3 November 2011

NOTICE OF MEETINGS

NOTICE is hereby given of the following Meetings to be held in the Council Chambers, 131 Belair Road, Torrens Park commencing as follows:-

- **Engineering and Environmental Services Committee Meeting** will be held on Tuesday, 8 November 2011 commencing at 5.30 pm.

- **Corporate and Community Services Committee Meeting** will be held on Tuesday, 8 November 2011 commencing at 8.30 pm.

* A light meal and supper will be provided.*

[Signature]

MATT PEAR
CHIEF EXECUTIVE OFFICER
AGENDA

FOR THE

CORPORATE AND COMMUNITY SERVICES COMMITTEE MEETING

TO BE HELD ON

TUESDAY, 8 NOVEMBER 2011

COMMENCING AT 8.30 PM
CORPORATE AND COMMUNITY SERVICES COMMITTEE

AGENDA

8 NOVEMBER 2011

MEETING OF THE CORPORATE AND COMMUNITY SERVICES COMMITTEE TO BE HELD IN THE COUNCIL CHAMBERS, 131 BELAIR ROAD, TORRENS PARK ON TUESDAY, 8 NOVEMBER 2011 AT 8.30 PM.

MEMBERSHIP: Cr E Grimm (Presiding Member), Cr S Fisher (Deputy Presiding Member), His Worship the Mayor (M Pliton), Crs C Adcock, C Campbell, C Gellie, N Greer, L Moriarty, D Munro, Y Poland, J Sanderson, J Silbereisen, M Ward and J Weaver.

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WADE REYNOLDS
DIRECTOR CUSTOMERS AND CORPORATE
CORPORATE AND COMMUNITY SERVICES COMMITTEE

AGENDA 8 NOVEMBER 2011

MEETING OF THE CORPORATE AND COMMUNITY SERVICES COMMITTEE TO BE HELD IN THE COUNCIL CHAMBERS, 131 BELAIR ROAD, TORRENS PARK ON TUESDAY, 8 NOVEMBER 2011 AT 8.30 PM.

MEMBERSHIP: Cr E Grimm (Presiding Member), Cr S Fisher (Deputy Presiding Member), His Worship the Mayor (M Picton), Crs C Adcock, C Campbell, C Gellie, N Greer, L Moriarty, D Munro, Y Poland, J Sanderson, J Silbereisen, M Ward and J Weaver.

PRESENT:

APOLOGIES: Cr L Moriarty

STAFF IN ATTENDANCE:

WELCOME

CONFIRMATION OF MINUTES
(Ref: FF.01.2891) (Function/Activity: Governance/Committees)

RECOMMENDED that the Minutes of the Meeting of the Corporate and Community Services Committee held on 11 October 2011 be confirmed.

ADJOURED BUSINESS

Nil.

BUSINESS

1. DEPUTATIONS

1.1 MR MARK BAADE, SK PLANNING, PLANNING CONSULTANT FOR TELSTRA

Mr Mark Baade, SK Planning, Planning Consultant for Telstra has been granted permission to address the Corporate and Community Services Committee regarding a request by Telstra to lease a portion of the Hewett Sports Ground, Blackwood for the purpose of erecting a mobile phone base station (refer to Item 5.1 of this agenda).
2. **PETITIONS**

Nil.

3. **FINANCE**

3.1 **ACCOUNTS**

Wade Reynolds / Milo Rubbo (Prepared: 30/09/2011)

**PROPOSAL**

To inform Council of the accounts paid during the month of September 2011.

**BACKGROUND**

This is a standard report, which forms part of Council's internal control procedures, which is presented to Council each month.

**STRATEGIC OBJECTIVES**

*Strategy 1.1.1*  
Financial Management: Ensure the responsible and sustainable management of financial resources

*Strategy 4.3.2*  
Internal Collaboration: Improve internal communication and collaboration and build relationships between staff and Elected Members

**DISCUSSION**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General A/c Cheque Nos 200995 to 201084 plus EFT</td>
<td>$3,155,482.39</td>
</tr>
<tr>
<td>General A/c Direct Debits</td>
<td>$865,778.99</td>
</tr>
<tr>
<td>Total expenditure</td>
<td>$4,021,261.38</td>
</tr>
<tr>
<td>Funds reinvested</td>
<td>$4,761,000.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$8,782,261.38</strong></td>
</tr>
</tbody>
</table>

**Community Implications**

N/A

**Economic Implications**

N/A

**Environmental / Heritage Implications**

N/A
Cost Shifting Implications
N/A

Impact on Budget
N/A

Staffing Implications
N/A

Risk Management / OHS Assessment
N/A

Engagement
N/A

CONCLUSION

Payments for goods and services only for the month of September 2011 amounted to $3,155,482.39.

RECOMMENDATION TO COUNCIL

That the report be received for information only.

3.2 BANK RECONCILIATION
Wade Reynolds / Milo Rubbo (Prepared: 30/09/2011)

PROPOSAL

To inform Council of the current status of bank accounts as at 30 September 2011.

BACKGROUND

This is a standard report, which forms part of Council’s internal control procedures. It is presented to Council each month to advise the current status of bank and investment accounts with their respective balances.

STRATEGIC OBJECTIVES

Strategy 1.1.1 Financial Management: Ensure the responsible and sustainable management of financial resources

Strategy 4.3.2 Internal Collaboration: Improve internal communication and collaboration and build relationships between staff and Elected Members
DISCUSSION

The Bank Reconciliation Statement as at 30 September 2011 which reconciles the balance shown on Bank Statements provided by Council’s banker with the balance shown in Council’s financial ledger is attached (p 1)

Community Implications
N/A

Economic Implications
N/A

Environmental / Heritage Implications
N/A

Cost Shifting Implications
N/A

Impact on Budget
N/A

Staffing Implications
N/A

Risk Management / OHS Assessment
N/A

Engagement
N/A

CONCLUSION

The Bank Reconciliation Statement reconciles the balances shown on Bank statements with the balance shown in Council’s financial ledger.

RECOMMENDATION TO COUNCIL

That the Bank Reconciliation Statements as at 30 September 2011, be noted.
4. ADMINISTRATION

4.1 STAFFING MOVEMENTS
Wade Reynolds / John Skoblyk (Prepared: 27/10/11)

PROPOSAL

To inform Council of staff who have resigned, retired or been appointed in the past month.

BACKGROUND

At its meeting of 24 July 2001, Council resolved that staffing movements be reported each month.

DISCUSSION

Accordingly, the following information is provided:

Separations
Nil.

Secondment
Paul Graham
Leading Worker Garden Beds, new position, commenced 4/10/11.
Ralph Stavrakis
Weed Control Officer, temporary new position, commenced 10/10/11, closing 4/2/12.
Tony Parham
Civil Works Team Member – Graffiti commenced 24/10/11 vice Matthew Rowsell reassigned.

Recruitments
Meridee Shearing
Development Officer Planning, new position, commenced 17/10/11.
Holly Waltham
Organisational Development Officer, new position, commencing 31/10/11.
Lupo Vaccarella
Civil Works Team Member – Paving commenced 24/10/11 vice Ben Wilson resigned.
Heath Davidson
Civil Works Team Member – Kerb & Watertable commenced 24/10/11 vice Simon Ruminski reassigned.

CONCLUSION

That the Committee recommends to Council that the report be received for information only.

RECOMMENDATION TO COUNCIL

That the report be received for information only.
5. ASSET MANAGEMENT

5.1 TELSTRA - HEWETT SPORTS GROUND BLACKWOOD
Wade Reynolds / George Forbes (Prepared: 22 August 2011)

PROPOSAL

To implement a level 4 public consultation program to assist in the decision to consider an “Offer to Lease” from Telstra over a portion of Hewett Sports Ground, Blackwood to install a mobile phone tower on Community Reserve land.

BACKGROUND

At its meeting of the 24 November 2009, Council resolved:

(1) That Council does not lease the portion of Blackwood Hill Reserve which was the subject of a public consultation to Telstra or its agent for the purpose of establishing a mobile phone station.

(2) That, in collaboration with Council, Telstra be invited to fully investigate other sites on Blackwood Hill Reserve, or other nearby sites, and that should multiple additional sites be suitable to site a tower, then a further public consultation be undertaken on the options which are on Council-owned land.

(3) That Council notes the plans developed by the Blackwood Football Club to make improvements to facilities and advises the Blackwood Football Club that allocation of funding will be subject to Council approval through future budget deliberations.

In addition to the above resolution the following motion relating to mobile phone coverage in the hills was also adopted by Council in May 2011:

That Council notes that certain areas within the Mitcham Hills (and in particular the suburbs of Craigburn Farm and Eden Hills (SA) have poor mobile phone coverage and that Vodafone Hutchison Australia and Optus Communications be requested to work to improve dual band 3G network coverage for the benefit of residents in those areas.

In particular, that:

(a) Vodafone Hutchison Australia be requested to consider improving coverage in the Mitcham Hills as part of its recently announced plans to add 1400 new sites nationally and a new dual band 3G 2100/850MHz network; and

(b) Optus Communications be requested to consider improving coverage in the same areas as part of its ongoing work to improve the Optus Open Network’s dual band 3G 2100MHz/900MHz coverage.
This report addresses both of these resolutions and presents Council with options to improve the coverage in the Hills subject to a full public consultation process being undertaken.

STRATEGIC OBJECTIVES / POLICY POSITION

Strategy 1.3.1 Active Business Networks: Engage with business and trading groups to address their policy and infrastructure needs

Strategy 3.3.3 Community Facilities and Services: Provide or facilitate community access to a range of vibrant and well utilised government and non-government facilities and services

Strategy 4.2.3 Management of Risk: Model best practice in risk management to minimise risks to Council, its workforce and the community

OPTIONS FOR CONSIDERATION

Option 1 (Staff Recommendation)

(1) That Council approves administration undertaking a level 4 Public Consultation process to seek community input into the proposal to lease portion of the Hewett Reserve to Telstra for the purpose of erecting a 25 metre slimline monopole and equipment shelter enclosure and to amend the Community Management Plan accordingly if required.

(2) Administration reports to Council on the results of the consultation to enable Council to consider the lease proposal by Telstra.

Option (2)

That Council rejects the offer to lease portion of Hewett Reserve for the purpose of erecting a 25 metre slimline monopole and equipment shelter enclosure submitted by Telstra.

DISCUSSION OF OPTIONS

As a result of the resolution of the November 2009 Telstra was invited to investigate other sites with further options to be presented to Council for consideration and to approach other carriers with a view to collocating to improve the coverage in the hills.

Telstra have now presented an "Offer to Lease" to Council through its agent Proptel, to site a mobile phone tower on Hewett Sports Ground, Blackwood
Refer to Attachments:

- Aerial photos of the proposed tower location (p 2).
- Photo-montage showing an impression of the monopole installation (pp 3 - 4).
- Site drawings of the facility (p 5).
- Radio Frequency levels (pp 6 - 8).
- Public consultation policy (pp 9 - 29).

The proposal is to place a 25 metre slimline monopole and equipment shelter (5.5m x 7.5m enclosure) on the edge of the sporting ground car park. The pole is to replace an existing light tower and accommodate the lighting fixture. The facility to be enclosed, landscaped or painted as required.

There is an absence of existing building structures in the area with sufficient height to accommodate a low impact facility or co-locate with others.

The increasing reliance on mobile phones, smart phones and tablets has seen the demand for wireless technology grow to unprecedented levels. The demand on base stations places limitations on signal capacity.

Telstra seek to provide dominant coverage and improve capacity and performance to Craigburn Farm, Hawthorndene, Coromandel Valley and Blackwood. The offer highlights that there is limited coverage in these areas and limited network capacity and service issues have developed.

The new 25 metre tower being proposed by Telstra will have the capacity for more carriers to co-locate on the facility as encouraged by the Telecommunications Act 1997 and would require Council approval as land owner.

Telstra have also advised that both Optus and Vodafone have expressed interest in collocating at the proposed site in keeping with the resolution of the 24 May 2011 to improve coverage in the hills.

The rental offered by Telstra in this proposal is within the market range of rentals achieved elsewhere for similar facilities.

The Blackwood Hills Baptist Church site was also considered, however due to the lower height of the building and the close proximity of trees, coverage was restricted. Agreement was not reached with the church and negotiations ceased.

Should Council resolve to proceed with consultation on this proposal it is being proposed that a level 4 consultation be undertaken as outlined in the Consultation policy (Attached)

The consultation will focus on the proposal as submitted by Telstra and the need to amend the Community Land Management Plan to allow for an additional lease on this reserve should the proposal proceed.
Following the consultation process Council will be in a position to consider whether to grant Landlord approval to enable a development application to be lodged or not to proceed with the proposal at that stage.

Alternatively Council may resolve that the location now proposed at Hewett Reserve is not suitable as it does not address the issues that were raised by the community during consultation for the previous location proposed at Blackwood Hill.

Public consultation regarding the Blackwood Hill proposal was undertaken and eleven written submissions and a petition were received. The majority opposed the proposal based on the following issues:

- Very close proximity of the mobile phone tower to a current residential area, school and public playground,
- Public health issues relating directly to mobile phone towers,
- Impact on the council reserve,
- Proposed amendment of Council’s Land Management Plan to suit a commercial agreement, and
- Impact on the value and resale of properties due to the visual presence.

The most common recurring issue was the concern relating to the proposed location on the Reserve and the visual impact of the tower which would be larger than the existing oval lighting poles.

Community Implications

Increased communications coverage for mobile phone services and the option to increase coverage by other telecommunication providers under co-location agreements.

Economic Implications

New revenue generated from the tower rental that can be deferred to the maintenance and upgrade of the reserve.

Environmental / Heritage Implications

N/A

Cost Shifting Implications

N/A

Impact on Budget

Additional income will be generated should Council proceed with a lease proposal after consultation and development approval.

Life Cycle Costing

N/A
Staffing Implications

N/A

Risk Management / OHS Assessment

The extended range and increased capacity of mobile phone services will aid to broadcast throughout fire protection zones during bushfire threats in the region.

Engagement

A public consultation to be undertaken which will include questionnaires, surveys, letterbox drops, council website, local press, displays and mail outs to residents.

All stakeholders to be identified and advised such as schools, church groups, residents and sporting clubs and community groups in the vicinity of the sports ground and notified of the lease proposal.

Further community consultation will be undertaken by the applicant during the process of applying for a development approval from council’s planning department.

Refer to attachments:
- Sample of Telstra consultation advertisement (p 30).
- Community Consultation proposed residential region (p 31).

CONCLUSION

Council resolved to increase mobile phone services to the Blackwood and Craigburn Farm community and had invited Telstra to investigate options within the region.

The current offer to lease is a fair market rate and to be considered a reasonable commercial investment for the City of Mitcham.

Consultation with the community will determine the need and extent of mobile phone services required in the region.

OPTIONS

Option 1 (Staff Recommendation)

(1) That Council approves administration undertaking a level 4 Public Consultation process to seek community input into the proposal to lease portion of the Hewett Reserve to Telstra for the purpose of erecting a 25 metre slimline monopole and equipment shelter enclosure and to amend the Community Management Plan accordingly if required.
(2) Administration reports to Council on the results of the consultation to enable Council to consider the lease proposal by Telstra.

Option (2)

That Council rejects the offer to lease portion of Hewett Reserve for the purpose of erecting a 25 metre slimline monopole and equipment shelter enclosure submitted by Telstra.

6. RECREATION AND OPEN SPACE

Nil.

7. COMMUNITY AND INFORMATION SERVICES

Nil.

8. STRATEGIC POLICY MATTERS

8.1 CODE OF PRACTICE – ACCESS TO MEETINGS AND DOCUMENTS

*Stephen Saffin / Graham Webster (Prepared: 31/10/2011)*

PROPOSAL

That Council adopts the Code of Practice – Access to meetings and documents.

BACKGROUND

It is a requirement of section 92(2) of the Local Government Act 1999 (the Act) that Council reviews its Code of Practice - Access to meetings and documents (the Code) within 12 months of the conclusion of a periodic election.

The Code of Practice is designed to provide assurance to the community that Council continues to operate in an open and accountable fashion. Particular emphasis is placed on ensuring that the community is advised as to what documents are available and how they can be accessed and the rights of the community to attend meetings of Council and committees. Where access to meetings and/or documents is denied, the Code outlines when and how this can occur.

In particular the Code focuses on the following:

- access to agendas for meetings
- public access to meetings
- the process used to exclude the public from a meeting
- matters from which a Council or Committee can order the public to be excluded
• public access to minutes
• use of confidentiality provisions
• public access to documents
• model confidentiality provisions
• the review of confidentiality orders
• accountability and reporting to the community
• availability of the Code
• grievance procedures

The Local Government Association (LGA) has provided a model Code of Practice which councils can adapt as necessary to reflect local practice.

It is a requirement of section 92(5) of the Act that Council follows the steps set out in its public consultation policy when reviewing its Code of Practice – Access to meetings and documents.

Attachments:

• Code of Practice (Access to Meetings and Documents) 2007
• Draft Code of Practice – Access to meetings and documents 2011

STRATEGIC OBJECTIVES / POLICY POSITION

Objective 4.2 Ensure that the organisation is responsible, professional, effective, resilient and accountable

Strategy 4.2.5 Compliance: Meet Council’s legislative obligations and increase community awareness through education and enforcement activities

Strategy 4.2.6 Decision Making: Ensure effective decision making through strategic planning and policy development within a consultative framework

Related policies

Code of Practice – Meeting Procedures
Policy 09.05 – Public consultation

OPTIONS FOR CONSIDERATION

Option 1 (Staff Recommendation)


Option 2

Option 3

(1) That Council adopts the Code of Practice – Access to Meetings and Documents (attachments pp 42 – 61).

(2) That Council requests a further report to Council to address [nominated] issues in order to further amend the Code of Practice – Access to meetings and documents.

DISCUSSION OF OPTIONS

The 2007 Code of Practice (Access to Meetings and Documents) was reviewed and has been extensively revised, in formatting more so than in content. A copy of the 2007 Code appears in attachment pp 32 - 41.

The model LGA Code has been used as the basis for Mitcham’s Code. Mitcham-specific information has been added and this is outlined below.

Public consultation

In accordance with Council’s Public Consultation Policy, the community was given 28 days to provide written submissions on a revised draft Code of Practice. As well as notification in three Messenger newspapers, 25 resident and community action groups were provided with a copy of the draft Code for comment.

Two written submissions and one verbal comment were received. The verbal comment related to a typographical omission of text which has been remedied.

A comment from one resident supported Council’s amendments to the Code to specify how documents relating to the Ombudsman SA will be treated in future, thereby being consistent with the policy position of the State Ombudsman. The resident also believed that such an improvement should be consistent across all Councils.

The Blackwood/Belair and District Community Association (BBDCA) provided a number of suggestions, many of which have been incorporated in the draft provided to Council.

Option 1 (Staff recommendation)

As the intent of the revised Code remains the same as the 2007 Code, it is intended to simply highlight the changes that have been made. The changes are largely a result of:

- an adoption of the basic structure of the model LGA Code;
- a desire by Administration to more accurately reflect current practices at the City of Mitcham in the Code;
• the honouring of a commitment to adopt a policy position on the treatment of correspondence from the State Ombudsman; and
• the incorporation of a number of suggestions by BBDCAs which have promoted greater clarity and resulted in the inclusion in Appendix 1 of more extracts from the Act for the benefit of users of the Code.

Changes have been made to the following sections of the Code, as follows:

1. **Access to the agenda for meetings** and **5. Public access to minutes**
   It is now clearly stated that agendas and minutes are available also at Mitcham and Blackwood Libraries.

2. **Public access to meetings**
   Meeting times for Council and committees (standing committees) will be publicised from now on in Mitcham Community News (as well as on Council's website and on the sign outside the Civic Centre).

   **Informal Meetings**
   More detail is now included to clarify informal meetings as stated in the Act. It is made clear that informal meetings can be held in confidence. There is also a statement that informal meetings are now publicly notified on Council's website, indicating also which meetings are closed to the public.

7. **Public access to documents**
   The model Code does not make it clear that there are a number of documents which, under Schedule 5 of the Act must be available for public inspection and/or purchase. This is now clearly stated in the Code and Schedule 5 is reproduced in Appendix 1.

   **Public access to Ombudsman correspondence**
   This is a new section which has been included in order to honour a commitment made by the previous CEO that a policy position would be developed on this matter, which would be consistent with the policy position of the State Ombudsman.

   Feedback was received during the consultation period that the inclusion of this section means that the Mitcham Code is not consistent with the Codes of other councils. The model LGA Code however is intended as a guide only. There is no requirement for all Codes to be exactly the same.

   Rather than develop a stand alone policy, it is considered more appropriate that this policy statement is included within the context of Council's stated position on access to meetings and documents.
8. **Model confidentiality provisions**
   This is a new section in the model Code. New model resolutions have been developed by the LGA for each of the matters outlined in section 90(3). Rather than reproduce them all, three examples are provided in Appendix 2. They are three which are commonly used at Mitcham, being:

   - Section 90(3)(a) - personal affairs
   - Section 90(3)(d) - commercial information
   - Section 90(3)(h) - legal advice

9. **Review of confidentiality orders**
   This is another new section in the model Code. The intent is to emphasise the requirement in the Act:

   - to specify the duration of a confidentiality order or a period after which the order must be reviewed
   - for an annual review of all confidentiality orders which operate for a period longer than 12 months

   It is also noted that Council is able to resolve that a particular confidentiality order can be revoked by an employee.

10. **Accountability and reporting to the community**
    Apart from the mandatory reporting in the Annual Report on the use of confidentiality provisions, it is also noted that this Council has resolved that it receive:

    - an annual report on the use of confidentiality provisions; and
    - two status reports per year on the release of confidential items.

11. **Grievance procedures**
    In addition to lodging a complaint to Council under section 270 of the Local Government Act 1999, it is noted that a person is also able to lodge a complaint at any time under the Ombudsman Act 1972.

**Appendices**

**Appendix 1**
As a result of the submission by BBDDCA additional extracts from the Local Government Act have been reproduced - for greater convenience of readers of the Code.

Schedule 5 has also been reproduced in full.

**Appendix 2**
This is a new addition. It contains 3 model resolutions which are commonly used at Mitcham.
The aim of the revised Code is to provide a document which clearly states what the community can expect with regard to accessing Council's meetings and documents. A copy of the revised draft Code appears in attachment pp 42-61.

Option 2

Council is required to adopt the Code of Practice – Access to meetings and documents at this meeting in order to meet the requirements of the Act.

However Council may wish to amend the content of the draft Code and adopt an amended version of the Code.

Option 3

If Council believes further work is required with regard to the content of the Code, there is no reason why the Code as recommended cannot be adopted in its current format, while additionally requesting Administration to provide a further report with the aim of amending the Code at a future date. Section 92 allows for the Code to be amended at any time.

Community Implications

A Code of Practice – Access to meetings and documents provides the community with a document which clearly outlines what they can expect in relation to attending Council and committee meetings and accessing Council documents.

Economic Implications

Not applicable.

Environmental / Heritage Implications

Not applicable.

Cost Shifting Implications

Not applicable.

Impact on Budget

The only tangible cost to Council is the public notification in the Messenger press with regard to public consultation.

Life Cycle Costing

Not applicable.

Staffing Implications

The review of the Code is responsibility of the Governance Unit.
Risk Management / OHS Assessment

The Code outlines a number of legal obligations for Council which must be observed.

Engagement

Council's Public Consultation policy has been followed as required by the Act. Public notification of the review of the Code appeared in three Messenger Press newspapers. Twenty five resident and community action groups were provided with a copy of the revised draft Code for comment. Two written submissions and one verbal response were received.

Elected Members were provided with a copy of the draft Code which was the subject of the consultation.

CONCLUSION

It is a requirement of section 92 of the Local Government Act 1999 that Council reviews its Code of Practice – Access to meetings and documents within 12 months of a periodic election.

Before the Code can be adopted, Council must follow its Public Consultation Policy and consider all submissions.

The revised Code is based on the model LGA Code. There is additional content, some of which is specific to the City of Mitcham and other content which has been suggested through the consultation process.

OPTIONS

Option 1 (Staff Recommendation)


Option 2


Option 3


2. That Council requests a further report to Council to address [nominated] issues in order to further amend the Code of Practice – Access to Meetings and Documents.
9. Reports from Sub Committees

Nil.

10. Reports Outstanding and Resolutions Not Yet Effected
(Prepared: 3/11/11)

Proposal

To inform members of reports and actions which have been requested and their current status.

Background/Discussion

At meetings of the Corporate and Community Services Committee reports are often requested concerning certain items which must be submitted to subsequent meetings. Actions are also requested and their current status is recorded in the attached table.

Attached (pp 62 - 65) is a table detailing the reports outstanding, resolutions not yet effected and a brief summary of their status.

Recommendation to Council

That the report be received for information only.

11. Other Business

12. Confidential

12.1 Colonel Light Gardens RSL & Community Club – Car Park

Wade Reynolds / George Forbes (Prepared: 31/10/11)

Proposal

To note the outcome of the investigations into the possible purchase of the Colonel Light Gardens RSL car park.

Background

Pursuant to Section 87(10) of the Local Government Act 1999, it is recommended by the Chief Executive Officer that the information contained in this report be considered in confidence under Chapter 6, Part 3 of the Local Government Act 1999.
DISCUSSION

Pursuant to Section 90(2) of the Local Government Act 1999, the information contained in this report should be considered in confidence, if the Council so determines. An order should therefore be made to exclude the public from attendance at the meeting to the extent considered necessary for the Council to receive, discuss and consider the information in confidence on the following grounds:

- The information is of the nature specified in Subsections 90(3)(c) and (d)(i)(ii) of the Local Government Act 1999, being:
  
  (c) information the disclosure of which would reveal a trade secret;
  
  (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which:
    
    (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
    
    (ii) would, on balance, be contrary to the public interest.

RECOMMENDATION

That pursuant to Section 90(2) and (3)(c) and (d)(i)(ii) of the Local Government Act 1999, the Council orders the public excluded, with the exception of staff present [name] on the basis that the Council considers it necessary and appropriate to act in a meeting closed to the public in order to receive, discuss or consider in confidence the information in this report and that the Council is satisfied with the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to the matter under consideration because:

- The information is of the nature specified in Subsections 90(3)(c) and (d)(i)(ii) of the Local Government Act 1999, being:
  
  (c) information the disclosure of which would reveal a trade secret;
  
  (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which:
    
    (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
    
    (ii) would, on balance, be contrary to the public interest.

CLOSE:
# CITY OF MITCHAM

## BANK RECONCILIATION STATEMENTS AS AT 30 SEPTEMBER 2011

### BANK ACCOUNTS

**General Bank Account – CBA Bank**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
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<tr>
<td>Balance as per Bank Statement</td>
<td>321,026.21</td>
</tr>
<tr>
<td>Less unpresented cheques</td>
<td>84,545.07</td>
</tr>
<tr>
<td>Plus Deposit not yet credited</td>
<td>236,481.14</td>
</tr>
<tr>
<td>Adjustments (1) below</td>
<td>-115,232.22</td>
</tr>
<tr>
<td>Adjustments (1A) below</td>
<td></td>
</tr>
<tr>
<td>Balance of Ledger Account (Adjusted)</td>
<td>$184,921.34</td>
</tr>
</tbody>
</table>

**Collection Account: CBA**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balance as per Bank Statement</td>
<td>29,918.24</td>
</tr>
<tr>
<td>Adjustments (2) below</td>
<td></td>
</tr>
<tr>
<td>Balance of Ledger Account (Adjusted)</td>
<td>$29,918.24</td>
</tr>
</tbody>
</table>

**TOTAL BANK ACCOUNTS**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$214,839.58</td>
</tr>
</tbody>
</table>

### INVESTMENTS

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balance as per Statements</td>
<td>19,000,000.00</td>
</tr>
<tr>
<td>Adjustments (3) below</td>
<td></td>
</tr>
<tr>
<td>Property Reserve</td>
<td>2,277,372.31</td>
</tr>
<tr>
<td>Plant &amp; Equip Replace Reserve</td>
<td>1,479,387.54</td>
</tr>
<tr>
<td>Bush Fire Track Reserve</td>
<td>144,000.00</td>
</tr>
<tr>
<td>Leave Entitlement Fund</td>
<td>3,455,100.00</td>
</tr>
<tr>
<td>General Funds</td>
<td>11,644,140.15</td>
</tr>
<tr>
<td><strong>TOTAL INVESTMENTS Ledger Balance</strong></td>
<td>$19,000,000.00</td>
</tr>
</tbody>
</table>

**TOTAL FUNDS**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$19,214,839.58</td>
</tr>
</tbody>
</table>

### COMMENTS ON ADJUSTMENTS

1. General A/c Balance adjusted for balance not rolled over from 2010/11 - $131,429.77
2. Payroll (Wages) processed in future period - $115,232.22
3. Collection A/c Balance adjusted for balance not rolled over from 2010/11 - $40,000.01
4. Trial Balance A/c balances for General and Collection A/cs exclude balances not rolled over from 2010/11 - General A/c ($82,790.94), Collection A/c ($44,794.58)

---

Acting Management Accountant

Manager Finance
Looking South/West from carpark entrance off Coromandel Pde

Project: Telstra WCDMA Monopole Installation
Location: Coromandel Pde, Craigburn Farm, SA 5051
Image Date: November 2010
3000mm WIDE DOUBLE ACCESS GATES WHERE VEHICULAR ACCESS IS POSSIBLE. OTHERWISE USE 1000mm WIDE SINGLE ACCESS GATE

3280

UNDERGROUND POWER TO POINT OF SUPPLY

FIBRE PIT

UNDERGROUND CONDUIT FOR FIBRE OPTIC

75mm THICK SINGLE SIZED GRAVEL OVER WEED MAT. ON LEVEL SITES, GRAVEL MAY BE OMITTED UNDER SHELTER. USE LOCAL GRAVEL AS APPROVED BY THE TELSTRA PM.

TELSTRA ICS MK 3.2 EQUIPMENT SHELTER
STANDARD GLAND PLATE ENTRY

MONOPOLE WITH TURRET (AS SHOWN) OR HEAD FRAME

NEMA 208 CABLE LADDER SUPPORTED AT SHIELD AND MONOPOLE (REFER TO 0178665P1 FOR DETAILS)

COMPUND ENCLOSED BY SECURITY FENCE REFER TO 0178665P16 & 0178665P17 FOR DETAILS

LEASE AREA BOUNDARY SHOWN ON OUTSIDE OF FENCE LINE FOR CLARITY

SCALE 1:50

NOTES:
1. DRAWINGS 0178665P06, 0178665P16 AND 0178665P08 HAVE BEEN PREPARED TO SHOW THE VARIOUS GROUND SITE OPTIONS AVAILABLE FOR THE TELSTRA MOBILE INSTALLATIONS. THE LAYOUTS SHOW NOMINAL SETOUT DIMENSIONS AND ARE INDICATIVE ONLY.
2. REFER TO TELSTRA WIRELESS CIVIL DESIGN MANUAL AND SITE PACKAGES FOR FURTHER DETAILS.
3. MONOPOLE STRUCTURE SHALL BE NOT LESS THAN 1000mm FROM THE COMPUND FENCE.
4. NO PART OF THE INSTALLATION, INCLUDING FOUNDATION AND HEAD FRAME, SHALL EXTEND BEYOND THE LEASE AREA BOUNDARY.

FOR CONSTRUCTION

ORDER DRAWN CHECKED ADOPTED CHECKED ADOPTED DATE

0178665P06 FOR CONSTRUCTION 0178665P16 0178665P08 18.12.69

MOBILE NETWORK SITE
STANDARD DRAWING

Typical Ground Site Layout, Monopole with Turret
ICS MK 3.2 Shelter, Standard Gland Plate
Introduction:  

This report summarises the estimated maximum cumulative radiofrequency (RF) electromagnetic energy (EME) levels at ground level emitted from the existing Mobile Phone Base Station antennas at Allotment 104 Cumming Street BLACKWOOD SA 5051. Maximum EME levels are estimated in 360° circular bands out to 500m from the base station. The procedures for making the estimates have been developed by the Australian Radiation Protection And Nuclear Safety Agency (ARPANSA)\(^3\). These are documented in the ARPANSA Technical Report; "Radio Frequency EME Exposure Levels - Prediction Methodologies" which is available at [http://www.arpansa.gov.au](http://www.arpansa.gov.au)

**EME Health Standard**

ARPANSA, an Australian Government agency in the Health and Ageing portfolio has established a Radiation Protection Standard\(^2\) specifying limits for continuous exposure of the general public to RF transmissions at frequencies used by mobile phone base stations. Further information can be gained from the ARPANSA web site.

The Australian Communications and Media Authority (ACMA)\(^2\) mandates exposure limits for continuous exposure of the general public to RF EME from mobile phone base stations. Further information can be found at the ACMA website [http://emr.acma.gov.au](http://emr.acma.gov.au)

**Existing Site Radio Systems**

There are currently no existing radio systems for this site.
# Proposed Site Radio Systems

## Table of Predicted EME Levels – Proposed

<table>
<thead>
<tr>
<th>Distance from the antennas at Allotment 104 Cumming Street in 360° circular bands</th>
<th>Maximum Cumulative EME Level – All carriers at this site (% of ARPANSA exposure limits)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0m to 50m</td>
<td>0.012%</td>
</tr>
<tr>
<td>50m to 100m</td>
<td>0.37%</td>
</tr>
<tr>
<td>100m to 200m</td>
<td>0.41%</td>
</tr>
<tr>
<td>200m to 300m</td>
<td>0.15%</td>
</tr>
<tr>
<td>300m to 400m</td>
<td>0.071%</td>
</tr>
<tr>
<td>400m to 500m</td>
<td>0.04%</td>
</tr>
<tr>
<td>Maximum EME level 110.7 m, from the antennas at Allotment 104 Cumming Street</td>
<td>0.41%</td>
</tr>
</tbody>
</table>

**Note:** Estimation for the maximum level of RF EME at 1.5m above the ground from the existing and proposed antennas assuming level ground. The estimated levels have been calculated on the maximum mobile phone call capacity anticipated for this site. This estimation does not include possible radio signal attenuation due to buildings and the general environment. The actual EME levels will generally be significantly less than predicted due to path losses and the base station automatically minimising transmitter power to only serve established phone calls. Where applicable, particular locations of interest in the area surrounding the base station, including topographical variations, are assessed in Appendix A "Other areas of Interest" table on the last page.

## Summary – Proposed Radio Systems

RF EME levels have been estimated from the existing and proposed antennas at Allotment 104 Cumming Street BLACKWOOD SA 5051. The maximum cumulative EME level at 1.5 m above ground level is estimated to be 0.41 % of the ARPANSA public exposure limits.

## Reference Notes:

1. The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) is a Federal Government agency incorporated under the Health and Ageing portfolio. ARPANSA is charged with responsibility for protecting the health and safety of people, and the environment, from the harmful effects of radiation (ionising and non-ionising).


3. The Australian Communications and Media Authority (ACMA) is responsible for the regulation of broadcasting, telecommunications, telecommunication and online content. Information on EME is available at [http://emr.acma.gov.au/](http://emr.acma.gov.au/)

4. The EME predictions in this report assume a near worst-case scenario including:
   - base station transmitters operating at maximum power (no automatic power reduction)
   - simultaneous telephone calls on all channels
   - an unobstructed line of sight view to the antennas.

   In practice a worst-case scenario is rarely the case. There are often trees and buildings in the immediate vicinity, and cellular networks automatically adjust transmit power to suit the actual telephone traffic. The level of EME may also be affected where significant landscape features are present and predicted EME levels might not be the absolute maximum at all locations.

5. Further explanation of this report may be found in "Understanding the ARPANSA Environmental EME Report" and other documents on the ARPANSA web site, [http://www.arpansa.gov.au](http://www.arpansa.gov.au)

Issued by: Telstra, Data reference file – BLACKWOOD SA 5051 - 20110801094451

Environmental EME report 2007 ARPANSA Format Produces with RF-Map 2.0 (Build 0.283)
## Appendix A

### Table of Other Areas of Interest

<table>
<thead>
<tr>
<th>Additional Locations</th>
<th>Height / Scan relative to location ground level</th>
<th>Maximum Cumulative EME Level All Carriers at this site (% of ARPANS A exposure limits²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Southern Tennis Courts</td>
<td>0m to 2m</td>
<td>0.0075%</td>
</tr>
<tr>
<td>Blackwood Tennis Club Rooms</td>
<td>0m to 5m</td>
<td>0.072%</td>
</tr>
<tr>
<td>North-Western Netball Courts</td>
<td>0m to 2m</td>
<td>0.33%</td>
</tr>
<tr>
<td>Blackwood Hill Baptist Church</td>
<td>0m to 10m</td>
<td>0.046%</td>
</tr>
<tr>
<td>Blackwood Bowling Club</td>
<td>0m to 5m</td>
<td>0.015%</td>
</tr>
<tr>
<td>2-Storey House at 81 Coromandel Pd.</td>
<td>0m to 10m</td>
<td>0.24%</td>
</tr>
<tr>
<td>ABC Learning Centre</td>
<td>0m to 5m</td>
<td>0.0063%</td>
</tr>
<tr>
<td>Anglican Church</td>
<td>0m to 10m</td>
<td>0.0058%</td>
</tr>
</tbody>
</table>

**Note:** Estimation for the maximum EME levels at selected areas of interest over a height range relative to the specific ground level at the area of interest. This table includes any existing and proposed radio systems.

---

### Estimation Notes / Assumptions – Other Areas of Interest

Variable ground topography has been included in the assessment of the "Other Areas of Interest" as per ARPANS A methodology

*Insert other data / notes as required*
Governance

CONSULTATION - PUBLIC

PURPOSE

To ensure that the City of Mitcham effectively:

- consults and communicates with its community
- fulfils the legislative requirements as set out in the Local Government Act 1999.

INTRODUCTION

Scope

This policy applies to those initiatives or activities of Council for which consultation is either required by the Local Government Act 1999, or will be undertaken as a matter of Council policy. Where other legislation, such as the Development Act 1993 has its own consultation/notification provisions, those provisions prevail over the conditions of this policy.

Definitions

The terms communication and consultation should be defined in order to ensure a common understanding.

Communication is the provision of information by Council to stakeholders (referring to all pertinent and/or interested parties) in a timely and accessible manner. It is essentially a one way process. Communication includes but is not limited to advertisements, letters, brochures, use of Community News, Mitcham Matters columns, web site, phone calls, door knocks, signs, displays, drawings and models.

Consultation is the process of seeking informed response from affected parties prior to Council making a decision. This process should allow those parties to respond and express concerns, ideas or issues so these may be considered by Council before a final decision is made. Consultation includes but is not limited to discussion, written submissions, surveys, group meetings, workshops, displays, formal advisory committees, focus groups, use of phone and web site.

While Council will take into consideration those views expressed by interested parties, it needs to be acknowledged that Council is the body charged with decision making. Council acknowledges that consultation allows for greater awareness of stakeholders views which can lead to better, more informed decision-making.

Legislative Provisions

Section 50 of the Local Government Act 1999 provides that Council prepares and adopts a Public Consultation Policy. The Policy must set out the steps that Council will follow in cases where the Act requires Council to follow its Public Consultation Policy.

Section 50(6) requires that in adopting, substituting or amending its Public Consultation Policy, Council must consult with its community in the following way:
• by public notification in a newspaper circulating generally throughout the state and in a newspaper circulating within the area of the Council and by allowing at least one month for interested persons to make written submissions, and

• by consideration given by Council to all submissions made in response to the invitation.

There are situations nominated by the Act [Section 50(4)] when Council is required to use its Public Consultation Policy. The Act specifies the minimum consultation requirements such as:

• public notification of the matter under consideration in a newspaper circulating in the area of the Council, inviting interested persons to make submissions within at least a 21 day period;

• consideration by the Council of any submissions made in response to the invitation.

The following matters have these minimum consultation requirements:

S.45 Principal office - opening hours etc
S.92 Code of Practice - access to meetings and documents
S.123 Annual business plans and budgets
S.151 Rating - changes to the basis of rating
S.194 Community Land - revoking the classification
S.197 & S.198 Community Land - adopting / amending / revoking management plans
S.202 Community Land - leases / licences
S.223 Roads - permits to use
S.232 Trees - affect on residents

In addition to the mandatory use of the Public Consultation Policy above, the Act also has requirements to consult in the following matters.

S.12 Representation reviews - composition and wards
S.13 Change of status or name of council
S.48 Commercial activities - prudential requirements
S.249 By laws - making of
S.259 Power to make orders - policy

The public consultation requirements in the instances outlined immediately above sometimes vary from the Public Consultation Policy, and these variations take precedence.

Council policy requirement for consultation

Council also has a number of policies which specify consultation (although not necessarily according to the Public Consultation Policy) to be undertaken in particular circumstances. They include:
03.18 Notification – Informal (development applications)
03.17 Liquor licence applications
03.25 City of Mitcham Telecommunication facility planning guidelines
09.03 Community participation on Council committees
14.08 Outdoor dining
14.21 Stable pole murals
14.30 Tree policy
14.32 Infrastructure changes
14.33 Parking controls - changes
16.02 Commemoration / Naming Policy
16.14 Open Space – Acquisition, development and disposal
16.19 Disposal/change of use of non community land – public consultation
16.34 Sport and recreation/Community facilities
17.11 Youth services policy

Apart from the abovementioned, Council will continue to consult with the community as and when required. These consultations may not always require strict adherence to the Public Consultation Policy.

POLICY STATEMENT

While acknowledging the minimum standards of the Act, Mitcham Council is committed to consulting with the community on more instances and in ways superior to the minimum requirements of the Act.

Why consult?

Consultation is a key component of good governance.

There is an expectation within the community that Council will involve it in decisions that affect it - socially, economically, environmentally, culturally and in developing its long term strategic goals and priorities. Issues can be identified, a range of ideas and perspectives can be canvassed, solutions can be proposed, priorities can be developed, within parameters set by Council.

Council seeks to take account of the views and aspirations expressed by the community and stakeholders and balance those with other influences such as budgetary, safety, infrastructure and legal constraints, in order to make decisions within the context of Council endorsed strategic directions.

While there is community input into decision making, it is not joint decision making or decision making by referendum.

Principles of Effective Consultation

Effective consultation requires a commitment from Council for the process and there is the expectation that consultation:

- Takes place early in the planning and decision making process - before a position is adopted;
- Is a two way process that relies upon a willingness by both parties to have input into the decision making process;
- Brings differing perspectives to the decision making process. These perspectives need to be acknowledged so that they are reflected in the objectives from the outset;
- Makes every effort to ensure that the broad spectrum of the community is engaged;
- Includes the provision of comprehensive, balanced and accurate information;
- Involves active listening on the part of Council, with all ideas and suggestions valued and respected;
- Clearly identifies constraints on decision to the community;
- Provides people with a range of appropriate opportunities to access information and to be involved, taking account of barriers to access due to language, disability or cultural issues;
- Outcomes are reported back to the whole community.

The consultation process

The level and extent of the consultation process required will depend on the impact of the issue on the community and the number of people and agencies affected. It could vary according to the following circumstances:

<table>
<thead>
<tr>
<th>Level 1</th>
<th>A council-wide issue of strategic importance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level 2</td>
<td>A single, high impact issue - with possible impact beyond the Council boundaries</td>
</tr>
<tr>
<td>Level 3</td>
<td>A suburban / ward issue</td>
</tr>
<tr>
<td>Level 4</td>
<td>A local neighbourhood / street issue</td>
</tr>
</tbody>
</table>

The consultation methods used could include (but not be limited to) surveys, questionnaires, forums, focus groups, advisory committees, public meetings, use of community groups, letterbox drops, use of Council’s website, displays etc.

Eleven checklists have been developed that may offer guidance to staff when undertaking a consultation process. They are found annexed to the policy and cover the following topics:

1. Communication or consultation
2. Levels of consultation
3. Model consultation schedule
4. Budget considerations
5. Communications
6. Consultation
7. Surveys
8. Public meetings
9. Consultation method selection
10. Consulting with hard to reach groups
11. Standard data format for report / information sheet

When the Public Consultation Policy is to be used the following steps will be invoked at a minimum (although strict adherence to this Policy need not apply if consultation is optional):

- A notice to be placed in a newspaper circulating within the area of the Council, inviting written submissions within a period of at least 28 days;
• Pertinent information to be made available for inspection at Council Offices, Mitcham and Blackwood Libraries and accessible on Council’s web site;
• During this consultation period, Council may hold public meetings, conduct random surveys and focus groups or use other consultation mechanisms as required (as per Checklist 9);
• A report to be prepared for Council if any submissions are received from the public, summarising the submissions;
• Where appropriate, Council may hear representations on the subject;
• Council makes a decision;
• Information is fed back to participants of the consultation process, as well as the broader community as appropriate.

Review and Evaluation

The Public Consultation Policy will be reviewed as required.

Availability of the Public Consultation Policy

A copy of the Public Consultation Policy is available for inspection without charge at the following locations during ordinary business hours:

City of Mitcham Civic Centre, 131 Belair Road, Torrens Park
Mitcham Library, 154 Belair Road, Hawthorn
Blackwood Library, 215 Main Road, Blackwood

A copy of the Public Consultation Policy document may be obtained from these outlets free of charge.

In addition, the Public Consultation Policy is available for viewing and/or downloading from Mitcham Council’s web site at: www.mitchamcouncil.sa.gov.au

References

Making it Real - a resource for community consultation, Local Government Community Services Association of South Australia, 2002.

Community Consultation Guide - a 4 stage process, City of Onkaparinga, 2002.

Ideas for community Consultation - a discussion on principles and procedures for making consultation work, Dr Lyn Carson & Dr Katharine Gelber, 2001.

www.iap2 - International Association for Public Participation

www.vlqgacoulsation.org.au - Local Government consultation and engagement


RESPONSIBLE OFFICER/DEPARTMENT
Governance Unit, Corporate Services

ADDITIONAL CROSS REFERENCES

Checklists 1 - 11

FILE NUMBER
FF.02.1076

Key Words: communication, Section 50, checklist, survey, public meeting

COMMITTEE: Corporate & Community Services, 9 March 2000

ADOPTED BY COUNCIL: 21 March 2000

UPDATED: Corporate & Community Services, 14 August 2001
Corporate & Community Services, 8 August 2006
Council, 22 August 2006

REVIEW: August 2010
CHECKLIST 1  COMMUNICATION OR CONSULTATION

There will be times when a communications strategy is more appropriate than a consultation process. To determine whether this is the case, the following questions should be asked:

Is consultation a requirement under the Local Government Act 1999, in this instance?  
| Yes | No |

Is consultation a requirement of a Council policy?  
| Yes | No |

Will a consultation process be used to inform decision making in this instance?  
| Yes | No |

Is there known to be stakeholder interest in the matter under investigation?  
| Yes | No |

Is there known to be stakeholder opposition to the matter under investigation?  
| Yes | No |

≈ If the answer is ‘Yes’ to anyone of the above questions, a consultation process should be followed. Reference should be made to the Public Consultation Policy.

≈ If a decision has already been made by Council and the community needs to be informed about this decision, then a communication strategy only is required.
CHECKLIST 2  LEVELS OF CONSULTATION

Consultation is good practice no matter how small the issue or the numbers of people concerned.

However the level of consultation will depend on:

- Number of stakeholders
- Physical area of interest
- Degree of importance of the issue to the local and wider community

**Level 1**

High level / Council wide issue such as:
- Strategic planning
- Elector representation review
- Single focus strategic issues such as a Youth Plan, Cultural Plan, Recreation Plan

Determine the amount of time to be allowed for consultation – from a minimum of 28 days.

Appropriate consultation methods:
- Identification of full range of stakeholders
- Advance promotion in Council publications such as Community News, Mitcham Matters, message on hold, web site etc
- Possible seminars / public meetings / surveys / questionnaires
- Feedback sought at different times
- Reports to Council meetings
- Report back via Council / Community News / Messenger

**Level 2**

High impact / Single issue (with possible impact outside the City) such as:
- Mountain bike trails
- Reserve management plans

Determine the amount of time to be allowed for consultation – from a minimum of 28 days.

Appropriate consultation methods:
- Identification of all possible stakeholders
- Advance promotion in Council publications such as Community News, Mitcham Matters, message on hold, web site etc
- Letter boxing of immediately affected community
- Meetings of stakeholders
- Council meeting/s
- Opportunity for feedback
- Report back via Community News etc.
Level 3

Suburb / ward matter such as:
- Change of suburb boundaries
- Change of local speed zones
- Reserve redevelopment

Determine the amount of time to be allowed for consultation – from a minimum of 28 days.

Appropriate consultation methods:
- Letter boxing to all affected residents - inviting comment
- Use of web site and message on hold to advertise the consultation
- Pcssible meeting
- Feedback on final proposals
- Report back via letterboxing / Council / Community News / Messenger

Level 4

Local street / neighbourhood matter such as:
- Local traffic matter such as a road closure
- Playground development
- Street name change
- Alterations to a reserve

Determine the amount of time to be allowed for consultation – from a minimum of 28 days.

Appropriate consultation methods:
- Letter boxing of individual properties - inviting comment
- Use of web site and message on hold to advertise the consultation
- Pcssible on site meeting
- Individual advice of resolution of matter
- Pcssible report back to the whole community via Community News/Messenger
## Checklist 3: Model Consultation Schedule

<table>
<thead>
<tr>
<th>Actions</th>
<th>Deadlines / Dates - Week ending</th>
</tr>
</thead>
<tbody>
<tr>
<td>Start</td>
<td></td>
</tr>
<tr>
<td>Draft consultation plan</td>
<td></td>
</tr>
<tr>
<td>Prepare all materials</td>
<td></td>
</tr>
<tr>
<td>Commence consultation</td>
<td></td>
</tr>
<tr>
<td>Time allowed for feedback</td>
<td></td>
</tr>
<tr>
<td>Collation of responses</td>
<td></td>
</tr>
<tr>
<td>Evaluation of responses</td>
<td></td>
</tr>
<tr>
<td>Report to Council on consultation process</td>
<td></td>
</tr>
<tr>
<td>Council decision</td>
<td></td>
</tr>
<tr>
<td>Feedback to community on results of consultation</td>
<td></td>
</tr>
<tr>
<td>Evaluation of success of consultation</td>
<td></td>
</tr>
<tr>
<td>Addition of consultation process to Register</td>
<td></td>
</tr>
<tr>
<td>Completion</td>
<td></td>
</tr>
</tbody>
</table>
CHECKLIST 4  BUDGET CONSIDERATIONS

Identify all the resources that are likely to be incurred during the consultation and/or communication process.

**Human Resources**

- Staff time @ $ /hour
- External consultant/s

**Costs of communication**

- Production of printed material
- Advertising
- Banners (if required)
- Postage / Letterboxing
- Displays
- Other

**Costs of consultation**

- Mail outs - in addition to above
- Venue hire
- Surveys / questionnaires - if conducted by market research company
- Catering
- Feedback of results
- Other

**TOTAL BUDGET**

Based on a template in Making it Real – a resource for community consultation, Local Government Community Services Association of South Australia, 2002
# CHECKLIST 5 COMMUNICATIONS

<table>
<thead>
<tr>
<th>Task</th>
<th>Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Identify issue/s</td>
<td></td>
</tr>
<tr>
<td>Identify all stakeholders - including community groups</td>
<td></td>
</tr>
<tr>
<td>Determine commencement and completion date of communication program</td>
<td></td>
</tr>
<tr>
<td>Identify key staff to be involved - these could be from within own department, Records, Communications Officer, Customer Service Centre, Libraries etc.</td>
<td></td>
</tr>
<tr>
<td>Determine budget and identify budget line</td>
<td></td>
</tr>
<tr>
<td>Develop Information Sheet for use in consultation process - using Checklist 11</td>
<td></td>
</tr>
<tr>
<td>Meet with Communications Officer</td>
<td></td>
</tr>
<tr>
<td>In consultation with Communications Officer determine:</td>
<td></td>
</tr>
<tr>
<td>• the type and timing of advertisements in the print media</td>
<td></td>
</tr>
<tr>
<td>• the use of Community News, Mitcham Matters, message on hold</td>
<td></td>
</tr>
<tr>
<td>• the use of banners (if applicable)</td>
<td></td>
</tr>
<tr>
<td>• information for the web site / libraries / CSC</td>
<td></td>
</tr>
<tr>
<td>• public displays (if applicable)</td>
<td></td>
</tr>
<tr>
<td>• use of other media</td>
<td></td>
</tr>
<tr>
<td>• the times to avoid - such as over Christmas and other prime holiday times</td>
<td></td>
</tr>
<tr>
<td>• the need for spot checks on delivery if using letter box delivery for information brochures</td>
<td></td>
</tr>
<tr>
<td>• the informing of Elected Members</td>
<td></td>
</tr>
<tr>
<td>• the informing of SMT</td>
<td></td>
</tr>
<tr>
<td>Collate results of communication strategy</td>
<td></td>
</tr>
<tr>
<td>Report back on results to:</td>
<td></td>
</tr>
<tr>
<td>• Elected Members</td>
<td></td>
</tr>
<tr>
<td>• staff</td>
<td></td>
</tr>
<tr>
<td>• all other stakeholders</td>
<td></td>
</tr>
<tr>
<td>Evaluation of communication strategy</td>
<td></td>
</tr>
</tbody>
</table>
## CHECKLIST 6  CONSULTATION

<table>
<thead>
<tr>
<th>Task</th>
<th>Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>☑  Identify all issues</td>
<td></td>
</tr>
<tr>
<td>☐  Identify all stakeholders - including other Council staff who may have an interest in the matter - and community groups</td>
<td></td>
</tr>
<tr>
<td>☐  Using Checklist 1 - Communication / Consultation, determine if consultation is required. If yes, continue ....</td>
<td></td>
</tr>
<tr>
<td>☐  Using Checklist 2 - Levels of consultation, determine the level of consultation which will be required</td>
<td></td>
</tr>
<tr>
<td>☐  Determine when consultation process should be completed and then work back from this date</td>
<td></td>
</tr>
<tr>
<td>☐  Determine the period of time which should be allowed for the consultation process - avoiding Christmas and other prime holiday times</td>
<td></td>
</tr>
<tr>
<td>☐  Determine the available budget</td>
<td></td>
</tr>
<tr>
<td>☐  Identify key staff to be involved</td>
<td></td>
</tr>
<tr>
<td>☐  Determine if external consultant to be used</td>
<td></td>
</tr>
<tr>
<td>☐  Determine most appropriate methods of consultation, using Checklist 9 - Method Selection</td>
<td></td>
</tr>
<tr>
<td>☐  Refer to Checklist 6 - Surveys and Checklist 7 - Public Meetings if necessary</td>
<td></td>
</tr>
<tr>
<td>☐  Set dates for public meeting / workshops / focus groups as needed</td>
<td></td>
</tr>
<tr>
<td>☐  Inform SMT and Elected Members of the timing of the consultation</td>
<td></td>
</tr>
<tr>
<td>☐  Meet with Communications Officer to determine communication strategy to use for the consultation - as per Checklist 4 - Communications</td>
<td></td>
</tr>
<tr>
<td>☐  Determine if printed information is required and if it will be letterboxed. If so, conduct spot check on its delivery.</td>
<td></td>
</tr>
<tr>
<td>☐  Commence consultation</td>
<td></td>
</tr>
<tr>
<td>☐  Collate results of consultation</td>
<td></td>
</tr>
<tr>
<td>Task</td>
<td>Due Date</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Report back on results of consultation to:</td>
<td></td>
</tr>
<tr>
<td>- Elected Members</td>
<td></td>
</tr>
<tr>
<td>- staff</td>
<td></td>
</tr>
<tr>
<td>- stakeholders</td>
<td></td>
</tr>
<tr>
<td>Debrief with staff / consultant concerning the outcome of the</td>
<td></td>
</tr>
<tr>
<td>consultation process</td>
<td></td>
</tr>
<tr>
<td>Evaluate the consultation process</td>
<td></td>
</tr>
</tbody>
</table>
# CHECKLIST 7 SURVEYS

<table>
<thead>
<tr>
<th>Task</th>
<th>Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Identify issue/s</td>
<td></td>
</tr>
<tr>
<td>☐ Determine budget and account number</td>
<td></td>
</tr>
<tr>
<td>☐ Identify stakeholders</td>
<td></td>
</tr>
<tr>
<td>☐ Record all contact details</td>
<td></td>
</tr>
<tr>
<td>☐ Obtain file number for survey from Records</td>
<td></td>
</tr>
<tr>
<td>☐ Design survey, which could include:</td>
<td></td>
</tr>
<tr>
<td>- file reference number for Records (mandatory)</td>
<td></td>
</tr>
<tr>
<td>- open and closed questions</td>
<td></td>
</tr>
<tr>
<td>- a thank you for participating</td>
<td></td>
</tr>
<tr>
<td>- an opportunity to indicate interest in further follow up information</td>
<td></td>
</tr>
<tr>
<td>- a contact name and number at Council</td>
<td></td>
</tr>
<tr>
<td>- a return Reply Paid address details</td>
<td></td>
</tr>
<tr>
<td>☐ Draft cover letter to accompany survey, to include another file number to be obtained from Records</td>
<td></td>
</tr>
</tbody>
</table>

**PLEASE NOTE:** this file number will be **different** to the one provided for the survey

<p>| ☐ Test survey on colleagues                                         |          |
| ☐ Check survey with manager                                         |          |
| ☐ Check survey with Communications Officer                           |          |
| ☐ Determine method of delivery of survey (i.e. Australia Post or letter-box delivery). This cost needs to be budgeted. |          |
| ☐ Check supply of Reply Paid envelopes                              |          |
| ☐ Arrange for volunteers / CSC staff to stuff envelopes              |          |
| ☐ Notify Records and Finance of mail out of survey                   |          |</p>
<table>
<thead>
<tr>
<th>Task</th>
<th>Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Identify issue/s</td>
<td></td>
</tr>
<tr>
<td>Determine need to consult using Checklist 1 - Communications / Consultation</td>
<td></td>
</tr>
<tr>
<td>Determine need for public meeting using Checklist 9 - Method Selection</td>
<td></td>
</tr>
<tr>
<td>Determine need for external facilitator</td>
<td></td>
</tr>
<tr>
<td>Determine budget</td>
<td></td>
</tr>
<tr>
<td>Determine the value of an evening vs a daytime meeting</td>
<td></td>
</tr>
<tr>
<td>Set date for public meeting, using Corporate Diary to check on suitable dates. Allow for plenty of lead up time.</td>
<td></td>
</tr>
<tr>
<td>Identify all stakeholders</td>
<td></td>
</tr>
<tr>
<td>Book a venue - depending on anticipated numbers</td>
<td></td>
</tr>
<tr>
<td>If it is an outdoor venue, have plan B in case of inclement weather</td>
<td></td>
</tr>
<tr>
<td>Assess risk of venue - if not a Council venue</td>
<td></td>
</tr>
<tr>
<td>Book catering - via the Events Officer</td>
<td></td>
</tr>
<tr>
<td>Book any equipment such as data projectors, overheads etc. using GroupWise</td>
<td></td>
</tr>
<tr>
<td>Draft letter / notice of invitation - to include an RSVP</td>
<td></td>
</tr>
<tr>
<td>Arrange for assistance from other staff as necessary</td>
<td></td>
</tr>
<tr>
<td>Book facilitator</td>
<td></td>
</tr>
<tr>
<td>Meet with facilitator - determine style of meeting such as:</td>
<td></td>
</tr>
<tr>
<td>- degree of interactivity</td>
<td></td>
</tr>
<tr>
<td>- style of seating (small groups vs theatre style)</td>
<td></td>
</tr>
<tr>
<td>- strategies to allow equal opportunity for all attendees to participate</td>
<td></td>
</tr>
<tr>
<td>Arrange for training of staff if required</td>
<td></td>
</tr>
<tr>
<td>Task</td>
<td>Due Date</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>- Meet with Communications Officer to determine:</td>
<td></td>
</tr>
<tr>
<td>Publicity for public meeting</td>
<td></td>
</tr>
<tr>
<td>Timing of publicity</td>
<td></td>
</tr>
<tr>
<td>- Notify adjacent property owners if necessary</td>
<td></td>
</tr>
<tr>
<td>- Organise signage for meeting - if necessary</td>
<td></td>
</tr>
<tr>
<td>- Determine method of feedback for those unable to attend</td>
<td></td>
</tr>
<tr>
<td>- Establish register of attendees</td>
<td></td>
</tr>
<tr>
<td>- Produce name badges for attendees</td>
<td></td>
</tr>
<tr>
<td>- Determine a welcoming process for attendees</td>
<td></td>
</tr>
<tr>
<td>- Arrange for a crèche - if required</td>
<td></td>
</tr>
<tr>
<td>- Arrange for transport - if required</td>
<td></td>
</tr>
<tr>
<td>- Set agenda for meeting</td>
<td></td>
</tr>
<tr>
<td>- Allow for a balance of expert input and community input</td>
<td></td>
</tr>
<tr>
<td>- Create a running sheet for the meeting</td>
<td></td>
</tr>
<tr>
<td>- Collate results of meeting</td>
<td></td>
</tr>
<tr>
<td>- Report back on the meeting to:</td>
<td></td>
</tr>
<tr>
<td>Elected Members</td>
<td></td>
</tr>
<tr>
<td>Staff</td>
<td></td>
</tr>
<tr>
<td>Stakeholders</td>
<td></td>
</tr>
<tr>
<td>- Debrief with staff after meeting</td>
<td></td>
</tr>
<tr>
<td>- Evaluate success of meeting</td>
<td></td>
</tr>
</tbody>
</table>
## CHECKLIST 9  METHOD SELECTION

| COMMUNICATION                                                                 | Providing information | Maintaining awareness | Updating information | Identify concerns and issues | Develop objectives / Visions | Develop options | Test ideas / Prioritise options | Build relationships and involvement | Potential for consensus / agreement | Potential to reach large numbers | Suitable for hard to reach people | Suitable for small groups / individuals | Obtaining input into decision making | Making decisions | Safety / statutory requirements |
|-------------------------------------------------------------------------------|-----------------------|-----------------------|----------------------|----------------------------|------------------------------|----------------|-------------------------------|-----------------------------------|------------------------------------|----------------------------------|---------------------------------|----------------------------------|---------------------------------|----------------------------------|-----------------|-----------------------------|
| Advertisement / Media                                                        | ✓                     | ✓                     |                      |                            |                              |                |                               |                                    |                                    |                                  |                                 |                                  |                                 |                               |                 |                            |
| Letter / Phone call / Door knock                                              | ✓                     | ✓                     |                      |                            |                              |                |                               |                                    |                                    |                                  |                                 |                                 |                                 |                               |                 |                            |
| Newsletter / Brochure                                                        | ✓                     |                       |                      |                            |                              |                |                               |                                    |                                    |                                  |                                 |                                 |                                 |                               |                 |                            |
| Internet                                                                      | ✓                     | ✓                     |                      |                            |                              |                |                               |                                    |                                    |                                  |                                 |                                 |                                 |                               |                 |                            |
| Signs / Maps / Models                                                        | ✓                     | ✓                     |                      |                            |                              |                |                               |                                    |                                    |                                  |                                 |                                 |                                 |                               |                 |                            |
| Public display : Exhibition                                                  | ✓                     | ✓                     |                      |                            |                              |                |                               |                                    |                                    |                                  |                                 |                                 |                                 |                               |                 |                            |
| Meetings with key individuals                                                | ✓                     | ✓                     | ✓                    |                            |                              |                |                               |                                    |                                    |                                  |                                 |                                 |                                 |                               |                 |                            |
| Submissions                                                                 |                       | ✓                     |                      |                            |                              |                |                               |                                    |                                    |                                  |                                 |                                 |                                 |                               |                 |                            |
| Telephone hotline                                                           | ✓                     |                       |                      |                            |                              |                |                               |                                    |                                    |                                  |                                 |                                 |                                 |                               |                 |                            |
| Surveys                                                                      | ✓                     | ✓                     |                      |                            |                              |                |                               |                                    |                                    |                                  |                                 |                                 |                                 |                               |                 |                            |
| Presentations to existing groups                                            | ✓                     | ✓                     |                      |                            |                              |                |                               |                                    |                                    |                                  |                                 |                                 |                                 |                               |                 |                            |
| Local community group meetings                                               | ✓                     | ✓                     | ✓                    |                            |                              |                |                               |                                    |                                    |                                  |                                 |                                 |                                 |                               |                 |                            |
| Public meetings                                                              | ✓                     | ✓                     |                      |                            |                              |                |                               |                                    |                                    |                                  |                                 |                                 |                                 |                               |                 |                            |
| Search conference                                                            | ✓                     | ✓                     | ✓                    |                            |                              |                |                               |                                    |                                    |                                  |                                 |                                 |                                 |                               |                 |                            |
| Workshops                                                                    | ✓                     | ✓                     | ✓                    |                            |                              |                |                               |                                    |                                    |                                  |                                 |                                 |                                 |                               |                 |                            |
| Value management workshop                                                    | ✓                     | ✓                     | ✓                    |                            |                              |                |                               |                                    |                                    |                                  |                                 |                                 |                                 |                               |                 |                            |
| Seminar / Forum                                                              | ✓                     | ✓                     |                      |                            |                              |                |                               |                                    |                                    |                                  |                                 |                                 |                                 |                               |                 |                            |
| Participatory design exercise                                                | ✓                     | ✓                     | ✓                    |                            |                              |                |                               |                                    |                                    |                                  |                                 |                                 |                                 |                               |                 |                            |
| Community event                                                              | ✓                     | ✓                     | ✓                    |                            |                              |                |                               |                                    |                                    |                                  |                                 |                                 |                                 |                               |                 |                            |
| Open day information session                                                 | ✓                     | ✓                     | ✓                    |                            |                              |                |                               |                                    |                                    |                                  |                                 |                                 |                                 |                               |                 |                            |

<table>
<thead>
<tr>
<th>CONSULTATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public meetings</td>
</tr>
<tr>
<td>Search conference</td>
</tr>
<tr>
<td>Workshops</td>
</tr>
<tr>
<td>Value management workshop</td>
</tr>
<tr>
<td>Seminar / Forum</td>
</tr>
<tr>
<td>Participatory design exercise</td>
</tr>
<tr>
<td>Community event</td>
</tr>
<tr>
<td>Open day information session</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PARTICIPATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consultative committee</td>
</tr>
<tr>
<td>Community forum / Precinct committee</td>
</tr>
<tr>
<td>Advisory / Reference group</td>
</tr>
<tr>
<td>Steering / Management committee</td>
</tr>
<tr>
<td>Board / Authority</td>
</tr>
</tbody>
</table>

From template in Making it Real - a resource for community consultation, Local Government Community Services Association of South Australia, 2002.
CHECKLIST 10 CONсуLΤING WITH HARD TO REACH GROUPS

In any consultation, inevitably there are groups within the community who are under represented. In the City of Mitcham, the following stakeholders have been traditionally hard to reach:

- Youth under 18 years
- Young adults - 18 – 24 years
- Young adults - 25 – 34 years
- Indigenous persons
- People from ethnic backgrounds
- disabled

Any one (or a combination) of the following methods could be employed:

- Use peak bodies to make the first contact and to determine the identity of local leaders
- Approach local leaders for advice as to the best methods to use
- Meet these groups on their own terms in their own environment - rather than expect them to come to you, such as:
  - Young mothers at kindergartens / playgroups
  - All ages at shopping centres
  - Youth at recreation centres
  - Youth and young adults at sporting arenas
  - Youth at pubs and clubs
  - Schools
  - Universities and other tertiary institutions
- Employ professionals to conduct focus groups
- Set up advisory bodies to tackle issues specific to the group (such as Mitcham Youth Action Team)
- Greater use of the internet, email and mobile phone technology - provision of information as well as interactive
- Targeted surveys
- Communicate through a club or group eg sporting, ethnic
- Communicate through publications or newsletters aimed at a younger age group eg. 'Rip It Up', University Magazines etc
- Listening posts in public areas
## CHECKLIST 11
STANDARD DATA FORMAT FOR REPORT / INFORMATION SHEET

<table>
<thead>
<tr>
<th>ITEMS TO BE ADDRESSED</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>WHAT</strong></td>
</tr>
<tr>
<td>Issue</td>
</tr>
<tr>
<td>Brief explanation of the issue which requires consultation</td>
</tr>
<tr>
<td><strong>WHY</strong></td>
</tr>
<tr>
<td>Reasons for consultation</td>
</tr>
<tr>
<td>Refer to the level of consultation (i.e. 1 - 4). It could be a matter of city-wide importance or it could be a very local issue.</td>
</tr>
<tr>
<td><strong>WHO</strong></td>
</tr>
<tr>
<td>Stakeholders</td>
</tr>
<tr>
<td>All stakeholders need to be identified. They could be individuals, groups, government and non-government agencies, Elected Members, etc.</td>
</tr>
<tr>
<td><strong>HOW</strong></td>
</tr>
<tr>
<td>Consultation methodology</td>
</tr>
<tr>
<td>Consultation methods used will vary depending on the issue and the number of people with an interest in the matter. Consultation methods need to be appropriate to the level of consultation required.</td>
</tr>
<tr>
<td><strong>WHEN</strong></td>
</tr>
<tr>
<td>Timing / Dates for consultation</td>
</tr>
<tr>
<td>This should include the length of the consultation period, when the consultation begins and when it ends.</td>
</tr>
<tr>
<td><strong>WHERE</strong></td>
</tr>
<tr>
<td>Venues for consultation (where applicable)</td>
</tr>
<tr>
<td>It could be an on-site venue, or there might be a public meeting in a community facility.</td>
</tr>
<tr>
<td><strong>RESPONSE RATE</strong></td>
</tr>
<tr>
<td>Involvement rate</td>
</tr>
<tr>
<td>This will include an indication of the extent of the notification for the consultation and the number of people who actually participated.</td>
</tr>
<tr>
<td><strong>COMMUNITY RESPONSE</strong></td>
</tr>
<tr>
<td>Outcomes of the consultation</td>
</tr>
<tr>
<td>An outline of the most common responses.</td>
</tr>
<tr>
<td><strong>DECISION MAKING</strong></td>
</tr>
<tr>
<td>Recommendations to Council</td>
</tr>
<tr>
<td>The report to Council should note how much influence the community response has had on the final recommendation/s. Reasons must also be given if the community response has been disregarded.</td>
</tr>
<tr>
<td><strong>REPORTING BACK</strong></td>
</tr>
<tr>
<td>To stakeholders of the consultation process and the community as a whole</td>
</tr>
<tr>
<td>Decisions need to be made as to how stakeholders will be informed of:</td>
</tr>
<tr>
<td>- the evaluation of the outcome of the consultation</td>
</tr>
<tr>
<td>- the final Council decision</td>
</tr>
</tbody>
</table>
Improving mobile phone coverage in Rosebery

PROPOSED FACILITY
LOT 8584 ROYSTONEA AVE, ROSEBERY

Telstra is proposing to install a new mobile base station in Rosebery.
This proposed facility is located approximately 80 metres along Roystonea Avenue, east of the intersection with Owston Avenue. The proposed location, detailed on the map shown here, is contained within an area of land currently used as a bio retention pond.
Telstra has lodged a Development Application (DA) with the Department of Lands and Planning in relation to the proposed facility.
The DA notification process which allows adjoining interested parties to comment on the proposal has now closed.
The nearby Rosebery Primary and Middle School, which is located approximately 400 metres from the proposed facility, is opening in early 2011. Telstra is committed to open and transparent consultation with local communities and seeks any feedback from parents who may be considering enrolling their children at this school.

MORE INFORMATION
There are many sources of information on mobile phones, base stations and health.
You can visit Telstra’s website at www.telstra.com/eme or go direct to some of the authorities and organisations we rely on for expert advice or general information:
WHO: www.who.int/phe-emf/en/
EMF Explained: www.emfexplained.info/
You can also email us your questions about the proposal and EME at ACIF.enquiries@team.telstra.com

FEEDBACK AND HAVING YOUR SAY
Telstra welcomes feedback from parents of potential students of Rosebery Primary and Middle School. Telstra and the NT Department of Education & Training invite parents to ask questions, seek additional information about this proposal and submit comments via email (www.det.nt.gov.au/rosebery/contact-us) or by writing to Rosebery Schools c/- Planning and Infrastructure GPO Box 4821 Darwin NT by 5.00pm, Friday 20 August 2010.

PROPOSED LOCATION

THE PROPOSED FACILITY
The proposed mobile base station for Roystonea Avenue, Rosebery, will provide additional depth of network coverage and capacity to improve indoor handheld performance and mobile broadband data speeds for current and future Telstra customers who use these services in the area. The proposed site was chosen by Telstra as it best meets the objectives of providing customers with high quality Telstra Next G™ mobile voice, video and wireless broadband coverage in the new residential areas of Bellamack and Rosebery, while taking into account the environmental and visual impacts of the facility.
Growing demand for telecommunications services in all areas, including residential areas, means that mobile telecommunications facilities are becoming more necessary in neighbourhoods across Australia, just like other utility infrastructure.

PUBLIC HEALTH AND SAFETY
Telecommunications antennas emit radiofrequency electromagnetic energy (EME) as ‘radio waves’.
Man-made Radiofrequency (RF) EME is something we’ve been living with for decades — literally since the invention of the wireless. Other radio wave signals transmitted by communications facilities include, AM and FM radio signals, TV signals, taxi service signals, paging service signals, emergency service signals, police and CB radio.
Many people assume that locating antennas nearby is unsafe, but this is not the case. There are strict EME safety limits that apply to base stations. The safety limit itself has a significant safety margin built into it. The safety regulations operate by placing a limit on the strength of the signal (or radiofrequency EME) in the environment. They are not based on distance, or creating exclusion zones for residential or other areas.
All Telstra facilities comply with these strict safety standards that limit the network signal strength to a level low enough to protect all people including children, in all environments, 24-hours a day.

FOR MORE INFORMATION PLEASE EMAIL ACIF.ENQUIRIES@TEAM.TELSTRA.COM
CODE OF PRACTICE

(ACCESS TO MEETINGS AND DOCUMENTS)

2007
CODE OF PRACTICE (ACCESS TO MEETINGS AND DOCUMENTS)

INTRODUCTION

Section 92 of the Local Government Act 1999 (the Act) requires Council to prepare and adopt a Code of Practice relating to public access to Council and Committee meetings and the minutes of those meetings.

The underlying principle of the Act is to provide for transparency and accountability by local government in its business and everyday operation, and this is achieved by the public having, as a matter of right, access to:

- council and committee meetings; and
- the minutes and documents discussed at those meetings.

The City of Mitcham is fully committed to the principle of open and accountable government, whilst recognising that on some occasions it may be necessary in the broader community interest to restrict public access to discussion or documents.

Chapter 6, Part 3 of the Local Government Act 1999 sets out arrangements for meetings and requires that all Council and Council Committee meetings are to be held in public except where special circumstances exist as prescribed in Section 90(3). See appendix for details.

ACCESS TO THE AGENDA FOR MEETINGS

At least three clear days\(^1\) before a Council and Council Committee meeting (unless it is a special meeting) the Chief Executive Officer (CEO) must give written notice\(^2\) of the meeting to all Council/Committee members setting out the date, time and place of the meeting and the notice must contain or be accompanied by the agenda of the meeting. At the same time the notice and agenda are also to be placed on public display at the principal office of the Council and placed on Council’s website. Items listed on the agenda are to be described accurately and in reasonable detail. Copies of any documents and reports (where practicable) that are to be considered at the meeting are to be supplied to members. A reasonable number of copies are also to be available for public inspection as soon as practicable after they are supplied to members of council.

Distribution of agenda papers to members of Council may include advice from the CEO of the Council (after consultation with either the principal member of council or the presiding member of a committee) that a document or report on a particular matter may be considered in confidence with the public to be excluded. Where this occurs, the CEO must specify the basis under which the order could be made. \(\text{[Section 83(5) - council; Section 87(10) - committee]}\)

Should Council not confirm an item's confidentiality, then the report will be tabled at the meeting and placed on public display the following day.

---

\(^1\) 'clear days' are calculated as follows - the day the notice is given is not included, nor is the day of the meeting. The three days must be in between these two days and can include weekends and public holidays.

\(^2\) According to Meeting Regulations, the provision of notice of meeting may be varied where a committee is not performing a regulatory function. In this case, the form of notice of meeting is determined by the committee.
PUBLIC ACCESS TO MEETINGS

Public access to council and council committee meetings is guaranteed and encouraged, except where the council (or committee) believes it is necessary in the broader community interest to exclude the public from the discussion of a particular matter. The public will only be excluded when it is considered that it is in the public interest to do so - that is, the need for confidentiality outweighs the principle of open decision making.

Council encourages public attendance/involvement through promotion of the dates and times of forthcoming meetings in the Community News and on signs outside of the Council building.

Informal meetings

It is not unlawful for members of Council, a committee and staff to participate in informal gatherings or discussion provided that a matter which would ordinarily form part of the agenda for a formal meeting is not dealt with in such a way as to effectively obtain a decision outside a formally constituted meeting of Council or Committee. (Refer to Section 90(8) in the appendix for examples listed in the Act).

PROCESS TO EXCLUDE THE PUBLIC

Before a meeting excludes the public from discussion of a particular matter, the meeting must, in public, formally determine if this is necessary and then pass a resolution to exclude the public. After such an order is made, it becomes an offence for an excluded person to remain or enter the room, and they can be removed if they fail to leave on request.

Once discussion on that particular matter is concluded, the public are then permitted to re-enter the meeting. If there are other confidential matters to be discussed, the same exclusion process must be followed. A Council or Committee can, within the resolution, allow for particular persons to remain in the meeting.

It is the policy of the City of Mitcham, that for the convenience of the public, an item to be heard in confidence will be deferred until all other business has been dealt with, unless there are pressing reasons why it should be debated earlier in the meeting.

MATTERS FOR WHICH COUNCIL OR A COMMITTEE CAN ORDER THAT THE PUBLIC BE EXCLUDED [Section 90(3)]

The circumstances in which council or a committee may order the public to be excluded are listed in the Appendix.

Personal affairs

The unreasonable disclosure of personal affairs of a person is one matter which could lead to the exclusion of the public from the meeting. The Act defines 'personal affairs' as being a person's financial affairs, criminal records, marital or other personal relationships, personal qualities, attributes or health status, or that person's employment records, employment performance or suitability for a particular position, or other personnel matters relating to the person.

Council must exercise its privilege to exclude the public carefully, as it must be able to withstand scrutiny by the community and ultimately, the Ombudsman.

If a decision to exclude the public is taken, council or the committee is required to note in the minutes the making of the order and the grounds on which it was made.
It should be noted that the exclusions are similar to a number of provisions of the Freedom of Information Act. Similarly, three of the circumstances for exclusion include a 'public interest' test which is also found in the Freedom of Information Act.

**Public Interest**

The Act does not define 'public interest'. It is more than just being a matter of interest to an individual or the public at large. The matter must be of some concern or benefit to the public - that is, in the best interests of the public.

The minutes of the meeting must record the reason for going into confidence, and where relevant, must explain why it is in the public interest to exclude the public.

**Matters which cannot be excluded**

There are certain reasons whereby council is unable to exclude the public. This is where council is to discuss matters which may:

- Cause embarrassment to the council or committee concerned, or to members or employees of the council; or
- Cause a loss of confidence in the council or committee.

**APPROACH TO THE USE OF CONFIDENTIALITY PROVISIONS**

Any consideration of use of the confidentiality provisions to exclude the public from the discussion of a particular matter at a meeting will require the identification of one or more of the grounds listed within the Local Government Act. Refer to Section 90(3) in the appendix.

The policy approach of the City of Mitcham is:

1. The principle of open and accountable government is strongly supported.
2. Confidentiality provisions will only be utilised when considered absolutely necessary and in the public interest.
3. If a decision to exclude the public is taken, the grounds for this are to be communicated to the public, both in the meeting at the time of them being requested to leave and in the Minutes.
4. Once a discussion of the matter is concluded, the meeting will then consider if it is necessary to make an order that a document associated with this agenda item remains confidential. In determining this, the meeting shall have regard to the provisions of Section 91 and in particular Section 91(6) which details when a Council must not order that a document remains confidential.
5. If the meeting determines that it is absolutely necessary to keep a document confidential, then a resolution for an order to this effect is required to be carried by the meeting.
6. If more than one item is to be considered in confidence at a meeting, they must be done so separately, with the relevant exemptions provided for each matter.
7. Once discussion of the matter is concluded and the public has returned, the decision of the meeting in relation to this matter should be made public unless the council has resolved to order that some information remains confidential e.g. the price to which the Council is prepared to bid for land yet to be auctioned.

All details pertaining to any order to keep information or a document confidential in accordance with section 91(7) are to also be made known. When making an order the meeting must specify the duration of the order or when the order will cease to apply, or a period after which the order must be reviewed (not longer than 12 months). This along with the making of the order and the grounds on which it was made are also to be recorded in the Minutes.
8. In all cases, the objective is that the information is made publicly available at the earliest possible opportunity and that the community is informed of any Council order and the associated implications.

9. The use of all confidentiality provisions will be reported to the community in the Annual Report.

Where a person provides information to the Council and requests that it be kept confidential the Council is not able to even consider this request unless the matter is one that falls within Section 90(3). If this is the case, Council will then be in a position to consider the request on its relative merits.

PUBLIC ACCESS TO DOCUMENTS

Various documents are to be available for inspection and purchase by the public. Council may also make documents available in electronic form, accessible on the Internet.

Council or a committee will only order that a document associated with a discussion from which the public are excluded will remain confidential if it is considered absolutely necessary in the broader community interest. Such orders can only be made in relation to documents that are considered in confidence under Section 90(3).

Once a matter has been dealt with, an order may be made that a document relating to the matter considered in confidence is to be kept confidential.

There are some exceptions. Council must not make an order to prevent:

- the disclosure of the remuneration or conditions of service of any employee after they have been set or determined; or
- the disclosure of the identification of a successful tenderer or any reasons as to why that tenderer has been selected; or
- the disclosure of the costs of goods or services once a contract has been entered into; or
- the disclosure of the identity of land that has been acquired or disposed of by the Council, or any reasons as to why acquisition or disposal occurred.

Where keeping a document confidential is considered proper and necessary, a resolution to this effect is required which shall include the grounds for confidentiality and the duration of the order or circumstances in which the order will cease to apply. A review of items held in confidence must take place every 12 months.

The resolution will also indicate whether any delegation is given to an employee to revoke the order and if relevant, any conditions associated with this delegation.

The minutes shall record the relevant grounds and duration of the order and any delegation to revoke the order, should this be applicable.

Requests to access council and committee documents can be made under the Freedom of Information Act 1991. Any enquiries in relation to the process for seeking access to documents held by the Council should be directed to Council’s Freedom of Information Officers on 8372 8888.

ACCOUNTABILITY AND REPORTING TO THE COMMUNITY

In the spirit of accountability to the community, Council should report on an annual basis on the use of the confidentiality provisions. The reporting could include the following information, separately identified for both Council and Council Committees:
1. Number of occasions each of the provisions of Section 90(3) were utilised.
2. Number of occasions each of the provisions of Section 90(3) and Section 91(7) were utilised, expressed as a percentage of total agenda items considered.
3. An indication of any particular issues that contributed to the use of confidentiality provisions on more than one occasion e.g. a proposal to acquire parcel of land x was considered on 4 separate occasions.
4. Number of occasions that information originally declared confidential has subsequently been made publicly available.
5. Number of occasions that information declared confidential has still not subsequently been made publicly available and the reason for this in each case.

This information will be made available by the Council for inspection by the public at the Council’s offices annually and a summary will be included in the Annual Report. This information will also be included in any review of the Code.

AVAILABILITY OF CODE

A copy of this code will be displayed at the Council offices. The Council shall supply a copy of the code if requested. A cost of $2.00 per copy will apply.

The availability of this Code will be promoted to the local community from time to time through Community News.

REVIEW

The next scheduled review is due to occur prior to November 2011 (that is, within 12 months of the next election). However, Council has the ability to review this code at any time if considered necessary.

The Public Consultation Policy is to be followed prior to the alteration or substitution of this Code.

GRIEVANCE

In the first instance, a grievance about the use of the confidentiality provisions should be expressed in writing to:

The Chief Executive Officer
City of Mitcham
PO Box 21, Mitcham Shopping Centre
TORRENS PARK SA 5062

Section 270 of the Local Government Act 1999 requires that Council establish procedures for the internal review of decisions of:

- Council and its committees;
- employees of Council and
- other persons acting on behalf of Council.

Should a person be aggrieved about public access to either a meeting or a document/s then they will be able to lodge an application for consideration under the Procedure for Internal Review of Council Decisions. A copy of this Procedure can be obtained from the Coordinator Governance, 8372 8837.
A person may also lodge a complaint with the Ombudsman, who may carry out an investigation if it appears that a Council or committee may have unreasonably:

- excluded members of the public from a meeting, or
- prevented access to documents.

If an investigation is conducted, the Ombudsman must supply the Minister and Council with a copy of the written report. If the Minister believes Council has unreasonably excluded members of the public from its meetings or prevented access to documents, s/he may give directions to Council about the future exercise of its powers concerning the exclusion of the public from meetings or the making of orders to withhold part or all of a document. Before taking such action, the Minister must give Council a reasonable opportunity to make submissions to the Minister in relation to the matter.

INFORMATION

The contact officer for further information at the City of Mitcham is the Coordinator Governance, 8372 8837.

REVOKING OR AMENDING PREVIOUS RESOLUTIONS

Council and Council Committees can pass resolutions which amend or revoke resolutions previously adopted. Whilst this is not a regular practice it can happen where for example new information is presented.

RELATED POLICIES AND PROCEDURES

See also:

Policy 09.09 - Meetings of Council and Council Committees for details concerning the provision of agendas.

Policy 09.05 - Public Consultation


ADOPTION OF CODE

Council: 21/7/97
Updated: 8/8/2000; 23/9/03,
Council 23 October 2007
APPENDIX

As of August 2007

Section 90(3), Local Government Act 1999

Matters for which Council or a committee can order that the public be excluded:

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

b) information the disclosure of which -
   i. could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of council, and
   ii. would, on balance be contrary to the public interest;

c) information the disclosure of which would reveal a trade secret;

d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
   i. could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
   ii. would, on balance be contrary to the public interest;

e) matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person;

f) information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;

g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;

h) legal advice;

i) information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council;

j) information the disclosure of which -
   i. would divulge information provided on a confidential basis by or to a Minister of the crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
   ii. would, on balance be contrary to the public interest;

k) tenders for the supply of goods, the provision of services or the carrying out of works;

l) information relating to the health or financial position of a person, or information relevant to the safety of a person;

m) information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Plan Amendment Report relating to the amendment is released for public consultation under that Act; or
n) information relevant to the review of a determination of a council under the Freedom of Information Act 1991.

Section 90(9), Local Government Act 1999

Personal affairs of a person includes --

(a) that person's --

i. Financial affairs
ii. Criminal records
iii. Marital or other personal relationships
iv. Personal qualities, attributes or health status

(b) that person’s employment records, employment performance or suitability for a particular position, or other personnel matters relating to the person,

but does not include the personal affairs of a body corporate.
Section 90(8) Local Government Act 1999

Examples of informal gatherings or discussions that might be held:

a) planning sessions associated with the development of policies or strategies;

b) briefing or training sessions;

c) workshops;

d) social gatherings to encourage informal communication between members or between members and staff.
## CODE OF PRACTICE – ACCESS TO MEETINGS AND DOCUMENTS

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PREAMBLE
Section 92 of the Local Government Act 1999 (the Act) requires Council to prepare and adopt a Code of Practice relating to public access to Council and Committee meetings and public access to documents, including the minutes of those meetings.

PURPOSE
This Code sets out the commitment of the City of Mitcham to provide public access to Council and Council committee meetings and documents. It also outlines the provisions in the Act which allow for restrictions on public access.

The Code includes:

- information on the relevant provisions of the Act;
- Council's policy on public access and participation;
- the process that will be adopted where public access to a meeting or a document is restricted;
- grievance procedures to be followed if a member of the public believes that the Council has unreasonably restricted access on a particular matter.

The Policy Statement includes information relating to:

- access to the agenda for meetings;
- public access to meetings;
- the process to exclude the public from meetings;
- matters for which the Council, or a Council committee, can order that the public be excluded;
- how the Council will approach the use of the confidentiality provisions in the Act;
- public access to documents, including minutes;
- review of confidentiality orders;
- accountability and reporting to the community, and the availability of the Code; and
- grievances about the use of the Code by Council.

SCOPE
This Code applies in its entirety to Council meetings and the two committees of the whole membership: the Engineering and Environmental Services Committee and the Corporate and Community Services Committee.

Other section 41 committees established by Council operate in accordance with Part 3 of the Local Government (Procedures at Meetings) Regulations 2000, which allows for some variation of procedures.

DEFINITIONS
CEO Chief Executive Officer

PRINCIPLES
The underlying principle of the Act is to provide for transparency and accountability by local government in its business and everyday operation, and this is achieved by the public having, as a matter of right, access to:

City of Mitcham

November 2011

The electronic version on the Internet is the controlled version of this document. Printed copies cannot be controlled. Before using a printed copy, verify that it is the controlled version.
• council and committee meetings; and
• the minutes and documents discussed at those meetings.

The City of Mitcham is fully committed to the principle of open and accountable government, whilst recognising that on some occasions it may be necessary to restrict public access to discussion or documents.

POLICY STATEMENT

1. Access to the agenda for meetings

At least three clear days¹ before the Council or Council committee meeting (unless it is a special meeting) the CEO must give written notice of the meeting to all Council/Committee members setting out the date, time and place of the meeting. The notice must contain or be accompanied by the agenda for the meeting.

The notice of meeting and agenda will be placed on public display at the principal office of the Council and on Council's website www.mitchamcouncil.sa.gov.au. Copies will also be available at Mitcham and Blackwood Libraries.

Items listed on the agenda will be described accurately and in reasonable detail.

Copies of the agenda documents and non-confidential reports that are to be considered at the meeting will be made available to members of the public in attendance. A reasonable number of copies will also be available for public inspection as soon as practicable after they are supplied to the Members of Council.

Members of the public may obtain a copy of the agenda and any particular reports for a fee to cover the costs of photocopying, in accordance with a Council's schedule of fees and charges.

Where the CEO of the Council believes that a document or report on a particular matter should be considered in confidence with the public to be excluded, the basis under which the order could be made in accordance with section 90(3) of the Act will be specified. [See sections 83(5) (Council) and 87(10) (Committee) of the Act in Appendix 1].

2. Public access to meetings

Council and Council Committee meetings are open to the public and attendance is encouraged, except where the Council (or the Council Committee) believes it is necessary in the broader community interest to exclude the public from the discussion (and, if necessary, decision) of a particular matter.

The public will only be excluded when the need for confidentiality outweighs the principle of open decision-making, in accordance with the provisions of section 90(3) as outlined in Appendix 1.

¹ 'clear days' means that the time between the giving of the notice and the day of the meeting, but excluding both the day on which the notice was given and the day of the meeting, eg notice is given on a Thursday for a following Monday meeting, the clear days are Friday, Saturday and Sunday.
Council encourages public attendance at meetings of the Council and Committees through public notification of meetings on Council’s website, on a sign at the main entrance to the Council building and in Mitcham Community News.

**Informal meetings**

In accordance with section 90 of the Act, it is not unlawful for Members of Council, Committee members and staff to participate in informal gatherings or discussion provided that a matter which would ordinarily form part of the agenda for a formal meeting is not dealt with in such a way as to obtain, or effectively obtain, a decision outside of a formally constituted meeting of Council or Committee.

While most Council briefings and workshops are open to the public, Council is not bound to hold an informal gathering open to the public in accordance with section 90(1) of the Act as openness to the public only applies to Council and Council Committee meetings. This means that section 90(2) to exclude the public has no role to play.

Public notice of briefings and workshops is provided on Council’s website. This notice clearly indicates whether the informal gathering is open to the public.

The following are examples of informal gatherings or discussions that may be held in accordance with section 90(8):

- planning sessions associated with the development of policies and strategies;
- briefing or training sessions;
- workshops; or
- social gatherings to encourage informal communication between members or between members and staff.

3. **Process to exclude the public from a meeting**

Before a meeting orders that the public be excluded to enable the receipt, discussion and consideration of a particular matter, the meeting must in public, formally determine if this is necessary and appropriate, and then pass a resolution to exclude the public while dealing with that particular matter. If this occurs then the public must leave the room. This means that all members of the public (including staff), unless exempted by being named in the resolution as entitled to remain, are required to leave the room. For the operation of section 90(2) a member of the public does not include a member of Council.

Once Council, or a Council committee has made the order, it is an offence for a person, who knowing that an order is in force, enters or remains in a room in which such a meeting is being held. It is lawful for an employee of Council or a member of the police to use reasonable force to remove the person from the room if he or she fails to leave on request.

Once discussion on that particular matter is concluded, the public are then permitted to re-enter the meeting. If there is a further matter that needs to be considered in confidence it is necessary to again undertake the formal determination process and to resolve to exclude the public as above.
Please note that the Council, or the Council committee, can by inclusion within the resolution permit a particular person or persons to remain in the meeting. An example would be allowing a ratepayer who is suffering personal hardship to remain in the meeting when their circumstances concerning the payment of rates is being discussed.

It is the practice of the City of Mitcham, that for the convenience of the public, all items to be heard in confidence appear at the end of the agenda for the meeting, unless there are pressing reasons why the item/s should be brought forward in the meeting.

4. Matters from which the public can be excluded

The circumstances in which Council or a committee may order the public to be excluded are detailed in section 90(3) of the Act which appears in Appendix 1.

**Personal affairs**

The Act provides for a definition of personal affairs, being a person’s financial affairs, criminal records, marital or other personal relationships, personal qualities, attributes or health status, or that person’s employment records, employment performance or suitability for a particular position, or other personnel matters relating to the person, but does not include the personal affairs of a body corporate.

**Public interest**

There are three provisions in section 90(3) which also require a public interest test to be satisfied before the matter can be heard in confidence. The Act does not define public interest. It is more than just being a matter of interest to an individual or the public at large. The matter must be of some concern or benefit to the public - that is, in the best interests of the public.

The minutes of the meeting must record the reason for going into confidence, and where relevant, must explain why it is in the public interest to exclude the public.

**Matters from which the public cannot be excluded**

In considering whether an order should be made under section 90(2), it is irrelevant that discussion of a matter in public may:

- cause embarrassment to the Council or Committee concerned, or to members or employees of the Council; or
- cause a loss of confidence in the Council or Committee.

as outlined in section 90(4).

If a decision to exclude the public is taken, the Council or the Council committee is required to make a note in the minutes of the making of the order and the grounds on which it was made. Sufficient detail of the grounds on which the order was made will be included in the minutes. (Refer to 6(f) - Use of confidentiality provisions and 9 – Review of confidentiality orders in this document).
5. **Public access to minutes**

Minutes of a meeting of Council or a Council committee will be publicly available at the Council Offices, Mitcham and Blackwood Libraries, as well as on the internet, within 5 days after the meeting.

6. **Use of confidentiality provisions**

Any consideration of the use of the confidentiality provisions to exclude the public from the discussion of a particular matter at a meeting will require the identification of one or more of the grounds listed within section 90(3) of the Act and the factual reasons for the relevance and application of the ground(s) in the circumstances. These are listed in Appendix 1 of this Code.

The policy approach of the City of Mitcham is that:

a) The principle of open and accountable government is strongly supported;

b) Information of the grounds on which an order to exclude the public is made will be conveyed to the public at the time of them being ordered to leave the meeting – the public will not be excluded until after a confidentiality motion has been debated and passed and sufficient reasons for the need to exclude the public given;

c) Once discussion of the matter is concluded, the meeting will then consider if it is necessary to make an order that a document associated with this agenda item (including minutes) remains confidential. In determining this, the meeting will have regard to the provisions of section 91 and in particular section 91(8) which details when a Council must not order that a document remain confidential;

d) If the meeting determines that it is proper and necessary to keep a document confidential, then a resolution for an order to this effect is required to be resolved by the meeting in accordance with section 91(7) of the Act;

e) The Council will not consider a number of agenda items “in confidence” together i.e. en bloc. It will determine each item separately and consider the exemptions relevant to each item.

f) Once discussion of the matter is concluded and the public have returned, the decision of the meeting in relation to this matter will be made publicly known unless the Council has resolved to order that some information remain confidential. Details relating to any order to keep information or a document confidential in accordance with section 91(7) are also to be made known. When making an order the meeting must specify the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed. If the section 91(7) order is to apply for a period exceeding 12 months, then this order must be reviewed every 12 months from the date it was made. This along with the making of the order pursuant to section 90(2) and the grounds pursuant to section 90(3) on which it was made are also to be recorded in the minutes.

g) In all cases the objective is that the information be made publicly available at the earliest possible opportunity and that the community is informed of any Council order and the associated implications; and
h) Where a person provides information to the Council and requests that it be kept confidential, Council is not able to even consider this request unless the matter is one that falls within section 90(3). If this is the case, Council will then be in a position to consider the request on its merits.

7. Public access to documents

Section 132 of the Act provides for various documents to be made available for inspection and purchase by the public for a fee set annually by Council. Council may also make a document available in electronic form and place it on the internet for public access. Schedule 5 of the Act (in Appendix 1) lists all documents which must be publicly available and/or available for purchase.

The Council or the Council committee can only resolve to keep minutes and/or documents confidential under section 91(7) if they were considered in confidence pursuant to sections 90(2) and 90(3).

In accordance with section 91(8) the Council or the Council committee must not make an order to prevent:

- the disclosure of the remuneration or conditions of service of an employee of the Council after the remuneration or conditions have been set or determined; or
- the disclosure of the identity of a successful tenderer for the supply of goods or the provision of services (including the carrying out of works), or of any reasons adopted by the Council as to why a successful tenderer has been selected; or
- the disclosure of the amount or amounts payable by the Council under a contract for the supply of goods or the provision of services (including the carrying out of works) to, or for the benefit of, the Council after the contract has been entered into by all parties to the contract; or
- the disclosure of the identity of land that has been acquired or disposed of by the Council, or of any reasons adopted by the Council as to why land has been acquired or disposed of by the Council.

Where keeping a document confidential is considered proper and necessary, a resolution to this effect is required which shall include:

- the grounds for confidentiality; and
- the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed – if the order has a duration of more than 12 months, the order must be reviewed at least once in every year;
- (if applicable) whether the power to revoke the order will be delegated to an employee of the Council. [section 91(9)]

Public access to Ombudsman correspondence

There are some documents received by Council from the Ombudsman SA that are required by the Ombudsman to be kept confidential. They relate to documents, including letters and reports (including provisional reports) produced by the Ombudsman while an investigation is in progress.
Documents which can be made public by the Council include:

- Preliminary investigation - final report
- Full investigation - final report
- letters sent pursuant to s 17(2)(d) of the Ombudsman Act 1972 where an investigation is deemed to be unnecessary or unjustifiable

When Council is sent a copy of a letter from the Ombudsman to an individual, for privacy reasons, that individual must be consulted before Council makes the letter public.

Requests to access Council and Council Committee documents can be made under the Freedom of Information Act 1991. Inquiries in relation to the process for seeking access to documents held by Council should be directed to Council's accredited Freedom of Information Officer, Virginia Fisher on 8372 8810.

8. Model confidentiality provisions

The City of Mitcham will record in the minutes of any Council and Council committee meetings the making of an order in accordance with sections 90(2) and (3) and section 91(7). Some examples of model resolutions appear in Appendix 2.

9. Review of confidentiality orders

A confidentiality order made under section 91(7) of the Act must specify the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed. In any event, any order that operates for a period exceeding 12 months must be reviewed at least once in every year.

An order will lapse if the time or event specified has been reached or carried out. There is no need for the Council to resolve for the confidential order to be lifted. Once the order has lapsed, the minutes and/or documents automatically become public.

A review of the reports or documents that were considered under the provision of sections 90(3) and 91(7) of the Act will be conducted and a report prepared for Council twice a year, to ensure that items are released in accordance with the resolution of Council, when the confidential provision no longer applies.

Orders that exceed 12 months must be reviewed annually and the Council must assess whether the grounds for non-disclosure are still relevant and, if so, provide the relevant grounds and reasons for the minutes and/or documents remaining confidential. The conduct of the annual review can be delegated to the CEO and sub-delegated to an employee of the Council if appropriate. If there are any items that require a fresh confidentiality order because the original order is about to expire, then the reviewer will prepare a report to Council making recommendations with respect to each item to be retained in confidence. Each item must then be addressed separately and assessed against section 90(3) and section 91(7) of the Act. While a Council may delegate the power to undertake an annual review, the Council cannot delegate the power to apply sections 90(3) and 91(7) of the Act.

A Council may resolve to exclude the public from a meeting to discuss and undertake consideration of the recommendations arising from the annual review in confidence,
subject to the application of the relevant ground under section 90(3) of the Act. Section 90(3) of the Act must be applied separately to each item and not en bloc.

If there is no longer any need for the confidentiality order then the Council or Council Committee may delegate to an employee of the Council the power to revoke an order made in accordance with section 91(7) of the Act. The Council or Council committee may also include in the resolution whether any delegation is given to an employee to revoke the order and if relevant, any conditions associated with the delegation.

10. Accountability and reporting to the community

A report on the use of sections 90(2) and 91(7) by the Council and Council committees must be included in the annual report of a Council as required by Schedule 4 of the Act. This supports commitment to the principle of accountability to the community. The reporting should include the following information, separately identified for both Council and Council committees:

(i) Number of occasions each of the provisions of sections 90(2) and 90(3) were utilised;
(ii) Number of occasions each of the provisions of sections 90(2) and 90(3) and section 91(7) were utilised, expressed as a percentage of total agenda items considered;
(iii) An indication of any particular issues that contributed to the use of confidentiality provisions on more than one occasion e.g. a proposal to acquire a parcel of land was considered on 3 separate occasions;
(iv) Number of occasions that information originally declared confidential has subsequently been made publicly available; and
(v) Number of occasions that information declared confidential has not been made publicly available and the reason for this in each case.

An annual summary report of the use of confidential provisions is also required by Council. In addition, Council requires a status report on the release of confidential items twice a year.

11. Availability of the Code

The public may inspect a copy of the Code (and appendices), without charge, at the offices of Council during office hours, and may obtain a copy for a fee fixed by Council. The Code is also available on the internet at www.mitchamcouncil.sa.gov.au

12. Grievance procedures

As required by section 270 of the Act, Council has established procedures for the review of decisions made by:
- Council and its committees;
- employees of the Council; and
- other persons acting on behalf of the Council.

Should a person be aggrieved about public access to either a meeting or a document then they can lodge an application for review of that decision under the Procedure
established by Council. A copy of the Procedure is available from the Governance Unit or from Council’s website.

A person may also make a complaint to the Ombudsman at any time under the Ombudsmans Act 1972.

13. Council Contact Person

Meredith Nunan, Governance Officer - 8372 8837
Virginia Fisher, Governance Officer - 8372 8810

REVIEW OF THE CODE
Council is required to review this Code within 12 months after the conclusion of each periodic election. The next scheduled review is due to occur prior to November 2015.

VERSION HISTORY

<table>
<thead>
<tr>
<th>VERSION</th>
<th>AUTHOR(S) POSITION</th>
<th>CHANGES</th>
<th>DATE</th>
</tr>
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<tbody>
<tr>
<td>v1</td>
<td>Project Officer</td>
<td>established</td>
<td>21/7/1997</td>
</tr>
<tr>
<td>v2</td>
<td>Coordinator Governance</td>
<td></td>
<td>8/8/2000</td>
</tr>
<tr>
<td>v3</td>
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<td>23/9/2003</td>
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<tr>
<td>v4</td>
<td>Coordinator Governance</td>
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<td>23/10/2007</td>
</tr>
<tr>
<td>v5</td>
<td>Governance Officer</td>
<td></td>
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</table>
APPENDIX 1

Excerpts from the Local Government Act 1999 - as of September 2011

Section 83 — Notice of ordinary or special meetings

(5) The chief executive officer may indicate on a document or report provided to members of the council under subsection (4) (or on a separate notice) any information or matter contained in or arising from a document or report that may, if the council so determines, be considered in confidence under Part 3, provided that the chief executive officer at the same time specifies the basis on which an order could be made under that Part.

Section 87 - Calling and timing of committee meetings

(10) The chief executive officer may indicate on a document or report provided to members of the committee under subsection (9) (or on a separate notice) any information or matter contained in or arising from a document or report that may, if the committee so determines, be considered in confidence under Part 3, provided that the chief executive officer at the same time specifies the basis on which an order could be made under that Part.

Section 90 - Meetings to be held in public except in special circumstances

(2) A council or council committee may order that the public be excluded from attendance at a meeting to the extent (and only to the extent) that the council or council committee considers it to be necessary and appropriate to act in a meeting closed to the public in order to receive, discuss or consider in confidence any information or matter listed in subsection (3) (after taking into account any relevant consideration under that subsection).

(3) The following information and matters are listed for the purposes of subsection (2):

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

b) information the disclosure of which -
   i. could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of council, and
   ii. would, on balance, be contrary to the public interest;

c) information the disclosure of which would reveal a trade secret;

d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
   i. could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
ii. would, on balance, be contrary to the public interest;

e) matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person;

f) information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;

g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;

h) legal advice;

i) information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council;

j) information the disclosure of which -
   i. would divulge information provided on a confidential basis by or to a Minister of the crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
   ii. would, on balance, be contrary to the public interest;

k) tenders for the supply of goods, the provision of services or the carrying out of works;

m) information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Development Plan Amendment proposal relating to the amendment is released for public consultation under that Act;

n) information relevant to the review of a determination of a council under the Freedom of Information Act 1991.

(4) In considering whether an order should be made under subsection (2), it is irrelevant that discussion of a matter in public may—

(a) cause embarrassment to the council or council committee concerned, or to members or employees of the council; or

(b) cause a loss of confidence in the council or council committee.

(5) The duty to hold a meeting of a council or council committee at a place open to the public does not in itself make unlawful informal gatherings or discussion involving—

(a) members of the council or council committee; or

(b) members of the council or council committee and staff,

provided that a matter which would ordinarily form part of the agenda for a formal meeting of a council or council committee is not dealt with in such a way as to obtain, or effectively obtain, a decision on the matter outside a formally constituted meeting of the council or council committee.
Examples—

The following are examples of informal gatherings or discussions that might be held under subsection (8):

(a) planning sessions associated with the development of policies or strategies;

(b) briefing or training sessions;

(c) workshops;

(d) social gatherings to encourage informal communication between members or between members and staff.

(9) In this section—

*personal affairs* of a person includes—

(a) that person’s—

(i) financial affairs;

(ii) criminal records;

(iii) marital or other personal relationships;

(iv) personal qualities, attributes or health status;

(b) that person’s employment records, employment performance or suitability for a particular position, or other personnel matters relating to the person, but does not include the personal affairs of a body corporate.

Section 91 — Minutes and release of documents

(4) A copy of the minutes of a meeting of the council must be placed on public display in the principal office of the council within five days after the meeting and kept on display for a period of one month.

(5) A person is entitled to inspect, without payment of a fee, at the principal office of the council—

(a) minutes kept under this section; and

(b) reports to the council or a council committee received at a meeting of the council or committee; and

(c) recommendations presented to the council in writing and adopted by resolution of the council; and

(d) budgetary or other financial statements adopted by the council.

(6) A person is entitled, on payment of a fee fixed by the council, to a copy of any documents available for inspection under subsection (5).

(7) However, subsections (4), (5) and (6) do not apply to a document or part of a document if—

(a) the document or part relates to a matter dealt with by the council or council committee on a confidential basis under Part 3; and
(b) the council or council committee orders that the document or part be kept confidential.

(8) A council must not make an order under subsection (7)—

(a) to prevent the disclosure of the remuneration or conditions of service of an employee of the council after the remuneration or conditions have been set or determined; or

(b) to prevent the disclosure of the identity of a successful tenderer for the supply of goods or the provision of services (including the carrying out of works), or of any reasons adopted by the council as to why a successful tenderer has been selected; or

(ba) to prevent the disclosure of the amount or amounts payable by the council under a contract for the supply of goods or the provision of services (including the carrying out of works) to, or for the benefit of, the council after the contract has been entered into by all parties to the contract; or

(c) to prevent the disclosure of the identity of land that has been acquired or disposed of by the council, or of any reasons adopted by the council as to why land has been acquired or disposed of by the council.

(9) If an order is made under subsection (7)—

(a) the council or council committee must specify the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed, and, in any event, any order that operates for a period exceeding 12 months must be reviewed at least once in every year; and

(b) the council or council committee must ensure that a note is made in the minutes recording the making of the order, the grounds on which it was made, and the decision of the council or council committee under paragraph (a); and

(c) the council or council committee may delegate to an employee of the council the power to revoke the order.

(10) No action for defamation lies against the council in respect of—

(a) the accurate publication under this section of any information, statement or document (in whatever form); or

(b) the accurate publication under this section of a transcript, recording or other record of a meeting of a council or a council committee.

(11) A document purporting to be minutes of proceedings at a meeting of a council, or a council committee, or to be a copy of or extract from such minutes, and to be signed by the chief executive officer, will be accepted as proof, in the absence of proof to the contrary, of the matters contained in the document.
Schedule 5—Documents to be made available by councils

Reviews of council constitution, wards and boundaries

- Representation options papers and reports on reviews of council composition or ward structure (Chapter 3 Part 1 Division 2)
- Reports to the Minister under Chapter 3 Part 2 Division 4 or 5 provided to the council by the Boundary Adjustment Facilitation Panel
- Summary of issues surrounding a proposal to be submitted to a poll under Chapter 3 Part 2 Division 5

Registers and Returns

- Registers required under this Act or the Local Government (Elections) Act 1999, other than the Register of Interests kept for the purposes of Chapter 7 Part 4 Division 2
- Campaign donations returns under the Local Government (Elections) Act 1999

Codes

- Codes of conduct or codes of practice under this Act or the Local Government (Elections) Act 1999

Meeting papers

- Notice and agenda for meetings of the council, council committees and electors
- Minutes of meetings
- Documents and reports to the council or a council committee that are able to be supplied to members of the public
- Recommendations adopted by resolution of the council

Policy and administrative documents

- Record of delegations under this Act (other than delegations made by the Minister)
- Contract and tenders policies
- Policy for the reimbursement of members' expenses
- Strategic management plans
- Annual business plan (after adoption by council) and the summary required under this Act
- Annual budget (after adoption by council)
- Audited financial statements
- Annual report
- Extracts from the council's assessment record
- List of fees and charges
- Public consultation policies
- Management plans for community land
- Policy on the making of orders
• Procedures for the review of council decisions (Chapter 13 Part 2) and any report under section 270(8)

• Charter for subsidiaries established by the council or for which the council is a constituent council

• The most recent information statement of the council under the Freedom of Information Act 1991

• Any policy document of the council within the meaning of the Freedom of Information Act 1991 (if not already referred to above)

By-laws

• By-laws made by the council
APPENDIX 2

MODEL CONFIDENTIALITY ORDERS

Section 90(3)(a) Order - Personal affairs

Pursuant to section 90(3)(a)

Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public\(^{\text{NB}}\), except [insert names and job title for staff members present and/or names of any other person i.e. consultant/external advisor] be excluded from attendance at the meeting for Agenda Item […] [Brief Description of Agenda Item].

The Council is satisfied that, pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being [insert name of person] because [insert reasons].

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because [insert reasons].

Section 91(7) Order

Pursuant to section 91(7)

That having considered Agenda Item […] [Brief Description of Agenda Item] in confidence under section 90(2) and (3)(a) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that the [identify the documents and/or minutes relevant to Agenda Item X] be retained in confidence [for a period of (insert period of time i.e. 6 months, 18 months) or until (trigger can be an event i.e. the contract has been signed, a public announcement has been made)] and that this order be reviewed every 12 months [if the confidentiality period is longer than 12 months in duration].

\(^{\text{NB}}\) For these purposes a member of the public includes all persons (including staff), but does not include members of Council
Section 90(3)(d) Order - Commercial information

Pursuant to section 90(3)(d)

Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except [insert names and job title for staff members present and/or names of any other person], be excluded from attendance at the meeting for Agenda Item [...] [Brief Description of Agenda Item].

The Council is satisfied that, pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected

* to prejudice the commercial position of the person who supplied the information, or

* to confer a commercial advantage on a third party.

[select applicable (more than one ground may be applicable) ]

[insert explanation]

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because [insert reasons].

Section 91(7) Order

Pursuant to section 91(7)

That having considered Agenda Item [...] [Brief Description of Agenda Item] in confidence under section 90(2) and (3)(d) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that the [identify the documents and/or minutes relevant to Agenda Item X] be retained in confidence [for a period of (insert period of time i.e. 6 months, 18 months) or until (trigger can be an event i.e. the contract has been signed, a public announcement has been made)] and that this order be reviewed every 12 months [if the confidentiality period is longer than 12 months in duration].

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* For these purposes a member of the public includes all persons (including staff), but does not include members of Council.
Section 90(3)(h) Order - Legal advice

Pursuant to section 90(3)(h)

Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except, [insert names and job title for staff members present and/or names of any other person], be excluded from attendance at the meeting for Agenda Item [...] [Brief Description of Agenda Item].

The Council is satisfied that, pursuant to section 90(3)(h) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is legal advice [insert explanation].

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because [insert reasons].

Section 91(7) Order

Pursuant to section 91(7)

That having considered Agenda Item [...] [Brief Description of Agenda Item] in confidence under section 90(2) and (3)(h) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that the [identify the documents and/or minutes relevant to Agenda Item X] be retained in confidence [for a period of (insert period of time i.e. 6 months, 18 months) or until (trigger can be an event i.e. the contract has been signed, a public announcement has been made)] and that this order be reviewed every 12 months [if the confidentiality period is longer than 12 months in duration].

NS For these purposes a member of the public includes all persons (including staff), but does not include members of Council.
## CURRENT STATUS OF REPORTS REQUESTED FROM CORPORATE AND COMMUNITY SERVICES COMMITTEE

**AS AT 2 NOVEMBER 2011**

<table>
<thead>
<tr>
<th>DATE</th>
<th>NO</th>
<th>REPORT OUTSTANDING</th>
<th>PROGRESS</th>
<th>DIRECTOR</th>
</tr>
</thead>
</table>
| 10/5/05 | 7.3| **Open Space/Reserve Management Plan Implementation**  
  Administration to develop a draft policy to address principles for guiding the prioritisation of capital improvements of existing management plans that relate to open space/reserve landholdings.  
  The draft policy be presented to Council before the end of 2006.  
  A Prioritisation System to be developed by the end of June 2006. | A combined Open Space Strategy and Recreation and Sport Plan being reviewed. To be completed by March 2012. | WR       |
| 13/5/08 | 6.1| **Development of a Citywide Recreation Space Plan**  
  Previously approved budgets to be reallocated. Report to be prepared for the CCS Committee in preparation for community consultation and final Recreation Space Plan to be presented to CCS Committee. | A combined Open Space Strategy and Recreation and Sport Plan being reviewed by March 2012. | WR       |
| 8/9/09  | 6.1| **4 Railway Terrace - Mountain Bike Trails**  
  Report to be presented on recommended actions to deal with encroachments and property owners' concerns. | Negotiating Heads of Agreement for Land Swap.                               | WR       |
| 8/9/09  | 6.2| **Mountain Bike Strategy – Draft Zone 3 Trail Plan Consultation and Amendments**  
  Trail Plan for Zone 1 to be prepared for Community Consultation and report to be presented on implementation plan for this zone. | Funding application successful. Consultation report for Zone 1 will be provided to the May 2012 CCS Committee meeting. | SS       |
<table>
<thead>
<tr>
<th>DATE</th>
<th>NO</th>
<th>REPORT OUTSTANDING</th>
<th>PROGRESS</th>
<th>DIRECTOR</th>
</tr>
</thead>
</table>
| 12/7/11 | 5.2| **Belair Community Centre -- Public Consultation Result**  
Endorsed negotiation of the lease with Belair Community Centre Inc.  
Further report to be provided seeking approval of lease conditions as per resolution. | Negotiations in progress.  
To be completed by December 2011. | WR       |
| 13/9/11 | 7.1| **Community Development Grants Review**  
Matter deferred for a briefing with Elected Members to occur. | A report will be prepared for the December CCS meeting. | SS       |
<table>
<thead>
<tr>
<th>DATE</th>
<th>NO</th>
<th>RESOLUTION</th>
<th>PROGRESS</th>
<th>DIRECTOR</th>
</tr>
</thead>
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<tr>
<td>8/9/09</td>
<td>6.2</td>
<td><strong>Mountain Bike Strategy – Draft Zone 3 Trail Plan Consultation and Amendments</strong></td>
<td>Access points still to be resolved.</td>
<td>SS</td>
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<tr>
<td></td>
<td></td>
<td>Consultation to occur with owners of 4 Railway Terrace.</td>
<td>Designs completed and DA has been submitted, (currently on hold).</td>
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<tr>
<td></td>
<td></td>
<td>DA for Zone 3 to be submitted to DAC.</td>
<td>Report to be provided to December 2011 Full Council meeting.</td>
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<tr>
<td>13/10/09</td>
<td>6.1</td>
<td><strong>Mountain Bike Strategy – Draft Zone 4 Trail Plan Consultation And Amendments</strong></td>
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<td>SS</td>
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<tr>
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<td>DA for priority 1 and 2 trails be submitted to DAC.</td>
<td>Designs completed and DA has been submitted.</td>
<td></td>
</tr>
<tr>
<td>13/7/10</td>
<td>12.1</td>
<td><strong>Confidential Report - Legal Agreement Regarding Use of Right of Way</strong></td>
<td></td>
<td>SS</td>
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<tr>
<td></td>
<td></td>
<td>Draft Statement of Position noted. Negotiations to occur with resident.</td>
<td>Report to be provided to December 2011 Full Council.</td>
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<tr>
<td>14/6/11</td>
<td>5.1</td>
<td><strong>Kingswood Tennis Club Lighting – Public Consultation Results</strong></td>
<td></td>
<td>WR</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lodgement of DA for the lighting endorsed.</td>
<td>Consultation completed. Awaiting DA assessment to amend lease.</td>
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<td>Lease schedule to be amended as per resolution, subject to the Club receiving development approval.</td>
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<td>14/6/11</td>
<td>6.1</td>
<td><strong>Sturt River Linear Park – Coromandel Valley Primary School Surplus Land Transfer</strong></td>
<td></td>
<td>WR</td>
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<tr>
<td></td>
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<td>Offer of transfer of land from DECS approved.</td>
<td>Documents with the Crown.</td>
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<td>Open Space budget to be increased by $15,000 to cover upgrading costs and annual maintenance budget of $2,500 to be included in Council’s Long Term Financial Plan.</td>
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<td>Mayor and CEO authorised to sign relevant documents under seal.</td>
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<tr>
<td>DATE</td>
<td>NO</td>
<td>RESOLUTION</td>
<td>PROGRESS</td>
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<tr>
<td>9/8/11</td>
<td>8.1</td>
<td><strong>Draft Heritage DPA – Engagement Strategy</strong>&lt;br&gt;Draft Heritage DPA (once endorsed) to remain strictly confidential until interim operation is granted by the Minister.</td>
<td>Noted. Completed.</td>
<td>CH</td>
</tr>
<tr>
<td>9/8/11</td>
<td>12.1</td>
<td><strong>Draft Heritage DPA – Endorsement</strong>&lt;br&gt;Draft Heritage DPA endorsed as a basis for community engagement and agency consultation. Council to seek interim operation for the draft Heritage DPA from the Minister.</td>
<td>Draft DPA was submitted to the Minister on 1 November 2011. Community Consultation will commence early in 2012 and a report will be provided to the Committee on the outcomes. Completed.</td>
<td>CH</td>
</tr>
</tbody>
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