MINUTES

OF THE
GENERAL MEETING
2nd December, 2005.

HELD AT THE
DISTRICT COUNCIL OF LOXTON WAIKERIE
COUNCIL CHAMBER,
EAST TERRACE, LOXTON. SA
ATTENDANCE:

Berri Barmera Council: Mayor Margaret Evans, Deputy Mayor Les Hill and CEO, Stephen Rufus.

Cooorang District Council: Mayor Neville Jeansch and Bill Paterson, CEO.

District Council of Karoonda East Murray: Mayor Kevin Burdett and CEO, Peter Smithson.

District Council of Loxton Waikerie: Deputy Mayor Leon Stasinowski and CEO, Peter Ackland.

Mid Murray Council: Mayor Ian Mann, Cr. Mike Kluge, Cr. Peter Smith (non voting) and CEO Dean Gollan (non voting).

The Rural City of Murray Bridge: Cr. Barry Laubsch (proxy) and Kym Miller, Corporate Manager.

District Council of Renmark Paringa: Mayor Rod Thomas and CEO, Barry Hurst.

Southern Mallee District Council: Mayor John Ramke, Deputy Mayor Gordon Hancock and Philip Wood, CEO.

M&MLGA: CEO, Peter Campbell.

Guests:

Rod McLellan, Major Projects, Victorian State Government
Barry Parsons, LGA SA
Kym Davey, OLG
Louise Jacka, OLG
Josie Nelson, representing Karlene Maywald MP, Member for Chaffey
Lynley Jones, RRHS
Anna Baric, Liberal Candidate for Chaffey
Adrian Pederick, Liberal Candidate for Hammond.

1. OPEN and WELCOME

1.2 Open and Welcome by President.
Due to the late apology from President Mayor Allan Arbon because of illness, the Meeting was chaired and opened by Vice President Mayor Rod Thomas, who welcomed all those in attendance, making special mention of the guests present and declared the Meeting open at 10.03 am.

1.3 Welcome from the District Council of Loxton Waikerie area by Cr. Leon Stasinowski.

Cr. Leon Stasinowski, on behalf of the District Council of Loxton Waikerie, welcomed all Delegates and attendees to the area. He
mentioned some concerns raised by his Council in relation to the future collection of the NRM levy. He referred to the fact that the economic activity in the area consisted mainly of dryland farming and intensive irrigation, which has been effected by salinity zoning issues. He also referred to STEDS matters and provided the Delegates with information regarding recent road construction efforts.

2. APOLOGIES.
Brenton Lewis, CEO, MRDB, Kate Reynolds, MLC, Nino DiSisto, RRHS, Karlene Maywald, MP, Patrick Secker, MP, Greer Wilkinson, BRMNACC, Dr. Duncan McFetridge MP, Ray Najar, MDA, Mayor Dean Maywald, DCLW, John Dawkins, MLC, Jane Gascoigne, LG Grants Commission, Cr. Peter Mattner, CDC, and Cr. George Clark, DCLW.

3. CONFIRMATION OF MINUTES.
The minutes of the M&MLGA General Meeting held on Friday 14th October, 2005 held at the District Council of Karoonda East Murray Council Chamber, Railway Terrace, Karoonda, SA, had been previously circulated.

Motion resolved: That the Minutes of the General Meeting held Friday 14th October, 2005 be accepted as a true and correct record.
Moved: Mayor Mann Seconded: Cr. Stasinowski Carried.

4. BUSINESS ARISING.
Item 4.1- (4.1-10/05) & (4.1-8/05) & (4.1-6/05) & (4.1–4/05) & (4.2-2/05) & (4.2-12/04) & (4.2-10/04) & (5.2-8/04) – District Council of Karoonda East Murray re Road Reserve.
No further comment was made on this Item.

Item 4.2 – (4.2-10/05) & (4.3-8/05) & (4.8-6/05) & (8.3-4/05) – Rural Property Addressing Standard.
The Report from the LGA SA, was attached as APPENDIX 1.

Motion resolved: That the Report be noted.
Moved: Mayor Mann Seconded: Mayor Ramke Carried.

Item 4.3 – (8.2- 8/04) – Office of the Lord Mayor, Adelaide City Council re City Bus Station.
The Minister’s letter of reply was attached as APPENDIX 2.

Motion resolved: That the Item be noted.
Moved: Mayor Jeansch Seconded: Cr. Kluge Carried.
Item 4.4 – (4.7-10/05) & (4.4-6/05) & (4.4-4/05) & (4.7-2/05) & (10.3-12/04) – Hattah Lakes/Nowingi Industrial Waste Project.

A presentation was received from Rod McLellan, Major Projects Victoria, followed by questions and answers.

It was generally agreed that discussion regarding the Association’s position on this Item would be discussed at Item 10 – General Business. For conformity purposes, the resolution has been recorded at this Item.

Motion resolved: That the M&MLGA endorses the actions being undertaken by the Riverland Councils, the Riverland Development Corporation and the Member for Chaffey in their opposition to the Hattah Lakes/Nowingi Industrial Waste Project.
Moved: Mayor Evans Seconded: Mayor Burdett Carried.

Item 4.5 – (8.2-10/05) – Service Delivery Review.

Stephen Rufus, CEO, BBC spoke to this Item. It was generally agreed that this Item be referred to the Association’s CEO’s meeting to be held on the 6th March, 2006.

Item 4.6 – (8.3-10/05) – Regional Audit Committee.

No further comment was made on this Item.

Item 4.7 – Any other Business Arising.

There was no other Business Arising.

5. REPORTS AND PRESENTATIONS.

Item 5.1 – President’s Report.

There was no President’s Report due to the apology received from the President Mayor Allan Arbon, because of illness.

Item 5.2 – Report(s) from Representative(s) of the Local Government Association of SA.

Barry Parsons, LGA SA, provided a verbal Report and spoke to a handout that forms part of these Minutes.
Item 5.3 – Report(s) from Representative(s) of the Office of Local Government.

Kym Davey, OLG, provided a verbal Report and spoke to a handout that forms part of these Minutes.

**Motion resolved:** That the Reports at Items 5.2, and 5.3 be received.
Moved: Mayor Ramke  Seconded: Mayor Mann  Carried.

Item 5.4 – Reports of Delegates. (other than those applicable to Strategic Issues - Environmental, Economic, Social and Governance).

Item 5.4.1 – SAROC.

The SAROC Key Outcomes Summary was attached as **APPENDIX 3**.

**Motion resolved:** That the Report be received.
Moved: Mayor Mann  Seconded: Cr. Hill  Carried.

Item 5.4.2 – MMSTF Executive.

No further comment was made on this Item.

Item 5.5 – Chief Executive Officer’s report.

The Chief Executive Officer’s report was attached as **APPENDIX 4**.

**Motion resolved:** That the Report be received.
Moved: Mayor Evans  Seconded: Cr. Kluge  Carried.

6.  **FINANCIAL MATTERS.**

Item 6.1 – Financial Statements as at 31st October, 2005.

The Financial Statements for the period 31st August, 05 to 31st October, 2005, were attached as **APPENDIX 5**.

**Motion resolved:** That the Financial Account Reports be noted.
Moved: Mayor Evans  Seconded: Peter Ackland  Carried.

Item 6.2 – Internal Funds Transfer.

**Motion resolved:** That the sum of $250.00 be transferred from the Association’s Discretionary Project Line (currently $6415.00) to the Association’s Sundry Expenses Line and Budget and that the LGA SA charge for $250.00 be applied to the Sundry Expenses Line.
Moved: Mayor Mann  Seconded: Cr. Kluge  Carried.
Item 6.3 – (7.5.2-8/05) – M&MLGA Website.

No further comment was made on this Item.

7. STRATEGIC ISSUES.

7.1 STRATEGIC ISSUES - GENERAL.

Item 7.1.1 – A Platform for Communities – State Election Document.

The Association’s Document was attached as APPENDIX 6.

Motion resolved: That the Association endorses the M&MLGA Regional Platform for Communities Document, subject to the inclusion of further comments to be received from the Coorong District Council, and requests the LGA SA to include this document in their overall State Election Platform Document, for circulation and comment.
Moved: Bill Paterson Seconded: Mayor Mann Carried.

7.2 STRATEGIC ISSUES – ENVIRONMENTAL.

Item 7.2.1 – CEO Barry Hurst, SA MDB NRM Board. (Delegate Report).

Barry Hurst, SA MDB LG Delegate, provided a verbal Report.

Motion resolved: That the Report be received.
Moved: Cr. Kluge Seconded: Mayor Mann Carried.

Item 7.2.2 – Mayor Ian Mann, River Murray Water Quality Risk Assessment Project. (Delegate Report).

Mayor Ian Mann provided a verbal Report, indicating that this project has now drawn to a close. He has provided each Member Council a copy of the report for comment.

Motion resolved: That the Report be received.
Moved: Mayor Mann Seconded: Mayor Ramke Carried.

Item 7.2.3 – (7.2.3-10/05) & (7.2.3-8/05) & (6.3.5-6/05) - INRM Capacity Building Reference Group.

Motion resolved: That the Item be noted.
Moved: Mayor Evans Seconded: Mayor Burdett Carried.

Item 7.2.4 – (7.2.4-10/05) & (7.2.4-8/05) & (8.3.2-6/05) & (7.3.3-4/05) & (7.3.2-2/05) & (7.3.2-12/04) & (7.3.2-10/04) – Regional Waste Management Strategy.

The M&MLGA Regional Waste Strategy Committee held a meeting on the 29th November, 2005, after the date of which Agenda Items closed for the General Meeting.
The CEO provided a Verbal Report.

**Motion resolved:** That the Report be noted.
Moved: Cr. Kluge    Seconded: Mayor Mann    Carried.

**Item 7.2.5 – (7.2.6-10/05) & (7.2.5-8/05) & (8.3.1-6/05) & (7.3.1-4/05) & (7.3.1-2/05) & (7.3.1-12/04) & (7.3.1-10/04) – Involvement of the M&MLGA and Member Councils in a Ministerial PAR.**

No further comment was made on this Item

**Motion resolved:** That the Item be noted.
Moved: Cr. Laubsch    Seconded: Mayor Evans    Carried.

**Item 7.2.6 – (7.2.7-10/05) & (7.2.6-8/05) & (4.3-6/05) & (4.3-4/05) & (4.5-2/05) & (8.3-12/04) – STEDS Reform.**

The LGA submission to the State Government for a new long term agreement on STEDS was attached as **APPENDIX 7.**

**Motion resolved:** That the Item be noted.
Moved: Mayor Mann    Seconded: Mayor Evans    Carried.

**7.3 STRATEGIC ISSUE – ECONOMIC.**

**Item 7.3.1 – (7.3.1-10/05) & (7.3.1-8/05) & (8.4.1-6/05) & (7.4.1-4/05) & (7.4.1-2/05) & (7.4.1-12/04) & (7.4.1-10/04) – Special Local Roads and R2R2 Strategic Pool Applications.**

The summary of Member Council’s first Roads of preference, are as follows:

<table>
<thead>
<tr>
<th>Council</th>
<th>Road and Comments</th>
<th>Ranking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Renmark Paringa Council</td>
<td>Murtho Road – completed. No further Roads to submit. The next highest ranking road in the current Strategy is Airport Road</td>
<td>53.89</td>
</tr>
<tr>
<td>Riverland Sub-region</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Loxton Waikerie Council</td>
<td>Alawoona to Lameroo Rd (continuing project and now in conjunction with Southern Mallee DC for 2006 funding submission)</td>
<td>61.66</td>
</tr>
<tr>
<td>Riverland Sub-region</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Berri Barmera</td>
<td>McKay Road.</td>
<td>46.37</td>
</tr>
<tr>
<td>Riverland Sub-region</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rural City of Murray Bridge</td>
<td>Ferries McDonald / Kangaroo Rd (in conjunction with Alexandrina Council and private enterprise and State Infrastructure funding)</td>
<td>72.18</td>
</tr>
<tr>
<td>Murraylands Sub-region</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mid Murray Council</td>
<td>Bower Road – in conjunction with Goyder Council</td>
<td>65.09</td>
</tr>
<tr>
<td>Murraylands Sub-region</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Southern Mallee Council</td>
<td>Alawoona to Lameroo Road (joining with DC Loxton Waikerie for 2006 funding submission).</td>
<td>61.66</td>
</tr>
<tr>
<td>Murraylands Sub-region</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Coorong Council Murraylands Sub-region Poltalloch Road 57.89
Karoonda East Murray Council Karoonda / Bowhill Road 52.2

Motion resolved: That the M&MLGA endorse Member Council’s first roads of preference, which included an alteration received from the Berri Barmera Council to include McKay Road in lieu of Jury Road, and the same be conveyed to the Local Government Transport Advisory Panel (LGTAP).

Moved: Mayor Burdett  Seconded: Mayor Jeansch  Carried.

The Delegates received advice that funding applications for 2006 will be received from Berri Barmera Council, Coorong District Council, Mid Murray Council, Southern Mallee District Council, the Rural City of Murray Bridge and the District Council of Loxton Waikerie.

Item 7.3.2 - (7.3.1-10/05) – North/South Transport Corridor Business Case Study.

No further comment was made on this Item.

Item 7.3.3 – (7.3.2-10/05) & (7.3.2-8/05) & (8.1.1-6/05) & (7.1.1-4/05) & (7.1.1-2/05) & (7.1.1-12/04) & (7.1.1-10/04) – Broadband Development, Regional Enhancement.

Motion resolved: That the Association agrees to the formation of the Broadband Steering Committee, to be subjected to the Terms of Reference as listed, including Delegated Authority pertaining to the Terms of Reference and that the Nominations to the Broadband Steering Committee, as listed, be endorsed.

Moved: Mayor Mann  Seconded: Mayor Evans  Carried.

Item 7.3.4 – (7.3.3-10/05) - Telecommunications - Mobile Phone Coverage.

The CEO provided a verbal report indicating that emerging technologies for mobile phone coverage and broadband matters were soon to be one and the same, given Telstra’s commitment to the new 3G technology rollout.

Motion resolved: That due to emerging technologies, that the activities of the M&MLGA Telecommunications Committee and the M&MLGA Broadband Committee be combined into one active Committee, under the banner of the M&MLGA Broadband Committee.

Moved: Cr. Laubsch  Seconded: Bill Paterson  Carried.
Item 7.3.5 – Irrigation Development, Critical Pathway for Developers.

Motion resolved: That the Association’s representative on the Irrigation Development Steering Committee be Peter Ackland, CEO, DCLW.
Moved: Barry Hurst Seconded: Cr. Stasinowski Carried.

7.4 STRATEGIC ISSUE – SOCIAL.

Item 7.4.1 – (7.4.1-10/05) & (7.4.1-8/05) & (8.2-6/05) & (7.2-4/05) – Strategic Issue – Transport – Community Needs and Access (Status Report).
Item 7.4.2 – (7.4.2-10/05) & (7.4.2-8/05) & (8.2.1-6/05) & (7.2.1-4/05) & (7.2.1-2/05) & (7.2.1-12/04) & (7.2.1-10/04) & (8.4.1-4/04) – Riverland Community Transport Strategy.

AND

Item 7.4.3 – (7.4.2-10/05) & (8.2.2-6/05) – Murray Mallee Community Transport Scheme.

Motion resolved: That the Reports for Items 7.4.1, 7.4.2 and 7.4.3 be received.
Moved: Cr. Hill Seconded: Mayor Mann Carried.

Item 7.4.4 – Increased participation in Sport and Physical Activity (Business Plan Objective).

Motion resolved: That the Association provides funding of $1250 (excl. GST) from the Sport and Recreation Budget Line (currently $2500) to the Hills Mallee Southern Regional Health Service Inc. for the Regional Multi-purpose Sport and Recreation Facility Feasibility Study, subject to confirmation of the other partners contributions.
Moved: Mayor Burdett Seconded: Peter Ackland Carried.

Item 7.4.5 – Country Arts Board Nominations.

Motion resolved: That the Association endorses the re-nomination of Ms. Poppy Papageorgio to the Riverland/Mallee Country Arts Board and the nominations of Ms. Tracy Curl and Ms. Sue Foster to the Central Country Arts Board.
Moved: Barry Hurst Seconded: Mayor Evans Carried.

7.5. STRATEGIC ISSUE – GOVERNANCE.

Item 7.5.1 – (7.5.3-10/05) & (8.1-4/05) - Native Title Issues.

Motion resolved: That the Association requests advice from Rosemary Craddock as to what steps need to be undertaken to undergo an ILUA process, including what effect this may have on Native Title Court processes.
and that this briefing be attended by the Mayors and CEO’s of the Association’s Member Councils.
Moved: Peter Ackland  Seconded: Barry Hurst  Carried.

**Item 7.5.2 – Annual Business Plan, Status Report.**

The Vice President made comment that it was pleasing to see that most of the planned actions in the Associations Annual Business Plan 2005-2006 had been actioned or were currently work in progress.

**Motion resolved:** That the Report be noted.
Moved: Mayor Mann  Seconded: Mayor Evans  Carried.

**8. BUSINESS/AGENDA ITEMS SUBMITTED.**
**(including CORRESPONDENCE, NOTICES OF MOTIONS, DISCUSSION ITEMS etc.)**

**Item 8.1 - Notice of Motion – Coorong District Council – Funding Cuts for Staffing of School Community Libraries.**

**Motion resolved:** That the M&MLGA contact local State MPs in areas of the proposed funding cuts for staffing of School Community Libraries, and urge them to cause The Department of Education and Children's Services (DECS) to withdraw their funding cuts proposal that is due to take effect from 1 January 2006.
Moved: Bill Paterson  Seconded: Mayor Mann  Carried.

**Item 8.2 – Notice of Motion – Delegate, The President Mayor Allan Arbon – Rest Stop Facilities along South Eastern Freeway.**

**Motion resolved:** That the Association supports the proposal that the SA State Government provides rest stop toilet facilities along the South Eastern Freeway and that the Association lobbies the SA State Government for their provision.
Moved: Cr. Laubsch  Seconded: Cr. Kluge  Carried.

**Item 8.3 – Notice of Motion – Mid Murray Council - ESL Funding for Bushfire Prevention.**

The CEO made comment that should the recommendation be resolved by the Association, that the CEO will place the resolution on the next SAROC Agenda for discussion and determination of a position.

**Motion resolved:** That a portion of the emergency services levy funds paid by each Council be made available to that particular Council to fund fire prevention programs and that the availability of a portion of the emergency services levy funds is to be conditional upon the Councils concerned agreeing to maintain their current fire prevention expenditure levels, so that the levy funds are clearly additional funds to the Council for fire prevention purposes.
Moved: Mayor Mann  Seconded: Mayor Jeansch  Carried.
Item 8.4 – Correspondence – Report received from the Murray Darling Association (MDA).

Motion resolved: That the Report be noted. Moved: Barry Hurst Seconded: Cr. Hill Carried.

9. CORRESPONDENCE RECEIVED LISTING.

Item 9.1 – Correspondence received – Listing – other than that dealt with separately.

Motion resolved: That the Correspondence Listing be noted. Moved: Mayor Mann Seconded: Peter Smithson Carried.

10. GENERAL BUSINESS:

Discussion ensued regarding Item 4.4. The resolution is recorded at Item 4.4.

There was no other General Business.

11. GUEST SPEAKERS.

There were no other guest speakers.

The CEO provided a demonstration of the Association’s new website.

The Vice President informed the Delegates, that due to his up and coming retirement, that this would be Bill Paterson’s last Meeting. The Vice President took the opportunity to present Bill with a Certificate of Appreciation from the Association and thanked him publicly for his support for the Association and its activities over many years.

12. CLOSE AND DATE OF NEXT MEETING:

The Vice President thanked all those who attended the Meeting and declared the Meeting closed at 1.45pm.


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President.

Date: 3rd February, 2006.
1. **Independent Inquiry into the Financial Sustainability of Local Government**

All Councils will be aware of the report of the Independent Inquiry into the Financial Sustainability of Local Government. The Inquiry’s report contains 62 recommendations to Councils and the LGA concerning matters including financial governance, asset management, performance measures, and education and training.

At its November meeting, the LGA State Executive:

- endorsed a draft implementation program for consultation with Councils, to respond to the Inquiry’s recommendations;
- endorsed the establishment of a ‘Financial Sustainability Advisory Committee’ to provide advice to State Executive; and
- empowered the President and Executive Director of the LGA to finalise the membership of this committee.

The implementation of some (urgent) aspects of the program has commenced. The LGA will continue to advise Councils of progress. It should be noted that a round of regional forums is proposed for mid-late February, 2006 to provide briefing on issues and progress. A detailed letter will come shortly to all CEOs from the Executive Director (refer Circular 48.9)

2. **Minister's Local Government Forum**

The next meeting of the Ministers Local Government Forum will be held at 9.30am on Wednesday 14 December at the City of Tea Tree Gully. Items for consideration by the Forum include:

- Financial Sustainability of Local Government
- The State Housing Plan
- South Australia’s Strategic Plan
- Stormwater
- STEDS
- EPA Landfill Guidelines

The agenda will be available on the Office of Local Government website, at www.localgovt.sa.gov.au.

3. **Stormwater**

*(See also State Executive – Key Outcomes Summary attached)*

The proposed Framework for Stormwater Management was released for consultation with all Councils in mid-September 2005. A consultation session for rural and regional Councils was held on 25 October 2005. The most significant issue identified by rural and regional Councils was a concern that they would be still eligible for funding assistance for locally significant but smaller projects in their areas. This issue was included in the resolution of the State Executive Committee held on 17 November 2005 and subsequently forwarded in a letter to the Minister for Infrastructure.
The LGA State Executive Committee resolved to support the continuation of negotiations with the Minister to finalise an agreement on long term funding and governance arrangements for stormwater. Next steps will be considered at the Minister’s Local Government Forum meeting on 14 December 2005.

4. **Waste/Landfill Guidelines**

A pilot project commissioned jointly by the Minister’s Local Government Forum and sponsored by the LGA, OLG, EPA and ZeroWaste SA to examine the estimated costs for rural and regional councils to comply with the revised EPA landfill guidelines is nearing completion. Six landfills were selected based on landfill category and geographic area: Ceduna (DC Ceduna); Hawker (Flinders Ranges Council); Ramsey (DC Yorke Peninsula); Karoonda (DC Karoonda East Murray); Naracoorte (DC Naracoorte and Lucindale); and Mt Gambier (City of Mount Gambier). It is expected that the results of this work will be presented to the Minister’s Local Government Forum on 14 December 2005 and be released to all Councils shortly thereafter. The results of the pilot will assist in the ongoing negotiations between the EPA, the LGA and Councils on this issue.

5. **State Election**

The LGA launched its State Election paper titled ‘A Platform for Communities’, at a breakfast attended by more than 100 people, including 30 members of Parliament, on Wednesday 30 November 2005.

‘A Platform for Communities’ was endorsed in draft format at the LGA’s Annual General Meeting in October 2005. The document contains 72 proposals, which present a Local Government and community perspective on key issues, and challenge the major political parties to respond to those issues in the lead up to the State election. The LGA Secretariat has also worked with regional LGA’s and the Metropolitan Local Government Group, to identify priorities for action at a regional level. ‘A Platform for Communities’ can be downloaded from the LGA website.

6. **Native Title**

Progress is being made in relation to the direct negotiation of agreements which will lead to the determination or withdrawal of native title claims. The LGA held a successful forum in September and in November the State Executive Committee endorsed the draft Local Government agreement (ILUA) template. This document will go to all other State-wide parties for endorsement next week.

The Narungga ILUA (Yorke Peninsula) has been registered, a marina ILUA at Ceduna is almost completed with a Council/claim-wide ILUA to follow, Kaurna negotiations (involving about 28 Councils) will commence early next year and three other groups of Councils are expressing interest in negotiations. There may be significant competition for priorities next year given the resource demands particularly on State Government.

The Commonwealth is currently reviewing its funding program in general terms to provide more hurdles for people seeking court-based solutions if they haven't given negotiated solutions a fair go.

7. **Legislation Updates**

**Rates Bill**

The Local Government (Financial Management and Rating) Amendment Act 2005 was passed in the House of Assembly on 21 November 2005. The Act will now be brought into operation in stages, by proclamation. The Act as passed remains unchanged from the Bill as passed by the Legislative Council.
LGA Circular 48.4 has been posted on the LGA Website and contains an overview highlighting key provisions of the Act. This will assist Councils with their understanding of the new provisions with which they will be required to comply.

The date of operation for specific provisions is yet to be finalised. The LGA Secretariat is now working with the Office of Local Government (OLG) on the establishment of regulations and timing of operation for specific provisions, eg. annual business plans and the establishment of audit committees.

Information sessions will be conducted in March 2006 to assist Councils to quickly become familiar with the new legislation.

**Development Bill**

The Development (Miscellaneous) Amendment Bill 2005 is currently before the Legislative Council for debate. The State Government reintroduced provisions into the Bill that amend the current Local Heritage Plan Amendment Report process during the earlier debate in the House of Assembly. The LGA sought comments on the Heritage provisions from all Councils to assist in formulating its position on these issues. The following Government amendments were not supported by the majority of Councils because they are inconsistent with the intended planning policy role of Local Government:

- the introduction of a requirement to adopt the recommendations of a heritage expert when proposing to undertake a heritage PAR; and
- the requirement for Councils to seek Ministerial agreement to remove a property from the list prior to releasing the Plan Amendment Report for public consultation.

The LGA lobbied key members of the opposition and other parties for support to introduce amendments that would enable Councils to:

- have regard to the advice of a heritage expert (rather than a requirement to adopt the expert's recommendations); and
- decide which places would not be included on the list without having to seek Ministerial agreement.

**Children’s Protection Bill**

LGA Circular 45.1 provides information on this Bill, which is currently before Parliament. In summary, the Bill extends the requirements for organizations which offer services to children to provide child safe environments, including having in place appropriate policies, procedures, and training for staff and volunteers.

The LGA was not consulted prior to the Bill's introduction to Parliament, but has now received assurances from the Department for Families and Communities that it will be consulted on the progress of the legislation, and future regulations.

It is important to note that the Bill does not ‘target’ Local Government specifically—however it is likely to have cost implications for Councils, particularly in the area of training. The LGA will keep Councils informed about the progress of the Bill and any subsequent regulations.

5. **STEDS Agreement post June 2006**

The current agreement with State Government for STEDS funding assistance expires on June 30 2006. The LGA State Executive Committee, with the support of SAFROC, approved the forwarding of a comprehensive submission to the Minister for State/Local Government Relations for a new, long term STEDS agreement.
The submission proposes capitalising on the reforms already commenced by the Local Government sector with joint funding arrangements that would dramatically increase the rate of construction of priority new STEDS. However, Councils need to recognise that new STEDS user charges will need to be equitable with SA Water country sewer charges for Councils to be eligible for funding under the proposed arrangements. The submission also seeks to 'capture' and addition $30 million of Commonwealth funding to assist with the upgrading of existing STEDS to achieve water re-use standards. A copy of the submission is available on the LGA website.
Item 5.3

OFFICE OF LOCAL GOVERNMENT
SUMMARY OF CURRENT ISSUES – 2 DECEMBER 2005

Local Government (Financial Management and Rating) Act 2005
• The Bill completed its passage through Parliament on 21 November 2005, when the House of Assembly accepted the amendments that had been made in October by the Legislative Council. It will be necessary to draft Regulations to accompany the introduction of the new Act.
• It is expected that provisions permitting new flexibility in STEDS charging will be timed to commence so that they can be relied upon for 2006-07 budgets, but other provisions will not commence until later in 2006, most likely soon after the local government elections in November 2006.
• Councils are encouraged to follow the intent of the legislation as soon as practicable (eg consultation on budgets and development of long-term financial plans).

Statutes Amendment (Local Government Elections) Act 2005
Casual vacancies on or after 1 January 2006
• If casual vacancies occur on or after 1 January 2006 no supplementary elections will be necessary, even if the council is one where a vacancy has already occurred that is to be filled at the 2006 election. If the casual vacancy is for the Mayoral position, the council chooses a member to act in the office of Mayor until the conclusion of the 2006 periodic election – this can be, but need not be, the Deputy Mayor.
• As at present, if a sitting member unsuccessfully contests a casual vacancy, they will not lose office at the conclusion of the supplementary election if this would create a vacancy on or after 1 January 2006. (If a sitting member unsuccessfully contests a casual vacancy for Mayor, they do not lose office regardless of when the supplementary election for Mayor concludes.)

Regulations
• Variations to the Local Government (Elections) Regulations 1999 and the City of Adelaide (Elections and Polls) Regulations 1998 are expected to be made in December and to come into force on 1 January 2006. These principally remove prescribed forms that will in future be determined by the Electoral Commissioner, after consultation with the LGA, and published in the Gazette.

Voter Participation and Representation
• With the passage of the Statute Amendments (Local Government Elections) Act 2005, the State Government and Local Government Association are taking a cooperative approach to developing a strategy: to improve voter turnout at the 2006 Local Government elections, particularly in metropolitan Adelaide (consistent with SA’s Strategic Plan target 5.5); to encourage increased nominations in regional areas to avoid the failure of elections in some rural areas; and to foster representation from under-represented groups in Local Government elections and enabling prospective candidates to be better informed about the role of council member.
• The strategy recognises that councils are statutorily responsible for promoting and providing information about their elections.
• To complement Local Government initiatives, OLG has established an inter-departmental reference group, comprising State agencies with an interest in Local Government elections. The group is discussing possible networks that agencies may have in place that could be tapped into to help promote an interest in Local Government elections, for example timely communications in newsletters.

Minister’s Local Government Forum
• The next meeting of the Forum will be held on 14 December at the City of Tea Tree Gully, from 9.30 – 11.30 am.
• Major items to be considered include stormwater management and flood mitigation; STEDS (see below); Regional and rural Landfills (see below); Regional passenger transport and Country taxis; Local Government Financial Sustainability Inquiry; SA’s Strategic Plan and State Infrastructure Plan.
• Council members or CEOs who wish to attend the December meeting of the Forum as observers should contact Louise Jacka, OLG, on 8204 8715 or jacka.louise2@saugov.sa.gov.au as soon as possible.
State/Local Government Relations Agreement Schedule of Priorities 2005-06

- The State and Local Government have in place an agreement to nurture collaborative working relationships and policy coordination. Following the first annual review of the State-Local Government Relations Agreement by the Minister’s Local Government Forum, on 23 November 2005 Premier Rann and the new LGA President, Mayor Rich, signed the new Schedule of Priorities for 2005-06, in the presence of the Minister for State/Local Government Relations, Hon Rory McEwen.
- The review coordinated by the Office of Local Government focused on creating a revised list of agreed annual priorities for joint action to keep the Agreement’s Schedule up to date. New initiatives include alignment of strategic plans, improving turnouts in Local Government elections, libraries review arrangements and infrastructure management, together with ongoing priorities such as stormwater management and septic tank effluent disposal schemes.

Regional and rural landfills – landfill audit project

- The Minister’s Forum initiated this project as a result of concerns by rural councils of their anticipated costs of complying with proposed revised licence conditions and draft EPA Landfill Guidelines.
- The project, guided by an EPA, OLG, LGA and ZWSA working group, involved six participating councils, based on landfill categories and geographic area - DC Ceduna, DC Yorke Peninsula, DC Naracoorte and Lucindale, DC Flinders Ranges, City of Mount Gambier, and DC Karoonda East Murray.
- Joint on-site assessments were conducted (Hyder Consulting, EPA and Council officers) and cost assessments of landfill operations were made using a cost spreadsheet broadly based on the EPA cost model, in discussion with council officers. Visits concluded in October.
- Council officers have now been given a final opportunity to review the data supplied by the council and the working group is commenting on a draft report. Directions stemming from the draft are to be presented to the next meeting of the Forum.

Septic Tank Effluent Disposal Scheme (STEDS)

- Cabinet will be considering a draft State Government STEDS policy shortly. This draft policy outlines a proposed overall State Government policy position on the provision of wastewater disposal services in areas of South Australia not serviced by SA Water sewerage schemes.
- The consideration of this draft policy by Cabinet will be preparatory to further consideration of future State Government STEDS funding, given that the current STEDS funding agreement ends in June 2006.
- A joint State-Local Government submission to the National Water Commission will also be made in February-March 2006 for a substantial amount of Commonwealth Government funding for STEDS from the Australian Government Water Fund. If successful, this submission could result in Commonwealth funding in the order of $30m being made available to subsidise the installation of new STEDS and needed upgrade work on old and failing STEDS.

Hawker Report

- Work has been proceeding in accordance with one of the recommendations from the Hawker Report on the development of an Intergovernmental Agreement (IGA) between the Commonwealth, States and Local Government to clarify roles and relationships and reduce the potential for cost shifting. It is anticipated that a draft IGA will be ready for formal consideration by all spheres of government by the end of 2005.
- Another of the recommendations accepted by the Federal Government was the review of the interstate distribution of Commonwealth road funds to local governments. The Commonwealth Grants Commission is undertaking this review. The SA Government and LGA will be working together in submissions to the review, which it is hoped will end the longstanding disadvantage that SA councils have borne in the interstate distribution of available funds.