



# **NOTICE OF MEETING**

Notice is hereby given that a meeting of the  
LGA Board will be held on

**Thursday 16 May 2013 at 9.15am**

**Tatiara District Council  
43 Woolshed Street, Bordertown**

A handwritten signature in blue ink, appearing to read 'Chris Russell'.

**Chris Russell**  
**Acting Chief Executive Officer**

9 May 2013



# LGA BOARD MEETING A G E N D A

16 May 2013

9.15am

**Tatiara District Council**  
**43 Woolshed Street, Bordertown**

The **role of the LGA Board** is to manage the activities of the LGA in between Ordinary General Meetings in accordance with policy and other decisions taken at Ordinary General Meetings and to report annually on those activities.

**LGA Board Members** present to the Board the interests and views of the Councils that they represent.

**Minutes and agendas** can be downloaded from LGA.net by accessing the 'About the LGA' Database.

## PRESIDENT

Mayor David O'Loughlin (Prospect)

## IMMEDIATE PAST PRESIDENT

Mayor Kym McHugh (Alexandrina)

## ZONE / REGION REPRESENTATIVES & PROXIES

<b>Adelaide Metropolitan</b>	Mayor John Trainer	(West Torrens)
	Deputy Lord Mayor Dr Michael Llewellyn-Smith, AM	(Adelaide City)
	<i>Deputy Member: Cr Peter Jamieson</i>	<i>(Port Adelaide Enfield)</i>
	Mayor Lorraine Rosenberg	(Onkaparinga)
	Mayor Lachlan Clyne	(Unley)
	<i>Deputy Member: Mayor Michael Picton</i>	<i>(Mitcham)</i>
	Mayor Gillian Aldridge	(City of Salisbury)
	Cr Jill Whittaker	(Campbelltown)
	<i>Deputy Member: Cr Carolyn Wigg</i>	<i>(Walkerville)</i>
	Mayor David Parkin	(City of Burnside)
	Mayor Robert Bria	(Norwood, Payneham & St Peters)
	<i>Deputy Member: Mayor William Spragg</i>	<i>(Adelaide Hills Council)</i>
<b>Central Zone</b>	Mayor James Maitland	(Wakefield Regional)
	Mayor Allan Aughey	(Clare & Gilbert Valleys)
	<i>Deputy Member: Mayor Denis Clark</i>	<i>(Northern Areas)</i>
<b>South East Zone</b>	Mayor Richard Vickery	(Tatiara)
	<i>Deputy Member: Mayor Evan Flint</i>	<i>(Kingston)</i>
<b>Southern &amp; Hills Zone</b>	Mayor Ann Ferguson	(Mount Barker)
	<i>Deputy Member: Mayor Jayne Bates</i>	<i>(Kangaroo Island)</i>
<b>Spencer Gulf Cities Zone</b>	Cr Peter Solomon	(Port Augusta)
	<i>Deputy Member: vacant</i>	
<b>Eyre Peninsula Zone</b>	Mayor Julie Low	(Lower Eyre Peninsula)
	<i>Deputy Member: Mayor Eddie Elleway</i>	<i>(Franklin Harbour)</i>
<b>River Murray Zone</b>	Mayor David Burgess	(Mid Murray)
	Mayor Peter Hunt	(Berri Barmera)
	<i>Deputy Member: Mayor Leon Stasinowsky</i>	<i>(Loxton Waikerie)</i>

## INVITED OBSERVERS

### Convenor Metropolitan CEOs Committee of MLGG:

Mark Goldstone (Prospect)

### President Elect Local Government Managers Australia (SA Div):

Mark Searle (Marion)

# A G E N D A

		Page
<b>BO160513/1</b>	<b>WELCOME, PRESENT &amp; APOLOGIES</b>	
<b>BO160513/1.1</b>	<b>Apologies Received:</b> Mayor Gillian Aldridge, Mayor Jayne Bates, Mayor David Burgess, Mayor Peter Hunt, Mayor John Trainer.	
<b>BO160513/1.2</b>	<b>Voting Deputy Board Members</b>	
<b>BO160513/1.3</b>	<b>Oaths of Office for New Members</b>	
<b>BO160513/2</b>	<b>MINUTES OF PREVIOUS MEETING</b>	
<b>BO160513/2.1</b>	<b>Confirmation of Previous Minutes – 19 April 2013</b> That the minutes of the special meeting of the State Executive Committee held on 19 April 2013 be confirmed as an accurate record.	13
<b>BO160513/2.2</b>	<b>Business Arising from the Minutes</b>	
<b>BO160513/2.3</b>	<b>Resolutions and Actions from State Executive Committee Meeting 21 March 2013</b> That the LGA Board notes progress with resolutions resulting from the 21 March 2013 meeting.	17
<b>BO160513/3</b>	<b>PRESIDENT’S REPORT</b> The President will précis the written report. <b>Recommendation:</b> That the report be received and noted.	27
<b>BO160513/4</b>	<b>REPORTS FROM BODIES ESTABLISHED PURSUANT TO THE LGA CONSTITUTION</b>	
<b>BO160513/4.1</b>	<b>LGA Management Group – 2 May 2013</b> That the minutes of the special meeting of the LGA Management Group held on 2 May 2013 be received and noted.	32
<b>BO160513/4.2</b>	<b>Metropolitan Local Government Group – 8 May 2013</b> That the verbal update be noted.	
<b>BO160513/4.3</b>	<b>South Australian Regional Organisation of Councils – 15 May 2013</b> That the verbal update be noted.	
<b>BO160513/5</b>	<b>INVITED GUEST SPEAKERS</b>	

<b>BO160513/6</b>	<b>REPRESENTATIVES ON OUTSIDE BODIES</b>	
<b>BO160513/6.1</b>	<p><b>Board of the Environment Protection Authority</b></p> <p>That the LGA Board forward a panel (at least one man and one woman) of three nominees to the Minister for Sustainability, Environment and Conservation for the appointment of two members to the Board of the Environment Protection Authority for a two year term.</p>	36
<b>BO160513/6.2</b>	<p><b>Dog and Cat Management Board</b></p> <p>That the LGA Board forward a panel of three nominees (comprising at least one man and one woman) to the Hon Ian Hunter MLC, Minister for Sustainability, Environment and Conservation, for the appointment of one Member to the Dog and Cat Management Board, for a three year term commencing in July 2013.</p>	39
<b>BO160513/6.3</b>	<p><b>Appointments to External Boards and Committees</b></p> <p>That the report be noted.</p>	49
<b>BO160513/7</b>	<b>CONFIDENTIAL ITEMS</b>	
<b>BO160513/8</b>	<b>RECOMMENDATION REPORTS</b> (for debate)	
<b>BO160513/8.1</b>	<p><b>Awareness Campaign</b></p> <p>That the LGA Board:</p> <ol style="list-style-type: none"> <li>1. notes the report; and</li> <li>2. receives a short presentation on the awareness campaign.</li> </ol>	50
<b>BO160513/8.2</b>	<p><b>Updating the Australian Constitution</b></p> <p>That the LGA Board:</p> <ol style="list-style-type: none"> <li>1. notes the report and receives a verbal update;</li> <li>2. delegates to the President and the CEO any urgent decisions required or responses to ALGA which need to be made rapidly in the course of the campaign; and</li> <li>3. considers appropriate roles for LGA Board Members to undertake during the campaign based on a paper being prepared which will be circulated at the meeting.</li> </ol>	52
<b>BO160513/8.3</b>	<p><b>Planning Reform Update</b></p> <p>That the LGA Board:</p> <ol style="list-style-type: none"> <li>1. notes the report and receives a verbal update;</li> <li>2. authorises the LGA President and CEO to finalise a submission to the Minister for Planning on the Housing and Urban Development (Administrative Arrangements) (Urban Renewal) Amendment Bill 2013 based on legal advice received and the</li> </ol>	66

	<p>submissions made by Councils;</p> <ol style="list-style-type: none"> <li>3. authorises the LGA President and CEO to finalise a submission to the Inquiry into Sale and Consumption of Alcohol based on the feedback provided by Councils; and</li> <li>4. authorises the LGA President and CEO to make a submission to Hon. Mark Parnell MLC on the Development (Development Plan Amendment) (Notification) Amendment Bill 2013 based on the feedback provided by Councils.</li> </ol>	
<b>BO160513/8.4</b>	<p><b>Planning Reform Reference Group</b></p> <p>That the LGA Board:</p> <ol style="list-style-type: none"> <li>1. notes the report and receives a verbal update; and</li> <li>2. authorises the LGA Management Group to finalise two LGA representatives for the Planning Reform Reference Group on the basis that at least one representative has a strong technical understanding of planning and development and at least one representative has a strong political understanding of planning and development.</li> </ol>	75
<b>BO160513/8.5</b>	<p><b>Regional Statement</b></p> <p>That the LGA Board:</p> <ol style="list-style-type: none"> <li>1. notes the report; and</li> <li>2. subject to a verbal update from the SAROC Committee Chairperson endorses the attached draft submission for provision to the Minister for Regional Development.</li> </ol>	79
<b>BO160513/8.6</b>	<p><b>Australian Local Government Association - Appointment of Board Directors and Alternate Directors</b></p> <p>That the LGA Board:</p> <ol style="list-style-type: none"> <li>1. notes the report;</li> <li>2. endorses the appointment of President Mayor David O'Loughlin and Immediate Past President Mayor Kym McHugh as Directors of the ALGA Board; and</li> <li>3. determines two Alternate Directors (proxies).</li> </ol>	86
<b>BO160513/8.7</b>	<p><b>LGA Board Members on the Local Government Research and Development Scheme Advisory Committee</b></p> <p>That the LGA Board:</p> <ol style="list-style-type: none"> <li>1. notes that the terms of the LGA Board Members on the Local Government Research and Development Scheme Advisory Committee lapsed in March 2013;</li> <li>2. nominates three members of the LGA Board to the Local Government Research and Development Scheme Advisory Committee for a term concluding 1 March 2015; and</li> <li>3. approves updated wording to describe the composition of the Local Government Research and Development Scheme Advisory Committee.</li> </ol>	87

<b>BO160513/9</b>	<b>LATE ITEMS</b> (For verbal update/debate)	
<b>BO160513/9.1</b>	<b>LGA CEO Performance Appraisal - Approach to Process</b>	Under separate cover
<b>BO160513/10</b>	<b>REPORT SEEKING ENDORSEMENT</b> (Members may request a report be removed for debate)	
<b>BO160513/10.1</b>	<b>Energy, Waste and Water Entity</b> That the LGA Board: <ul style="list-style-type: none"> <li>1. notes the report;</li> <li>2. endorses the LGA Secretariat investigating options for the establishment of a Local Government entity for the delivery of waste, water and energy initiatives;</li> <li>3. endorses the LGA Secretariat entering into officer level negotiations with the State Government on delivery of potential waste, water and energy reform activities; and</li> <li>4. receives an update report at the July LGA Board meeting on the LGA Secretariats findings and / or progress to date.</li> </ul>	91
<b>BO160513/10.2</b>	<b>Climate Change Strategy 2008-2012 Review</b> That the LGA Board: <ul style="list-style-type: none"> <li>1. notes the report;</li> <li>2. recognises the achievements to date;</li> <li>3. endorses the LGA Secretariat in undertaking a review of the LGA Climate Change Strategy and State and Local Government Climate Change Sector Agreement; and</li> <li>4. endorses the proposed review schedule.</li> </ul>	93
<b>BO160513/10.3</b>	<b>LGA Mutual Liability Scheme Climate Adaptation Project (MLS CAP) Final Report</b> That the LGA Board: <ul style="list-style-type: none"> <li>1. notes the report;</li> <li>2. receives the Final Summary report from the LGA MLSCAP (available from <a href="http://www.lga.sa.gov.au/site/page.cfm?u=495&amp;c=26797">http://www.lga.sa.gov.au/site/page.cfm?u=495&amp;c=26797</a>); and</li> <li>3. endorses the proposed review process.</li> </ul>	96

<b>BO160513/10.4</b>	<p><b>Infrastructure SA</b></p> <p>That the LGA Board:</p> <ol style="list-style-type: none"> <li>1. receives the report;</li> <li>2. notes the release of the State Liberal party announcement of the <i>Infrastructure SA</i> policy (available from <a href="http://www.lga.sa.gov.au/site/page.cfm?u=495&amp;c=26797">http://www.lga.sa.gov.au/site/page.cfm?u=495&amp;c=26797</a>); and</li> <li>3. authorises the LGA President writing to the Opposition Leader providing feedback on the document.</li> </ol>	98
<b>BO160513/10.5</b>	<p><b>South Australian Local Government Grants Commission Methodology Review</b></p> <p>That the LGA Board:</p> <ol style="list-style-type: none"> <li>1. receives the report; and</li> <li>2. endorses the LGA submission to the South Australian Local Government Grants Commission Methodology Review.</li> </ol>	100
<b>BO160513/10.6</b>	<p><b>Swimming Pool Safety Discussion Paper</b></p> <p>That the LGA Board:</p> <ol style="list-style-type: none"> <li>1. notes the report; and</li> <li>2. endorses the President and CEO to finalise a submission to the Department of Planning, Transport and Infrastructure on the Swimming Pool Safety Discussion Paper based on the feedback provided by Councils.</li> </ol>	112
<b>BO160513/10.7</b>	<p><b>Natural Resources Management (NRM) MOU Review</b></p> <p>That the LGA Board:</p> <ol style="list-style-type: none"> <li>1. notes the report; and</li> <li>2. endorses the objectives of the Local Government Research and Development Scheme - NRM review Project.</li> </ol>	114
<b>BO160513/10.8</b>	<p><b>Draft Employee Code of Conduct, Including Gifts and Benefits</b></p> <p>That the LGA Board:</p> <ol style="list-style-type: none"> <li>1. endorses the report; and</li> <li>2. authorises the CEO and the President to finalise the submission before forwarding it to the Minister.</li> </ol>	116
<b>BO160513/10.9</b>	<p><b>Draft Graffiti Control Regulations 2013</b></p> <p>That the LGA Board:</p> <ol style="list-style-type: none"> <li>1. notes the report;</li> <li>2. endorses the attached letter of submission to the Attorney-General on the draft <i>Graffiti Control Regulations 2013</i>; and</li> <li>3. authorises the LGA President and Chief Executive Officer to finalise the LGA letter of submission.</li> </ol>	122



<b>BO160513/10.10</b>	<p><b>Draft Controlled Substances (Poisons) Variation Regulations 2011 - LGA Submission to the Minister for Health and Ageing</b></p> <p>That the LGA Board:</p> <ol style="list-style-type: none"> <li>1. endorses the attached submission to the Minister for Health and Ageing on the draft <i>Controlled Substances (Poisons) Regulations 2011</i>; and</li> <li>2. authorises the LGA President and Chief Executive Officer to finalise the LGA submission.</li> </ol>	124
<b>BO160513/10.11</b>	<p><b>Land Services Group Service Level Agreement</b></p> <p>That the LGA Board:</p> <ol style="list-style-type: none"> <li>1. notes the report; and</li> <li>2. endorses a six month extension of the current Land Services Service Level Agreement.</li> </ol>	128
<b>BO160513/10.12</b>	<p><b>Regional Development Australia – Committee Elections</b></p> <p>That the LGA Board:</p> <ol style="list-style-type: none"> <li>1. receives the report;</li> <li>2. notes the proposed timeframes for the election process for appointment of Local Government representatives on the respective RDA committees; and</li> <li>3. endorses LGA promotion of the election process to Councils via LGA Circular and the LGA newsletter.</li> </ol>	130
<b>BO160513/10.13</b>	<p><b>State Wage Case 2013</b></p> <p>That the LGA Board endorses the position for our industrial representatives to support a flow-on of the (Federal) Fair Work Commission Decision in State Wage Case proceedings before the (State) SA Industrial Relations Commission.</p>	134
<b>BO160513/10.14</b>	<p><b>Draft 2013/2014 Budget</b></p> <p>That the LGA Board adopts the draft 2013/2014 budget incorporating an increase in subscriptions of 3%.</p>	136

<b>BO160513/10.15</b>	<p><b>LGA Constitution Implementation Progress Report</b></p> <p>That the LGA Board:</p> <ol style="list-style-type: none"> <li>1. notes the progress report on implementing the new LGA Constitution;</li> <li>2. endorses the process for recording the affixing of the common seal contained in Attachment 1;</li> <li>3. endorses the criteria for assessing applications for Associate Membership contained in Attachment 2;</li> <li>4. endorses the amended Standing Orders for LGA meetings contained in Attachment 3, noting the requirement that meetings must pass a resolution about confidential items including a timeframe for the release of confidential information; and</li> <li>5. endorses the Record of Delegations contained in Attachment 4, noting that financial delegation and the management of contracts and tenders will be taken to the June LGA Management Group (formerly Senior Executive Committee) meeting, and presented back to the LGA Board at its July meeting.</li> </ol>	139
<b>BO160513/10.16</b>	<p><b>LGA Associate Membership - Review</b></p> <p>That the LGA Board:</p> <ol style="list-style-type: none"> <li>1. notes the report; and</li> <li>2. endorses three out of the four current LGA Associate Members (with the exception of Maxima) being offered renewal of their Associate Membership for the 2013/2014 financial year.</li> </ol>	152
<b>BO160513/10.17</b>	<p><b>Local Government Governance Panel – Chairpersons Retainer Arrangements</b></p> <p>That the LGA Board:</p> <ol style="list-style-type: none"> <li>1. approves a retainer of \$12,000 per annum for the period 2013/14 for the Chairperson of the Panel;</li> <li>2. endorses payment being made from the Local Government Research &amp; Development Scheme; and</li> <li>3. receives a report at its March 2014 meeting of the outcomes of a review undertaken in January 2014, including recommendations for the ensuing period.</li> </ol>	154
<b>BO160513/10.18</b>	<p><b>Local Government House – LGRS Lease Signing</b></p> <p>That the LGA Board:</p> <ol style="list-style-type: none"> <li>1. notes the report; and</li> <li>2. authorises the signing of the Memorandum of Lease and Car Parking License using the LGA's Common Seal, in accordance with the provisions of clause 146.4 of the LGA Constitution.</li> </ol>	156

<b>BO160513/11</b>	<b>REPORTS FOR NOTING</b> (Reports to be adopted in block. Members may request a report be removed for debate / discussion.)	
<b>BO160513/11.1</b>	<b>Chief Executive Officer's Report</b> That the report be noted.	158
<b>BO160513/11.2</b>	<b>Income Statement for the Period 1 July 2012 to 31 March 2013</b> That the LGA Board notes the Income Statement for the period 1 July 2012 to 31 March 2013.	162
<b>BO160513/11.3</b>	<b>2012-2013 LGA Annual Priorities Progress Report</b> That the LGA Board notes progress against the Annual Priorities as shown in the attached Work Program.	166
<b>BO160513/11.4</b>	<b>Federal Election</b> That the LGA Board: 1. notes the report; and 2. receives a further report at the July meeting.	180
<b>BO160513/11.5</b>	<b>Response to McCann Review of non-Hospital Based Services</b> That the LGA Board: 1. receives the report; 2. notes the response from State Government regarding the Review recommendations; and 3. notes the LGA President will be meeting with the Minister for Health and Ageing to discuss this matter.	182
<b>BO160513/11.6</b>	<b>Local Excellence Expert Panel Update</b> That the report be noted.	184
<b>BO160513/11.7</b>	<b>Australian Local Government Association - Update</b> That the State Executive Committee notes the outcomes of the ALGA Board meeting held on 27 March 2013.	187
<b>BO160513/11.8</b>	<b>LGA Procurement</b> That the report be noted.	188
<b>BO160513/11.9</b>	<b>LGA Workers Compensation Scheme - Update</b> That the report be noted.	191
<b>BO160513/11.10</b>	<b>LGA Mutual Liability Scheme - Update</b> That the report be noted.	194
<b>BO160513/12</b>	<b>ANY OTHER BUSINESS</b>	

<b>BO160513/13</b>	<b>QUESTIONS WITH / WITHOUT NOTICE</b>		
<b>BO160513/14</b>	<b>2013 CALENDAR OF KEY LGA DATES</b>		
	8 May 10 May 15 May 16 May 7 June 7 June 16-19 June 20 June 21 June 10 July 17 July 18 July 2 August 2 August 9 August 15 August 16 August 4 September 11 September 12 September 4 October 4 October 17 October 18 October 24 & 25 October 8 November 13 November 20 November 21 November 6 December 6 December 6 December 19 December	MLGG, LGA Central Region LGA, Copper Coast SAROC, Tatiara LGA Board, Tatiara Murray & Mallee LGA, Coorong South East LGA, Naracoorte ALGA NGA, Canberra LGA Management Group, LGA Southern & Hills LGA, Yankalilla MLGG, LGA SAROC, LGA LGA Board, LGA Murray & Mallee LGA, Karoonda East South East LGA, Mt Gambier Central Region LGA, Flinders Ranges LGA Management Group, LGA Southern & Hills LGA, Adelaide Hills MLGG, LGA SAROC, LGA LGA Board, LGA Murray & Mallee LGA, Loxton Waikerie South East LGA, Naracoorte LGA Management Group, LGA Southern & Hills LGA, Barossa LGA AGM, Adelaide Convention Centre Central Region LGA, Goyder MLGG, LGA SAROC, Renmark LGA Board, Renmark Murray & Mallee LGA, Mid Murray Southern & Hills LGA, Victor Harbor South East LGA, Wattle Range LGA Management Group, LGA	
<b>ST160513/15</b>	<b>NEXT MEETING</b>		
	Next regular meeting scheduled 18 July 2013 at 9.15am to be held at Local Government House, 148 Frome Street, Adelaide.		
<b>ST160513/16</b>	<b>CLOSE</b>		

**MINUTES OF THE SPECIAL STATE EXECUTIVE COMMITTEE  
MEETING HELD ON FRIDAY 19 APRIL 2013 IN THE TOYOTA ROOM  
AAMI STADIUM, WEST LAKES AT 2.30PM**

**WELCOME, PRESENT & APOLOGIES  
SST190413/1**

The President Mayor David O'Loughlin welcomed members to the meeting.

Mayor Kym McHugh	Immediate Past President
Mayor Gillian Aldridge	Adelaide Metro Zone
Mayor Robert Bria	Adelaide Metro Zone
Deputy Lord Mayor Dr Michael Llewellyn-Smith, AM	Adelaide Metro Zone
Mayor David Parkin	Adelaide Metro Zone
Mayor Lorraine Rosenberg	Adelaide Metro Zone
Cr Jill Whittaker	Adelaide Metro Zone
Cr Peter Jamieson	Adelaide Metro Zone (proxy)
Mayor Michael Picton	Adelaide Metro Zone (proxy)
Mayor William Spragg	Adelaide Metro Zone (proxy)
Cr Carolyn Wigg	Adelaide Metro Zone (proxy)
Mayor James Maitland	Central Zone
Mayor Denis Clark	Central Zone (proxy)
Mayor Julie Low	Eyre Peninsula Zone
Mayor Eddie Elleway	Eyre Peninsula Zone (proxy)
Mayor David Burgess	River Murray Zone
Mayor Peter Hunt	River Murray Zone
Mayor Richard Vickery	South East Zone
Vacant	Spencer Gulf Cities Zone (proxy)

*LGA Secretariat:*

Wendy Campana	Chief Executive Officer / Returning Officer
Lisa Teburea	Director, Planning & Community Services
Chris Russell	Director, Communications
David Hitchcock	Director, Infrastructure
Alison Gill	Corporate Services Manager / Deputy Returning Officer
Jacqui Kelleher	Executive Officer

*Apologies were received/noted from:*

Cr Peter Solomon	Spencer Gulf Cities Zone
Mayor Lachlan Clyne	Adelaide Metro Zone
Mayor Allan Aughey	Central Zone
Mayor John Trainer	Adelaide Metro Zone
Mayor Leon Stasinowsky	River Murray Zone (proxy)
Mayor Ann Ferguson	Southern & Hills Zone
Mayor Jayne Bates	Southern & Hills Zone (proxy)
Mayor Evan Flint	South East Zone (proxy)

**Voting Proxy Members****SST190413/1.2**

Mayor Clark proxy for Mayor Aughey  
 Cr Peter Jamieson proxy for Mayor Trainer  
 Mayor Picton proxy for Mayor Clyne  
 Mayor Hunt proxy for Mayor Low

*Note:*

*Cr Solomon no proxy appointed*

**OATHS OF OFFICE**

Mayors Clark, Spragg, Parkin and Bria took the oath of office.

**CONFIRMATION OF PREVIOUS MINUTES****SST190413/2****Confirmation of Previous Minutes – 21 March 2013****SST190413/2.1**

Moved Deputy Lord Mayor Llewellyn-Smith Seconded Mayor Aldridge that the minutes of the meeting held on 21 March 2013 be confirmed as an accurate record.

**CARRIED**

**Confirmation of Previous Confidential Minutes – 21 March 2013****SST190413/2.2**

Moved Mayor McHugh Seconded Mayor Maitland that the confidential minutes of the meeting held on 21 March 2013 be confirmed as an accurate record.

**CARRIED**

**RECOMMENDATION REPORTS****SST190413/3****Election of LGA Vice Presidents****SST190413/3.1**

The Returning Officer outlined the nomination and election process for Vice Presidents and that representatives from the Electoral Commission were in attendance should a vote count be required. The following nominations were received:

*Metropolitan Vice Presidents:*

Cr Jill Whittaker (accepted)

Mayor Lorraine Rosenberg (accepted)

Mayor John Trainer (accepted)

Deputy Lord Mayor Michael Llewellyn-Smith, AM (declined with explanation by the Deputy Lord Mayor)

*Regional Vice Presidents*

Mayor James Maitland (accepted)

Mayor Richard Vickery (accepted)

Mayor Allan Aughey (accepted)

Mayor David Burgess (accepted)

Mayor Spragg queried the LGA Constitution using the term "Councillor" when majority of members were Mayors or Presiding Members under the Local Government Act. The CEO advised that the definition of "Councillor" included Mayors. It was **NOTED** that the matter may require review.

Nominees present at the meeting provided comments in support of their nominations.

Lots were drawn and two sets of ballot papers (metropolitan and country) were distributed to voting Members. Two separate vote counts were undertaken by staff from the Electoral Commission and the Returning Officer declared the results.

Moved Deputy Lord Mayor Michael Llewellyn-Smith, AM Seconded Cr Peter Jamieson that the State Executive Committee notes the outcome of the election of Mayor James Maitland and Mayor Richard Vickery as country Vice Presidents and Cr Jill Whittaker and Mayor Lorraine Rosenberg as metropolitan Vice Presidents, for the 2013-2015 term of office.

**CARRIED**

## **LATE ITEMS**

### **SST190413/4**

#### **Ministerial Changes**

##### **SST190413/4.1**

The President provided a verbal update on a recent meeting with Minister Gago. Discussion ensued about the proposed changes to the arrangements for dealing with the State. Members provided feedback and views about the proposed changes.

Moved Mayor Aldridge Seconded Mayor Deputy Lord Mayor Llewellyn-Smith that the State Executive Committee:

1. receives a verbal update from the President regarding the meeting with Minister Gago; and
2. receives a report at the May meeting for consideration and finalisation of the LGA's position on this matter.

**CARRIED**

## **ANY OTHER BUSINESS**

### **SST190413/5**

#### **Planning Reform Reference Group - LGA Nominees (late item)**

Lisa Teburea tabled a letter from the Chair of the Expert Panel on Planning Reform inviting Local Government members on a Reference Group. CEO Wendy Campana provided a verbal update and suggested names of persons to approach as interim members given the first meeting of the group is scheduled for early May.

Moved Mayor Maitland Seconded Mayor McHugh that the Secretariat commence the process in regards to nominees for the Planning Reform Reference Group and delegate authority to the President and CEO to finalise interim nominees for the May meeting.

**CARRIED**

## **QUESTIONS WITH / WITHOUT NOTICE**

### **SST190413/6**

#### **General Meeting - Twitter**

##### **SST190413/6.1**

Members commented on feedback received that the Twitter feeds on screen at the General meeting were distracting to delegates and disrespectful to presenters. The CEO advised that staff had also received this feedback which is why the feeds were removed on Friday. The organising committee will take on board the comments for future events.

#### **General Meeting - AAMI Stadium Facility**

##### **SST190413/6.2**

It was **AGREED** that a letter from the LGA be sent to AAMI stadium thanking the volunteers for the tour of premises which was provided to interested members and delegates.

## **NEXT MEETING**

### **SST190413/7**

The next meeting of the State Executive Committee will be held on 16 May 2013 to be hosted at the Tatiara Council.

## **CLOSE**

### **SST190413/8**

The meeting was declared closed at 3.50 pm.



Item: BO160513/2.3  
DME: 98685

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Alison Gill)

**KEY RESULT AREA 4:** Improving LGA Governance.

**STRATEGY 4.A:** Effectively support and streamline the operations of LGA Committees, and the conduct of General and Annual General meetings.

**ANNUAL PRIORITY 4.3:** Develop / complete new governance documents.

**RE:** RESOLUTIONS AND ACTIONS FROM STATE EXECUTIVE COMMITTEE MEETING 21 MARCH 2013

### RECOMMENDATION

That the LGA Board notes progress with resolutions resulting from the 21 March 2013 meeting.

### DISCUSSION

The attached report provides information about the progress of resolutions from the previous meeting.

### Resolutions from the Previous Meeting – 21 March 2013

<p><b>Metropolitan Local Government Group – 13 March 2013</b>  <b>Tree Pruning - ST210313/4.2.1</b>  Moved Mayor Rosenberg Seconded Cr Whittaker that the State Executive Committee endorse the LGA President writing to the Minister for Transport and Infrastructure and the Technical Regulator updating them on the issues that the LGA is addressing with SAPN regarding tree pruning and seeking support for the achievement of tree pruning reform.</p> <p style="text-align: right;"><b>CARRIED</b></p>	<p>The LGA Secretariat is undertaking discussions with SA Power Networks. These discussions will help inform development strategies to discuss with the Minister.</p>
<p><b>South Australian Regional Organisation of Councils – 20 March 2013</b>  <b>Waste Levy - ST210313/4.3.1</b>  Moved Mayor Maitland Seconded Mayor Burgess that the State Executive Committee requests the LGA Secretariat to:</p> <ol style="list-style-type: none"> <li>1. continue to reinforce with the State Government, Councils' opposition to increases in the Solid Waste Levy;</li> <li>2. highlight to the State Government Councils' dissatisfaction with access to the increasing balance of the Waste to Resources Fund, affecting Councils' ability to achieve the State Waste Strategy Targets; and</li> <li>3. request the Minister for Sustainability, Environment and Conservation to provide a status report on the expenditure to date in the Waste to Resources Funds, including remaining unspent funds, within three months.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	<p>The LGA CEO and Immediate Past President recently met with the Minister regarding the waste levy, amongst other issues. Other meetings have also been held with the Treasurer and Advisors, in which the LGA's position on the waste levy has been communicated.</p> <p>The LGA has developed a business case for funding waste management projects that will be used as a foundation for any lobbying for funds from either the waste levy, the waste to resources fund, or both.</p> <p>Communications have also occurred with the Minister regarding the future of Zero Waste SA, including funding options.</p>
<p><b>South Australian Regional Organisation of Councils – 20 March 2013</b>  <b>Regional Development Update - ST210313/4.3.2</b>  Moved Mayor Maitland Seconded Mayor Burgess that the LGA State Executive Committee notes:</p> <ol style="list-style-type: none"> <li>1. the concern expressed by SAROC regarding the process for undertaking release of the LGA / RDA Association funded report by SACES on Strengthening Regional Development, without prior consultation with Local Government; and</li> <li>2. a further report on the content and recommendations of the report be provided to the May meeting of SAROC.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	<p>The LGA has met with SACES and RDA SA to discuss the actions undertaken in releasing the report. A report has been provided to the 15 May SAROC meeting.</p>
<p><b>South Australian Regional Organisation of Councils – 20 March 2013</b>  <b>Public Lighting - ST210313/4.3.3</b>  Moved Mayor Maitland Seconded Cr Whittaker that the LGA State Executive Committee request the LGA Secretariat to continue to strongly lobby the State Government opposing the proposal from DPTI to cost shift public street lighting charges onto Local Government.</p> <p style="text-align: right;"><b>CARRIED</b></p>	<p>The LGA President wrote to the Minister seeking review of the decision. The Minister has now replied advising that the decision stands. Regional LGA's and MLGG have been provided with a copy of the Minister's response.</p>

<p><b>South Australian Regional Organisation of Councils – 20 March 2013</b>  <b>Mining Impact Strategy - ST210313/4.3.5</b>  Moved Mayor Maitland Seconded Mayor Burgess that the State Executive Committee seeks further feedback from SAROC on the Mining Impact Strategy before further consideration of the report is undertaken.</p> <p style="text-align: right;"><b>CARRIED</b></p>	<p>A first draft of a Mining Impact Strategy has been prepared, and is being discussed by Regional Executive Officers before being distributed for wider comment within SAROC.</p>
<p><b>ILUA Update - ALGA President Mayor Felicity-ann Lewis - ST210313/5.1</b>  Moved Mayor Lewis Seconded Mayor Sambell that the verbal update on progress of the ILUA claim negotiations be noted.</p> <p style="text-align: right;"><b>CARRIED</b></p>	<p>No further action required</p>
<p><b>LGA Workers Compensation Scheme and Mutual Liability Scheme Board Membership - ST210313/6.1</b>  Moved Deputy Mayor Llewellyn-Smith Seconded Mayor Rosenberg that the State Executive Committee:</p> <ol style="list-style-type: none"> <li>1. in accordance with the 'Appointing Members to LGA Scheme Boards' policy directs the LGA Secretariat to approach Mr Michael Sedgman, General Manager, Finance &amp; Corporate Services of Adelaide City Council (resigning March 2013) to invite him to remain as a Member of the LGA Workers Compensation Scheme and the LGA Mutual Liability Scheme Boards until the expiration of his current term (31 October 2014);</li> <li>2. approves Ms Jane Booth's (General Manager, City and Organisational Development, Adelaide City Council) appointment as Deputy Member for Mr Michael Sedgman on the LGA Workers Compensation Scheme Board;</li> <li>3. notes that the Hon John Rau, MP has advised that the State Government nominee to the LGAWCS Board will be Ms Monica Broniecki, Acting Director, Public Sector Workforce Wellbeing. Ms Broniecki's term of appointment to the LGAWCS Board will be until 31 October 2015; and</li> <li>4. the Hon Michael O'Brien, MP has advised that the State Government nominee to the LGAMLS Board will be Mr Tim Burfield, Director, Insurance at the South Australian Government Financing Authority. Mr Burfield's term of appointment to the LGAMLS Board will be until 31 October 2014.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	<p>Gary Okely &amp; LGA WCS/MLS Board Member, Michael Sedgman were advised of the resolutions.</p>
<p><b>Planning Reform Update - ST210313/8.1</b>  Moved Deputy Lord Mayor Dr Llewellyn-Smith Seconded Mayor Hunt that the State Executive Committee:</p> <ol style="list-style-type: none"> <li>1. notes the report and receives a verbal update;</li> <li>2. endorses the preparation of a series of Planning Reform 'Future Directions' Discussion Papers in consultation with Local Government working groups;</li> <li>3. authorises the LGA President to write to the Hon. Mark Parnell MLC to convey any feedback received from Councils on the Development (Regulated Trees) Amendment Bill 2012; and</li> <li>4. authorises the LGA President and CEO to finalise a submission to the Productivity Commission on Major Project Development Assessment Processes.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	<p>Work is underway on the Planning Reform Papers.</p> <p>Submissions on the Development (Regulated Trees) Amendment Bill and Major Projects have been completed.</p>
<p><b>Package of Reforms – Environmental Nuisance - ST210313/8.2</b>  Moved Mayor Maitland Seconded Mayor Sambell that the State Executive Committee:</p> <ol style="list-style-type: none"> <li>1. notes the report and receives a verbal update; and</li> <li>2. endorses the LGA Secretariat in pursuing the objectives established for the LGA reform project and development of a Local Environmental Nuisance Bill.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	<p>LGA is continuing to progress the LGA reform project and is assisting the EPA to engage with Councils on the development of a draft Local Environmental Nuisance Bill</p>

<p><b>Climate Change Update - ST210313/8.3</b>  Moved Mayor Rosenberg Secoded Mayor Aldridge that the State Executive Committee:</p> <ol style="list-style-type: none"> <li>1. notes the report and receives a verbal update;</li> <li>2. recognises the achievements to date; and</li> <li>3. endorses the LGA Secretariat in pursuing the objectives identified in the LGA Climate Change Strategy.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	No further action required
<p><b>Environmental Upgrade Finance (EUF) - ST210313/8.4</b>  Moved Deputy Lord Mayor Dr Llewellyn-Smith Secoded Cr Wigg that the State Executive Committee</p> <ol style="list-style-type: none"> <li>1. notes the report and receives a verbal update;</li> <li>2. notes the key outcomes from the 'Environmental Upgrade Finance, Business Model and Business Case' and Adelaide City Council Committee deliberations; and</li> <li>3. endorses the LGA President notifying the State Government of LGA in-principle support for the establishment of an Environmental Upgrade Finance Scheme in South Australia commencing in the City of Adelaide, subject to negotiation of a suitable funding model and establishment of an appropriate legislative framework.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	The LGA has advised the Department of Environment, Water and Natural Resources.
<p><b>Council Contributions to Street Lighting on Arterial Roads - ST210313/8.5</b>  Moved Mayor Aldridge Secoded Mayor Clyne that the State Executive Committee:</p> <ol style="list-style-type: none"> <li>1. notes the report; and</li> <li>2. receives a verbal update</li> <li>3. request the LGA to continue to lobby and negotiate with the Government for the deferral until 2013/2014 and work with DPTI in negotiating any changes to charges and service levels for public lighting.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	The LGA President wrote to the Minster seeking review of the decision. The Minster has now replied advising that the decision stands. Regional LGA's and MLGG have been provided with a copy of the Minsters response.
<p><b>2013 Election of LGA President and State Executive Committee - ST210313/8.6</b>  Moved Mayor Clyne Secoded Cr Jamieson that the State Executive Committee:</p> <ol style="list-style-type: none"> <li>1. notes the report;</li> <li>2. express its appreciation to Mayors McHugh and Lewis for their contributions as President and Immediate Past President respectively;</li> <li>3. express its appreciation to Mayors Lewis, Smith and Sambell (who did not renominate for positions on the State Executive Committee) for their contributions to the State Executive Committee;</li> <li>4. notes that the results of the election will be reported by the Returning Officer to the General Meeting on 19 April 2013, in accordance with Rule 18.5.10 of the LGA Constitution; and</li> <li>5. notes that a special meeting of the new State Executive Committee will be held to elect the four Vice Presidents following the LGA Showcase and General Meeting lunch at approximately 2.30pm on 19 April 2013 at West Lakes.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	The Returning Officer reported the results of the election at the General Meeting. A special State Executive Committee meeting was held following the General Meeting and the following members were appointed as Vice Presidents for the period 2013-2015: Mayor James Maitland – country Mayor Richard Vickery – country Mayor Lorraine Rosenberg – metropolitan Cr Jillian Whittaker - metropolitan

<p><b>Staging of State Executive Committee Meetings in Regional Locations In 2013 - ST210313/8.7</b>  Moved Mayor Rosenberg Seconded Mayor Burgess that the State Executive Committee:</p> <ol style="list-style-type: none"> <li>1. notes the report; and</li> <li>2. agrees to staging the May meeting at the District Council of Tatiara and the November meeting at Renmark Paringa Council.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	<p>Advice sent to Board members.</p>
<p><b>State Election - ST210313/10.1</b>  Moved Cr Jamieson Seconded Mayor Aldridge that the State Executive Committee:</p> <ol style="list-style-type: none"> <li>1. notes the report;</li> <li>2. endorses the LGA Secretariat following the attached State Election 2014 Action Plan; and</li> <li>3. endorses the LGA Senior Executive Committee overseeing the development of the LGA's State Election Platform.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	<p>The action plan is being implemented.</p>
<p><b>Federal Election - ST210313/10.2</b>  Moved Mayor Vickery Seconded Mayor Green that the State Executive Committee endorses the action plan adopted by the Senior Executive Committee in relation to the LGA's Federal Election Campaign.</p> <p style="text-align: right;"><b>CARRIED</b></p>	<p>The action plan is being implemented.</p>
<p><b>Video Conferencing - ST210313/10.3</b>  Moved Mayor Maitland Seconded Mayor Burgess that the State Executive Committee:</p> <ol style="list-style-type: none"> <li>1. notes the video conferencing consultancy report; and</li> <li>2. request the LGA Secretariat to consult further with SAROC Executive Officers prior to any further progress;</li> <li>3. requests LGA Procurement to call a tender for a pilot program, involving a minimum of five Country Councils (chosen by the five regional LGAs) and the LGA premises, as specified in Attachment 2 after the completion of point 2;</li> <li>4. authorises the LGA Secretariat to commit up to \$50,000 for a term of 12 months, towards the cost of the pilot program;</li> <li>5. authorises the LGA Secretariat to negotiate with stakeholders, including the LGA Workers Compensation Scheme, LGA Mutual Liability Scheme, LGA Procurement, each of the five chosen country sites, and Regional LGAs to obtain co-contributions towards the cost of the pilot program;</li> <li>6. directs the LGA Education and Training Service to offer as many courses as possible via video-conferencing (from training rooms at the LGA premises) during the period of the pilot program;</li> <li>7. requires the LGA Secretariat to make available, during the pilot program, an additional (smaller) video-conference meeting room at the LGA premises, to assist Country Councils to: <ol style="list-style-type: none"> <li>(a) attract city-based independent members of their audit committees and or CDAPs; and</li> <li>(b) have their Members and staff participate in metropolitan-based professional development and networking; and</li> </ol> </li> <li>8. requires an evaluation report on the pilot program, 12 months after its commencement.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	<p>After consultation with SAROC Executive Officers, on 28 March 2013 the LGA issued Circular 13.7 which called for expressions of interest from regional clusters of three to five Councils. Expressions of interest were received from:</p> <ul style="list-style-type: none"> <li>• the Flinders group of four Councils plus Port Pirie</li> <li>• SELGA</li> <li>• Murray &amp; Mallee LGA;</li> <li>• Alexandrina Council; and</li> <li>• Kangaroo Island Council</li> </ul> <p>The SAROC meeting of 15 May 2013 was asked to determine which region should be selected for the pilot program.</p>

<p><b>Aboriginal Lands Trust Bill 2012 - ST210313/10.4</b>  Moved Cr Jamieson Seconded Mayor Aldridge that the State Executive Committee:</p> <ol style="list-style-type: none"> <li>1. endorses the draft Aboriginal Lands Trust Bill 2012, subject to the inclusion of explicit recognition that facilities and services to Trust land will be provided on a fee for service basis in the absence of rating options; and</li> <li>2. authorises the CEO and President to write to the Minister for Aboriginal Affairs and Reconciliation supporting the Bill and reiterating the views expressed earlier in the review process.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	<p>Letter was finalised and sent to the Minister.</p>
<p><b>Local Government (Financial Management) Variation Regulations 2013 - ST210313/10.5</b>  Moved Mayor Aughey Seconded Deputy Lord Mayor Dr Llewellyn-Smith that the State Executive Committee:</p> <ol style="list-style-type: none"> <li>1. endorses the views expressed in this report;</li> <li>2. authorises the CEO and President to write to the Minister for State/Local Government Relations supporting the variations to the Regulations having regard to the submission from the LGFMG.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	<p>Letter and submission were finalised and sent to the Minister.</p>
<p><b>Powers and Functions of Authorised Persons - ST210313/10.6</b>  Moved Cr Jamieson Seconded Mayor Aldridge that the State Executive Committee endorses the proposal to carry out a legislative review of the powers and functions of authorised persons in relation to key legislation relevant to Local Government.</p> <p style="text-align: right;"><b>CARRIED</b></p>	<p>Preparatory work for this review project has commenced.</p>
<p><b>SA Local Government Grants Commission FAGs Review - ST210313/10.7</b>  Moved Cr Jamieson Seconded Mayor Aldridge that the State Executive Committee:</p> <ol style="list-style-type: none"> <li>1. receives the report;</li> <li>2. notes Council consultation undertaken on the SA Local Government Grants Commission Methodology Review;</li> <li>3. delegates the LGA CEO to finalise the LGA submission to the SA Local Government Grants Commission Methodology Review; and</li> <li>4. receives a copy of the LGA submission to the Federal Government Financial Government Assistance Grants Review.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	<p>See the agenda item of this meeting for a copy of the LGA Submission to the SA Local Government Grants Commission Methodology Review.</p>
<p><b>Water Portfolio Update - ST210313/10.8</b>  Moved Cr Jamieson Seconded Mayor Aldridge that the State Executive Committee:</p> <ol style="list-style-type: none"> <li>1. notes the report; and</li> <li>2. endorses the LGA CEO writing to the EPA regarding the Environment Protection (Water Quality) Policy seeking clarification on key elements of the policy reform;</li> <li>3. endorses the LGA CEO finalising a submission to the ESCOSA regarding the draft documents currently being consulted on; and</li> <li>4. endorses the LGA Secretariat to organise and host a one day Local Government 'Water Forum'.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	<p>Ongoing. Councils were consulted via LGA Circulars on a number of documents out for consultation.</p> <p>A water 'roundtable' meeting is scheduled for late-May, where key issues will be discussed by Local Government and Water Industry leaders.</p>

<p><b>Waste Management Portfolio Update - ST210313/10.9</b>  Moved Mayor Aldridge Seconded Cr Jamieson that the State Executive Committee:</p> <ol style="list-style-type: none"> <li>1. notes the commencement of the Local Government Waste Management Reform project; and</li> <li>2. endorses the findings of the waste management business case prepared by Blue Environment and its contents be considered in the preparation of the LGA's State election strategy.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	<p>The LGA CEO and Immediate Past President recently met with the Minister regarding the waste levy, amongst other issues. Other meetings have also been held with the Treasurer and Advisors, in which the LGA's position on the waste levy has been communicated.</p> <p>The LGA has developed a business case for funding waste management projects that will be used as a foundation for any lobbying for funds from either the waste levy, the waste to resources fund, or both.</p> <p>Communications have also occurred with the Minister regarding the future of Zero Waste SA, including funding options.</p>
<p><b>LGA Submission on Draft State Public Health Plan - ST210313/10.10</b>  Moved Cr Jamieson Seconded Cr Wigg that the State Executive Committee:</p> <ol style="list-style-type: none"> <li>1. receives the report;</li> <li>2. notes Council feedback received on the draft State Public Health Plan; and authorises the President and CEO to finalise the submission.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	<p>The submission has been lodged.</p>
<p><b>Mining Impact Strategy - ST210313/10.11</b>  Moved Cr Jamieson Seconded Mayor Aldridge that the State Executive Committee:</p> <ol style="list-style-type: none"> <li>1. notes the progress and approach for the development of a Local Government "Mining Impact Strategy"; and</li> <li>2. receives an update report and draft strategy for adoption at the May meeting.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	<p>A first draft of a Mining Impact Strategy has been prepared, and is being discussed by Regional Executive Officers before being distributed for wider comment within SAROC.</p>
<p><b>Australia Day Nominations - ST210313/10.12</b>  Moved Deputy Lord Mayor Dr Llewellyn-Smith Seconded Mayor Aldridge that the State Executive Committee:</p> <ol style="list-style-type: none"> <li>1. notes the report; and</li> <li>2. supports an ongoing dialogue with the Australia Day Council with the objective of encouraging greater nominations for annual Australia Day Awards.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	<p>A report will be provided to the July LGA Board meeting.</p>

<p><b>Local Government Research &amp; Development Scheme January 2013 LGA Call for Funding - ST210313/10.13</b></p> <p>Moved Cr Jamieson Seconded Mayor Aldridge that the State Executive Committee:</p> <ol style="list-style-type: none"> <li>1. approves the Memorandum of Understanding between the Minister for State/Local Government Relations regarding the operation of the Local Government Research &amp; Development Scheme (LGR&amp;DS);</li> <li>2. adopts the LGR&amp;DS Advisory Committee recommendations for projects for funding under the January 2013 Call for LGA projects, as attached;</li> <li>3. notes that having regard to recommendation 2 (above), and if all recommendations of the LGR&amp;DS Advisory Committee are adopted, approves funds of \$612,500 being drawn from the Scheme for the new projects; and</li> <li>4. endorses the LGR&amp;DS Advisory Committee recommendations for the management of Regional Capacity Allocation projects.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	<p>Successful LGR&amp;DS applicants have been advised.</p>
<p><b>Local Government Research &amp; Development Scheme Advisory Committee - ST210313/10.14</b></p> <p>Moved Cr Jamieson Seconded Mayor Aldridge that the State Executive Committee:</p> <ol style="list-style-type: none"> <li>1. extends the appointment of its three current State Executive Committee Members to the LGR&amp;DS Advisory Committee, from 1 March 2013 until 16 May 2013;</li> <li>2. endorses the amended Terms of Reference for the LGR&amp;DS Advisory Committee; and</li> <li>3. confirms its members of the Advisory Committee at the May meeting.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	<p>A report has been prepared for this meeting seeking a decision on Board members to be appointed to the LGR&amp;DS Advisory Committee</p>
<p><b>2013 Local Government Showcase and General Meeting - Agenda Items - ST210313/10.15</b></p> <p>Moved Cr Jamieson Seconded Mayor Aldridge that the State Executive Committee:</p> <ol style="list-style-type: none"> <li>1. notes the report; and</li> <li>2. approves the list of agenda items and associated recommendations being submitted by the LGA State Executive Committee for consideration at the 2013 LGA General Meeting.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p>	<p>Reports were included in the General Meeting agenda available from <a href="http://www.lga.sa.gov.au/goto/2013GMagenda">www.lga.sa.gov.au/goto/2013GMagenda</a>.</p>
<p><b>Chief Executive Officer's Report - ST210313/11.1</b></p> <p>Moved Deputy Lord Mayor Dr Llewellyn-Smith Seconded Mayor Aughey that the report be noted.</p> <p style="text-align: right;"><b>CARRIED</b></p>	<p>No further action required.</p>
<p><b>Income Statement for the Period 1 July to 31 December 2012) - ST210313/11.2</b></p> <p>Moved Deputy Lord Mayor Dr Llewellyn-Smith Seconded Mayor Aughey that the State Executive Committee notes the Income Statement for the period 1 July to 31 December 2012.</p> <p style="text-align: right;"><b>CARRIED</b></p>	<p>No further action required.</p>
<p><b>Progress Reporting on LGA Annual Priorities - ST210313/11.3</b></p> <p>Moved Deputy Lord Mayor Dr Llewellyn-Smith Seconded Mayor Aughey that the State Executive Committee notes progress against the Annual Priorities as shown in the Work Program.</p> <p style="text-align: right;"><b>CARRIED</b></p>	<p>No further action required.</p>
<p><b>Progress Reporting on LGA Strategic Plan 2011-2015 Key Performance Indicators - ST210313/11.4</b></p> <p>Moved Deputy Lord Mayor Dr Llewellyn-Smith Seconded Mayor Aughey that the State Executive Committee notes:</p> <ol style="list-style-type: none"> <li>1. the progress to date against the Key Performance Indicators in the LGA Strategic Plan 2011-2015; and</li> </ol>	<p>No further action required.</p>



2. that this progress report will be submitted to the 2013 LGA General Meeting for information.	<b>CARRIED</b>	
<b>Local Excellence Expert Panel - ST210313/11.5</b> Moved Mayor Green Seconded Cr Jamieson that the report be noted.	<b>CARRIED</b>	No further action required.
<b>Governance Review of the LGA and its Entities - ST210313/11.6</b> Moved Deputy Lord Mayor Dr Llewellyn-Smith Seconded Mayor Aughey that the report be noted.	<b>CARRIED</b>	A work program is being developed to review existing policies and procedures, and to identify areas where these may need to be developed.
<b>Constitutional Recognition - ST210313/11.7</b> Moved Mayor Hunt Seconded Mayor Low that the report be noted.	<b>CARRIED</b>	Refer to separate report in this agenda.
<b>Awareness Campaign - ST210313/11.8</b> Moved Deputy Lord Mayor Dr Llewellyn-Smith Seconded Mayor Aughey that the report be noted.	<b>CARRIED</b>	Refer to separate report in this agenda.
<b>Business Partner Program - ST210313/11.9</b> Moved Deputy Lord Mayor Dr Llewellyn-Smith Seconded Mayor Aughey that the report be noted.	<b>CARRIED</b>	No further action required.
<b>China Forum Update - ST210313/11.10</b> Moved Deputy Lord Mayor Dr Llewellyn-Smith Seconded Mayor Aughey that the report be noted.	<b>CARRIED</b>	The Forum was originally scheduled for 29 April, however has been postponed and will take place on 17 July 2013. Information will be available via LGA Circular.
<b>Australian Local Government Association – Update - ST210313/11.11</b> Moved Deputy Lord Mayor Dr Llewellyn-Smith Seconded Mayor Aughey that the State Executive Committee notes the outcomes of the ALGA Strategic Meeting held on 21 and 22 February 2013.	<b>CARRIED</b>	No further action required.
<b>LGA Procurement - ST210313/11.12</b> Moved Deputy Lord Mayor Dr Llewellyn-Smith Seconded Mayor Aughey that the report be noted.	<b>CARRIED</b>	No further action required.
<b>LGA Workers Compensation Scheme – Update - ST210313/11.13</b> Moved Deputy Lord Mayor Dr Llewellyn-Smith Seconded Mayor Aughey that the report be noted.	<b>CARRIED</b>	No further action required.
<b>Road Safety – Age Limit of Drivers - ST210313/12.1</b> Mayor Maitland queried the status of this issue having regard to the SAROC resolution on the matter. There was general discussion about the advantages and disadvantages of raising the age limit for driver licensing and the inequality of age requirement for motorbike driver licensing versus motor vehicle driver licensing.		No further action required.
<b>Abundant Species - Corellas - ST210313/12.2</b> Cr Jamieson queried the management of over abundant species in particular corellas. Mayor Rosenberg indicated she could provide the City of Port Adelaide Enfield with the research material done by the City of Onkaparinga on this issue to assist with the management of over abundant species invasions.		No further action required.

**Appreciation – Mayor McHugh - ST210313/12.3**

Mayor Aughey extended on behalf of the State Executive Committee appreciation and thanks to Mayor McHugh for his commitment, enthusiasm and drive during his term of office as President.

Mayor McHugh acknowledged the support of Vice Presidents, Committee members and Councils during his term of office.

No further action required.

Item: BO160513/3  
DME: 95393

## REPORT BY LGA PRESIDENT

Welcome to my first report as the new President of the Local Government Association. It is both an honour and a privilege to serve you and I would like to thank you all for putting your confidence in me to lead the Association for the next two years.

I am looking forward to working with the new LGA Board (formerly State Executive Committee) and congratulate all Board Members on their election to office:

I was pleased to Chair the first meeting of the new State Executive Committee (now the Board), convened after the close of the LGA General Meeting and to preside over the elections of Vice Presidents: Mayor Lorraine Rosenberg, Cr Jill Whittaker, Mayor James Maitland and Mayor Richard Vickery.

I would like to particularly welcome Mayors Robert Bria, Denis Clark, David Parkin, Bill Spragg and Cr Peter Solomon who are new members or proxies on the Board. I would also like to recognise former members of the previous State Executive Committee, Mayor Felicity-ann Lewis, Mayor Bruce Green, Mayor Brian Sambell, Mayor Miriam Smith and Mayor Ray Agnew who will not be continuing in this role.

This Board is structured to represent all 68 Councils of South Australia and while I am going to be very hands-on as your President, I will be relying heavily on the Board for support, particularly the Vice Presidents, in what is surely going to be a busy term with a referendum, both federal and state elections and major planning reforms already on the agenda.

I would like to take this opportunity to thank our Immediate Past President, Mayor Kym McHugh for his stewardship of the Association over the past two years. Much was accomplished during his Presidency including finalisation of the LGA's Regional Development Paper, the development of the Local Excellence Program and the appointment of the Independent Panel.

I will continue Kym's great work on the following key priorities:

- The Local Excellence Program;
- Working with the State Government to achieve the best outcomes out of the new arrangements for State/Local Government Relations;
- Progressing the Regional Development work;
- Promoting Good Governance practice, financial leadership and excellence in procurement and conduct, as a key foundation stone to establishing a productive working relationship with the new ICAC;
- Capitalising on the upcoming State and Federal Government elections;
- Rolling out the Local Government Awareness Campaign; and
- Strengthening the LGA's communications, particularly with the Elected Member body.

I also look forward to meeting with Councils on their home ground with visits expected to begin soon. I am looking forward to visiting Kadina on 25 May for the famous Kernewek Lowender Cornish Festival, which I have heard so much about.

Economic development is a huge opportunity for Local Government. I have long advocated for an increased role for Councils in this area and it was very pleasing to hear the update from Greg Crafter, Chairperson of the Local Excellence Panel, to the LGA General Meeting on 19 April. I believe the work of the Panel will challenge our thinking and encourage us to embrace our role in economic growth, particularly in the areas of food and wine production.

As I told the General Meeting in my acceptance speech, I love South Australia, I am a Port Pirie boy and my wife Alison and I lived for six years in Whyalla, where our son Jack was born. So although I am city-based, the regions of South Australia will certainly be a key focus during the course of my term as your President.

We are a well structured representative organisation, ably served by a strong Board drawn from all corners of our membership. Together with SAROC and the Metropolitan Local Government Group, along with a number of other hard working committees and forums, we are well placed to understand the hopes and aspirations of our local communities and to represent them at the highest levels.

### **LGA President's Forum**

I have convened a President's Forum for Thursday 13 June, in Adelaide to look at two key issues on the LGA agenda: The Local Excellence Panel's interim report and the scope for the LGA's State Election Platform.

The Panel's interim Report will be provided to Councils by the end of May and the LGA intends providing a submission to the Panel. To inform this submission, the Forum will consider recommendations made in the Report and our support or otherwise for the issues raised. The LGA's submission will be on the Board's July agenda for finalisation.

The LGA's State Election process, endorsed by the State Executive Committee in March, will point our way to defining and exploring the issues and actions that Local Government will need to pursue with the next State Government. The LGA Management Group (formerly Senior Executive Committee) has been appointed to oversee the development of the State Election Platform but wider input is desirable and necessary for the representation of all SA Councils and our communities.

I expect a great turn out at the President's Forum and would encourage all Councils to send a representative to help guide our Election platform and our submission to the Local Government Excellence Panel.

### **Regional Development Australia – Committee Elections**

The Department of Regional Australia, Local Government, Arts and Sport has advised that the election process for the November 2013 RDA committee elections is about to begin. Expressions of Interest (EOIs) to fill those positions up for renewal this year open on 15 June and close on 29 June with Regional LGA's to advise their nominees by 5 July. Committee appointments need to include representatives from Local Government and the general community.

It is important that Local Government puts solid support behind its representatives on the RDA Committees which form a significant bridge between Local Government, our communities and the Department.

### **Awards**

The highest accolade able to be bestowed by the Local Government community is the John Legoe Award and heartfelt congratulations must go to the recipients of the 2012/13 John Legoe Awards, Mayor Jayne Bates for being recognised with the Award for Excellence for her passionate service to the community of Kangaroo Island, and to Mayor Erika Vickery of Naracoorte Lucindale Council who received the Encouragement Award. They are both terrific examples of hard working country mayors and an inspiration to all of us.

It was also my pleasure as one of my first duties as LGA President to represent the LGA at the recent Local Government Manager's Australia (LGMA) Gala Awards Night and congratulations to the winners, finalists and highly commended Councils, individuals and teams of these prestigious awards, including Onkaparinga which won the LGMA Management Challenge (I understand a list of LGMA and other recent awards presentations will be in the next issue of the LGA News).

Our Councils achieve in so many areas of endeavour, so it was fabulous to see this being celebrated by the LGMA, and I can tell you they do it in style!

### **Independent Commissioner Against Corruption (ICAC)**

We were fortunate to have the newly appointed Commissioner, His Honour Justice Bruce Lander, as our keynote speaker at the Local Government Association 2013 Showcase and General Meeting, some months before he takes up the position in September.

The Judge was very concise about the direction and in his focus of his new position as Commissioner. For those who are interested and it should be all of us, the Judge's address to the Showcase and General Meeting is on [www.lga.sa.gov.au/goto/icac](http://www.lga.sa.gov.au/goto/icac).

The LGA has welcomed the introduction of an independent authority to scrutinise the operations of State and Local governments and to thoroughly investigate any suggestion or allegation of fraud and corruption by elected officials, public servants and contractors performing work for the state or local government sector and we look forward to working with Justice Lander.

We have checked and updated the LGA's key anti-fraud guidelines and other documents for consistency with the new legislation and provided discussion papers to assist all Councils.

We believe that the ICAC will strengthen public confidence in Local Government without unnecessarily ruining the reputations of the innocent and that is why we support it.

### **Showcase and General Meeting**

The LGA again did us proud with the April Showcase and General Meeting and the feedback I received from delegates was extremely encouraging. The LGA, through some difficulties in finalising arrangements at the Adelaide Convention Centre, has held the last two major meetings, the General Meeting and Annual General Meeting 2012, at AAMI Stadium. Our next full meeting the 2013 Annual General Meeting in October will be convened at the Adelaide Entertainment Centre. Moving our business around various venues has some great positives and I am sure staff at the Secretariat is interested in getting your feedback.

The meeting looked at a number of issues including:

- State and Federal Elections
- Planning Reforms
- Legislative Reforms including Environmental Nuisance
- Climate Change
- Water
- Waste Management
- The Local Government Disaster Fund
- Constitutional Recognition
- The Local Government Awareness Campaign
- Financial Assistance Grants

Nineteen Notices of Motion from Councils were also considered and the Minutes and Key Outcome Summary from the meeting is available at <http://www.lga.sa.gov.au/site/page.cfm?u=250&c=26526>

### **New Office for State/Local Government Relations arrangements**

In early April the Minister for State/Local Government Relations advised the LGA of changes in the State/Local Government Relations portfolio. I have already met with Minister Gago and there will be ongoing discussions about the changes.

In summary, the Government's proposals are that the Local Government Act 1999 and the Local Government (Elections) Act 1999 will shift from Minister Gago to the Planning Minister, John Rau. The Local Government Forum will be managed by the Department or Premier and Cabinet to reflect its cross portfolio interests, with the State/Local Government Relations Agreement will also be managed by the Department of Premier and Cabinet. Minister Gago will continue to oversee the Outback Communities Authority and the Local Government Grants Commission and is proposed to retain the ministry of Local Government.

I will keep you informed as details come to hand.

It is a busy time ahead for Local Government, with the Federal Election in September, the growing likelihood of a Referendum on Constitutional Recognition of Local Government, a State Election in March next year and our own Council Elections in November. I am sure you will join me in rising to the challenges and opportunities that lie ahead.

### **Correspondence:**

<b>Date</b>	<b>To</b>	<b>Regarding</b>
<b>March</b>		
21 *	Hon John Rau MP	Development Scenario Economic Modelling Tool Launch
21 *	Hon Ian Hunter MLC	Draft Aboriginal Lands Trust Bill 2012
<b>April</b>		
26	Mr Steven Marshall MP	Constitutional Recognition of Local Government
29	Hon Jack Snelling MP	Review of Non-Hospital Based Services
29	Hon Ian Hunter, MLC	Levy Rate in South Australia and the Future of Zero Waste SA
<b>May</b>		
3	Hon Tony Piccolo MP	Release of Public Housing Stock
9	Hon John Rau MP	Amendments to the Land Acquisition Act 1969

\* Letters signed by Mayor McHugh

### **Meetings with Ministers/MPs/Councils:**

29 April	Minister Gago (regular meeting)
10 May	Mark Parnell MLC re Development (Regulated Trees) Amendment Bill
10 May	Liberal Party "Leadership on the Couch" event.

### **Media Interviews/Reports:**

<b>Date</b>	<b>Media</b>	<b>Subject</b>
2 April	891 with Sonya	Disposal of old Television sets
4 April	5AA News	Swimming pool safety
19 April	ABC North and West with Annette Marner	New President and General Meeting wrap up
19 April	ABC news	New President of LGA

**Media Releases:**

<b>Date</b>	<b>Subject</b>
3 March	Letter to the Advertiser following misleading article on fortnightly waste collections
11 March	Statement provided to the Advertiser on concessions
22 March	Unity System save SA Councils \$6 million
25 March	LGA welcomes new Federal Minister
4 April	Joint release on swimming pool safety
16 April	LGA President covers the ground
17 April	Councils Showcasing Excellence
18 April	Local Government and the ICAC
18 April	Councils work together
19 April	New Committee to head the LGA
19 April	Local Government on the Agenda
19 April	New President invested
19 April	Address by new LGA President
22 April	Awards recognize dedication to community

**MINUTES OF A SPECIAL MEETING OF THE LGA MANAGEMENT  
GROUP HELD ON THURSDAY 2 MAY 2013 AT THE LOCAL  
GOVERNMENT ASSOCIATION, 148 FROME STREET, ADELAIDE AT  
1.30PM**

**PRESENT  
MG020513/1**

Mayor David O'Loughlin  
Mayor James Maitland  
Mayor Richard Vickery  
Mayor Lorraine Rosenberg  
Cr Jillian Whittaker

President  
Vice President – country  
Vice President – country  
Vice President – metropolitan  
Vice President – metropolitan

*LGA Secretariat:*  
Wendy Campana  
Lisa Teburea  
David Hitchcock  
Jacqui Kelleher

Chief Executive Officer (until 3.10 pm)  
Director Planning & Community Services  
Director Infrastructure (until 3.05 pm)  
Executive Officer

The President sought clarification on the agenda document showing the CEO as a Member of the Management Group. The CEO checked the LGA Constitution and advised that this was previously the case, but changed to an advisor\* role when the Constitution was updated.

*\*\* note subsequent to the meeting the Group another look at the Constitution reads Part 17, point 4 provides that the CEO continues to have voting rights under the new Constitution. Members were advised of this via email.*

**APOLOGIES  
MG020513/2**

Mayor Kym McHugh

Immediate Past President

**CONFIRMATION OF PREVIOUS MINUTES  
MG020513/3**

**Confirmation of Previous Minutes – 28 February 2013  
MG020513/3.1**

Moved Mayor Maitland Seconded Mayor Vickery that the minutes of the meeting held on 28 February 2013 be confirmed as an accurate record.

**CARRIED**



**Confirmation of Previous Confidential Minutes – 28 February 2013**  
**MG020513/3.2**

Moved Mayor Maitland Seconded Mayor Vickery that the confidential minutes of the meeting held on 28 February 2013 be confirmed as an accurate record.

**CARRIED**

**Business Arising from Previous Minutes**  
**MG020513/3.3**

**CEO Appraisal Process** – The CEO apologised to members that the process had not progressed to the point in which information was available for consideration at the meeting. It was suggested that a draft report could be circulated outside of this meeting and discussing via a teleconference, with a view to presenting a report to the May Board Meeting.

Mayor Rosenberg request a confidential copy of the current contract of the CEO be made available to members of the Management Group. **AGREED** that a copy of the contract be provided to members confidentially.

**Update of Resolutions of Previous Meeting – 28 February 2013**  
**MG020513/3.4**

The CEO provided a verbal update on previous resolutions:

4.1.- Federal Election - discussion took place on information required by Councils should the matter proceed. The ALGA will be managing the national campaign. Information will be prepared as part of this. The CEO/President to ensure that ALGA is aware of what resources SA will require.

4.9 - Local Excellence Panel - the CEO provided a verbal update and advised that the interim report from the Panel should soon be made available by the end of May. The President's Forum scheduled for 13 June will address the report in the first part of the day.

Moved Mayor Rosenberg Seconded Cr Whittaker that the LGA Management Group notes the progress with resolutions resulting from the 28 February 2013 meeting.

**CARRIED**

**RECOMMENDATION REPORTS**  
**MG020513/4**

**Draft 2013/2014 Budget**  
**MG020513/4.1**

Moved Mayor Vickery Seconded Mayor Rosenberg that the LGA Management Group approves the draft 2013/2014 budget and subscription increase of 3% for consideration and adoption at the LGA Board Meeting to be held on 16 May 2013.

**CARRIED**

**Selection of the Auditor for the LGA and its Associated Entities  
MG020513/4.2**

Moved Mayor Rosenberg Seconded Mayor Maitland that the LGA Management Group considers and endorses (a) the selection of Grant Thornton as the auditor for the next five financial years and (b) Bentleys (SA) Pty Ltd as external advisors/consultants also for five years.

**CARRIED**

**Statutes Amendment (Fines Enforcement and Recovery) Bill 2013  
MG020513/4.3**

The CEO provided a verbal update.

Moved Mayor Maitland Seconded Cr Whittaker that the LGA Management Group:

1. notes the report and receives a verbal update; and
2. the Secretariat identify options to mitigate against Councils having to bear the cost of an enforcement action..

**CARRIED**

**CONFIDENTIAL ITEMS  
MG020513/5**

Nil.

**REPRESENTATIVES ON OUTSIDE BODIES  
MG020513/6**

Nil.

**LATE ITEMS  
MG020513/7**

**Rating of Marina Berths (late item)  
MG020513/7.1**

David Hitchcock provided a verbal update. The CEO also provided comments.

Moved Mayor Rosenberg Seconded Cr Whittaker that the LGA Management Group:

1. notes the report;
2. receives a verbal update; and
3. authorises the President and CEO to continue negotiations with the Hon John Darley MLC in finalising the draft Bill.

**CARRIED**

2.40 pm The President provided members with a confidential briefing on two potential opportunities to benefit Councils that the LGA is currently investigating.

2.50pm The President declared a conflict of interest in items 7.2 and 7.3 and left the meeting.

Mayor Rosenberg chaired the remainder of the meeting in the absence of the President.

**Renewal SA – Liability for Payment of Council Rates (late item)**  
**MG020513/7.2**

The CEO provided an update.

Moved Mayor Maitland Seconded Cr Whittaker that the LGA Management Group:

1. notes the report and that consultation will occur immediately with Councils on the rating impact for Councils with Renewal SA properties;
2. the LGA Secretariat express its concern about this matter and that urgent discussions occur with the Minister for Housing and Urban Development;
3. as the President is an employee of Renewal SA, Mayor Rosenberg will represent the LGA in these discussions; and
4. a report be provided to the May LGA Board meeting on this matter.

**CARRIED**

**Housing and Urban Development (Administrative Arrangements) (Urban Renewal)**  
**Amendment Bill 2013 (late item)**  
**MG020513/7.3**

CEO and Lisa Teburea provided a verbal update.

3.10 pm The CEO left the meeting.

Moved Cr Whittaker Seconded Mayor Vickery that:

1. the LGA Management Group notes the report and that consultation will occur immediately with Councils on the Bill;
2. a report on the consultation with Councils be provided to the May meeting of the LGA Board where the LGA's position on the Bill will be discussed; and
3. as the President is an employee of Renewal SA, Mayor Rosenberg represent the LGA in negotiations in relation to this matter.

**CARRIED**

**ANY OTHER BUSINESS**  
**MG020513/8**

Nil.

**NEXT MEETING**  
**MG020513/9**

The next regular meeting is scheduled for Thursday 20 June 2013 at 12noon to be held at Local Government House, unless otherwise specified.

**CLOSE**  
**MG020513/10**

The meeting closed at 3.18 pm.

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Item: BO160513/6.1  
DME: 100249

## REPRESENTATIVES ON OUTSIDE BODIES

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Adam Gray)

**KEY RESULT AREA 2:** Achieving greater influence for Local Government in matters affecting local communities.

**STRATEGY 2.A:** Develop a partnering culture and build strong relationships with State and Federal governments, members of both Parliaments, media, industry groups, and other relevant individuals and organisations which deliver better outcomes for communities.

**ANNUAL PRIORITY 2.10:** Identify and prioritise the Boards on which Local Government should be represented and seek representation.

**RE:** BOARD OF THE ENVIRONMENT PROTECTION AUTHORITY

### RECOMMENDATION

That the LGA Board forward a panel (at least one man and one woman) of three nominees to the Minister for Sustainability, Environment and Conservation for the appointment of two members to the Board of the Environment Protection Authority for a two year term.

### DISCUSSION

The Environment Protection Authority is the governing body responsible for administering the Environment Protection Act 1993, and as per Section 14B and 15 of the Environment Protection Act 1993 requires:

#### 14B-Board of Authority

1. the *Board of the Environment Protection Authority* is established as the governing body of the Authority;
2. the Board is to consist of not less than seven and not more than nine members;
3. the Chief Executive of the Authority is a member of the Board *ex officio* and the remaining members of the Board will be appointed by the Governor;
4. the Minister must consult with prescribed bodies, in accordance with the regulations, in relation to the selection of persons for appointment under this section;
5. the Board's membership must include persons who together have, in the Governor's opinion, the following attributes:
  - qualifications and experience relevant to environmental protection and management or natural resources management;
  - practical knowledge of, and experience in, industry, commerce or economic development;
  - practical knowledge of, and experience in, environmental conservation and advocacy on environmental matters on behalf of the community;

- practical knowledge of, and experience in, the reduction, re-use, recycling and management of waste or the environmental management industry;
  - legal qualifications and experience in environmental law;
  - qualifications and experience relevant to management generally and public sector management;
  - practical knowledge of, and experience in, local government;
6. At least one member of the Board must be a woman and one a man;
  7. The Chief Executive of the Authority will chair meetings of the Board; and
  8. The Governor may appoint a suitable person to be deputy of a member of the Board (other than the Chief Executive) and a person so appointed may act in the place of the member of whom he or she has been appointed deputy during any absence of that member.

Appointments to the Environment Protection Authority are for a period of two (2) years.

The previous two members were Mr Terry Groom and Ms Jane Yuile.

Sitting fees are annually remunerated at \$24,765.44 and paid in instalments on a fortnightly basis.

Meetings are held on the second Monday of each month between 9.00am and 12.00pm at a metropolitan venue.

LGA nominations on outside bodies will, unless determined otherwise by the LGA Board or LGA Management Group, be currently serving Council Members or Council Staff.

The selection criteria for the Board of the Environment Protection Authority is set out in the attached Part A.

Nominations close on 14 May 2013 and a full list of nominees will be provided to Members at the meeting.

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## Representatives on Outside Bodies

### PART A

<b>Name of Body</b>	Environment Protection Authority	
<b>Legal Status of Body</b>	Statutory Authority	
<b>Summary Statement</b>	The Board of the Environment Protection Authority is the governing body responsible for administering the Environment Protection Act 1993. The Act allows for a minimum of seven and a maximum of nine Board members.	
<p><b><u>SELECTION CRITERIA FOR MEMBERSHIP ON OUTSIDE BODIES</u></b>  The following selection criteria must be addressed when completing Part B</p>		
<b>Qualifications Required</b> <i>(formal qualifications relevant to the appointment)</i>	Qualifications and experience relevant to environmental protection and management or natural resources management, legal qualifications and experience in environmental law, and qualifications and experience relevant to management generally and public sector management.	
<b>Industry Experience</b>	Practical knowledge and experience of, and experience in, Local Government.	
<b>Board / Committee Experience</b>	Demonstrated experience on high level Boards and Committees.	
<b>Key Expertise</b> <i>(other relevant experience i.e. those requirements established for a Board/Committee under an Act)</i>	<p>As per Section 14B and 15 of the Environment Protection Act 1993, the Act requires:</p> <p>The Board's membership must include persons who together have, in the Governor's opinion, the following attributes:</p> <ol style="list-style-type: none"> <li>1) qualifications and experience relevant to environmental protection and management or natural resources management;</li> <li>2) practical knowledge of, and experience in, industry, commerce or economic development;</li> <li>3) practical knowledge of, and experience in, environmental conservation and advocacy on environmental matters on behalf of the community;</li> <li>4) practical knowledge of, and experience in, the reduction, re-use, recycling and management of waste or the environmental management industry;</li> <li>5) legal qualifications and experience in environmental law;</li> <li>6) qualifications and experience relevant to management generally and public sector management; and</li> <li>7) practical knowledge of, and experience in, Local Government.</li> </ol>	
<p><b><u>LIABILITY AND INDEMNITY COVER</u></b>  The LGA requires that representatives on outside bodies be appropriately insured throughout the period of their appointment and seeks to collect details of the insurances provided by that organisation (on an annual basis)</p>		
<b>Insurance information (Certificates of Currencies or equivalent) supplied by the Outside Body</b>	<b>Yes</b>	
<b>Insurance Policies are Valid &amp; Current</b>	<b>Yes</b>	

Item: BO160513/6.2  
DME: 99761

## REPRESENTATIVES ON OUTSIDE BODIES

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Danielle Bailey)

**KEY RESULT AREA 2:** Achieving greater influence for Local Government in matters affecting local communities.

**STRATEGY 2.A:** Develop a partnering culture and build strong relationships with State and Federal governments, members of both Parliaments, media, industry groups, and other relevant individuals and organisations which deliver better outcomes for communities.

**ANNUAL PRIORITY 2.10:** Identify and prioritise the Boards on which Local Government should be represented and seek representation.

**RE:** DOG AND CAT MANAGEMENT BOARD

### RECOMMENDATION

That the LGA Board forward a panel of three nominees (comprising at least one man and one woman) to the Hon Ian Hunter MLC, Minister for Sustainability, Environment and Conservation, for the appointment of one Member to the Dog and Cat Management Board, for a three year term commencing in July 2013.

### DISCUSSION

The Dog and Cat Management Board is established pursuant to the *Dog and Cat Management Act 1995*.

The role of the Dog and Cat Management Board is:

- (a) to plan for, promote, and provide advice about, the effective management of dogs and cats throughout South Australia;
- (b) to oversee the administration and enforcement of the provisions of this Act relating to dogs, including
  - (i) monitoring the administration and enforcement of this Act by Councils; and
  - (ii) issuing guidelines and providing advice to Councils about-
    - (A) planning for the effective management of dogs;
    - (B) training of dog management officers;
    - (C) the appropriate level of administration and enforcement in the circumstances prevailing in the area;
    - (D) the issuing of orders or related directions under this Act;
    - (E) the standard of facilities used for the detention of dogs under this Act;
    - (F) the keeping of registers under this Act and the issuing of certificates of registration and registration discs;
    - (G) any other matter related to the administration or enforcement of the provisions of this Act relating to dogs; and

- (iii) otherwise providing support and assistance to Councils;
- (ba) to accredit dogs as disability dogs, guide dogs or hearing dogs;
- (c) to inquire into and consider all proposed by-laws referred to it under this Act, with a view to promoting the effective management of dogs and cats, and, to the extent that the Board considers it appropriate, the consistent application of by-laws throughout South Australia;
- (d) to advise the Minister or the LGA, either on its own initiative or at the request of the Minister or the LGA, on the operation of this Act or issues directly relating to dog or cat management in South Australia;
- (e) to undertake or facilitate research relating to dog or cat management;
- (f) to undertake or facilitate educational programs relating to dog or cat management;
- (g) to keep this Act under review and make recommendations to the Minister with respect to the Act and regulations made under the Act;
- (h) to carry out any other function assigned to the Board by the Minister or by or under this Act.

The priority attribute for people nominating for this position is experience in education and training.

The LGA nominees must together have the following attributes:

- practical knowledge of and experience in Local Government, including Local Government processes, community consultation and the law as it applies to Local Government;
- experience in the administration of legislation;
- experience in financial management; and
- experience in education and training.

The term of membership for one of the current LGA nominated Board Members (Cr Rosalie Haese, West Torrens) is due to expire on 30 June 2013. Cr Haese is eligible for reappointment.

Appointments to the Dog and Cat Management Board are for a period not exceeding three years commencing on 1 July 2013.

The Board meets on the fourth Tuesday of each month between 8.30am to 12.30pm.

The meeting dates for the remainder of 2013 are below:

- 30 July 2013: DCMB Offices, Keswick
- 27 August 2013: DCMB Offices, Keswick
- September 2013: No meeting
- 29 October 2013: DCMB Offices, Keswick
- 26 November 2013: Metropolitan Council meeting location
- 17 December 2013: to be confirmed

The allowance for Board Members is currently \$177 per four hour session attended.

The selection criteria for the Dog and Cat Management Board is set out in the attached Part A.

Nominations were invited from all Councils. Six nominations had been received at the time of the preparation of this item and the nominees are listed below (in alphabetical order). Any additional nominations received will be forwarded to members prior to the meeting.

<b>Name</b>	<b>Title</b>	<b>Nominated by</b>
BROWN, Sandra	Cr	City of Onkaparinga
HAESE, Rosalie	Cr	City of West Torrens
KENEALLY, Angela	Cr	City of Charles Sturt



LOVEDAY, Janet	Cr	Adelaide Hills Council
MORAN, Anne	Cr	Adelaide City Council
WILLIAMSON, Anthony	Cr	Adelaide City Council

**Representatives on Outside Bodies****PART A**

<b>Name of Body</b>	Dog and Cat Management Board	
<b>Legal Status of Body</b>	Statutory Authority	
<b>Summary Statement</b>	The Dog and Cat Management Board operates under the <i>Dog and Cat Management Act 1995</i> and its functions include monitoring the administration and enforcement of this Act by Councils.	
<b><u>SELECTION CRITERIA FOR MEMBERSHIP ON OUTSIDE BODIES</u></b> The following selection criteria must be addressed when completing Part B		
<b>Qualifications Required</b> <i>(formal qualifications relevant to the appointment)</i>	No formal qualifications required.	
<b>Industry Experience</b>	Relevant knowledge of dog and cat management issues as they impact upon Local Government.	
<b>Board / Committee Experience</b>	Relevant experience serving on high level intergovernmental boards, committees or funding allocation bodies is highly desirable.	
<b>Key Expertise</b> <i>(other relevant experience i.e. those requirements established for a Board/Committee under an Act)</i>	Section 12(2) of the <i>Dog and Cat Management Act 1995</i> requires nominees, together, to have the following attributes: (a) practical knowledge of and experience in Local Government, including Local Government processes, community consultation and the law as it applies to Local Government; (b) experience in the administration of legislation; (c) experience in financial management; (d) experience in education and training.  The priority attribute for people nominating for this position is experience in education and training.	
<b><u>LIABILITY AND INDEMNITY COVER</u></b> The LGA requires that representatives on outside bodies be appropriately insured throughout the period of their appointment and seeks to collect details of the insurances provided by that organisation (on an annual basis)		
<b>Insurance information (Certificates of Currencies or equivalent) supplied by the Outside Body</b>	<b>Yes</b>	
<b>Insurance Policies are Valid &amp; Current</b>	<b>Yes</b>	

**PART B:**

<b>Council Name:</b>	City of Onkaparinga		
<b>Full Name of Nominee:</b>	Cr Sandra Brown		
<b>Position/Title:</b>	Councillor		
<b>Address:</b>	171 Pine Road Onkaparinga Hills		
<b>Work Phone:</b>	83817887	<b>Facsimile:</b>	83811214
<b>A/H Phone:</b>	83817887	<b>Mobile:</b>	04088347416
<b>Email:</b>	<a href="mailto:sbrown@onkaparinga.sa.gov.au">sbrown@onkaparinga.sa.gov.au</a>		
<b>1. <u>Summary of relevant skills, knowledge and/or experience</u></b>			
<p>Worked as the administrative assistant for dog and cat control for City of West Torrens promoting and enforcing the Dog and Cat Management Act 1995, proactively enforcing legislation, problem solving, effective control management by owners, associated training options, compiling records issuing certificates, discs, front of counter hands on handling of dogs, identifying issues that need addressing for effective management</p> <p>Member of Dog Control Working Party of City of Onkaparinga whom researched planned promoted monitored effective management of dogs in the council region measuring the process with other councils and communicating with the LGA. The committee was made up of external stakeholder's compliance officers, administration, and two councillors whom had dog management experience, elected by council to represent the elected member body. We planned promoted and built two dog exercise areas in two strategic locations in parks, as sought by the community. The committee planned and implemented policies and strategies for council officers to self-manage after completing their mission.</p> <p>I am a rural living councillor and aware of the difference in management of working dogs and domestic dogs. I have had a variety of dogs in the family home all my life, all trained registered and mostly desexed. I have had contact with guide dogs in many locations since I was a child, note the importance of hearing dogs and understand the value of comfort dogs and cats for members of the community whether living home or in support accommodation.</p>			
<b>2. <u>Other comments in relation to this role</u></b>			
<p>I have an environmental background and strongly support our native fauna. I note how many are killed per day and support education as one process that can help reduce these numbers and perhaps save a species from extinction.</p> <p>We currently have one sheep dog on the property and many varieties of native fauna using the property as habitat which shows they can live in harmony.</p>			

**PART B:**

<b>Council Name:</b>	CITY OF WEST TORRENS		
<b>Full Name of Nominee:</b>	ROSALIE ELIZABETH HAESE		
<b>Position/Title:</b>	DEPUTY MAYOR / COUNCILLOR		
<b>Address:</b>	9 MAWSON CRESCENT		
	LOCKLEYS SA 5032		
<b>Work Phone:</b>	0439 284 278	<b>Facsimile:</b>	08 8353 8510
<b>A/H Phone:</b>	08 8235 9157	<b>Mobile:</b>	0428 112 482
<b>Email:</b>	Rosyq.56@hotmail.com.au rhaese@wtcc.sa.gov.au		
<b>1. <u>Summary of relevant skills, knowledge and/or experience</u></b>			
<ul style="list-style-type: none"> <li>• <b><i>The D&amp;CMB's ability to effectively plan, promote and provide advice is critical to Local Governments' ability to administer and enforce the Act, particularly in the areas of dog attacks on both humans and other animals, wandering and nuisance dogs, and semi-owned and homeless cats.</i></b></li> <li>• Elected Member, Airport Ward, City of West Torrens since 1989. Currently Deputy Mayor with Acting Mayoral duties.</li> <li>• Member &amp;/or Presiding Member of several Boards &amp; Committees (Current and Previous) - Dog &amp; Cat Management Board, West Beach Trust, Western Region Waste Management Authority Board, Reedbeds Community Centre, Mendelson Committee, Various Council Committees (Finance &amp; Administration, Environment Health, City Development, Resource Recovery Steering Committee )</li> <li>• Primary school teacher 1978 – 1998, 2011-current (Temp Relief) ; DECD Environmental Resources Coordinator – 1999-2011 (involved in developing significant curriculum links particularly with AuSSI – Sustainable Schools Program, as well as program coordination, policy development and advice.</li> <li>• Developed and implemented education initiatives within DECD, Council and wider community in Recycling, energy efficiency management and water conservation</li> <li>• Published awareness-raising and educational articles in DECS Xpress – fortnightly publication, DECD environmental Hints and Tips. DECD Asset Services Fact Sheets.</li> <li>• Current sitting member of the Dog and Cat Management Board fulfilling the legislated experience requirement providing education and training expertise.</li> </ul>			
<b><u>Other comments in relation to this role</u></b>			
<b>Practical knowledge of and experience in Local Government, including Local Government processes, community consultation and the law as it applies to Local Government.</b>			
<ul style="list-style-type: none"> <li>• Assisted in providing for the welfare, wellbeing and interests of individuals, groups and key stakeholders within the community over the past 24 years in Council</li> <li>• Outstanding ability to communicate and liaise effectively at all levels of government, business and the community; ability to network and work collaboratively with all of the aforementioned sectors; ability to develop plans, briefings and other business documents to a high standard.</li> <li>• As a ward councillor I endeavour to ensure stakeholder requirements are met, appropriate consultation occurs (in accordance with the Local Govt Act) and budget provisions follow a vigorous justification process.</li> </ul>			
<b>Experience in the administration of legislation and public policy:</b>			
<ul style="list-style-type: none"> <li>• Experience in the administration of the Dog and Cat Management Act</li> <li>• Assisted with the development of the City of West Torrens Animal Management Plan and consultation process.</li> <li>• Legislative analysis of the <i>Local Government Act 1999</i>, Energy Efficiency Action Plan, Greening of Government Operations framework</li> <li>• Policy development in DECS ie ESD initiatives in new and refurbished school buildings, reclaimed water usage for school ovals</li> <li>• Strong working knowledge of South Australian government policy frameworks, including South Australia's Strategic Plan and administering environmental policies and targets against this in both DECS and Local Government.</li> </ul>			
<b>Experience in financial management:</b>			
<ul style="list-style-type: none"> <li>• Participating in developing budgets for West Torrens Council for 24 years</li> <li>• As former DECD Environmental Resources Coordinator, I was responsible for the coordination and administration of budgets, eg, \$1.25M SA Solar Schools Program, annual \$1M Green School Grants.</li> <li>• I am familiar with the <i>Treasurer's Instructions</i> and Government procurement processes.</li> </ul>			
<b>History of service on the Dog and Cat Management Board:</b>			
<ul style="list-style-type: none"> <li>• Served on the board 2006- 2008 and 2011-current</li> <li>• Supported evidence based research to ensure the Board makes sound and informed decisions</li> <li>• Closer relationship with LGA through MOU</li> <li>• Provided professional advice to the Board on applications received from education providers for delivery of curriculum linked Primary School education programs regarding responsible and safe dog and cat ownership.</li> <li>• Informed the planning and strategic intent of communication strategies delivering the Strategic Objectives and Brand of the Board with the intent of building a community of responsible and safe pet owners.</li> <li>• A fervent player in developing a cohesive team which has led to, and is delivering, reforms to dog and cat management in South Australia. Also focused on relationship building and collaborative strategy to ensure that the board is effective and responsive, carrying out its functions in a non-confrontational, supportive way.</li> </ul>			
<b>I am also a responsible pet owner, having cared for cats and dogs for many years. I appreciate what it means to be a pet owner and the responsibility and effect on the community this entails.</b>			

**PART B:**

<b>Council Name:</b>	City of Charles Sturt Council		
<b>Full Name of Nominee:</b>	Angela Jane Keneally		
<b>Position/Title:</b>	Elected Member – West Woodville Ward		
<b>Address:</b>	U1/104 Ledger Road, Woodville South SA 5011		
<b>Work Phone:</b>	0410 347 903	<b>Facsimile:</b>	0410 347 903
<b>A/H Phone:</b>		<b>Mobile:</b>	
<b>Email:</b>	<a href="mailto:akeakeneally@charlessturt.sa.gov.au">akeakeneally@charlessturt.sa.gov.au</a>		
<b>1. <u>Summary of relevant skills, knowledge and/or experience</u></b>			
<p>I am a qualified Trainer having a Dip TAA. My training experience includes training youth and adults of all ages from rural and city areas, from all around Australia for the past 10 years.</p> <p>I have been an Elected Member since 2006 and have a good understanding of the role and responsibilities of a sitting member of Committee with a Local Government focus. Details are:</p> <p>Council positions held:</p> <p>2006 - 2010: Audit Committee – Member, Strategic Development Committee – Member.</p> <p>2009 - 2010: Gender Matters Committee – Chair.</p> <p>2010 – current: Gender Matters Panel – Member.</p> <p>2010 - 2011: Deputy Mayor.</p> <p>2011 – current: City Development Committee – Chair.</p> <p>2011 – current: Policy and Delegations Committee – Deputy Chair.</p> <p>2011 – current: Strategic Development Committee – Deputy Chair.</p> <p>Community positions held:</p> <p>2007 – current: Meals on Wheels, Findon Branch – Chair.</p> <p>2008 – current: Neighbourhood Watch, Area 476 – Secretary.</p>			
<b>2. <u>Other comments in relation to this role</u></b>			
<p>I am aware of the role and responsibilities of the Charles Sturt Council's Dog and Cat Management Act policy in regard to dog and puppy parks, dog on beach policy, charges around animal registration, de-sexing and training, cat management strategies in public places.</p> <p>I also have been a dog and cat owner all my life and currently Charlie, who is a golden cocker spaniel, is a very important and fun member of my family.</p>			

**PART B:**

<b>Council Name:</b>	Adelaide Hills Council		
<b>Full Name of Nominee:</b>	Janet (Jan) Mary Loveday		
<b>Position/Title:</b>	Elected member Marble Hill Ward		
<b>Address:</b>	PO Box 227 Summertown SA 5141		
<b>Mobile Phone:</b>	0418848490	<b>Facsimile:</b>	N/A
<b>A/H Phone:</b>	(08)8390 3237		
<b>Email:</b>	<a href="mailto:jloveday@ahc.sa.au">jloveday@ahc.sa.au</a>		
<b>1. Summary of relevant skills, knowledge and/or experience</b>			
<p>Elected member of Adelaide Hills Councils with comprehensive knowledge of the dog &amp; cat issues and board function at a local government level; elected to the local Animal Management Advisory Group and thus party to the development of the AHC Animal Management Plan and management of the consultation process.</p> <p>Now retired, but recent work history highlights knowledge of audit and financial compliance (backed by a post grad diploma in financial management) compliance Additional work history in quality systems and business process development on iconic SA projects</p> <p>Business process and training developer (backed by Cert 4 in training and assessment) in the defence environment with ability to develop and maintain policies and procedures in consultation with key stakeholders and in keeping with legislative requirements. Scope and develop RTO for international defence environment</p> <p>Understand legislative evolution/change and financial management at a senior professional level</p> <p>Former teacher (London, Asia and South Australia) and director of school in an expatriate environment with experience in teaching at all levels from preschool to Year 12 (backed by a 4-year BA and teaching diploma and Masters in Social Sciences)</p> <p>Editor, documentation and web skills.</p>			
<b>2. Other comments in relation to this role</b>			
<p>The current vacancy requires the appointment of a board member with education and training strength/background. While I believe I do meet all the criteria (Part A), clearly I have the teaching qualifications (remained a registered teacher until my retirement) and have worked latterly in the private sector as a trainer and training developer. A highlight of training development was setting up and having accredited an RTO so that the training designed for the Australian Army was transferable to civilian life later on.</p> <p>I see education programs like the newly launched 'Living <i>Safely</i> With Dogs' with its practical application and integration into the new curriculum as a significant plank in teaching and community engagement emanating from the Board.</p> <p>I have a personal history of small holding husbandry, practical knowledge of working with and enjoying animals of all sorts but particularly as a long term owner and breeder of dogs.</p> <p>My application for this Board role is endorsed by Council.</p>			

**PART B:**

<b>Council Name:</b>	Adelaide City Council		
<b>Name of Nominee:</b>	Anne Moran		
<b>Position/Title:</b>	Area Councillor		
<b>Address:</b>	59 Mills Terrace North Adelaide SA 5006		
<b>Work Phone:</b>	8203 7563	<b>Facsimile:</b>	8203 7709
<b>A/H Phone:</b>	0417 801 568	<b>Mobile:</b>	0417 801 568
<b>Email:</b>	a.moran@adelaidecitycouncil.com		

**1. Summary of relevant skills, knowledge and/or experience**

Anne has served as a City Councillor since 1995 and during that time has been very interested in dog and cat management. Her experience as a Councillor has provided her with sound experience and knowledge concerning dog and cat management issues from both the residential and Council perspectives. In particular her Council role has given her an opportunity to canvass people on the streets of Adelaide and listen to their concerns/ideas in relation to dog and cat management.

She instigated, lobbied for and was eventually successful in establishing the on lead policy in the Adelaide area, after overcoming some serious issues related to the implementation. She was also subsequently successful for initiating off leash areas for responsible pet recreation and more recently this work culminated in the grand opening of the Council's first fully fenced Dog Park. Councillor Moran was the prime force behind this long awaited, successful park coming to fruition and was invited to join the Lord Mayor in cutting the ribbon.

Councillor Moran has served as Deputy Lord Mayor and in the past has chaired the Central Market Authority and the Development Assessment Panel and has been a member of the Adelaide Aquatic Centre Authority and the State Heritage Authority. She is currently appointed to the Development Assessment Panel and Adelaide Park Lands Authority.

She graduated from the University of Adelaide with a Bachelor of Arts and a Diploma of Education, and taught senior English and Modern History. Since 1995, Anne has devoted herself full-time to council duties.

Councillor Moran is a dedicated Councillor committed to honest and open local government. A long term resident and business owner in the city, Anne listens, understands and speaks up for residents and the small business community to ensure Adelaide is a sustainable and enjoyable place to live, visit and grow businesses.

**2. Other comments in relation to this role**

Pet ownership and control in our increasingly urbanised society is crucial to enable people to have the joy of pets without threatening or impacting on the comfort and lives of other people.

**PART B:**

<b>Council Name:</b>	Adelaide City Council		
<b>Name of Nominee:</b>	Anthony (Tony Williamson)		
<b>Position/Title:</b>	South Ward Councillor		
<b>Address:</b>	179 Halifax Street, Adelaide		
<b>Work Phone:</b>	8203 7563	<b>Facsimile:</b>	8203 7709
<b>A/H Phone:</b>	0411 180 780	<b>Mobile:</b>	0411 180 780
<b>Email:</b>	a.williamson@adelaidecitycouncil.com		

**1. Summary of relevant skills, knowledge and/or experience**

Tony is elected as a South Ward Councillor for Adelaide City Council for the 2010–2014 term. He has served on the Adelaide Park Lands Authority, Adelaide International Horse Trials, Motor Sport Board and the Adelaide High School Committee.

As a member of the Hutt Precinct Association for ten years, Tony is active with community projects, State and National events, public safety, city streetscape and liaising between the Community and the Council. He is well positioned to promote the work of the Dog and Cat Management Board within the Community.

Tony comes from a farming background and with this has come experience and knowledge in the fields of animal behaviour and training of working dogs. He has grown up with animals, in particular, dogs and at present is the proud owner of the Queen's corgi.

With the increasing population within our State it is expected that society may be confronted with ongoing problems with regards to the care and behaviour of dogs and cats and Tony understands the importance of Government and Council in the management and regulation of animals in society and the support of their owners by providing information and up-to-date advice.

Tony not only understands the important role that these animals play in people's lives but also how important it is for Government to govern this regulation right for the comfort of members of the community. With urban sprawl encroaching on parks and public spaces it has never been as important as it is today to ensure both the comfort and safety of adults and children alike.

**2. Other comments in relation to this role**

Although Tony works in the Adelaide CBD he lives in the Unley Council area and is very aware, in both Councils, of the need for exercise areas for animals and the supervision and registration of animals within metropolitan and city areas.



Item: BO160513/6.3  
DME: 88799

## REPRESENTATIVES ON OUTSIDE BODIES

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Alison Gill)

**KEY RESULT AREA 2:** Achieving greater influence for Local Government in matters affecting local communities.

**STRATEGY 2.A:** Develop a partnering culture and build strong relationships with State and Federal governments, members of both Parliaments, media, industry groups, and other relevant individuals and organisations which deliver better outcomes for communities.

**ANNUAL PRIORITY 2.7:** Identify and prioritise the Boards on which Local Government should be represented and seek representation.

**RE:** APPOINTMENTS TO EXTERNAL BOARDS AND COMMITTEES

### RECOMMENDATION

That the report be noted.

### DISCUSSION

The LGA receives frequent requests to nominate current Council Members and staff to represent Local Government on various external boards and committees.

The list below provides an update on the status of appointments to external boards and committees, since the last meeting of the State Executive Committee.

#### Appointments Confirmed

##### Energy Consumers' Council

At its October 2012 meeting the Senior Executive Committee forwarded a panel of three nominees to the Minister for Mineral Resources and Energy for the appointment of a Member to the Energy Consumers' Council.

Cr Helen Nichols has been appointed to the Energy Consumers' Council for the period 8 February 2013 to 7 February 2016. The LGA has now been formally advised by the Minister for Mineral Resources and Energy that Cr Helen Nichols has been appointed to the Energy Consumers' Council as Member for the period 8 February 2013 to 7 February 2016.

Item: BO160513/8.1  
DME: 99871  
Attachment: 100252

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Chris Russell)

**KEY RESULT AREA 1:** Encouraging Understanding of Local Government.

**STRATEGY 1.A:** Promote a better understanding and appreciation of the role of Local Government to local communities, other spheres of government, the media, and other relevant organisations.

**ANNUAL PRIORITY 1.2:** Implement an LGA Communications Strategy, including an annual promotional program and assist Councils to develop Communications Plans with consistent messages on key Local Government issues.

**RE:** AWARENESS CAMPAIGN

### RECOMMENDATION

That the LGA Board:

1. notes the report; and
2. receives a short presentation on the awareness campaign.

### DISCUSSION

The awareness campaign is now in full swing with print, radio, television and digital advertising under way along with a YouTube-based social media program.

The attachment outlines the timing of key advertising elements of the program and has been circulated via email.

Based solidly on our market research we have focused a campaign carefully designed to reaffirm public confidence that Councils care for their community, and to broaden their understanding of how Councils do this. It is also designed to raise the perception of Councils as an employer of choice.

As directed by the State Executive Committee, the Career branding and videos will have a medium term life (up to 5 years for the branding) while paid advertising will continue until early August.

Councils communication staff have also been provided with a range of materials which can be used locally including website artwork. It is important that Councils do as much as possible to maximise the impact of the campaign locally.

Client: Local Government Association of SA  
 Product: Local Councils  
 Campaign: Local Council Brand Awareness & Repositioning  
 Target Audience: All People 18+

51 of 196  
 Date: 3/04/2013  
 Version: 5

Planned Booked Currently Being Booked

Medium/Market	Size/Duration	Position/Day	APRIL				MAY				JUNE			JULY				AUGUST			SEPTEMBER			OCT					
			31	7	14	21	28	5	12	19	26	2	9	16	23	30	7	14	21	28	4	11	18		25	1	8	15	22
<b>CAMPAIGN PERIOD</b>																													
<b>TELEVISION (METRO) (P18+)</b>																													
Metro Adelaide - 7,9,10 & SBS (Digital Stations to be considered)																													
Daypart Ratio - 70% Peak - 30% Off Peak	15 secs	Sun-Sat						110	100	100	100																		
Daypart Ratio - 70% Peak - 30% Off Peak	30 secs	Sun-Sat													110	100	100	100											
Daypart Ratio - 70% Peak - 30% Off Peak	15 secs	Sun-Sat																	110	100	100								
<b>TELEVISION (REGIONAL) (P18+)</b>																													
WIN Mt Gambier/WIN Riverland/GTSPML (Port Pirie/Port Lincoln)																													
Daypart Ratio - 70% Peak - 30% Off Peak	30 secs	Sun - Sat													110	100	100	100											
Daypart Ratio - 70% Peak - 30% Off Peak	15 secs	Sun-Sat						110	100	100	100																		
Daypart Ratio - 70% Peak - 30% Off Peak	15 secs	Sun-Sat																		110	100	100							
<b>METRO RADIO</b>																													
Nova 91.9	30 seconds	Monday-Sunday BMAD		9		9		8				9		9		8													
5AA	30 seconds	Monday-Sunday BMAD		12		12		12				12		12		12													
Mix 102.3	30 seconds	Monday-Sunday BMAD		12		12		12				12		12		12													
<b>REGIONAL RADIO</b>																													
Magic 105.9 FM, 5AU, 5CS (Pt Augusta, Pt Pirie)	30 seconds	Monday-Sunday BMAD		12		12		12				12		12		12													
Magic 89.9 FM, 5CC (Pt Lincoln)	30 seconds	Monday-Sunday BMAD		12		12		12				12		12		12													
Magic 93.1 FM, 5RM (Renmark)	30 seconds	Monday-Sunday BMAD		12		12		12				12		12		12													
PowerFM, 5MU (Murray Bridge)	30 seconds	Monday-Sunday BMAD		12		12		12				12		12		12													
96.1 Star FM, 5SE (Mt Gambier)	30 seconds	Monday-Sunday BMAD		12		12		12				12		12		12													
FlowFM Outback (West Coast, Outback, Remote)	30 seconds	Monday-Sunday BMAD		12		12		12				12		12		12													
<b>PRINT</b>																													
Adelaide Sunday Mail	Full Colour 12 x 7	Sunday - EGN - Prior Page 35		14th						12th					9th														
Adelaide Advertiser	12 x 7	Saturday - EGN - Prior Page 35				27th						25th						22nd											
						1						1						1											
<b>OUTDOOR</b>																													
Adshel - Bus Shelters	Superlites	See site schedule attached				22/4-5/5						20/5-2/6						17/6-30/6											
Adshel - Bus Shelters *BONUS*	Superlites	TBC				8						8						8											
VenuAds - Metro & Regional Pubs, Clubs & Bars	A3 Frames	Pubs, Clubs & Bars CBD/Metro/Regional				22nd April-19th May												17th June-14th July											
VenuAds - Metro & Regional Pubs, Clubs & Bars *BONUS*	A3 Frames	Pubs, Clubs & Bars CBD/Metro/Regional				100												100											
						20												20											
<b>DIGITAL</b>																													
News Digital Media, Snakk Media, Google Display Network	See attached schedule	See attached schedule																											

**Estimated Adelaide TV Audience Delivery (P18+):**  
 Burst 1  
 1+ Reach: 65-70%  
 3+ Reach: 45-50%  
 Ave Freq: 2.5-3.0 times  
 Burst 2  
 1+ Reach: 65-70%  
 3+ Reach: 45-50%  
 Ave Freq: 4.0-4.5 times  
 Burst 3  
 1+ Reach: 65-70%  
 3+ Reach: 40-45%  
 Ave Freq: 4.0-4.5 times  
**Total Campaign**  
 1+ Reach: 80-85%  
 3+ Reach: 70-75%  
 Ave Freq: 11-11.5 times

**Radio Reach & Frequency (P18+):**  
 1+ Reach: 61.5% (594,000)  
 3+ Reach: 40.6% (393,000)  
 Ave Freq: 7.9  
 Radio Advisor Survey #8, 2012

**Press Reach & Frequency (P18+):**  
 1+ Reach: 73.6% (967,000)  
 Ave Freq: 3.44  
 Roy Morgan Single Source  
 Oct 2011-Sept 2012

**Outdoor Reach & Frequency (P18+):**  
 Reach: 87.3% (987,000)  
 Ave Freq: 9.2

Item: BO160513/8.2  
DME: 99870  
Attachments: 100301, 100285, 100302,  
100286, 100292, 100289,  
100303

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Chris Russell)

**KEY RESULT AREA 1:** Encouraging Understanding of Local Government.

**STRATEGY 1.A:** Promote a better understanding and appreciation of the role of Local Government to local communities, other spheres of Government, the media, and other relevant organisations.

**ANNUAL PRIORITY 1.2:** Implement an LGA Communications Strategy, including an annual promotional program and assist Councils to develop Communications Plans with consistent messages on key Local Government issues.

**RE:** UPDATING THE AUSTRALIAN CONSTITUTION

### RECOMMENDATION

That the LGA Board:

1. notes the report and receives a verbal update;
2. delegates to the President and the CEO any urgent decisions required or responses to ALGA which need to be made rapidly in the course of the campaign; and
3. considers appropriate roles for LGA Board Members to undertake during the campaign based on a paper being prepared which will be circulated at the meeting.

### DISCUSSION

On Thursday 9 May, Prime Minister Julia Gillard announced that the Government would proceed with a referendum on 14 September based on the ALGA's proposal to confirm Local Government funding powers in the Australian Constitution.

As a result the ALGA has launched its support program and the LGA of SA has assisted in providing materials to Mayors, CEOs and communication staff in Councils. As a result of prior work undertaken by the LGA the Advertiser published an opinion editorial by the President on the same day.

Attached please find:

- the President's Advertiser Opinion Editorial;
- LGA Media Release;
- the Prime Minister's media statement;
- ALGA Media Release;
- ALGA Speaking Points; and
- ALGA Media Talking Points.

The Coalition has maintained its in-principle support for the proposal as has the SA Government. The Prime Minister announced that the precise wording of the proposed amendment would be released "shortly" but that it would be aimed at confirming the funding power as sought by the ALGA and Local Government nationally.

This followed the LGA General Meeting resolution on 19 April affirming SA Councils support for the ALGA's position (attached). The LGA has also been in liaison with a range of key peak bodies which also either support our position or support the importance of the Roads to Recovery Program.

The ALGA had previously advertised for a campaign director and is finalising contracts with key agencies. As agreed by the former State Executive Committee the LGA has signed a formal funding agreement with the ALGA to provide \$988,000 to the campaign and has invoiced participating SA Councils for the agreed 2012/13 contribution.

The LGA is preparing a separate paper building on ALGA strategies to identify key roles for Councils and LGA Board Members. It is intended that this will be circulated prior to the meeting.

The LGA's existing Careers in Council awareness campaign will dovetail with the referendum providing heightened awareness about Local Government functions up until four weeks prior to the referendum.

# Small change to keep funds flowing

LOCAL Government is seeking to protect existing funding streams from the Federal Government by asking all Australians to say "yes" to a small change to the Australian Constitution.

To say "no" will put at risk the flow of hundreds of millions of dollars into states and local communities, a steady income stream that is outside and additional to the rigid confines of the GST payments and is applied directly to local roads and community facilities.

One such arrangement is the \$350 million per year Roads to Recovery program established by the Howard government and which councils have relied on for years to repair and replace key roads in their areas.

Most people are familiar with the main road network such as Main North Road, South Road and the Eyre, Sturt or Dukes Highways. These and other main roads are owned by the state government, but every road in between them, all 74,695 kms of them, is owned and looked after by local councils.

Recognising the enormity of this financial burden on local communities, the Roads to Recovery program was developed and it continues to be very valuable.

As were the funds delivered under the Rudd/Gillard years for local projects such as sporting club and community facility upgrades. These are projects delivered quickly and efficiently by the

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**IN MY  
VIEW**

**DAVID O'LOUGHLIN**

government closest to the people, for the people.

Unfortunately, similar direct funding arrangements have recently been challenged in the High Court on two occasions. These challenges have not related to councils but the outcome is there is now a very strong view that for many responsibilities, the Federal Government can only fund the state and territory governments.

The Constitution is a very important part of Australia's law and history, written more than 110 years ago and, yes, it is possible that at some stage in our future the Constitution will be rewritten. However, that is not what we are seeking to do and, furthermore, our current proposal is not seeking broader recognition or status for local government like the referendums of 1974 and 1988.

While it has become the common shorthand reference, the title "constitutional recognition" is now a misleading description of our proposal.

There is no plan to make local government

**Thursday, May 9, 2013**

entrenched and the proposed provision will not affect existing arrangements in which state Parliaments set and change the legal framework for councils.

The proposal will not allow the Commonwealth Parliament to pass laws about councils.

Our single objective is to overcome the significant doubt caused by the High Court rulings, to ensure that the Federal Government can continue to fund communities through programs such as Roads to Recovery.

Some of the brightest constitutional legal minds in the country have looked at all the options and believe the only way to protect communities is to include local government in the description of bodies the Federal government can fund under the Constitution.

That's why our proposal has the support of Liberal leader Tony Abbott, Nationals leader Barnaby Joyce, Greens leader Christine Milne and the independents and, based on surveys, from the majority of Australians.

We urge the Government to make its decision about the wording and timing, and to fund a comprehensive information campaign for the Australian people to properly consider ahead of a referendum. For more information visit [www.lga.sa.gov.au/goto/constitution](http://www.lga.sa.gov.au/goto/constitution)

**Mayor David O'Loughlin is President of the Local Government Association of SA.**

# Media Release

**Date:** 9 May 2013

**Embargo:**

**Pages:** 1

## Chance to stand up for communities

Voting 'yes' will protect local funding for sporting clubs, local roads and libraries for our kids.

This is the simple message Local Government will take to communities following the announcement that all South Australian voters will be asked to answer a referendum question about Federal funding for communities in September.

Mayor David O'Loughlin said he applauded the decision by the Federal Government, backed by the Opposition and other Parties to hold a referendum on September 14, with the General Election.

"Tony Abbott supports it, Barnaby Joyce supports it, Christine Milne supports it, the Independents support it and so does the Government. If it was your road or your kid's sporting club or your new library at risk, you'd support it too. And you should, because that is exactly what is at risk," he said. "Our polling is also telling us that the majority of people support resolving this funding question."

"I am really pleased they have picked up the Local Government proposal only to deal with the significant funding risk which has been created by the High Court," he said.

"There is real confusion now at the national level about the road funding Councils get directly from the Federal Government and about the sort of upgrade funding we have had recently for sporting facilities, libraries and community centres."

Mayor O'Loughlin said that one of the programs under threat was the highly successful Roads to Recovery program which provided SA with more than \$28m this year.

"That would create a very big hole in local roads which we don't think State Governments or ratepayers will want to fill," he said.

He said that Local Government had only been waiting to get the green light that the right question would be put to the people.

"We have a campaign prepared and will begin rolling it out very soon so people are in no doubt that they can vote 'yes' with confidence."

Mayor O'Loughlin said that every SA Council had formally resolved to support a referendum to deal with direct funding to Local Government only.

"We have the crucial support of all the political parties – our challenge now is to translate all the support into a 'Yes' vote in the referendum," he said.



Prime Minister of Australia

The Hon Julia Gillard MP

# Referendum On Local Government Recognition

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THU 09 MAY 2013

Prime Minister, Minister for Local Government, Attorney-General

Brisbane

The Australian Government is planning to hold a referendum on 14 September to ask Australian people whether we should change our Constitution to give local government support for local communities is formally recognised in our Constitution.

We are asking the Australian people to support a small but important change to our Constitution. Government support for local communities is formally recognised in our Constitution.

This delivers on a long-standing Labor commitment.

Our Constitution, which was drafted more than 100 years ago, says nothing about the role of local government. Local government is the government that we have daily contact with the services provided by their local council, through childcare, sporting facilities, roads and more.

Many of these council services are provided in partnership with the Federal Government – some decades.

In just the last five years, the Commonwealth has partnered with local government to deliver or fund libraries, indoor and outdoor sporting facilities, pools, walking trails, roads and bridges, in every

This is in addition to the repair and upgrade work that's taken place at 16,000 road sites across the country.



We are proposing a modest and common sense change to our Constitution that simply reflects communities.

This is about saying 'yes' to retaining important community benefits. This is about saying 'yes' t

The change will not diminish the role of the States with regard to the administration of local go  
does not alter the fact that local governments are created by and are accountable to State Gov

The modest change we are putting forward to the Australian people is based on advice that the  
Panel led by the Hon. James Spigelman AC QC and endorsed by the Parliamentary Joint Select

This proposal to change the Constitution is one that the Government expects will receive broad  
Parliament and across the country.

The draft legislation and the proposed words will be released shortly.

## Full steam ahead for 2013 referendum on local government

9 May, 2013

Australian Local Government Association (ALGA) President Felicity-ann Lewis has declared that the national campaign to convince Australians to vote 'yes' to include local government in the Constitution to secure funding for local services and infrastructure will intensify now that the Federal Government has given its commitment to a September 2013 referendum.

"The Government's decision to support holding a referendum at the time of the September federal election is the signal we have been waiting for to carry forward our fight to protect federal funding for councils," Mayor Lewis said.

"We now need bipartisan support and I call on the Opposition, and all political parties, to support the referendum proposal and referendum funding legislation, when it is debated in Parliament next week.

"We have recently advertised for a National Campaign Director to lead an integrated campaign involving every council across the country.

"As we have argued for many years, the only way to protect direct federal funding for community services and infrastructure is to have local government recognised in the Australian Constitution.

"Councils want financial certainty. They need formal recognition as legitimate recipients of direct federal funding. Without it, funding under programs such as Roads to Recovery are at risk of High Court challenge.

"Recent High Court decisions in the Pape Case and Williams Case, which both considered the power of the Commonwealth to provide direct funding to entities not included in the Constitution, only strengthen our case to formalise the Commonwealth's arrangements for funding councils directly.

"So much has been done to advance the case for constitutional recognition of local government and our efforts have received considerable support. We have been encouraged by final recommendations of both the Expert Panel on Constitutional Recognition of Local Government and the Federal Parliamentary Joint Select Committee on Constitutional Recognition of Local Government, which supported and endorsed a 2013 financial recognition referendum.

"As I have said on numerous occasions, local government wants to win this referendum which is in the interests of every local community. We accept that getting a referendum passed will be a major challenge. But local governments across the country support the financial recognition option and are committed to working hard within their local communities to get a referendum on the question of financial recognition passed by the majority of voters in the majority of states."

### **Media enquiries:**

**Megan Magill, Director Public Affairs, Australian Local Government Association (ALGA) 0418 415 649**



## **SPEAKING POINTS FOR REFERENDUM ANNOUNCEMENT**

- It is an important referendum because it will help maintain vital infrastructure and services to local communities.
- The referendum is about confirming the Federal Government's ability to provide funding to local government directly – something governments from both sides of politics have been doing for more than ten years.
- The referendum is supported by the Federal Government, the Federal Opposition, the Greens and the Independents.
- The referendum seeks to continue what we already thought was the case – that the Federal Government should be able to provide funding for vital local community services and infrastructure directly through councils.
- The change being proposed is a simple pragmatic change to address a problem which has arisen over the last few years.
- It won't change the status of local government, or its powers, or its relationship with the state government. It will however, remove the legal uncertainty about the Federal Government's ability to fund local communities directly through their councils; uncertainty created by two High Court cases – the Pape Case and the Williams Case - in the last couple of years.
- The Federal Government has been funding vital community services and infrastructure through programs like Roads to Recovery and the Regional and Local Community Infrastructure Program for more than a decade. Billions of dollars have been invested in tens of thousands of local community projects covering roads, footpaths and bridges, community halls, ovals, childcare centres, swimming pools, etc. Local communities deserve that support and this is what the referendum is all about.
- The referendum will formalise what has already been happening for more than ten years. To those who suggest there will be unforeseen consequences, well there have not been any over the past ten years.
- Councils will still remain the responsibility of the State governments. The proposed change to the Constitution makes this quite clear. State Parliaments will still control the laws which govern councils.

- This referendum is different from previous referendums on local government. It is not about the status of local government. It is about fixing a problem and removing uncertainty about the funding of vital local community services and infrastructure.
- Direct Federal funding is important because the Federal Government collects more than 80% of all tax revenue in Australia. This was not the case when the Constitution was written. We need a relatively small change to the Constitution to take account of today's circumstances. The local services and infrastructure we are talking about cannot be funded by the State Governments because they don't have the revenue. That is why the Federal Government had to introduce direct funding of councils to begin with.
- Councils will still be able to make decisions about projects which are funded by the Commonwealth, in the same way as they do now.



# AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

## **MEDIA TALKING POINTS:**

### **Constitutional Recognition of Local Government**

#### **Is local government prepared for a September referendum?**

- Councils across the country have been calling for a referendum to have local government recognised in the Australian Constitution for a number of years. We are more than ready.
- The Government's decision to support holding a referendum at the time of the September federal election is the signal we have been waiting for to carry forward our fight to protect federal funding for councils.
- We have advertised for a National Campaign Director to lead an integrated campaign involving every council across the country and we look forward to selecting the right person for this important task.
- We now need full commitment from the Opposition to move forward.

#### **Why do we need constitutional recognition?**

- As we have argued for many years, the only way to protect direct federal funding for community services and infrastructure is to have local government recognised in the Australian Constitution.
- Councils want financial certainty. They need formal recognition as legitimate recipients of direct federal funding. Without it, federal funding programs are at risk of High Court challenge.
- Recognising local government in the Constitution will secure the Commonwealth's ability to continue providing direct funding for councils to maintain local roads, infrastructure, services and facilities that local communities need and deserve.
- An example of direct funding programs is the Roads to Recovery program, where the Commonwealth provides funding of about \$350 million a year to councils for maintaining local roads. Local roads are a good example of community infrastructure that every



# AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

## **MEDIA TALKING POINTS:**

### **Constitutional Recognition of Local Government**

Australian resident benefits from.

- Recent High Court decisions in the Pape Case and the Williams Case - which both considered the power of the Commonwealth to provide direct funding to entities not recognised in the Constitution - raise serious doubts about the Australian Government's legal ability to continue directly funding local councils.

#### **In addition to Roads to Recovery, what are other examples of programs at risk?**

- Important federal funding is at risk without constitutional recognition of local government.
- Programs that remain vulnerable include the Roads to Recovery program; the Regional and Local Community Infrastructure Program; Pathways to Adaptation; Regional Partnerships; the Regional Development Australian Fund; Commonwealth Home and Community Care Program; and ad hoc funding provided to individual councils for specific infrastructure projects such as bridges, tunnels, recreational and cultural facilities.

#### **What are the chances of winning?**

- Achieving bi-partisan support and securing agreement from all sides of politics is fundamental in the campaign for a successful referendum and we have that.
- A lot has been done to advance the case for constitutional recognition of local government and our efforts have received considerable support.
- Final recommendations of both the Expert Panel on Constitutional Recognition of Local Government and the Federal Parliamentary Joint Select Committee on Constitutional Recognition of Local Government supported and endorsed a 2013 financial recognition referendum.



# AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

## **MEDIA TALKING POINTS:**

### **Constitutional Recognition of Local Government**

- Our own research reveals that more than 50 per cent of the Australian population is supportive of constitutional recognition of councils. We have a substantial base of community support to build on.

#### **But is local government likely to win a referendum after failing twice already?**

- Local government accepts that getting a referendum passed will be a major challenge.
- But local governments across the country support the financial recognition option and are committed to working hard within their local communities to get a referendum on the question of financial recognition passed.
- The two previous referenda held on the issue, in 1974 and 1988, failed for a number of reasons:
  - lack of bi-partisan support for constitutional recognition,
  - lack of urgency to reform the system,
  - the manner in which the question was worded,
  - and multiple questions being put to Australians confused the issue.

#### **What changes to the Constitution is local government seeking?**

- Local government is seeking an amendment of Section 96 of the Constitution so that it would read: "Parliament may grant financial assistance to any state **or to any local government body formed by State or Territory legislation** on such terms and conditions as the Parliament sees fit."
- The words reflect the recommendations of the Government's own expert panel and make it clear that local government will remain a State responsibility.



# AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

## **MEDIA TALKING POINTS:**

### **Constitutional Recognition of Local Government**

- This set of words is designed to take account of state government concerns that local government should remain a state responsibility.



*Extract from draft Minutes of LGA GM of 19 April, 2013*

**Constitutional Recognition**

**GM190413/6.8**

**Moved Barossa Seconded** Adelaide Hills that the General Meeting:

1. reaffirm its ongoing support for a referendum to remove doubt about the Commonwealth Government's ability to fund Councils directly by amending Section 96 of the Australian Constitution;
2. maintain its opposition to any amendment to Section 51 of the Australian Constitution or any Section which would create the capacity for the Commonwealth to pass legislation related to Local Government other than for funding purposes;
3. urge the Commonwealth Government to support a referendum being conducted with the 2013 Federal Election, if this commitment has not been made prior to the General Meeting;
4. urge the Commonwealth Government to address all the ALGA preconditions and supporting recommendations of the Expert Panel (December 2011) and Joint Select Committee (March 2013) as a matter of urgency;
5. congratulate the ALGA for its five year campaign to establish a clear Local Government position on the Constitution and to gain multi-party support for this position;
6. urge the ALGA to work to maintain multi-party support for financial recognition and to continue to prepare for a significant campaign emphasising the financial risks to communities should doubt on direct Commonwealth funding for community facilities via Councils continue;
7. note that the LGA State Executive Committee continues to work to maintain SA Government support for financial recognition;
8. ask the LGA State Executive Committee to maintain its SA Awareness Campaign "The Closer You Are, The More We Care," and encourage Councils to be active locally in the campaign;
9. ask the LGA State Executive Committee to work with the ALGA to ensure Councils, Council Members and staff are aware of how they can support any referendum campaign locally; and
10. ask the LGA and ALGA to ensure the public is aware that this would be the first referendum undertaken in response to a clear proposition from Local Government as opposed to previous referenda in which the Commonwealth sought Local Government support for a Commonwealth proposal.

**CARRIED**

Item: BO160513/8.3  
 DME: 100083  
 Attachment: 99470

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Lisa Teburea)

**KEY RESULT AREA 2:** Achieving Influence for Local Government.

**STRATEGY 2.C:** Ensure Local Government perspectives regarding changes to legislation and regulations impacting on Councils are provided to State and Federal governments and Parliaments.

**ANNUAL PRIORITY 2.2:** Influence State and Federal legislation and policy on matters including planning and population growth.

**RE:** PLANNING REFORM UPDATE

### RECOMMENDATION

That the LGA Board:

1. notes the report and receives a verbal update;
2. authorises the LGA President and CEO to finalise a submission to the Minister for Planning on the Housing and Urban Development (Administrative Arrangements) (Urban Renewal) Amendment Bill 2013 based on legal advice received and the submissions made by Councils;
3. authorises the LGA President and CEO to finalise a submission to the Inquiry into Sale and Consumption of Alcohol based on the feedback provided by Councils; and
4. authorises the LGA President and CEO to make a submission to Hon. Mark Parnell MLC on the Development (Development Plan Amendment) (Notification) Amendment Bill 2013 based on the feedback provided by Councils.

### DISCUSSION

This report provides an overview of current planning related legislation and policy reforms being pursued by the State Government and seeks authorisation for the LGA to make submissions on these matters based on outcomes of consultation with Councils.

#### **Housing and Urban Development (Administrative Arrangements) (Urban Renewal) Amendment Bill 2013**

On 2 May 2013, the Minister for Planning introduced a Bill in the House of Assembly to establish a special precinct planning process to facilitate urban renewal and confer statutory powers to the Urban Renewal Authority (URA) for use in areas established as 'precincts'.

Parliamentary debate on the Housing and Development (Administrative Arrangements) (Urban Renewal) Amendment Bill 2013 (the Bill) has been deferred until Local Government

and other stakeholders have had an opportunity to provide feedback. When introducing the Bill, the Minister made it clear that the Government is willing to consider appropriate amendments to the Bill. The LGA was provided with a confidential briefing and advance copy of the Bill in the week prior to its introduction and was, therefore, in a position to commence immediate informed consultation with Councils (refer to LGA Circular 19.1).

A draft summary of the LGA's initial comments has been provided as an attachment to this report. Some of the key aspects of the Bill that will be of interest to Members are summarised below.

#### *Summary of the Bill*

- The functions of the Minister have been expanded to allow him/her to establish 'precincts' for the purpose of urban renewal or redevelopment, and to promote efficient planning and project facilitation.
- A Council, a developer or any other person or body can request that the Minister establish an area of land as a 'precinct' if to do so will facilitate urban renewal that promotes the purposes of the Planning Strategy.
- In establishing a precinct, the Minister must consult with and have regard to the views of any Councils within the proposed precinct area. The Planning Minister must also be consulted. The Development Policy Advisory Committee may also be consulted.
- The Minister may appoint the URA, another Statutory Corporation established under this Act or a Council to be the precinct authority for the precinct.
- The precinct authority must develop a precinct master plan which aligns with the planning strategy and details the mix and siting of land uses, the proposed scale of development and infrastructure requirements.
- The precinct authority must prepare a precinct implementation plan which details design guidelines and a framework for infrastructure works.
- Precinct plans are subject to consultation with Government agencies, Councils and the public. Following the consultation period, the authority must produce a report on matters raised during consultation.
- With the authorisation of the Governor, the precinct authority may be granted a specified statutory power to grant an approval, consent, licence or exemption; or to provide a service or infrastructure; or impose and recover a rate, levy or charge - if that power is directly relevant to the management, development or enhancement of a precinct.
- Without going through a DPA process, the Minister for Planning will be authorised to amend a Development Plan to give effect to a new or amended (or revoke) a precinct plan. This will require a notice in the Gazette.

A verbal update on any submissions received from Councils and legal advice relating to the potential impacts on Councils will be provided to the LGA Board at the meeting.

As this Bill directly impacts on the LGA President's place of employment, Renewal SA, the LGA Management Group resolved that Mayor Rosenberg will represent the LGA in negotiations in relation to this matter.

#### **Review of the Sale and Consumption of Liquor**

The Social Development Committee; a Standing Committee of the South Australian Parliament is conducting an inquiry into the adequacy and appropriateness of laws and practices relating to the sale and consumption of alcohol. The LGA sought Councils' input into a combined Local Government response, based around the seven (7) issues listed in the Committee's terms of reference. Councils' input was requested by 3 May 2013 via LGA Circular 16.2. Responses from three (3) Councils were received.

Responses received indicate that some rural and regional Councils may face challenges in the realm of minimising alcohol harm that results from management and enforcement of dry areas. This was particularly noted as an issue where members of Indigenous communities travel from designated dry areas (dry communities) to towns where alcohol is available.

Submissions suggested that further assistance could be considered to facilitate the sharing of knowledge and practices between Councils to adequately address such challenges with appropriate cultural sensitivity. In the metropolitan context, the feedback suggested that a focus on community education relating to general alcohol harm minimisation could be considered as an element of Councils' Public Health Plans that are required by the Public Health Act 2012.

With the endorsement of the LGA Board, the LGA will complete a more detailed overview of the responses received from Councils and submit to the Social Development Committee for consideration in the *Inquiry into Sale and Consumption of Alcohol* by the submission deadline of Friday 24 May 2013.

### **Development (Development Plan Amendment) (Notification) Amendment Bill 2013**

The Hon. Mark Parnell MLC has proposed changes to the Development Plan Amendment process through the Development (DPA) (Notification) Amendment Bill 2013. This Bill recognises and seeks to rectify that there is no requirement to individually notify affected landholders or residents under the current Act where the Minister or Council proposes a DPA using 'Process A or B'. Currently, the onus is on residents and land owners to check the newspaper or Government Gazette for the notices required under the Act. Currently only DPAs which are following 'Process C' are required to undertake the level of direct notification proposed in this Bill. The proposed changes standardise the approach taken across DPA notification Processes A, B and C. Councils have been invited to make comment on this Bill via LGA Circular 19.5.

The changes proposed would mean that for future DPAs, the obligation is on the authority that initiated the DPA (either Council or Minister) to take 'reasonable steps' to give notice to all owners or occupiers of land that is directly affected by the operation of the proposed amendment. Notification parameters extend beyond the land that is directly affected, and also apply to land *adjacent* to the directly affected land. This reflects the current notification parameters associated with 'Process C' DPAs. Rights to make a representation and present at a public meeting would remain unchanged. The Bill provides greater opportunity for community awareness to be generated regarding proposed changes to Development Plans, but proposes a more resource intensive process. Potential implications for Councils might include:

- the potential to create considerable administrative pressures where a DPA affects a whole Council area or a large portion of a Council area;
- cost of employee time, printing and postage adding to the cost of DPAs;
- a potential for consultation fatigue, and Councils may also need to consider education strategies to assist the community to better understand the DPA process and the intent and impacts of proposed policy directions;
- 'written notice' required may limit the use of new technology to communicate with residents; and
- notwithstanding proposed clause (9ab), an increased risk of potential legal challenge based on failure to notify.

Subject to a comprehensive review of the feedback provided by Councils, the LGA may consider supporting the intent of the Bill, but ensuring that the potential resource and financial implications are understood.

**Housing and Urban Development (Administrative Arrangements) (Urban Renewal Amendment Bill 2103)**  
**Initial Summary of the Bill and LGA Comments**  
**2 May 2013**

Summary of the URA Bill	LGA Comment
Clause 7- The functions of the Minister have been expanded to allow him/her to establish 'precincts' for the purpose of urban renewal or redevelopment, and to promote efficient planning and project facilitation.	This process will assist in reducing some current barriers to development (land assembly, duplication of roles/processes, infrastructure provision etc) and achieving more coordinated outcomes. However, the criteria for establishing a precinct need to be clearer than currently provided. Without clear criteria, there is a risk that this process could be used to unnecessarily 'side-step' other important statutory processes (similar to the issues experienced with the use of Major Project status).
Clause 8- 7C- The Functions of the URA in Bill are similar to those outlined in the 2012 Regulations- with some notable deletions including collaboration, co-operation, negotiation with Local Govt (and other bodies). A broad statement about working with local government has been retained.	There is a need to confirm whether some existing URA functions have not been carried across to the Bill because they are now covered elsewhere, or if they have deliberately been removed as a function of the URA. If so, the reason for this will be need to be clarified and the LGA should lobby for specific references to collaboration and negotiation with Local Government to be retained.
The function of the URA to negotiate and enter into contracts for the payment of contributions towards infrastructure has not been carried over from the Regs.	This function is critical to the roll-out of well serviced development. In the absence of a legislated framework for infrastructure contributions, this function should be retained.
The specific power of the URA to transfer an asset to another body has not been carried over from the Regs.	This may have an impact on vesting of public infrastructure to the care, control and management of a Council. Need to confirm that this specific power is conferred elsewhere in the Act.
Clause 8- 7F- The Bill requires the URA to reasonably ensure that its activities are coordinated with the activities of other 'public authorities'.	No definition of 'public authorities' is included in this Act, but it is assumed that Councils are captured (as they are in definitions provided in other Acts). However, adding the words 'including Councils' to this Clause would add weight from a Local Government perspective.
Clause 8- 7F seeks to ensure that the activities of the URA are consistent with a desirable physical and social environment.	It is considered that the activities of the URA should also expressly seek to further the State's environmental sustainability objectives.
Clause 8- 7H(1) A Council, a developer or any other person or body can request that the Minister establish an area of land as a 'precinct' if to do so will facilitate urban renewal that promotes the purposes of the Planning Strategy.	The criteria provided is extremely broad and does not give any certainty as to when a 'precinct' process is required in favour of the established process. Suggest that the criteria be strengthened and that this process be used only when <u>necessary</u> to facilitate significant developments to which there are recognised impediments.

**Housing and Urban Development (Administrative Arrangements) (Urban Renewal Amendment Bill 2103)**  
**Initial Summary of the Bill and LGA Comments**  
**2 May 2013**

Summary of the URA Bill	LGA Comment
<p>Clause 8- 7H(5)- In establishing an area as a precinct, the Minister <u>may</u> refer the matter to the Development Assessment Commission (DAC) to provide advice on relevant planning, development and assessment issues in the precinct. Any report provided to the Minister by DAC will be publicly available.</p>	<p>It is not clear when the Minister is (and is not) likely to seek the advice of DAC. No criteria has been provided. It is considered that this report should be required in all circumstances.</p> <p>The requirement for a DAC report to be publicly available is supported.</p>
<p>Clause 8- 7H(2)- The Minister <u>must</u> consult with and <u>have regard</u> to the views of any Councils within the proposed precinct area. The Planning Minister <u>must</u> also be consulted. DPAC <u>may</u> also be consulted.</p>	<p>The requirement to consult with Councils is supported. The effectiveness of this process will depend on the consultation period and level of detail provided to the Councils. The Council's advice should be given equal weight as the advice provided by the Minister, DAC and DPAC (if requested). Specific matters on which the Minister is seeking advice from Councils should be prescribed (but not limited). As an example, refer to Section 7H (6) of the Bill for the advice requested from DAC.</p>
<p>Clause 8- 7H(4)(c)- The Minister may appoint the URA, another Statutory Corporation established under this Act or a Council to be the precinct authority for the precinct.</p>	<p>No guidance provided about criteria or circumstances that would guide this decision.</p> <p>The possibility of establishing a Statutory Corporation (separate to the URA) to act as the Precinct Authority follows the WA model. Autonomous precinct authorities may be established for significant projects to ensure the right mix of skills and knowledge and a focussed approach.</p> <p>Relevant Council(s) should have a representative on any precinct authority.</p>
<p>Clause 8- 7H(9)- The precinct authority <u>may</u> establish a community reference panel, but this is not required unless a directive is provided by the Minister.</p>	<p>There is no criteria provided which would guide a decision about whether a community reference panel would be required. It is assumed that any development which warrants the establishment of a precinct authority is likely to be of a significant scale. Therefore, it should be a <u>requirement</u> for a community reference panel to be established.</p>
<p>Clause 8- 7H(9)- The precinct authority <u>may</u> establish a design review panel, but this is not required unless a directive is provided by the Minister.</p>	<p>It should be a requirement for a design review committee to be established.</p>
<p>Clause 8- 7H(10)- The precinct authority must comply</p>	<p>The consultation requirements for a precinct plan should, as a minimum, meet the</p>

**Housing and Urban Development (Administrative Arrangements) (Urban Renewal Amendment Bill 2103)**  
**Initial Summary of the Bill and LGA Comments**  
**2 May 2013**

Summary of the URA Bill	LGA Comment
with any requirements of the Minister in relation to the manner in which a panel under 7H(9) is composed and community consultation should be conducted.	requirements of a DPA under the Development Act.
Clause 8- 7H(11)- A Council within the precinct may authorise a person to attend (but not participate in) the meetings of a panel established by the precinct authority. This person would have access to meeting papers and may report back to the Council on confidential matters (provided that they are dealt with in confidence).	As Councils play an influential and significant role as a local decision maker, it would be preferable for the Council to have authority to nominate a participating panel member, rather than being restricted to an observer role.
Clause 8- 7I(1)- The precinct authority must develop a precinct master plan which aligns with the planning strategy and details the mix and siting of land uses, the proposed scale of development and infrastructure requirements.	Supported.
Clause 8- 7I(4)- The precinct authority must prepare a precinct implementation plan which details design guidelines and a framework for infrastructure works.	It is not clear what power a precinct authority will have to compel or direct government agencies in relation to social or physical infrastructure provision. This high level prioritisation and coordination of infrastructure is a critical success factor for urban renewal.
Clause 8- 7I(5)- The Plan must have regard to the relevant provisions of any Development Plan applying to the precinct area.	The Bill outlines that a precinct plan must have regard to the relevant Council Development Plan, but the level of interaction between a precinct plan and the Development Plan requires some further clarification
<p>Clause 8- 7I(6)- A precinct plan may refer to a document or standard prepared by a prescribed body (with or without modification).</p> <p>A precinct plan may make different provisions according to the persons, things or circumstances to which it is expressed to apply.</p>	<p>There is a reasonable degree of flexibility for a precinct plan to reflect a particular set of circumstances, at a particular time. This is supported in favour of a rigid set of prescriptive policies that may not continue to be relevant as circumstances and development opportunities change or evolve over time.</p> <p>There is a need to clarify who or what a prescribed person or body may be.</p>

**Housing and Urban Development (Administrative Arrangements) (Urban Renewal Amendment Bill 2103)**  
**Initial Summary of the Bill and LGA Comments**  
**2 May 2013**

Summary of the URA Bill	LGA Comment
<p>The precinct plan may provide that the Minister, precinct authority or any other prescribed body or person has discretion over how any matter or thing is to be determined, dispensed with or regulated,</p>	
<p>Clause 8- 7I(8)-(12)- Precinct plans are subject to consultation with government agencies, councils and the public. Following the consultation period, the authority must produce a report on matters raised during consultation. DAC may be asked to advise on this report.</p>	<p>Supported. The consultation requirements for a precinct plan should, as a minimum, match the requirements of a DPA under the Development Act.</p>
<p>Clause 8- 7I(13)-(16)- A precinct master plan has no effect until it has been adopted by the Governor, on the recommendation of the Minister <u>and</u> the Minister for Planning. The plan will be published in the Gazette and copies will be made available for inspection or purchase. The Governor may revoke a precinct master plan. The Minister may revoke a precinct implementation plan.</p>	<p>Supported.</p>
<p>Clause 8-7J- The precinct authority can certify a proposed development as being 'complying' under the precinct plan and/or that a land division complies with s.33(1)(c)or(d) of the Development Act. The relevant authority (Council) must accept this.</p>	<p>If the precinct planning process is done collaboratively, with genuine participation with all stakeholders, this could result in significant efficiency in the planning system. However, we need to look at whether there are sufficient safeguards to prevent these processes being used to side-step important consultation processes.</p>
<p>Clause 8- 7K(1)- With the authorisation of the Governor, the precinct authority may be granted a specified statutory power to grant a an approval, consent, licence or exemption; or to provide a service or infrastructure; or impose and recover a rate, levy or charge- if that power is directly relevant to the management, development or enhancement of a precinct.</p>	<p>These powers are extremely broad and require thorough analysis.</p> <p>Under this proposal, statutory processes that are commonly necessitated by a development proposal such as closure of a local road, community land revocation, granting of leases or licenses etc could be exercised by the precinct authority in place of Council.</p> <p>The precinct authority may also impose and collect a rate or service charge.</p>



**Housing and Urban Development (Administrative Arrangements) (Urban Renewal Amendment Bill 2103)**  
**Initial Summary of the Bill and LGA Comments**  
**2 May 2013**

Summary of the URA Bill	LGA Comment
	<p>From an efficiency perspective, the appeal of centralising all decision making for a development is understood. However, from the community perspective this adds another level of bureaucracy and complexity to an already complicated decision making framework.</p> <p>There is strong concern that a precinct authority would be able to make decisions that have short or long-term financial impacts for Councils and are not consistent with the Council's strategic or asset management plans.</p> <p>Councils rights as a land owner need to be clarified.</p>
<p>Clause 8- 7K(2)- In exercising a specific statutory power that is primarily vested in a Council, the precinct authority is required to consult with the Council, but is not bound to comply with any direction given.</p>	<p>The requirement for Councils to be consulted is supported, however Councils are likely to bear the brunt of community concern over decisions, but would have limited influence over the final decision. The LGA should lobby for Councils to have more influence in this decision making process by having the power of direction.</p> <p>If the power of direction is not available, a copy of the advice provided by Councils should be made publicly available, along with a report from the precinct authority outlining the extent to which it had regard to the Council's advice and providing an explanation of any departure from the advice provided.</p>
<p>Clause 8- 7K (3)-(4) - Any regulation made under this section is subject to any existing appeal or review processes and there is an opportunity to seek a disallowance through either House of Parliament.</p>	<p>There are limited options available to a Council if they wish to challenge a regulation.</p>
<p>Clause 8- 7L- The Governor may , by Regulation, grant a concession or make a variation to a tax, rate or charge with respect to land within a precinct.</p>	<p>The potential impact of this Clause requires thorough analysis.</p> <p>A requirement to consult with Local Government on any proposal to vary rates under the Local Government Act should be included.</p>
<p>Clause 8- 7M- In the event of any inconsistency, a precinct plan will prevail over any Council by-law.</p>	<p>A part of the development of the precinct plan, the precinct authority should be having regard to any existing by-law under the Local Government Act.</p>
<p>Schedule 1- Part 1- 1- Without going through a DPA</p>	<p>This process has the potential to result in greater efficiency, but the quality of the</p>

**Housing and Urban Development (Administrative Arrangements) (Urban Renewal Amendment Bill 2103)**  
**Initial Summary of the Bill and LGA Comments**  
**2 May 2013**

Summary of the URA Bill	LGA Comment
<p>process, the Minister for Planning will be authorised to amend a Development Plan to give effect to a new or amended (or revoke) a precinct plan. This will require a notice in the Gazette.</p>	<p>outcome is entirely dependent on the level of consultation and genuine opportunity for stakeholders to participate in and influence the development of the precinct plan.</p>
<p>Schedule 1- Part 1- 2- The DAC would act as the relevant authority for any assessment under the Development Act that is determined by the Minister as having a significant impact on an aspect of a precinct under this Act.</p>	<p>This is considered to be unnecessary. Councils are well resourced and appropriately skilled to make this level of assessment against a precinct plan.</p>

DRAFT

Back to Agenda

Item: BO160513/8.4  
DME: 99829  
Attachment: 100076

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Lisa Teburea)

**KEY RESULT AREA 2:** Achieving Influence for Local Government.

**STRATEGY 2.C:** Ensure Local Government Perspectives regarding changes to legislation and regulations impacting on Councils are provided to State and Federal governments and Parliaments.

**ANNUAL PRIORITY 2.2:** Influence State and Federal legislation and policy on matters including planning and population growth.

**RE:** PLANNING REFORM REFERENCE GROUP

### RECOMMENDATION

That the LGA Board:

1. notes the report and receives a verbal update; and
2. authorises the LGA Management Group to finalise two LGA representatives for the Planning Reform Reference Group on the basis that at least one representative has a strong technical understanding of planning and development and at least one representative has a strong political understanding of planning and development.

### DISCUSSION

The LGA has been invited to nominate two representatives for a Planning Reform Reference Group that has been established to assist the Expert Panel on Planning Reform to discharge its Terms of Reference. Dr Michael Llewellyn-Smith AM LFPIA has been appointed as the independent Chair of the Reference Group.

The first meeting of the Reference Group was held on 2 May 2013 and was attended by Mr Henry Inat, CEO of Town of Gawler and Ms Lisa Teburea, Director Planning and Community Services LGA. Ms Teburea attended the meeting as a proxy for interim member Mr Tony Irvine, who has advised that he will be unable to attend meetings due to scheduling conflicts and will not be nominating for an ongoing position. The key purpose of this initial meeting was to introduce members, scope some of the issues and resolve the Terms of Reference for the Group. A summary of the meeting outcomes is provided for Members' information.

The original invitation extended to the LGA provided the opportunity to nominate two members - one representing metropolitan members and one representing country members. The State Government's recognition of the diversity within the Local Government sector is appreciated. As the LGA is currently running a comprehensive Local Government planning reform agenda, a letter was sent to the Chair of the Reference Group requesting that a third

position be assigned specifically to the LGA, in either a participatory or observer role. Unfortunately this request was not granted, however an LGA nominee may be considered for one of the two existing positions available. The terms of LGA representation have been changed to give the LGA Board greater flexibility to determine how it would best be represented. While the need to represent the diversity within the Sector remains important, nominees no longer have to be specifically representing metropolitan or country members.

Nominations for Reference Group members have been called for and will remain open until Thursday 6 June 2013 (refer to LGA Circular 18.5). Nominees have been asked to provide evidence of their understanding of the planning system by identifying the key issues that should be addressed through the reform process from a Local Government perspective. Qualifications in planning or a related discipline, previous board/committee experience, ability to represent the views of Local Government and previous experience reviewing legislation have been identified as advantageous.

The five themes that the Reference Group will be reporting on (refer to attachment) include issues of both a technical and political nature. For this reason, it is recommended that at least one LGA representative possess a strong technical understanding of planning and development and at least one representative bring a strong political understanding of planning and development.

A final assessment of all nominations against the selection criteria will be made by the LGA Management Group in June 2013.

## Planning Reform Reference Group Summary of Meeting Outcomes 2 May 2013

### **Attendees:**

Minister for Planning- Introductory remarks  
Expert Panel on Planning Reform- Mr Brian Hayes QC (Chair), Mr Theo Maris AM, Stephen Hains, Natalya Boujenko and Simone Fogarty  
Reference Group Chair- Dr Michael Llewellyn-Smith AM LFPIA  
Department of Planning, Transport and Infrastructure- Secretariat support

### **Organisations Represented:**

Community Alliance	National Trust
Planning Institute of Australia	Institute of Landscape Architects
Property Council	Business SA
Urban Development Institute Australia	SA Chamber of Mines and Energy
Australian Institute of Architects	Conservation Council
National Environmental Law Association	Environmental Defenders Office
Housing Industry Association	South Australian Council of Social Services
Primary Producers SA	Mainstreet SA
Local Government Association	

### **Role of the Reference Group:**

The Reference Group has been charged with the primary task of providing advice to the Expert Panel on the five key themes of the planning review- partnerships, integration, design thinking, urban renewal and performance. Further information about these themes is provided on the following page. Four Reference Group members will be assigned to each theme to work collaboratively on an Issues Paper. These groups will be self managed and determine their own meeting schedule etc. Issues Papers are due to be completed by September 2013, when they will be released for public consultation.

### **Meeting Schedule:**

Meetings to be held on the first Thursday of each month commencing at 5:30pm. Meetings will be held at the Mercure, North Terrace, Adelaide.

Due to the 'hands on' *workshop* nature of the Reference Group meetings, remote attendance at the meetings by teleconference or videoconference is not suitable.

Regular attendance at 'working group' meetings will also be required.

### **Proxy and Observer Members:**

Each organisation may nominate a proxy member. No observers will be invited to attend meetings.

### **Links to Other Groups:**

The outcomes of Reference Group meetings will be reported back to the Expert Panel by the Reference Group Chair. The work of the Reference Group will also be reported to an inter-Agency Reference Group.

**THEMES- Expert Panel on Planning Reform:****PARTNERSHIPS**

How can our planning system encourage partnership across government, with the community and with business?  
 How can our planning system facilitate participation by South Australians in planning decisions? How can we promote better engagement with our community in shaping our future communities?  
 How should governance arrangements be established to foster a sense of shared endeavour in our planning system, help realise a shared vision for our community and build confidence in decision-making?

**INTEGRATION**

How can we ensure the community's shared vision for our future is delivered in an integrated fashion with other government policy?  
 How should our planning system facilitate, monitor and respond to change in a more integrated manner across government? How should other areas of government policy be integrated with the planning system?  
 What ways can we ensure infrastructure and government services keep pace with growth and ensure future communities are provided with high quality services?

**DESIGN THINKING**

How can we embed design in our planning system, revitalise our zoning framework and improve the quality of our streetscapes and public places?  
 How can we use design to set a standard of excellence that will become a hallmark of our communities in years to come?

**URBAN RENEWAL**

How can our planning system deliver urban renewal rather than continuing urban sprawl?  
 What mechanisms do we need to support regeneration of established suburbs and neighbourhoods?  
 How can we ensure that key urban precincts and places are activated and managed to make our communities vibrant and dynamic?

**PERFORMANCE**

How can we ensure that our planning system is competitive, responsive and efficient?  
 How can we use new and emerging technologies to ensure our planning system is accessible and navigable for the community?  
 What ways can we monitor and measure performance so that we can ensure our planning system is delivering outcomes for the community?

Item: BO160513/8.5  
DME: 99510  
Attachment: 99393

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – David Hitchcock)

**KEY RESULT AREA 2:** Achieving greater influence for Local Government in matters affecting local communities.

**STRATEGY 2.A:** Develop a partnering culture and build strong relationships with State and Federal Governments, Members of both Parliaments, media, industry groups, and other relevant individuals and organisations which deliver better outcomes for communities.

**ANNUAL PRIORITY 2.1:** Implement the recommendations in the LGA's Discussion Paper regarding Regional Development, in consultation with Regional LGAs and the MLGG.

**RE:** REGIONAL STATEMENT

### RECOMMENDATION

That the LGA Board:

1. notes the report; and
2. subject to a verbal update from the SAROC Committee Chairperson endorses the attached draft submission for provision to the Minister for Regional Development.

### DISCUSSION

In May 2011 Hon Gail Gago MLC, Minister for Regional Development, announced her commitment to releasing the Statement for Regional South Australia. The press release stated *"South Australia will benefit from a statement, which will highlight to regional communities and to Government agencies the linkages between Government plans, strategies, programs and services."*

The draft Regional Statement 2012 has now been released for consultation.

Minister Gago's Regional Communities Consultative Council (RCCC) is responsible for coordinating feedback on the Statement and has sought a submission from the LGA.

The LGA sought Council feedback on the statement via LGA Circular 10.3 to assist in preparation of a submission which has now been drafted.

The submission includes the following key issues:

1. Councils recognise the importance of good relationships between all spheres of Government to achieve a prosperous and vibrant regional South Australia. These relationships benefit from connectivity with, and contributions from, other organisations such as regional Local Government Associations and Regional Development Australia committees (RDAs).
2. The Regional Statement would benefit with identification of:
  - a state wide strategy and action plan to support the regions;
  - consideration of the fundamental lack of investment in regional infrastructure (roads, water, energy, hospitals, schools, etc) which needs a sustained investment and funding strategy to maintain required service levels; and
3. State Government withdrawal from previous RDA agreements and arrangements is viewed as a withdrawal of commitment to regional South Australia.

See attached for a copy of the LGA submission.

A copy of the submission has also been provided to the 15 May 2013 meeting of the SAROC Committee for consideration.

It is envisaged the SAROC Committee will provide relevant comment on the submission at the 16 May 2103 LGA Board meeting.





## **STATEMENT FOR REGIONAL SOUTH AUSTRALIA**

### **SUBMISSION TO THE REGIONAL COMMUNITIES CONSULTATIVE COUNCIL (RCCC)**

**MAY 2013**

NOTE: This is not an endorsed LGA Board document. It has been prepared by the LGA Secretariat for consideration at the LGA Board meeting on 16 May 2013

## Statement for Regional South Australia

### INTRODUCTION

#### Local Government Association of SA (LGA)

The LGA is a membership organisation for all Councils in South Australia and is the voice of Local Government in this State. The LGA is created by Councils and endorsed by the South Australian Parliament through the *South Australian Local Government Act 1999* and is recognised in 29 other South Australian Acts.

All 68 Councils are members of the Association, as are Anangu Pitjantjatjara Yankunytjatjara and the Outback Communities Authority (as associate members).

The LGA provides representation, quality service and leadership relevant to the needs of member Councils. The LGA also operates specific units / entities providing:

- all public liability and professional indemnity cover for all South Australian Councils;
- all workers compensation cover for all South Australian Council employees;
- all asset cover for South Australian Councils; and
- extensive education and training; procurement; online services and a research and development scheme.

The LGA is involved in the operation of (and establishment of):

- the Local Government Finance Authority;
- Statewide Super – Trust the Local; and
- Public Library Services.

The LGA has a formal State / Local Government Relations Agreement with the Premier of the State, and is a constituent member of the Australian Local Government Association.

#### Local Government in South Australia

Local Government in South Australia comprises 68 Councils of which 19 are metropolitan Councils and 49 are rural or regional Councils. A large land area of the State is not incorporated under the Local Government Act but for the purposes of the Commonwealth Local Government (Financial Assistance) Act comprises five Aboriginal communities and the Outback Communities Authority.

The *Constitution Act 1934 (SA)*, the *Local Government Act 1999 (SA)*, the *Local Government (Elections) Act 1999 (SA)* and the *City of Adelaide Act 1997 (SA)*, create the primary legal framework within which Local Government operates and the four yearly election process which underpins the representative nature of Councils in this State.

The Local Government system in South Australia is integral to the democratic system of Government in Australia which provides vital economic, social and environmental support for communities.

In 2011 / 2012, South Australian Councils were managing in excess of \$20 billion of community infrastructure and other assets and incurred operating expenses of \$1.8 billion. Councils receive significant Commonwealth Government and limited State Government funding and work in partnership with those spheres of government at the local level for communities.

Local Government in South Australia generally is typified by:

- high standards of operational competence and accountability;
- sharing resources, working consultatively and cooperatively with other Councils and other spheres of Government;
- low levels of indebtedness and conservative management of finances; and
- expanding roles and increases in standards of service to respond to community demands, other Governments and service gaps.

## BACKGROUND

In May 2011 Hon Gail Gago MLC, Minister for Regional Development, announced her commitment to releasing the Statement for Regional South Australia. The press release stated "*South Australia will benefit from a statement, which will highlight to regional communities and to Government agencies the linkages between Government plans, strategies, programs and services*".

The draft Regional Statement 2012 has now been released for consultation.

Minister Gago's Regional Communities Consultative Council (RCCC) is responsible for coordinating feedback on the Statement and has sought a submission from the LGA.

## LGA SUBMISSION

Local Government has a significant stake in the development of South Australia:

- Councils collectively provide over \$1.5 million in direct funding for Regional Development Australia Committees (RDAs); and
- Councils are represented on regional committees including RDAs and Natural Resource Management boards.

In March 2011 the then LGA State Executive Committee endorsed a series of actions under a regional development portfolio. The cornerstones of this work were the development of Local Government policies on regional development and growing country communities, preparation of regional economic profiles and the delivery of the LGA Discussion paper titled *Partnering with Local Government to Deliver Regional Outcomes*.

The *Partnering with Local Government to Deliver Regional Outcomes* paper has been adopted by the Local Government membership and aims to achieve a renewed commitment to regional development across the whole of South Australia that considers the needs and aspirations of communities.

The paper describes 19 recommendations, 11 of them high priority. Some of the recommendations seek further clarification from the State Government or recommend partnership arrangements to resolve issues. See attached for a copy of the paper and recommendations.

The LGA policies on *Regional Development and Growing Country Communities* provide an overview of the aspirations of Local Government between Governments, regional structures and the community to deliver regional outcomes.

The following excerpt from the policies provides a list of priorities for Local Government in respect to regional communities:

The prosperity of South Australia's country communities is dependent on Local, State and Federal Governments working together to address:

- population growth or maintenance;
- employment generation;
- investment in infrastructure;
- development of human capital;
- health of families and communities;
- quality of life;
- sustainable use of natural assets; and
- a profitable business environment

The following principle from the policies describes that through collaboration these priorities can be achieved:

*“When all spheres of Government work collaboratively in the early stages of developing policies and plans that impact on the social, environmental and economic growth of country communities, benefits will be delivered to all South Australians”.*

See attached for a copy of the policies.

As identified above, Councils recognise the importance of good relationships between all spheres of government to achieve a prosperous and vibrant regional South Australia. These relationships benefit from connectivity with and contributions from other organisations such as regional Local Government Associations and Regional Development Australia committees (RDA's).

This “connectivity” is required to assist in addressing Community concerns that governments should stop telling them what is best for their regions or what they already know; and actually get on with providing resources and support to achieve regional outcomes required.

Benefits can also be realised by the State Government ensuring that agreed priorities are articulated to State Agencies to ensure that agreed outcomes are achieved rather than delivery of disconnected individual Agency priorities. The seven strategic (State) priorities are a step toward this process.

Given the wide diversity of communities and their differing regional characteristics it is challenging to identify a collectively agreed hierarchy of importance of the seven priorities.

However the first priority *creating a vibrant city* is clearly focussed on the city of Adelaide and does not recognise the importance for regional communities to have vibrant towns and cities. Consideration should be given to amending this priority to *creating vibrant towns and cities*.

The two most recognised important regional priorities for regional Councils are considered to be:

- *growing advanced manufacturing; and*
- *premium food and wine from our clean environment.*

Closely followed by *Realising the benefits of the mining boom for all* which has strong and complimentary connectivity for regions to *growing advanced manufacturing*.

The remaining priority orders are:

- *safe communities, healthy neighbourhoods;*
- *every chance every child;*
- *an affordable place to live; and*
- *creating a vibrant city.*

The Statement contains positive affirmations referring to how the Government is working to achieve outcomes for regional communities which give the impression that regions should already be vibrant and progressing from an economic perspective. Unfortunately this is not the case and regional South Australia needs more than a “starting the conversation” approach.

Regional South Australia has for some time now, been seeking clear direction from the State on its strategic investment policy in regional communities and the Statement does not provide any clear direction in this regard.

Councils indicated a strong response at the lack of measurable actions, KPIs and identified preference for an action plan approach.

The Statement would benefit with identification of:

- a state wide strategy and action plan to support the regions; and
- consideration of the fundamental lack of investment in regional infrastructure (roads, water, energy, hospitals, schools, etc) which needs a sustained investment and funding strategy to maintain required service levels.

There is no acknowledgement of the role of Regional Development Australia (RDA). In recent times RDAs have generated \$44 million direct funding and \$77 million leverage funding to South Australian regions for a minimal outlay of \$3 million.

Disappointingly the State Government has withdrawn from previous RDA agreements and arrangements, and Councils view this action as a withdrawal of commitment to regional South Australia.

Connectivity with and contributions from all partners (Federal, State and Local Government) is essential.

Partnership agreements should include commitment to:

- infrastructure coordination and provision (available land, road network, electricity, water, gas);
- economic activation programs (inbound investment attraction, growing local business, regional business attraction); and
- place-based coordination of Government activity (so that regional programs are delivered as a joined up response).

Item: BO160513/8.6  
DME: 99598

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Jacqui Kelleher)

**KEY RESULT AREA 2:** Achieving greater influence for Local Government in matters affecting local communities

**STRATEGY 2.E:** Ensure that the Australian Local Government Association understand and effectively promotes key South Australian issues and opinions

**ANNUAL PRIORITY 2.2:** Influence State and Federal legislation and policy on matters

**RE:** AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION - APPOINTMENT OF BOARD DIRECTORS AND ALTERNATE DIRECTORS

### RECOMMENDATION

That the LGA Board:

1. notes the report;
2. endorses the appointment of President Mayor David O'Loughlin and Immediate Past President Mayor Kym McHugh as Directors of the ALGA Board; and
3. confirms two Alternate Directors (proxies).

### DISCUSSION

Prior to the recent election of a new LGA President, Mayor David O'Loughlin, the two Australian Local Government Association (ALGA) Directors for South Australia were the then LGA President, Mayor Kym McHugh, and the then Vice President Mayor John Trainer. Mayor Trainer was appointed as a Director given the then Immediate Past President, Mayor Felicity-ann Lewis had been elected as the ALGA President. It is usual practice for the President and Immediate Past President to be office holders of the ALGA Board (ie Directors).

In its Constitution, ALGA allows for the appointment of an Alternate Director, or proxy, to a State/Territory Association's Board Director. The Alternate Director performs the duties of the ALGA Board Director in the absence of the Director, with full rights and responsibilities until the appointment is rescinded. The appointment of an Alternate Director is directly related to a particular ALGA Director, not to the position they hold in their State/Territory Association.

It is also our usual practice that LGA Vice Presidents are selected as the Alternate Directors for both the President and Immediate Past President. Mayor Maitland is currently the Alternate Director for Mayor McHugh. The LGA Board may wish to consider reflecting a balance of metropolitan and regional representation in selecting the Alternate Directors.

Item: BO160513/8.7  
 DME: 99591  
 Attachment: 3002

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Shane Sody)

**KEY RESULT AREA 3:** Facilitating and supporting continued capacity building in Councils.

**STRATEGY 3.B:** Provide resources and advice to assist Councils to build strength and optimize their capacity to meet community expectations particularly through the LGA's 'Local Excellence' program.

**ANNUAL PRIORITY 3.3:** Primarily through the Local Excellence program, build Council capacity in key areas.

**RE:** LGA BOARD MEMBERS ON THE LOCAL GOVERNMENT RESEARCH AND DEVELOPMENT SCHEME ADVISORY COMMITTEE

### RECOMMENDATION

That the LGA Board:

1. notes that the terms of the LGA Board Members on the Local Government Research and Development Scheme Advisory Committee lapsed in March 2013;
2. nominates three members of the LGA Board to the Local Government Research and Development Scheme Advisory Committee for a term concluding 1 March 2015; and
3. approves updated wording to describe the composition of the Local Government Research and Development Scheme Advisory Committee.

### DISCUSSION

#### Composition of Advisory Committee

The composition of the Local Government Research and Development Scheme (LGR&DS) Advisory Committee, as approved by the LGA Board is as follows:

- Three members of the State Executive (comprising at least one Vice President)
- One metropolitan CEO and one country/regional CEO (nominated by Local Government Managers Australia and Metropolitan CEO's Association)
- One representative recommended by the relevant Trade Unions (or nominee)
- One representative recommended by SA Universities (or nominee)
- Executive Director of the Office of Local Government (or nominee)
- Executive Director of the LGA (or nominee)

The term of the three members representing the LGA Board lapsed in March 2013. These members were:

- Mayor James Maitland (LGR&DS Advisory Committee Chairperson);
- Cr Peter Jamieson; and
- Cr Jill Whittaker.

Accordingly, this report seeks nominations for members representing the LGA Board for a new term concluding 1 March 2015.

Mayor Maitland and Cr Whittaker, as continuing members of the LGA Board, are eligible for re-appointment.

#### **Updated wording to describe membership of the Advisory Committee**

Recent changes have made it necessary to update the wording that describes the composition of the Local Government Research and Development Scheme Advisory Committee. Those consequential changes are:

<b>Current wording</b>	<b>Consequential new wording</b>
"Three members of the State Executive"	"Three members of the LGA Board"
"Executive Director of the Office of Local Government (or nominee)"	"The manager of the Public Service administrative unit responsible for advising the Minister to whom the <i>Local Government Finance Authority Act 1983</i> is committed (or that manager's nominee)"





## LOCAL GOVERNMENT RESEARCH & DEVELOPMENT SCHEME ADVISORY COMMITTEE

### COMPOSITION AND MEMBERSHIP

The State Executive Committee established the Local Government Research and Development Advisory Committee to provide advice, consult with Councils and manage the activities and projects supported by the Research and Development Scheme under the guidance of the LGA State Executive Committee.

The composition of the Advisory Committee, approved by the State Executive Committee, is as follows:

- Three members of the State Executive (comprising at least one Vice President)
- One metropolitan CEO and one country/regional CEO (nominated by Local Government Managers Australia and Metropolitan CEO's Association)
- One representative recommended by the relevant Trade Unions (or nominee)
- One representative recommended by SA Universities (or nominee)
- Executive Director of the Office of Local Government (or nominee)
- Executive Director of the LGA (or nominee)

The term of membership for the Advisory Committee members is three years, but individuals may be re-appointed for further three year terms.

The Chairperson of the Committee is appointed by the State Executive Committee and is usually a member of the State Executive Committee. The Committee appoints its own Deputy Chairperson.

The current membership is as follows:

Mayor James Maitland (LGA State Executive Committee)  
 Cr Peter Jamieson (LGA State Executive Committee)  
 Cr Jill Whittaker (LGA State Executive Committee)  
 Mr Russell Peate (Country/Regional CEO)  
 Mr Mario Barone (Metropolitan CEO)  
 Mr Mick Petrovski (Office for State/Local Government Relations)  
 Ms Katrine Hildyard (Local Government Unions)  
 Professor Edgar Carson (South Australian Universities)  
 Ms Wendy Campana (Local Government Association)

<b>Adopted:</b>	<b>January 1999</b>
<b>Membership Amended:</b>	<b>September 2000</b>
<b>Membership Amended:</b>	<b>March 2001</b>
<b>Membership Amended:</b>	<b>February 2002</b>
<b>Membership Amended:</b>	<b>November 2003</b>
<b>Membership Amended:</b>	<b>June 2004</b>
<b>Membership Amended:</b>	<b>August 2005</b>
<b>Membership Amended:</b>	<b>February 2006</b>
<b>Membership Amended:</b>	<b>February 2007</b>
<b>Membership Amended:</b>	<b>August 2007</b>
<b>Membership Amended:</b>	<b>May 2009</b>
<b>Membership Amended:</b>	<b>July 2009</b>
<b>Membership Amended:</b>	<b>March 2010</b>
<b>Membership Amended:</b>	<b>August 2010</b>

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Item: BO160513/10.1  
DME: 99509

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Adam Gray)

**KEY RESULT AREA 3:** Facilitating and supporting continued capacity building in Councils

**STRATEGY 3.E:** Exploit opportunities for collaboration and shared services between Local Government and the other spheres of government, which recognise Councils' contributions to the economic, social, cultural, and environmental wellbeing of SA communities.

**ANNUAL PRIORITY 3.3:** Primarily through the Local Excellence program, build Council capacity in areas such as:

- water security;
- waste management; and
- environmental services.

**RE:** ENERGY, WASTE AND WATER ENTITY

### RECOMMENDATION

That the LGA Board:

1. notes the report;
2. endorses the LGA Secretariat investigating options for the establishment of a Local Government entity for the delivery of waste, water and energy initiatives;
3. endorses the LGA Secretariat entering into officer level negotiations with the State Government on delivery of potential waste, water and energy reform activities; and
4. receives an update report at the July LGA Board meeting on the LGA Secretariats findings and / or progress to date.

### DISCUSSION

On 20 December 2012, the then South Australian Treasurer, Hon Jack Snelling, MP delivered a mid-year review of the 2012 / 2013 South Australian budget. This budget review showed that Zero Waste SA would cease operations in June 2015; a decision that was made without any prior consultation with Local Government, the waste management industry, or key stakeholders. The LGA released a media release on the same day responding to implications of the review.

Since then, the LGA has held discussions with the Minister for Environment and Conservation, Minister Ian Hunter MLC, and the Treasurer, the Hon. Jay Weatherill MP

around the future opportunities for the delivery of waste management initiatives and the financial implications for State and Local Government.

Feedback from Minister Hunter indicates that the Government is seeking to take the operations of Zero Waste SA to a 'higher level', by outsourcing it to outside of Government. Minister Hunter has expressed his desire to consult closely with all stakeholders, particularly the Local Government Association regarding any new structure and functions.

It is not clear at this stage what the intended State Government waste management policy arrangements will be beyond June 2015 (aside from functions being outsourced), except that there is an indication that a \$1 million per annum payment will be made from the State to a new organisation, and that current Solid Waste Levy (SWL) and Waste to Resources Fund (WRF) legislative arrangements (including expenditure authority) will remain until June 2017.

The LGA sees this as an opportunity to discuss with the State how Local Government may be able to take advantage of this situation for the benefit of the sector, by returning funds from the SWL and WRF directly back to Councils, potentially via the LGA.

While this would primarily be for the purposes of continually improving waste management, opportunities may exist for investment in other sustainability focused programs and initiatives including carbon, water and energy.

This may include, but not limited to:

- further enhancing Councils' ability to solve complex waste management challenges through delivery of research, development, marketing and community education;
- implement innovative solutions to specific issues, such as waste management services delivered to medium and high density residential premises and difficult to handle waste streams (e.g. e-waste and hazardous household waste);
- implement uniform food waste diversion systems across South Australia;
- investigate the opportunities and benefits that may arise from Councils servicing commercial premises;
- investigate cutting edge technology in the waste management sector, such as waste to energy generation and rapid thermophilic digestion of compostable materials;
- investigate opportunities for Councils in energy efficiency and energy generation via low emission or renewable energy technology options;
- provide the structure and function required to support Local Governments' participation in the global Carbon market, either via the generation or acquittal of carbon credits (or both); and
- investigate, identify and potentially seed fund opportunities that drive strategic reform (including infrastructure investment, research and development and financing options) in Local Government waste, water and energy activities.

To administer and manage such an agenda, and potentially process State and Local Government finances, it is prudent for the LGA to investigate the most appropriate structure, function and governance arrangements required by such an entity.

Item: BO160513/10.2  
DME: 99621

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Victoria Brown)

**KEY RESULT AREA 3:** Facilitating and supporting continued capacity building in Councils.

**STRATEGY 3.B:** Provide resources and advice to assist Councils to build strength and optimise their capacity to meet community expectations particularly through the LGA's 'Local Excellence' program.

**ANNUAL PRIORITY 3.3:** Primarily through the Local Excellence program, build Council capacity in areas such as climate change.

**RE:** CLIMATE CHANGE STRATEGY 2008-2012 REVIEW

### RECCOMENDATION

That the LGA Board:

1. notes the report;
2. recognises the achievements to date;
3. endorses the LGA Secretariat in undertaking a review of the LGA Climate Change Strategy and State and Local Government Climate Change Sector Agreement; and
4. endorses the proposed review schedule.

### INTRODUCTION

The LGA Climate Change Strategy and State and Local Government Climate Change Sector Agreement were established for a four year period from 2008-2012 and are now due for review. The LGA Secretariat proposes to undertake an extensive consultation process between May and the LGA Board meeting on 12 September 2013, to review the outcomes of both Strategies and prepare a revised strategy for consideration of members.

The purpose of this report is to provide the LGA Board with an outline of the proposed review process.

### DISCUSSION

The LGA Climate Change Strategy and State and Local Government Climate Change Sector Agreement have been very successful in delivering a number of key resources for Councils.

These include but are not limited to:

- \$70,000 EnergyMark trial with the CSIRO;
- finalisation of the LGAMLS Climate Adaptation Program;
- finalisation of the \$740,000 National Climate Change Adaptation Research Facility (NCCARF) assessment of climate impacts on Council assets and infrastructure;
- finalisation of the \$340,000 Department of Climate Change and Energy Efficiency (DCCEE) Coastal Adaptation Decision Pathways project;
- preparation of Guidelines for developing a Climate Change Action Plan;
- preparation of Guidelines for Councils developing Climate Change Adaptation Plans and undertaking Integrated Climate Change Vulnerability Assessments;
- delivery of the two year Solar Councils Pilot program and the associated 13 renewable energy projects funded by the Solar Innovation Fund; and
- support and resources for Councils in understanding the implications of the Commonwealth Clean Energy Futures Policy Package, including the Carbon Price and funding programs.

The LGA recognises that although these Strategies have been successful in delivering a number of tools / resources and support programs, there is still a considerable amount of work to be undertaken in assisting Councils to develop and implement climate change adaptation and mitigation measures at the local level.

As well as scrutinising the performance of the Strategies, including the strengths and weaknesses of the approach taken over the last five years, the LGA Secretariat aims to identify the barriers that remain to effective implementation of adaptation measures, and focus future resources on developing enabling actions to overcome those barriers.

Through the development of climate initiatives over the past five years, many Councils are now ready to implement policies and plans, only to find that they are impeded in their actions. The LGA has undertaken, and participated in research in conjunction with organisations such as the Department of Environment, Water and Natural Resources (DEWNR), DCCEE and NCCARF to determine what the impediments are, and how they can be overcome.

This on-going research identifies that barriers exist in four main thematic areas:

- poor understanding of the risks associated with climate change impacts;
- inconsistent governance structures and lack of communication and coordination;
- inconsistent definitions and approaches; and
- competing priorities in planning and response in areas such as staffing and funding.

The LGA Secretariat proposes to develop a discussion paper that will first tackle the review of the existing Strategies and associated programs and will then focus debate around the issues currently being faced by Local Government. This includes issues identified by the LGA MLS Climate Adaptation Project (MLSCAP) please refer to the separate report in this agenda.

The discussion will be centred on the four themes outlined above and will allow stakeholders to define local issues in this context. The LGA Secretariat proposes to release this Strategy review discussion paper in mid May in conjunction with the final summary report from the LGA MLS CAP for consultation with Councils for a period of four to six weeks.

The discussion paper and feedback from Councils will be thoroughly debated at an LGA workshop in June, where an “optioneering” exercise will be undertaken to determine the best approach to tackling issues raised during the consultation process.

The outcome of the workshop will be an agreed set of 'preferred options' or ways that Councils would like the LGA to approach the issues that they have raised as part of the consultation process. These preferred options will then form the basis of a report for consideration of the September meeting of the LGA Board. The final proposal for how the LGA Strategy and Sector Agreement with the State should proceed and the final review of the 2008-2012 Strategy will be completed for consideration of the October 2013 LGA Annual General Meeting.

The LGA Secretariat will provide an update of the review progress for consideration of the July LGA Board meeting.

Review Timescale:

Action	Date
<b>Release Discussion Paper</b>	<b>23/05/2013</b>
<b>Conduct Workshop</b>	<b>12/06/2013</b>
<b>Provide LGA Board Feedback on Consultation</b>	<b>18/07/2013</b>
<b>Provide LGA Board Final Recommendations</b>	<b>12/09/2013</b>
<b>Present Final Report at LGA AGM</b>	<b>25/10/2013</b>

Item: BO160513/10.3  
DME: 99588  
Attachment: 99812 under separate cover

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Victoria Brown / Adam Gray)

**KEY RESULT AREA 3:** Facilitating and supporting continued capacity building in Councils.

**STRATEGY 3.B:** Provide resources and advice to assist Councils to build strength and optimise their capacity to meet community expectations particularly through the LGA's 'Local Excellence' program.

**ANNUAL PRIORITY 3.3:** Primarily through the Local Excellence program, build Council capacity in areas such as climate change.

**RE:** LGA MUTUAL LIABILITY SCHEME CLIMATE ADAPTATION PROJECT (MLS CAP) FINAL REPORT

### RECOMMENDATION

That the LGA Board:

1. notes the report;
2. receives the Final Summary report from the LGA MLSCAP; and
3. endorses the proposed review process.

### DISCUSSION

A nationally recognised project for the LGA has been the delivery of the LGA Mutual Liability Scheme Climate Adaptation Project (MLSCAP). Established in mid-2008, the program provided all South Australian Councils with a framework to understand the risks of climate change to their business operations and to plan ways to adapt in the short and long term.

Individual Council assessments were completed for all but four Councils and have enabled the Local Government Association Mutual Liability Scheme (LGAMLS) to develop a 'climate adaptation' profile for South Australian Local Government. South Australia is the only State that has been able to develop a sound sector-wide risk profile based on the Australian Governments climate adaptation criteria.

The LGA MLS completed the final report for the program on 13 March 2013 and available under separate cover from <http://www.lga.sa.gov.au/site/page.cfm?u=495&c=26797>.



The main findings of the Final report include:

1. The final stages of the MLSCAP have not revealed any major shift in identified trends since the Interim Report was issued in July 2010;
2. The sector wide issues identified in the Interim Report remain at the forefront. Those issues are:
  - Natural Disasters- Emergency Management;
  - Asset & Infrastructure (including trees) Management;
  - Communication and Network Management;
  - Employees and Volunteer Management;
  - Council as the Community Leader (not the Hazard Leader);
  - Health, Welfare and Safety of the Community; and
  - Financial Management (including Insurance options);
3. The Program identified seven areas of Council operations that were repeatedly identified as requiring high priority local adaptation measures. The seven areas are:
  - Development Planning;
  - Asset and Infrastructure Management;
  - Emergency Management;
  - Sustainability and Environmental Management;
  - Community Services and Recreational Facilities;
  - Health and Wellbeing; and
  - Council prosperity;
4. The conclusion highlights a number of potential barriers that the program has identified, which include:
  - lack of clarity regarding roles and responsibilities for Councils climate adaptation activities;
  - many Councils do not have the capacity to effectively plan for and implement adaptation responses and most face financial and resource constraints; and
  - legal liability uncertainty and concerns appearing to be hindering adaptation for many Councils.

There have been many direct benefits for members participating in the MLSCAP. ninety-eight percent of South Australia's Councils now have a completed risk assessment that they can use as a platform on which to develop adaptation action plans.

Many partnerships have been established (regionally / LGA / State and Federal Government / Insurance Industry) which will continue to reap benefits long after the finalisation of the program. Alliances have also been formed as part of the process that will continue to increase efficiencies through Councils which have participated in the program working together more frequently.

The final summary report from the MLSCAP will also inform other LGA initiatives and will form a significant component of the proposed review of the LGA Climate Change Strategy and State and Local Government Climate Change Sector Agreement to be undertaken during 2013.

Item: BO160513/10.4  
DME: 99513  
Attachment: 99562

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – David Hitchcock)

**KEY RESULT AREA 2:** Achieving greater influence for Local Government in matters affecting local communities.

**STRATEGY 2.A:** Develop a partnering culture and build strong relationships with State and Federal Governments, Members of both Parliaments, media, industry groups, and other relevant individuals and organisations which deliver better outcomes for communities.

**ANNUAL PRIORITY 2.1:** Develop and implement the LGA’s State Election Strategy in consultation with Councils, including identifying key policy areas for promotion.

**RE:** INFRASTRUCTURE SA

### RECOMMENDATION

That the LGA Board:

1. receives the report;
2. notes the release of the State Liberal party announcement of the *Infrastructure SA* policy (available from <http://www.lga.sa.gov.au/site/page.cfm?u=495&c=26797>); and
3. authorises the LGA President writing to the Opposition Leader providing feedback on the document.

### DISCUSSION

On 18 April 2013 Steven Marshall MP, State Liberal Leader announced, if elected in March 2014, a Marshall Liberal Government would establish *Infrastructure SA*.

*“Infrastructure SA will be an independent statutory body that will oversee and coordinate all major infrastructure projects in Adelaide and throughout the state. The body will ensure every dollar spent on infrastructure is a dollar driving the state forward and growing the economy.”*

The policy proposes *Infrastructure SA* would be responsible for assessing and coordinating all major infrastructure projects. It would:

- develop a 25 year Infrastructure Strategy prioritising major infrastructure projects. The Strategy would complement the 30 year Plan and would be tabled in Parliament and reviewed every five years to promote transparency;
- develop rolling five year infrastructure plans to underpin the State's long-term Infrastructure Strategy. The five year plans would be published publicly to increase Government accountability and would provide a pipeline of projects that are fully costed;
- foster a stronger relationship with Infrastructure Australia to ensure stronger coordination of Federal and State Government funding;
- undertake a cost benefit analysis of all major infrastructure projects;
- provide funding and procurement advice to the Government on infrastructure projects, with the final decision ultimately made by Cabinet;
- be governed by a board of at least five people, including a minimum of two members with significant industry experience, two senior public servants and an independent chair;
- be funded from within existing resources, with the exception of establishment costs; and
- be staffed by existing public servants from the planning and major project units of Government agencies.

Following release of the new policy, the new LGA President, Mayor David O'Loughlin, provided a media response welcoming the announcement. Mayor O'Loughlin's release also noted the Opposition proposals match fairly closely to the LGA's 2010 election platform which called for the 2010 - 2014 State Government to work with Local Government and the LGA to set up 'Infrastructure SA'.

The LGA President will now be writing to the Opposition Leader providing feedback on the document and seeking further discussion on the following key issues:

- there is a clear absence of reference to Local Government either as a partner or as a sphere of Government to be engaged in the Strategy;
- local Councils now have asset management plans and long term financial plans and any 25 Year Infrastructure Strategy must include consideration of these plans to develop a suitable investment strategy; and
- the Board of Governance for Infrastructure SA should include Local Government representation to facilitate a collaborative investment regime.

A copy of the *Infrastructure SA Policy* is available from <http://www.lga.sa.gov.au/site/page.cfm?u=495&c=26797>.

Item: BO160513/10.5  
DME: 99512  
Attachment: 99033

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – David Hitchcock)

**KEY RESULT AREA 3:** Facilitating and supporting continued capacity building in Councils.

**STRATEGY 3.D:** Seek increased funding for Councils to assist them with the provision of services and infrastructure to meet community expectations.

**ANNUAL PRIORITY 3.4:** Participate in the Australian Government’s review of the Financial Assistance Grants program to obtain a more equitable share of resources for South Australian Councils.

**RE:** SOUTH AUSTRALIAN LOCAL GOVERNMENT GRANTS  
COMMISSION METHODOLOGY REVIEW

### RECOMMENDATION

That the LGA Board:

1. receives the report; and
2. endorses the LGA submission to the South Australian Local Government Grants Commission Methodology Review.

### DISCUSSION

The South Australian Local Government Grants Commission (the Commission) has commenced a review of the entire methodology it uses to determine its recommendations for the distribution of Commonwealth FAGs to local governing authorities in South Australia.

The review is being undertaken by KPMG which is consulting with all South Australian Councils and is expected to be completed by June 2013. A copy of the Review Terms of Reference is available via LGA Circular 51.7.

This review is the first major review of the South Australian methodology undertaken since 1996 - 1997. The broad aim of the project is to ensure that the Commission's methodology, as a whole, is appropriately assessing each Council's capacity to raise revenue and need for expenditure in accordance with National Principles established under the Commonwealth *Local Government (Financial Assistance) Act 1995*.

The LGA has sought Council feedback via LGA Circular 51.7 to assist in the development of the LGA submission to the review. In addition to providing a submission, the LGA is also contributing to the Commission Methodology Review Working Group, which has been established to consider Council feedback and to further explore issues identified. LGA staff have also met with KPMG staff to provide input to the review process.

This final draft submission has now been completed and includes the following key issues:

- recognition that notwithstanding the efforts the Commission undertakes to ensure it is applying fiscal equalisation as scientifically as possible, it is constrained by the fact that the national funding pool is inadequate to meet that objective;
- support for a requirement for the Commission to facilitate high levels of transparency and communication to improve understanding of how it applies its methodology to determine grants;
- summation of Council feedback relating to:
  - understanding of the complexity of the model used by the Commission; and
  - relevance of current expenditure functions and cost drivers;
- the LGA policy in relation to Intergovernmental Finances, the Commission and untied and specific purpose grants; and
- that the LGA would like to explore with the Commission how it might be able to work together collaboratively in the future to address findings from the methodology review.

This report seeks endorsement of the attached LGA submission.



## **METHODOLOGY REVIEW**

# **SUBMISSION TO THE SOUTH AUSTRALIAN LOCAL GOVERNMENT GRANTS COMMISSION**

**APRIL 2013**

NOTE: NOTE: This is not an endorsed LGA Board document. It has been prepared by the LGA Secretariat for consideration at the LGA Board meeting on 16 May 2013

## Methodology Review

### INTRODUCTION

#### Local Government Association of SA (LGA)

The LGA is a membership organisation for all Councils in South Australia and is the voice of Local Government in this State. The LGA is created by Councils and endorsed by the South Australian Parliament through the *South Australian Local Government Act 1999* and is recognised in 29 other South Australian Acts.

All 68 Councils are members of the Association, as are Anangu Pitjantjatjara Yankunytjatjara and the Outback Communities Authority (as associate members).

The LGA provides representation, quality service and leadership relevant to the needs of member Councils. The LGA also operates specific units / entities providing:

- all public liability and professional indemnity cover for all South Australian Councils;
- all workers compensation cover for all South Australian Council employees;
- all asset cover for South Australian Councils; and
- extensive education and training; procurement; online services and a research and development scheme.

The LGA is involved in the operation of (and establishment of):

- the Local Government Finance Authority;
- StatewideSuper – Trust the Local; and
- Public Library Services.

The LGA has a formal State / Local Government Relations Agreement with the Premier of the State, and is a constituent member of the Australian Local Government Association.

#### Local Government in South Australia

Local Government in South Australia comprises 68 Councils of which 19 are metropolitan Councils and 49 are rural or regional Councils. A large land area of the State is not incorporated under the Local Government Act but for the purposes of the Commonwealth Local Government (Financial Assistance) Act comprises five Aboriginal communities and the Outback Communities Authority.

The Constitution Act 1934 (SA), the Local Government Act 1999 (SA), and the Local Government (Elections) Act 1999 (SA) and the City of Adelaide Act 1997 (SA), create the primary legal framework within which Local Government operates and the four-yearly election process which underpins the representative nature of Councils in this State.

The Local Government system in South Australia is integral to the democratic system of Government in Australia which provides vital economic, social and environmental support for communities.

In 2011-12, South Australian Councils were managing in excess of \$20 billion of community infrastructure and other assets and incurred operating expenses of \$1.8 billion. Councils receive significant Commonwealth Government and limited State Government funding and work in partnership with those spheres of government at the local level for communities.

Local Government in South Australia generally is typified by:

- high standards of operational competence and accountability;
- sharing resources, working consultatively and cooperatively with other Councils and other spheres of Government;

- low levels of indebtedness and conservative management of finances; and
- expanding roles and increases in standards of service to respond to community demands, other Governments and service gaps.



## LGA SUBMISSION

This submission includes the following key issues:

- recognition that notwithstanding the efforts the Commission undertakes to ensure it is applying fiscal equalisation as scientifically as possible, it is constrained by the fact that the national funding pool is inadequate to meet that objective;
- support for a requirement for the Commission to facilitate high levels of transparency and communication to improve understanding of how it applies its methodology to determine grants;
- summation of Council feedback relating to:
  - understanding of the complexity of the model used by the Commission; and
  - relevance of current expenditure functions and cost drivers;
- the LGA policy in relation to Intergovernmental Finances, South Australian Local Government Grants Commission (the Commission) and untied and specific purpose grants; and
- that the LGA would like to explore with the Commission how it might be able to work together collaboratively in the future to address findings from the methodology review.

## DISCUSSION

The Commonwealth Government raises the bulk of taxation revenue raised by the three spheres of government in Australia (82%) and distributes funds to State and Local Government to enable the delivery of services. About 60% of Commonwealth grants to the South Australian Government are untied and are allocated on the basis of fiscal equalisation principles. The remaining 40% of grants are allocated for specific purposes mainly on a population share basis. Grants from the Commonwealth distributed to Local Government are largely through the states based on population share (and, since the mid 1990's, have been increasing only in line with population and inflation movements and have not recognised additional Local Government activities and an increasing community demand for services). The largest component of Commonwealth funding to Local Government is the general purpose pool of Financial Assistance Grants (FAGs), 70% of which is required to be distributed intra-state on the basis of fiscal equalisation principles (i.e. recognising the capacity of a local area to raise revenue and the relative cost of providing services).

FAGs are un-tied in the hands of Councils and are intended to improve Councils' capacity to provide communities with an equitable level of services and to increase the effectiveness and efficiency of Local Government.

The Commission is responsible for making recommendations to the South Australian Minister for State/Local Government Relations on the distribution of untied Commonwealth financial assistance grants to local governing authorities in South Australia in accordance with complimentary Federal and State legislative requirements.

The Commission distributes the general purpose component of Commonwealth FAGs across Councils using the following principles:

- **Horizontal Equalisation** - defined by the Local Government (Financial Assistance) Act, 1995. This seeks to ensure that each local governing body in the State/Territory is able to function by reasonable effort, at a standard not lower than the average standard of other local governing bodies in the State. It takes account of differences in the expenditure required by those local governing bodies in the performance of their function and in the capacity of those local governing bodies to raise revenue.
- **Effort Neutrality** - as far as practicable, policies of individual local governing bodies in terms of expenditure and revenue effort will not affect the grant determination.
- **Minimum Grant** - The minimum general purpose grant allocation for a local governing body will be not less than the amount to which the local governing body

would be entitled if 30% of the total amount of equalisation component funds for the State/Territory were allocated on a per capita basis.

- **Other Grant Support** - Other relevant grant support provided to local governing bodies to meet any of the expenditure needs assessed should be taken into account using an inclusion approach.
- **Aboriginal Peoples and Torres Strait Islanders** - Financial assistance shall be allocated to councils in a way that recognises the needs of Aboriginal and Torres Strait Islander people within their boundaries.
- **Council Amalgamation** – transitional arrangements to ensure that newly formed Councils are not financially disadvantaged as a result of amalgamation.

The Commission uses 19 expenditure items as part of its approach in calculating the intrastate distribution of general purpose grants among Councils, as indicated in Table 1. The largest expenditure amounts are in Sport and Recreation, Sealed Built Up Roads – Footpaths, Sealed Built Up Roads, Waste Management, and in Libraries, Sealed and Unsealed non Built Up Roads.<sup>1</sup> Table 1 also indicates the state-wide expenditure involved.

Table 1: Expenditure Categories, and State Level Expenditure	State Wide Expenditure on Item (\$m)	Propn of Total Expenditure	Unit of Measure
Waste Management	84.1	10.5%	Number of Residential Properties
Aged Care Services	24.9	3.1%	Population Aged > 65 years
Services To Families & Children	14.2	1.8%	Population Aged 0-14 years
Health Inspection	5.9	0.7%	Establishments to Inspect
Libraries	63.0	7.8%	Number of Library Visitors
Sport and Recreation	124.1	15.4%	Population Aged 5-49 years
Sealed Built up Roads	87.6	10.9%	Sealed Built Up Kms
Sealed non Built Up Roads	60.2	7.5%	Sealed Non Built Up Kms
Sealed Built Up Roads - Footpaths etc	99.9	12.4%	Sealed Built Up Kms
Unsealed Built Up Roads	1.0	0.1%	Unsealed Built Up Kms
Unsealed Non Built Up Roads	63.7	7.9%	Unsealed Non Built Up Kms
Unformed Roads	2.0	0.2%	Unformed Kms
Stormwater Drainage – Maintenance	35.2	4.4%	No. of Urban, Industrial & Commercial Properties (excl exempt)
Community Support	38.1	4.7%	Population x CRI(SEIFA Index of Advantage/Disadvantage)
Jetties and Wharves	0.9	0.1%	Number of Jetties and Wharves
Public Order and Safety	13.1	1.6%	Total Number of Properties
Planning & Building Control	38.7	4.8%	Number of New Developments & Additions
Bridges	3.0	0.4%	Number of Bridges
Other Special Needs	44.4	5.5%	
<b>Total</b>	<b>804.0</b>	<b>100%</b>	

Source: Calculations based on the Commissions data.

<sup>1</sup> The sum of expenditures on these items is \$0.8 billion; relative to total spend by Local Government in SA of \$1.8 billion. These standard expenditures exclude expenditure funded from other sources – including tied grants, or commercial activity.

It is noted that the drivers or units of measure that are used as a basis for the distribution model are all historic and static in nature – they are “stock” variables such as population, number of residential properties, road length etc. Some costs (and revenues) will be driven by changes in these variables (or “flow” variables) rather than the variable itself.

In the expenditure calculations there are disability factors applied for roads, stormwater and waste management, but not for the other items “Other Special Needs” – which is a sizeable factor in the weighting - is not directly included as component of the model itself – but is used as a qualitative factor based on the Commission’s experience (i.e. The Commission’s so-called “Function 50”).

The Commission is currently undertaking a review of the entire methodology it uses to determine recommendations for the distribution of Commonwealth Financial Assistance Grants to local governing authorities in South Australia.

### **Fiscal Equalisation**

All Councils in South Australia have supported the representations which the LGA has made over many years to have equalisation principles applied to the interstate distribution of FAGs. There also is support for the application of fiscal equalisation to the intrastate distribution. To the extent that there may be differences of views between Councils in South Australia, they relate to secondary but admittedly significant issues (i.e. on the question of the minimum grant arrangements or on the details of some of the Commission’s calculations). However, any differences only arise because of the inadequacy of funds available.

The LGA appreciates that the insufficient quantum of available funding means that fiscal equalisation does not apply anywhere near adequately to the Local Government sector (as distinct from full equalisation for State and Territory Governments). Nevertheless, existing funding levels are significant and certainly have beneficial effects in terms of assisting Councils with lesser capacity to raise revenue and / or higher expenditure needs to operate at standards closer to those financially stronger Councils than would otherwise be possible. For example, the existing arrangements have reduced the gap between financially stronger metropolitan Councils on one hand and rural and remote Councils with lower socio-economic status on the other.

Most State Commissions use similar models to achieve their grant distribution outcomes. The South Australian Commission is one of only two Commissions that use the direct assessment method while other states use the balanced approach. Nevertheless, in South Australia, the mathematical form of the model, in principle, would achieve equalisation but for insufficient funding.

### **Cost of delivery, level of service**

The LGA is acutely aware that, in most regional and remote communities in South Australia, inadequate equalisation is reflected in significant differences in service levels compared with metropolitan areas. The effect of this is to compound the socio-economic problems which exist in the less financially advantaged Councils, indigenous communities and the Outback Communities Authority severely limit their abilities to help towards reducing those problems. There remains, therefore, a significant challenge for the Commission in determining which Councils miss out when there is inadequate funding in the total pool to equalise all Councils. Nevertheless, the current methodology does not appear to adequately address the disadvantage factors specific to certain Councils as a result of their location and community environment.

Examples provided to the LGA by some Councils are:

- Transient population use – Tourism: Large influxes of tourist to coastal and regional areas result in additional service costs being met from the small residential population.
- Environmental processes - Councils with coastal land are required to maintain coastal processes for the benefit of State and National aspirations. Small residential communities are required to fund these costs.
- Availability of services (such as aged care and transport) - Regional areas have significant cost imposts to access remote services with little or no transport options.
- Regional and remote Councils experience higher operating and infrastructure costs due to premiums charged for service delivery at distance from Adelaide. One Council indicated a 30% premium on costs is experienced; and
- Cost of legislation - In relation to the new SA Water Industry Act 2012, an example provided by one small regional Council indicated that a new \$1,000 water licence equated to an additional cost of \$1.07 per ratepayer however when compared to a Council as large as Onkaparinga their indicative cost was \$0.01 per ratepayer.

### **Transparency and communication**

It occurs to the LGA that, despite the considerable efforts of the Commission, very few people in the South Australian Local Government sector have a good understanding of the Commission's methodology and, most importantly, fiscal equalisation principles. The LGA submits that much more should be done to ensure that all stakeholders better understand the national principles and how the Commission interprets them. It is suggested that a better understanding would result in the Commission's processes of distributing grants between Councils being more widely supported.

The LGA would like to explore with the Commission how it might be able to work together collaboratively in the future to address the existing shortcomings. More fundamentally, for further consideration it is suggested whether it might be better if the Commission published all of its calculations so that all stakeholders can see how the grants of individual Councils are determined relative to other Councils. Such an approach certainly would help improve the accountability and scrutiny of Commission's decisions.

### **Council responses**

Regional and remote Councils experience higher operating and infrastructure costs due to premiums charged for service delivery at distance from Adelaide. One Council indicated a 30% premium on costs is experienced and suggested that suitable weighing be included in funding allocations to recognise this.

In relation to the new Water Industry Act 2012 legislation, an example provided by one small regional Council indicated that a new \$1000 water licence equated to an additional cost of \$1.07 per ratepayer however when compared to a Council as large as Onkaparinga their indicative cost was \$0.01 per ratepayer

Property valuations are not seen as a reliable indicator of a communities capacity to pay. The Commission utilises capital property values in estimating "available income" and capacity to pay. Quite often it is the case that the high capital value areas, such as beach frontage / coastal locations or iconic positions are owned by absentee landowners. This consideration has a marked effect on the funding allocations (higher valuations usually mean reduced funding) and results in too much disparity between allocations to like Councils, which notwithstanding the pockets of high valuation, provide similar services to similar numbers of resident land owners.

One large metropolitan Council noted previous changes to the methodology with change to using depreciation as opposed to capital works has had a considerable impact on the long term funding allocation received. It was noted this does not reflect the infrastructure and

service demands to support growth in the short term and use of depreciation is unreliable being based on a range of policy decisions in relation to valuation and accounting estimates.

Councils generally indicated that “fairness” is the most desirable characteristic of the current distribution methodology. Concern with any large variations or discrepancies was also highlighted as stability and predictability of the program was seen as most important in relation to long term financial reporting.

It is also suggested it would be beneficial to test the accuracy of the data being provided by Councils to the Commission to facilitate transparency and confidence in the information provided.

Concern was indicated with the application of “function 50”, in that it appears to be a catch all category for unmeasurable disadvantages experienced by Council. This appears to lack transparency.

Councils would appreciate a more timely release of the Database reports with 31 December “year end” release being one suggested timeframe. The LGA acknowledges, of course, that the current delays are attributable almost entirely to delays in response and data quality issues with information provided to the Commission by a number of Councils. The LGA would be pleased to work with the Commission and the Local Government Financial Management Group in the future to develop a strategy to address these long-standing problems.

In regard to other issues relating to data requirements one Council noted the opportunity for the Commission to expand its level of service through enhanced data collection and analysis e.g. use of a suitable portal to facilitate comparative analysis, benchmarking and trend analysis.

**CURRENT LGA POLICY****The Local Government Association of South Australia (LGA) Policy Manual**

The Local Government Association of South Australia (LGA) Policy Manual is a guide to the policies of Local Government in South Australia. The principles and policies contained in the manual represent positions adopted by a majority vote of member Councils at the General and Annual General Meetings of the LGA. Individual Councils are not bound by the LGA's policies, but the policies do represent the 'sector wide' opinions of Local Government in South Australia.

LGA SA policy relating to issues concerning the review includes:

**6.5 INTERGOVERNMENTAL FINANCES**

- 6.5.1 Federal and State governments should accept the principle of equitable revenue sharing with Local Government. Accordingly, Local Government is entitled to receive a guaranteed share of Federal taxation.
- 6.5.2 The vertical fiscal imbalance between the Federal, State and Local Governments must be addressed.
- 6.5.3 Local Government supports the Australian Local Government Association's positive involvement in the negotiation of a tripartite Intergovernmental Agreement and ongoing Council of Australian Government (CoAG) processes to expose and minimise cost shifting and encourage good practice behaviour between governments.
- 6.5.4 The Federal Government should not attempt to reduce tax sharing percentage levels or tie those funds derived from shared tax revenues to specific purposes.
- 6.5.5 Local Government's revenue sharing entitlement must not be amalgamated with the State Government's revenue sharing entitlement.
- 6.5.6 Local Government's revenue sharing entitlement should be calculated as a fixed percentage of total Federal taxation. The distribution of revenue sharing entitlements for Local Government between States and Territories should be based on needs. Every Council should be guaranteed a per capita share of the funds allocated to South Australia at the level set by negotiation with the LGA. Allowance should be made for non-residential consumption of services i.e. where the per capita population funding does not reflect demands on services.
- 6.5.7 The Federal Government should determine revenue sharing with Local Government after consultation with the LGA and the State Government.
- 6.5.8 In moving to equitable sharing of revenue shares between States and Territories no State or Territory funding should be reduced in dollar terms with changes phased over time through increased funding.
- 6.5.9 The annual revenue sharing allocation should be guaranteed to be not less than if it were increased in accordance with the Consumer Price Index.
- 6.5.10 The LGA, on behalf of Councils, will engage with the State and Federal Governments early during their Budget processes regarding:
  - impacts on Local Government; and
  - specific purpose programs.
- 6.5.11 The LGA will work to ensure that State and Commonwealth Governments recognise the benefits of partnering with Councils to deliver more effective services at the local level through specific purpose grants.

## 6.6 SOUTH AUSTRALIAN LOCAL GOVERNMENT GRANTS COMMISSION

6.6.1 Distribution of grants should be a function of the SA Local Government Grants Commission with agreed LGA representation.

6.6.2 The Grants Commission must remain an independent Statutory Authority. State or Federal Governments should not have the power to override allocation decisions by the Commission.

6.6.6 Grants must be allocated between Councils with the aim of fiscal equalisation.

## 6.7 UNTIED AND SPECIFIC PURPOSE GRANTS

6.7.1 The State and Federal governments should recognise that a general system of untied revenue sharing grants is the most appropriate and effective means of financial assistance to Local Government.

6.7.2 Specific purpose grants may be appropriate:

- for local roads based on a proper assessment of needs;
- to achieve national or State objectives and priorities through Local Government participation, provided the conditions are implemented in consultation with the LGA and participating Councils. Where changes adverse to participating Councils are proposed, ample notice is to be given and, where appropriate, compensation/phasing agreed; and
- provided that Federal or State tied funding is not at the expense of the untied revenue sharing entitlement.

6.7.3 Specific purpose grants should be negotiated with the ALGA and the LGA and should be:

- program based;
- based on local/regional strategic plans;
- program wide funded; and
- based on negotiated agreements.

Item: BO160513/10.6  
DME: 99201

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Lisa Teburea)

**KEY RESULT AREA 2:** Achieving Influence for Local Government.

**STRATEGY 2.C:** Ensure Local Government perspectives regarding changes to legislation and regulations impacting on Councils are provided to State and Federal governments and Parliaments.

**ANNUAL PRIORITY 2.2:** Influence State and Federal legislation and policy on matters including planning and population growth.

**RE:** SWIMMING POOL SAFETY DISCUSSION PAPER

### RECOMMENDATION

That the LGA Board:

1. notes the report; and
2. endorses the President and CEO to finalise a submission to the Department of Planning, Transport and Infrastructure on the Swimming Pool Safety Discussion Paper based on the feedback provided by Councils.

### DISCUSSION

On 4 April 2013, the Minister for Planning and LGA President jointly released a Discussion Paper aimed at improving swimming pool safety and stamping out preventable drownings in South Australia. The Paper has been released for consultation and the Department of Planning, Transport and Infrastructure (DPTI) is seeking comments on a series of proposals that would introduce registration requirements and a new regime for swimming pool inspections. A copy of the Discussion Paper is provided with LGA Circular 14.8.

In summary, the Paper proposes that there be a requirement for all swimming pools to be regularly inspected for maintenance of safety features, Councils should be required to have an inspection policy for swimming pools and that there be a cost recovery mechanisms for swimming pool inspections by Councils. The Paper does not provide detail about how an appropriate cost recovery fee would be determined and it is considered that this is a matter in which the LGA / Treasury Working Party could provide leadership and guidance to the State.

Through the joint media release that was issued at the time the Paper was launched, the LGA has welcomed the released of the Paper. Then President, Mayor McHugh said the proposals paper canvassed all the key issues which needed review including how a higher level of inspections by private or Council staff would be resourced and a possible shortage of qualified staff.



The LGA has sought feedback from Councils and early discussions indicate a strong appreciation for the intent of the proposals, but there is some push back regarding the ever increasing regulatory responsibilities of Councils. The feedback provided by Councils will be collated in an LGA submission, which is due by 31 May 2013.

It is expected that this reform will move quickly as the Minister has been clear in his aim that changes will be in place in time for the next summer.

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Item: BO160513/10.7  
DME: 98163

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Kate Symes)

**KEY RESULT AREA 2:** Achieving greater influence for Local Government in matters affecting local communities.

**STRATEGY 2.A:** Develop a partnering culture and build strong relationships with State and Federal governments, members of both Parliaments, media, industry groups, and other relevant individuals and organisations which deliver better outcomes for communities.

**ANNUAL PRIORITY 2.7:** Identify and prioritise the Boards on which Local Government should be represented and seek representation.

**RE:** NATURAL RESOURCES MANAGEMENT (NRM) MOU REVIEW

### RECOMMENDATION

That the LGA Board:

1. notes the report; and
2. endorses the objectives of the Local Government Research and Development Scheme - NRM review Project.

### DISCUSSION

As a component of the NRM Relationships Project the LGA committed to implementing a Pilot Project with a regional LGA and regional NRM Board to develop a Memorandum of Understanding (MOU) or similar agreement for enhancing local relationships.

The then LGA State Executive Committee at its 19 November 2009 meeting endorsed the adoption of the NRM relationships MOU. The MOU process sought to establish a set of agreements and expectations between Councils and the NRM Board. The objectives of the MOU process is to recognise the relationships required between Local Government and NRM boards for the effective management of natural resources and to improve communication to enable better service delivery.

The MOU framework was finalised in 2012 and was signed by four regional LGAs (MLGG, Murray Mallee, South East and Southern & Hills). A number of Councils have also established action plans with relevant boards which sit under the MOU. In line with the MOU implementation strategy, the LGA agreed to undertake a review of the MOU and action plans to determine their effectiveness.

In February 2013 the LGA successfully applied for funding from the Local Government Research and Development Scheme (\$10,000) to conduct a review of the current NRM MOU and investigation into alternate funding options.

This project aims to investigate the effectiveness of the Memorandum of Understanding process between Councils, regional LGAs and NRM Boards and consider opportunities for building the effectiveness of Council and NRM board relationships. This project will also consider alternative options to further building the relationships between Councils and NRM Boards and investigate alternate funding options for NRM activity between NRM boards and Councils including the potential for direct funding for Council extension officers.

The LGA has meet with the Adelaide Mount Lofty Ranges (AMLR) NRM Board which has commenced a review of the MOU and action plans signed with a number of Councils. The LGA and the AMLR NRM board have agreed to work together in an effort to reduce duplication and ensure that the results from both projects are comparable.

At the 19 April 2013 General Meeting it was endorsed that the LGA Secretariat:

*“Consult with Councils to determine whether there is evidence to support legislative change to give choice regarding whether to collect, or not, the NRM levy and if supported the State Executive Committee pursue amendments to the Act”.*

This project will deliver the information required by Councils regarding options for collection of the Levy and its application. The results of the LGA NRM MOU review will be provided to the September LGA Board Meeting for consideration.

Item: BO160513/10.8  
DME: 99040  
Attachment: 99209

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Andrea Malone)

**KEY RESULT AREA 2:** Achieving greater influence for Local Government in matters affecting local communities.

**STRATEGY 2.C:** Ensure Local Government perspectives regarding changes to legislation and regulations impacting on Councils are provided to State and Federal governments and Parliaments.

**ANNUAL PRIORITY 2.2:** Influence State and Federal legislation and policy.

**RE:** DRAFT EMPLOYEE CODE OF CONDUCT, INCLUDING GIFTS AND BENEFITS

### RECOMMENDATION

That the LGA Board:

1. endorses the report; and
2. authorises the CEO and the President to finalise the submission before forwarding it to the Minister.

### DISCUSSION

The ICAC Act 2012, which includes amendments to other pieces of legislation such as the *Local Government Act 1999*, has enshrined in legislation the power to regulate a code of conduct for Council Members and employees. Mandatory codes of conduct, contained in Regulations, will apply across the Local Government sector.

A submission on the draft code of conduct for Council Members was endorsed by the State Executive Committee at its meeting in January 2013 and forwarded to the Minister. However, the section of the code on the regulation of 'gifts and benefits' has been the subject of separate consultation, together with consultation on the draft employees' code. The attached submission addresses both the feedback on the employees' code and the feedback on the gifts and benefits proposals.

The LGA has consulted widely (LGA Circulars 8.5, 8.7, February 2013) on a draft code of conduct for employees, prepared jointly by representatives from Local Government and the Office of State/Local Government Relations (OSLGR). A working party was established to consider the draft code, with representatives drawn from Council CEOs, Human Resources Managers, the LGA Secretariat and OSLGR.

The LGA received nine comments on the gifts and benefits section of the code and six comments on the employees' draft code. A number of the submissions contained detailed

'wordsmithing', with proposals for particular wording changes to various clauses of the draft code. Based on the fact that the draft code has undergone a number of iterations through feedback from working party members, which included majority representation from Local Government, proposals for wording changes have only been included in this submission where there has been a substantial level of support for the change and does not conflict with the submissions made on the same provisions in the Members' code.

The attached draft submission distils the key issues raised by the majority of Councils.



**LGA Submission**

**Draft Code of Conduct for Council Employees**

**May 2013**

## **INTRODUCTION**

The Local Government Association has consulted with its member Councils on the proposed draft code of conduct for Council employees, together with the re-drafted gifts and benefits section common to both the Member and employee code. The draft employee code was developed jointly by a working party of representatives from the Office of State/Local Government Relations (OSLGR) and Local Government, including CEOs and Human Resources Managers.

## **GENERAL COMMENTS**

There were few substantive issues raised in the feedback received from Councils. Some of the submissions contained detailed 'wordsmithing', with proposals for particular wording changes to various clauses of the draft code. These proposed wording changes were often similar to comments made in relation to the earlier Members' draft code, on which the employee code has been loosely based. As the draft code has undergone a number of iterations through feedback from working party members, which included majority representation from Local Government, proposals for wording changes have only been included in this submission where there has been a substantial level of support for the change and the wording is not common to both the Members' code and the employees' code.

## **COMMENTS ON EMPLOYEE CODE**

### **Definitions**

A number of Councils raised the issue of including definitions in the code, particularly in relation to defining an 'employee'. This is a difficult issue, as what constitutes an 'employee' is defined through the taxation system and is based on weighing up a number of factors in each situation. Only those who meet these criteria are regarded as 'employees' of a Council. Other workers are treated differently at law, including contractors and volunteers. These latter workers will be excluded from the code by virtue of the fact that they are not subject to the *Local Government Act 1999*. The exception to this general rule is contained in section 120 of the *Local Government Act* which extends the definition of an employee to cover 'consultants' for the purposes of the conflict of interest provisions. However, contractors can be made subject to the code through Councils' contractual arrangements and volunteers can be asked to sign up to the code or risk dismissal from their volunteer roles. This will remain a matter for each Council to decide and further explanation of this should be included in the explanatory paper accompanying the code.

### **Submission**

The LGA submits that the explanatory paper should include further explanation of the status of an 'employee' for the purposes of the code and the legal options that Councils have to make other types of workers subject to the code while working for the Council.

### **Complaint Handling**

Some Councils suggested that the code should contain more guidance on how to lodge and handle a complaint. However, these are matters currently dealt with by Councils through industrial agreements or other policies or agreements and there is no intention for the new code to disturb these existing arrangements. It may be appropriate for further information on complaint handling to be included in the explanatory paper.

### **Submission**

The LGA submits that the explanatory paper should include further information on Councils' management of complaints under the code.

### **Other Suggested Inclusions by Councils**

Drawing on the content of their own current Council policies, some Councils suggested a number of other topics for inclusion in the new code. These include provisions governing intellectual property, external employment, social media and others. While these are important areas for Councils to consider, they are best left to individual Councils to manage through policies rather than including them in a regulated code. Council policies provide a more flexible means of regulating these types of issues and suiting them to individual Council needs.

### **Submission**

The LGA submits that the topic areas remain unchanged in the current draft code.

## **COMMENTS ON GIFTS AND BENEFITS**

This re-drafted section of the Councillors' code was re-issued for consultation and was also included as part of the draft employee code. Therefore, comments were received from Councils with regard to both the section in the employee code and the Councillors' code. For the purposes of this submission, the LGA's comments will refer to the paragraph numbering in the Council employee code unless otherwise stated, but the comments will relate to provisions contained in both codes.

Clause 2.19 prohibits a person from seeking or accepting any gift or benefit from a person that is in, or seeks to be in, a contractual relationship with the Council or that would be perceived as likely to influence them in carrying out their duties. Clause 2.20 provides an exemption from the strict provisions of this clause by permitting a Council employee or Member to accept hospitality in the particular circumstances listed. However, the exemption is currently not spelt out clearly in the code and requires further clarity.

One Council submitted that all gifts and benefits should be prohibited completely, on the grounds that there is no such thing as a 'free' gift or benefit. However, the LGA takes the view that while it will be open to any Member or employee to decline to accept any gifts or benefits, the code should reflect a minimum standard that is manageable across Local Government. The current provisions in the code will place the onus on a Member or employee to exercise discretion and judgment in deciding whether or not a gift or benefit should be accepted, while prohibiting acceptance in the more obvious context of contractual arrangements.

A few Councils have raised the issue of how Members will know if the Council is, or intends to be, in a contractual relationship with an organisation. This could pose a problem if Councils do not manage the information about its contracts within the Council. However, it will remain the responsibility of the Member or employee to make the appropriate inquiries before accepting gifts or benefits. One Council also suggested including the words 'or promise' after gifts and benefits to ensure that promises are also captured. As there was not a groundswell of support for this addition it has not been included as a recommendation.

A number of Councils sought clarity over the wording of clause 3.7 of the Members' code that can be read as prohibiting sitting Members of Council from accepting campaign donations from people with whom the Council is or intends to be in contractual relationship. The LGA understands that this is not the intention of the provision and that Councillors in campaign mode will operate in accordance with the requirements of the *Local Government (Elections)*



*Act 1999.* Councils will be in 'caretaker' mode at this point and sitting Members seeking re-election should not be held to a higher standard than other candidates. The LGA will seek to have further clarity enshrined in the code provision in relation to Councillors seeking re-election.

Councils have also sought clarity over the amount that is to be gazetted by the Minister and how it will be calculated, such as whether the amount is cumulative. While the LGA understands that the amount will apply to each individual gift or benefit, further clarity will be sought from the Minister.

Some Councils raised a question over the register of gifts and benefits in relation to how often it would need to be updated. The LGA supports the inclusion of a provision providing that the register need only be updated on a quarterly basis. A couple of Councils questioned the requirement for a register to be available on the Council's website and suggested that it should instead be monitored by the Council's audit committee. This proposal lacks transparency and is not supported.

### **Submission**

The LGA submits that:

- (i) Clause 2.20 should be re-drafted to make it clear that, in the circumstances described, it provides an exemption from clause 2.19;
- (ii) Clause 3.7 of the Members' code should be clarified to ensure that it does not inadvertently appear to prohibit the acceptance of campaign donations for sitting Councillors seeking re-election;
- (iii) Further clarity should be provided as to whether the gazetted amount will apply to each individual gift and benefit, or be cumulative over time. If it is the former, then consideration should be given to requiring all gifts and benefits to be recorded in a register, whether or not they are judged to be under the gazetted amount; and
- (iv) The code should be amended to clarify that the register of gifts and benefits needs only to be updated on a quarterly basis and that the register should be available in the same way as registers of allowances and benefits are available. That is, the register should be available for inspection but not be required to be available on the website.

Item: BO160513/10.9  
DME: 99651  
Attachment: 100077

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Vanessa Blakelock)

**KEY RESULT AREA 2:** Achieving greater influence for Local Government in matters affecting local communities.

**STRATEGY 2.C:** Ensure Local Government perspectives regarding changes to legislation and regulations impacting on Councils are provided to State and Federal governments and Parliaments.

**ANNUAL PRIORITY 2.2:** Influence State and Federal legislation and policy.

**RE:** DRAFT GRAFFITI CONTROL REGULATIONS 2013

### RECOMMENDATION

That the LGA Board:

1. notes the report;
2. endorses the attached letter of submission to the Attorney-General on the draft *Graffiti Control Regulations 2013*; and
3. authorises the LGA President and Chief Executive Officer to finalise the LGA letter of submission.

### DISCUSSION

On 18 April 2013, the Attorney-General wrote to the LGA, to consult on the draft *Graffiti Control Regulations 2013*. The *Graffiti Control (Miscellaneous) Amendment Act 2013* (the Act) was passed by Parliament on 7 February 2013 and was assented to on 14 February 2013. The Attorney-General has advised that before the Act can come into operation, regulations are needed to support its operation.

The LGA made a submission to the Attorney-General on the then Graffiti Control (Miscellaneous) (No 2) Amendment Bill 2011 in February 2012. Contained in that submission was a request that the LGA be consulted on the content of Regulations, which among other things will define a graffiti implement.

The LGA consulted with Councils by Circular (17.4, May 2013) and in view of the short time frame available, also approached officers from Councils that had previously provided information to the LGA on graffiti control measures.

The feedback that has been received from officers indicates support for the draft regulations in that they provide certainty around the definition of a graffiti implement. However, this feedback also indicates that the expiating of these offences is more likely to be carried out by the South Australian Police.

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**Office of the President**

Our Reference: DME 100077/ VB : DB  
Your Reference: 13AGO0810

16 May 2013

Hon John Rau, MP  
Attorney-General  
GPO Box 464  
ADELAIDE SA 5001  
DX336 Adelaide

Dear Attorney General

**Draft Graffiti Control Regulations 2013**

Thank you for your letter seeking the LGA's comments on the draft *Graffiti Control Regulations 2013*.

The LGA supports the provisions in the draft regulations that define a graffiti implement because they provide certainty around the provisions contained in the *Graffiti Control (Miscellaneous) Amendment Act 2013*.

Thank you for the opportunity to comment.

Kind regards

Mayor David O'Loughlin  
**President**

Telephone: 8224 2022  
Email: [lgapresident@lga.sa.gov.au](mailto:lgapresident@lga.sa.gov.au)

Copy to: Minister for State/Local Government Relations, Hon Gail Gago, MLC

Item: BO160513/10.10  
DME: 99124  
Attachment: 99362

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Vanessa Blakelock)

**KEY RESULT AREA 2:** Achieving greater influence for Local Government in matters affecting local communities.

**STRATEGY 2.C:** Ensure Local Government perspectives regarding changes to legislation and regulations impacting on Councils are provided to State and Federal governments and Parliaments.

**ANNUAL PRIORITY 2.2:** Influence State and Federal legislation and policy.

**RE:** DRAFT CONTROLLED SUBSTANCES (POISONS)  
VARIATION REGULATIONS 2011 - LGA SUBMISSION TO  
THE MINISTER FOR HEALTH AND AGEING

### RECOMMENDATION

That the LGA Board:

1. endorses the attached submission to the Minister for Health and Ageing on the draft *Controlled Substances (Poisons) Regulations 2011*; and
2. authorises the LGA President and Chief Executive Officer to finalise the LGA submission.

### DISCUSSION

On 15 March 2013, the Chief Public Health Officer, Dr Stephen Christley wrote to the LGA seeking comments on proposed amendments to the *Controlled Substances (Poisons) Regulations 2011*. The Draft Vaccine Administration Code was also attached for consultation. The Regulations and the Code are relevant to Councils as providers of immunisation programs.

The LGA consulted with Councils through Circular 13.9 (March 2013). This followed a consultation in 2012 on the policy position underpinning the draft regulations, and on which the LGA made a submission in August 2012.

Overall, the approach taken in the draft Regulations seems to maintain the current situation where Councils engage registered nurses to deliver vaccines through immunisation programs. The amendments can be summarised as follows:

- the amendments provide certainty that Councils do not require a Schedule 4 licence to deliver immunisation for School Based programs, workplace programs or seasonal flu programs;

- exempting Councils from the requirement to hold a licence to supply a Schedule 4 drug (vaccine) or Schedule 3 poison (adrenaline);
- SA Health will take responsibility for approving an organisation to deliver immunisation programs which is of particular relevance to those Councils contracting out immunisation services.
- a nurse will be required to complete certain training programs in order to become an authorised registered health practitioner and deliver vaccines. SA Health has developed the training program and will be offering it online. This will be offered by SA Health at no cost.

The attached draft letter of submission to the Minister for Health and Ageing is supportive of the amendments. One issue of concern that Councils have identified is that the draft Vaccine Administration Code does not contain a mandatory clinical education component for a practitioner delivering the vaccine and is something that should be clarified in the materials.

The letter seeks clarification on whether Council subsidiaries are covered by the definition of approved providers of immunisation services, and the transitional arrangements in place for current contracts with third parties to deliver immunisation services.

The LGA Secretariat has, with permission, forwarded to the department the individual submissions it has received on the draft Regulations and the draft Code.

**Office of the President**

Our Reference: DME 99362/VB:DB

Your Reference:

XX May 2013

Hon Jack Snelling, MP  
Minister for Health and Ageing  
9<sup>th</sup> Floor, CitiCentre Building  
11 Hindmarsh Square  
ADELAIDE SA 5001  
DX243 ADELAIDE

Dear Minister

**Draft Controlled Substances (Poisons) Variation Regulations 2011**

I refer to previous correspondence on the changes to these Regulations, and in particular to a letter dated 15 March 2013 from Dr Stephen Christley, Chief Public Health Officer, seeking the LGA's comments on the draft *Controlled Substances (Poisons) Regulations 2011*.

As you may be aware, we have previously corresponded over the proposed changes to the Regulations at a policy consideration level, and your Department gave a comprehensive response to the LGA's suggestions in November 2012. The LGA welcomes the opportunity to comment on the draft Regulations and the draft Vaccine Administration Code.

I can advise broad support for the draft Regulations and the draft Vaccination Administration Code.

One issue of concern to Councils is that the draft Vaccine Administration Code does not contain a mandatory clinical education component for a practitioner delivering the vaccine, and is something that should be clarified in the materials.

In addition, the LGA seeks clarification on two points:

1. The draft Regulations and Vaccine Administration Code includes a Council as an approved provider of immunisation programs. The LGA is concerned to ensure that a Council subsidiary or a Regional Subsidiary (as defined by the *Local Government Act 1999*) are included in the definition of approved providers of immunisation providers.
2. A range of third party organisations are currently contracted by Councils to deliver immunisation services. These organisations will now require SA Health approval and transitional arrangements for these organisations and contracts will be required.

I understand that the LGA has, with permission, forwarded to your department the individual submissions it has received on the draft Regulations and the draft Code.

-2-

Please do not hesitate to contact Vanessa Blakelock, Senior Legislation Officer, on 8224 2039 if you have any further questions.

Kind regards

Mayor David O'Loughlin  
**President**

Telephone: 8224 2022  
Email: [jacqui.kelleher@lga.sa.gov.au](mailto:jacqui.kelleher@lga.sa.gov.au)

DRAFT

Item: BO160513/10.11  
DME: 100148

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Bethany Loates)

**KEY RESULT AREA 2:** Achieving greater influence for Local Government in matters affecting local communities.

**STRATEGY 2.D:** Work with State and Federal Governments to clarify those service areas in which Local Government can make the best impact and the funding and resource implications of taking on wider responsibilities or moving out of others.

**ANNUAL PRIORITY 2.2:** Influence State and Federal legislation and policy on matters including the Land Services Group Service Level Agreement.

**RE:** LAND SERVICES GROUP SERVICE LEVEL AGREEMENT

### RECOMMENDATION

That the LGA Board:

1. notes the report; and
2. endorses a six month extension of the current Land Services Service Level Agreement.

### DISCUSSION

Since April 2011 the Local Government Association (LGA) Secretariat and the Land Services Group (LSG) have had in place a Service Level Agreement (SLA).

The LSG, Department for Planning, Transport and Infrastructure (DPTI) is responsible for key land administration functions in South Australia. The core activities include:

- land titling;
- land and property valuation;
- administration of a survey framework; and
- management and provision of land information.

The purpose of the SLA is to document all information technology (IT) services and responsibilities provided by both the LSG and Councils to define the levels of service required. The SLA only covers core existing services and does not include some services specifically requested by some Councils.



The SLA consists of:

- Heads of Agreement – setting out the broad infrastructure, service delivery, communication and dispute escalation processes for IT services;
- Service Catalogue – a high level list of all IT services provided and received; and
- Service Definitions – specific details for each IT service and defines service levels including:
  - building approvals service;
  - street name and number changes;
  - ARIES monthly services;
  - valuation list services;
  - Council reports;
  - ValWeekly supplementary services;
  - valuation change totals; and
  - adhoc data extracts.

Through discussions with LSG and the South Australian Institute for Rates Administrators, it was suggested that the current SLA be extended for a further six months. This extension will allow for this and subsequent reviews of the SLA to be moved off of the peak rating season for rates administrators. The current SLA expired on 5 April 2013.

Additionally, currently the LSG is undertaking a program of work to replace the States existing land administration system - the Land Ownership and Tenure System (LOTS) with the South Australian Integrated Land Information System (SAILIS). This change will require significant change to the SLA once implemented however, this implementation is not expected to occur until late 2014. As such it is believed that the current SLA will only require minor amendments if any.

A consultation period of at least six weeks will be undertaken in September to enable Councils to provide feedback on the draft SLA. It is anticipated a final draft, which includes Council feedback will be submitted to the November State Executive Committee for subsequent signing by the LGA President and the Valuer-General.

Item: BO160513/10.12  
DME: 99511

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – David Hitchcock)

**KEY RESULT AREA 2:** Achieving greater influence for Local Government in matters affecting local communities.

**STRATEGY 2A:** Develop a partnering culture and build strong relationships with State and Federal Governments, Members of both Parliaments, media, industry groups, and other relevant individuals and organisations which deliver better outcomes for communities.

**ANNUAL PRIORITY 2.3:** Implement the recommendations in the LGA's Discussion Paper regarding Regional Development, in consultation with Regional LGAs and the MLGG.

**RE:** REGIONAL DEVELOPMENT AUSTRALIA – COMMITTEE ELECTIONS

### RECOMMENDATION

That the LGA Board:

1. receives the report;
2. notes the proposed timeframes for the election process for appointment of Local Government representatives on the respective RDA committees; and
3. endorses LGA promotion of the election process to Councils via LGA Circular and the LGA newsletter.

### DISCUSSION

The Department of Regional Australia, Local Government, Arts and Sport has advised the LGA Secretariat that they are beginning the election process for the November 2013 Regional Development Australia (RDA) committee elections.

To fill these positions, the Department will soon be calling for Expressions of Interest (EOI) to join the relevant RDA committee. This will be promoted by placing advertisements in newspapers, as well as via electronic media, and through RDAs and other suitable organisations.

Terms of appointments to RDA committees vary, but can be up to four years with an election every two years to maintain a "rolling" membership so that a proportion of "non election year" membership is maintained through each election cycle.

Appointments to RDA committees include representation from both the general community and Local Government.

As per the previous agreement the respective Regional LGAs facilitate the election process for appointment of Local Government representation on the RDA Committees.

By convention, there is no specific election process that must be undertaken, rather historically each region has undertaken their individual and suitably transparent processes.

Key issues being:

- committee members are drawn from a cross-section of the local community and are required to be of good character and reflect accepted standards of community behaviour. They are expected to be available to participate in committee meetings and activities;
- selection and appointment of members will be consistent with any relevant Commonwealth and State Government Equal Employment Opportunity legislation; and
- a public advertisement for nominations to all RDA membership vacancies is required, and is facilitated by the Department of Regional Australia (DRA).

Persons nominating for the positions will be required to complete an EOI form. All EOIs will be considered against the skills and expertise which are specified in the application information.

The time frame for the election process is:

- 15 June 2013 - EOI open;
- 29 June 2013 – Close of EOIs; and
- 5 July - Regional LGAs to advise the DRA of nominated (elected) representatives.

The DRA is also seeking support from both Local Government and PIRSA to contribute toward the public advertisement costs. It is proposed that each party contribute one third of the expected total cost of \$ 10,000 (i.e. each party to pay \$3,300).

LGA Secretariat discussions with regional LGA Executive officers indicates consensus view that Local Government is already contributing materially to regional RDA committees and that any election costs should be funded from Regional RDA committee budgets.

The LGA will also advertise via LGA Circular of the relevant committee vacancies and it is intended that an article run in the LGA newsletter to promote interest.

See the following table for the list of the 2013 Local Government (LG) vacancies in each RDA.

RDA name	Committee Members expiring 20 November 2013	Committee Members expiring 20 November 2015
<b>ADELAIDE HILLS, FLEURIEU &amp; KANGAROO ISLAND</b>  Current Number of Committee Members: 13 Number of Casual Vacancies: 0	Ms Carol Schofield AM DEP CHAIR	Mayor Malcolm Schlein LG
	Ms Jen Rodger	Mr Peter Dinning LG
	Ms Lorraine McLoughlin	Mayor Graham Philp LG
	Ms Rebecca Sullivan	Deputy Mayor Peter Clements LG
		Ms Ann Ferguson CHAIR LG
		Councillor Janet Loveday LG
		Ms Sarah Hanna
		Mr Craig Wickham
	Mr Angus Williams	
<b>ADELAIDE METROPOLITAN</b>  Current Number of Committee Members: 9 <b>Number of Casual            Vacancies: 1</b>	Mrs Gail Sulicich CHAIR	Mayor Felicity-ann Lewis DEP CHAIR LG
	Ms Cath Duncan Temp Appt	Mayor Glenn Docherty LG
	Ms Barbara Rapaport	Ms Skye Akbar
		Ms Pippa Webb
		Ms Mei Schwarz
		Mr Martin Milane
		Ms Christine James
	Vacancy	
<b>BAROSSA</b>  Current Number of Committee Members: 14 Number of Casual Vacancies: 0	Mr Hugh (Ian) O'Loan OAM CHAIR	Mr Stephen Kerrigan LG
	Mr Alex Zimmermann DEP CHAIR	Ms Joanne Thomas LG
	Mr Brian Carr LG	Ms Chris McCann
	Mr Charles Mansueto LG	Ms Lynette Seccafien
	Ms Natasha Mooney	Ms Victoria McClurg
	Mr Wayne Perry	Mr Tony Clark
	Ms Rhia Vines	Mr Rolf Binder
<b>FAR NORTH</b>  Current Number of Committee Members: 11 <b>Number of            Casual Vacancies: 1</b>	Ms Jennifer Cleary CHAIR	Councillor Tony Mitchell LG
	Mr Andre Kuys DEP CHAIR	Mr Rob Gibb
	Ms Rose-Marie Berry	Mr Drew Potts
	Ms Kaye Doyle	Mr Colin Davies
	Mr Geoff Hood	
	Mr Mark Sutton LG	
	Ms Deborah Alexander	
<b>LIMESTONE COAST</b>  Current Number of Committee	Dr Ruth Schubert CHAIR	Deputy Mayor Harvey Nolan LG
	Mayor Richard Vickery LG	Mr Rob Foggo
	Mayor Erika Vickery LG	Ms Ann Aldersey

<b>RDA name</b>	<b>Committee Members expiring 20 November 2013</b>	<b>Committee Members expiring 20 November 2015</b>
Members: 12 <b>Number of Casual Vacancies: 1</b>	Ms Nadine DiGiorgio	Mr Lew Parsons Appt by Board
	Cr Darren O'Halloran LG	Ms Karen Glover Appt by Board
	Ms Gwenda Lawlor DEP CHAIR	
	Mr Alan Richardson	
<b>MURRAYLANDS &amp; RIVERLAND</b>  Current Number of Committee Members: 12 Number of Casual Vacancies: 0	Mayor Neil Martinson CHAIR LG	Deputy Mayor Barry Laubsch LG
	Cr David Burgess LG	Councillor Trevor Norton LG
	Ms Annette Cameron	Ms Robin Foley
	Mr Tony Sharley DEP CHAIR	Ms Yvonne Smith
	Mr Philip Sims	Mr Kym Webber
	Mr Patrick O'Brien	Mr Jerry Wilson
<b>WHYALLA &amp; EYRE PENINSULA</b>  Current Number of Committee Members: 14 Number of Casual Vacancies: 0	Mayor Jim Pollock CHAIR LG	Councillor Malcolm Catt LG
	Ms Annette Kirby	Mayor Alan Suter LG
	Ms Deidre Turvey	Councillor Bryan Trigg LG
	Councillor Jack Velthuizen LG	Councillor Colin Carter LG
	Mr Eduardo Donoso	Ms Elizabeth McLaughlin
	Mr Sidney Wilson	Ms Sarah Adamson
		Ms Annie Lane
	Ms Angela Faulkner DEP CHAIR	
<b>YORKE &amp; MID NORTH</b>  Current Number of Committee Members: 11 <b>Number of Casual Vacancies: 1</b>	Mr Bill Vandeeper DEP CHAIR	Deputy Mayor Judy Partington LG
	Dr Andrew Johnson LG	Ms Kay Matthias CHAIR
	Councillor John Rich LG	Mayor Paul Thomas LG
		Ms Jodie Gregg-Smith
		Mr Warren Luckraft
		Mr Barry Hay
		Mr Neil Jericho
		Ms Patricia Hamilton
		Vacancy

Item: BO160513/10.13  
DME: 100068

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Geoff Hill, Wendy Campana)

**KEY RESULT AREA 3:** Facilitating and supporting continued capacity building in Councils

**STRATEGY 3.D:** Seek increased funding for Councils to assist them with the provision of services and infrastructure to meet community expectations

**ANNUAL PRIORITY 3.10:** Provide model procedures, policy and training for Councils in the area of procurement, including advisory services for individuals and groups of Councils

**RE:** STATE WAGE CASE 2013

### RECOMMENDATION

**That the LGA Board endorses the position for our industrial representatives to support a flow-on of the (Federal) Fair Work Commission Decision in State Wage Case proceedings before the (State) SA Industrial Relations Commission.**

### DISCUSSION

SA Unions has lodged its application to commence the State Wage Case (SWC) proceedings before the Full Commission of the South Australian Industrial Relations Commission (SAIRC). The application seeks an increase in the State Minimum Wage of \$30 per week with a 4.2% increase flow-on to wage rates under State Awards.

The outcome from these proceedings will increase the wage rates under State Awards applicable to Local Government ie the SA Municipal Salaried Officers Award, Local Government Employees Award, and other miscellaneous local government specific Awards covering Nursing, Health Services, Cafes/Snack Bars, Recreation and Fitness.

The SA Unions application essentially mirrors the current ACTU application before the (federal) Fair Work Commission. Those proceedings are well advanced and a decision will be handed down shortly (around 3 June) with an operative date of 1 July 2013 for the resultant wage adjustments. SA Unions has foreshadowed its intention (re the SWC) to amend its application following the federal decision to seek the same outcome through the SAIRC proceedings.

We are of the view that the LGA position before the SAIRC this year should be to support the flow-on of the federal decision in terms of quantum and date of operation. Despite sound arguments to the contrary (by the LGA in respect of certain aspects of past SA Unions applications) the Full Commission of the SAIRC has been very disinclined to do other than flow-on the increase from the (federal) Fair Work Commission.

As has been the case in previous years it is most likely that the position of the Minister and Department of Premier and Cabinet will similarly support the flow-on. Accordingly for the 2013 SWC we consider it appropriate to support the flow-on.

Item: BO160513/10.14  
DME: 99667

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Lou Pisaniello)

**KEY RESULT AREA 4:** Continuously improving the governance of the LGA and related local government enterprises.

**STRATEGY 4.D:** Effectively provide and manage resources including staff, assets and finances to support LGA activities and business.

**ANNUAL PRIORITY:** N/A

**RE:** DRAFT 2013/2014 BUDGET

### RECOMMENDATION

**That the LGA Board adopts the draft 2013/2014 budget incorporating an increase in subscriptions of 3%.**

### DISCUSSION

The LGA Secretariat prepared a draft budget that reflected the expected income and expenditure for the 2013/2014 financial year, for consideration at the LGA Management Group Meeting on 02 May 2013. The draft budget was modeled using subscription increases of either 3%, 4% or 5%.

The LGA Management Group Meeting recommended a 3% increase in subscriptions with a view to a positive budget, and it is now presented for adoption.

Where the budget figures for 2014 differ appreciably to the previous year, notes of explanation are included. These notes should be cross referenced to the accompanying financial statement.

#### **1. Interest on Investments:**

Another interest rate cut is possible prior to the end of the 2013 financial year but from then on rates are expected to remain steady before trending higher towards the end of the 2014 financial year. At the same time, the amount of unexpended funding on which interest would be earned is expected to increase sharply in the first half of the financial year, especially in the area of Community Wastewater Management Systems (CWMS). It should also be appreciated that predicting interest rate movements and the timing of cash receipts and payments is extremely difficult as there are many variables that come into play.

#### **2. LG Conference and AGM:**

Registration fees budgeted in 2013 for the AGM were overstated. This income line has been paired back to match the experience of 2013.



**3. Income other:**

Paid Parental Leave received from the Commonwealth is now credited to this income line. Further, income is expected from the President's Forum of which two have been budgeted for in 2014.

**4. On Costs:**

The Superannuation Guarantee rate is increasing to 9.25% from 1 July 2013. Annual Leave and Long Service Leave has been increased to cover the number of new employees in their first year of employment.

**5. Allowances:**

This expenditure line now includes Paid Parental Leave taken by employees as it is envisaged that at least one employee will seek this leave. Expenditure is off-set by receipts from the Commonwealth, refer to Note 3 above.

**6. Recruitment of staff:**

It is expected that there will be less of a need for recruitment in 2014.

**7. Finance:**

Interest payments are expected to be appreciably lower in 2014 as the final payment on the old CPA loan will be made on 17 June 2013.

**8. Office Equipment:**

Equipment purchases of less than \$1,000 are expected to be less than in 2013.

**9. Depreciation:**

This expenditure line is expected to be less in 2014 as the replacement of the current document management system is expected to cost less than was originally predicted in 2013.

**10. Annual General Meeting:**

As with Note 2 above expenditure was overstated in the 2013 budget. With the benefit of the experience of having run the last 2 events at the new venue AAMI stadium costs have been paired back accordingly.

**11. Local Government Showcase and General Meeting:**

As per Note 10 above.

**12. President's Forum:**

It is envisaged that two Forums will be run in 2014.

**13. Legal:**

It is expected that less funds will be required for Industrial Relations issues in 2014.

**14. General Consultants:**

Several additional consultancies have been included in this budget given that it is a State Election year, and there is also an extensive planning review being undertaken.

**15. Promotion & Public Relations:**

With a Unity 6 upgrade by June we will need to restructure the site and enable mobile use and incorporate the proposed electronic magazine.

**16. Elections & Local Government Promotions:**

We are proposing to allow for additional work here to support planning, design, software and the review of communication for Elected Members.

**LOCAL GOVERNMENT ASSOCIATION OF SA  
INCOME & EXPENDITURE BUDGET  
FOR THE FINANCIAL YEAR 2013/2014**

	2012/2013 BUDGET	2013/14 BUDGET with	2013/14 BUDGET with	2013/14 BUDGET with	
	excl. GST	3% increase excl. GST	4% increase excl. GST	5% increase excl. GST	
<b>INCOME</b>					
Subscriptions	1,949,467	2,007,951	2,027,446	2,046,940	
Commercial Entities	1,829,000	1,886,507	1,886,507	1,886,507	
Project Administration	342,637	358,600	358,600	358,600	
Interest on Investments	314,874	400,272	400,272	400,272	1
LG Conference & AGM	440,000	344,100	344,100	344,100	2
Other	266,965	306,338	306,338	306,338	3
Income from 148 Frome Street	1,774,985	1,894,225	1,894,225	1,894,225	
<b>TOTAL INCOME</b>	<b>6,917,927</b>	<b>7,197,994</b>	<b>7,217,489</b>	<b>7,236,983</b>	
<b>EXPENDITURE</b>					
Salaries	2,648,769	2,848,990	2,848,990	2,848,990	
On Costs	500,592	561,911	561,911	561,911	4
Allowances	72,133	85,960	85,960	85,960	5
Recruitment of Staff	20,000	10,000	10,000	10,000	6
Training & Development	42,400	42,400	42,400	42,400	
<b>Total Emp Costs &amp; Allowances</b>	<b>3,283,894</b>	<b>3,549,261</b>	<b>3,549,261</b>	<b>3,549,261</b>	
Administration	178,000	172,000	172,000	172,000	
Finance	465,027	337,089	337,089	337,089	7
Office Equipment	50,500	39,250	39,250	39,250	8
Computers	18,000	18,000	18,000	18,000	
Depreciation	178,607	152,888	152,888	152,888	9
<b>Total Office Expenses</b>	<b>890,133</b>	<b>719,226</b>	<b>719,226</b>	<b>719,226</b>	
Annual General Meeting	215,000	173,212	173,212	173,212	10
LG Showcase & General Meeting	215,000	165,000	165,000	165,000	11
President's Dinner	10,000	10,000	10,000	10,000	
President's Forum	10,000	20,000	20,000	20,000	12
Meetings	50,000	42,000	42,000	42,000	
<b>Total LGA Functions &amp; Govern.</b>	<b>500,000</b>	<b>410,212</b>	<b>410,212</b>	<b>410,212</b>	
Legal	190,000	145,000	145,000	145,000	13
Industrial Relations	152,500	155,000	155,000	155,000	
General Consultants	150,000	234,000	234,000	234,000	14
<b>Total Consultants</b>	<b>492,500</b>	<b>534,000</b>	<b>534,000</b>	<b>534,000</b>	
Travel	67,000	69,000	69,000	69,000	
Motor Vehicles	46,200	46,500	46,500	46,500	
<b>Total Travel</b>	<b>113,200</b>	<b>115,500</b>	<b>115,500</b>	<b>115,500</b>	
Promotion & Public Relations	133,500	151,500	151,500	151,500	15
Elections & L G Promotions	0	10,000	10,000	10,000	16
Market Research	25,000	20,000	20,000	20,000	
Annual Report	15,000	10,000	10,000	10,000	
<b>Total Promotions</b>	<b>173,500</b>	<b>191,500</b>	<b>191,500</b>	<b>191,500</b>	
<b>ALGA Subscriptions</b>	<b>208,464</b>	<b>214,434</b>	<b>214,434</b>	<b>214,434</b>	
LG House Expenditure	1,243,948	1,324,163	1,324,163	1,324,163	
<b>TOTAL OPERATING EXPENDITURE</b>	<b>6,905,639</b>	<b>7,158,296</b>	<b>7,158,296</b>	<b>7,158,296</b>	
<b>OPERATING SURPLUS / (DEFICIT)</b>	<b>12,288</b>	<b>39,697</b>	<b>59,192</b>	<b>78,687</b>	

Item: BO160513/10.15  
DME: 99566  
Attachments: 98564, 99219, 99056, 98537

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Alison Gill)

**KEY RESULT AREA 4:** Improving LGA Governance

**STRATEGY 4B:** Continuously improve LGA governance mechanisms to achieve best practice.

**ANNUAL PRIORITY 4.2:** Develop / complete new governance documents to support the LGA's new constitution.

**RE:** LGA CONSTITUTION IMPLEMENTATION PROGRESS REPORT

### RECOMMENDATION

That the LGA Board:

1. notes the progress report on implementing the new LGA Constitution;
2. endorses the process for recording the affixing of the common seal contained in Attachment 1;
3. endorses the criteria for assessing applications for Associate Membership contained in Attachment 2;
4. endorses the amended Standing Orders for LGA meetings contained in Attachment 3, noting the requirement that meetings must pass a resolution about confidential items including a timeframe for the release of confidential information; and
5. endorses the Record of Delegations contained in Attachment 4, noting that financial delegation and the management of contracts and tenders will be taken to the June LGA Management Group (formerly Senior Executive Committee) meeting, and presented back to the LGA Board at its July meeting.

### DISCUSSION

The LGA's approved Constitution (available from [www.lga.sa.gov.au/goto/corpdocs](http://www.lga.sa.gov.au/goto/corpdocs)) came into effect on 1 May 2013. As part of the review process, a number of provisions were inserted to ensure that the LGA operates, where relevant, in a similar manner to its Member Councils and/or in accordance with good governance practice.

This progress report provides the LGA Board with information about the implementation of several of these provisions.

Provision in Constitution	Progress To Date
<p>LGA to have strategic management plans, an annual plan and budget, internal controls and financial statements as if the <i>Local Government Act 1999</i> applied.</p> <p>s123 to 125, and s37 to 139</p>	<p>Largely complete; documents are the 'LGA Strategic Plan 2011-2015 including Annual Plan 2012/13', the 2013/14 Budget which was considered by the LGA Management Group at its special meeting on 2 May, and is included as a separate report in this agenda for adoption. Required Internal Controls and Financial Statements are already in place and subject to annual audit. Work is required on a long term financial plan, and this will be the subject of a future report to the Board. (No attachment)</p>
<p>LGA to keep a permanent record of the affixing of the common seal to any documents.</p> <p>s146.5</p>	<p>A draft procedure and form has been prepared to capture this information. (Attachment 1)</p>
<p>LGA Board to have a policy on the criteria by which an application for an Associate Member should be assessed.</p> <p>s12.5</p>	<p>A draft policy on criteria has been prepared with an application form. (Attachment 2)</p>
<p>General Meetings and the Board may adopt policies and codes of conduct for the LGA and its officeholders and employees.</p> <p>s118 and 119</p>	<p>Draft codes of conduct are being developed for LGA office bearers and employees, based on the mandatory Codes of Conduct for Councillors and employees jointly prepared by the Government and the LGA. This will be the subject of a future report to the Board. (No attachment)</p>
<p>Board may make, vary, suspend or revoke standing orders for General Meetings, and meetings of the Board, Management Group and committees.</p> <p>s121</p>	<p>Amendments have been included in the Standing Orders contained in the Board Members' manual, to clarify and update the provisions relating to confidential items. (Attachment 3)</p>
<p>The Board may delegate its powers and functions, and a Record of Delegations is to be kept and reviewed annually.</p> <p>s86.6</p>	<p>A draft policy and register has been prepared. Work is still in progress on the form that financial delegations and those for tenders and contracts might take, and this will be the subject of a future report to the Board. (Attachment 4)</p>

**Title: Record of Affixing the Common Seal**

DATE OF POLICY / PROCEDURE:	May 2013
DATE OF LAST REVIEW BY LGA:	May 2013

**Background**

The Constitution of the Local Government Association is in effect from 1 May 2013.

Section 146 deals with affixing the common seal of the LGA. It allows the seal to be affixed to give effect to a resolution of the Board, or under a delegation made by the Board, and sets out conditions.

There are new requirements that the LGA must keep a record of the affixing of the common seal to any documents, and that both the CEO and a Board member must attest to each use of the seal.

**Policy****Record of Affixing the Common Seal**

Where the Board resolves that the LGA's common seal be affixed to a document, a record shall be kept which sets out the details of the resolution, the document and requires the CEO and a Board member to attest to the fixing of the seal.

<b>Document to which seal affixed</b>	<b>Board meeting where approved</b>	<b>Resolution or delegation</b>	<b>Attested to by Board member</b>	<b>Attested to by CEO</b>

**Policy Review**

This policy may be reviewed at any time to determine its effectiveness.

**Title:           Criteria for Assessment of Applications for Associate Membership**

DATE OF POLICY:	May 2013
DATE OF LAST REVIEW BY LGA:	May 2013

**BACKGROUND**

Under the LGA Constitution, effective from 1 May 2013, there continue to be two classes of members, Ordinary Members and Associate Members.

There is a new requirement that the Board have a policy on the criteria upon which applications for Associate Membership should be assessed.

**POLICY**

Under the LGA's Constitution, there are two classes of members:

- Ordinary Members: Councils with full membership rights; and
- Associate Members: Other bodies with the same rights except they cannot nominate Board Members nor vote at Ordinary or Annual General Meetings, and may incur a fee for LGA services.

Any body or organisation (whether incorporated or not) having a legitimate interest in Local Government, may be admitted as an Associate Member on making a written application that is accepted by the Board.

In assessing a written application for Associate Membership, the Board will apply the following criteria:

***Does the applicant have a legitimate interest in Local Government?***

The Board will consider whether the applicant is involved in the provision of Local Government type services or functions, with reference to the description provided by the applicant and (if applicable) its rules or constitution.

***Does the physical location of the applicant mean that Local Government services are provided or available from an existing Member or Associate Member?***

The Board will consider whether the applicant is providing services that are the same or similar to those provided by other Members or Associate Members in the vicinity.

The Board requires that a written application for Associate Membership be in the format at Attachment A.

Upon receipt of an application the CEO will prepare a report for the LGA Board which includes an assessment of the applicant against the criteria and recommending acceptance or otherwise as an Associate Member.

**POLICY REVIEW**

This policy may be reviewed at any time to determine its effectiveness.



## **Associate Membership Application Form**

I / we hereby apply to be admitted as an Associate Member of the Local Government Association of South Australia

<b>Name of organisation:</b>			
<b>Type of organisation:</b>			
<b>ABN:</b>		<b>ACN:</b>	
<b>Postal Address:</b>			
<b>Phone:</b>		<b>Fax:</b>	
<b>Web:</b>			
<b>Contacts:</b>			
<b>CEO Name:</b>			
<b>CEO Email:</b>		<b>CEO Phone:</b>	
<b>Other Name:</b>			
<b>Other Email:</b>		<b>Other Phone:</b>	
<b>Who is your preferred contact?</b>			
<b>1.</b>	<b>Please tell us about your organisation and the type of business you are involved in. If you operate under Rules or a Constitution, please include information with this application and/or provide a link.</b>		
<b>2.</b>	<b>Why does your organisation want to join the Local Government Association of South Australia?</b>		

Please submit this form to the LGA by email to [lgasa@lga.sa.gov.au](mailto:lgasa@lga.sa.gov.au).

**Title: Standing Orders for Meetings of the Board, Management Group and other LGA Committees**

DATE OF POLICY:	March 2011
DATE OF LAST REVIEW BY LGA:	May 2013

***BACKGROUND***

The LGA's Constitution (Part 23) provides that the Board may make, suspend in whole or in part, vary or revoke any standing orders which regulate the mode and conduct of proceedings at all or any of LGA meetings (Ordinary General Meetings and Annual General Meetings), and meetings of the Board, Management Group and other LGA Committees.

Decisions relating to standing orders may only be made if at least two thirds of the Members of the LGA Board are present.

This policy was established by the former State Executive Committee and amended by the Board pursuant to the Constitution. It sets out standing orders for meetings of:

- *the Board (Part A); and*
- *LGA Committees (Part B).*

These standing orders are modelled on the 'Local Government (Proceedings at Meetings) Regulations 2000', which provide procedural rules for Council and Council Committee meetings. While the LGA is not bound by these Regulations, there is an expectation by Member Councils that the LGA will conduct its affairs generally in accordance with the rules applicable to Councils, insofar as they are both reasonable and relevant to the operations and business of the LGA.

**PART A**

***STANDING ORDERS - LGA Board***

***Guiding Principles***

The following principles should be applied with respect to the procedures to be observed at meetings. The procedures should:

1. be fair and contribute to open, transparent and informed decision-making;
2. encourage appropriate participation by the elected and appointed representatives of Member Councils;
3. reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting; and
4. be sufficiently certain to give Member Councils and other key stakeholders confidence in the deliberations undertaken at the meeting.



### ***Commencement of Meetings and Quorums***

1. In accordance with the LGA Constitution, unless the Board Members determine otherwise, a quorum for a Board meeting is the nearest whole number above 50 percent of the members of the Board and who are present in person or by Deputy Board Member.
2. Meetings will commence as soon after the time specified in the notice of the meeting as a quorum is present.
3. If the number of apologies received in advance of a meeting indicates that a quorum will not be present, the meeting may be adjourned to a specified day and time.
4. If a quorum is not present at the expiration of 30 minutes from the time specified in the notice of meeting as the time of commencement, the Chair of the Board meeting or, in his/her absence, the Chief Executive Officer, will adjourn the meeting to a specified day and time.
5. If a meeting is adjourned to another day, the Chief Executive Officer must give notice of the adjourned meeting to each Member, setting out the date, time and place of the meeting.

### ***Confidential Matters***

1. From time to time it may be necessary or appropriate for a meeting to consider a matter in confidence. Examples include (but are not limited to) matters which may:
  - result in the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
  - confer a commercial advantage on a person, prejudice the commercial position of the LGA, or disclose a trade secret (including considering tenders for the supply of goods and services);
  - be contrary to the public interest;
  - affect the security of the LGA including Board Members and LGA officers, employees, property or assets;
  - prejudice the maintenance of the law, including the prevention, detection or investigation of a criminal offence, the right to a fair trial, or any other legal obligation or duty conferred by the courts or by legislation;
  - involve information relating to actual or anticipated litigation; or
  - involve information given to the LGA on a confidential basis.
2. The Chief Executive Officer may determine, as an interim measure, that a matter to come before the Board should be considered in confidence, and may mark a report or agenda accordingly.
3. Upon receipt of a report or agenda item marked 'confidential', Members will not disclose its contents to any person, prior to the meeting at which it is to be discussed.
4. Prior to consideration of a matter which is proposed to be treated in confidence (including any report, verbal report, or motion), the Board shall first vote on a separate motion to declare the matter as confidential. The separate motion shall give details of why the matter is to be considered in confidence.
5. If a matter is considered in confidence, the Board may order that the relevant documents and minutes be kept confidential, which should include the duration of the order, or the circumstances under which the order will cease to apply or period after which the order has to be reviewed.

6. Following a decision by the Board to treat a matter as confidential, the Chair of the Board meeting may immediately ask any person or persons (not including Members of the Board) to leave the room while the matter is considered.
7. Notwithstanding a decision by the Board to treat a matter as confidential, nothing shall prevent the staff of the LGA Secretariat from conveying the Board's decision on the matter to those persons who have an interest in it.

### **Minutes**

1. The minutes of a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.
2. The minutes of a meeting must include:
  - the names of the Members present and the zones they represent;
  - the time at which each Member present entered or left the meeting (unless the Member is present for the whole meeting);
  - each motion or amendment, and the names of the mover and seconder;
  - any amendment or withdrawal of a motion or amendment;
  - whether a motion or amendment is carried or lost;
  - any disclosure of interest made by a Member;
  - an account of any personal explanation given by a Member;
  - details of any adjournment of business; and
  - details of any resolution that a report, discussion or document should be considered in confidence, and the details of any resolution ordering that associated documents be kept confidential.

### **Questions**

1. A Member may ask a question on notice by giving the Chief Executive Officer written notice of the question at least ten clear days before the date of the meeting at which the question is to be asked.
2. If notice of a question is given, the Chief Executive Officer must ensure that the question is placed on the agenda for the meeting at which the question is to be asked, and the question and the reply must be entered in the minutes of the relevant meeting.
3. A Member may ask a question without notice at a meeting. The Chair of the Board meeting may allow the reply to a question without notice to be given at the next meeting.
4. A question without notice and the reply will not be entered in the minutes of the relevant meeting unless the Members present at the meeting resolve that an entry should be made.
5. The Chair of the Board meeting may rule that a question with or without notice not be answered if, in his or her opinion, the question is vague, irrelevant, insulting or improper.

### **Motions**

1. A Member may bring forward any business in the form of a written notice of motion. The notice of motion must be given to the Chief Executive Officer at least ten clear days before the date of the meeting at which the motion is to be moved.
2. A Member may also bring forward any business by way of a motion without notice.
3. The Chair of the Board meeting may refuse to accept a motion without notice if he or she considers that the motion should be dealt with by way of a written

- notice of motion, or if the subject matter is, in his or her opinion, beyond the power of the LGA, or if the motion is vague, irrelevant, insulting or improper.
4. A motion will lapse if it is not seconded at the appropriate time.
  5. A Member moving or seconding a motion will speak to the motion at the time of moving or seconding the motion.
  6. A Member may only speak once to a motion except to provide an explanation in regard to a material part of his or her speech.

#### ***Amendments to Motions and Variations***

1. An amendment will lapse if it is not seconded at the appropriate time.
2. A person who moves or seconds an amendment (and, if he or she chooses to do so, speaks to the amendment) will, in so doing, be taken to have spoken to the motion to which the amendment relates.
3. If an amendment is lost, only one further amendment may be moved to the original motion.
4. If an amendment is carried, only one further amendment may be moved to the original motion.
5. The mover of a motion or amendment may, with the consent of the seconder, request leave of the meeting to vary, alter or withdraw a motion or amendment.

#### ***Addresses by Members***

1. A Member must not speak for longer than five minutes at any one time without leave of the meeting.
2. A Member may, with leave of the meeting, raise a matter of urgency.
3. A Member may, with leave of the meeting, make a personal explanation.
4. The subject matter of a personal explanation may not be debated.

#### ***Voting***

1. The Chair of the meeting, or any other Member, may ask the Chief Executive Officer to read out a motion before a vote is taken.
2. The Chair of the meeting will, in taking a vote, ask for the votes of those Members in favour of the motion and then for the votes of those Members against the motion (and may do so as often as is necessary to enable him or her to determine the result of the voting), and will then declare the outcome.
3. A person who is not in his or her seat is not permitted to vote.
4. All motions will be determined on the basis of a majority vote of Members present and entitled to vote.
5. The Chair of the meeting shall have a deliberative vote, and if there are equal numbers of votes on any motion, a second or casting vote.

#### ***Divisions***

1. A division will be taken at the request of a Member.
2. If a division is called for, it must be taken immediately and the previous decision of the Chair of the meeting as to whether the motion was carried or lost is set aside.
3. The Chief Executive Officer will record in the minutes the names of the Members who voted in the affirmative and the names of the Members who voted in the negative (in addition to the result of the vote).

***Suspension of Standing Orders***

1. If the Chair of the meeting considers that the conduct of a meeting would benefit from suspending the operation of all or some of these standing orders for a period of time in order to allow or facilitate informal discussions, the Chair may do so, with the approval of the majority of the Members present at the meeting. However standing orders relating to the maintenance of a quorum may not be suspended under any circumstances.
2. The period of suspension will come to an end when the Chair of the meeting so determines, or when a majority of the Members present at the meeting resolve to do so.

***Points of Order***

1. The Chair of the meeting may call to order a Member who is in breach of these standing orders.
2. A Member may draw to the attention of the Chair of the meeting a breach of these standing orders, and must state briefly the nature of the alleged breach.
3. A point of order takes precedence over all other business until determined.
4. The Chair of the meeting will rule on a point of order.
5. If an objection is taken to the ruling of the Chair, a motion that the ruling not be agreed with must be moved immediately.
6. The Chair of the meeting is entitled to make a statement in support of the ruling before a motion under part 5 above is put.

***Interruption of Meetings***

1. A Member must not, while at a meeting behave in an improper or disorderly manner; or interrupt another Member who is speaking, except to object to words used by a Member who is speaking; or call attention to a point of order; or the lack of a quorum.
2. If the Chair of the meeting considers that a Member may have acted in contravention of part 1 above, the Member must be allowed to make a personal explanation.
3. The relevant Member must then leave the meeting while the matter is considered by the meeting.
4. If the remaining Members resolve that a contravention of part 1 has occurred, those Members may, by resolution suspend the Member for a part, or for the remainder of the meeting.

**PART B*****STANDING ORDERS - OTHER LGA COMMITTEES***

LGA Committees other than the Board (including the Management Group, SAROC and the Metropolitan Local Government Group), may use the above standing orders as a guide to the conduct of their meetings.

Each Committee and/or its Presiding Member may dispense with or vary any provision of the standing orders they consider necessary or appropriate, having regard to the Guiding Principles outlined on page 1 of this policy.

However no Committee shall meet and conduct business unless a quorum of Members is present, if required either by the LGA Constitution or by the terms of reference of the Committee.

***REVIEW***

This policy may be reviewed and amended from time to time by the Board as it considers necessary, in accordance with the requirements of the LGA Constitution.

DRAFT

**Title: Record of Delegations for Meetings of the Board**

DATE OF POLICY:	May 2013
DATE OF LAST REVIEW BY LGA:	May 2013

**BACKGROUND**

The LGA Constitution is in effect from 1 May 2013. It expands and clarifies the circumstances where the Board may delegate its powers and functions, and there are new requirements for the LGA to keep a record of delegations which is publicly available and reviewed at least annually.

Currently the LGA does not have a register of delegations. Instead, a decision to delegate a power or function, or authorise action, is sought on a case by case basis.

With the election of a new Board, and the operation of the new Constitution, the opportunity exists for the Board to make a set of high level standing delegations to clarify the circumstances where agent(s) may act on its behalf.

The Board's functions are stated broad terms (s84):

- to appoint, give directions to and remove a CEO;
- to superintend (ie to oversee, supervise, direct) the performance of the CEO and the Management Group; and
- to generally superintend the activities of the LGA.

There are other powers conferred on the LGA Board throughout the Constitution. Examples include approval of members, appointment of the auditor, adoption of plans and budgets, setting of subscriptions, the Annual Report, establishment and direction of committees, appointment of signatories for payments, and entering into contracts.

The Board may delegate its powers or functions to one or more of the President, Immediate Past President, Vice Presidents, Board Members; to the Management Group; and/or to the CEO. Delegation to the CEO authorises sub-delegation to others.

However the Board may not delegate the power to:

- set subscriptions and other fees and charges;
- borrow money;
- adopt or revise the strategic management plan, annual plan or budget;
- pay Board Members;
- make an application or recommendation, or to report or give notice to the Governor or Minister where the document is required by statute; and
- certify the audited financial statements to anyone other than jointly to the President and the CEO; and
- as a matter of policy the Board will not delegate the power to appoint, dismiss, or vary the employment conditions of the CEO.

The following policy sets out the most common circumstances where the Board delegates its powers to the President, Management Group and/or CEO.

Note that detailed delegations for expenditure of LGA funds and contracts/purchasing are being determined and will be brought to the July Board meeting.

## **POLICY – RECORD OF DELEGATIONS**

The Board of the LGA delegates powers and functions as follows:

<b>Board meeting</b>	<b>Power/function;</b>	<b>Delegated to</b>	<b>Conditions</b>	<b>Review</b>
16 May 2013	Affixing the common seal to a document	President and CEO	Board resolution	Annual
16 May 2013	Certifying the audited financial statements	President and CEO	Board resolution	Annual
16 May 2013	Finalising and signing LGA submissions to Government or other external bodies	President and CEO	Board or Management Group resolution	Annual
16 May 2013	Finalising and signing LGA position on legislation	President and CEO	Board or Management Group resolution	Annual
16 May 2013	Finalising and signing LGA submissions to Government or other external bodies	Management Group and CEO	Board resolution, when needed outside Board meeting times	Annual
16 May 2013	Finalising and signing LGA position on legislation	Management Group and CEO	Board resolution, when needed outside Board meeting times	Annual
16 May 2013	Employ and remove employees	CEO	Within approved budget	Annual
16 May 2013	Engage lawyers, accountants and other experts	CEO	Within approved budget; financial delegations are subject to further review and report in July 2013.	Annual
16 May 2013	Enter into contracts	CEO	Within approved budget; financial delegations are subject to further review and report July 2013.	Annual

The Board will not delegate the power to:

- determine subscriptions, levies and charges;
- borrow money or obtain other forms of financial accommodation;
- adopt or revise the strategic management plan, annual plan or budget;
- pay fees or expenses to Board Members;
- make an application or recommendation, or to report or give notice to the Governor or Minister where the document is required by statute;
- to certify the audited financial statements to anyone other than jointly to the President and the CEO; and
- Appoint, dismiss, or vary the employment conditions of the CEO.

### **POLICY REVIEW**

This policy will be reviewed at least annually.

Item: BO160513/10.16  
DME: 99662

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Alison Gill)

**KEY RESULT AREA 4:** Improving LGA Governance

**STRATEGY 4B:** Continuously improve LGA governance mechanisms to achieve best practice.

**ANNUAL PRIORITY 4.2:** Develop / complete new governance documents to support the LGA's new constitution.

**RE:** LGA ASSOCIATE MEMBERSHIP - REVIEW

### RECOMMENDATION

That the LGA Board:

1. notes the report; and
2. endorses three out of the four current LGA Associate Members (with the exception of Maxima) being offered renewal of their Associate Membership for the 2013/2014 financial year.

### DISCUSSION

The new LGA Constitution came into effect on 1 May 2013, and a separate report has been included in this agenda on operational matters and the implementation of draft policies.

Under the new Constitution, there continues to be two classes of members - Ordinary Members and Associate Members. There is a new requirement that the LGA Board have a policy on the criteria upon which applications for Associate Membership should be assessed, and as part of the implementation of the new Constitution, it is timely to review the Associate Membership of the LGA. The following organisations and entities are current Associate Members of the LGA:

- Centennial Park Cemetery
- Maxima Group Inc
- Nipapanha Community Incorporated (nee Nepabunna Community Inc)
- Outback Communities Authority (nee Outback Areas Community Development Trust)

The draft policy included previously in this agenda recommends that the criteria for the assessment of Associate Membership with the LGA includes consideration of whether the applicant is involved in the provision of Local Government type services or functions.

Given the nature of the business of Maxima it is therefore recommended based on the above criteria that the LGA Secretariat does not offer Maxima a renewal of their Associate Membership.



The LGA Secretariat has advised Maxima that their Associate Membership status will be reviewed, and that the above recommendation be endorsed by the LGA Board. Maxima CEO, David Cockram has advised that he understands the LGA's position and has no serious concerns with this approach.

Item: BO160513/10.17  
DME: 98919

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Wendy Campana)

**KEY RESULT AREA 4:** Continuously improving the governance of the LGA and related Local Government enterprises

**STRATEGY B:** Continuously improve LGA governance mechanisms to achieve best practice

**ANNUAL PRIORITY:** Nil

**RE:** LOCAL GOVERNMENT GOVERNANCE PANEL –  
CHAIRPERSONS RETAINER ARRANGEMENTS

### RECOMMENDATION

That the LGA Board:

1. approves a retainer of \$12,000 per annum for the period 2013/14 for the Chairperson of the Panel;
2. endorses payment being made from the Local Government Research & Development Scheme; and
3. receives a report at its March 2014 meeting of the outcomes of a review undertaken in January 2014, including recommendations for the ensuing period.

### DISCUSSION

The LGA established its Local Governance Panel in 2009 and since that time there have been two Chairpersons. When the panel was formed the LGA was unclear as to the nature of the usage of the services of the panel by Councils referring code of conduct allegations for investigation.

The panel comprises the Chairperson and 5 investigators. The costs of the Chairperson are met by the Local Government Research & Development Scheme and Councils are charged the costs associated for panelists investigating and making recommendations on code of conduct allegations.

The role of the Chairperson of the panel is to:

- receive the referrals from Councils;
- assess them in terms of whether they fit the criteria for investigation, seeking additional information if required;
- allocate an investigator from the panel;
- finalise the report with the panelist;
- where appropriate respond to queries about the work of the panel;
- prepare the annual report which is put before the LGA's AGM in October each year; and

- prepare an agenda and attend the 2 meetings of the panel per year.

The LGA Secretariat provides administrative support to the Panel.

With the passing of the ICAC legislation new arrangements will be in place for the investigation and determination of code of conduct complaints. The model code however recognises that some allegations will not fit within the criteria for the Ombudsman's investigation and there will be a continuing role for the Panel, should Councils wish to use its services.

In May 2011 Marjorie Schulze was appointed to the role and increasingly there has been additional workload as more referrals have occurred. The history of the work of the Panel, since inception, is as follows:

2010/11 - a total of 17 Code of Conduct referrals were made to the Panel from November 2010, up to and including 30 September 2011. An additional three matters were referred to the Panel in 2010/11 but were subsequently withdrawn, or not proceeded with, for various reasons.

2011/12 - a total of 24 of the Code of Conduct referrals were made to the Panel from November 2011, up to and including 30 September 2012. 15 were investigated and 9 were referred back to the relevant Councils.

2012/13 - to date 8 Code of Conduct referrals have been made to the Panel from December 2012, up to and including April 2013.

On average each referral takes about 3 hours of the Chairperson's time whether investigated or referred.

Various payment methods have been used over the years starting with small retainers and hourly rates. Given the unknown nature of the work but the desirability to have appropriate skills attracted to the Chair the retainer model has been the preferred approach in recent times.

On commencing in the role of Chairperson, Marjorie Schulze was paid a \$6,000 retainer per annum. The increasingly workload of the Panel warrants a review of the retainer arrangement.

It is proposed that the retainer be increased to \$12,000 per annum to reflect the increasing workload. This figure has been determined by proposing that at least 20 referrals could occur in each year at a cost of \$600 per referral (3 hours @ \$200 p/h).

This report proposes that a \$12,000 per annum retainer apply for the 2013/14 period with a review in January 2014.

Item: BO160513/10.18  
DME: 99665

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Alison Gill)

**KEY RESULT AREA 4:** Improving LGA Governance.

**STRATEGY 4.D:** Effectively provide and manage resources including staff, assets and finances, to support LGA activities and business.

**ANNUAL PRIORITY:** N/A

**RE:** LOCAL GOVERNMENT HOUSE – LGRS LEASE SIGNING

### RECOMMENDATION

That the LGA Board:

1. notes the report; and
2. authorises the signing of the Memorandum of Lease and Car Parking License using the LGA's Common Seal, in accordance with the provisions of clause 146.4 of the LGA Constitution.

### DISCUSSION

Members may be aware that levels 2 and 3 of Local Government (LG) House were previously leased to the Federal Government, to accommodate the staff of the Fair Work Ombudsman and associated statutory authorities. The existing 5 year leases were put in place by the previous owner of the building.

In December 2011, the Federal Government advised the Secretariat that it would not be extending its leases and would instead relocate all of its staff to another CBD building during 2012. The implications of this for the LGA would have been:

- a need to find alternative tenants for approximately 2400m<sup>2</sup> of lessable floor space;
- loss of a reliable and significant income stream for the building;
- expenses incurred to prepare the 'base building' for new tenants eg new carpets, air conditioning modifications, re-partitioning 'common areas'; and
- provision of rent reductions to new tenants during the first 2 to 3 years of their tenancy (this is standard practice for the property industry and helps compensate tenants for the costs associated with fitting out their tenancy).

However, in February 2012, the Federal Government offered to renew its lease on LG House under the following terms:

- early termination of the lease over approximately 50% of level 3; and

- extension of the existing leases from 1 September 2012 over the remainder of level 3 and all of level 2 for a further 5 year term, with two renewal options of two years each.

Having regard to the obvious benefits to the LGA in retaining the Federal tenancies, the CEO agreed to extend the leases in the terms mentioned.

This was an attractive offer as it retained most of the existing income stream for the building, while freeing up approximately half of level 3.

Under the conditions of their existing lease (level 1), Local Government Risk Services had the first right of refusal for any area of the building that was vacated by any tenant.

In June 2012 the LGA Senior Executive Committee noted negotiations were underway with Local Government Risk Services to lease the remaining floor space on level 3 of Local Government House.

Three copies of the following documentation will be available at the meeting, to be signed by a Board Member and the LGA Chief Executive Officer, and the LGA Common Seal affixed:

- Memorandum of Lease  
Leasing 579m<sup>2</sup> of office space on level 3 of Local Government House to Local Government Risk Services until 27 May 2020, with a right to extend for a 5 year period.
- Car Parking License  
Leasing 7 single car parking spaces in the basement carpark of Local Government House to Local Government Risk Services until 27 May 2020, with an option for renewal for one further term of 5 years.

Item: BO160513/11.1  
DME: 98156

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Wendy Campana)

**RE:** CHIEF EXECUTIVE OFFICER'S REPORT

### RECOMMENDATION

That the report be noted.

### DISCUSSION

#### **Appointment of new Executive Director**

I am pleased with the outcome of the recruitment for the Executive Director position and Pat Gerace starts with the Secretariat on 20 May. He comes with extensive background in economics and law and with experience in Ministerial offices and working with the Parliament. He will bring a valuable skill set to the work of the LGA.

#### **New Zealand Study Tour**

The tour was a terrific personal development activity for me and undertaking it with 16 other Local Government folk was really informative. It is the first time we have offered a study tour of this type and it was clearly well received. Rebecca Wake undertook all the administrative arrangements and did a terrific job and our Tour Guide, Tony Lawson, planned a very informative tour. A report is being finalised by the participants and the report in the agenda on the Local Excellence Program provides an update on who we met with.

#### **Expert Panel**

I have been working with the Panel to assist them with the finalization of their report which is now expected to be released at the end of May with hearings held during July. The LGA President will be conducting a Forum on 13 June to consider the panel's report and the Hon. Greg Crafter will present at the Forum.

#### **Federal Elections**

Work is progressing well with the preparation of documents, the web page, the July luncheon with key SA MPs "on the couch" with Mike Smithson to consider issues that the LGA has identified in its election documents.

#### **Climate Change - Professional acknowledgement - Adam Gray**

In recognition of his leadership and advancement of climate adaptation in SA, Adam Gray was recently invited by the Director of the National Climate Change Adaptation Research Facility (NCCARF) to participate on a review committee for Climate Adaptation and Planning chapters in the soon to be released Intergovernmental Panel on Climate Change (IPCC) 5th Assessment Report.

The IPCC was initiated by the United Nations Environment Programme and the World Meteorological Organisation in 1988 and is the leading international body for the assessment of climate change. The 5th Assessment Report (AR5) will provide an International update of knowledge on the scientific, technical and socio-economic aspects of climate change. Researchers and practitioners from across the world contribute to the final IPCC report. Of

the 12 participants in this chapter review Adam was the only Local Government and South Australian representative. Adam will also be presenting on the advancement of SA Local Government climate adaptation at the 2013 NCCARF National Conference to be held in Sydney in June this year.

## Meetings

A list of meetings I have attended since the 21 March 2013 meeting is below:

<b>March</b>	
25	Matt Will (Deloittes) with Chris Russell, Adam Gray and Simon Thompson re water issues
	EPA - Campbell Gemmell and others - boardroom luncheon
	PIRSA - Scott Ashby re regional development statement
	Annette Martin (LG Financial Managers' Group) with John Wright re fees and charges project
26	Section 245A Development Bonds Briefing
	Mark Goldstone, CEO Prospect
	Matt Will (Deloittes), Kate Symes, David Hitchcock and Chris Russell re sport and recreation
	Local Government Governance Panel Meeting
27	Chris Christensen (DPC) with Lisa Teburea and Simon Thompson
	Water Issues Advisory Panel Meeting
28	Treasurers Budget Briefing with President
<b>April</b>	
2	Gary Okely, LG Risk Services (regular meeting)
	Matt Will (Deloittes) with Lisa Teburea and Chris Russell re Planning
	LGA Briefing to Onkaparinga with President Mayor McHugh
3	Liberal Party Economic Growth Forum
	Lunch with Patrick Conlon MP with President Mayor McHugh
	Deputy Premier with President Mayor McHugh re swimming pool legislation
	Jeff Tate re various projects
4	Murraylands Council Resource Sharing Initiatives (Karoonda East Murray)
5	Greg Grafter & Tony Lawson re Local Excellence Panel
	Marg Ralston (Minister Bignell's advisor) with David Hitchcock
	Matt Clemow re federal election strategy
	Michael O'Neill re Strengthening Regional Development - an Independent Assessment
	Susan Law & Tony Lawson
6-13	New Zealand Study Tour
15	Rhiannon Burner (Minister Gago's advisor)
	Anti-Poverty Week Coordinating Committee Meeting
	John Wright, John Comrie, Shane Sody re Managing the Future Program
	Terry Walsh (UDIA)
	Nathan Paine (Property Council) re Smart Growth Assembly
	Christine Bierbaum (DPC) re 7 Strategic Priorities
	MLGG Executive Meeting
16	Peter Graves (Strategon)
	Paul Caica MP with President Mayor Kym McHugh
	Minister Gago with President Mayor Kym McHugh
	Minister Piccolo with President Mayor Kym McHugh
	LGA Briefing to Norwood Payneham St Peters Council with President Mayor Kym McHugh
17	Matthew Hobby with Andrew Haste re LG Procurement Board Review draft report

	Presentation to SA Bus Association Innovation in Moving People - An Exploration in Regional Mobility in South Australia Forum
	Presentation to Regions Forum
	Rob Kerin with David Hitchcock re Strengthening Regional Development - an Independent Assessment
18-19	LGA Showcase and General Meeting
22	Jessie Cato (Minister Gago's adviser)
	Prospect Council Digital Hub Launch
	Jeff Tate, Natasha Davis with Adam Gray re infrastructure funding, developer contributions
	Michael Kelleedy
23	Henry Inat (CEO Gawler)
	Pauline Koritsa and David Hitchcock re SEMC issues
	Michelle Bonnici re possible collaboration/opportunities
24	Greg Grafter & Tony Lawson re Local Excellence Panel interim report
	Daniel Romeo & Andrew McKeegan
	State Emergency Management Committee
	David Dobbs with Shane Sody and John Wright
26	Gabrielle Appleby (Adelaide Uni Law School) with John Williams, Deb Turnbull, Peter Lockett and Paul Leadbeter
	Commissioner Khatija Thomas & Mike Fordham from FACSIA
27	President Mayor David O'Loughlin
29	Matt Clemow re federal election strategy
	Paul Slater (LGFA)
	Greg McCarthy (WorkCover) with Gary Okely
	Minister Gago with President Mayor David O'Loughlin
	Stephen Hains (Presiding Member Stormwater Management Authority) with President Mayor David O'Loughlin re Brownhill Creek
	Terry Buss (CEO West Torrens) and Matthew Pears (CEO Mitcham) regarding Brownhill Creek
	Vaughan Levitzke (Zero Waste)
30	Stephen Mulligan, Deputy Chief of Staff - Office of the Premier
	Advocacy Toolkit Steering Committee
	Road Safety Senior Executive Advisory Group
<b>May</b>	
1	Matt Clemow re federal election strategy
	Paul Deb (CEO Burnside)
	Ian Dixon re residential seminar input
	Gavin Moss & Mark Thomson (Price Waterhouse Coopers)
2	Presentation to Civil Contractors Federation - Women in Civil forum
	LGA Management Group meeting
	Mayor Jayne Bates (Kangaroo Island)
5-13	Local Government Insurances trip to London with Gary Okely

### Media Reports

4 March	ABC with Ian Henschke	Fortnightly rubbish collections	WC
4 March	ABC News	Fortnightly rubbish collections	WC
11 March	ABC News	Transfer of Housing Trust properties	WC
18 March	ABC News	EPA funding and the Solid Waste Levy	WC
21 March	ABC News	Council rates	CR
28 March	ABC with Matt and Dave	SA Councils and government funding	CR
17 April	5AA with Leon Byner	General Meeting NOM re untidy	CR



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Item: BO160513/11.2  
DME: 99552

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Lou Pisaniello)

**KEY RESULT AREA 4:** Continuously improving the governance of the LGA and related Local Government enterprises.

**STRATEGY 4.D:** Effectively provide and manage resources including staff, assets and finances to support LGA activities and business.

**ANNUAL PRIORITY:** N/A

**RE:** INCOME STATEMENT FOR THE PERIOD 1 JULY 2012 TO 31 MARCH 2013

### RECOMMENDATION

That the LGA Board notes the Income Statement for the period 1 July 2012 to 31 March 2013.

### DISCUSSION

This report includes the Income Statement for the period 1 July 2012 to 31 March 2013. The statement reports on the activities of the LGA at an operational level and excludes project activity. Where “Year to Date Actual” figures differ appreciably to “Year to Date Budget” figures, notes of explanation are included below. The number of each note should be cross referenced to the matching number in the Income Statement.

**1. Interest on Investments:**

Budgeted income for the period has been exceeded by \$51,228.

**2. Local Government Conference and AGM:**

As the LGA conducted a full conference in October with the AGM for the first time, budget estimates were uncertain and the approach was managed carefully to ensure we achieved a surplus. The event returned a surplus of \$16,695 (exceeding budget by \$11,695). Costs (see Note 10) were \$62,688 lower than anticipated (partly due to use of the Westpac Centre, AAMI Stadium) and income was \$55,900 lower than budgeted.

**3. Other income:**

Income is \$52,903 over budget due to the receipt of non-budgeted income being “Paid Parental Leave” from the Federal Government for two employees on maternity leave. This income line also received contributions towards the cost of the President’s luncheon forums that occurred in July and August, see also Note 13 below.

**4. Allowances:**

Expenditure is over budget due predominantly to non budgeted payments made to employees on maternity leave from funds made available by the Federal Government via the "Paid Parental Leave" scheme, these payments have however been offset by income received from the Commonwealth, refer to Note 2 above.

**5. Recruitment of Staff:**

Expenditure has exceeded budget by \$6,870 due to recruitment for administrative positions, a Policy Officer and an Inter-governmental Relations Officer. Not all changes were envisaged.

**6. Training & Development:**

This expenditure line is below budget by \$7,519.

**7. Office Equipment:**

Expenditure that was budgeted for to coincide with upgrading of systems to compliment the new document management system (ECM) has not eventuated to the degree envisaged. Further, as implementation of ECM has been delayed and is not expected until August 2013 some of the expenditure that was expected in the 2013 financial year will now flow into 2014. This line is currently \$16,248 below budget.

**8. Computers:**

Expenditure expected for software licensing and consultancy is yet to manifest for similar reasons as those stated in Note 5 above, this line is \$13,920 below budget.

**9. Depreciation:**

As per Notes 5 and 6 expenditure that was expected in regards to the implementation of ECM has been delayed and will now manifest in the last quarter of the financial year and into the next. Also expenditure is expected to be less than originally budgeted for.

**10. Annual General Meeting:**

Overall expenditure was below budget by \$62,688 refer to Note 2 above.

**11. Conference/Showcase/General Meeting:**

Currently these lines are below budget by \$94,752 as expenditure that was anticipated to 31/03/13 is yet to manifest but is now expected in the last quarter of the financial year.

**12. President's Forum:**

The LGA President's Forum which was budgeted to occur in the first half of the financial year did not occur.

**13. Seminars/External Conferences:**

This expenditure account is over budget by \$17,431, due predominantly to costs associated with the recent LGA delegation to Canberra (July meeting of the State Executive Committee set a budget of \$15,230 with \$3,465 income coming from Councils). The other impact on this line are the lunches with the Ministers and other guest speakers. Note 3 (above) reflects the contributions made to these events by participants.

**14. Legal:**

The expenditure lines are below budget by \$56,901. It was found that the legal advice that was budgeted for as new Bills were presented in the first half of the financial year was not needed to the extent anticipated; this is always a difficult area to predict. Further, in January 2013 the LGA embarked on a systematic process for updating and revising our model documents and expect that the expenditure for these items will increase markedly in the second half of the financial year. It is also anticipated that expenditure in the areas of Planning and Environment and the LGA Constitution will also ramp up.

**15. Consultants:**

Expenditure on consultants is below budget by \$22,625.

**16. Market Research:**

This expenditure account is currently below budget by \$15,500 due to a delay in commissioning the LGA customer satisfaction survey. It is expected this will be commissioned this financial year.

**17. Annual Report:**

Expenditure for the production of the Annual Report was below budget by \$5,673.

**18. General Project Funding:**

\$425,000 has been appropriated from the LGA's budget to fund the design and implementation of the new document management system (ECM). These funds have been transferred and set up as a separate project so that expenditure can be easily and accurately tracked against this appropriation. In the 2012 financial year \$500,000 was budgeted for the new ECM with funding to come from "Accumulated Funds at Period End". It has been decided to appropriate the funds out of pre-surplus/deficit dollars rather than post for greater transparency. The effect is the same on "Total Association Funds".

**19. Transfer to/from Reserves:**

This figure represents the increase/decrease in the Reserves Account required to record movement in staff entitlements and the depreciation of fixed assets.

**20. Reserves:**

This is a capital account which forms part of total association funds on the LGA's Balance Sheet. It records an estimate of funds required for future outlays of Long Service and Annual Leave entitlements for staff. It also records an estimate of funds required for future capital outlays. Movement occurs through it as staff either take, or are paid out Long Service and Annual Leave and as depreciation of assets is recorded. At any one time, this account will show the total of estimates for outstanding Long Service and Annual Leave entitlements, as well as accumulated depreciation.

LOCAL GOVERNMENT ASSOCIATION OF SA  
INCOME & EXPENDITURE BUDGET  
FOR THE FINANCIAL YEAR 2012/2013

	2013 Budget	YTD Budget to 31/3/13	YTD Actual to 31/3/13	YTD Variation	
<b>INCOME</b>					
		excl. GST	excl. GST		
Subscriptions	1,949,467	1,949,467.02	1,952,674.25	3,207	
Commercial Entities	1,829,000	1,098,000.00	1,082,100.44	(15,900)	
Project Administration	342,637	197,176.50	197,716.41	540	
Interest on Investments	314,874	308,738.75	359,966.72	51,228	1
LG Conference & AGM	220,000	220,000.00	164,100.00	(55,900)	2
LG Showcase and General Meeting	220,000	70,000.00	66,950.00	(3,050)	
Other	266,965	196,628.23	249,531.08	52,903	3
LG House income	1,774,985	1,311,423.59	1,316,169.07	4,745	
<b>TOTAL INCOME</b>	<b>6,917,927</b>	<b>5,351,434</b>	<b>5,389,207.97</b>	<b>37,774</b>	
<b>EXPENDITURE</b>					
Salaries	2,648,769	1,986,576.77	1,976,856.66	9,720	
On Costs	500,592	375,849.68	376,225.60	(376)	
Allowances	72,133	44,838.64	50,213.89	(5,375)	4
Recruitment of Staff	20,000	15,000.00	21,870.11	(6,870)	5
Training & Development	42,400	35,133.34	27,614.65	7,519	6
<b>Total Emp Costs &amp; Allowances</b>	<b>3,283,894</b>	<b>2,457,398</b>	<b>2,452,781</b>	<b>4,618</b>	
Administration	178,000	143,324.55	138,226.49	5,098	
Finance	465,027	386,677.51	361,877.42	24,800	
Office Equipment	50,500	34,541.64	18,293.76	16,248	7
Computers	18,000	15,340.00	1,420.18	13,920	8
Depreciation	178,607	122,955.15	96,071.78	26,883	9
<b>Total Office Expenses</b>	<b>890,133</b>	<b>702,839</b>	<b>615,890</b>	<b>86,949</b>	
Annual General Meeting	215,000	215,000.00	152,312.46	62,688	10
Conference/Showcase and General Meeting	215,000	115,000.00	20,248.19	94,752	11
President's Dinner	10,000	10,000.00	10,145.46	(145)	
President's Forum	10,000	10,000.00	-	10,000	12
Meetings	30,000	19,500.00	17,434.49	2,066	
Seminars/External Conferences	20,000	15,000.00	32,431.35	(17,431)	13
<b>Total LGA Functions &amp; Govern.</b>	<b>500,000</b>	<b>384,500</b>	<b>232,572</b>	<b>151,928</b>	
Legal	190,000	142,000.00	85,099.18	56,901	14
Industrial Relations	152,500	146,000.00	137,560.00	8,440	
General Consultants	150,000	102,500.00	79,874.78	22,625	15
<b>Total Consultants</b>	<b>492,500</b>	<b>390,500</b>	<b>302,534</b>	<b>87,966</b>	
Travel	67,000	52,333.30	51,996.86	336	
Motor Vehicles	46,200	36,200.00	39,301	(3,101)	
<b>Total Travel</b>	<b>113,200</b>	<b>88,533</b>	<b>91,298</b>	<b>(2,764)</b>	
Promotion & Public Relations	133,500	85,235.00	78,234.84	7,000	
Elections & L G Promotions	0	-	810.00	(810)	
Market Research	25,000	25,000.00	9,500.00	15,500	16
Annual Report	15,000	15,000.00	9,326.94	5,673	17
<b>Total Promotions</b>	<b>173,500</b>	<b>125,235</b>	<b>97,872</b>	<b>27,363</b>	
Building Rental	0	-	-	0	
Outgoings	0	-	-	0	
<b>Total Tenancy</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>ALGA Subscriptions</b>	<b>208,464</b>	<b>208,464.00</b>	<b>208,464.00</b>	<b>0</b>	
Deficit Projects - Written Off	0	-	-	0	
General Project Funding (ECM)	0	-	425,000.00	(425,000)	18
LG House Expenditure	1,243,948	947,025.67	990,713.33	(43,688)	
<b>TOTAL EXPENDITURE</b>	<b>6,905,639</b>	<b>5,304,495</b>	<b>5,417,123</b>	<b>(112,628)</b>	
<b>OPERATING SURPLUS / (DEFICIT)</b>	<b>12,288</b>	<b>46,939</b>	<b>(27,915.23)</b>	<b>(74,854)</b>	
<b>Accumulated Funds as at July 1</b>	<b>7,446,114</b>	<b>7,446,114</b>	<b>7,446,114</b>		
<b>Add Operating Surplus/Deficit 2013</b>	<b>12,288</b>	<b>46,939</b>	<b>(27,915)</b>		
<b>Accumulated Funds at Period End</b>	<b>7,458,402</b>	<b>7,493,052</b>	<b>7,418,198</b>		
<b>Transfer To/From Reserves</b>	<b>0</b>	<b>0</b>	<b>(514,519)</b>		19
<b>Accumulated Funds at Period End Reserves</b>	<b>7,458,402</b>	<b>7,493,052</b>	<b>6,903,680</b>		
<b>Reserves</b>	<b>2,403,656</b>	<b>2,403,656</b>	<b>2,918,174</b>		20
<b>TOTAL ASSOCIATION FUNDS</b>	<b>9,862,057</b>	<b>9,896,708</b>	<b>9,821,854</b>		

Item: BO160513/11.3  
DME: 99553  
Attachment: 99531

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Alison Gill)

**KEY RESULT AREA 4:** Improving LGA Governance.

**STRATEGY 4.B:** Continuously improve LGA governance mechanisms to achieve best practice.

**ANNUAL PRIORITY 4.3:** Develop / complete new governance documents.

**RE:** 2012-2013 LGA ANNUAL PRIORITIES PROGRESS REPORT

### RECOMMENDATION

**That the LGA Board notes progress against the 2012-13 Annual Priorities as shown in the attached Work Program.**

### DISCUSSION

The attached updated work program is provided to every meeting of the LGA Board so that Members can monitor progress against the Annual Priorities (which are derived from the LGA Strategic Plan). This ensures that the resources and activities of the LGA are being directed to the areas considered to be of highest priority. The Work Program includes the name of the officer responsible for each priority, to provide LGA Board Members with a point of contact for detailed enquiries about specific issues. It also assigns responsibility to specific staff to ensure accountability, performance and progress.

**LGA ANNUAL PRIORITIES 2012-13 PROGRESS REPORT – MAY 2013**

PRIORITY	OFFICER	PROGRESS TO DATE
<b>KRA NUMBER 1 - (Encouraging Understanding of Local Government)</b>		
1.1 Support Councils with an annual promotional program incorporating key messages to encourage greater community understanding of Local Government.	CR	The Awareness Campaign is now being implemented in full with updated Careers in Council website and materials, branding provided to Councils for local use and paid advertising. Advertising comprises print, radio advertising, television advertising and a digital program including social media. The impact of the campaign will be reviewed and further planning undertaken for Local Government election promotion in 2014. Consideration is being given to how an annual program would operate beyond 2014.
1.2 Implement an LGA Communications Strategy, designed to support the other LGA strategies, particularly those related to Achieving Influence for Local Government.	CR	The strategy is being reviewed in light of the timing of State and Federal elections, a plan is being developed to extend to March, 2014.
1.3 Maintain strategies to ensure effective communication with Councils including the LGA website.	CR	The LGA website is the last to be upgraded to Unity6. This upgrade process has commenced and it expected to be completed by May/June. Following this a review of the website will be undertaken, in particular to apply responsive design to ensure effective display on mobile devices and tablets.
1.4 Commence planning for promotion of the 2014 Local Government Elections.	CR	The Electoral Commissioner has been involved in preliminary discussions regarding the Awareness Campaign and will continue to be engaged. Development of a plan will commence in mid-2013.
1.5 Investigate with Councils the implications and the better use of social networking media and mobile platforms to involve local communities in Council activities and decisions using latest technologies and ongoing support regarding community engagement.	CR	A successful training course was provided in September, 2012 and a further course is being considered for 2013. An approved Local Excellence project in relation to social media is being refined for commencement in early 2013. The LGA Community Engagement Handbook is being reviewed and additional R&D Scheme funding has been approved for further work with Councils.
1.6 Improve publication of data about Local Government including information from public satisfaction survey arrangements.	WC	The LGA's Comparative Performance Measurement Project (CPM) provides information on this matter. A review of the CPM project is planned to commence in mid 2013 to ensure it continues to meet the needs of Councils and the community.

1.7 Work with Councils to enhance their website capabilities, including facilitating a changeover to new software, Unity version 6.	JM	Upgrade to Unity6 complete for all SA and TAS sites.
<b>KRA NUMBER 2 - (Achieving Influence for Local Government)</b>		
2.1 Continue the LGA's program for the President briefing the Premier, Cabinet and Members of State and Federal Parliaments on key issues.	WC	On a State level the LGA President will meet with the Premier in May and regular meetings are established with Minister Gago and a meeting with Minister O'Brien. Other meetings with Ministers on key issues affecting Local Government will be established. Various meetings have also been held with the Opposition, minor parties and Independents. On a National level the LGA is seeking to meet in June with the Prime Minister, Minister Albanese, Leader of the Opposition Hon Tony Abbott and Barnaby Joyce as part of the Federal election strategy.
2.2 Influence State and federal legislation and policy on matters including:		
Local Excellence Theme 'Community Engagement'; eg <ul style="list-style-type: none"> <li>Local Government elections;</li> </ul>	WC	Work is continuing on addressing the recommendations recently adopted from the review of the elections by OSLGR and the LGA. The Minister is keen to introduce requirements relating to training and development of Elected Members prior to election, and as an ongoing requirement.
Local Excellence Theme 'Financial Reform'; eg <ul style="list-style-type: none"> <li>Financial Accountability regulations;</li> </ul>	ShS	All of the projects under the Local Excellence Theme "Financial Reform" are either under way or completed. Detail of progress can be found in the Local Excellence Update which is attached to this agenda.
Local Excellence Theme 'Service Efficiency & Effectiveness'; eg <ul style="list-style-type: none"> <li>Water security;</li> </ul>	ST	The second meeting of the Water Issues Advisory Panel was held on 27 March where a long term work was discussed. A round table meeting with outside expertise in the areas of water retailing is scheduled in late May. The LGA is progressing work in the areas of funding for stormwater projects, and is soon to commence further work in line with the work program discussed by the Water Issues Advisory Panel.



<ul style="list-style-type: none"> <li>NRM;</li> </ul>	AG	LGA continues to liaise between Councils, the Minister and DEWNR staff to address issues identified. This includes attendance at NRM forums and participation on the regional integration advisory committee. The LGA will be undertaking an LGR&DS funded project during 2013 to investigate the effectiveness of the MoU process and recommend new directions for communications and service delivery.
<ul style="list-style-type: none"> <li>Waste Management;</li> </ul>	ST	A business case of funding waste management projects has been developed in consultation with Councils. This will be used by the LGA in its lobbying during and leading up to the State Election. The LGA is also considering a way forward in light of the announcement that Zero Waste SA would cease in 2015. A round table meeting is planned in late May where a number of experts will assist the LGA in scoping several projects that relate to key Local Government waste management areas.
<ul style="list-style-type: none"> <li>Transport and freight networks;</li> </ul>	NH	Heavy vehicle route assessment tool about to be evaluated with participating Councils. Initial indications are that it is a very useful tool The LGA in collaboration is developing its own rail road interface agreement that will comply with the Rail Safety Act that was introduced last year by the SAG
<ul style="list-style-type: none"> <li>Emergency management;</li> </ul>	NH	Ongoing discussions occurring with the SG at the State Emergency Management Committee level about the participation of Councils at emergency incidents.
<ul style="list-style-type: none"> <li>Planning and population growth;</li> </ul>	LT	The LGA has provided advocacy for Councils on a number of matters including the Private Certification Bill, Barossa and McLaren Vale Character Preservation Bills, wind farm policy, regulated trees, Residential Code amendments, building inspection fees and a Code of Conduct for building rules assessments. The LGA will be heavily engaged in the State Government Planning Improvement Project and is working a series of 'Future Directions' Papers on key planning reform issues.
<ul style="list-style-type: none"> <li>Climate Change;</li> </ul>	AG	LGA continues to pursue outcomes identified in the LGA climate change strategy and State and Local Government Climate Change sector agreement. The LGA will be consulting with Councils during 2013 on a review of both strategies.

<ul style="list-style-type: none"> <li>Public Health;</li> </ul>	IH	The LGA has partnered with SA Health on an extensive roll out of resources and training programs for Councils. More than 80 per cent of the states 149 Environmental Health Officer will have completed training in the administration of the new Act prior to its commencement on 31 May 2013.
<ul style="list-style-type: none"> <li>Burial and Cremation</li> </ul>	AM	Submission on new Burial and Cremation Bill sent to the Minister. A new, revised Bill has subsequently been introduced into Parliament and has addressed most of the LGA's concerns. The LGA also successfully negotiated to have the Attorney read into Hansard responses to the LGA's remaining issues. The Bill is now in the Legislative Council.
<ul style="list-style-type: none"> <li>Early Childhood</li> </ul>	LT	The LGA continues to partner with the State on early childhood development activities. The final report of the Rinaldi Residency, sponsored by the LGA, is due to be delivered in May 2013.
<ul style="list-style-type: none"> <li>Recreation and Sport;</li> </ul>	KS	<p>The LGA is continuing a dialogue with Minister Rankine and Minister Bignell regarding shared use of school facilities.</p> <p>The LGA working with Minister Bignell advisors to further progress the Community use of school facilities document to ensure it is fit for purpose and adds value to the current process while assisting community groups and Councils to engage in future agreements for shared use.</p>
<ul style="list-style-type: none"> <li>National Broadband Network.</li> </ul>	ST	The Local Government guide to the NBN has been developed and has been distributed to Councils. The LGA will continue to update Councils on NBN developments where necessary.
<p>Local Excellence Theme 'Governance'; eg</p> <ul style="list-style-type: none"> <li>Governance issues in the Local Government Act;</li> <li>The proposed 'public integrity' framework;</li> <li>Updating the Australian Constitution (ref 2.8)</li> </ul>	AM	A submission on the Councillors' Code has been made to the Minister for State/Local Government Relations. The section of the code on the regulation of 'gifts and benefits' has been the subject of separate consultation, together with consultation on the draft employees' code. These documents will be considered at the LGA Board meeting on 16 May 2013.
2.3 Implement the recommendations in the LGA's Discussion Paper regarding Regional Development, in consultation with Regional LGAs and the MLGG.	DH	The discussion paper on Partnering with Local Government to Deliver Regional Outcomes was adopted at the AGM on 26 October 2012. Actions relating to the Minister's Statement for Regional SA and engagement on the 7 Key Priorities of the South Australian Government were addressed at the Minister's State Local Government Forum on 7 December 2012. Discussions are underway with the Minister for Regional Development regarding proposals in the paper and with Premier & Cabinet at an officer level.

2.4 Develop and implement, in consultation with Councils, an LGA Federal Election Strategy and supporting policy documents to ensure South Australian Local Government issues are raised with Government Ministers, Parliamentary Secretaries, Opposition Spokespersons, Minor Parties and Independents.	WC	The report of the Canberra Delegation was endorsed at the AGM on 26 October 2012. Letters, outlining the strategy the SA have been sent to relevant Federal politicians. An action strategy has been developed from recommendations in the paper and will be reported on regularly through the State Executive Committee. A separate report is provided in the May LGA Board meeting agenda ( <a href="http://www.lga.sa.gov.au/site/page.cfm?u=495&amp;c=26797">http://www.lga.sa.gov.au/site/page.cfm?u=495&amp;c=26797</a> )
2.5 Develop and implement the LGA's State Election Strategy in consultation with Councils, including identifying key policy areas for promotion.	WC	A strategy has been adopted by the State Executive Committee. Alignment where appropriate with the Local Excellence Panel will be pursued.
2.6 Continue to work with the State Government on its 7 priorities through gaining representation on high level committees and groups and promoting the positive contribution that Councils are (and continue) making in these areas.	LT	This matter was discussed at the Minister's State Local Government Relations Forum on 7 December. A working group comprising representatives from LGA, Office of State Local Government Relations and the Department of Premier and Cabinet has been formed to progress collaboration between the two spheres of government. The LGA is represented on the Senior Officer's Groups for two of the Strategic Priorities.
2.7 Promote and facilitate a high level of cooperation with the Urban Renewal Authority and development industry to ensure excellence in the design, planning and delivery of housing and development.	LT	The LGA is facilitating discussion with development industry peak bodies to progress an 'in-principle' agreement on infrastructure contributions. The 'Developer Luncheon' series has successfully built stronger relationships between Local Government and the development industry and facilitated a common understanding of the development issues and pressures throughout South Australia. The LGA and UDIA have recently received endorsement from the Minister for Planning to undertake a joint project to develop a standard 'development bonding' agreement. A draft agreement has been circulated to a Local Government working party for feedback.
2.8 Monitor the effectiveness of the new State/Local Government Relations Agreement and the work of the Minister's State/Local Government Relations Forum.	WC	The LGA continues to monitor the effectiveness of the MOU as a tool to encourage consultation and collaboration between State and Local government. Where issues have arisen from a lack of consultation by State Government on matters affecting Local Government, the LGA has swiftly advised the Premier, Minister for State/Local Government Relations and other Ministers where appropriate.
2.9 Develop a program for data collection, analysis and management by the LGA; to deliver evidence based research and data to support policy positions and recommendations.	WC	The LGA has engaged Deloitte consultants to assist with the preparation of specifications for key data areas and assess gaps. This work should be completed by June, along with discussions with Councils on their needs. The 2011-12 Supplementary Return was released earlier than usual in July with a return date 30 November 2012.

2.10 Identify and prioritise the Boards on which Local Government should be represented and seek representation.	WC	Ongoing.
2.11 Work within the framework agreed and established by the ALGA to demonstrate to the community the benefits of Constitutional Recognition for Local Government and develop strategies to address all possible outcomes of a proposed referendum on the subject.	CR	The decision by the Commonwealth to proceed with a referendum is a major success for Local Government and ALGA in particular. The proposed wording deals with the objective set by Local Government. The LGA is providing significant support to ALGA in planning the referendum campaign. The timing of our State-level Awareness Campaign could not have been better.
2.12 Identify key reform initiatives envisaged under the new Library Funding agreement and determine priority areas while continuing to support and monitor the roll out of the One Library Management System.	DH	Roll out of the One Library Management System is continuing and will be moving to a predominantly country focus for the next few months and most likely for much of 2013.
2.13 Lead and support a proactive approach by Local Government to the 'National Strategy for Disaster Resilience' and any related State legislation, including supporting Councils to better educate their staff, develop and review their Emergency Management Plans, and engage and inform their communities.	NH	Preparation of submission to the review of the F&ES Act
2.14 Deliver appropriate resources to assist Councils to undertake new regulatory requirements of the Public Health Act including development of regional Public Health Plans.	IH	The LGA has partnered with SA Health on an extensive roll out of resources and training programs for Councils. Information papers and revised delegation and instrument of appointment templates have been distributed to Councils to support the transition to the new Act. Briefing sessions have been offered in the Regions to facilitate and support Councils approach to Public Health Plans.
2.15 Promote and facilitate engagement with ESCOSA to ensure new regulation requirements of the Water Industry Act 2012 are not detrimental to Council CWMS and water recycling initiatives.	AG AH	<p>Ongoing meetings have been held with ESCOSA to consider the implications of implementing the Draft Water Industry Regulations as they relate to the ongoing viability of the CWMS program.</p> <p>The issues surrounding the Draft Water Industry Regulations and any possible detrimental implications remain as a priority for the CWMS Committee. Regular communication and meetings are held between the LGA and ESCOSA to monitor the implementation of the new regulations.</p>

<b>KRA NUMBER 3 - (Building Council Capacity)</b>		
<p>3.1 Continue to implement the Local Government Reform Fund project with a particular emphasis on supporting Councils through individual and regional programs to adopt best practice financial and asset management plans; provide technical training for staff; workforce planning, environmental sustainability and regional collaboration.</p>	<p>SS AH</p>	<p>Stage 1 of the Managing for the Future Project was completed in May 2012 resulting in a state-wide data base. A whole-State Continuous Improvement Plan (CIP) was released in January 2013.</p> <p>Asset &amp; Financial Management: Coupled with the funds pledged by the Minister for State /Local Government Relations to support small and rural Councils (\$150 000), funding has been allocated to assist with the sustainable development of asset management and financial plans in order to bring the whole of Local Government to a shared minimum standard.</p> <p>A group of 12 Business Partners has been working since September 20-12 with all regional Councils, in clusters, to assist each Council to integrate its asset management, long-term financial planning, and service standards.</p> <p><u>Workforce Planning:</u> The third round of the Workforce Planning project was commenced in February 2013, with the fourth round commencing in May 2013 with planning sessions being held in Adelaide and Port Augusta. All South Australian Councils have now been offered access to the workforce planning service. A workforce planning manual has been prepared and is being used to assist Councils to undertake the workforce planning process.</p> <p>A comprehensive library (Skillsbook) of over 150 Local Government job profiles has been developed and made available to all Councils. A Training Needs Analysis Guide is due for release to Councils by mid May 2013 to assist Councils make the best use of the Skillsbook resource.</p> <p><u>Climate Change Adaptation:</u> This project uses the data obtained in the <i>Managing for the Future</i> program to support Council asset and financial management plans to deal adequately with climate change adaptation. The LGA will be partnering with the State Government to deliver this two-year climate adaptation capacity building project.</p>

		<p><u>Regional Collaboration:</u> The data obtained in the <i>Managing for the Future</i> program indicates that 60% of non metropolitan Councils are not participating in shared services. In addition, the study that the LGA commissioned, into the results of several shared services pilot projects, was released in September 2012.</p> <p>The availability of both the whole-State CIP and the shared services pilot scheme report has cleared the way for the LGA to consider how best to distribute funding, from the Local Government Reform Fund, not only on the abovementioned Business Partner Program, but also on targeted shared services initiatives. All Councils will be invited to consider participating (with other Councils in a cluster or region) in one or more of a range of shared-services initiatives, utilising expert advice and guidance to produce outcomes which can be replicated by other groups.</p>
3.2 Undertake a pilot project to test improvements to Council customer service using mobile technology.	JM	A High Level Specification has been provided to Reference Group and Communicators Group for consultation. Engagement with preferred suppliers to be confirmed by end of May 2013.
3.3 Primarily through the Local Excellence program, build Council capacity in areas such as:	Relevant Policy Officer	
<ul style="list-style-type: none"> <li>Waste management;</li> </ul>	ST	A business case of funding waste management projects has been developed in consultation with Councils. This will be used by the LGA in its lobbying during and leading up to the State Election. The LGA is also considering a way forward in light of the announcement that Zero Waste SA would cease in 2015. A round table meeting is planned in late May where a number of experts will assist the LGA in scoping several projects that relate to key Local Government waste management areas.
<ul style="list-style-type: none"> <li>Wastewater management (CWMS);</li> </ul>	AH	Statewide Cities and Towns Project has been completed including the extension granted for works at Hawker. Milestone 7 and Final Reports have been submitted to DWSEWPaC for consideration.

<ul style="list-style-type: none"> <li>• Development Planning;</li> </ul>	LT	<p>The 'Council Guide to Development' was launched at the LGA General Meeting in August 2013. Further progress has also been made on Public Realm Urban Design Guidelines and a planning information package for Elected Members which is jointly funded by the Department for Planning, Transport and Infrastructure. The Residential Code e-checklist project has been deferred until August 2013 to consider the impacts of changes to the Residential Code and introduction of private certification.</p>
<ul style="list-style-type: none"> <li>• Water security;</li> </ul>	ST	<p>The second meeting of the Water Issues Advisory Panel was held on 27 March where a long term work was discussed. A round table meeting with outside expertise in the areas of water retailing is scheduled in late May. The LGA is progressing work in the areas of funding for stormwater projects, and is soon to commence further work in line with the work program discussed by the Water Issues Advisory Panel.</p>
<ul style="list-style-type: none"> <li>• Climate change;</li> </ul>	AG	<p>LGA continues to pursue outcomes identified in the LGA climate change strategy and State and Local Government Climate Change Sector Agreement. The LGA will be consulting with Councils during 2013 on a review of both strategies.</p>
<ul style="list-style-type: none"> <li>• Public health;</li> </ul>	IH	<p>The LGA has partnered with SA Health on an extensive roll out of resources and training programs for Councils. The program commenced in September 2012 and will continue till 2015.</p>
<ul style="list-style-type: none"> <li>• Library systems;</li> </ul>	DH	<p>Roll out of the One Library Management System is continuing and will be moving to a predominantly country focus for the next few months and most likely for much of 2013.</p>
<ul style="list-style-type: none"> <li>• Infrastructure;</li> </ul>	NH	<p>Year 3 of Bus Shelter program has commenced. Following completion of the LGA Regional Airports Project the LGA is now working to facilitate regional Airport Master plans.</p>
<ul style="list-style-type: none"> <li>• Supporting an ageing population;</li> </ul>	BL	<p>The LGA continues to work with the State Government and relevant stakeholders to progress the objectives within the LGA Ageing Strategy. This includes working with the Thinker in Residence, Dr Alexandre Kalache, and the release of his final report anticipated in June 2013.</p>
<ul style="list-style-type: none"> <li>• Supporting young people, and people with a disability;</li> </ul>	LT	<p>The LGA continues to work with the State Government through its priorities as relevant on this issue and to support Councils through the Local Government Community Managers Network.</p>

<ul style="list-style-type: none"> <li>Economic Development;</li> </ul>	WC	<p>The LGA, in conjunction with Economic Development Australia is coordinating an “engaging with China” workshop for Councils for July.</p>
<ul style="list-style-type: none"> <li>Workforce Planning;</li> </ul>	AH	<p><u>Workforce Planning:</u> The third round commenced in February 2013 and the fourth round is scheduled to commence in early May 2013. All South Australian Councils have now been offered access to the workforce planning service. A workforce planning manual has been prepared and is being used to assist Councils to undertake the workforce planning process. The Workforce Planning Manual was released at the April 2013 General Meeting.</p> <p>To assist Councils to undertake training needs analysis as part of the identification of their workforce development strategies, a library of Local Government job profiles has been developed and released in Circular 13.6</p>
<ul style="list-style-type: none"> <li>Recreation and Sport;</li> </ul>	KS	<p>The LGA is continuing a dialogue with Minister Rankine and Minister Bignell regarding shared use of school facilities.</p> <p>The LGA working with Minister Bignell advisors to further progress the Community use of school facilities document to ensure it is fit for purpose and adds value to the current process while assisting community groups and Councils to engage in future agreements for shared use.</p> <p>The Local Government R&amp;D scheme has funded the development of Guidelines for the Sustainable Management of Recreation Facilities which is nearing completion.</p>
<ul style="list-style-type: none"> <li>Environmental Services;</li> </ul>	AG	<p>The LGA has continued to pursue environmental initiatives including stormwater, native vegetation, marine parks, coastal management, energy efficiency etc. This has included the progression of the LGA Water Issues Advisory Panel.</p>
<ul style="list-style-type: none"> <li>Emergency management and recovery;</li> </ul>	NH	<p>Final User Acceptance Testing of the Emergency Assessment Reporting System is occurring. Release of the App is anticipated for late May 2013.</p>
<p>3.4 Participate in the Australian Government’s review of the Financial Assistance Grants program to obtain a more equitable share of resources for SA Councils.</p>	DH	<p>The LGA has provided a submission to the Federal Government Financial Assistance Grants Review and will be presenting to the Commission in May 2013. The LGA has also completed a submission for the SA Local Government Grants Commission review.</p>



3.5 Within the framework of the Local Excellence Program, consider and implement adopted proposals from the 'Options for Consolidation in Local Government' paper.	WC	This work has been delayed and will be pursued in the context of any issues raised by the Expert Panel in its April report.
3.6 Actively promote and monitor the uptake of Education and Training programs, especially in regional areas, and review the program as required, including: <ul style="list-style-type: none"> <li>• consideration of opportunities for video conferencing;</li> <li>• rollout of additional on line training modules;</li> <li>• establishment of a Registered Training Organisation; and</li> <li>• changes to courses as required.</li> </ul>	AH	The 2013-14 Education & Training program is near completion and will be launched in late May 2013. The program is moving to a web format only (no printed booklet) in order to save resources and costs and to allow the service to be able to react to changes throughout the training year. The E&T service has engaged the services of an experienced Local Government trainer in order to continue to grow the current service and better service the individual training needs of Councils. Discussions with a number of RTO's to facilitate a wider range of nationally recognized qualifications and associated funding opportunities continue. The E&T service continues to investigate models of best practice in the delivery of training via video conferencing in anticipation of facilities becoming available across the sector.
3.7 As part of the Local Excellence Program, identify shared services opportunities between Councils and where relevant, the State Government and demonstrate through pilot/case study Councils, and Regional LGAs the benefits of collaboration.	ShS	A report, evaluating the projects previously funded by the LGA was distributed in LGA Circular 38.9 in September 2012. It is expected that new models will be developed and trialed with those Councils seeking support for regional collaboration, commencing with the 13 smallest regional Councils.
3.8 Complete the review of the Code of Conduct for Council Members and Council employees, as required under the ICAC legislation, and determine any ongoing role of the Local Government Governance Panel.	AM	A submission on the Councillors' Code has been made to the Minister for State/Local Government Relations. The section of the code on the regulation of 'gifts and benefits' has been the subject of separate consultation, together with consultation on the draft employees' code. These documents will be considered at the LGA Board meeting on 16 May 2013.
3.9 Provide comprehensive information papers, training and other resource materials to assist Councils to work within the new ICAC framework.	AM	A suite of information papers and resource materials have been developed. A program for training in the new requirements has been released.
3.10 Provide model procedures, policy and training for Councils in the area of procurement, including advisory services for individuals and groups of Councils.	AH	The Procurement handbook and model documents have been well received by Councils and are now forming the backbone of the procurement practices in many Councils. Procurement Advisory service and training in metropolitan and regional areas continues. A review process for the handbook and model documents is being planned.

3.11 Review and streamline the audit based assessment programs for Councils initiated by the LGA and Local Government Risk Services, to ensure the programs have resulted in the development of effective performance improvement plans and improved processes for Councils, with minimised resource impacts.	WC	The Good Governance Assessment Program (GGAP) has been suspended. However, GGAP assessments are still be available to those Councils who are relying on their independence as part of their Audit Committee Workplan.
3.12 With Councils, reassess the LGA's career of choice program (due to be re-branded with the Community Awareness branding) and determine its future directions and resource requirements.	CR	The LGA applied for LGR&DS funding however this was unsuccessful. In the meantime, the LGA 's Communication team has rebranded the Shape Your World website and developed newly badged resources that Councils can borrow that now carry the new Careers in Council branding. This links to the LGA Awareness Campaign.

<b>KRA NUMBER 4 - (Improving LGA Governance)</b>		
4.1 Continually review executive support, meeting schedules and other administrative arrangements for State Executive Committee, SAROC, MLGG and other LGA Committees, making improvements when appropriate.	AG	Ongoing. The LGA Board Members Manual has been updated and will be provided to members at the 16 May 2013 meeting.
4.2 Develop / complete new governance documents to support the LGA's new Constitution including, but not limited to: <ul style="list-style-type: none"> <li>• delegations register;</li> <li>• procedures manual;</li> <li>• sealing register;</li> <li>• finance and asset management plan; and</li> <li>• OH&amp;S 'One System'.</li> </ul>	AG	The new LGA Constitution became operable on 1 May 2013. The LGA Secretariat has developed a work program for the introduction of all required new documents and operational changes.  The following draft documents are included in this agenda for the Board's consideration: affixing of the common seal; criteria for assessing applications for Associate Membership; standing orders for LGA meetings; record of delegations.
4.3 Continue to review the management and development of LGA staff, and changes to operational systems used by the Secretariat.	AG	LGA staff have recently completed their summative (6 monthly) Performance Evaluation Process (PEP) with their Manager/Director, to review and follow-up previous actions and agreements that were made.
4.4 Conduct an independent review of the operation and governance arrangements of the LGA Schemes and make recommendations (as required) on enhancements.	AH	Work is underway with the Schemes to scope an external review to be conducted in June 2013. LGAP Board has reviewed its staffing structure and adopted recommendations from an independent review. A new position of CEO LGAP has been appointed (see LGAP Report). Board review report has been received and is being considered.
4.5 Work with LGA Procurement to adopt a Strategic Plan and Annual Priorities that are guided by the Contract & Tendering Services Pty Ltd (CTS) Report and involve pilot and other support programs for Councils.	AH	Strategic Plan and Annual Priorities have been adopted and will be reviewed annually.
4.6 Continually review the nature, management and promotion of the LGA's major events.	CR	The conduct of a major conference with the 2012 AGM and the 2013 Showcase/GM were very successful in outcomes. Planning is now proceeding on the basis adopted on an ongoing basis. This includes reviewing all venue options and securing bookings in to the future.
4.7 Select and implement a new electronic records management system for the LGA, including upgrades to computer operating software.	AG	The new records management system has been selected and is currently in the planning phase for "roll out".

Item: BO160513/11.4  
DME: 98908

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Wendy Campana)

**KEY RESULT AREA 2:** Achieving greater influence for Local Government in matters affecting local communities.

**STRATEGY 2.A:** Develop a partnering culture and build strong relationships with State and Federal governments, Members of both Parliaments, media, industry groups, and other relevant individuals and organisations which deliver better outcomes for communities.

**ANNUAL PRIORITY 2.1:** Continue the LGA's program for the President briefing the Premier, Cabinet and Members of State and Federal Parliaments on key issues.

**RE:** FEDERAL ELECTION

### RECOMMENDATION

That the LGA Board:

1. notes the report; and
2. receives a further report at the July meeting.

### DISCUSSION

Prime Minister Julia Gillard recently announced the Federal Election will be held on 14 September 2013. The official election campaign period will begin on Monday 12 August 2013. In order for the LGA to be in a position to discuss policy proposals with each political party as soon as possible, an action plan has been developed.

#### LGA Activities

On 11 and 12 September 2012, the LGA President hosted a delegation of Mayors and CEOs in Canberra. In total there were 25 representatives from South Australian Local Government who formed the Delegation. Meetings were held at Parliament House with Labor, Coalition, Greens and Independent Members of Parliament, Parliamentary Secretaries and Senators.

The following actions from the Canberra Delegation were endorsed at the September 2012 LGA State Executive Committee meeting:

Action	Status
1. Sending letters from the President to all persons that the Delegation met with, summarising issues discussed and where appropriate, providing additional information.	Completed.

2. Preparation of a report to the AGM from the Delegation, including recommendations on the way forward.	Completed.
3. Additional policy documents being prepared in key areas discussed and put forward in the report of the Delegation.	Completed.
4. Using the Delegation as a working party for the preparation of documents and strategies etc.	Ongoing.
5. The President attending further meetings with Ministers, Shadow Ministers, Parliamentary Secretaries, Independents and other key MPs.	Incorporated in the Federal election action plan attached.
6. Specific meetings being held with South Australian Members and Senators on issues raised during the delegation.	Incorporated in the Federal election action plan attached.
7. Preparing a communications plan to guide the approach adopted by the LGA and Councils in the lead up to the election to be endorsed by the Senior Executive Committee.	To be developed.

The LGA Secretariat received endorsement from the 28 February 2013 Senior Executive Committee meeting to implement the action plan.

There has been some slippage in some areas in relation to the action plan, however, generally the issues are on track. Key activities undertaken to date are:

- drafting of election material for consideration at the May meeting of the LGA State Executive Committee;
- filming of each of the Chairpersons of the Regions, including the MLGG to be placed on the LGA web page being developed for the Federal Election campaign;
- finalising arrangements for a Federal Election luncheon where Mike Smithson from Channel 7 will be interviewing “on the couch” Christopher Pyne and Mark Butler along with SA representatives from the independents and the minor parties in a luncheon to be held in July.

The key issues identified for positions in the election are:

- disaster relief (funding);
- sustainable infrastructure (funding for transport, stormwater, community wastewater management schemes, recreational facilities);
- FAGs – closing the gap funding for identified local roads;
- Climate changes (funding and alignment of activities in adaptation and energy efficiency schemes);
- HACC (funding and review);
- Recognition of Local Government in the Australian Constitution; and
- Immunisation (funding support) and NDIS.

The LGA Management Group (formerly Senior Executive) is managing the LGA’s campaign and reporting to the State Executive Committee.

Item: BO160513/11.5  
DME: 99582

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Ian Hawkins)

**KEY RESULT AREA 3:** Facilitating and supporting continued capacity building in Councils.

**STRATEGY 3.B:** Provide resources and advice to assist Councils to build strength and optimize their capacity to meet community expectations particularly through the LGA's 'Local Excellence' program.

**ANNUAL PRIORITY 3.3:** Primarily through the Local Excellence program, build Council capacity in areas such as public health.

**RE:** RESPONSE TO MCCANN REVIEW OF NON-HOSPITAL BASED SERVICES

### RECOMMENDATION

That the LGA Board:

1. receives the report;
2. notes the response from State Government regarding the Review recommendations; and
3. notes the LGA President will be meeting with the Minister for Health and Ageing to discuss this matter.

### DISCUSSION

At its January 2013 meeting the then State Executive Committee received a report on an independent review of non-hospital based services (the Review), see agenda item ST240113/10.3. The Review was released for public consultation in December 2012 and contained recommendations for savings to programs primarily provided by metropolitan Local Health Networks.

The State Executive Committee endorsed an LGA submission in response to the Review which included the following key points:

- cuts and amalgamation of services reduce the capacity of Local Health Networks to partner with Councils around public health priorities included in the draft State Public Health Plan;
- concerned with the implication that any reduction in health promotion services affecting local communities is likely to create an expectation that the service is picked up and provided by Local Government; and
- the benefits of local health services are well established in research, there is concern that vulnerable groups in particular may not access services in a centralised model.

The State Government has finalised its response to the Review with recommendations indicating that the majority of the recommendations are supported, albeit some in principle and some in part. These recommendations include consolidating youth and women's primary health services and cutting health promotion services. Health promotion services will be hardest hit with programs such as "Do It For Life", "Start Right Eat Right" and "Eat Well Be Active" no longer funded by the State.

The response forms the view that the Commonwealth's role will increase in the funding and provision of non-hospital based services through new initiatives such as Medicare Locals, however no details of how this will work or Medicare Locals preparedness for these services are provided.

The key responses from SA Health effecting Local Government are:

- the decision to re-focus primary prevention through the development of regional public health plans, and improving the interface across Governments and public health partner authorities; and
- to support the Eat Well Be Active strategy through Local Government and potentially public health partner authorities.

Councils were advised of the State Governments response to the Review via LGA Circular 14.1.

The LGA remains concerned that the State Governments response to the review does not sufficiently allay Council concerns that they will be expected to meet any service gaps as a result of the Governments decisions. Particularly the State Governments proposed implementation process to re-focus primary prevention through regional public health plans and public health partner authorities.

LGA President Mayor David O'Loughlin has requested a meeting with the Minister for Health and Ageing to seek a clearer understanding of the State Governments response and to obtain assurances that the outcomes will not create additional cost burdens to Councils.

Item: BO160513/11.6  
DME: 99542  
Attachment: 98526 under separate cover

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Chief Executive Officer  
(Contact – Tony Lawson)

**KEY RESULT AREA 3:** Facilitating and supporting continued capacity building in Councils.

**STRATEGY 3.B:** Provide resources and advice to assist Councils to build strength and optimise their capacity to meet community expectations particularly through the LGA's 'Local Excellence' program.

**ANNUAL PRIORITY 3.3:** Primarily through the Local Excellence program, build Council capacity.

**RE:** LOCAL EXCELLENCE EXPERT PANEL UPDATE

### RECOMMENDATION

That the report be noted.

### DISCUSSION

A status report on the Local Excellence Program for Members' information is available under separate cover from <http://www.lga.sa.gov.au/site/page.cfm?u=495&c=26797>, which outlines the progress made with individual projects.

The Local Excellence Expert Panel, led by Hon Greg Crafter, has developed a work program based on meetings with key stakeholders. Meetings of the Panel consider key issues raised, review of relevant documentation and reports from Australia (and internationally), on-going discussions with the LGA CEO and staff on the status of Local Excellence Projects and their relevance to the review and also receiving up-to-date reports and information on key issues.

#### Roundtable

On 29 April 2013 the Expert Panel met with key representatives from other jurisdictions who have been involved in and / or affected by Local Government Reform which has occurred over the last few years. The focus of the Roundtable was on lessons learnt and current key issues which the Expert Panel should take into account in its deliberations.

The paper commissioned by the Expert Panel - Review of Local Government Reform Processes in Australia and New Zealand - was used as the contextual framework for the meeting and in the ensuing discussions which focused on the following issues:

- future roles and functions of Local Government (Tasmania, South Australia, New South Wales);
- organisational improvement – integrated planning and reporting, data, benchmarking, monitoring (Victoria, New South Wales, South Australia, Western Australia);



- structures – regions, amalgamations, sub-Council governance (New South Wales, South Australia, Northern Territory, Queensland);
- governance – mayors, elections, codes of conduct, ministerial oversight, etc (Queensland, New South Wales, Tasmania); and
- capacity – sustainability, funding, asset management, workforce (New South Wales, Victoria, Australian Centre of Excellence for Local Government (ACELG), Commonwealth).

The meeting was well attended by all jurisdictions and the ACELG.

### **New Zealand Study Tour**

The LGA conducted a study tour of New Zealand from 6-13 April 2013. The tour travelled to Wellington, Tauranga and Auckland.

The study tour group of 16 people was led by Tony Lawson, Executive Officer to the Expert Panel and comprised of the LGA President, LGA CEO, Mayors, a Councillor, a CEO and senior staff from a range of Councils, Manager Mutual Liability Scheme and a lawyer from Wallmans Lawyers.

The week long visit involved a very full program of visits and meetings with a wide range of organisations and individuals including:

- Local Government New Zealand;
- Wellington Regional Council;
- Wellington City Council;
- Minister of Local Government;
- Productivity Commission;
- Local Government Commission;
- Department of Internal Affairs;
- Bay of Plenty Local Authority Shared Services (BOPLASS);
- Bay of Plenty Regional council (Indigenous relationships);
- Mayor Auckland City Council;
- senior staff Auckland City Council;
- two Deputy Chairs Local Boards Auckland City Council; and
- Victoria University (Local Government academics).

The following themes were covered on the tour:

- governance;
- Local Government Reform;
- financial arrangements;
- asset Management;
- shared services;
- Council Controlled Organisations;
- amalgamations;
- relationships between Central Government and Local Government;
- Indigenous Affairs; and
- local boards.

The visit was very informative and many lessons learnt on the operations of New Zealand Local Government and reform measures. Participants took responsibility for one or more of the above areas and are working with the study tour director to prepare a comprehensive report on the observations and key findings of the study tour. It is intended that the final report, which will be complete in the next two months, will be circulated widely to the Councils and will also assist the work of the Local Excellence Expert Panel.

**Report**

The Discussion Paper will now be released in May and following this, the Expert Panel will be conducting hearings and meetings during May, June and July around the State to inform the development of a final report in time for the October 2013 the LGA Annual General Meeting and Conference.

**Website**

The upgraded Local Excellence website will be fully operational in time for the release of the Discussion Paper in May.

**Presentations**

The Chair of the Expert Panel gave a speech at the LGA General meeting on Friday 19 April 2013. This speech is available on the Expert Panel website.

**Research**

The Expert Panel has commissioned research and received reports on the following:

- Review of Local Government Reform Processes in Australia and New Zealand (ACELG and Gooding Davies); and
- Demographic Trends in South Australia and Their Implications for Community Demands on Councils and Their Capacity to Meet Those Demands (University of Adelaide).

These reports will be available on the Expert Panel website – [www.lga.sa.gov.au/goto/expertpanel](http://www.lga.sa.gov.au/goto/expertpanel).

Item: BO160513/11.7  
DME: 100238

## REPORTS BY OFFICERS

**TO:** LGA Board

**FROM:** Acting Chief Executive Officer  
(Contact – Chris Russell)

**KEY RESULT AREA 2:** Achieving greater influence for Local Government in matters affecting local communities

**STRATEGY 2.E:** Ensure that the Australian Local Government Association understand and effectively promotes key South Australian issues and opinions

**ANNUAL PRIORITY 2.2:** Influence State and Federal legislation and policy on matters

**RE:** AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION - UPDATE

### RECOMMENDATION

That the State Executive Committee notes the outcomes of the ALGA Board meeting held on 27 March 2013.

### DISCUSSION

The Board of the ALGA met in March and the following matters were discussed:

- Constitutional Recognition of Local Government
- Asbestos Management Review
- Regional Development Strategy
- Settlement Council Australia Proposal
- ALGA 2013 Federal Election Document
- Endorsement of the outcomes of ALGA 2013 Strategic Planning Meeting
- 2013-14 ALGA Draft Budget
- Health and Medical Services
- State of the Assets
- Centre of Excellence for the Australian Federation
- National Arts and Culture Accord
- 2013 National General Assembly of Local Government
- 2013 National Local Roads and Transport Congress

Much of the meeting was focused on presentations for the forthcoming referendum.

## LGA PROCUREMENT (LGAP)

### PROJECT UPDATE REPORT TO LGA BOARD MEETING TO BE HELD 16 MAY 2013

This report has been prepared by LGAP to update the LGA Board members on current projects.

#### STAFFING

- Current LGAP staff consists of 1.6 FTE plus the services of a procurement specialist on contract for 0.4 FTE
- Janet Binder was commissioned to review the organisational structure of LGA Procurement and the recommendation to appoint a Chief Executive Officer to lead the business was approved by the Board of Directors at its meeting on the 24 February 2013. The CEO position was advertised and has been awarded to Mr Rob Ackland whom will commence in early June 2013. Rob brings wide-ranging strategic procurement experiences gained through the defence, Government and private sector and not-for-profit organisations. He also brings high-level skills in strategic and project management, logistics/procurement, business process re-engineering, and the implementation of strategic procurement reform strategies to the role.
- McArthur Management Services has also been commissioned to undertake a review of the Board Structure of LGA Procurement due in March 2013. The report has been received and is currently being considered.

#### COUNCIL VISITS

Due to limited staffing Council visits have been restricted to the bare minimum. However, there has been a significant increase in email and telephone communication from the Sector to LGAP during this time.

The following visitation program has been undertaken since the last report:

- Loxton/Waikerie
- Berri/Barmera
- Renmark/Paringa

#### SUPPLIER & RELATED MEETINGS

At the recent LGA GM and Showcase a number of sponsors were spoken to and LGAP services to the sector encouraged.

The following supplier meetings were undertaken since the last report;

- Corporate Scorecard; and
- Bulk Fuel, Oils and Lubricants and Fuel Card.

#### CONTRACTS

LGAP continues to work closely with its interstate LGA counterparts through the National Procurement Network (NPN) to leverage off their combined buying power. The following contracts have been established using the NPN alliance.

	<b>Contract</b>	<b>Status</b>
1.	Mobile Garbage Bins	Sales are growing with excellent pricing
2.	Corporate Wardrobe	Operational
3.	Workwear, Footwear and Personal Protective Apparel (PPA)	Operational
4.	Open space, Parks and Playground Equipment	Operational
5.	Plant and machinery, including tractors, mowers, chippers, vacuums, mulchers, chainsaws etc	Operational

6.	Truck bodies	Operational
7.	Information and Communications Technology (ICT)	Operational
8.	Card & Bulk fuel	Operational
9.	Oils and lubricants	Operational
10.	Light Commercial Vehicles including Utes & passenger vehicles	Tenders closed, evaluation to commence

## STATE GOVERNMENT

LGAP was contacted by Shared Services regarding the LG Bulk Fuels, Fuel Card, Oils & Lubricants contract that has commenced, querying how this will affect the Local Government users of their contract. Shared Services were advised that the Local Government sector is able to determine the best value for money and will consider all opportunities to achieve this.

## MANAGEMENT SYSTEMS UPDATE

### VendorPanel

This software is now in use nationally by the NPN. More than \$350 million in quotes has been recorded nationally by Councils across the nation since its implementation two years ago and a growing number of SA Councils are now using the tool. Close to 30 SA Council staff have now been trained in its use and over 16 SA Councils are using this tool on a regular basis. All LGAP contracts will eventually be accessible only via VendorPanel to ensure consistency to the Sector and suppliers in quoting.

## YEAR OF PROCUREMENT

Initiatives undertaken as a result of the Year of Procurement continue to provide benefits to Councils:

- (a) The Procurement Handbook and associated model documents continue to be well received by the sector. Feedback is sought and a more formal approach to gathering this is being considered;
- (b) The Procurement Helpline remains active and the log of enquiries is assisting the review of the items detailed in Item (a); and
- (c) The Procurement Roadmap program pilot program was very successful and the Councils that participated have identified opportunities for additional collaborative initiatives, savings and improvements in processes. Two additional Councils have signed up to undertake the Procurement Roadmap program and together with another Council (a member of the pilot group) will form the basis of a Regional Procurement Opportunity Analysis project.

## SA PROJECT HIGHLIGHTS

### 1. Telecommunications

The review is complete, the contract has been renewed for one (1) year. The second renewal option of one (1) year will be considered in early 2014. Councils can now seek a review of their existing services and pricing under the contract. The potential for a national arrangement is also being discussed.

### 2. Road Building Supplies

This is a very large and complex area of expenditure for the LG Sector. The case for engaging a consultant to develop an acquisition strategy and plan is being considered. The WALGA contract for Road Building Supplies and Services is being reviewed as a potential SA model.

### 3. Fuel, Oils and Lubricants

The national Local Government tender for Bulk Fuel, Card Fuel, Oils and Lubricants is available to Councils with considerable savings on offer. There has been significant interest from Councils in this contract. A Forum to Councils and Suppliers was

undertaken in April promoting the benefits of the contract to the Sector and how to access it.

**4. VM Ware**

LGAP was approached by 18 Councils to assist them by entering into an arrangement to enable the continued use of the VMWare. The VMWare software suite is used to reduce IT expenses whilst boosting efficiency and agility. LGAP facilitated on behalf of SA Councils a three year licence acquisition program between WALGA (affiliated with SA) and VMWare. Estimated benefit to the 21 participating Councils is in excess of \$1.5 million over the 3 year term.

**5. Procurement Advisory Service**

This free service has been designed to primarily support the Procurement Handbook and associated templates but will also provide direction on a range of procurement issues or concerns.

**5. Procurement Support Service**

LGA Procurement continues to support Councils with the preparation of tenders and support documentation.

This support service can be provided on a whole of Local Government basis, to regional groups of Councils or to an individual Council.

LGAP has purchased vehicles for District Council of Coober Pedy with a Request for Quotes through Vendorpanel and has assisted the District Council of Tatiara in a Request for Tender for the installation of 5 CWMS pumping stations.

**6. Electricity Contract**

The Above 160 contract tender process has commenced to be in place by 1 January 2014. A review of the electricity contract was undertaken by TTEG based on the LGAP participation over the last 3 years. It was estimated that the sector has benefited by around \$1.3 million per annum over that period and LGAP hopes to continue providing savings to all Councils in approaching the market with virtually all Councils on board.

**7. Roads & Works Conference**

The 2013 SA Local Government Roads & Works Conference will be held on the 22 & 23 August 2013. LGA Procurement is no longer managing the conference this will now be managed by the LGA.

**Andrew Haste**

Director Member Services

3 May 2013



## Local Government Association of South Australia Workers Compensation Scheme

The Local Government Association Workers Compensation Scheme Standing Committee met on Thursday 21 March 2013 at 9.00 a.m. with the following matters discussed: -

### SUMMARY OF THE 2013 FUND YEAR PERFORMANCE

The 2013 Fund year, compared to the 2012 Fund year (at 28 February), demonstrates a 15% increase in claim numbers (8% decrease last year), and a 40% increase in new claims costs (1% decrease last year). At this stage of the 2013 Fund Year, there is an atypical increase in most claims categories (primarily in the first 4 months to end October) and particularly in manual handling, with only stress claims remaining at last year's level. In short periods, data comparisons can be volatile but this is the largest short term movement in some 10 years. The last 4 months have been more typical, and the remainder of the year will be monitored for any significant trend beyond the current period.

### FINANCIAL REPORT

The Financial Report for the current Fund Year as at 22 February 2013 was adopted.

The Scheme's overall financial performance was in line with budget expectations, with Fund surplus at 28 February of \$27.33m (which is largely in line with WorkCover's Financial Guarantee expectations). The Fund surplus is \$222k above budget, primarily due to additional interest income and some delayed expenditure through event timing with these savings partially offset by higher than projected claims provisions.

### LGA EXECUTIVE DIRECTOR'S REPORT

Ms Wendy Campana, through her proxy Andrew Haste, tabled the LGA Chief Executive Officer's report covering:

- Local Excellence Panel
- LGA "Outreach Program"
- ICAC
- LGA & Schemes ICAC Project
- Planning Improvement Project

### BOARD ALSO RECEIVED THE FOLLOWING REPORTS:

- The Scheme Manager's report noted:
  - Following completion of the WorkCover self insurer evaluation, the LGA would be offered an 18 month renewal (to 30 September 2014) to be supported by a stronger and focussed Partnership Plan on how to maintain the steady progress made in the past 2 years.
  - This is based on the Injury Management function again recording a zero non-conformance result, and the Safety function recording just one non-conformance (17 in the last evaluation) in the Developing status category. This represents significant progress acknowledged by WorkCover, and recognising the strong commitment across LG to complete the system building process that is now well underway. It is also noted that many criteria are assessed
  - The Scheme has two support programs to assist Councils with implementation of the OHS (now WHS) model framework. The One System Implementation Program (OSIP) has been conducted at 30 councils to date, and a further 20 Councils or Prescribed Bodies have completed the more recent Essential Safety Platform (ESP) – especially

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developed for smaller to medium Councils. These programs will continue to reach all Councils through 2013/14.

- In a separate evaluation process, LGA also received a two year extension on its group employer exemption to allow continuation of our highly successful Rehabilitation & Return To Work Coordinator program (to December 2014).
- The LGAWCS has conducted a series of information seminars for Councils beginning with a state-wide seminar in February attended by 120 LG representatives from across SA. Presentations were heard from WorkCover, SafeWorkSA, a legal firm (Sparke Helmore) and the LGAWCS, and were very well received. Similar presentations were delivered across regional SA in March & April 2013 and equally well received. Further education and support programs regarding the new WHS legislation will continue through the next 12 months or more as needed.

### **PROVISIONAL BUDGET**

The Board accepted the provisional budget tabled by the Scheme Manager, based on the LGAWCS Fund's status as at 28 February 2013, having considered items discussed at the 2013 Planning Forum, but without the 2013 Actuary Report to be completed in May 2013 for consideration at the June 2013 Board meeting.

The items for discussion for the 2013/14 Budget include:

- Decision to maintain Contributions at the longstanding rate of 4.25%
- LGAWCS Development Fund \$500,000
- Investment income may fluctuate due to unstable financial markets (currently seeking advice from LGFA for preparation of the Budget)
- Roll out of the OHS Management System Support Program (OSIP/ESP) and related training (\$800,000).
- Review and transition of One System OHS model into the WHS legislative model now in place in SA (\$100,000 to review and update 30 key documents)

### **New Member - Council Solutions Regional Authority**

The Board resolved to accept *Council Regional Solutions Authority* ("the Authority") as a member of the LGAWCS, effective from 1 January 2013, noting the CRS Authority's charter was gazetted on 21 December 2012.

The Authority is a Section 43 Subsidiary pursuant to the Local Government Act 1999. The Authority's constituent Councils comprise of the Cities of Adelaide, Charles Sturt, Marion, Onkaparinga, Salisbury and Tea Tree Gully.

### **Future Planning Forums**

Following on from the annual 2013 LGAWCS/LGAMLS Planning forums, constructive feedback was received suggesting that the facilitation of the working sessions has become more focussed on the current position of the schemes and less on positive future planning.

The success of the schemes (LGAWCS, LGAMLS) is measured by:

- Financial position at the end of each financial year
- Quality and effectiveness of delivery of services essential to each Schemes' charter (Rules) and
- Member satisfaction (Client servicing, surveys, feedback, results)



The overarching synergies between the Schemes however become more compatible (financial value, membership, regional services, risk based initiatives, specialist services, etc.) as they mature. The Planning forum objectives can be more effective by considering the current status of the Schemes against the evolving maturity of Local Government's risk profile – not only to ensure the Schemes' objectives are being achieved but also, to ensure members' future expectations and risk based needs in an evolving risk based environment are being met.

This is an opportunity for discussion for future planning forums, suggesting:

- Both Schemes follow the same format based on 5 year financial projections (as per annual Actuary's report)
- Preparation should involve more member feedback and comment (survey, satisfaction results)
- Evaluation of synergies between both schemes and methods to capitalise on positives for Local Government sector
- Methods for better investment in the Local Government sector via bonus, special distributions, awards, development funds
- Analysis of impact of changing/pending legislation on Local Government sector and in particular the delivery of schemes' services

### **Procurement Policy**

The Board considered the draft procurement policy and attaching operating guideline, prepared for immediate adoption by the LGAMLS and LGAWCS. The documents were developed, taking into account the limited procurement activities of the LGAMLS and LGAWCS. Use of scheme' funds to ensure delivery of both core and value-add services in line with the Scheme Manager's obligations and responsibilities to the business may fall outside the scope of procurement. The guidelines were drafted to ensure the Scheme Manager is able to continue to provide quality scheme services to members, cost effectively and transparently within the scope of the Scheme Rules while complying with accepted (public monies) procurement methods.

The following papers were tabled under 'Matters for Noting'

- Development Fund Update Report
- Premiers' WorkCover Improvement Project
- Rehab & Return to Work Coordinator (RRTWC) Exemption
- Scheme Rehabilitation Report
- Occupational health and Safety Report
- Healthy Lifestyle 'Changing Shape' Quarterly Report

**RECOMMENDATION:** The State Executive notes this report.

## REPORT FOR LGA BOARD May 2013

The quarterly LGAMLS Board Meeting was held on Thursday 21 March 2013.

### Scheme Performance

As at 28 February 2013, the Scheme's Accumulated Surplus has increased to \$ 26.4m, slightly ahead of the projected budget of \$ 26.1m.

### Actuarial Review April 2013

The Scheme Manager has had preliminary discussions with the Actuary (Cumpston Sarjeant) in preparation of the 2013/2014 Actuarial Review, based on:

- Disaster/community resilience;
- Introduction of ICAC legislation and governance;
- Regulations relating to the Development Act 1993;
- Emerging claim trends;
- Impact of introduction of National Disability Insurance; and
- Further structure of the reinsurance programme (influenced by national natural disasters).

### Investment Policy

The Scheme Manager is requested to review and restate the Investment Policy annually (March quarter). The current Investment policy sets out that the LGAMLS will invest any accumulated surplus with the Local Government Finance Authority (LGFA) in the form of cash investment only. By investing with the LGFA, the funds are retained for the benefit of Local Government.

In addition to guaranteed interest rates, the LGAMLS participates in a LGFA bonus arrangement which averages out to an extra 0.31% annually. The LGAMLS Board has not recommended any changes to the Investment Policy for 2013/14. The LGAMLS' Investment Policy continues to provide financial security for the fund.

### Provisional Budget 2012/2013

This Provisional Budget has been prepared based upon the financial information as at 28 February 2013, having considered items discussed at the 2013 Planning Forum.

The items for discussion for the 2012/13 Budget include:

- Increase contributions by 3.6% (LGPI as at December 2012) in line with policy;
- Increase in reinsurance expenses due to changes to existing reinsurance program as result of outcome of discussion with the State Treasurer on terms and conditions relating to revised Treasurer's Indemnity and impact of natural disasters across Australia 2012/2013;
- Provision for Risk Management Development Fund \$ 500,000;
- Investment income growth is expected to increase due to more stable financial markets (as per market update overview from LGFA attached);
- Possible impact on claim related costs relating to introduction of the National Disability Insurance Fund (1% of claim costs);
- Continuation of roll-out of the Regional Disaster Resilience Programme (Risk Management) and related initiatives (Council Emergency Plans, NERAG, Hazard (Infrastructure) Mapping, Regional Communication Strategy, S43 Authority) identified by the RDRP Programme outcomes (\$ 500,000); and
- Support for LGA initiative National Disaster Insurance Review \$ 100,000.

### New Member - Council Solutions Regional Authority

The Board accepted *Council Solutions Regional Authority* ("the Authority") as a member of the LGAMLS, as from 21 December 2012. The Authority is a Section 43 Subsidiary pursuant to the Local Government Act 1999. In accordance with the legislative requirement, Hon Russell Wortley MP approved the establishment of the Authority

via the Government Gazette dated 21 December 2012. A review of the Authority's business risk profile will be undertaken prior to 30 June 2013 (Member renewal for new financial year).

### **Future Planning Forums**

Following on from the annual 2013 LGAMLS/LGAWCS Planning forums, constructive feedback was received suggesting that the facilitation of the working sessions has become more focussed on the current position of the Schemes and less on positive future planning.

The success of the Schemes (LGAWCS, LGAMLS) is measured by:

- Financial position at the end of each financial year;
- Quality and effectiveness of delivery of services essential to each the Schemes' charter (Rules); and
- Member Satisfaction (Client servicing, surveys, feedback, results).

The overarching synergies between the Schemes however become more compatible (financial value, membership, regional services, risk based initiatives, specialist services, etc.) as they mature. The Planning forum objectives can be more effective by considering the current status of the Schemes against the evolving maturity of Local Government's risk profile – not only to ensure the Schemes' objectives are being achieved but also, to ensure Members' future expectations and risk based needs in an evolving risk based environment are being met.

This is an opportunity for discussion for future Planning forums, suggesting:

- Both Schemes follow the same format based on 5 year financial projections (as per annual Actuary's report).
- Preparation should involve more Member feedback and comment (survey, satisfaction results).
- Evaluation of synergies between both Schemes and methods to capitalise on positives for Local Government sector.
- Methods for better Investment in the Local Govt sector via bonus, special distributions, awards, development funds.
- Analysis of impact of changing/pending legislation on Local Government sector and in particular the delivery of Schemes' services.

### **Science to Solutions - LGA SA Reform Fund Project**

The LGA's Science to Solutions project aims to develop state-wide capacity and capability to undertake sustainable, effective and integrated adaptation to climate change. Its focus is on ensuring adaptation is adequately incorporated into asset and financial management across sectors, with an initial target group of Councils, Regional Development Australia committees and Natural Resource Management Boards across South Australia.

The project will work on several levels, in particular, develop an understanding of the types of institutional, policy or information barriers to climate adaptation integration in Asset and Financial Management Planning processes. The key element of this will be a research project aimed at assessing Councils' uptake of adaptation measures identified by the LGAMLS 'Climate Adaptation Program'. The findings of this research will inform the development of an information hub, tools and resources designed to specifically address barriers to uptake. The Board agreed to provide funding of \$60,000 to support the project.

### **LGA Study Tour of New Zealand**

The LGA conducted a study tour of New Zealand as part of the work being undertaken by the Local Excellence Expert Panel. The tour was scheduled from Saturday 6 April to Saturday 13 April 2013. The Board approved the inclusion of the Scheme Manager, LGAMLS (Robyn Daly) to participate in the tour and requested the Scheme Manager to provide a report to the LGAMLS June 2013 meeting on the observations, findings and learnings of the tour in the area of shared services, particularly disaster emergency management and community resilience.

Given New Zealand's history with natural disasters (cyclones, floods, bushfire and earthquakes) disaster/emergency management, community resilience responsibilities is high on Local Government New Zealand's agenda, providing a great opportunity for the LGAMLS to observe and learn from their experience, particularly relevant to the Regional Disaster Resilience Programme.

### **Special Assistance Grant**

City of Mitcham has submitted a Special (Financial) Assistance request seeking the Board's approval pursuant to Rule 12.7. The Council has incurred costs risk managing a storm water development issue that if left unresolved, would have significant financial (civil liability) implications. This matter is essentially an argument over an enforcement notice (not a civil liability). Attempts to negotiate a resolution so development could proceed were pursued until November 2012, when the owner of the land, frustrated by the lack of progress threatened civil liability proceedings. The LGAMLS was advised in early February 2013 that Council had successfully resolved the

matter and was seeking recovery of costs incurred via the Special Assistance Grant. The Board deferred a decision pending further information from the Council.

## Procurement Policy

The Board considered the draft procurement policy and attaching operating guideline, prepared for immediate adoption by the LGAMLS and LGAWCS. The documents were developed, taking into account the limited procurement activities of the LGAMLS and LGAWCS. Use of Scheme' funds to ensure delivery of both core and value-add services in line with the Scheme Manager's obligations and responsibilities to the business may fall outside the scope of procurement. The guidelines were drafted to ensure the Scheme Manager is able to continue to provide quality Scheme services to members, cost effectively and transparently within the scope of the Scheme Rules while complying with accepted (public monies) procurement methods.

## LGAMLS Aerodrome Risk Management Programme - Aerodrome Master Plans

In 2012, the LGA commissioned a study into the sustainable management of regional airports. The study found that changes imposed by the Commonwealth Government (introduction of security screening guidelines), a shift in the aviation industry towards the use of larger aircraft, changes in economic conditions and industry trends together with a lack of consistent approach to funding, makes it difficult to implement a strategic approach to aerodromes in South Australia.

With the aim of gathering clear information on the current and future (where possible) needs of the aerodromes, based on information provided by the Councils, Master Plans will be developed for each aerodrome applying consistent methodology to the financial and infrastructure position and Council's aspirations for each airport whether it is certified, registered or an Aeroplane Landing Area (ALA). A strategic framework will provide a basis for good governance and ultimately reduce liability exposures associated with aerodromes.

To facilitate this process, the LGA and LGAMLS have entered into a Joint Initiative and liaised with the Department of Planning, Transport and Infrastructure (DPTI) and the service provider for the LGAMLS Aerodrome Risk Management Programme to undertake this Project ("the project").

The Board approved funding for the total cost of Project in the sum of \$110,000.

## Regional Disaster Resilience Programme (RDRP)

The RDRP has identified that a Hazard Management Programme is an outcome of the Regional Resilience Strategy and is a necessary step to assist the Local Government sector to manage its responsibilities as regulatory authority and community leader.

Priority initiatives arising from the RDRP have included:

- The establishment of an entity (S43) to implement, manage and drive the Regional Resilience Strategy – the outcome of the RDRP;
- Communication strategy incorporating a community consultation and engagement strategy, extending to the "business" community groups, a centralised "disaster resilience" website and region based community awareness/education programme; and
- Regional hazard mapping and modeling focusing on current asset, infrastructure capability and functions across regions.

In discussion about the benefits of the RDRP for the sector, the Board endorsed the concept of a Hazard Management Programme to develop a funding programme that is accessible to(all) Members/Regions and is structured in such a way that it is cost effective (cost sharing).

The LGAMLS has engaged with engineering consultancy firm, Mott MacDonald to develop and design Stage 1 of a tailored Hazard Management Programme.

The Program's framework, developed giving regard to the RDRP, will:

- Review current industry practice for assessing the resilience of assets/infrastructure to natural disasters;
- Develop a framework approach to encourage best practice risk management and address the issue of asset service risk, assessment and climate change/adaptation; and
- Provide cost benefit analysis for justifying potential asset investment.

It is anticipated that the Hazard Management Programme will be accessed by a Council/Region on the basis of a co-partnering approach. Whilst Councils will be required to approach the LGAMLS for funding to be part of the Programme, a portion of the costs will be borne by the Council.

## Next Meeting

To be held on **THURSDAY 6 JUNE 2013 AT 11.00AM**

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