESTIONS WITHOUT NOTICE
6.1 PETITIONS

NIL
7. DEPUTATIONS

Council practice during Public Health Emergency 2020 – Electronic meetings

During the current public health emergency as a result of COVID-19, changes have been made to Ordinary Council meeting procedures.

A Deputation may be made by a person or persons who wish to address Council on a particular matter through the reading by the Mayor or CEO, of the deputation provided.

Deputations are limited to a maximum of three (3) per Council Meeting.

A request for a Deputation must be received at the Principal Office of the Council by midday the day before the meeting at which the person wishes the Deputation to be read. Any request for a Deputation received after this time will be treated as a request to be read at the next ordinary meeting of the Council.

The reading of a Deputation may be referred to the relevant Council Committee.

The Deputation requiring to be read aloud by the Mayor or CEO must not exceed a 5 minute time limit excluding questions. This time can be extended by a resolution of the Council or Committee.

Council Members will be invited to ask questions after the Deputation and these will be referred to the person providing the deputation after the Council meeting. Response will then be read at the next Ordinary meeting of Council.

There are no deputation requests for the 21 April 2020 ordinary Council meeting.
7.1 PUBLIC QUESTION TIME

Council practice during Public Health Emergency 2020 – electronic meetings

During the current public health emergency as a result of COVID-19, changes have been made to Ordinary Council meeting procedures.

The public are not able to physically attend a meeting of Council to pose a question owing to social distancing requirements.

However a question may be submitted in writing to be read aloud at the meeting by the Mayor or CEO.

Questions to be asked must abide by the Public Question Time guidelines and relevant processes and requirements will remain the same except for the ability for the question to be asked in person, and questions of the person by Members to be asked in person.

A request for a question to be asked must be received at the Principal Office of the Council by midday the day before the meeting at which the person wishes the Question to be read.

Any request for a Question received after this time will be treated as a request to be read at the next ordinary meeting of the Council.

The question may be answered verbally at the meeting as the Meeting will be uploaded to Council’s website enabling the person who has asked the question to hear the answer (if able to be provided at the meeting) provided.

Appendix 1 of Council’s Code of Practice – Proceedings of Council and Committee Meetings sets out the guidelines for Public Question Time.
8.1 MAYOR’S REPORT

Councillor Paul Simmons

Meetings attended March - April 2020

<table>
<thead>
<tr>
<th>March 2020</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>23</td>
<td>Meeting with Chief Executive Officer to discuss various issues, Tailem Bend</td>
</tr>
<tr>
<td>23</td>
<td>COVID-19 briefing for Mayors and CEOs hosted by Local Government Association (LGA), with SA Premier and Minister for Local Government (via Zoom)</td>
</tr>
<tr>
<td>27</td>
<td>Murraylands &amp; Riverland Local Government Association Regional Transport &amp; Assets Committee meeting (via Zoom)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>April 2020</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>Special Council meeting (via Zoom), Tailem Bend</td>
</tr>
<tr>
<td>8</td>
<td>COVID-19 briefing for Mayors and CEOs hosted by LGA, with SA Premier (via Zoom)</td>
</tr>
<tr>
<td>9</td>
<td>LGA workshop re: Council rates and budget setting in response to COVID-19 (via Zoom)</td>
</tr>
<tr>
<td>16</td>
<td>Coorong Finance Committee meeting (via Zoom), Tailem Bend</td>
</tr>
</tbody>
</table>

Meetings to be attended

| 21               | Council meeting, Tailem Bend |

Cr. Paul Simmons
MAYOR
8.2 COUNCIL MEMBERS’ REPORTS

Cr. Neville Jaensch

Meetings attended:

<table>
<thead>
<tr>
<th>January 2020</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>21</td>
<td>Council meeting, Tailem Bend</td>
</tr>
<tr>
<td>29</td>
<td>Tailem Bend Combined Sporting Hub meeting, Tailem Bend</td>
</tr>
<tr>
<td>February 2020</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Meeting with Chief Executive Officer, Tailem Bend</td>
</tr>
<tr>
<td>17</td>
<td>Planning, Development &amp; Infrastructure Act Council Members workshop, Tailem Bend</td>
</tr>
<tr>
<td>17</td>
<td>SA Local Government Grants Commission visit to Coorong District Council, Tailem Bend</td>
</tr>
<tr>
<td>18</td>
<td>Citizenship ceremony, Tailem Bend</td>
</tr>
<tr>
<td>18</td>
<td>Council briefing sessions, Tailem Bend</td>
</tr>
<tr>
<td>18</td>
<td>Council meeting, Tailem Bend</td>
</tr>
<tr>
<td>19</td>
<td>Tailem Bend Combined Sporting Hub annual general meeting, Tailem Bend</td>
</tr>
<tr>
<td>20</td>
<td>Project Coorong ‘Healthy Coorong, Healthy Basin’ science workshop for community members and stakeholders, Meningie</td>
</tr>
<tr>
<td>March 2020</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Meeting with Chief Executive Officer, Tailem Bend</td>
</tr>
<tr>
<td>3</td>
<td>Council Members workshop, Tailem Bend</td>
</tr>
<tr>
<td>18</td>
<td>Tailem Bend Combined Sporting Hub meeting, Tailem Bend</td>
</tr>
<tr>
<td>April 2020</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Special Council meeting (via Zoom) (was apology due to technical issues)</td>
</tr>
<tr>
<td>9</td>
<td>Local Government Association workshop re: Council rates and budget setting in response to COVID-19 (via Zoom)</td>
</tr>
<tr>
<td>16</td>
<td>Coorong Finance Committee meeting (via Zoom)</td>
</tr>
</tbody>
</table>

Cr. Neville Jaensch
**Cr. Lisa Rowntree**

**Meetings attended:**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 2020</td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>Council meeting, Tailem Bend</td>
</tr>
<tr>
<td>February 2020</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Meeting with Chief Executive Officer, Tailem Bend</td>
</tr>
<tr>
<td>17</td>
<td>Planning, Development &amp; Infrastructure Act Council Members workshop, Tailem Bend</td>
</tr>
<tr>
<td>17</td>
<td>SA Local Government Grants Commission visit to Coorong District Council, Tailem Bend</td>
</tr>
<tr>
<td>18</td>
<td>Council briefing sessions, Tailem Bend</td>
</tr>
<tr>
<td>18</td>
<td>Council meeting, Tailem Bend</td>
</tr>
<tr>
<td>24</td>
<td>Coonalpyn Community Hall Committee meeting, Coonalpyn</td>
</tr>
<tr>
<td>March 2020</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Council Members workshop, Tailem Bend</td>
</tr>
<tr>
<td>10</td>
<td>Meeting with S Mickan, Mayor and Council officers re: Coonalpyn Pool and Drought Communities Programme funding, Coonalpyn</td>
</tr>
<tr>
<td>14</td>
<td>Sherlock Council Music Festival, Peake</td>
</tr>
<tr>
<td>17</td>
<td>Council briefing sessions, Tailem Bend</td>
</tr>
<tr>
<td>17</td>
<td>Council meeting, Tailem Bend</td>
</tr>
</tbody>
</table>

**Cr. Lisa Rowntree**
9. NOTICES OF MOTION

NIL

9.1 MOTIONS WITHOUT NOTICE
10. OFFICE OF THE CHIEF EXECUTIVE OFFICER REPORT

NIL
11. COUNCIL POLICIES

1. COUNCIL MEMBERS ALLOWANCE, BENEFITS AND SUPPORT POLICY REVIEW

<table>
<thead>
<tr>
<th>SMP Objective 1</th>
<th>Strategy 1.7 – Achieve or implement the statutory and core responsibilities of Council.</th>
</tr>
</thead>
<tbody>
<tr>
<td>A caring, healthy and resilient community.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Other Document Reference</th>
<th>Council Members Allowance, Benefits &amp; Support Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statutory Requirement</td>
<td>Local Government Act 1999</td>
</tr>
<tr>
<td>Financial Implications</td>
<td>Already considered in budget</td>
</tr>
<tr>
<td>Author of Report</td>
<td>Director Community &amp; Corporate</td>
</tr>
<tr>
<td>Officers Consulted</td>
<td>Chief Executive Officer</td>
</tr>
</tbody>
</table>

**Recommendation**
That the Council Members Allowance, Benefits and Support Policy be adopted as tabled.

**REPORT**

**Purpose**
Seeking ratification from Council for the reviewed and updated Council Members Allowance, Benefits and Support Policy (No. 17).

**Discussion**
At the March 2020 meeting of Council, a reviewed Council Members Allowance, Benefits and Support Policy was presented for consideration. Members advised further discussion was required regarding the proposed Policy, particularly in relation to the provision of the Mayoral vehicle for personal use and requirement for more definition regarding ‘minor deviation’ as stated within the Policy.

A motion was put and carried for an informal gathering to be held to further discuss the policy, however COVID-19 transpired and the ensuing changes to the holding of public meetings and gatherings commenced. Consequently, the ability to conduct an informal gathering was hindered resulting in a re-written Policy being emailed to Members for feedback.

As a result of COVID-19 and the difficult times being felt, many people all over the world, and of course within the community of the Coorong District Council are experiencing some challenging and trying times. Hence, within this meeting agenda, Council will also consider an amended Debt Recovery & Financial Hardship Policy for qualifying ratepayers in an attempt to provide some support and assistance during these difficult times.
In recognition of the difficulties being felt across the district, Mayor Simmons has advised the provision of a Mayoral vehicle for his use, whether inclusive of personal use or not, should no longer be provided, nor included within the Council Members Allowance, Benefits and Support Policy.

Mayor Simmons acknowledges the struggles being felt, and to be felt in the months ahead by many of our community and believes his relinquishing of the previously provided Mayoral vehicle is a small gesture representing the Coorong District Council’s understanding of the hardships associated with the current situation.

The attached Policy has now been updated to reflect no vehicle is provided to the Mayor, but rather the provision for the Mayor to utilise a Council pool vehicle, with priority of its use for Council purposes.

Alternatively, as for all Council Members, where the Mayor travels by private motor vehicle, the rate of reimbursement is at a rate equal to the appropriate rate per kilometre prescribed for the purposes of calculating deductions for car expenses under section 28.25 of the Income Tax Assessment Act 1997 of the Commonwealth. Reimbursement of these expenses will be based on the cents per kilometre method set by the Australian Taxation Office.

**Attachments**
Council Members Allowance, Benefits and Support Policy
Council Members Allowance, Benefits and Support Policy

<table>
<thead>
<tr>
<th>Strategic Reference</th>
<th>Objective 4; collaborative and respectful relationships amongst community, Elected Members and Council staff. Strategy 4.1; build a strong relationship between Elected Members and staff, working together on the behalf of the community, to meet our legislated requirements and to meet the aspirations of our communities where funding permits.</th>
</tr>
</thead>
<tbody>
<tr>
<td>File reference</td>
<td>AR20/4364</td>
</tr>
<tr>
<td>Responsibility</td>
<td>Office of the CEO</td>
</tr>
<tr>
<td>Revision Number</td>
<td>17</td>
</tr>
<tr>
<td>Effective date</td>
<td>June 1999</td>
</tr>
<tr>
<td>Last revised date</td>
<td>April 2020</td>
</tr>
<tr>
<td>Minutes reference</td>
<td>xxx/20, 244/18, 161/17, 175/16, 038/15, 256/14, 409/13, 324/12, 279/11</td>
</tr>
<tr>
<td>Next review date</td>
<td>First meeting of new Council following a periodic election</td>
</tr>
</tbody>
</table>
| Applicable Legislation | Local Government Act 1999  
Local Government (Elections) Act 1999  
Local Government (Members Allowances and Benefits) Regulations 2010  
Commonwealth Income Tax Assessment Act 1997 |
| Related Policies    | Code of Conduct for Elected Members  
Election Caretaker Policy  
Council Members’ Training & Professional Development Policy |
| Related Documents   | Register of Allowances and Benefits  
Council Members’ Reimbursement Claim Form 1  
Council Members’ Reimbursement Claim Form 2 |

1. **Introduction**

Coorong District Council will ensure that the payment of Council Members’ allowances, the reimbursement of expenses and the provision of benefits by the Council is accountable and transparent and in accordance with the *Local Government Act 1999* (“the LG Act”) and the *Local Government (Members Allowances and Benefits) Regulations 2010* (“the Regulations”).

This Policy sets out the provisions of the LG Act and Regulations in respect of Council Member allowances, expenses and support.
Council Members are paid an allowance for performing and discharging their functions and duties on Council. Section 59 of the Local Government Act provides (in part) that the role of a council member, as a member of the governing body of the Council, is to:

- participate in the deliberations and civic activities of the Council;
- keep the Council’s objectives and policies under review to ensure that they are appropriate and effective; and
- keep the Council’s resource allocation, expenditure and activities, and the efficiency and effectiveness of its service delivery, under review.

This Policy also explains the information that must be recorded within the Council’s Register of Allowances and Benefits to ensure compliance with section 79 of the LG Act.

2. Policy Objective

To ensure Council Member allowances, the reimbursement of expenses and the provision of benefits, facilities and support by the Council are compliant with the Local Government Act 1999 and Local Government (Members Allowances and Benefits) Regulations 2010.

3. Scope & Responsibilities

This Policy applies to all Council Members, who each have an obligation to abide by its content.

4. Policy Statement

This policy is underpinned by the following principles:

- Council Members should not be significantly out of pocket as a result of performing and discharging their Council functions and duties.
- To assist Council Members in performing or discharging their official functions and duties they are entitled to be provided with a range of necessary facilities and support and to be reimbursed for expenses as specified in this policy.
- Any reimbursements claimed by Council Members must be for expenses actually and necessarily incurred in performing and discharging their official Council functions and duties, which will be assessed according to the role of a council member under the LG Act.
- Council encourages continued professional training and development for Council Members. This is seen as being essential in terms of good governance and to the improved performance of their functions and duties.
- The accountability of the Council to its community for the use of public monies.

5. Allowances

Council Member allowances are determined by the Remuneration Tribunal on a four (4) yearly basis before the designated day in relation to each set of periodic elections held under the Local Government (Elections) Act 1999.

An allowance determined by the Remuneration Tribunal will take effect from the first ordinary meeting of the Council held after the conclusion of the relevant periodic election. Council member allowances are to be adjusted on the first, second and third anniversaries of the relevant periodic elections to reflect changes in the CPI under a scheme prescribed by the Regulations.
Council Members Allowance, Benefits and Support Policy

Council has determined that these allowances be paid quarterly in arrears. The first payment of a financial year, however, shall not be paid prior to 1 July in that given year. No annual allowance payments shall cross any given financial year.

The annual allowance for a Council Member is determined according to the relevant Council group. Coorong District Council is classified as Group 4.

The annual allowance for:

- principal members, is equal to four times the annual allowances for Council Members of that council;
- deputy mayor or a council member who is the presiding member of one or more prescribed committees is equal to one and a quarter (1.25) times the annual allowances for Council Members of that Council;

An additional allowance in the form of a sitting fee is also payable for Council Members who are Presiding Members of other Council committees (who are not Deputy Mayor or a Presiding Member of prescribed committees). Payments in accordance with this allowance are payable upon submission of the appropriate claim form (attached to this policy).

If a Council member so wishes, he or she can decline payment, or part payment of an allowance pursuant to the provisions of the Act.

A Council Member who holds office for only a portion of the period when an allowance is payable is entitled to the proportion of the allowance to the total period that office was held.

6. Mandatory – Section 77(1)(a) or Prescribed and Approved Reimbursements – Section 77(1)(b)

Council Members are entitled to receive reimbursement for travelling expenses actually and necessarily incurred by the Council Member for travel within the Council area and associated with attendance at a ‘prescribed meeting’

There are additional prescribed expenses incurred by Council Members which can be approved for reimbursement by the Council but which do not fall within the category of mandatory reimbursement.

7. Mandatory Reimbursements – Child/Dependant care (Section 77(1)(a))

Council Members are entitled to reimbursement for child/dependent care expenses actually or necessarily incurred by the Council Member as a consequence of the Council Member’s attendance at a prescribed meeting. Child/dependent care is not reimbursed if the care is provided by a person who ordinarily resides with the Council Member.

To receive reimbursement for such prescribed expenses (travel and child/dependent care) each Council Member is required to complete a Form 1 and submit it to Chief Executive Officer. For the purposes of administrative efficiency Council Members are requested to submit these forms at least on a quarterly basis.

8. Travel

1. Section 77(1)(a) - Mandatory Reimbursement

- Reimbursement for travel expenses is restricted to ‘eligible journeys’ provided the journey is by the shortest or most practicable route and to that part of the journey within the Council area i.e. any travelling outside the Council area in order to attend Council
Council Members Allowance, Benefits and Support Policy

or Council committee meetings is not reimbursable under section 77(1)(a) of the LG Act. For reimbursement for travel outside the Council area refer to “Prescribed and Approved Reimbursements”.

- Where a Council Member travels by private motor vehicle, the rate of reimbursement is at a rate equal to the appropriate rate per kilometre prescribed for the purposes of calculating deductions for car expenses under section 28.25 of the Income Tax Assessment Act 1997 of the Commonwealth.

- Travelling by taxi, bus or other means of public transport is reimbursed on the basis of expenses ‘actually and necessarily incurred’, but is still limited to ‘eligible journeys’ by the shortest or most practicable route and to the part of the journey that is within the Council area.

Council may aggregate claims for reimbursement of expenses that relate to journeys that do not exceed 20 kilometres and claim them on a quarterly basis.

2. Section 77(1)(b) – Travel reimbursement (other than under section 77(1)(a))

Council approves reimbursement of the following expenses incurred by Council Members in travelling to a function or activity on Council business.

The following conditions apply to these expenses:

- Travel both within and outside the Council area must be incurred by the Member as a consequence of attendance at a function or activity on the business of Council.
- Reimbursement is restricted to the shortest or most practicable route and means of transport.
- Where a Council Member travels by private motor vehicle, the rate of reimbursement is at a rate equal to the appropriate rate per kilometre prescribed for the purposes of calculating deductions for car expenses under section 28.25 of the Income Tax Assessment Act 1997 of the Commonwealth.
- Travel by taxi, bus, plane or other means of public transport will be reimbursed on the basis of expenses where they are incurred as a consequence of the Council Member’s attendance at a function or activity on the business of the Council, however such travel must still be limited to the shortest or most practicable route.
- Car parking fees will be reimbursed where they are a consequence of a Council Member attending a function or activity on the business of the Council.
- Production of relevant receipts or other evidence of expenditure is required.

3. Use of Council Vehicles

Use of CDC Provided Vehicles for attending a function or activity on the business of Council

Mayoral use: The Mayor will have access to a suitable Coorong District Council vehicle for attending a function or activity on the business of Council. The Mayor shall arrange with the Chief Executive Officer for the use of the pool car, and will be given priority of its use.

Alternatively, where the Mayor travels by private motor vehicle, the rate of reimbursement is at a rate equal to the appropriate rate per kilometre prescribed for the purposes of calculating deductions for car expenses under section 28.25 of the Income Tax Assessment Act 1997 of the Commonwealth.
Council Members Allowance, Benefits and Support Policy

Reimbursement of these expenses will be based on the cents per kilometre method set by the Australian Taxation Office. A record of kilometres and details will need to be provided to obtain reimbursement.

Council Members use: Council Members may have access to a suitable Coorong District Council vehicle for attending a function or activity on the business of Council. A Council Member wishing to use a Coorong District Council vehicle for attending a function or activity on the business of Council must submit a request to the Chief Executive Officer at least two (2) days prior to use, except in exceptional circumstances as determined between the Council Member, Mayor and Chief Executive Officer.

Fuel Costs All fuel used in a Coorong District Council owned vehicle on attending a function or activity on the business of Council will be provided or paid for by the Coorong District Council.

Motor Vehicle Policy All Council Members will abide by the operational Motor Vehicle Policy when utilising a Council pool vehicle

9. Travel Time Allowance for Members of non-metropolitan councils

Council Members (excluding the Principal Member) are eligible for payment for a travel time payment where the Council Members:

a) usual place of residence is within the Coorong District Council and is located at least 30kms but less than 50kms from Council’s principal office located at Tailem Bend, via the most direct road route - $410 per annum
b) usual place of residence is within the Coorong District Council and is located at least 50kms but less than 75kms from Council’s principal office located at Tailem Bend, via the most direct road route - $700 per annum
c) usual place of residence is within the Coorong District Council area and is located at least 75kms but less than 100kms from Council’s principal office located at Tailem Bend, via the most direct road route - $1050
d) usual place of residence is within the Coorong District Council area and is located 100kms or more from Council's principal office located at Tailem Bend, via the most direct road route - $1490

This payment is made to a Council Member in addition to any entitlement to reimbursement of expenses incurred and will be paid quarterly in arrears

10. Care and other expenses

Pursuant to Section 77(1)(b) of the Act Council approves reimbursement of:

- Expenses incurred for the care of a child of a Council Member or dependent of the Council Member requiring full time care as a consequence of the Council Member’s attendance at a function or activity on the business of Council (other than expenses reimbursed under section 77 (1)(a) of the LG Act).
- Expenses incurred as a consequence of the Council Member’s attendance at a conference, seminar, training course or other similar activity that is directly or closely related to the performance or discharge of the roles or duties of the Member (other than expenses for which the Member is reimbursed under section 77(1)(a) of the LG Act). Expenses will only be reimbursed for attendance at conferences, seminars, etc. which have been approved by Council through the Council Members’ Training & Professional Development Policy.
Council Members Allowance, Benefits and Support Policy

- The following types of expenses eligible for reimbursement include - airfares, registration fees, accommodation and meals, taxi fares, car parking and other reasonable incidental costs.

- Consideration must be given to all aspects of costs associated when seeking accommodation, for example inclusion of car parking costs etc. and consider accommodation that provides best value for money, safety of Council Members, availability and comfort.

- Alcoholic beverages will not be reimbursed.

All reimbursement claims must be accompanied by a suitably complying tax invoice as acceptable to the Australian Taxation Office and Council’s auditors clearly showing expenses incurred.

All reimbursement claims must be made within one (1) month of attending any conference, seminar etc.

11. Facilities & Support

In addition to allowances and the reimbursement of expenses, facilities and forms of support for use by Council Members to assist them to perform or discharge their official functions and duties (section 78) is provided below:

The provision of facilities and support is available to all Council Members on a uniform basis, other than those facilities or support specifically provided to the Principal Member set out in “Principal Member facilities or support”.

The following facilities and support are considered necessary or expedient for all Council Members:

- Appropriate electronic device as approved by Council; (currently iPad and associated accessories)
- Total telephone (fixed and mobile) and office consumable allowance of $1,000 per year (paid quarterly on request) for any telephone calls and use of home office consumable for Council business. Mobile service number as provided for public contact on Council’s web site and other promotional documentation. Claims exceeding this amount with supporting documentation will require approval of the Council.
- Council email address
- Data access card
- A level of information technology support to assist Members to use electronic devices in an effective manner
- A reasonable supply of business cards
- Access to meeting rooms as appropriate at any of Council’s Offices (booking required)
- Meals and refreshments where appropriate while attending Council Meetings, Council Committee meetings, Council briefings, workshops, training etc.
- Insurance as required by Section 80 of the Act. This requires that every member of the Council, and a spouse, domestic partner or another person who may be accompanying a member of the Council is insured against risks associated with the performance or discharge of official functions or duties by members.

NOTE: Electronic version in the TRIM System is the controlled version
Printed copies are considered uncontrolled. Before using a printed copy, verify that it is the current version
12. Facilities & Support for Principal Member

In addition to the above, the Principal Member (and any acting Principal Member appointed during the Principal Member’s absence) is entitled to following additional facilities and support to assist them in performing and discharging their official functions and duties:

- Priority use of a Council pool vehicle
- Administrative and diary management support as necessary
- A mobile telephone primarily for Council business. Personal use is permitted that will not result in additional costs to Council
- Subscription costs to relevant bodies that is directly or closely related to the performance or discharge of the roles or duties of the Principal Member

The provision of these facilities and support are made available to all Council Members, including the Principal Member on the following basis:

- they are necessary or expedient for the Council member to perform or discharge his/her official functions or duties
- the facilities remain the Council’s property regardless of whether they are used off site or not
- each Council Member is solely responsible for those facilities released into their care and/or control for the duration of their term in office
- each Council Member is solely responsible for the maintaining of confidential items/matters that may be stored on any IT device, mobile phone and/or documentation
- they are not to be used for a private purpose or any other purpose unrelated to official Council functions and duties, unless such usage has been specifically pre-approved by the Council and the council member has agreed to reimburse the Council for any additional cost or expenses associated with that usage
- they are not to be used by any other person
- all facilities must be returned to the Council at the end of each term in office, upon a vacancy of office or earlier at the request of the Chief Executive Officer
- If the facilities provided are damaged or lost, the Council Member must lodge a written report with the Chief Executive Officer

13. Other Reimbursements

Any additional reimbursements and facilities and support not detailed in this Policy will require the specific approval of Council prior to any reimbursements being paid, benefits being received and facilities and/or support being provided.

14. Claims for Reimbursement

Council Members are required to provide details of kilometres travelled and/or evidence of expenses incurred to support all reimbursements claimed.

All claims for reimbursement must be submitted to the Chief Executive Officer on the appropriate Council Members Reimbursement Claim Form on a quarterly basis for the purposes of maintaining the Register of Allowances Benefits.
Council Members Allowance, Benefits and Support Policy

Reimbursement of expenses will only be paid upon presentation of the form/s and adequate evidence, e.g. tax invoices acceptable to the Australian Tax Office and Council Auditors supporting the claims made and must be provided quarterly.

15. Register of Allowances and Benefits

Pursuant to Section 79(1) and (2) of the LG Act, the Chief Executive Officer must maintain a Register in which he or she shall ensure that a record is kept of and updated on a quarterly basis:

- The annual allowance paid or payable to each Council Member under Section 79(1)(a) of the Act;
- any expenses reimbursed under section 77(1)(b) of the LG Act (in the case of section 79(1)(b));
- details of other benefits paid or payable to, or provided for the benefit of the Member by the Council (in the case of section 79(1)(c)); or
- to make a record of the provision of a reimbursement (other than a reimbursement under section 77(1)(a) or benefit not previously recorded in the Register (in the case of section 79(2)(b)).

Reimbursements paid under Section 77(1)(a) of the Act are not required to be recorded in the Register.

Any changes in the allowance or a benefit payable to, or provided for the benefit of, Council Members will be updated in the Register each quarter and therefore each Council Member is required to provide his or her claim form for reimbursement to the Chief Executive Officer on a quarterly basis.

The Register of Allowances and Benefits is available on Council’s website at any time, or for inspection by members of the public free of charge, at Council’s Offices during ordinary business hours of each office. Copies or extracts of the Register are available for purchase upon payment of a fee payable as per the Fees & Charges schedule.

Coorong Civic Centre  Meningie Information Hub  Tintinara  Customer Service Centre
95-101 Railway Terrace 49 Princes Highway 37 Becker Terrace
Tailem Bend Meningie Tintinara
Phone: 1300 785 277 Phone: 1300 785 277 Phone: 1300 785 277
Fax: 8572 3822

Copies will be provided to interested parties upon request. Email council@coorong.sa.gov.au

16. Review

- This Policy in its entirety will automatically lapse at the next general election.
- The Policy will be reviewed after the next general election, as required or due to any legislative changes.

17. Breach of Policy

Any breach of this Policy will be managed in accordance with Council’s Code of Conduct for Council Members.

NOTE: Electronic version in the TRIM System is the controlled version
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18. Definitions

**Prescribed Meeting** – a meeting of the Council or Council committee, or an informal gathering, discussion, workshop, briefing, training course or similar activity which is directly related to the performance or discharge of the roles or duties of the member. – section 77(1)(a) LG Act.

**Eligible Journey** – a journey (in either direction) between the principal place of residence, or a place or work, of a Council Member, and the place of a prescribed meeting.

**Function or activity on the business of Council** – includes official Council functions e.g. Mayoral function, dinners associated with Council, citizenship ceremonies, official visits, attendance at meetings of community groups and organisations as an appointed delegate of Council (but not to attend meetings of community groups, individuals or organisations when fulfilling the role of local representative).
Form 1

Council Member’s Reimbursement Claim - Mandatory

Name: ………………………………………………………………………………………………………

Period: ……………………………………………………………………………………………………

Total Reimbursement Claim Amount: $……………………………………………………………

________________________________________________________________________

Reimbursement of prescribed expenses associated with attending a prescribed meeting that is not subject to Council approval (refer to section 77(1)(a) of the Local Government Act 1999 and Regulation 5 of the Local Government (Members Allowances and Benefits) Regulations 2010).

1. Travel Expenses & Travel Time Payment (if applicable)

<table>
<thead>
<tr>
<th>1.1 Date of Travel</th>
<th>1.2 Council Function or Business Attended*</th>
<th>1.3 Mode of Transport</th>
<th>1.4 Distance Travelled (km)**, if Motor Vehicle</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

1.5 Details of your motor vehicle (where applicable):

- Model and make of motor vehicle: ………………………………………………………………
- Total number of kilometres for reimbursement claim: ……………………………………
  (Reimbursement rate = 0.68 cents per kilometre, regardless of engine size)
1.6 Bus and/or taxi costs (where applicable):

- Reimbursement claim: $............................................................

  Please attach copies of all receipts.

Council Members

2. Care Expenses:

<table>
<thead>
<tr>
<th>2.1 Name of Child/Dependent</th>
<th>2.2 Date of Care</th>
<th>2.3 Prescribed meeting attended</th>
<th>2.4 Hours of Care Provided</th>
<th>2.5 Care Provider</th>
</tr>
</thead>
<tbody>
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</table>

- Reimbursement claim: $............................................................

  Please attach copies of all receipts.

***NOTE: A ‘prescribed meeting’ means a meeting of the council or council committee, or an informal gathering, discussion, workshop, briefing, training course or similar activity which is directly or closely related to the performance or discharge of the roles or duties of the member.***
If not provided previously or your details have changed please complete your details below:

BSB: 
Account No: 
Bank and Branch: 

Please remember to attach all paperwork supporting your claim otherwise payment will be delayed.

I, confirm that the above claims for reimbursement are true and accurate and are made in accordance with section 77(1)(a) of the Local Government Act 1999 and Regulation 5 of the Local Government (Members Allowances and Benefits) Regulations 2010.

.........................................................................................................
Signature of Council Member

Date: ................................................

.........................................................................................................
FOR OFFICE USE ONLY

.........................................................................................................
Signature of Chief Executive Officer (Acknowledging receipt)

Date: ................................................

Claim processed by: ..................................................
Form 2

Council Member’s Reimbursement Claim - Approved

Name: ………………………………………………………………………………………………….
Period: …………………………………………………………………………………………………
Total Reimbursement Claim Amount: $...................................................................................

__________________________
Reimbursement of Council approved expenses (Refer to section 77(1)(b) of the Local
Government Act 1999 and Regulation 5 of the Local Government (Members Allowances and
Benefits) Regulations 2010 and the Council Member’s Allowances & Benefits Policy).

1. Travel Expenses

<table>
<thead>
<tr>
<th>1.1 Date of Travel</th>
<th>1.2 Council Function or Business Attended</th>
<th>1.3 Mode of Transport</th>
<th>1.4 Distance Travelled (km), if Motor Vehicle</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

1.5 Details of your motor vehicle (where applicable):

- Model and make of motor vehicle: …………………………………………………………….
- Total number of kilometres for reimbursement claim: …………………………………
  (Reimbursement rate = 0.68 cents per kilometre, regardless of engine size)
1.6 Bus and/or taxi costs and associated receipts (where applicable):

- Reimbursement claim: $............................................................

Please attach copies of all receipts.

2. Care Expenses

<table>
<thead>
<tr>
<th>2.1 Name of Child/Dependant</th>
<th>2.2 Date of Care</th>
<th>2.3 Council Function or Business Attended</th>
<th>2.4 Hours of Care Provided</th>
<th>2.5 Care Provider</th>
</tr>
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<tbody>
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</tbody>
</table>

- Reimbursement claim: $............................................................

Please attach copies of all receipts.

3. Conference, Seminar or Training Course

<table>
<thead>
<tr>
<th>3.1 Date</th>
<th>3.2 Council Function or Business Activity</th>
<th>3.3 Venue/Location of Function or Business Activity</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

- Reimbursement claim: $............................................................

Please attach copies of all receipts.
4. Other Reimbursements

<table>
<thead>
<tr>
<th>4.1 Date</th>
<th>4.2 Description of reimbursement</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

- Reimbursement claim: $............................................................

Please attach copies of all receipts.
If not provided previously or your details have changed please complete your details below:

BSB:

Account No:

Bank and Branch:

Please remember to attach all paperwork supporting your claim otherwise payment will be delayed.

I, confirm that the above claims for reimbursement are true and accurate and are made in accordance with section 77(1)(a) of the Local Government Act 1999 and Regulation 5 of the Local Government (Members Allowances and Benefits) Regulations 2010.

Signature of Council Member

Date: ........................................

FOR OFFICE USE ONLY

Signature of Chief Executive Officer (Acknowledging receipt)

Date: ........................................

Claim processed by: ...............................................................

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2. DEBT RECOVERY & FINANCIAL HARDSHIP POLICY REVIEW

<table>
<thead>
<tr>
<th>SMP Objective 1</th>
<th>Strategy 1.7 - Achieve or implement the statutory and core responsibilities of Council.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other Document Reference</td>
<td>Community Wastewater Management Scheme (CWMS) Hardship Policy Strategic Rating Policy Privacy Policy Financial Hardship Application Form Payment Arrangement Application Form Community Wastewater Management Scheme Customer Service Charter</td>
</tr>
<tr>
<td>Statutory Requirement</td>
<td>Yes</td>
</tr>
<tr>
<td>Financial Implications</td>
<td>Nil</td>
</tr>
<tr>
<td>Author of Report</td>
<td>Director Community &amp; Corporate</td>
</tr>
<tr>
<td>Officers Consulted</td>
<td>Senior Finance Officer</td>
</tr>
</tbody>
</table>

REPORT

Purpose

Seeking ratification from Council for the reviewed and updated Debt Recovery & Financial Hardship Policy.

Policy Review

Since its last review in April 2019, the Debt Recovery & Financial Hardship Policy has undergone a more specialised review as a result of the COVID-19 crisis.

Information and advice from key sources has been considered, including the Local Government Association SA, Revenue Professionals SA and other metropolitan and regional councils from across the state. This has assisted in the development of a policy more relevant to the needs of the community during the COVID-19 pandemic and beyond.

The following key principles form the basis of the current Debt Recovery & Financial Hardship policy:

- **Accessible** – the policy and relevant application forms and information will be available via a ‘COVID-19’ button on Council’s website.
- **Early intervention** – communication strategies including open and respectful customer service, in conjunction with a ‘user-friendly’ application process, will assist in the early identification of hardship.
Coorong District Council

Ordinary Council Meeting Agenda 21 April 2020

- **Appropriate** – to the needs of ratepayers and the different levels of financial difficulty experienced through hardship.
- **Easy to understand and apply for** – a simpler application process which still meets Councils requirements as an accountable public authority by requesting the necessary ‘proof’ of hardship documentation. Ratepayers requesting to enter into a payment arrangement under hardship can complete the application form without the need to see an accredited financial counsellor.
- **Referrals** – an application process which still necessitates the need for certain hardship cases to utilise the valuable service of accredited financial counsellors.
- **Respectful** – preserving the ratepayers’ privacy and dignity is paramount in the process.
- **Consistency** – all ratepayers should make a fair contribution to the services provided by Council.

During this review cycle, the following changes have been made:

- Minor cosmetic changes and updates to the introductory table.
- Other minor grammatical and formatting changes to the body of the policy.
- Section “1. Policy Objective”: 2nd dot point which previously read, "To ensure that all applications for the postponement of rates payments due to financial hardship are considered in an equal and fair manner as per the provisions set out under section 182 of the Local Government Act 1999", re-worded to remove ambiguity relating to “postponement” of rates as the only option available under financial hardship provisions.
- Section “2. Policy Statement”: dot point added, “Where hardship provisions apply, Council will recommend ratepayers to apply for financial hardship, and will advocate the services of an accredited financial counsellor”, for improved relevance to the financial pressures experienced by many ratepayers in today’s society.
- Section “3. Definitions”: has been updated to more broadly define terms within the policy.
- Section “4. Debt Management”: point one (1) previously stated that where a First Reminder letter is issued, payment needs to be made within fourteen (14) days. This has been increased to twenty one (21) days. A seven (7) day increase to the payment deadline affords the debtor the best opportunity to 1) reconcile the debt, or 2) contact Council to discuss other options.
- Section “4. Debt Management”: point two (2) previously stated that where a Demand letter is issued, payment needs to be made within seven (7) days and that failure to do so will result in the commencement of legal action. This time line has been increased to fourteen (14) days to assist the debtor to 1) reconcile the debt, or 2) contact Council to discuss other options.
- Section “5. Disputing a Sundry Debt”: 2nd and 3rd paragraphs detailing the officers responsible for actioning a dispute is considered superfluous to the policy and have been removed.
Coorong District Council

Ordinary Council Meeting Agenda 21 April 2020

- Section “6. Payment Arrangement”: much of this section has been re-written and expanded upon to include more detailed information relating to payment arrangement options and the process to be taken when an arrangement is not being adhered to.
- Section “7. Financial Hardship”: much of this section has been re-written and expanded upon to include a definition of financial hardship, the assessment criteria, the application process to be followed, where the prescribed form can be accessed, and the different options available to ratepayers experiencing hardship.
- Section “8. Senior Postponements”: this an entirely new section in the policy which defines and describes a postponement of rates for seniors, and which is provided for under section 182 of the *Local Government Act 1999*. It is appropriate to include in the policy because of its influence on the collection of rates.
- Section “9. Late Payment of Council Rates”: Council often receives requests from ratepayers to remove fines and interest which have been applied to rate accounts. There are many different reasons why these requests are made, some of which are reasonable and some of which are not. It is important that the policy distinguishes between the two. Therefore, two (2) dot points added to those “considered as not acceptable” reasons to remit fines/interest, including, 1) “Non-receipt of emailed rates notice where issue of SMS message can be verified”, and 2) “Failure to provide Council with written notification of a change of address resulting in non-receipt of rates notice.”
- Section “11. Complaints & Appeals”: is an entirely new section which is required to be included in the policy.
- Section “12. Further Information & Policy Review”: where it states in first paragraph, “… or as necessary due to relevant legislation changes relating to this policy”, amended to include “… or as necessary due to relevant legislation changes and/or Government recommendations”, to more closely align with the current health crisis.

With no further changes to note, it is recommended that the Debt Recovery & Financial Hardship Policy be adopted as tabled.

**Attachments**

Debt Recovery & Financial Hardship Policy
1. **Policy Objective**

The objective of this policy is to:

- To ensure a fair, consistent and accountable approach to Coorong District Council’s debt management and collection decisions and practices.
- Adopt a consistent approach to the treatment of financial hardship applications to ensure the process is relevant, fair, equitable, effective and respectful, and adheres to the provisions set out under section 182 of the *Local Government Act 1999*.
- Assist in the efficient management of Council assets through the timely collection of outstanding monies.
2. **Policy Statement**

The management and recovery of outstanding revenue is an important aspect of Council’s financial management function. Rates are a form of taxation and are levied under the *Local Government Act 1999* on the basis of land value and use. This policy recognises that there may be circumstances where the value of the property, or the land use does not indicate the ratepayer’s capacity to pay, and allows Council to consider applications for temporary relief from rates. Section 182 of the *Local Government Act 1999* allows that postponement of rates may be considered if Council is satisfied that the payment of rates would cause extreme hardship.

The principles that will apply in the management and recovery of debt are as follows:

- Council has a responsibility to recover monies owing to it in a timely and efficient manner to finance its operations and ensure effective cash flow management;
- Council will operate effective billing and debt collection processes;
- Council aims to minimise the amount of outstanding monies that it is owed;
- Debtors are expected to take responsibility for their Council debt obligations and to organise their affairs in such a way as to be able to discharge these obligations when required;
- If a debtor cannot meet their obligations on the due dates, it is in the interests of the debtor, and Council, for the debtor to contact Council at the earliest opportunity to make appropriate arrangements to address the debt;
- Council will explain the debtor’s rights and obligations in relation to any action that Council might take to recover debt;
- Where hardship provisions apply, Council will recommend ratepayers to apply for financial hardship, and will advocate the services of an accredited financial counsellor;
- Council will not issue a letter of demand to a debtor without taking all reasonable steps to establish a payment arrangement or negotiate settlement of the outstanding debt;
- Once a letter of demand has been issued, legal action can proceed and any settlement negotiations will be made on a “without prejudice” basis so that the legal right to collect the debt is not compromised.

3. **Definitions**

The **Act** is the *Local Government Act 1999 (SA)*

**Council** is the local government entity known as Coorong District Council.

**Ratepayer** means a person who owes amounts for rates, fees, or other charges due and payable to the Council.

**Accredited Financial Counsellor** means a person who holds a Diploma of Community Services (Financial Counselling), and who has worked at least 12 months as a financial counsellor under the supervision of the South Australian Financial Counsellors Association.
**Debt Recovery & Financial Hardship Policy**

**Financial Hardship** means a circumstance of experiencing a lack of financial means, which may be either ongoing or temporary, but does not include circumstances where a person chooses not to meet a liability for an unpaid debt.

**Default** is where a Council approved payment arrangement is in place and payments are not made as agreed by the ratepayer.

**Policy** means this Debt Recovery & Financial Hardship Policy.

4. **Debt Management**

The following debt collection practices will be applied to all debts (rates and sundry debtors) over $200.00 that is not in dispute which have been outstanding for sixty (60) days:

1. First reminder letter will be forwarded, requesting payment within twenty one (21) days, or to contact Council to enter into a payment arrangement (the application form can be accessed via Council’s website [www.coorong.sa.gov.au](http://www.coorong.sa.gov.au). Alternatively, a copy may be obtained from any of our Customer Service Centres).

2. Where no response has been received a letter of demand for payment within fourteen (14) days will be forwarded. The letter will state that failure to make payment in full or to enter into a payment arrangement will result in the commencement of legal action.

3. Where no response has been received, outstanding debt will be forwarded to Council’s external debt collection agency.

5. **Disputing a Sundry Debt**

In the event that a sundry debt is in dispute, the debtor can lodge a complaint in writing, by either submitting a letter or completing a customer complaint form (the form is available on our website, or a copy may be obtained from any of our Customer Services Centres).

6. **Payment Arrangement**

Ratepayers can enter into a payment arrangement to address current or outstanding rates. There is no limitation of the scope of the payment arrangement that can be provided by the Act. This Council will review each application to enter into a payment arrangement on a case-by-case basis because each ratepayer’s set of circumstances is different.

Payment arrangements can be made directly with Council, either over the phone or by completing the prescribed form (the form is available on our website, or a copy may be obtained from any of our Customer Services Centres). Alternatively, when a debt is with an external debt management agency, a payment arrangement can be made directly with the agency. All agency payment plans are approved by Council prior to being agreed upon by the agency.

Monthly interest and quarterly fines are applied in accordance with the Act. Therefore, interest and fines will continue to apply to outstanding rates even when a payment arrangement is in place. The only exception to this is where extreme hardship exists and approval has been given for a remission of fines and interest, which has been applied for as part of financial hardship via an accredited financial counsellor.
Debt Recovery & Financial Hardship Policy

In most instances a payment arrangement will be confirmed in writing to the ratepayer. A default of at least three consecutive payments will be considered by Council as a failure to meet payments in accordance with the formal agreement. This will result in automatic cancellation of the payment arrangement and Council may escalate the debt recovery process including referral to an external agency. In addition, Council reserves the right to limit the amount of payment arrangements a ratepayer can enter into for any one rates debt. The reason for this is to avoid repeat entry into payment arrangements for a single debt which results in 1) an increase to the amount of debt over an extended period of time, and 2) serves to delay escalation of the debt recovery process.

7. Financial Hardship

This Council is committed to assisting ratepayers experiencing financial hardship to manage their current and outstanding rates in a manner which is fair, planned and mutually agreed between both parties.

A ratepayer experiencing financial hardship is someone who is identified by themselves, by Council, by an accredited Financial Counsellor, or welfare agency, as having the intention, but not the financial capacity, to make required payments in accordance with Council’s payment terms. Factors contributing to serious hardship generally include family tragedy, financial misfortune, serious illness, impacts of natural disaster and other serious or difficult circumstances.

An individual is considered to be in serious hardship when unable to provide food, accommodation, clothing, medical treatment, education or other basic necessities for themselves, their family or other dependants.

The Applicant completing the application form for financial hardship needs to be the principal ratepayer of the property for which rate relief is being sought, and the property must be the Applicant’s main place of residence. Each application for financial hardship is assessed on a case-by-case basis because each ratepayer’s set of circumstances is different. Similarly, each application is treated ‘without prejudice’ and in strict confidence in accordance with Council’s Privacy Policy.

Assessment criteria for hardship consideration includes, but is not limited to, the following:

- Income from all sources;
- Living expenses;
- Reasons for financial hardship;
- History of the debt; and
- Compliance with any previous payment arrangements.

Ratepayers requesting to enter into a payment arrangement specific to their circumstances to facilitate payment of their outstanding rates balance, have the flexibility to self-apply using the prescribed form without the need to see an accredited financial counsellor. Ratepayers seeking a postponement or remission of rates must contact an accredited financial counsellor to complete the form and submit their application.

All applications for financial hardship must be completed using Council’s prescribed Financial Hardship Application form which can be accessed via Council’s website www.corong.sa.gov.au. Alternatively, a copy can be obtained from any of our Customer Service Centres.
Debt Recovery & Financial Hardship Policy

Only applications which are considered complete and with the relevant documentation attached, will undergo Council’s assessment process. An application for financial hardship will only be legitimate and come into effect once written confirmation of approval is provided by Council.

Where applicants satisfy the requirements for relief from rates due to hardship or extenuating circumstances, the Council may grant relief in the form of the following:

- **Payment Arrangement** – ratepayers can enter into a flexible payment arrangement, specific to their circumstances to manage the payment of their rates. Payments are generally made on a weekly, fortnightly or months basis. Ratepayers applying for hardship and who are willing to enter into such an arrangement, are able to self-apply without the need to meet with an accredited financial counsellor.

- **Postponement of Rates** – in applying for financial hardship, a ratepayer can request a postponement of rates (i.e. to not make any payments for a specified period of time). In all instances, ratepayers are recommended to seek independent advice regarding the potential financial impacts of taking up this option. Consequently, all applications for financial hardship requesting a postponement of rates need to be made via an accredited financial counsellor.

- **Remission of Rates** – section 182 of the Act enables Council to write-off rates for ratepayers experiencing hardship. Because remission has a final effect, Council will model the resultant impacts. As a result, this option is only considered appropriate in extreme hardship cases and applications will need to be submitted via an accredited financial counsellor.

8. Senior Postponement

If Council is satisfied on application of the ratepayer that payment of rates in accordance with Section 182 of the *Local Government Act 1999* would cause hardship, then Council may provide for the postponement of the payment of the prescribed portion of rates for the current or future financial year if:

- The ratepayer holds a current State Seniors Card issued by the state government, or qualifies to hold such a card and had applied for the card but has yet to receive it; and
- The person is a prescribed ratepayer, or is the spouse of a prescribed ratepayer; and
- The rates are payable on land that is the principal place of residence of the prescribed ratepayer; and
- The land is owned by the prescribed ratepayer or his/her spouse; and
- No other person has an interest (as owner) in the land.

Eligible ratepayers are required to pay a minimum of $500 per year toward their Council rates with payment of the remaining balance postponed for an indefinite period, until their property is sold or eligibility ceases. It is important to note that the portion of rates which is under postponement will attract interest at the prescribed rate pursuant to s182A (5) of the *Local Government Act 1999*.

Ratepayers can manage payment of the minimum $500 per year via:
Debt Recovery & Financial Hardship Policy

- One lump sum payment
- Quarterly payments of $125 each, or
- Regular Centrepay deductions of approx. $20 per fortnight.

Due to the future financial implications to the ratepayer as a result of entering into a postponement of rates for Seniors, applicants must be encouraged to seek the advice of an accredited Financial Counsellor for assistance with their application.

Applications need to be made using Council’s Postponement of Rates for Seniors form. Only applications which are considered complete and with the relevant documentation attached, will undergo Council’s assessment process. An application for Seniors postponement will only be legitimate and come into effect once written confirmation of approval is provided by Council.

Penalties
Reference is made to Sections 182A (8) and 182A (9) of the Local Government Act 1999 which outlines that if a person has applied for the benefit of a Seniors postponement of rates and entitlement to that postponement ceases to exist, the owner of the land must inform the Council in writing of that fact (unless the liability to the relevant rates has been extinguished).

If a person fails to comply with the above requirement to inform Council of a charge in circumstances, that person is guilty of an offence under the Local Government Act 1999 with a maximum penalty of $5,000.

A person must not make a false or misleading statement or representation in an application made for Seniors postponement of rates. Maximum penalty $10,000.

Any rates applicable on the grounds that the rebate was no longer applicable become due and payable immediately.

9. Late Payment of Council Rates

Late payment penalties in the form of monthly interest and quarterly fines will be applied in accordance with Section 181(8) of the Local Government Act 1999. Council offers a grace period of three (3) days after the due date for payment to allow for administration functions of processing external agency payments. Late payments received within this grace period and which pay arrears balances in full will avoid penalties being applied.

Fines and/or interest for late payment of rates may otherwise be waived upon application made to Council in writing by a ratepayer under the following circumstances:

- Financial difficulties due to unemployment or sickness of the principal income earner;
- Delayed applications for financial assistance through the Department for Communities and Social Inclusion;
- Accidents, sudden hospitalisation or serious injury;
- Non-receipt of rates notice (limitations apply);
- The history of a ratepayer’s payment of rates, i.e. good payment history;
- Financial hardship.

The following reasons, in the absence of those above, are considered as not acceptable and fines/interest for late payment will not be remitted:
Debt Recovery & Financial Hardship Policy

- Loss of cheque/s for payment of rates in the post;
- Late receipt of payments due to postal delay;
- Non-receipt of emailed rates notice where issue of SMS message can be verified;
- Failure to provide Council with written notification of a change in address resulting in non-receipt of rates notice;
- Late remittances for payments made by financial institutions on the client’s behalf;
- Absenteeism from the area due to business or vocational purposes;
- Intentional late payment as an objection for alleged non-receipt of expected services;
- Simple oversight and no other explanation given.

Council will issue a Notice of Overdue Rates for payment of rates (taking into account the grace period), when rates remain unpaid by the due date. Should rates remain unpaid for more than sixty (60) days after the issue of the Notice of Overdue Rates, Council will instigate its internal debt recovery process.

10. Sale of Property for Non-Payment of Rate Debts

In accordance with Section 184 of the Local Government Act 1999, Council may sell land for the non-payment of rates where the ratepayer has not applied for, and been granted waiver or remission of the overdue rates by Council. Council acknowledges the severe impact that the sale of land can have on an individual property owner and accordingly, this action will only be instigated after all other attempts to recover monies owed have been exhausted. This approach will assist in providing that all ratepayers will be treated fairly and equally in regard to the recovery of long-term rates debt. In addition, Council acknowledges that the balance of the community should not be required to bear the financial burden of any long term rate debts.

The Director Community & Corporate and/or Senior Finance Officer will report to Council any rate debtors that have remained unpaid following implementation of recovery action as detailed above, and are in arrears for three (3) years or more. Council will give the Director Community & Corporate direction on further recovery action pursuant to Section 184 of the Local Government Act 1999 on presentation of such a report.

Once Council has granted approval for Section 184 action to commence, the ratepayer will be advised in writing of the following:

- Council’s ability to recover rates via sale of land (without any threat to proceed) and requesting their cooperation by arranged payment of debt and payment options;
- Outlining the process details relating to Section 184 of the Act and action if the rates remain outstanding for over three (3) years;
- That any interested parties, such as mortgagees, will be notified if an arrangement to clear the debt is not forthcoming;
- Requesting a response within one month from the date of the letter.

11. Complaints & Appeals

Complaints and appeals will be considered in accordance with Council’s complaints and grievance procedures and Sections 270 and 271 of the Local Government Act 1999. A copy of the Complaints Handling Policy can be found at www.coorong.sa.gov.au. Any
Debt Recovery & Financial Hardship Policy

grievances in relation to this policy or its application should be forwarded to Council in writing, addressed to the Chief Executive Officer.

If you are not satisfied with the outcome of your complaint you may contact the Ombudsman SA on (08) 8226 8699 or email Ombudsman@ombudsman.sa.gov.au.

12. Further information & Policy Review

This policy will be reviewed annually in line with Council’s Policy Framework, the Audit Committee Work Program, or as necessary due to relevant legislation changes and/or Government recommendations.

This policy will be available for inspection at the Council offices listed below during ordinary business hours. Alternatively, it can be accessed via Council’s website www.coorong.sa.gov.au.

Coorong Civic Centre
95-101 Railway Terrace
PO Box 399
Tailem Bend
Phone: 1300 785 277
Fax: 8572 3822

Meningie Information Hub
49 Princes Highway
Meningie

Tintinara Customer Service Centre
37 Becker Terrace
Tintinara
3. COMMUNITY ENGAGEMENT POLICY UPDATE

<table>
<thead>
<tr>
<th>SMP Objective 1</th>
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<tbody>
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<td></td>
</tr>
<tr>
<td>Other Document Reference</td>
<td>Community Engagement Policy</td>
</tr>
<tr>
<td>Statutory Requirement</td>
<td>Section 50(5)(a), Local Government Act 1999</td>
</tr>
<tr>
<td>Financial Implications</td>
<td>Nil</td>
</tr>
<tr>
<td>Author of Report</td>
<td>Director Community &amp; Corporate</td>
</tr>
<tr>
<td>Officers Consulted</td>
<td>Chief Executive Officer</td>
</tr>
</tbody>
</table>

Recommendation

That pursuant to Section 50(5)(a) of the Local Government Act 1999, as inserted under the Public Access and Public Consultation Notice (No 2) 2020, Council alters its Community Engagement Policy by including in the Policy the provisions set out in Attachment 1 to the Council report titled Community Engagement Policy Update.

REPORT

Purpose

For Council to ratify the updated Community Engagement Policy in accordance with the Public Access and Public Consultation Notice (No 2) 2020 issued by the Minister for Transport, Infrastructure & Local Government.

Background

The second set of variations to the Local Government Act 1999 (LG Act) under the new emergency power in section 302B of the LG Act have now come into operation.

These variations are contained in the Public Access and Public Consultation Notice (No 2) 2020 (Notice No. 2) made by the Minister for Transport, Infrastructure and Local Government, Mr Stephan Knoll on 8 April 2020. The variations in Notice No. 2 are in addition to the variations made under the Electronic Participation in Council Meetings Notice (No 1) 2020.

Discussion

Two key effects of Notice No. 2 are:

1. Councils may now close their principal office without any requirement for a notice under the South Australian Public Health Act 2011 (SAPH Act) or otherwise vary operating hours without a requirement to undertake public consultation, provided the council considers it reasonably necessary as a result of the public health emergency, and certain requirements detailed in the Notice No. 2 are complied with;
2. Councils are excused from undertaking certain mandatory public meetings in respect of certain types of public consultation.

All variations are temporary and will cease to apply 28 days after all relevant State major emergency declaration.

The LG Act (when unmodified by Notice No. 2) requires councils to hold public meetings as part of its public consultation upon its draft annual business plan and upon various types of changes to Council rating practices.

Notice No. 2 varies the operation of the LG Act so as to remove these requirements for public meetings. However, members of the public must still be able to provide written submissions in the course of all such public consultation. This Notice varies the operation of section 50 of the LG Act such that councils may alter their public consultation policies (Community Engagement Policy), without undertaking public consultation.

This amendment to the Community Engagement Policy suspends requirements for the holding of public meetings which are ordinarily mandatory under the LG Act. This means, for example, public meetings in connection with the draft annual business plan and changes to certain Council rating policies are presently not required due to Notice No 2.

Public consultation, particularly in relation to budget, annual business plan and rating policies is considered an important part of the overall process. In an attempt to alleviate the current inability for the holding of public meetings, the amended Policy provides alternative public consultation measures, including the publication of a notice in relevant local newspapers along with notification on Council’s website.

The Policy clarifies that any feedback from the community or submissions need to be in writing to the CEO. If this is not possible direct contact with the CEO to establish the best means to facilitate the feedback is offered.

The temporary abolition of the normal operation of section 50 of the LG Act is an important measure in relation to the overall strategy in eliminating COVID-19.

However, upon advice of the lifting of the major public emergency declaration, it is hoped councils can return to the original requirements of section 50 of the LG Act, whereby our community may partake in public meetings.

**Attachment 1**
Community Engagement Policy
Community Engagement Policy
During Public Health Emergency

| Strategic Reference | Objective 4; collaborative & respectful relationships amongst community, Elected Members & Council staff.
| Strategy 4.4; implement innovative techniques for distribution of information & engaging with the community, but still respecting the communication needs of older people. |
| File reference | AR20/6358 |
| Responsibility | Community & Corporate Department |
| Revision Number | 7 |
| Effective date | 15 November 2011 |
| Last revised date | April 2020 |
| Minutes reference | xxx/20, 114/16, 071/15, 2471/13, 400/12, 357/11 |
| Next review date | Next Council election |
| Applicable Legislation | Local Government Act 1999 s50 |
| Related Policies | N/A |
| Related Documents | N/A |

Public Health Emergency: Public Access and Public Consultation

On 15 March 2020, the Chief Executive of the Department for Health and Wellbeing in the State of South Australia, pursuant to section 87 of the South Australian Public Health Act 2011, declared that an emergency which threatens to cause the death of, or injury or other damage to the health of any person is occurring or about to occur in relation to the transmission of COVID-19, and declared the emergency to be a public health emergency.

On 22 March 2020, the State Co-ordinator for the State of South Australia declared, pursuant to section 23 of the Emergency Management Act 2004, that a Major Emergency is occurring in respect of the outbreak of the Human Disease named COVID-19 within South Australia.

On 8 April 2020 the Minister for Transport, Infrastructure and Local Government issued a notice pursuant to section 302B of the Local Government Act 1999, the Public Access and Public Consultation Notice (No 2) 2020 (Notice No 2) varying or suspending the operation of the specified provisions of the Local Government Act 1999 as set out in Schedule 1 to Notice No 2. Notice No 2 commenced operation on 8 April 2020.

For the period Notice No 2 has effect (as provided for in Notice No 2), this public consultation policy is altered as set out below and those alterations have effect notwithstanding any other provision in this Policy to the contrary.
Community Engagement Policy

For the avoidance of doubt, save for the alterations to the Policy as set out below, the Policy otherwise applies to public consultation undertaken by the Council for the purposes of the Local Government Act 1999.

Alterations to Public Consultation Policy

A. Definitions

For the purposes of these alterations the Council includes an officer or employee of the Council acting within the scope of that person’s ordinary functions and duties except in circumstances where these alterations expressly require a matter to be considered at a meeting of the Council.

B. Statutory Requirement to Hold Public Meetings Suspended

The Council will not publish a notice in a newspaper circulating in the area of the Council inviting interested persons to attend a public meeting or meeting of the Council in relation to any matter within the scope of Sections 123, 151 or 156 of the Local Government Act 1999 for which public consultation is required under the Local Government Act 1999. The Council will not hold such a public meeting or invite persons to attend a meeting of the Council to ask questions or make submissions on the matter.

The Council will publish a notice in a newspaper circulating in the area of the Council inviting interested persons to make written submissions within the period stated in the notice (which will not be less than 21 days after the publication of the notice) in relation any matter within the scope of Sections 123, 151 or 156 of the Local Government Act 1999 for which public consultation is required under the Local Government Act 1999. The Council will consider the submissions at a meeting of the Council.

C. Other Requirement to Hold Public Meeting Suspended

The Council will not hold a public meeting in relation to any matter for which the Local Government Act 1999 requires the Council to follow the steps set out in its public consultation policy.

The Council will not hold a public meeting in relation to any matter for which this Policy would, but for this provision, require the Council to hold a public meeting.

To the extent this Policy would otherwise require the Council to hold a public meeting in relation to a matter, the Council will instead publish a notice on its website or in a newspaper circulating in the area of the Council inviting interested persons to make written submissions in relation to any matter within the period stated in the notice (which will not be less than 21 days after the publication of the notice, unless the matter is considered by the Council to require urgent consideration and it is not otherwise contrary to the Local Government Act 1999 to consult for a lesser period). The Council will consider the submissions.

D. Other Requirement to undertake in Person Consultation Activity Suspended

The Council will not undertake any form of face-to-face or in person public consultation activity (including without limitation a door knock, focus group, forum, briefing session, workshop, open house, citizen panel, conversation café, citizen jury, round table or symposium) in relation to any matter for which the Local Government Act 1999 requires the Council to follow the steps set out in its public consultation policy.

The Council will not undertake any form of face-to-face or in person public consultation activity (including without limitation a door knock, focus group, forum, briefing session, workshop, open house, citizen panel, conversation café, citizen jury, round table or symposium) in relation to any matter for which the Local Government Act 1999 requires the Council to follow the steps set out in its public consultation policy.
Community Engagement Policy

house, citizen panel, conversation café, citizen jury, round table or symposium) in relation to any matter for which this Policy would, but for this provision, require the Council to hold such an activity.

To the extent this Policy would otherwise require the Council to hold a face-to-face or in person public consultation activity in relation to a matter, the Council will instead publish a notice on its website or in a newspaper circulating in the area of the Council inviting interested persons to make written submissions in relation any matter within the period stated in the notice (which will not be less than 21 days after the publication of the notice, unless the matter is considered by the Council to require urgent consideration and it is not otherwise contrary to the Local Government Act 1999 to consult for a lesser period). The Council will consider the submissions.

E. Suspension of Other Inconsistent Provisions

To the extent that any other provision of this Policy could be read as requiring the Council to undertake public consultation with a person face-to-face or in person, the provision is suspended while these provisions are in effect and the provisions of paragraph D operate in their stead.

Council Amendment during Public Health Emergency

Public consultation during the declared Public Health Emergency will consist of describing the matter under consideration and publishing in relevant local newspapers and on the Coorong District Council’s webpage.

Interested persons will be invited to make submissions in writing to the Chief Executive Officer in relation to the matter, within 21 days stated in the notice. If a submission is not possible in this form, direct contact is to be made with the Chief Executive Officer to establish the best means to facilitate a submission.

1. Introduction

Coorong District Council is strongly committed to genuine, effective and timely community engagement on a range of issues, often exceeding the minimum consultation requirements.

Under Section 50 of the Local Government Act 1999, Councils are required to adopt a public consultation policy that prescribes the minimum consultation standards. This Community Engagement Policy meets all requirements of Section 50 of the Local Government Act.

The process of consultation must encourage the community to actively engage in policy development, planning and programming, the management and evaluation of services and in identifying areas of concern.

Community engagement precedes action. It should commence at the beginning of the cycle which results in action. Consultation must serve and build trust within the community.

2. Principles

- Members of the community have a right and a responsibility to be involved in and informed about decisions affecting their area and to influence decisions which affect their lives.
- Community involvement in Council decision making will result in greater confidence in the Council and responsive decision making.
- Council decision making will be open, transparent and accountable.
Community Engagement Policy

- It is the responsibility of the elected Council to balance community views and interests with other considerations such as budget constraints.

3. Roles and responsibilities

Council will:
- Listen to all voices within its communities,
- Commit to effective, ongoing and timely community engagement as an integral part of local governance and key decision making,
- Be proactive in seeking the views of its communities and use its input in a meaningful, genuine way,
- Commit adequate resources to facilitate effective community consultation and engagement,
- Communicate openly and honestly and be frank about the degree of influence communities are able to exercise in any engagement activity or key decision,
- Value diversity in communities and utilise inclusive, representative and accessible approaches,
- Build on the strengths and assets in communities to foster increased citizen participation and support community learning,
- Select the appropriate level of engagement and use a variety of techniques,
- Strive to exceed the Legislative Requirements as identified in the Act, and
- Commit to evaluation and continuous improvement.

The community will:
- Communicate openly and honestly to assist Council in understanding its views,
- Respect the diversity of local communities,
- Listen to fellow communities views &
- Receive feedback when they have participated in community engagement activities run by Council and be informed of how their collective contribution influenced the outcome.

4. Engagement methods

Generally, the strategic objective of a community engagement policy is to ensure that all affected residents:
- receive regular information about Council's achievements, objectives and performance,
- are advised of major issues affecting the community and
- are given the opportunity to comment on and be consulted about these

This process may include:
- A regular newsletter
- Other direct mail publications or letterbox drops, as appropriate
- Advertising in media outlets as deemed appropriate
Community Engagement Policy

- Regular media releases to appropriate media outlets and community groups
- Community forums and stakeholder meetings
- Direct consultation with community representative groups
- Council’s website
- Community email database
- Customer/community surveys
- General fixed displays, e.g. community notice boards
- Specific displays, as appropriate
- Community group representations to Council workshops
- Focus groups
- Social media

Regardless of the method or level of consultation staff will consider all responses and report to Council summarising the responses where a Council decision is required.

5. Statutory requirements

In a number of areas Council is required to comply with specific legislative requirements such as minimum periods, publication in the Gazette and the Development Act.

Engagement processes identified in this Policy should be seen as complementing any prescribed statutory requirements which may or not be exceeded.

6. Development approval

This Policy does not cover consultation in respect to planning and building applications. The Development Act establishes specific requirements for Development Approvals.

7. Public submissions

All forms and levels of community engagement will include an invitation for members of the public to provide a submission to Council. This invitation will include any minimum submission requirement (i.e. verbal, written only, website, social media etc) and provide a closing date for receipt of submissions by Council.

8. Engagement categories

The Community Engagement Policy specifies three levels of activity designed to suit all consultation requirements, ranging from the most basic public notification to a major project, or issue of council-wide significance.

Each level specifies the minimum statutory requirements relating to community engagement and exceeds them with a mixture of activities that may or may not be required.

It is Council’s prerogative to establish the level of engagement when considering a subject requiring community consultation. The level will need to reflect the minimum statutory requirements relating to that subject.
Community Engagement Policy

It will be applied to any matter where consultation is required by legislation, Council policy, or when Council considers this to be appropriate.

Any good engagement strategy requires a certain degree of flexibility to suit the specific situation. While setting out minimum standards, each activity level reflects this need by not being too prescriptive. The following tables indicate which level may apply for certain activities. (These are examples only and should not be regarded as a comprehensive list.)

<table>
<thead>
<tr>
<th>Level 1</th>
<th>Level 2</th>
<th>Level 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Opening Hours (minor) - Office</td>
<td>• Plan Amendment Report (PAR) of a technical or non-strategic nature</td>
<td>• Plan Amendment Report (PAR)</td>
</tr>
<tr>
<td>• Change of street and road names</td>
<td>• Traffic management plans</td>
<td>• Major Projects</td>
</tr>
<tr>
<td>• Notice of minor works</td>
<td>• Community Land Management Plans</td>
<td>• Council amalgamations</td>
</tr>
<tr>
<td>• Community events</td>
<td>• Change of a service standard which is deemed to have low community impact</td>
<td>• Community Land - Lease, redevelopment, sale or change in classification</td>
</tr>
<tr>
<td>• Change of parking restrictions</td>
<td></td>
<td>• Strategic Plans</td>
</tr>
<tr>
<td>• Policy development and review deemed not to have a direct impact on the community</td>
<td></td>
<td>• Policy development and review which may directly impact on the community</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Changes to service standards not otherwise subject to level 3 consultation (e.g. through the Annual Business Plan consultation)</td>
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<tr>
<td></td>
<td></td>
<td>• New By-Laws</td>
</tr>
</tbody>
</table>

9. Choosing an engagement strategy

The actions required to gain community input will vary with each issue. The following table is to be used as a guide on suitable actions for changing conditions and circumstances.

<table>
<thead>
<tr>
<th>Level 1</th>
<th>Level 2</th>
<th>Level 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>District Issues, Required</td>
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<td>District Issues, Required</td>
</tr>
<tr>
<td>• Compliance with statutory Requirements, (if any)</td>
<td>• Compliance with statutory requirements (if any)</td>
<td>• Compliance with statutory requirements (if any)</td>
</tr>
<tr>
<td>• Website</td>
<td>• Website</td>
<td>• Council set budget for consultation process</td>
</tr>
<tr>
<td>• Social media post</td>
<td>• Social media post</td>
<td></td>
</tr>
</tbody>
</table>
### District Issues, Optional

- A letterbox drop may be done as well or instead of media advertising.
- Media release
- Copies of major reports and plans being made available at Council offices
- A letterbox drop may be done as well or instead of media advertising.
- Website feature
- Media Releases
- Allow minimum 6 weeks for responses
- Organising of workshops, forums, displays or focus groups
- Copies of major reports and plans being made available at Council offices and libraries
- Specific publication to all affected residents via letterbox drop as decided by Council

### Local Issues

- Direct engagement with relevant community members & groups as deemed appropriate
- Letterbox drop to directly affected properties as appropriate.
- Direct engagement with relevant community members & groups as deemed appropriate
- Letterbox drop as appropriate.
- Direct engagement with relevant community members & groups as deemed appropriate
- Forum/meeting with relevant community members & groups as deemed appropriate

### Minimum Timelines

- Legislative Requirement
  - Optional 21 days*
- Legislative Requirement
  - Optional 21 days*
- Legislative Requirement
  - Optional 42 days*  

*NB: days are not working days and include weekends

### 10. The legislative requirements for public consultation

Legislation requires Council to undertake at least a specified minimum level of consultation in relation to the following:

- Determining the manner, places and times of its principal office (Section 45)
- Adoption or variation of a public consultation policy (Section 50)
Community Engagement Policy

- Altering the Code of Practice relating to the principles, policies, procedures and policies that Council will apply to Public Access to Council and Committee Meetings and their minutes and release of documents (Section 92)
- Adopting Strategic Management Plans (Section 122)
- Excluding land from classification as community land (Section 193)
- Revoking the classification as community land (Section 194)
- Adopting, amending or revoking a management plan for community land (section 197)
- Amending or revoking a management plan for community land (section 198)
- Alienating of community land where the management plan does not allow it (Section 202)
- Alienating roads (Section 223)
- Planting vegetation where it will have a significant impact on residents, the proprietors or nearby residents (Section 232)
- Proposed removal of trees and road construction projects
- Representation Reviews (section 12 (5))
- Status of Council or Name Change (Section 13)
- Commercial Activities - Prudential Arrangements (Section 48)
- Making Bylaws (Section 249)
- Power to make Orders (Section 259)

11. Further information

Any future amendment or alteration to the policy (other than minor or legislated changes) will be subject to public consultation as described in this policy.

This policy will be available for inspection at the Council offices listed below during ordinary business hours and available to be downloaded, free of charge, from Council’s internet site: www.coorong.sa.gov.au

<table>
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<tr>
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<td>Tailem Bend</td>
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<tr>
<td>Phone: 1300 785 277</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fax: 8572 4399</td>
<td></td>
<td></td>
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</table>

Copies will be provided to interested parties upon request. Email council@coorong.sa.gov.au

Any grievances in relation to this policy or its application should be forwarded in writing addressed to the Chief Executive Officer of Council.
12. SECTION 41 COMMITTEES AND SECTION 43 SUBSIDIARIES

1. CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE – SECTION 41

<table>
<thead>
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<th>SMP Objective 1</th>
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<table>
<thead>
<tr>
<th>Other Document Reference</th>
<th>CEO Performance Review Committee Terms of Reference</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Statutory Requirement</th>
<th>Local Government Act 1999</th>
</tr>
</thead>
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<table>
<thead>
<tr>
<th>Financial Implications</th>
<th>This matter has no budgetary considerations at present.</th>
</tr>
</thead>
</table>

<table>
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<th>Director Community &amp; Corporate</th>
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<table>
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<tr>
<th>Officers Consulted</th>
<th>Chief Executive Officer</th>
</tr>
</thead>
</table>

(each recommendation to be moved separately)

Recommendation 1
That members will be appointed the CEO Performance Review Committee by election, with the following stipulations:
1. The Mayor shall be included in the vote;
2. The method of election will be by a secret ballot;
3. First past the post method of voting;
4. The Director Community and Corporate be appointed Returning Officer for the election;
5. If at any stage during the process there is an equal number of votes the Returning Officer will decide the issue by the drawing of lots. The name of the candidate drawn will be the one excluded from the ballot;
6. On completion of the election, the Returning Officer be authorised to declare the successful candidate elected to the position of Committee Member; and
7. On the declaration of the Returning Officer the candidate is appointed to the position of Committee Member of the CEO Performance Review Committee for the term of office determined by resolution.

Recommendation 2
That:
1. A Section 41 Committee be formally established and known as the Chief Executive Officer Performance Review Committee;
2. Membership of the Committee will consist of one (1) Council member from each Ward and the Mayor;
3. Council resolves the Mayor be appointed as the Presiding Member;
4. The following Council Members form Council’s CEO Performance Review Committee;
   Mayor Paul Simmons
   Cr ____________ Mallee Ward
Cr ____________ Lakes Ward
Cr ____________ Parks Ward

5. A representative from Hender Consulting be appointed as the Independent Member;
6. Council resolves the Committee will meet at least once per year;
7. Council resolves the Committee will determine dates and times of meetings;
8. Meetings are to be held at the Council’s principal office, Coorong Civic Centre, 95-101 Railway Terrace, Tailem Bend;
9. The Mayor will inform the Council at the next practical Ordinary meeting of the matters considered by the Committee through the provision of a written report;
10. The Chief Executive Officer Performance Review Committee abide by the Terms of Reference as attached; and
11. The Chief Executive Officer Performance Review Committee has no direct decision making power and will provide recommendations to the Council on matters for consideration.

REPORT

Purpose

To establish a Section 41 Committee for the purpose of undertaking Chief Executive Officer (CEO) Performance Review and consider the Terms of Reference associated.

Discussion

As good governance, it is pertinent to review and update Council’s Section 41 Committees to ensure the Terms of Reference are current and relevant. As part of a current audit of Coorong District Council’s Section 41 Committees it has been revealed that there is no current Section 41 CEO Performance Review Committee adopted by Council.

Before any meetings can be held in relation to the management of the CEO’s Performance it is appropriate for Members to consider membership and the Terms of Reference of this newly instigated committee.

In accordance with the CEO’s duties as outlined in the Employment Agreement, the Performance Review Committee will consist of the Mayor, three Council Members and an independent consultant. The independent consultant is to be agreed to by both parties and is recommended to be a representative from Hender Consulting.

To ensure equity is maintained, it is recommended the three Council Members to make up the Performance Review Committee consist of one Member from each Ward.

The attached Terms of Reference address this proposal, and clarify the purpose and function of the said Committee as to:
1. Undertake the Performance Review of the CEO;
2. Assess the CEO’s performance by reference to the Strategic Goals agreed to by the CEO and in accordance with the CEO’s duties as outlined in their Employment Agreement; and
3. In consultation with the CEO, the Committee will set Strategic Goals.

Additionally, the Terms state a meeting will be held at least once a year. The Committee shall not have delegations and will provide recommendations to the Council on matters for consideration.

In relation to nominations for membership of this Committee, nominations shall be sought by the Mayor. Should the number of nominations exceed the number of vacancies, these shall be taken with rules set around the voting process. Should more than three Councillors nominate:

1. The Mayor shall be included in the vote
2. The method of election will be by a secret ballot
3. First past the post method of voting
4. The Director Community & Corporate be appointed Returning Officer for the election.
5. If at any stage during the process there is an equal number of votes the Returning Officer will decide the issue by the drawing of lots. The name of the candidate drawn will be the one excluded from the ballot.
6. On completion of the election, the Returning Officer be authorised to declare the successful candidate elected to the position of Committee Member
7. On the declaration of the Returning Officer the candidate is appointed to the position of Committee Member of the CEO Performance Review Committee for the term of office determined within the Terms of Reference.

Attachments
Chief Executive Officer Performance Review Committee Terms of Reference
Chief Executive Officer
Performance Review Committee
Section 41

Terms of Reference

1. Name:
The name of the Committee is the Chief Executive Officer Performance Review Committee.

2. Establishment
   2.1 The Chief Executive Officer Performance Review Committee was established on 21 April 2020, Minute xxx/20 of Council, pursuant to Section 41 of the Local Government Act 1999.
   2.2 The Chief Executive Officer Performance Review Committee shall be reviewed at the conclusion of each Local Government election.

3. Definitions
   CEO – Chief Executive Officer

4. Purpose and Functions
   The purpose and function of the Chief Executive Officer Performance Review Committee is to:
   4.1 Undertake the Performance Review of the CEO
   4.2 Assess the CEOs performance by reference to the Strategic Goals agreed to by the CEO and in accordance with the CEO’s duties as outlined in the Employment Agreement
   4.3 In consultation with the CEO, the Committee will set Strategic Goals

5. Membership
   5.1 The Chief Executive Officer Performance Review Committee shall comprise of the Mayor, one (1) Council member from each ward and an independent consultant agreed by both parties.
   5.2 The Presiding Member shall be the Mayor.
   5.3 Appointment to the Committee shall be until the review of the Committee at the conclusion of each Local Government election or as amended by Council.
6. Quorum
The quorum required for the transaction of business at a meeting of the Chief Executive Officer Performance Review Committee shall be 50% plus one (1) members. A duly convened meeting of the Committee at which a quorum is present shall be competent to exercise all requirements of the Committee.

7. Voting
7.1. Each member of the Chief Executive Officer Performance Review Committee present at a meeting shall have one vote.
7.2. The Presiding Member shall have a deliberative vote but does not in the event of an equality of votes have a casting vote.
7.3. In the event of a tied vote the matter will be referred to the next meeting of Council for deliberation.
7.4. Members present at the meeting must vote on all resolutions of the Committee.
7.5. Proxy votes are not permitted.
7.6. A Committee Member may partake in the meeting via telephone, video conference or in person. If via telephone or video conference, the Committee Member must verbalise their vote to enable the Presiding Member to clarify and record the vote.
7.7. Should a Committee Member wish to partake in the meeting via telephone or video conference a minimum two business days’ notice must be provided to the Director Community & Corporate.
7.8. The Presiding Member must be in attendance (in person) of the meeting and may not partake in the meeting via telephone or video conference.
7.9. Should the Presiding Member be required to leave the meeting (e.g. conflict of interest) and the Deputy Presiding Member is partaking in the meeting via telephone or video conference, the Deputy Presiding Member may preside over the meeting electronically.

8. Meetings
8.1. The Chief Executive Officer Performance Review Committee shall meet at least once a year.
8.2. The CEO will prepare and submit to the Performance Review Committee an assessment of their own performance prior to the assessment by the Performance Review Committee.
8.3. Meetings will be conducted at the Council’s principal office, Coorong Civic Centre, 95-101 Railway Terrace, Tailem Bend.
8.4. A Special Meeting of the Committee may be called in accordance with the Local Government Act 1999 and the Local Government (Procedure at Meetings) Regulations 2013.
8.5. The Presiding Member shall ensure that the proceedings of the meeting and resolutions, including recording those present are minuted and that all requirements meet the Local Government (Procedure at Meetings) Regulations 2013.
8.6. Audio recordings of meetings may be made to enable the Minute Taker to reference as required. Audio recordings will be saved only until the Minutes of the relevant meeting have been endorsed by Council.
9. Meeting Procedures

9.1. Procedures at meetings will be in accordance with the Local Government (Procedures at Meetings) Regulations 2013, these Terms of Reference and, Council’s Code of Practice – Proceedings of Council & Committee Meetings.

10. Reporting Responsibilities

10.1. The Mayor will inform the Council at its next ordinary meeting of the matters determined by the Committee through the provision of a written report.

10.2. Agendas and Minutes of the Coorong Finance Committee will be published on Council’s website and a copy of minutes will be provided to all Council members in accordance with the requirements of the Local Government Act 1999.

11. Delegations

The Chief Executive Officer Performance Review Committee has no direct decision-making power (no delegations) and will provide recommendations to the Council on matters for consideration.

12. Administrative

The Director Community & Corporate shall provide administrative resourcing to the Committee.

The Committee shall:

12.1. have access to reasonable resources to enable the carrying out of its duties, subject to budgetary implications/allocations;

12.2. receive adequate training as required and in accordance with Council’s budget; and

12.3. review its performance and Terms of Reference as required and recommend any changes necessary to Council.

SCHEDULE OF AMENDMENTS

2. **TAILEM BEND TOWN HALL COMMITTEE – MINUTES OF MEETING HELD 12 FEBRUARY 2020**

<table>
<thead>
<tr>
<th>SMP Objective 1</th>
<th>Strategy 1.5 – Promote volunteering and encourage, value and support community volunteers.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other Document Reference</td>
<td>Committee Terms of Reference</td>
</tr>
<tr>
<td>Statutory Requirement</td>
<td>Yes – section 41 committees of Council are required to submit minutes of meetings.</td>
</tr>
<tr>
<td>Financial Implications</td>
<td>Nil</td>
</tr>
<tr>
<td>Author of Report</td>
<td>Executive Assistant</td>
</tr>
<tr>
<td>Officers Consulted</td>
<td>Chief Executive Officer</td>
</tr>
</tbody>
</table>

**Recommendation**

That Council receive the minutes of the Tailem Bend Town Hall Committee meeting held on 12 February 2020.

**REPORT**

The Tailem Bend Town Hall Committee met on 18 August 2019. The committee operates under Section 41 of the Local Government Act 1999 as a Committee of Council for the purposes of the management and operation of the Tailem Bend Town Hall public facilities and equipment, and making recommendations to Council on related matters.

Items of discussion at the committee’s meeting included a review and discussion of business arising from previous minutes:

- Toilets
- Table risers
- Round table storage (in progress)
- Soap containers in toilets have been attended to
- Mezzanine floor
- Staircase has been addressed
- Committee suggested that a wall go from mezzanine to kitchen wall with sliding door access
- Hall floor has been re-sealed

New business:

- New trestle tables are not be used outside (to be raised with Tailem Bend Progress Association).
- Hydraboil was not working in Kitchen – to be investigated.
- Tailem Bend Rotary Club business; removal of black boxes, foyer counter to be shifted forward.
- Curtain rod above front wall of mezzanine to be looked at.
- Committee suggested that Hall sign be put on front verandah of hall facing main road.
- Hall floor has been re-sealed.
In reference to the business raised, updates have been provided for the following:

- Hydroboil in kitchen has been assessed and is now operational
- Entrance counter has been relocated
- Council is awaiting quote for manufacture of curtain rod brackets
- The installation of a sign on the front verandah facing Railway Terrace has been discussed, however no actions have been taken at this stage.

The minutes of the committee’s meeting appear on the following page.
Town Hall Meeting held on 12.2.20.

OPENSED. The Meeting opened at 12.45pm.

PRESENT. S.Prizibilla (Chair) R.Ellis, G.Taylor, K.Matulick, L.Koop, G.Zadow, W.Bower
. S.Latham.

APOLOGY. B.Qualman T.Schenke.

PREVIOUS MINUTES; Toilets - Ongoing. Table Risers- Sandy to talk to Tammy, Round
. Table storage in progress. Soap Containers in Loos-attended to.
. Mezzanine Floor; Staircase done; It is suggested that the Wall to go
. from Mezzanine to Kitchen wall with a sliding door access.

NEW BUSINESS. New Trestle Tables not to be used outside. Sandy will bring this up at
the Progress Meeting, Hydraboil not working in kitchen Steve to check.
. Rotary; Removal of black boxes in store room to go into shed. Display
. Cabinet to stay as is and counter to come forward.
. Curtain Rod above front wall of mezzanine to be looked at.
. It is suggested that the Hall sign be put on front of verandah of hall
. facing front of main road.
. Town Hall floor has been resealed.

CLOSED. The meeting closed at 1.45pm.
13. COMMUNITY AND CORPORATE

DIRECTOR COMMUNITY & CORPORATE

1. DELEGATIONS – ANNUAL REVIEW AND UPDATE
(Refer to attachment under separate cover)

<table>
<thead>
<tr>
<th>SMP Objective 1</th>
<th>Strategy 1.7 – Achieve or implement the statutory and core responsibilities of Council.</th>
</tr>
</thead>
<tbody>
<tr>
<td>A caring, healthy and resilient community.</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Other Document Reference</th>
<th>Legislation as detailed in recommendation and report.</th>
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</table>

<table>
<thead>
<tr>
<th>Statutory Requirement</th>
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</thead>
<tbody>
<tr>
<td>Financial Implications</td>
<td>Nil</td>
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</table>

<table>
<thead>
<tr>
<th>Author of Report</th>
<th>Organisational Development Coordinator</th>
</tr>
</thead>
<tbody>
<tr>
<td>Officers Consulted</td>
<td>Director Community &amp; Corporate</td>
</tr>
</tbody>
</table>

**Recommendation**

That having conducted its annual review of the Council’s Delegations Register in accordance with Section 44(6) of the Local Government Act 1999, the Council:

1. Revocations

   1.1 Hereby revokes immediately except where otherwise specified its previous delegations to the Chief Executive Officer of those powers and functions under the following:

      1.1.1 Community Titles Act 1996
      1.1.2 Development Act 1993 and Development Regulations 2008
      1.1.3 Dog & Cat Management Act 1995
      1.1.4 Environment Protection Act 1993 and Environment Protection (Waste to Resources) Policy 2010
      1.1.5 Expiation of Offences Act 1996 (with effect from 30 April 2018)
      1.1.6 Fences Act 1975
      1.1.7 Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005
      1.1.8 Food Act 2001
<table>
<thead>
<tr>
<th>Code</th>
<th>Act Description</th>
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<tr>
<td>1.1.9</td>
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<td>1.1.10</td>
<td>Deliberately left blank</td>
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<tr>
<td>1.1.11</td>
<td>Land &amp; Business (Sale and Conveyancing) Act 1994</td>
</tr>
<tr>
<td>1.1.12</td>
<td>Liquor Licensing Act 1997</td>
</tr>
<tr>
<td>1.1.13</td>
<td>Local Government Act 1999</td>
</tr>
<tr>
<td>1.1.14</td>
<td>Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005</td>
</tr>
<tr>
<td>1.1.15</td>
<td>Roads (Opening &amp; Closing) Act 1991</td>
</tr>
<tr>
<td>1.1.16</td>
<td>Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014</td>
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<tr>
<td>1.1.17</td>
<td>South Australian Public Health Act 2011 the South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (Wastewater) Regulations 2013 and South Australian Public Health (General) Regulations 2013</td>
</tr>
<tr>
<td>1.1.18</td>
<td>Supported Residential Facilities Act 1992</td>
</tr>
<tr>
<td>1.1.19</td>
<td>Unclaimed Goods Act 1987</td>
</tr>
<tr>
<td>1.1.20</td>
<td>Work Health and Safety Act 2012</td>
</tr>
<tr>
<td>1.1.21</td>
<td>Safe Drinking Water Act 2011</td>
</tr>
<tr>
<td>1.1.22</td>
<td>Water Industry Act 2012 and Water Industry Regulations 2012</td>
</tr>
<tr>
<td>1.1.23</td>
<td>Real Property Act 1886</td>
</tr>
<tr>
<td>1.1.24</td>
<td>Strata Titles Act 1988</td>
</tr>
<tr>
<td>1.1.25</td>
<td>Heavy Vehicle National Law (South Australia) Act 2013</td>
</tr>
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<td>1.1.26</td>
<td>Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014</td>
</tr>
<tr>
<td>1.1.27</td>
<td>Electronic Conveyancing National Law (South Australia) Act 2013</td>
</tr>
<tr>
<td>1.1.28</td>
<td>Local Nuisance and Litter Control Act 2016 and Local...</td>
</tr>
</tbody>
</table>
1.2 Hereby revokes its previous delegations to its Development Assessment Panel under the Development Act 1993 and Development Regulations 2008.

2. Delegations made under Local Government Act 1999

2.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Acts and specified in the proposed Instruments of Delegation contained in Appendices 1 - 28 (each of which is individually identified as indicated below) are hereby delegated this 21st day of April 2020 to the person occupying the office of Chief Executive Officer subject to the conditions and/or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.

<table>
<thead>
<tr>
<th>Number</th>
<th>Act and Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1.1</td>
<td>Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014</td>
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<td>2.1.2</td>
<td>Community Titles Act 1996</td>
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<tr>
<td>2.1.3</td>
<td>Dog and Cat Management Act 1995</td>
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<tr>
<td>2.1.4</td>
<td>Electricity Act 1996 and Electricity (Principles of Vegetation Clearance) Regulations 2010</td>
</tr>
<tr>
<td>2.1.5</td>
<td>Environment Protection Act 1993 and Environment Protection (Waste to Resources) Policy 2010</td>
</tr>
<tr>
<td>2.1.6</td>
<td>Expiation of Offences Act 1996</td>
</tr>
<tr>
<td>2.1.7</td>
<td>Fences Act 1975</td>
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<tr>
<td>2.1.8</td>
<td>Fines Enforcement and Debt Recovery Act 2017</td>
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<td>2.1.9</td>
<td>Fire and Emergency Services Act 2005 and Fire and Emergency Services Act Regulations 2005</td>
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</tr>
<tr>
<td>2.1.18</td>
<td>Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017</td>
</tr>
<tr>
<td>2.1.19</td>
<td>Real Property Act 1886 and Electronic Conveyancing National Law (South Australia) Act 2013</td>
</tr>
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<td>Roads (Opening and Closing) Act 1991</td>
</tr>
<tr>
<td>2.1.22</td>
<td>Safe Drinking Water Act 2011</td>
</tr>
<tr>
<td>2.1.23</td>
<td>South Australian Public Health Act 2011, South Australian Public Health Act 2011 (COVID-19), South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (Wastewater) Regulations 2013 and South Australian Public Health (General) Regulations 2013</td>
</tr>
<tr>
<td>2.1.24</td>
<td>State Records Act 1997</td>
</tr>
<tr>
<td>2.1.25</td>
<td>Strata Titles Act 1988</td>
</tr>
</tbody>
</table>
**Ordinary Council Meeting Agenda**

**21 April 2020**

<table>
<thead>
<tr>
<th>2.1.26</th>
<th>Unclaimed Goods Act 1987</th>
</tr>
</thead>
<tbody>
<tr>
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</tr>
<tr>
<td>2.1.28</td>
<td>Work Health and Safety Act 2012</td>
</tr>
</tbody>
</table>

2.2 Such powers and functions may be further delegated by Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.

3. **Delegations made under Development Act 1993**

3.1 In exercise of the powers contained in Section 20 and 34(23) of the Development Act 1993, the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the proposed Instrument of Delegation (annexed to the report dated 21 April 2020) are hereby delegated this 21st day of April 2020 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.

3.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.

3.3 In exercise of the powers contained in Section 20 and 34(23) of the Development Act 1993 the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the proposed Instrument of Delegation (annexed to the report dated 21 April 2020) and which are specified below are hereby delegated to the Council’s Assessment Panel, subject to any conditions specified herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.

**Development Act 1993:**

## Development Regulations 2008

8A(1)(a), 8A1(b), 16(1), 16(2), 17(3), 17(4), 17, 20(4), 20(5), 30(4), 37AA, 34(1)(b), 34(1)(b)(iv), 36, 48(2), 51(4), 51(6), 52(1), 53(1), 53(2), 53(4), 58(1), 58(2), 59(1)

Schedule 8, Item 1(b) Clause 2 Schedule 8, Item 3 Clause 2 of Schedule 8, Item 5(1) of Clause 2 Schedule 8, Item 7 Clause 2 of Schedule 8, Item 10(b) Clause 2 of Schedule 8, item 15 Clause 2 of Schedule 8

Schedule 9, Clause 1 of Part 1 to Schedule 9, Clause 2(1)(g) of Part 1 to Schedule 9, Clause 3 of Part 1 to Schedule 9, Clause 5 of Part 1 to Schedule 9, Clause 11 of Part 1 to Schedule 9 Clause 17 of Part 1 of Schedule 9, Part 1 of Clause 17 of Schedule 9, Clause 21 of Part 2 of Schedule 9

### Conditions/Limitations

That the Council Assessment Panel (CAP) shall only exercise powers and functions in the following situations:

i. The assessment of development applications that are non-complying (other than non-complying applications that the Director Community & Corporate or the Coordinator – Development has determined to be able to be assessed by staff under delegated authority).

ii. The assessment of all application that are the subject of an unresolved Category 3 representation, or an unresolved Category 2 representation.

### 4. Delegations made under Food Act 2001

4.1 In exercise of the powers contained in Section 91 of the Food Act 2001, the powers and functions under the Food Act 2001 contained in the proposed Instrument of Delegation (annexed to the report dated 21 April 2020) are hereby delegated this 21st day April 2020 to the person occupying the office of Chief Executive Officer (‘the head of the enforcement agency’ for the purposes of the Food Act 2001), subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Food Act 2001.

4.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Food Act 2001.
## 5. Delegations under Supported Residential Facilities Act 1992

**5.1** In exercise of the power contained in Section 9 of the Supported Residential Facilities Act 1992, the powers and functions under the Supported Residential Facilities Act 1992 contained in the proposed Instrument of Delegation (annexed to the report dated 21 April 2020) are hereby delegated this 21st day of April 2020 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Supported Residential Facilities Act 1992.

**5.2** Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Supported Residential Facilities Act 1992.

## 6. Authorisations and Subdelegation under the Road Traffic Act 1961

**6.1** In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure (the ‘Instrument’) the Council authorises the following person(s) pursuant to Clause A.7 of the Instrument to endorse Traffic Impact Statements for the purposes of Clause A of the Instrument provided that such person(s) shall take into account the matters specified in Clause A.7 of the Instrument in respect of Traffic Impact Statements:

- David Mosel, Director Infrastructure & Assets
- James Clarke, Manager Construction & Maintenance

**6.2** In accordance with Clause A.7 of the Instrument, the Council is of the opinion that the following person(s) is/are experienced traffic engineering practitioner(s) for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the Instrument:

- David Mosel, Director Infrastructure & Assets
- James Clarke, Manager Construction & Maintenance

**6.3** In exercise of the power contained in, and in accordance with, Clause G.1 of the Instrument, the power contained in Section 33(1) of the Road Traffic Act 1961 and delegated to the Council pursuant to Clause G of the Instrument and contained in the proposed Instrument of Subdelegation (annexed to the report dated 21 April 2020) is hereby sub-delegated this 21st day of April 2020 to the person occupying the office of Chief Executive Officer of the Council subject to:
<table>
<thead>
<tr>
<th>Item</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.4</td>
<td>In accordance with Clause E.2 of the Instrument, the Council is of the opinion that the following person(s) has (have) an appropriate level of knowledge and expertise in the preparation of traffic management plans:</td>
</tr>
<tr>
<td></td>
<td>David Mosel, Director Infrastructure &amp; Assets</td>
</tr>
<tr>
<td></td>
<td>James Clarke, Manager Construction &amp; Maintenance</td>
</tr>
</tbody>
</table>

7. **Delegations under Safe Drinking Water Act 2011 (of enforcement agency)**

7.1 In exercise of the power contained in Section 43 of the Safe Drinking Water Act 2011 the powers and functions of the Council as a relevant authority under the Safe Drinking Water Act 2011 contained in the proposed Instrument of Delegation (annexed to the report dated 21 April 2020) are hereby delegated this 21st day of April 2020 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Safe Drinking Water Act 2011.

7.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Safe Drinking Water Act 2011.

8. **Delegations under Fire and Emergency Services Act 2005 to a Fire Prevention Officer**

8.1 In exercise of the power contained in Section 93 of the Fire and Emergency Services Act 2005 the powers and functions under the Fire and Emergency Services Act 2005 contained in the proposed Instrument of Delegation (annexed to the report dated 21 April 2020) are hereby delegated this 21st day of April 2020 to the person appointed Fire Prevention Officer of the Council under the Fire and Emergency Services Act 2005 subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Fire and Emergency Services Act 2005.

8.2 Such powers and functions may be further delegated by the Fire Prevention Officer as the Fire Prevention Officer sees fit and in accordance with the relevant legislation unless otherwise indicated
| **REPORT** |
| Purpose |

For Council Members to undertake a comprehensive annual review of Delegations as required by the Local Government Act 1999.

**Discussion**

Council Members will recall a review of the delegations was undertaken in September 2019. The rationale for undertaking another full review and subsequent recommendation to Council is for the following reasons:

- Commencement of new Director Community & Corporate in November 2019 (who brought significant governance qualifications and expertise to the organisation), hence implementing best practice governance principles across the organisation.
- As part of Council’s Service Review, an automated delegations software has now been implemented. This rules out the former onerous and time consuming practice of using word processing templates. The improvement to practices and resultant gains in efficiency is significant, along with confidence in the information extracted.
• Implementation of a fully functional executive leadership team who are mindful of the fundamental requirement for Council’s governance framework.

All of a Council’s powers come from legislation such as the Local Government Act 1999, the Development Act 1993, the Burial and Cremation Act 2013 etc. Council’s decision making process starts with a statutory power or function conferred upon a council by statute. This means Council makes decisions by resolutions passed at Council meetings. However, administratively and practically, a Council cannot itself attend to each and every matter and issue that arises for action and determination.

Accordingly, councils have in place a process of delegation for the purposes of conducting its governing, regulatory and service activities effectively and efficiently. A delegation is the means by which a council may authorise another person or body to exercise certain powers and functions. Delegation enables the Council to focus on policy and strategy and enables to day to day operations of the Council to be carried out by the administration.

The Local Government Act 1999 provides that a Council may delegate a power or function under this, and other Acts. Delegations may be made to a Committee of Council, a subsidiary of Council, an employee, an employee holding a particular office or position for the time being, or an authorised person. At best practice, it is usual for delegations to be made by the Council to the Chief Executive Officer. Once delegations to the Chief Executive Officer are made, they may then make sub-delegations to the relevant Council officers (or such other bodies as are allowable).

Section 44(6) of the Local Government Act 1999 requires Council to keep a record of all delegations made under the Act, and to review those delegations at least once each financial year. Legal advice in relation to the delegations template provided by the Local Government Association states that best practice is for councils to use a ‘clean sweep’ approach to its delegation reviews where appropriate. That is, revoke all of the delegations that exist at the time of the review and put new delegations in place.

The Delegations Register can be accessed by clicking here.
2. **DELEGATIONS ARISING FROM THE PUBLIC ACCESS AND PUBLIC CONSULTATION NOTICE (NO 2) 2020**

<table>
<thead>
<tr>
<th>SMP Objective 1</th>
<th>Strategy 1.7 – Achieve or implement the statutory and core responsibilities of Council.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other Document Reference</td>
<td>Public Access and Public Consultation Notice (No 2) 2020 (Notice No. 2)</td>
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<tr>
<td>Statutory Requirement</td>
<td>Section 302B, Local Government Act 1999</td>
</tr>
<tr>
<td>Financial Implications</td>
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</tr>
<tr>
<td>Author of Report</td>
<td>Director Community &amp; Corporate</td>
</tr>
<tr>
<td>Officers Consulted</td>
<td>Chief Executive Officer, Organisational Development Coordinator</td>
</tr>
</tbody>
</table>

**Recommendation**

That:

1. The Council in exercise of the power contained in Section 44 of the *Local Government Act 1999* (**the LG Act**) hereby delegates this twenty first day of April 2020 to the person occupying the office of Chief Executive Officer of the Council the powers and functions under the LG Act, the operation of which has been varied under the *Public Access and Public Consultation Notice (No 2)* 2020, and set out below subject to the conditions and/or limitations, if any, specified herein:
   a. the power pursuant to Section 45(2) of the LG Act to, if the delegate is satisfied it is reasonably necessary as a result of the public health emergency, to:
      i. close the principal office of the Council; or
      ii. vary the transaction of business hours at the principal office of the Council;
   b. the power pursuant to Section 45(3) of the LG Act if the Council closes its principal office or varies the transaction of business hours in accordance with Section 45(2) of the LG Act, to, as soon as reasonably practicable, take reasonable steps to:
      i. make alternative arrangements to enable the local community to access the services of the Council which are ordinarily available at the principal office of the Council;
      ii. inform the Council’s local community (including by publishing the information on a website determined by the Chief Executive Officer) about the changes to the arrangements to access those services;
   c. the power pursuant to Section 45(4)(b) of the LG Act to satisfy any obligation under the LG Act to make a document available for inspection at the principal office of the Council by making the document available for inspection at an alternative place or by an alternative means as determined by the delegate;
   d. the power pursuant to Section 45(5) of the LG Act, if the Council or chief executive officer makes a document available for inspection in accordance with Section 45(4) of the LG Act, to, as soon as reasonably practicable, take reasonable steps to inform the Council’s local community (including by publishing the information on a website determined by the chief executive officer) about the changes to the arrangements for inspection of the
document;  
e. the power pursuant to Section 45(10) of the LG Act if the Council makes copies of a document available in accordance with Sections 45(8) or (9) of the LG Act, to, as soon as reasonably practicable, take reasonable steps to inform the Council’s local community (including by publishing the information on a website determined by the chief executive officer) about the changes to the arrangements for provision of copies of the document.  
f. the power pursuant to Section 50(5a) of the LG Act to alter the Council’s Public Consultation Policy or substitute a new policy without undertaking public consultation, even if the Council’s existing Public Consultation Policy requires the Council to conduct public consultation;  
g. the power pursuant to Section 123(5) of the LG Act to ensure that copies of the draft annual business plan are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council (including as provided for in Sections 45(4) and 45(9) of the LG Act) and on the website at least 21 days before the end of the period for providing written submissions;  
h. the power pursuant to Section 151(8) of the LG Act to ensure that copies of the report required under Section 151(5)(d) are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council (including as provided for in Sections 45(4) and 45(9) of the LG Act) at least 21 days before the end of the period for public consultation;  
i. the power pursuant to Section 156(14e) of the LG Act to ensure that copies of the report required under section 156(14a)(a) of the LG Act are available for inspection (without charge) and purchase (on payment of a fee fixed by the Council) at the principal office of the Council (including as provided for in Sections 45(4) and 45(9) of the LG Act) at least 21 days before the end of the period for public consultation.

2. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the LG Act as the Chief Executive Officer sees fit.

3. These delegations:
   a. operate and have effect for the period the Public Access and Public Consultation Notice (No 2) 2020 has effect;
   b. do not have the effect of revoking or altering any previous delegations made by the Council to the person occupying the office of Chief Executive Officer of the Council;
   c. for the period the Public Access and Public Consultation Notice (No 2) 2020 has effect, take precedence in the event of any inconsistency between these delegations and any previous delegations made by the Council to the person occupying the office of Chief Executive Officer of the Council prior to the date of the making of these delegations.

REPORT

Purpose
For Council to approve delegations to the Chief Executive Officer in response to the second set of variations to the Local Government Act 1999 (LG Act) under the new emergency power in section 302B of the LG Act that have now come into operation.

Discussion

Variations are contained in the Public Access and Public Consultation Notice (No. 2) 2020 (Notice No. 2) made by the Minister for Transport, Infrastructure and Local Government Stephan Knoll on 8 April 2020 in response to the COVID-19 public health emergency. The variations in Notice No. 2 are in addition to the variations made under the Electronic Participation in Council Meetings Notice (No 1) 2020.

Two key effects of Notice No. 2 are:

3. Councils may now close their principal office without any requirement for a notice under the South Australian Public Health Act 2011 (SAPH Act) or otherwise vary operating hours without a requirement to undertake public consultation, provided the council considers it reasonably necessary as a result of the public health emergency, and certain requirements detailed in the Notice No. 2 are complied with;

4. Councils are excused from undertaking certain mandatory public meetings in respect of certain types of public consultation.

All variations are temporary and will cease to apply 28 days after all relevant State major emergency declaration.

Relevant delegations to the Chief Executive Officer are already granted in accordance with the Local Government Act. In order to ensure consistency during the COVID-19 public health emergency the delegations recommended within this report capture the new delegable powers conferred by virtue of Notice of No 2.
3. **2020/21 DOG REGISTRATION FEES**

<table>
<thead>
<tr>
<th>SMP Objective 1</th>
<th>Strategy 1.7 – Achieve or implement the statutory and core responsibilities of Council.</th>
</tr>
</thead>
<tbody>
<tr>
<td>A caring, healthy and resilient community.</td>
<td></td>
</tr>
<tr>
<td><strong>Other Document Reference</strong></td>
<td><strong>Dog and Cat Management Act 1995</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Dog and Cat Management (Miscellaneous) Amendment Bill 2015</strong></td>
</tr>
<tr>
<td><strong>Statutory Requirement</strong></td>
<td>Nil</td>
</tr>
<tr>
<td><strong>Financial Implications</strong></td>
<td>Project income for 2020/21</td>
</tr>
<tr>
<td><strong>Author of Report</strong></td>
<td>General Inspector</td>
</tr>
<tr>
<td><strong>Officers Consulted</strong></td>
<td>Director Community &amp; Corporate</td>
</tr>
<tr>
<td><strong>Recommendation</strong></td>
<td>That Council adopts the Dog Registration Fees for the 2020/21 financial year and submits them to the Dog and Cat Management Board for endorsement by the Minister.</td>
</tr>
</tbody>
</table>

**REPORT**

**Background**

Council is responsible to set fees in relation to dog registrations for the period of 2020/21 financial year. The board requires all councils to offer two (2) types of registration fees (Standard and Non Standard) and also provides Council with the opportunity to offer discretionary rebates.

1) **Standard** – A dog that **is** microchipped **and** desexed
2) **Non Standard** – A dog that **is not** microchipped **and** desexed (if a dog only complies with one form of either microchipping or desexing they will be classified as non standard)

The mandatory desexing and microchipping requirements came into effect in July 2018. Mandatory desexing is only for new generations of dogs. All dogs and cats are required to be microchipped.

**Discussion**

Below is a fee pro-forma displaying the proposed 2020/21 fees. It is recommended that Council maintains fees for 2020/21 in line with the previous year, therefore encouraging continued high rates of registration compliance.
Proposed 2020/21 dog registration fees

<table>
<thead>
<tr>
<th>Annual registration fee description (R)</th>
<th>2020/21 registration fee ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Standard Dog</td>
<td>$50</td>
</tr>
<tr>
<td>Non-Standard Dog Concession</td>
<td>$25</td>
</tr>
<tr>
<td>Standard Dog</td>
<td>$25</td>
</tr>
<tr>
<td>Standard Dog Concession</td>
<td>$12.50</td>
</tr>
</tbody>
</table>

**Discretionary rebates ($)**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Working dog</td>
<td>$10</td>
</tr>
<tr>
<td>Racing Greyhound</td>
<td>$10</td>
</tr>
<tr>
<td>Discount for partial year registration</td>
<td>50%</td>
</tr>
</tbody>
</table>

**Other Council approved dog management fees ($)**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Fee for transfer of registration</td>
<td>$1.00</td>
</tr>
<tr>
<td>Fee for replacement disc</td>
<td>$1.00</td>
</tr>
<tr>
<td>Fee for late registration</td>
<td>25%</td>
</tr>
<tr>
<td>Fee for impoundment</td>
<td>$30</td>
</tr>
<tr>
<td>Fee for daily holding at pound</td>
<td>$10</td>
</tr>
<tr>
<td>Fee for business registration</td>
<td>$320 or $50 (per dog)</td>
</tr>
</tbody>
</table>

In comparison see below a list of Coorong District Council and neighbouring council fees for the 2019/20 financial year.

<table>
<thead>
<tr>
<th>Types of registration</th>
<th>Southern Mallee District Council</th>
<th>District Council of Karoonda East Murray</th>
<th>Rural City of Murray Bridge</th>
<th>Coorong District Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non Standard</td>
<td>$60.00</td>
<td>$50.00</td>
<td>$75.00</td>
<td>$50.00</td>
</tr>
<tr>
<td>Standard Dog Desexed &amp; microchipped</td>
<td>$30.00</td>
<td>$25.00</td>
<td>$30.00</td>
<td>$25.00</td>
</tr>
<tr>
<td>Working Dog</td>
<td>$17.50</td>
<td>$15.00</td>
<td>$20.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>Non Standard Concession</td>
<td>$25.00</td>
<td>$52.50</td>
<td>$25.00</td>
<td></td>
</tr>
<tr>
<td>Standard Concession</td>
<td>$12.50</td>
<td>$17.50</td>
<td>$12.50</td>
<td></td>
</tr>
<tr>
<td>Racing Greyhound</td>
<td>$17.50</td>
<td>$10.00</td>
<td>$20.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>Business Registration</td>
<td>$320.00</td>
<td>$320.00 or $50.00 (p/dog)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Replacement disc - DACO</td>
<td>$15.00</td>
<td>$10.00</td>
<td>$10.00</td>
<td></td>
</tr>
<tr>
<td>Impounding fee</td>
<td>$50.00</td>
<td>$60.00</td>
<td>$30.00</td>
<td></td>
</tr>
<tr>
<td>Fee for daily holding at pound</td>
<td>$20.00</td>
<td>$10.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
4. COUNCIL’S RESPONSE TO COVID-19 (RATES)

<table>
<thead>
<tr>
<th>SMP Objective 1</th>
<th>Strategy 1.7 - Achieve or implement the statutory and core responsibilities of Council.</th>
</tr>
</thead>
<tbody>
<tr>
<td>A caring, healthy and resilient community.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Other Document Reference</th>
<th>Community Wastewater Management Scheme (CWMS) Hardship Policy Strategic Rating Policy Privacy Policy Financial Hardship Application Form Payment Arrangement Application Form Community Wastewater Management Scheme Customer Service Charter</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Statutory Requirement</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Financial Implications</td>
<td>Dependent on decisions</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Author of Report</th>
<th>Senior Finance Officer</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Officers Consulted</th>
<th>Director Community &amp; Corporate</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>That Council receive and note the Council’s Response to COVID-19 (Rates) report.</th>
</tr>
</thead>
</table>

REPORT

Background

The current COVID-19 crisis has brought forward the need for Council to review its current practices, policies and procedures regarding rates, particularly in the area of financial hardship.

On average, Council receives three (3) requests for financial hardship per year. In all instances and in accordance with Council’s Debt Recovery and Financial Hardship Policy, applications have been submitted via an accredited financial counsellor.

The past fortnight has seen Council receive five (5) written requests from local ratepayers for some form of rate relief as a direct result of COVID-19. It is anticipated that many more requests will be made over the coming weeks and months. Therefore, it is important that Council’s response to its community is planned, sensitive and responsive while still adhering to legislative requirements.

Below is a summary of measures initiated over recent weeks in response to the current health crisis and Council’s ongoing management of rates:

- Review and amend Debt Recovery and Financial Hardship Policy to make it more relevant in the current economic climate (included within this meeting agenda for Council consideration).
- Review and amend Financial Hardship Application form to make it easier to understand and apply.
Flyer insert (draft) to be included with 4th Quarter Rates Notices (issued early May 2020), outlining Council’s response to COVID-19 regarding rates.

Standardised reply (draft) to ratepayers regarding Council’s response to COVID-19 for the benefit of Council’s front line staff.

Frequently Asked Questions (FAQ’s) relating to rates and financial hardship for the benefit of ratepayers.

Update Council’s website to include a COVID-19 ‘button’ for easy accessibility of relevant policy, hardship application form and related information.

Temporary suspension of all debt recovery, including rates and sundry debtors (to be adopted by Council).

Waiving the application of fines and interest to overdue rates from April 2020 to December 2020 inclusive (to be adopted by Council).

Below is a summary of ‘rate relief’ options available to ratepayers, most of which are provided for in the Local Government Act 1999 (LG Act). Some only apply where hardship exists, while others do not. For example, an application for Single Farm Enterprise status does not relate to hardship, however, a primary producer applying for financial hardship will be encouraged to apply for SFE status (if not already done so). If approved, the net effect will be a reduction in rates. It is important that ratepayers are taking advantage of the full gamut of schemes available to them under the provisions of the LG Act.

Flexible Payment Arrangements

A payment arrangement is a proven, effective way for ratepayers to manage their rate payments. Payments are generally made on a weekly, fortnightly or monthly basis. A ratepayer can enter into an arrangement at any time for current or outstanding rates. The application may or may not form part of a request for hardship status and can be appropriate for both short-term and long-term debts. The application process for financial hardship now invites ratepayers to enter into a flexible payment arrangement specific to their financial circumstances. Ratepayers who apply for this type of arrangement as part of ‘hardship’ are now able to self-apply, which means they can complete the application form for financial hardship without the assistance of an accredited financial counsellor. The form still requires the ratepayer to provide evidence of an incapacity to pay rates due to COVID-19. Applications from ratepayers who have an existing long-term debt will continue to be referred to a financial counsellor.

Waiving Fines and Interest

In accordance with Council’s Debt Recovery and Financial Hardship Policy, Council will waive fines and interest under certain circumstances, including hardship. During COVID-19, it is recommended that Council agree to waive the processing of fines and interest for an extended period of time.

Postponement of Rates (Hardship)
In applying for financial hardship, ratepayers can request a postponement of rates (i.e. to not make any payments) for a specified period of time due to an incapacity to pay. In all instances, ratepayers are recommended to discuss the potential financial implications of taking this option with appropriate family members. Similarly, Council also needs to consider potentially long-term postponements and their impact on cash flow. Historically, a postponement has only been approved for three (3) months at a time and only where extreme hardship exists. All applications requesting a postponement of rates need to be submitted via an accredited financial counsellor.

**Postponement of Rates (Seniors)**

Section 182A of the Act deals with the postponement of rates for Seniors. This is not to be confused with s182 of the act which deals with the postponement of rates for hardship. Seniors who meet the eligibility criteria have a ‘right’ to access the provisions of s182a of the Act. There is no requirement for the Senior to demonstrate financial hardship in order to access this scheme. In fact, arrears rates cannot form part of the postponement. Therefore, this section of the Act is not intended to cater for Seniors facing financial hardship.

**Remission of Rates**

Section 182 of the Act enables councils to write off rates in certain circumstances, however, an element of hardship needs to exist before it can be applied. The rates may be remitted in whole or in part. This section of the Act also requires that a comparable remission needs to be given for the general rate plus service charges. Because remission has a final effect, the resultant impacts should be modelled. It is only appropriate in extreme hardship cases and should be considered as a last resort.

**Discretionary Rebate**

It is appropriate for Council to consider discretionary rate rebates to commercial businesses affected by ‘one-off’ or ‘act of god’ circumstances, on the basis that the rebate is desirable for the purpose of assisting or supporting a business in its area. Applications must be made to Council and where approval is granted, a rebate at a percentage determined by Council can be applied to rates or service charges in accordance with s159(9) of the Act.

**Mandatory Rebate**

There are six (6) categories of land which are entitled to a 75% or 100% mandatory rebate under sections 160 to 165 of the Act. These include: Health Services, Religious Purposes, Public Cemeteries, Royal Zoological Society of SA, Community Services, and Educational Purposes. Because the application of this rebate is ‘mandatory’, the parameters of this rebate are already in place for eligible properties. Only entities who believe they may be eligible and who are not already receiving a mandatory rebate, may apply to Council using the prescribed form.
Single Farm Enterprise

Single farm enterprise status may be deemed to exist for multiple farming entities that meet the necessary criteria in accordance with section 152 of the Act. Applications must be made to Council and where approval is granted, only one fixed charge and one SE NRM Levy shall be payable across the multiple entities.

10% Rate Capping Rebate (for all categories)

For the current rateable year (2019/20), ratepayers whose rates had been impacted by significant capital value increases, could apply for this rebate. It was made available to all rate categories excluding bulk handling, and had an application deadline of 27 September 2019. This rebate option has effectively been re-opened to provide eligible properties with another ‘rate relief’ option during the current health crisis.
5. WAIVING OF FINES & INTEREST UNTIL 31 DECEMBER 2020

<table>
<thead>
<tr>
<th>SMP Objective 1</th>
<th>Strategy 1.7 - Achieve or implement the statutory and core responsibilities of Council.</th>
</tr>
</thead>
<tbody>
<tr>
<td>A caring, healthy and resilient community.</td>
<td></td>
</tr>
</tbody>
</table>
| Other Document Reference | Community Wastewater Management Scheme (CWMS)  
H Hardship Policy  
Strategic Rating Policy  
Privacy Policy  
Financial Hardship Application Form  
Payment Arrangement Application Form  
Community Wastewater Management Scheme Customer Service Charter |
| Statutory Requirement | Yes |
| Financial Implications | $48,600 (approx.) |
| Author of Report | Senior Finance Officer |
| Officers Consulted | Director Community & Corporate |

**Recommendation**

That due to COVID-19, Council agrees to temporarily suspend all debt recovery action and to waive the processing of monthly interest and quarterly fines for overdue rates for the period April to December 2020 inclusive.

**REPORT**

**Background**

Council applies interest at the prescribed rate of 6.35% to overdue rates each month. A 2% fine is applied to all quarterly instalment amounts not received by the due date. The last processing of interest and fines occurred on 17 March 2020.

As at 31 March 2020, interest and fines received for the current rateable year totalled $46,150.

Due to these unprecedented times, and with mounting pressure from all levels of Government to adopt a flexible and compassionate approach to the collection of rates, many South Australian councils have temporarily suspended all debt recovery action and waived the application of interest and fines.

While not all councils have adopted this approach, many consider it fair and reasonable under the current circumstances. There is a growing consensus that to pursue debt recovery, to apply interest and fines and issue quarterly overdue rates notices during COVID-19 may result in community backlash and reputable damage to Council.

More importantly, it is considered significant that Council recognise the hardship likely to be felt by some of the community.
Endorsing the waiving of monthly interest and quarterly fines will provide a form of rate relief to those that need it, and means that members of the community can enter into flexible payment arrangements without penalty.

It is not recommended, however, that the remission be extended to include fines and interest already charged to rate accounts.
6. UPDATE – SERVICE REVIEW

<table>
<thead>
<tr>
<th>SMP Objective 1</th>
<th>Strategy 1.7 – Achieve or implement the statutory and core responsibilities of Council.</th>
</tr>
</thead>
<tbody>
<tr>
<td>A caring, healthy and resilient community.</td>
<td></td>
</tr>
<tr>
<td>Other Document Reference</td>
<td>Nil</td>
</tr>
<tr>
<td>Statutory Requirement</td>
<td>N/A</td>
</tr>
<tr>
<td>Financial Implications</td>
<td>Savings achieved as outlined in report.</td>
</tr>
<tr>
<td>Author of Report</td>
<td>Director Community and Corporate</td>
</tr>
<tr>
<td>Officers Consulted</td>
<td>Chief Executive Officer, Organisational Development Coordinator, Information Technology Officer; Finance Officer, Corporate Services Officers</td>
</tr>
</tbody>
</table>

Recommendation
That Council receive and note the Service Review update report.

REPORT

Purpose
To provide Council Members with an update of efficiencies and cost savings already identified through the instigation of a service review by all staff.

Background
Members of the newly elected Council have been indicating for some time of their desire for a Service Review to be undertaken. A Motion was resolved in May 2019 ratifying the process to commence. However due to the departure of the previous CEO along with the departure of a significant number of staff, the reduction in resourcing meant the commencement of a Service Review was unable to commence in 2019.

With the appointment of the new CEO now complete and the filling of some of the previous vacant positions, the service review process has commenced. Although somewhat premature to report fully to Members at this early stage, the small efficiencies and cost savings identified thus far are considered noteworthy and of interest to Members.

Discussion
Discussions have commenced with staff regarding the importance of a ‘continuous improvement’ mantra and the benefits that can be gained, not only for staff, cost savings and efficiencies, but also for our customers.
With a knowledge that “one hundred things done one percent better is often more beneficial than one thing done one hundred percent better”, Council departmental meeting agendas have this year included a ‘continuous improvement’ section where each staff member provides a ‘one percent’ improvement to a task.

This has resulted in some, what could be deemed ‘minor’ improvements, however many ‘minor’ improvements (one percenters) soon add up to significant efficiencies, cost savings and ultimately improvement to customer service. Additionally, the need to ensure due diligence and improve governance practices is also a critical aspect associated with the Service Review.

Several improvements already instigated revolve around Council now utilising technology to its fullest. This has included the commencement of subscriptions to relevant newspapers rather than receiving several ‘hard copies’ each week. This ‘minor’ improvement has seen an immediate saving of $90 per month.

Council’s Information Technology (IT) Officer is currently reviewing previous arrangements with computer and service providers to ensure Council is receiving the best value for money whilst benefiting from improved services and speeds. An audit is also underway in relation to mobile phones, both the issuing of, and the plans currently held.

By conducting an initial overview of the accounts received from Council’s mobile phone provider an immediate saving of $245 per month was discovered in relation to iPad connections no longer being utilised. These were immediately disconnected.

A brief check of desktop publishing programs also revealed some only being utilised on rare occasions. Consequently, these subscriptions were immediately cancelled resulting in a saving of $40 per month.

While no direct cost saving, several efficiencies have been initiated resulting in more streamlined processes for staff. For example, Council previously received hard copies of the Government Gazette. These are often quite thick so finding relevant information could take some time. Council now receives the Gazettes electronically allowing for electronic key word searches being able to be performed. The result is significant time savings when seeking specific information.

An electronic ‘office status’ has now been introduced providing significant time savings for all users, as well as significant and vital improvements to work health and safety of our officers. This program also provides direct improvement of service to our customers as we can immediately advise of the requested officer’s status e.g. in a meeting, on inspections etc. It is noted this system has only recently been introduced so staff are still training on its use.

In relation to improved governance practices, an electronic delegations system has now been implemented allowing for up-to-date information to be provided in relation to this legislative requirement of delegating to officers.
The Local Government Association work with the providers of the system, who then update councils (who use the system) electronically ensuring information provided is current and correct. The time savings associated with this system are significant with an improvement to process and time savings of at least 75% compared to the previous practice.

Our staff have also been contacting companies and requesting one invoice be sent, for example, on a quarterly basis, rather than several invoices being sent for minimal amounts on a monthly basis. Although no direct cost saving, this practice has resulted in significant efficiencies for those relevant officers.

Although the Service Review is in its infancy, the aforementioned cost savings and efficiencies are a small indication of staff’s commitment to instigating improvements within all areas of Coorong District Council. It is noted the direct cost savings to date equate to $4500 pa, procedures have been improved, and an improvement ensuring good governance practices has resulted.

Although the impact of COVID-19 has interrupted some further process improvement strategies in the short term, it is anticipated future reports to Members will convey significant cost savings and efficiencies have been discovered and implemented.

Deb Brokenshire
DIRECTOR COMMUNITY & CORPORATE
14. INFRASTRUCTURE AND ASSETS

DIRECTOR INFRASTRUCTURE & ASSETS

1. PROPERTY ACQUISITION OPPORTUNITY - TAILEM BEND ROTUNDA

<table>
<thead>
<tr>
<th>SMP Objective</th>
<th>Strategy 3.8 – Ensure Council finances and assets are managed to support changing community needs in a sustainable and cost-effective manner.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other Document Reference</td>
<td>N/A</td>
</tr>
<tr>
<td>Statutory Requirement</td>
<td>N/A</td>
</tr>
<tr>
<td>Financial Implications</td>
<td>Up to $19,500 plus contract preparation and conveyancing costs (unbudgeted funds)</td>
</tr>
<tr>
<td>Author of Report</td>
<td>Property Officer</td>
</tr>
<tr>
<td>Officers Consulted</td>
<td>Director Infrastructure &amp; Assets</td>
</tr>
<tr>
<td>Recommendation</td>
<td>Two options have been provided for Council's consideration:</td>
</tr>
</tbody>
</table>

**Option 1**
That Council:
1. Agrees to the potential property acquisition opportunity at Allotment 72 Railway Terrace, Tailem Bend;
2. Resolves to purchase the land subject to satisfactory independent valuation and a report reviewing the contamination on the site up to the value of $19,500;
3. Authorises the Chief Executive Officer (CEO) to agree to purchase the land up to and including the independent valuation as negotiated by the CEO along with any terms and conditions the CEO may negotiate up to the value of $19,500;
4. Notes that the acquisition of the subject property will incur additional ancillary legal, valuation costs, soil testing and stamp duty over and above the specified purchase price;
5. Pursuant to section 38 of the Local Government Act 1999 Council authorises the Mayor and Chief Executive Officer to execute under the Common Seal of Council to the documentation associated with the purchase of the property; and
6. Make available funds from the 2019/20 Third Quarter Budget review.

**Option 2**
That Council declines the offer from the Department of Planning, Transport and Infrastructure (DPTI).

REPORT

Purpose
To consider purchase of Allotment 72, Railway Terrace, Tailem Bend. The land is surplus to DPTI needs and after offering the land to Council they will proceed to the open market.

**Background**

This report was presented to the 17 March 2020 Ordinary Council Meeting. Two options were presented to Council for consideration, with Option 1 being moved and seconded. The motion was tied, and therefore no outcome was achieved.

After discussions with the State Government they have indicated that they are still willing to sell the land to Council under the same terms and conditions. The report is again put to Council for consideration to achieve a result.

The site identified has been utilised for numerous purposes and has been under the care and control of Council for decades. Council infrastructure upon the site includes the rotunda, reticulation systems and paths.

References to the usage of the site found in Council records include bands playing to the public, and weddings at the site.

**Discussion**

DPTI has offered the subject land for sale to Council for a consideration of $19,500. Part of the consideration is for Council to enter into a land management agreement to be registered on the Certificate of Title preserving the land for community purposes – recreational use.

The land is currently leased by Council (holding over). Council maintains and has completed works and renovations to structures on the site.

**Advantages to ownership**

1. No need to consult DPTI to carry out works at this site in future; and
2. Secure tenure may assist with grant funding opportunities.

**Disadvantages**

1. Contamination liability inherited, if any identified.

Without obtaining a formal quote, it is anticipated that the contract preparation and conveyancing costs associated with purchase would approximately amount to between $5,000 - $10,000.

**Recommendation**
That the subject land be purchased to gain control over the land for community use and the benefit of Tailem Bend residents.

David Mosel
DIRECTOR INFRASTRUCTURE & ASSETS
16. CONFIDENTIAL ITEMS

1. CHIEF EXECUTIVE OFFICER’S KEY PERFORMANCE INDICATORS

RECOMMENDATION – INTO CONFIDENCE
1.1 That in accordance with section 90(2) of the Local Government Act 1999, the Council orders that the public and staff (excepting the Chief Executive Officer, Director Infrastructure & Assets, Director Community & Corporate and Executive Assistant) be excluded from attendance at the meeting to the extent that Council considers it necessary to receive, discuss or consider in confidence the item – Chief Executive Officer’s key performance indicators.

That Council is satisfied that pursuant to section 90(3)(a) of the Local Government Act 1999 the information to be received, discussed or considered in relation to this item is;

(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

And, would, on balance, be contrary to the public interest.

RECOMMENDATION – THAT THE MOTION REMAINS IN CONFIDENCE
1.3 That under section 90(2) and 3(a) of the Local Government Act 1999, the Council pursuant to section 91(7)(b) of the Act order that the discussion, report and resolution be held in confidence until further order and will be reviewed at least annually in accordance with the Local Government Act 1999.
2. MOTION WITH NOTICE – CR. JJ ARTHUR

RECOMMENDATION – INTO CONFIDENCE
2.1 That in accordance with section 90(2) of the Local Government Act 1999, the Council orders that the public and staff (excepting the Chief Executive Officer) be excluded from attendance at the meeting to the extent that Council considers it necessary to receive, discuss or consider in confidence the item – Motion with notice – Cr. JJ Arthur.

That Council is satisfied that pursuant to section 90(3)(a) and (h) of the Local Government Act 1999 the information to be received, discussed or considered in relation to this item is:
(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and
(h) legal advice.

And, would, on balance, be contrary to the public interest.

RECOMMENDATION – THAT THE MOTION REMAINS IN CONFIDENCE
2.3 That under section 90(2) and 3(a) and (h) of the Local Government Act 1999, the Council pursuant to section 91(7)(b) of the Act order that the discussion, report and resolution be held in confidence until further order and will be reviewed at least annually in accordance with the Local Government Act 1999.
3. **QUESTION WITH NOTICE – CR. ARTHUR**

**RECOMMENDATION – INTO CONFIDENCE**

3.1 That in accordance with section 90(2) of the Local Government Act 1999, the Council orders that the public and staff (excepting the the Chief Executive Officer, Director Infrastructure & Assets, Director Community & Corporate and Executive Assistant) be excluded from attendance at the meeting to the extent that Council considers it necessary to receive, discuss or consider in confidence the item – Question with notice – Cr. Arthur.

That Council is satisfied that pursuant to section 90(3)(a) and (h) of the Local Government Act 1999 the information to be received, discussed or considered in relation to this item is;

(a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and

(h) legal advice.

And, would, on balance, be contrary to the public interest.

**RECOMMENDATION – THAT THE MOTION REMAINS IN CONFIDENCE**

3.3 That under section 90(2) and 3(a) and (h) of the Local Government Act 1999, the Council pursuant to section 91(7)(b) of the Act order that the discussion and report be held in confidence until further order and will be reviewed at least annually in accordance with the Local Government Act 1999.