

NOTICE OF COUNCIL MEETING

Pursuant to the provisions of section 84 (1) of the
Local Government Act 1999

The Ordinary Meeting of the



will be held in

**Council Chamber
Redbanks Road
Mallala**

on

Monday 29 January 2024 at 5:30pm

A handwritten signature in black ink, appearing to be "J. Miller", is positioned above the name and title of the Chief Executive Officer.

James Miller
CHIEF EXECUTIVE OFFICER

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1 ACKNOWLEDGEMENT OF COUNTRY

Council acknowledges that we meet on the traditional country of the Kurna people of the Adelaide Plains and pays respect to elders past, present and emerging. We recognise and respect their cultural heritage, beliefs and relationship with the land and we acknowledge that they are of continuing importance to the Kurna people living today.

2 ATTENDANCE RECORD

3 CONFIRMATION OF COUNCIL MEETING MINUTES

3.1 Confirmation of Minutes - Ordinary Council Meeting - 18 December 2023

RECOMMENDATION

“that the minutes of the Ordinary Council Meeting held on 18 December 2023 (MB Folios 17936 to 17950) be accepted as read and confirmed.”

CONFIDENTIAL

MINUTES

of the

Ordinary Council Meeting



Held, pursuant to the provisions of the
Local Government Act 1999, in the

**Council Chamber
Redbanks Road
Mallala**

on

Monday 18 December 2023 at 4.30pm

The Acting Mayor formally declared the meeting open at 4.30pm.

1 ACKNOWLEDGEMENT OF COUNTRY

Council acknowledges that we meet on the traditional country of the Kurna people of the Adelaide Plains and pays respect to elders past, present and emerging. We recognise and respect their cultural heritage, beliefs and relationship with the land and we acknowledge that they are of continuing importance to the Kurna people living today.

2 ATTENDANCE RECORD

Present:

Acting Mayor Marcus Strudwicke
Councillor Alana Bombardieri
Councillor Kay Boon
Councillor Carmine Di Troia
Councillor Terry-Anne Keen
Councillor Margherita Panella (*entered the meeting at 4.33pm*)
Councillor David Paton
Councillor Eddie Stubing

Staff in Attendance:

Chief Executive Officer	Mr James Miller
Acting Director Corporate Services	Ms Amy Fagan
Director Development and Community	Mr Michael Ravno
Acting Director Finance	Ms Carmel Vandermolen
Director Infrastructure and Environment	Mr Thomas Jones
Manager Governance	Ms Rachel Kammermann
Manager Growth and Investment	Mr David Bailey
Manager Library and Community	Ms Anne Sawtell
Senior Information Technology Officer	Mr Thomas Harris-Howson
Executive Assistant to the CEO and Mayor/Minute Taker	Ms Susan Cook
Governance Administration Officer	Ms Paige Graham
Property Officer	Mr Maurice Park

Apologies:

Mayor Mark Wasley (Leave of Absence)
Councillor Dante Mazzeo

3 MINUTES**3.1 CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING - 27 NOVEMBER 2023****RESOLUTION 2023/376**

Moved: Councillor Di Troia

Seconded: Councillor Bombardieri

"that the minutes of Ordinary Council Meeting held on 27 November 2023 be confirmed."

CARRIED

4 BUSINESS ARISING

Nil

5 DECLARATION OF MEMBERS' INTEREST

Councillor Keen foreshadowed an interest in *Item 15.1 – 2022 Local Government Election Results* on the basis she is a member affected by the outcome of the matter. Councillor Keen chose to remain in the meeting as the report was only being received and noted.

6 ADJOURNED BUSINESS

Nil

7 MAYOR'S REPORT**7.1 ACTING MAYOR'S REPORT****RESOLUTION 2023/377**

Moved: Councillor Keen

Seconded: Councillor Stubing

"that Council, having considered Item 7.1 – *Acting Mayor's Report*, dated 18 December 2023, receives and notes the report."

CARRIED

8 REQUESTED DOCUMENTS/CORRESPONDENCE TO BE TABLED

Nil

9 DEPUTATIONS

Nil

10 PRESENTATIONS/BRIEFINGS

Nil

11 PETITIONS

Nil

12 COMMITTEE MEETING MINUTES

Nil

13 SUBSIDIARY MEETINGS

Councillor Panella entered the meeting at 4.33pm.

13.1 LEGATUS GROUP - ORDINARY MEETING - 1 DECEMBER 2023**RESOLUTION 2023/378**

Moved: Councillor Keen

Seconded: Councillor Di Troia

“that Council receives and notes the draft Minutes of the Legatus Group Ordinary Meeting held on 1 December 2023.”

CARRIED UNANIMOUSLY

14 REPORTS FOR DECISION**14.1 ANNUAL REVIEW OF CONFIDENTIAL ITEMS****RESOLUTION 2023/379**

Moved: Councillor Stubing

Seconded: Councillor Boon

“that Council, having considered Item 14.1 – *Annual Review of Confidential Items*, dated 18 December 2023, receives and notes the report and acknowledges that a formal review of Council’s confidential items has been undertaken.”

CARRIED UNANIMOUSLY

RESOLUTION 2023/380

Moved: Councillor Keen

Seconded: Councillor Boon

“that Council, having considered Item 14.1 – *Annual Review of Confidential Items*, dated 18 December 2023, resolves as follows with respect to the orders made under section 91(7) of the *Local Government Act 1999* outlined in Table 3 of the report, entitled ‘Recommended to Release’:

1. For all orders which are marked as “Subject to Consultation”, Council authorises and directs the Chief Executive Officer:
 - (a) to conduct consultation with whomever the Chief Executive Officer considers appropriate and however the Chief Executive Officer see fits; and
 - (b) to determine, following such consultation, whether or not to revoke each order (and, for any such order with respect to which the Council has not already delegated the power to revoke, the Council hereby delegates that power to the Chief Executive Officer under section 91(9)(c) of the *Local Government Act 1999*);
2. For all orders which are not marked as “Subject to Consultation”, the Council revokes those orders.”

CARRIED UNANIMOUSLY

14.2 MALLALA & DISTRICTS LIONS CLUB - REQUEST TO CONSTRUCT FENCE

RESOLUTION 2023/381

Moved: Councillor Panella

Seconded: Councillor Boon

“that Council, having considered Item 14.2 – *Mallala & Districts Lions Club - Request to Construct Fence*, dated 18 December 2023, receives and notes the report and in doing so instructs the Chief Executive Officer to advise the Mallala & Districts Lions Club that it does not approve the northern boundary fencing at Mallala & Districts Lions Club Community Complex in 1.8m high Colourbond fencing.”

CARRIED

14.3 REGIONAL HEALTH PLAN - ELECTED MEMBER REPRESENTATION

RESOLUTION 2023/382

Moved: Councillor Boon

Seconded: Councillor Panella

“that Council, having considered Item 14.3 – *Regional Health Plan - Elected Member Representation*, dated 18 December 2023, receives and notes the report and in doing so notes the resignation of Councillor Alana Bombardieri from the Barossa, Light and Lower Northern Regional Public Health Plan Advisory Group on 22 November 2023.”

CARRIED UNANIMOUSLY

RESOLUTION 2023/383

Moved: Councillor Boon

Seconded: Councillor Di Troia

“that Council, having considered Item 14.3 – *Regional Health Plan - Elected Member Representation*, dated 18 December 2023, and in light of Councillor Alana Bombardieri’s resignation, appoints Councillor Terry-Anne Keen to represent Adelaide Plains Council on the Barossa, Light and Lower Northern Regional Public Health Plan Advisory Group.”

CARRIED UNANIMOUSLY

14.4 MOBILE FOOD VENDOR POLICY

RESOLUTION 2023/384

Moved: Councillor Panella

Seconded: Councillor Boon

“that Council, having considered Item 14.4 – *Mobile Food Vendor Policy*, dated 18 December 2023, receives and notes the report and in doing so notes the submissions received in consultation, as presented in Attachment 1 to this report.”

CARRIED

RESOLUTION 2023/385

Moved: Councillor Panella

Seconded: Councillor Keen

“that Council, having considered Item 14.4 – *Mobile Food Vendor Policy*, dated 18 December 2023, endorses refinements to the Draft Mobile Food Vendor Policy as contained in the submission responses presented in Attachment 2 to this report.”

CARRIED UNANIMOUSLY

The Acting Mayor sought leave of the meeting to suspend meeting procedures pursuant to regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013* and section 20(1) of Council's *Code of Conduct – Meeting Procedures* for a period of time sufficient to facilitate informal discussion of Item 14.4 - *Mobile Food Vendor Policy*. Leave was granted.

The meeting was suspended at 4.50pm.

The meeting resumed at 5.08pm.

RESOLUTION 2023/386

Moved: Councillor Panella

Seconded: Councillor Bombardieri

“that Council, having considered Item 14.4 – *Mobile Food Vendor Policy*, dated 18 December 2023, endorses the amended Draft Mobile Food Vendor Policy presented in Attachment 3 to this report, with changes to include:

- 1. definitions to include public road;**
- 2. define the parameters of the boundary of shops /not for profit groups; and**
- 3. to include that all rubbish be removed around their site at the conclusion of their trading.”**

CARRIED

14.5 PROPOSED DUBLIN EMPLOYMENT LANDS CODE AMENDMENT

RESOLUTION 2023/387

Moved: Councillor Panella

Seconded: Councillor Di Troia

“that Council, having considered Item 14.5 – *Proposed Dublin Employment Lands Code Amendment*, dated 18 December 2023, receives and notes the report and in doing so notes the Chief Executive Officer’s intention to advise Leinad Land Developments (Dublin) Pty Ltd that Council has no objection to the initiation of the Code Amendment seeking to investigate employment land to the south of Dublin, and notes advice dated 14 December 2023 from Ekistics for Leinad that the area affected does not include, Lot 22 Ruskin Road (CT 6090 419).”

CARRIED UNANIMOUSLY

15 REPORTS FOR INFORMATION

15.1 2022 LOCAL GOVERNMENT ELECTION RESULTS

RESOLUTION 2023/388

Moved: Councillor Panella

Seconded: Councillor Boon

“that Council, having considered Item 15.1 – *2022 Local Government Election Results*, dated 18 December 2023, receives and notes the report.”

CARRIED UNANIMOUSLY

15.2 COUNCIL RESOLUTIONS - MONTHLY STATUS UPDATE

RESOLUTION 2023/389

Moved: Councillor Panella

Seconded: Councillor Bombardieri

“that Council, having considered Item 15.2 – *Council Resolutions - Monthly Status Update*, dated 18 December 2023, receives and notes the report.”

CARRIED UNANIMOUSLY

15.3 CAMPGROUND - OPERATIONS & EXPENDITURE

RESOLUTION 2023/390

Moved: Councillor Panella

Seconded: Councillor Paton

“that Council, having considered Item 15.3 – *Campground - Operations & Expenditure* dated 18 December 2023, receives and notes the report.”

CARRIED UNANIMOUSLY

15.4 MALLALA COUNCIL CHAMBER LIVESTREAM AUDIO

RESOLUTION 2023/391

Moved: Councillor Panella

Seconded: Councillor Di Troia

“that Council, having considered Item 15.4 – *Mallala Council Chamber Livestream Audio*, dated 18 December 2023, receives and notes the report.”

CARRIED UNANIMOUSLY

15.5 CAPITAL WORKS AND OPERATING PROGRAM MONTHLY UPDATE - DECEMBER 2023

RESOLUTION 2023/392

Moved: Councillor Panella

Seconded: Councillor Keen

“that Council, having considered Item 15.5 – *Capital Works and Operating Program Monthly Update - December 2023*, dated 18 December 2023, receives and notes the report.”

CARRIED UNANIMOUSLY

15.6 PRECINCT DEVELOPMENT GRANT OPPORTUNITY

RESOLUTION 2023/393

Moved: Councillor Keen

Seconded: Councillor Di Troia

“that Council, having considered Item 15.6 – *Precinct Development Grant Opportunity*, dated 18 December 2023, receives and notes the report.”

CARRIED UNANIMOUSLY

16 QUESTIONS ON NOTICE

Nil

17 QUESTIONS WITHOUT NOTICE

Not recorded in Minutes in accordance with regulation 9(5) of the *Local Government (Procedures at Meetings) Regulations 2013*.

18 MOTIONS ON NOTICE

Nil

19 MOTIONS WITHOUT NOTICE

Nil

20 URGENT BUSINESS

Nil

SUBJECT TO CONFIRMATION

21 CONFIDENTIAL ITEMS**21.1 TRANS-TASMAN ENERGY GROUP CLAIM - UPDATE****RESOLUTION 2023/394**

Moved: Councillor Keen

Seconded: Councillor Boon

“that:

1. Pursuant to section 90(2) of the *Local Government Act 1999*, Council orders that all members of the public, except:

- Chief Executive Officer;
- Acting Director Corporate Services;
- Acting Director Finance;
- Director Infrastructure and Environment;
- Director Development and Community;
- Manager Governance;
- Senior Information Technology Officer;
- Executive Assistance to the CEO and Mayor/Minute Taker;
- Governance Administration Officer; and
- Kate Brandon of HWL Ebsworth Lawyers;

be excluded from attendance at the meeting of Council for Item 21.1 *Trans-Tasman Energy Group Claim - Update*;

2. Council is satisfied that pursuant to sections 90(3)(h) and (i) of the *Local Government Act 1999*, Item 21.1 *Trans-Tasman Energy Group Claim – Update* concerns information of a confidential nature, the disclosure of which would involve the unreasonable disclosure of legal advice; AND information relating to actual litigation, or litigation that Council believes on reasonable grounds will take place, involving the council or an employee of Council; and
3. Council is satisfied the principle that Council meetings should be conducted in a place open to the public has been outweighed by the need to keep the information, matter and discussion confidential.”

CARRIED

21.1 TRANS-TASMAN ENERGY GROUP CLAIM - UPDATE

RESOLUTION 2023/396**Moved: Councillor Keen****Seconded: Councillor Boon**

“that Council, having considered Item 21.1 *Trans-Tasman Energy Group Claim – Update* in confidence under sections 90(2) and 90(3)(h) and (i) of the *Local Government Act 1999*, resolves that:

1. The
 - report; and
 - minutespertaining to Item 21.1 *Trans-Tasman Energy Group Claim - Update*, remain confidential and not available for public inspection until further order of Council;
2. Pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter will be reviewed every 12 months; and
3. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, Council delegates the power to revoke this confidentiality order to the Chief Executive Officer.”

CARRIED**21.2 RECRUITMENT OF AN INDEPENDENT MEMBER - INFRASTRUCTURE AND ENVIRONMENT COMMITTEE****RESOLUTION 2023/397****Moved: Councillor Keen****Seconded: Councillor Bombardieri**

“that:

1. Pursuant to section 90(2) of the *Local Government Act 1999*, Council orders that all members of the public, except:
 - Chief Executive Officer;
 - Acting Director Corporate Services;
 - Acting Director Finance;
 - Director Infrastructure and Environment;
 - Director Development and Community;
 - Manager Governance;
 - Senior Information Technology Officer;
 - Executive Assistance to the CEO and Mayor/Minute Taker; and
 - Governance Administration Officer;be excluded from attendance at the meeting of Council for Item 21.2 *Recruitment of an Independent Member - Infrastructure and Environment Committee*;
2. Council is satisfied that pursuant to sections 90(a) of the *Local Government Act 1999*, Item 21.2 *Recruitment of an Independent Member - Infrastructure and Environment Committee* concerns information of a confidential nature, the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
3. Council is satisfied the principle that Council meetings should be conducted in a place open to the public has been outweighed by the need to keep the information, matter and discussion confidential.”

CARRIED

21.2 RECRUITMENT OF AN INDEPENDENT MEMBER - INFRASTRUCTURE AND ENVIRONMENT COMMITTEE

RESOLUTION 2023/398

Moved: Councillor Keen

Seconded: Councillor Panella

“that Council, having considered Item 21.2 – *Recruitment of an Independent Member - Infrastructure and Environment Committee*, dated 18 December 2023, receives and notes the report and in doing so appoints Mr Howard Lacy as Independent Chairperson to the Infrastructure and Environment Committee.”

CARRIED UNANIMOUSLY

RESOLUTION 2023/399

Moved: Councillor Boon

Seconded: Councillor Keen

“that Council, having considered Item 21.2 – *Recruitment of an Independent Member - Infrastructure and Environment Committee*, dated 18 December 2023, and noting the appointment of Mr Howard Lacy as Independent Chairperson to the Infrastructure and Environment Committee, instructs the Chief Executive Officer to proceed in seeking expressions of interest for the one (1) independent membership position as called for in resolution 2023/317.”

CARRIED UNANIMOUSLY

21.3 AUSTRALIA DAY AWARDS 2024

RESOLUTION 2023/400

Moved: Councillor Keen

Seconded: Councillor Boon

“that:

1. Pursuant to section 90(2) of the Local Government Act 1999, Council orders that all members of the public, except:

- Chief Executive Office;
- Acting Director Corporate Services;
- Acting Director Finance;
- Director Infrastructure and Environment;
- Director Development and Community;
- Manager Governance;
- Manager Library and Community;
- Senior Information Technology Officer;
- Executive Assistance to the CEO and Mayor/Minute Taker; and
- Governance Administration Officer;

be excluded from attendance at the meeting of Council for Item 21.3 – Australia Day Awards 2024;

2. Council is satisfied that pursuant to section 90(3)(o) of the Local Government Act 1999, Item 22.3 Australia Day Awards 2024 concerns information relating to a proposed award recipient before the presentation of the award;
3. Council is satisfied that the principle that Council meetings should be conducted in a place open to the public has been outweighed by the need to keep the information, matter and discussion confidential.”

CARRIED

The Acting Mayor sought leave of the meeting to suspend meeting procedures pursuant to regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013* and section 20(1) of Council's *Code of Conduct – Meeting Procedures* for a period of time sufficient to facilitate information discussion in relation to nominations for, and awarding of, the Australia Day Awards 2024. Leave was granted.

The meeting was suspended at 6.04pm.

Councillor Alana Bombardieri left the meeting at 6.05pm.

Councillor Alana Bombardieri returned to the meeting 6.08pm

Councillor Carmine Di Troia left the meeting at 6.29pm.

Councillor Carmine Di Troia returned to the meeting 6.31pm.

The meeting resumed at 6.34pm.

21.3 AUSTRALIA DAY AWARDS 2024

RESOLUTION 2023/401

Moved: Councillor Keen

Seconded: Councillor Stubing

“that Council, having considered Item 21.3 – *Australia Day Awards 2024*, dated 18 December 2023, receives and notes the report.”

CARRIED UNANIMOUSLY

RESOLUTION 2023/402

Moved: Councillor Boon

Seconded: Councillor Stubing

“that Council, having considered Item 21.3 – *Australia Day Awards 2024*, dated 18 December 2023, determines Denis and Maria Pellizzari as the recipient of the Citizen of the Year Award.”

CARRIED UNANIMOUSLY

RESOLUTION 2023/403

Moved: Councillor Keen

Seconded: Councillor Di Troia

“that Council, having considered Item 21.3 – *Australia Day Awards 2024*, dated 18 December 2023, determines Jacob Paul as the recipient of the Young Citizen of the Year Award.”

CARRIED UNANIMOUSLY

RESOLUTION 2023/404

Moved: Councillor Panella

Seconded: Councillor Keen

“that Council, having considered Item 21.3 – *Australia Day Awards 2024*, dated 18 December 2023, determines Dublin War Memorial 20th Anniversary and Remembrance Service as the recipient of the Community Event of the Year Award.”

CARRIED

RESOLUTION 2023/405

Moved: Councillor Paton
Seconded: Councillor Stubing

“that Council, having considered Item 21.3 – *Australia Day Awards 2024*, dated 18 December 2023, determines Two Wells Oval Water Tank Mural as the recipient of the Community Project of the Year Award.”

CARRIED

Councillor Boon called for a **division**:
The Acting Mayor declared the vote set aside

In favour: Councillors Stubing, Panella, Bombardieri, Di Troia and Paton
Against: Councillors Boon and Keen

The Acting Mayor declared the motion **CARRIED**

MOTION

Moved: Councillor Keen
Seconded: Councillor Stubing

“that Council, having considered Item 21.3 *Australia Day Awards 2024* in confidence under sections 90(2) and 90(3)(o) of the *Local Government Act 1999*, resolves that:

- the report;
- minutes; and
- attachment 1–12;

pertaining to Item 21.3 *Australia Day Awards 2024*, remain confidential and not available for public inspection until all award recipients have been notified of Council’s decision.”

AMENDMENT

Moved: Councillor Boon

“that the words ‘report and attachments 1–12’ be removed and the following wording be inserted: ‘the report and attachment 1 – 12 remain confidential and not available for public inspection until further order of Council; pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter will be reviewed every 12 months; and pursuant to section 91(9)(c) of the *Local Government Act 1999*, Council delegates the power to revoke this confidentiality order to the Chief Executive Officer.”

The motion **LAPSED** for want of a seconder

The Acting Mayor, with the consent of the mover and seconder, was granted leave of the meeting to vary the motion to read:

AS VARIED**RESOLUTION 2023/406**

Moved: Councillor Keen
Seconded: Councillor Stubing

“that Council, having considered Item 21.3 *Australia Day Awards 2024* in confidence under sections 90(2) and 90(3)(o) of the *Local Government Act 1999*, resolves that:

1. The minute pertaining to Item 21.3 *Australia Day Awards 2024*, remain confidential and not available for public inspection under section 91(7) of the *Local Government Act 1999* until all award recipients have been notified of Council’s decision;

2. The:
 - a. The report; and
 - b. attachment 1–12;
 pertaining to Item 21.3 *Australia Day Awards 2024*, remain confidential and not available for public inspection until further order of Council;
3. Pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter will be reviewed every 12 months; and
4. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, Council delegates the power to revoke this confidentiality order to the Chief Executive Officer."

CARRIED UNANIMOUSLY

21.4 TWO WELLS TOWN CENTRE - LAND FACILITATION AGREEMENT: ADELAIDE PLAINS COUNCIL AND PREFERRED PROPONENT

RESOLUTION 2023/407

Moved: Councillor Keen

Seconded: Councillor Di Troia

"that:

1. Pursuant to section 90(2) of the *Local Government Act 1999*, Council orders that all members of the public, except:
 - Chief Executive Officer;
 - Acting Director Corporate Services;
 - Acting Director Finance;
 - Director Infrastructure and Environment;
 - Director Development and Community;
 - Manager Governance;
 - Senior Information Technology Officer;
 - Executive Assistance to the CEO and Mayor/Minute Taker;
 - Governance Administration Officer;
 - Mr Sean Keenihan of Norman Waterhouse Lawyers;
 - Mr Ben Koop of Alinea Group;
 - Mr Paul Sanders of Alinea Group;
 - Mr Peter Fairlie-Jones (Adelaide Plains Council Audit Committee Independent Member); and
 - Mr Peter Scargill (Adelaide Plains Council Audit Committee Independent Member);
 be excluded from attendance at the meeting of Council for Item 21.4 – *Two Wells Town Centre - Land Facilitation Agreement: Adelaide Plains Council and Preferred Proponent*;
2. Council is satisfied that pursuant to sections 90(3)(b)(i) of the *Local Government Act 1999*, Item 21.4 – *Two Wells Town Centre - Land Facilitation Agreement: Adelaide Plains Council and Preferred Proponent* concerns information of a confidential nature, the disclosure of which 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 the council;
3. Council is satisfied the principle that Council meetings should be conducted in a place open to the public has been outweighed by the need to keep the information, matter and discussion confidential."

CARRIED

Councillor Boon left the meeting at 6.51pm.
Councillor Boon returned to the meeting at 6:53pm.

21.4 TWO WELLS TOWN CENTRE - LAND FACILITATION AGREEMENT: ADELAIDE PLAINS COUNCIL AND PREFERRED PROPONENT

RESOLUTION 2023/408

Moved: Councillor Keen
Seconded: Councillor Stubing

“that Council, having considered Item 21.4 – *Two Wells Town Centre - Land Facilitation Agreement: Adelaide Plains Council and Preferred Proponent*, dated 18 December 2023, receives and notes the report.”

CARRIED UNANIMOUSLY

22 CLOSURE

There being no further business, the Acting Mayor declared the meeting closed at 7.23pm.

Confirmed as a true record.

Mayor:

Date: ____/____/____

4 BUSINESS ARISING

5 DECLARATION OF MEMBERS' INTEREST

6 ADJOURNED BUSINESS

Nil

7 MAYOR'S REPORT

7.1 ACTING MAYOR'S REPORT – DECEMBER 2023

Record Number: D24/2671

Prepared for: Acting Mayor Marcus Strudwicke

Reporting Period - Thursday 14 December 2023 to Friday 22 December 2023

Friday 15 December 2023

Legatus Group Special Meeting

Two Wells Christmas Parade and Street Market

Sunday 17 December 2023

Mallala and Districts Lions Club Christmas Party

Monday 18 December 2023

Pre-Council Meeting – Acting Mayor and Executive Management Team

Ordinary Council Meeting

Friday 22 December 2023

Acting Mayor and CEO Meeting – various matters

RECOMMENDATION

“that Council, having considered Item 7.1 – *Acting Mayor's Report*, dated 29 January 2024, receives and notes the report.”

7.2 MAYOR'S REPORT - JANUARY 2024**Record Number: D24/2675****Prepared for: Mayor Mark Wasley**

Reporting Period - Saturday 23 December 2023 to Wednesday 24 January 2024

Saturday 23 December 2023

Teleconference Meeting with CEO—general debrief prior to Christmas break

Wednesday 3 January 2024

Mayor, Deputy Mayor and CEO—Handover Meeting

Monday 8 January 2024

Mayor/CEO Meeting—various matters

Wednesday 10 January 2024

Mayor and Community Development Officer meeting—meet and greet in preparation for Australia Day celebrations

Thursday 18 January 2024

Mayor and Manager Governance Meeting—various matters

Monday 22 January 2024

Meeting with Northern Adelaide Plains Food Cluster and CEO - NAIS Discussion

Mayor/CEO Meeting—various matters

RECOMMENDATION**“that Council, having considered Item 7.2 – *Mayor’s Report*, dated 29 January 2024, receives and notes the report.”**

8 REQUESTED DOCUMENTS/CORRESPONDENCE TO BE TABLED

9 DEPUTATIONS

9.1 CONFIDENTIAL BRIEFING NAIS

Record Number: D24/3981

Author: Governance Administration Officer

Authoriser: Manager Governance

Attachments: 1. Deputation Request Form - NAIS [!\[\]\(830769b31eeeaca920791081939ff8ba_img.jpg\)](#) 



DEPUTATION REQUEST FORM

Please complete this request and return to the principal office of Adelaide Plains Council **five (5) clear days*** before the date of the Council meeting at which you wish to appear.

Please note that the calculation of 'clear days' does not take into account the day on which the request is received or the day of the meeting. For example, in relation to a meeting scheduled on a Monday, the deputation request form must be submitted **by 5pm on the Tuesday prior**

To: Chief Executive Officer

DETAILS

I/We hereby request to be heard at the next meeting of Council on 29 / 1 / 2024

Surname: O'LOAN DAM

Given Name(s): Hugh IAN

Address:

Suburb

P/Code 5502

Postal Address:

(if different from above)

Suburb

MALLALA

P/Code 5502

Contact Number:

Home

Work

Mobi

Email Address:

I will be speaking on my own behalf

☒ Yes

or

As the spokesperson of a group of persons

☒ Yes

Name/Details of Person or Group Representing:
(if applicable)

NAIS Advisory Committee of NAPFC

If you have a set of Rules by which the group is governed, please provide a copy of these.

TOPIC OR ISSUE

Adelaide Plains Council - PO Box 18, MALLALA SA 5502

Website: www.apc.sa.gov.au Email: info@apc.sa.gov.au

Ph: (08) 8527 0200

Fax: (08) 8527 2242

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The topic or issue I wish to speak about is: *(please give sufficient details of the matter to enable consideration of your request for a deputation)*

Confidential Briefing NAIS

It is strongly encouraged that Council's administration receives a copy of any notes or other relevant information regarding your Deputation Request.

GUIDELINES

Adelaide Plains Council - PO Box 18, MALLALA SA 5502
Website: www.apc.sa.gov.au Email: info@apc.sa.gov.au
Ph: (08) 8527 0200 Fax: (08) 8527 2242

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Please note the following guidelines:

- a. You will be allocated up to 10 minutes to speak. You do not need to use the whole 10 minutes.
- b. Your presentation will be limited to the topic or issue which you have nominated above.
- c. If you wish to use digital media for your presentation you have the following options to ensure a smooth meeting:

Option 1: Leave your PowerPoint presentation at the Council Office to be scanned before loading to Council's network ready for presentation ☒ Yes ☐ No

Option 2: Email (*please note - files are not to exceed 10mb*) ☐ Yes ☐ No

Option 3: Connect straight from your tablet/laptop to the projector ☐ Yes ☐ No

- d. After your presentation, be prepared to respond to any questions the Council Members may have of you.
- e. You should be aware that Council meetings are open to the public. There is unlikely to be any legal protection or other privilege in relation to any statements that you may make in this forum. This means that anything you say would be subject to the normal laws of defamation. Consequently, you should take care in how you make your address.
- f. **If you are seeking funding from Council, please be aware that this needs to occur through Council's budget and forward planning processes and can only be achieved through a resolution of Council at a formal meeting.**

DECLARATION

I have read and understood the Deputation Guidelines and Information Sheet, and agree to abide by them.

Name: H.I. O'LAN DAM
(In full – Please Print)

Signature: _____ Date: 22/1/2024

Once completed, please return to the Adelaide Plains Council, either in person, by post, facsimile or email (info@apc.sa.gov.au)

DEPUTATION INFORMATION SHEET

1. Speaking to Council

There is the ability, in many cases for an individual (or group) to appear before a Council in order to address the Council on a particular matter of concern to either themselves or a group of people whom they represent. This is called a Deputation. You can apply to do so by following the procedures set out below and completing the Deputation Request Form.

This Form can be obtained from:-

Principal Office: Adelaide Plains Council, 2a Wasleys Road, Mallala

Sub Office: Two Wells Service Centre, Old Port Wakefield Road, Two Wells

Telephone: (08) 8527 0200

Facsimile: (08) 8527 2242

Email: info@apc.sa.gov.au or

Website: www.apc.sa.gov.au

Further information on the process can be found in Council's document 'Code of Practice for Meeting Procedures'.

2. Making a Request

You can make a request for a deputation by filling in all details on the Deputation Request Form and lodging that Form with Council's Chief Executive Officer via the principal office at least five (5) clear days before the meeting at which you nominate to speak.

Please note that the calculation of 'clear days' does not take into account the day on which the request is received or the day of the meeting. For example, in relation to a meeting scheduled on a Monday, the deputation request form must be submitted by 5pm on the Tuesday prior

You are required to provide sufficient information on the Deputation Request Form regarding the issue keeping details clear in stating the topic and how this is relevant to matters to which Council has responsibility.

3. What will happen to your request once you give it to the Council?

Once the completed Deputation Request Form has been received, it is entered into Council's records system and provided to the Chief Executive Officer and the Presiding Member.

4. How will I know when my request is going to be heard by Council?

The Presiding Member will confer with the Chief Executive Officer and advise him/her whether or not the deputation is allowed. You will be contacted by a member of staff to advise if the request to address Council has been approved and to confirm the date, day, time and location of the relevant meeting.

The decision whether to allow a deputation is made by the Presiding Member in accordance with the *Local Government (Procedures at Meetings) Regulations 2013* and Council's *Code of Practice – Meeting Procedures*.

If a deputation request is refused, the Presiding Member will report that decision at the next Council meeting. The Council (or Council Committee) may allow a deputation despite a contrary ruling by the Presiding Member.

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Ph: (08) 8527 0200

Fax: (08) 8527 2242

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10 PRESENTATIONS/BRIEFINGS**10.1 PRESENTATION - REGIONAL DEVELOPMENT AUSTRALIA BAROSSA GAWLER LIGHT ADELAIDE PLAINS****Record Number: D24/3802****Author: Chief Executive Officer****Authoriser: Chief Executive Officer****Attachments: Nil**

Mr Rolf Binder, Chair of Regional Development Australia Barossa Gawler Light Adelaide Plains (RDA) and Ms Leonie Boothby, Chief Executive Officer of RDA, will be in attendance to address the elected body on programs, projects and activities of the Board.

11 PETITIONS

Nil

12 COMMITTEE MEETING MINUTES

Nil

13 SUBSIDIARY MEETINGS

13.1 GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY - MINUTES OF BOARD MEETING - 14 DECEMBER 2023

Record Number: D24/2699

Author: Executive Assistant to the Chief Executive Officer and Mayor

Authoriser: Chief Executive Officer

Attachments: 1. Draft Minutes - GRFMA Board Meeting - 14 December 2023 [↓](#) 

OVERVIEW

The purpose of this report is for Council to receive and note the minutes of the Gawler River Floodplain Management Authority Board Meeting held on 14 December 2023.

RECOMMENDATION

“that Council, receives and notes the draft Minutes of the Gawler River Floodplain Management Authority Board Meeting held on 14 December 2023.”

MINUTES

GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY BOARD

9:45am Thursday 14 December 2023

Council Chambers, Playford Civic Centre – 10 Playford Boulevard, Elizabeth

1. Meeting of the Board

1.1 Welcome by the GRFMA Chairperson

Mr Ian Baldwin formally welcomed Board Members, Deputy Board Members, Observers and the Executive Officer and opened the 146th meeting of the Board.

Mr Ian Baldwin thanked Cr Bruce Preece for chairing the October meeting in his absence.

1.2 Present

- Mr Ian Baldwin, Independent Board Member, Chair
- Mr James Miller, Adelaide Plains Council, Board Member (attended via Zoom video conferencing)
- Cr Malcolm Herrmann, Adelaide Hills Council, Board Member
- Mr Ashley Curtis, Adelaide Hills Council, Board Member
- Cr Bruce Preece, The Barossa Council, Board Member
- Mr Jake McVicar, The Barossa Council, Board Member
- Cr Paul Koch, Town of Gawler, Board Member
- Ms Whendee Young, Town of Gawler, Board Member
- Cr Michael Phillips-Ryder, Light Regional Council, Board Member (attended via Zoom video conferencing)
- Mr Richard Dodson, Light Regional Council, Board Member (attended via Zoom video conferencing)
- Cr Clint Marsh, City of Playford, Board Member
- Mr Greg Pattinson, City of Playford, Board Member
- Mr David Hitchcock, Executive Officer

Mr Ian Baldwin acknowledged Jake McVicar and noted this is Jake's first Board meeting.

GRB 95/23 Board Service Acknowledgement

Moved: Cr Bruce Preece

Seconded: Cr Malcolm Herrmann

That the Board recognises Mr Martin McCarthy's time and contributions to the Board during his term.

CARRIED UNANIMOUSLY

1.3 Apologies

- Cr Terry-Anne Keen, Adelaide Plains Council, Board Member

1.4 Appointment of Observers

GRB 96/23 Appointment of Observers**Moved:** Cr Paul Koch**Seconded:** Mr Greg Pattinson

*That Cr Brian Sambell, Town of Gawler, Deputy Board Member
be appointed as Observer.*

CARRIED UNANIMOUSLY**1.5 Declarations of Interest**

Nil

2. Confirmation of Minutes**2.1 GRFMA Ordinary Meeting Minutes****GRB 97/23 GRFMA Ordinary Meeting Minutes****Moved:** Cr Malcolm Herrmann**Seconded:** Cr Clint Marsh

*That the Minutes of the Gawler River Floodplain Management Authority Board meeting
held 19 October 2023 be confirmed as a true and accurate record of the meeting.*

CARRIED UNANIMOUSLY**2.2 Actions on Previous Resolutions**

The actions were noted.

2.3 Matters Arising from the Minutes

Nil

3. Questions on Notice

Nil

4. Motions on Notice

Nil

5. Presentations

Ms Cate Hart (Executive Director, Environment, Heritage and Sustainability, Department for Environment and Water) and Katharine Ward, (Gawler River Flood Management Project Officer, Department for Environment and Water) provided a presentation on the Business Case – also refer Agenda item 8.1.

GRB 98/23 Defer Formal Agenda
Moved: Mr James Miller
Seconded: Cr Bruce Preece

That agenda item 10.3 be brought forward.

CARRIED UNANIMOUSLY

10:51am Ian Baldwin left the meeting.

10.3 GRFMA Chairperson

GRB 99/23 GRFMA Chairperson
Moved: Mr James Miller
Seconded: Ms Whendee Young

That Cr Malcolm Herrmann assume the position of Chair for Item 10.3.

CARRIED UNANIMOUSLY

GRB 100/23 GRFMA Chairperson
Moved: Mr Greg Pattinson
Seconded: Mr Ashley Curtis

That:

1. *Pursuant to Section 90(2) of the Local Government Act 1999, an Order is made that the public be excluded from attendance at the meeting.*

in order to consider in confidence agenda item 10.3 GRFMA Chairperson pursuant to Section 90(3)(a) of the Local Government Act 1999 on the basis of: containing information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

2. *This matter is confidential because the information herein provides information regarding the position of GRFMA Chairperson.*
3. *On the basis of this information, the principle that meetings of the GRFMA should be conducted in a place open to the public has been outweighed in this instance: the Committee consider it necessary to consider this matter in confidence.*

CARRIED UNANIMOUSLY

10:52am confidential session commenced.

GRB 101/23 GRFMA Chairperson
Kept in confidence

11:14am James Miller left the meeting.

GRB 102/23 GRFMA Chairperson
Moved: Cr Bruce Preece
Seconded: Cr Clint Marsh

That:

1. *Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the GRFMA orders that the following aspects of item 10.3 GRFMA Chairperson be kept confidential in accordance with the GRFMA Boards reasons to deal with this item in confidence pursuant to section 90(3) (a) of the Local Government Act 1999:*
 - *Minutes for item 10.3*

- *Report for Item 10.3*
- 2. *This order shall operate until reviewed and determined as part of the annual review by the Authority in accordance with Section 91(9)(a) of the Local Government Act 1999.*

CARRIED UNANIMOUSLY

11:15am confidential session concluded.

11:15am Ian Baldwin returned to the meeting.

6. Audit Committee

6.1 Audit Committee Minutes – 7 December 2023

GRB 103/23 Audit Committee Minutes – 7 December 2023

Moved: Cr Bruce Preece

Seconded: Cr Clint Marsh

That the GRFMA receives the minutes of the Gawler River Floodplain Management Authority Audit Committee meeting held 7/12/2023.

CARRIED UNANIMOUSLY

GRB 104/23 Audit Committee Minutes – 7 December 2023

Moved: Cr Malcolm Herrmann

Seconded: Mr Ashley Curtis

That Dean Newbery Pty Ltd be reappointed as GRFMA's external auditor for a term of three years with a two year option, effective 1 July 2024, with the requirement that the Lead Audit Partner be rotated.

CARRIED UNANIMOUSLY

GRB 105/23 Audit Committee Minutes – 7 December 2023

Moved: Cr Malcolm Herrmann

Seconded: Cr Clint Marsh

That the title of the GRFMA Audit Committee be changed to the GRFMA Audit and Risk Committee as from 1 April 2024 and that current terms of reference remain unchanged.

CARRIED UNANIMOUSLY

The meeting received advice that there are new figures for the value of the Bruce Eastick North Para Flood Mitigation Dam.

GRB 106/23 Bruce Eastick North Para Flood Mitigation Dam

Moved: Cr Malcolm Merrmann

Seconded: Cr Bruce Preece

That the figures for new valuation figures for the Bruce Eastick North Para Flood Mitigation Dam be included in the minutes of this Board meeting.

CARRIED UNANIMOUSLY

The now completed 2023/2024 revaluation report advises the Current Valuation for the Bruce Eastick North Para Flood Mitigation Dam is \$54,036,053 based on 2023/2024 market conditions and the Written Down Value is \$43,313,042

As of 30 June 2023, the current value of the Dam was recorded as \$25,836,879 and the Written Down Value was \$21,153,695.

A material adjustment will be required to be made to the Authority's 2023/2024 financial statements to account for the increased value of the asset.

Additionally, depreciation of the Dam, which is unfunded, will increase from the current value of \$322,961 to \$675,450.

7. Technical Assessment Panel

7.1 Technical Assessment Panel – Appointment of Constituent Council Representative

GRB 107/23 Technical Assessment Panel – Appointment of Constituent Council Representative

Moved: Mr Ashley Curtis

Seconded: Cr Clint Marsh

That the GRFMA endorses the appointment of Mr Sean Fielding, City of Playford, as Constituent Council representative to the Technical Assessment Panel.

CARRIED UNANIMOUSLY

8. Reports

8.1 Gawler River Flood Mitigation, Department for Environment and Water – Business Case

GRB 108/23 Gawler River Flood Mitigation, Department for Environment and Water – Business Case

Moved: Cr Clint Marsh

Seconded: Ms Whendee Young

That the GRFMA receives the report.

CARRIED UNANIMOUSLY

8.2 GRFMA Schedule of Meetings

GRB 109/23 GRFMA Schedule of Meetings

Moved: Mr Greg Pattinson

Seconded: Cr Clint Marsh

That the Schedule of ordinary GRFMA meetings for 2024 be:

- Thursday 15 February 2024, Light Regional Council
- Thursday 18 April 2024, Adelaide Hills Council
- Thursday 20 June 2024, The Barossa Council
- Thursday 15 August 2024, Town of Gawler
- Thursday 17 October 2024, Adelaide Plains Council
- Thursday 12 December 2024, City of Playford

CARRIED UNANIMOUSLY

8.3 Financial Report and Budget Review 1

GRB 110/23 Financial Report and Budget Review 1**Moved:** Cr Malcolm Herrmann**Seconded:** Cr Bruce Preece*That the GRFMA:*

1. *Receives the financial report as of 30 November 2023 showing a cash at bank balance of \$39,052.16.*
2. *Notes internal cash lending for CAD offset is \$182,740.*
3. *Adopts the GRFMA 2023/2024 Budget Review 1 documents November 2023, and the variances contained as its amended and current budget for the period ended 30 June 2024.*

CARRIED UNANIMOUSLY

11:32am Cate Hart and Katharine Ward left the meeting.

8.4 Executive Officer Report**GRB 111/23 Executive Officer Report****Moved:** Cr Malcolm Herrmann**Seconded:** Mr Greg Pattinson*That the GRFMA receives the GRFMA Executive Officer report which includes Annual Business Plan achievements.***CARRIED UNANIMOUSLY****GRB 112/23 Executive Officer Report****Moved:** Cr Malcolm Herrmann**Seconded:** Cr Bruce Preece*That the GRFMA Executive Officer be authorised to investigate application to Light Regional Council for the GRFMA to undertake rental of Kemp Road Kingsford, and that a further report on the matter be provided to the February 2024 GRFMA meeting.***CARRIED****9. Correspondence**

Nil

10. Confidential**10.1 Draft Funding Advocacy Plan****GRB 113/23 Draft Funding Advocacy Plan****Moved:** Cr Bruce Preece**Seconded:** Ms Whendee Young*That:*

1. *Pursuant to Section 90(2) of the Local Government Act 1999, an Order is made that the public be excluded from attendance at the meeting.*

In order to consider in confidence agenda item 10.1 Draft Funding Advocacy Plan, pursuant to Section 90(3)(b) (i) (II) of the Local Government Act 1999 on the basis of information the disclosure of which 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 the GRFMA.

2. *This matter is confidential because the information herein provides information regarding proposal to secure funding of considered works.*
3. *On the basis of this information, the principle that meetings of the GRFMA should be conducted in a place open to the public has been outweighed in this instance: the Committee consider it necessary to consider this matter in confidence.*

CARRIED UNANIMOUSLY

11:41am the confidential session commenced.

Draft Funding Advocacy Plan

Moved: Cr Bruce Preece

Seconded: Cr Michael Phillips-Ryder

That the GRFMA:

1. *Directs the GRFMA Executive Officer to seek a copy of the final report of the Gawler River Flood Management Business Case from the Department for Environment and Water and that a copy of the report be then provided to all GRFMA Board Members.*
2. *Establishes a Funding Advocacy Management team to work with State and Federal Governments to facilitate delivery of suitably agreed funding arrangements of achievable flood mitigation measures identified in the Gawler River Stormwater Management Plan and Gawler River Flooding Business Case.*
3. *Notes a draft funding advocacy plan has been drafted by the Funding Advocacy Working Group and requests the Funding Advocacy Management team to further refine the draft funding advocacy plan in context of recommendations in the final report of the Gawler River Flood Management Business Case and the Gawler River Stormwater Management Plan.*
4. *Receives a further report on the Funding Advocacy Plan and recommendation of future actions at the February 2024 GRFMA meeting.*

LOST

GRB 114/23 Draft Funding Advocacy Plan

Moved: Mr Greg Pattinson

Seconded: Cr Paul Koch

That the GRFMA:

1. *Directs the GRFMA Executive Officer to seek a copy of the final report of the Gawler River Flood Management Business Case from the Department for Environment and Water and that a copy of the report be then provided to all GRFMA Board Members.*
2. *Establishes a working group to progress the issues identified arising from the Infrastructure SA's review of the Business Case.*
3. *Receives a report presented to either an Ordinary Board meeting or a Special Board meeting once a considered approach has been finalised.*
4. *Notes the draft funding advocacy plan that has been drafted by the Funding Advocacy Working Group.*

CARRIED UNANIMOUSLY

GRB 115/23 Draft Funding Advocacy Plan

Moved: Cr Clint Marsh

Seconded: Ms Whendee Young

That membership of the Funding Advocacy Working Group be:

1. *Mr Greg Pattinson*
2. *Mr James Miller (subject to his acceptance)*

3. Cr Paul Koch

CARRIED UNANIMOUSLY

GRB 116/23 Draft Funding Advocacy Plan

Moved: Cr Bruce Preece

Seconded: Cr Malcolm Herrmann

That:

1. Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the GRFMA orders that the following aspects of item 10.1 Draft Funding Advocacy Plan be kept confidential in accordance with the GRFMA Boards reasons to deal with this item in confidence pursuant to Section 90(3)(b) (i) (II) of the Local Government Act 1999:
 - Report for Item 10.1.
 - Attachments for item 10.1.
2. This order shall operate until reviewed and determined as part of the annual review by the Authority in accordance with Section 91(9)(a) of the Local Government Act 1999.

CARRIED UNANIMOUSLY

11:59am the confidential session concluded.

12:00pm Sean Fielding returned to the meeting.

10.2 Gawler River Stormwater Management Plan

GRB 117/23 Gawler River Stormwater Management Plan

Moved: Cr Clint Marsh

Seconded: Cr Malcolm Herrmann

That:

1. Pursuant to Section 90(2) of the Local Government Act 1999, an Order is made that the public be excluded from attendance at the meeting.

in order to consider in confidence agenda item 10.2 Gawler River Stormwater Management Plan, pursuant to Section 90(3)(k) of the Local Government Act 1999 on the basis of consideration of tenders for the supply of goods, the provision of services or the carrying out of works.
2. *This matter is confidential because the information herein provides information regarding tenders for the supply of goods, the provision of services or the carrying out of works.*
3. *On the basis of this information, the principle that meetings of the GRFMA should be conducted in a place open to the public has been outweighed in this instance: the Committee consider it necessary to consider this matter in confidence.*

CARRIED UNANIMOUSLY

12:01pm confidential session commenced.

**GRB 118/23 Gawler River Stormwater Management Plan
Kept in confidence**

GRB 119/23 Gawler River Stormwater Management Plan**Moved:** Cr Bruce Preece**Seconded:** Mr Greg Pattinson*That:*

1. *Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the GRFMA orders that the following aspects of item 10.2 Gawler River Stormwater Management Plan be kept confidential in accordance with the GRFMA Boards reasons to deal with this item in confidence pursuant to section 90(3) (k) of the Local Government Act 1999:*
 - *Minutes for item 10.2*
 - *Report for Item 10.2.*
 - *Attachments for item 10.2*
2. *This order shall operate until reviewed and determined as part of the annual review by the Authority in accordance with Section 91(9)(a) of the Local Government Act 1999.*

CARRIED UNANIMOUSLY

12:10 confidential session concluded.

11. Urgent Matters Without Notice

Nil

12. Next Meeting**Date and Time:** Thursday 15 February 2024, 9:45am**Host:** Light Regional Council**13. Closure**

The Chairperson thanked the members for their attendance and contributions, wished members a happy festive season and closed the meeting at 12:12pm.

Chair _____ Date _____

13.2 LEGATUS GROUP - SPECIAL MEETING - 15 DECEMBER 2023**Record Number:** D24/2714**Author:** Executive Assistant to the Chief Executive Officer and Mayor**Authoriser:** Chief Executive Officer**Attachments:** 1. Draft Minutes - Legatus Special Meeting - 15 December 2023 [!\[\]\(5a132f13505a6571904d622757b7a8f0_img.jpg\)](#) **OVERVIEW**

The purpose of this report is for Council to receive and note the draft minutes to the Legatus Group Special Meeting held on 15 December 2023.

RECOMMENDATION

“that Council, receives and notes the draft minutes of the Legatus Group Special Meeting held on 15 December 2023.”

**Draft Minutes****SPECIAL MEETING****Friday 15 December 2023****Online via Zoom****OPENING OF MEETING**

Each Board Member announced their presence to all other Board Members taking part in the meeting.

The Legatus Group Chair Mayor Rodney Reid opened the meeting at 10.33am and provided an acknowledgement of Country.

I. ADMINISTRATIVE MATTERS**Attendance:**

Members: Mayor Leonie Kerley, Mayor Roslyn Talbot, Mayor Allan Aughey OAM, Mayor Ken Anderson, Mayor Bill O'Brien, Deputy Mayor Marcus Strudwicke, Mayor Stephen McCarthy, Mayor Sue Scarman, Mayor Bill Gebhardt, Mayor Leon Stephens, Mayor Darren Braund and Mayor Rodney Reid.

Others: Legatus Group CEO Simon Millcock, Sean Cheriton and Lisa Teburea

1.1 Apologies

Apologies: Mayor Mark Wasley, Mayor Grant Chapman, Mayor Ruth Whittle OAM and Mayor Bim Lange OAM

1.2 Leave of Absence

The meeting noted that Adelaide Plains Council advised that Mayor Mark Wasley is on leave and as such the principal member for their council is Deputy Mayor Marcus Strudwicke.

1.3 Conflict of Interest Nil**1.4 Previous meeting minutes****1.4.1 Legatus Group Ordinary meeting held 1 December 2023**

The Legatus Group CEO provided a report with the agenda and the minutes were attached and they had been distributed.

Motion: That the minutes of the Legatus Group Ordinary Meeting held on 1 December 2023 be confirmed as a true and correct record.

Moved: Mayor Leon Stephens Seconded: Mayor Stephen McCarthy

CARRIED

2 REPORTS FOR DECISIONS

2.1 Legatus Group Charter and Strategic Plan

The Legatus Group CEO provided a report along with attachments of the Draft Charter, Draft Strategic Plan Framework and a Legatus Group Charter Review Report as provided by BRM Advisory Lisa Teburea who attended the meeting.

Motion: That the Legatus Group receives and notes the report and endorses the Strategic Plan Framework Report and recommended alterations to the Charter and:

- 1. Requests the Legatus Group CEO to distribute to all Constituent Councils the Draft Charter as presented and the Legatus Group Charter Review Report to Constituent Councils seeking their decision to approve or not the proposed alterations by Thursday 15 February 2024.**
- 2. Requests the Legatus Group CEO distribute the Draft Strategic Plan Framework to Constituent Councils seeking a response noting that subject to final approval of the Charter alterations the Strategic Plan Framework may then be considered for adopting.**

Moved: Mayor Leon Stephens Seconded: Mayor Stephen McCarthy

CARRIED

3 CLOSE and DATE FOR NEXT MEETING

Meeting Closed at: 10.40am

Next Meeting

Friday 23 February 2023 – Ordinary Meeting to be hosted by Yorke Peninsula Council.

14 REPORTS FOR DECISION




14.1 LEGATUS GROUP - CHARTER REVIEW & DRAFT STRATEGIC PLAN FRAMEWORK

Record Number: D24/2964

Author: Chief Executive Officer

Authoriser: Chief Executive Officer

Attachments:

1. Draft - Charter [↓](#) 
2. Draft - Strategic Plan Framework [↓](#) 
3. Charter Review Report [↓](#) 

EXECUTIVE SUMMARY

- The purpose of this report is for Council to consider the proposed alterations to the Legatus Group Charter (Charter) and review the Draft Strategic Plan Framework (Strategic Plan).
- Legatus Group (Legatus) is a regional subsidiary established by 15 constituent councils, constituted under section 43 of the *Local Government Act 1999*. It was first established in 1998 and has continued to exist since that time. Council is one of those 15 constituent councils on the Legatus Board, and is therefore required to provide a position on the above-mentioned proposed documents before they can be adopted.

RECOMMENDATION 1

“that Council, having considered Item 14.1 – *Legatus Group - Charter Review & Draft Strategic Plan Framework*, dated 29 January 2024, receives and notes the report and in doing so:

- 1. endorses the proposed changes to the Legatus Group Charter presented as Attachment 1;**
- 2. endorses the Legatus Group Draft Strategic Plan Framework presented as Attachment 2; and**
- 3. receives and notes the Legatus Group Charter Review Report presented as Attachment 3.”**

BUDGET IMPACT

Estimated Cost:	Nil
Future ongoing operating costs:	Nil
Is this Budgeted?	Not applicable

RISK ASSESSMENT

Council, as one of 15 constituent councils on the Legatus Board, must turn its mind to the approval, or otherwise, of the Charter and Strategic Plan; failure to do so will result in the Legatus Board not being able to arrive at a decision in respect to both documents.

DETAILED REPORT

Purpose

The purpose of this report is for Council to consider the proposed alterations to the *Legatus Group Charter* (Charter), presented as **Attachment 1** to this report, and review the *Draft Strategic Plan Framework* (Strategic Plan), presented as **Attachment 2** to this report.

Background

Legatus Group (Legatus) is a regional subsidiary established by 15 constituent councils, constituted under section 43 of the *Local Government Act 1999*. It was first established in 1998 and has continued to exist since that time.

In 2023, Legatus appointed BRM Advisory to undertake a review of the Charter and Strategic Plan (in consultation with the 15 councils). The key components were to:

1. Undertake a full review of the Charter with specific emphasis on narrowing and limiting the current operational focus of the Legatus Group and pivoting to its key responsibility of advocacy;
2. Facilitate the development of a new Strategic Plan for the Legatus Group with specific emphasis on narrowing and limiting the Strategic Plan to items of clear and direct relevance to member Councils only and pivoting to the key responsibility of advocacy.

The *Legatus Charter Review Report*, presented as **Attachment 3** to this report, provides a summary of how the strategic review has been undertaken, and makes twenty-two recommendations that have informed the altered Charter, and draft Strategic Plan.

At the 15 December 2023 meeting, the Legatus Board resolved:

Motion: That the Legatus Group receives and notes the report and endorses the Strategic Plan Framework Report and recommended alterations to the Charter and:

1. Requests the Legatus Group CEO to distribute to all Constituent Councils the Draft Charter as presented and the Legatus Group Charter Review Report to Constituent Councils seeking their decision to approve or not the proposed alterations by Thursday 15 February 2024.

2. Requests the Legatus Group CEO distribute the Draft Strategic Plan Framework to Constituent Councils seeking a response noting that subject to final approval of the Charter alterations the Strategic Plan Framework may then be considered for adopting.

Moved: Mayor Leon Stephens Seconded: Mayor Stephen McCarthy

CARRIED

Discussion

The proposed Charter revises and reorganises the objects and purposes of Legatus to strengthen the focus on advocacy and provide more clarity about why the Regional Subsidiary exists. A proposed rolling four-year Business Plan is intended to consolidate the functions of a Strategic Plan, Two-Year Action Plan, Annual Business Plan and Long-Term Financial Plan and provide a more agile approach to business and financial management.

A new Strategic Plan has been prepared to organise the key functions, objectives, priorities and performance outcomes of Legatus under three strategic pillars of Advocate, Coordinate and Operate. The Strategic Plan is intended to inform the first iteration of the Legatus Business Plan by providing clear strategic direction about the outcomes that Legatus is striving to achieve and how they can be measured.

Legatus also believe that the implementation of the proposed changes to focus on advocacy may be enhanced by changing its name to something that is more aligned to its purpose, such as the Northern and Yorke Local Government Association.

Conclusion

It is recommended Council endorse the proposed Charter and Strategic Plan.

ReferencesLegislation

Local Government Act 1999

**CENTRAL LOCAL GOVERNMENT REGION OF SOUTH AUSTRALIA
(REFERRED TO AS NORTHERN AND YORKE LOCAL GOVERNMENT ASSOCIATION)**

LOCAL GOVERNMENT ACT 1999

CHARTER

1. INTRODUCTION

1.1 Name

The name of the subsidiary is the Central Local Government Region of South Australia (referred to as 'Northern and Yorke Local Government Association' in this Charter).

1.2 Definitions

'the Act' means the Local Government Act 1999 and includes all regulations made thereunder;

'Annual General Meeting' means the annual general meeting of the NYLGA held in accordance with Clause 3.7;

'the Board' means the Board of Management of the NYLGA set out at Clause 3;

'Board Member' means a member of the Board;

'Budget' means the annual budget adopted by the NYLGA pursuant to Clause 5.1;

'Business Plan' means the business plan adopted by the NYLGA pursuant to Clause 6.1;

'Chairperson' means the member of the Board appointed pursuant to Clause 3.5 and referred to as the President of NYLGA;

'Chief Executive Officer' means at any time the person appointed and holding office of Chief Executive Officer of the NYLGA pursuant to Clause 4 and includes a person acting in that position;;

'Constituent Councils' means those councils identified at Clause 1.4;

'Council' means a council constituted under the Act;

'Financial Statements' has the same meaning as in the Act;

'Financial Year' means 1 July in each year to 30 June in the subsequent year;

'NYLGA' means the Northern and Yorke Local Government Association

'Principal Member' means the Mayor / Chair of the Constituent Councils.

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'Region' means the collective geographical areas of the Constituent Councils;

1.3 Interpretation

In this Charter, unless the context otherwise requires:

- 1.3.1 headings do not affect interpretation;
- 1.3.2 singular includes plural and plural includes singular;
- 1.3.3 words of one gender include any gender;
- 1.3.4 a reference to a person includes a partnership, corporation, association, government body and any other entity;
- 1.3.5 a reference to legislation includes any amendment to it, any legislation substituted for it, and any subordinate legislation made under it;
- 1.3.6 an unenforceable provision or part of a provision of this Charter may be severed, and the remainder of this Charter continues in force, unless this would materially change the intended effect of this Charter;
- 1.3.7 the meaning of general words is not limited by specific examples introduced by 'including', 'for example' or similar expressions; and
- 1.3.8 a reference to a 'Clause' means a clause of this Charter.

1.4 Establishment

Northern and Yorke Local Government Association is established under the Act.

The Constituent Councils are:

- 1.4.1 The Barossa Council;
- 1.4.2 Barunga West Council;
- 1.4.3 Clare and Gilbert Valleys Council;
- 1.4.4 Copper Coast Council;
- 1.4.5 The Flinders Ranges Council;
- 1.4.6 Regional Council of Goyder;
- 1.4.7 Light Regional Council;
- 1.4.8 Adelaide Plains Council;
- 1.4.9 District Council of Mount Remarkable;
- 1.4.10 Northern Areas Council;
- 1.4.11 District Council of Orroroo/Carrieton;

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1.4.12 District Council of Peterborough;

1.4.13 Port Pirie Regional Council;

1.4.14 Wakefield Regional Council; and

1.4.15 Yorke Peninsula Council

1.5 Local Government Act 1999

This Charter must be read in conjunction with the Act. The NYLGA must conduct its affairs in accordance with the Act except as modified by this Charter as permitted by the Act.

1.6 Objects and Purpose for which the NYLGA is Established

The NYLGA is established to:

- 1.6.1 undertake advocacy, representational and coordinating roles on behalf of the Constituent Councils at a regional level;
- 1.6.2 provide strong advocacy in developing policy positions and speaking with one voice on issues and matters that affect Constituent Councils and the communities within the Region;
- 1.6.3 work collaboratively with the Local Government Association of South Australia and other regional local government bodies for the benefit of Constituent Councils;
- 1.6.4 act as a forum for discussion, information sharing and consideration of matters relating to the powers, functions and duties of the Constituent Councils under the Act and other statutory provisions in relation to the Region;
- 1.6.5 liaise, work with and make representations and submissions to the State and Commonwealth Governments and their instrumentalities on a regional basis for the benefit of the Region;
- 1.6.6 develop and facilitate further co-operation and collaboration between the Constituent Councils for their benefit and the benefit of the Region;
- 1.6.7 develop and manage policies and plans which guide the conduct of regional programs with the objective of securing the best outcomes for the Region;
- 1.6.8 undertake projects and activities that benefit Constituent Councils and the Region; and
- 1.6.9 build partnerships with those who can contribute to the development and delivery of projects and activities that benefit Constituent Councils and the Region.

2. POWERS AND FUNCTIONS OF THE NYLGA

The powers, functions and duties of the NYLGA are to be exercised in the performance of the NYLGA's objects and purposes, comprise:

2.1 Functions and Powers

In addition to those specified in the Act, the functions and powers of the NYLGA are:

- 2.1.1 subject to Clause 2.4 becoming a member of or co-operating or contracting with any other association or organisation;
- 2.1.2 subject to Clause 2.4 entering into contracts or arrangements with any Government agency or authority;
- 2.1.3 subject to Clause 2.4 appointing, employing, remunerating, removing or suspending the Chief Executive Officer;
- 2.1.4 subject to Clause 2.4 entering into contracts with any person for the acquisition and/or supply of goods and services;
- 2.1.5 raising revenue through subscriptions and levies from Constituent Councils, by arrangements with sponsor organisations, by arrangement or contract with any other person and by any other means not inconsistent with the objects and purposes of the NYLGA;
- 2.1.6 printing and publishing any newspapers, periodicals, books, leaflets, or other like writing;
- 2.1.7 appointing persons or committees to oversee the management of the NYLGA, to steer projects or to pursue geographic or functional interests of Constituent Councils or specific groups of Constituent Councils;
- 2.1.8 with the prior approval of the Board undertake its functions and exercise its power outside the areas of the Constituent Councils, including by providing services ancillary to the purposes of the NYLGA;
 - 2.1.8.1 To the extent considered necessary or expedient to the performance of its functions by the Board; or
 - 2.1.8.2 To provide services to an unincorporated area of the state;
- 2.1.9 subject to Clause 2.4 employing, engaging or retaining professional advisors to the NYLGA;
- 2.1.10 subject to Clause 2.4 instituting, initiating and carrying on legal proceedings;
- 2.1.11 making submissions for and accepting grants, subsidies and contributions to further its objects and purposes;
- 2.1.12 subject to Clause 2.4 acquiring, holding, dealing with and disposing of any personal property;

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- 2.1.13 with the prior approval of the Constituent Councils purchasing, selling or otherwise acquiring, disposing of or encumbering any real property or interests therein;
- 2.1.14 opening and operating bank accounts;
- 2.1.15 accumulating surplus funds for investment purposes;
- 2.1.16 investing any of the funds of the NYLGA in any investment provided that:
 - 2.1.16.1 in exercising this power of investment, the NYLGA must exercise the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons; and
 - 2.1.16.2 the NYLGA must avoid investments that are speculative or hazardous in nature;
- 2.1.17 borrowing money and incurring expenditure in accordance with Clause 2.4;
- 2.1.18 giving security for the discharge of liabilities; and
- 2.1.19 doing all other things that are incidental or conducive to the attainment of the objects and purposes of the NYLGA.

2.2 Duties

The NYLGA has the following duties:

- 2.2.1 to exercise the functions and powers of the NYLGA only in the performance and furtherance of the NYLGA's objects and purposes;
- 2.2.2 to comply with this Charter, the Act, all other applicable law and any lawful direction of the Constituent Councils.

2.3 Other Powers, Functions and Duties

NYLGA may exercise such other functions, powers and duties as are delegated to the NYLGA or authorised by the Constituent Councils from time to time.

2.4 Borrowings and Expenditure

- 2.4.1 The NYLGA has the power to incur expenditure as follows:
 - 2.4.1.1 in accordance with a budget adopted by the NYLGA and approved by the Constituent Councils as required by the Act or this Charter; or
 - 2.4.1.2 with the prior approval of the Constituent Councils; or
 - 2.4.1.3 in accordance with the Act, in respect of expenditure not contained in a budget adopted by the NYLGA for a purpose of genuine emergency or hardship.

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2.4.2 Subject to Clause 2.2 the NYLGA has the power to borrow money as follows:

2.4.2.1 in accordance with a budget adopted by the NYLGA as required by the Act or this Charter;

2.4.2.2 in respect of an overdraft facility or facilities up to a maximum amount of \$100,000;

2.4.2.3 with the prior approval of the Constituent Councils.

2.5 **Property**

2.5.1 All property held by the NYLGA is held by it on behalf of the Constituent Councils.

2.5.2 No person may sell, encumber or otherwise deal with any property of the NYLGA without the prior approval of the Constituent Councils and the approval of the NYLGA by resolution of the Board.

2.6 **Delegation by the NYLGA**

2.6.1 The NYLGA may in accordance with this Charter and the Act by resolution delegate to a committee of the NYLGA, an employee of the NYLGA, a Constituent Council or to a person for the time being occupying a particular office or position of the NYLGA any of its powers and functions under this Charter or the Act but may not delegate:

2.6.1.1 the power to impose charges;

2.6.1.2 the power to borrow money or obtain any other form of financial accommodation not contained in a Budget adopted by the NYLGA;

2.6.1.3 the power to approve expenditure of money on the works, services or operations of the NYLGA not contained in a Budget adopted by the NYLGA and approved by the Constituent Councils;

2.6.1.4 the power to approve the reimbursement of expenses or payment of allowances to Board Members;

2.6.1.5 the power to adopt or revise a Budget or Business Plan of the NYLGA;

2.6.1.6 the power to adopt or revise financial estimates and reports.

2.6.2 A delegation is revocable at will and does not prevent the NYLGA from acting in a matter.

2.6.3 Where a power or function is delegated to an employee, or a person occupying a particular office or position, that employee or person is responsible to the Chief Executive Officer for the efficient and effective exercise or performance of that power or function.

3. **BOARD OF MANAGEMENT**

3.1 **Structure**

- 3.1.1 The NYLGA is a body corporate and is governed by the Act and this Charter.
- 3.1.2 The Board is the NYLGA's governing body and has the responsibility for the administration of the affairs of the NYLGA ensuring that the NYLGA acts in accordance with this Charter and all relevant legislation including the Act.

3.2 **Membership of the Board**

- 3.2.1 The Board shall consist of all of the principal members of the Constituent Councils.
- 3.2.2 Each Constituent Council may appoint one person, who must be an elected member of the Council, to act as a proxy Board Member. A proxy Board Member will act as the nominated Board Member for a Constituent Council only when the principal member of the Council is not present at or taking part in a meeting of the Board or an Annual General Meeting.
- 3.2.3 Each Constituent Council shall, following every periodic Local Government election and as necessary, give notice in writing to the Chief Executive Officer, of those persons who are its Board Member and proxy Board Member.
- 3.2.4 Unless written approval is provided by the Chair, a proxy Board Member may not act as the nominated Board Member for a Constituent Council more than two times in any twelve month period.

3.3 **Functions of the Board**

- 3.3.1 In addition to the functions of the Board set out in the Act, the functions of the Board include:
 - 3.3.1.1 the formulation of business plans and strategies aimed at achieving the objects and purposes of the NYLGA;
 - 3.3.1.2 providing effective governance and developing such policies and procedures as give effect to good governance and administrative practices;
 - 3.3.1.3 to providing input and strategic and policy direction to the NYLGA;
 - 3.3.1.4 monitoring, overseeing and evaluating the performance of the Chief Executive Officer of the NYLGA;

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- 3.3.1.5 ensuring that ethical behaviour and integrity is established and maintained by the NYLGA, the Board and Board Members in all activities undertaken by the NYLGA;
- 3.3.1.6 ensuring that the activities of the NYLGA are undertaken in an open and transparent manner;
- 3.3.1.7 exercising the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons.

3.4 Propriety of Members of the Board

- 3.4.1 The principles regarding conflict of interest prescribed in the Act apply to all Board Members in the same manner as if they were elected members of a council.
- 3.4.2 The Board Members are required to comply with Division 2, Chapter 5 (Register of Interests) of the Act.
- 3.4.3 The Board Members will at all times act in accordance with their duties of confidence and confidentiality and individual fiduciary duties including honesty and the exercise of reasonable care and diligence with respect to the performance and discharge of official functions and duties as required by Part 4, Division 1, Chapter 5 of the Act and Clause 23 of Part 2 of Schedule 2 to the Act.

3.5 Chair of the Board

- 3.5.1 A Chair and two Deputy Chairs shall be elected at Annual General Meetings by and from the Board Members. The Chair will be referred to as the President of NYLGA and the Deputy Chairs will be referred to as the Vice Presidents of NYLGA.
- 3.5.2 A proxy Board Member is not eligible to be elected to the office of Chair or Deputy Chair.
- 3.5.3 The Chair and Deputy Chairs shall hold office from the Annual General Meeting at which they are elected for a period of two years.
- 3.5.4 Nominations from Constituent Councils for the positions of Chair and Deputy Chairs must be in writing and must reach the Chief Executive Officer no later than one week prior to the date of the relevant Annual General Meeting that these positions become vacant.
- 3.5.5 If the Chair resigns as Chair, is removed from office as Chair, refuses or is unable to act as Chairperson or is no longer a Board Member, either one of the Deputy Chairs may act as Chair until the election of a new Chair at the next Annual General Meeting.
- 3.5.6 The Chair shall preside at all meetings of the Board and, in the event of the Chair being absent from a meeting, one of the Deputy Chairs chosen by those Board Members present shall preside and in the event of the Chair and both Deputy Chairs being absent from a meeting, the Board Members present shall appoint a Board Member

from amongst them, who shall preside for that meeting or until the Chair or a Deputy Chair is present.

3.6 **Proceedings of the Board**

Board Meetings

- 3.6.1 Ordinary meeting of the Board must take place at such times and places as may be fixed by the NYLGA Board.
- 3.6.2 An ordinary meeting of the Board will constitute an ordinary meeting of the NYLGA. The Board shall administer the business of the NYLGA at the ordinary meeting.
- 3.6.3 For the purposes of this subclause, the contemporary linking together by telephone, audio-visual or other instantaneous means ('telecommunications meeting') of the Board Members provided that at least a quorum is present, is deemed to constitute a meeting of the Board. Each of the Board Members taking part in the telecommunications meeting, must at all times during the telecommunications meeting be able to hear and be heard by each of the other Board Members present. At the commencement of the meeting, each Board Member must announce his/her presence to all other Board Members taking part in the meeting. A Board Member must not leave a telecommunications meeting by disconnecting his/her telephone, audio-visual or other communication equipment, unless that Board Member has previously notified the Chair of the meeting.
- 3.6.4 Meetings of the Board will be open to the public and Chapter 6 Part 3 of the Act extends to the NYLGA as if the NYLGA were a council and the Board Members were members of the council.
- 3.6.5 The Chief Executive Officers of Constituent Councils or their delegate may attend meetings of the Board and provide such advice and support as may be required by the Board from time to time.

Notice of Meetings

- 3.6.6 Notice of an ordinary meeting of the Board and an Annual General Meeting must be given by the Chief Executive Officer to each Board Member and Chief Executive Officer of the Constituent Councils at least five (5) clear days prior to the holding of the meeting.
- 3.6.7 The Chief Executive Officer must, in relation to a notice of a meeting of the Board for the purpose of considering the making of a recommendation to the Constituent Councils to wind up the NYLGA, provide the notice to all Board Members and the Chief Executive Officers of the Constituent Councils at least four (4) months before the date of the meeting.
- 3.6.8 Notice of a meeting of the Board must:
 - 3.6.8.1 be in writing; and
 - 3.6.8.2 set out the date, time and place of the meeting; and

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- 3.6.8.3 be signed by the Chief Executive Officer; and
- 3.6.8.4 contain, or be accompanied by, the agenda for the meeting.
- 3.6.9 Any Constituent Council, the Chair or three (3) Board Members may by delivering a written request to the Chief Executive Officer require a special meeting of the Board to be held. The request to the Chief Executive Officer requiring a special meeting to be held must be accompanied by the agenda for the meeting and any written reports intended to be considered at the meeting and if an agenda is not provided the request is of no effect.
- 3.6.10 On receipt of the request pursuant to Clause 3.6.8 the Chief Executive Officer must send a notice of the special meeting to all Board Members and Chief Executive Officers of the Constituent Councils at least twenty four (24) hours prior to the commencement of the special meeting.
- 3.6.11 The Chief Executive Officer must, insofar as is reasonably practicable:
 - 3.6.11.1 ensure that items on an agenda given to Board Members are described with reasonable particularity and accuracy; and
 - 3.6.11.2 supply to each Board Member at the time that notice of a meeting is given a copy of any documents or reports that are to be considered at the meeting (so far as this is practicable).
- 3.6.12 Notice of a meeting of the Board may be given to a Board Member:
 - 3.6.12.1 personally; or
 - 3.6.12.2 by delivering the notice (whether by post, electronically or otherwise) to the usual place of residence of the Board Member or to another place authorised in writing by the Board Member; or
 - 3.6.12.3 by leaving the notice for the Board Member at an appropriate place at the principal office of the Constituent Council for which the Board Member is the principal member; or
 - 3.6.12.4 by a means authorised in writing by the Board Member as being an available means of giving notice.
- 3.6.13 A notice that is not given in accordance with Clause 3.6.11 is taken to have been validly given if the Chief Executive Officer considers it impracticable to give the notice in accordance with that Clause and takes action the Chief Executive Officer considers reasonably practicable in the circumstances to bring the notice to the attention of the Board Member.
- 3.6.14 The Chief Executive Officer must give notice to the public of the times and places of meetings of the Board at least five (5) clear days prior to

the holding of the meeting by causing a copy of the notice and agenda for the meeting to be placed on the website of the Constituent Councils and the NYLGA.

3.6.15 Subject to Clause 3.6.17, the Chief Executive Officer must also ensure that a reasonable number of copies of any document or report supplied to Board Members for consideration at a meeting of the Board are available for inspection by members of the public:

3.6.15.1 on the NYLGA website as soon as practicable after the time when the document or report is supplied to Board Members; or

3.6.15.2 in the case of a document or report supplied to Board Members at the Board Meeting, at the meeting as soon as practicable after the time when the document or report is supplied to Board Members.

3.6.16 The Chief Executive Officer may indicate on a document or report provided to Board Members under Clause 3.6.15.2 any information or matter contained in or arising from a document or report that may, if the Board determines, be considered in confidence in accordance with Clause 3.6.4 provided that the Chief Executive Officer at the same time specifies the basis on which an order could be made pursuant to the provisions of Chapter 6 Part 3 of the Act.

3.6.17 Clause 3.6.15 does not apply to a document or report:

3.6.17.1 that is subject to the operation of Clause 3.6.16; or

3.6.17.2 that relates to a matter dealt with by the Board on a confidential basis in accordance with Clause 3.6.4 and Chapter 6 Part 3 of the Act.

3.6.18 The Chief Executive Officer must maintain a record of all notices of Board meetings given under Clause 3.6.11 to Board Members.

Quorum

3.6.19 A meeting of the Board must not commence until a quorum is present and a meeting must not continue if there is not a quorum of Board Members present. A quorum of Board Members will comprise one half of the Board Members in office, ignoring any fraction, plus one.

Voting

3.6.20 Unless otherwise required at law or this Charter, all matters for decision of a meeting of the Board shall be decided by a simple majority of the Board Members present and entitled to vote. All Board Members, including the Chair present and entitled to vote are required to vote. All Board Members including the Chair are entitled to a deliberative vote and if the votes are equal the Chair or other Board Member presiding does not have a second or casting vote.

Confidentiality

- 3.6.21 All Board Members must keep confidential all documents and any information provided to them for their consideration prior to a meeting of the Board that is subject to the operation of Clause 3.6.16 or that relates to a matter dealt with by the Board on a confidential basis in accordance with Clause 3.6.4 and Chapter 6 Part 3 of the Act.

Minutes

- 3.6.22 The Chief Executive Officer must cause minutes to be kept of the proceedings at every meeting of the Board and ensure that the minutes are presented at the next ordinary meeting of the Board and where the Chief Executive Officer is absent or excluded from attendance at a meeting of the Board pursuant to Clause 3.6.4 the person presiding at the meeting shall cause the minutes to be kept.
- 3.6.23 Subject to Clause 3.6.25 a copy of the minutes of a meeting of the Board must be placed on public display at the principal offices of the Constituent Councils and the NYLGA within five (5) days after the meeting and kept on public display for a period of one (1) month.
- 3.6.24 Subject to Clause 3.6.25, a person is entitled, on payment of a fee fixed by the Board, to obtain a copy of any documents placed on public display.
- 3.6.25 Clauses 3.6.23 and 3.6.24 do not apply in relation to a document or part of a document dealt with by the Board on a confidential basis in accordance with Clause 3.6.4 and Chapter 6 Part 3 of the Act.
- 3.6.26 Subject to this Charter the Board may determine its own procedures to apply to proceedings at and conduct of meetings of which must be fair and contribute to free and open decision making where the Board has not determined a procedure and the procedure is not specified in this Charter, the procedures specified in Part 2 of the Local Government (Procedures at Meetings) Regulations 2013 will apply.

3.7 Annual General Meeting

- 3.7.1 The Annual General Meeting will:
- 3.7.1.1 be held not later than 30 September in each calendar year;
 - 3.7.1.2 receive the NYLGA's Annual Report which may incorporate reports from committees and any representatives reports from other organisations;
 - 3.7.1.3 receive the audited financial statement for the preceding financial year;
 - 3.7.1.4 acknowledge the appointment of Board Members;
 - 3.7.1.5 elect the Chair and two Deputy Chairs;

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- 3.7.1.6 appoint representatives to other organisations;
- 3.7.1.7 consider any other business requiring consideration by the Board Members in a general meeting.

4. CHIEF EXECUTIVE OFFICER

- 4.1 The Board shall appoint a Chief Executive Officer of the NYLGA to manage the affairs of the NYLGA on such terms and conditions as may be determined by the Board and agreed by the Chief Executive Officer.
- 4.2 The Chief Executive Officer may, but not need, be an employee of the NYLGA and may be given a different title by resolution of the Board.
- 4.3 The terms and conditions of the appointment and remuneration of the Chief Executive Officer shall be reviewed annually according to any agreement that may be in place with the Chief Executive Officer.
- 4.4 The Board shall delegate responsibility for the day to day management of the NYLGA to the Chief Executive Officer, who will ensure that sound business and human resource management practices are applied in the efficient and effective management of the operations of the NYLGA.
- 4.5 The functions of the Chief Executive Officer shall be specified in the terms and conditions of appointment and shall include but are not limited to:
 - 4.5.1 attending at all meetings of the Board unless excluded by resolution of the Board;
 - 4.5.2 ensuring that the decisions of the Board are implemented in a timely and efficient manner;
 - 4.5.3 providing information to assist the Board to assess the NYLGA's performance against its Business Plans;
 - 4.5.4 appointing, managing, suspending and dismissing employees of the NYLGA;
 - 4.5.5 determining the conditions of employment of employees of the NYLGA, within budgetary constraints set by the Board;
 - 4.5.6 providing advice and reports to the Board on the exercise and performance of its powers and functions under this Charter or any Act;
 - 4.5.7 ensuring that the NYLGA is at all times complying with Schedule 2 of the Local Government Act 1999;
 - 4.5.8 co-ordinating and initiating proposals for consideration of the Board including but not limited to continuing improvement of the operations of the NYLGA;
 - 4.5.9 ensuring that the assets and resources of the NYLGA are properly managed and maintained;

- 4.5.10 ensuring that records of activities and financial affairs required under this Charter, the Act or any other legislation are properly kept and maintained;
 - 4.5.11 ensuring that the NYLGA's annual report is distributed to the Constituent Councils in time to be incorporated in their annual reports;
 - 4.5.12 exercising, performing or discharging other powers, functions or duties conferred on the Chief Executive Officer by or under the Act or any other Act, and performing other functions lawfully directed by the Board; and
 - 4.5.13 achieving financial outcomes in accordance with adopted plans and budgets of the NYLGA.
- 4.6 The Chief Executive Officer may delegate or sub-delegate to:
- 4.6.1 a committee;
 - 4.6.2 an employee of the NYLGA;
 - 4.6.3 an employee of a Constituent Council; or
 - 4.6.4 a person for the time being occupying a particular office or position,
- any power or function vested in the Chief Executive Officer. Such delegation or sub-delegation may be subject to any conditions or limitations as determined by the Chief Executive Officer is revocable at will and does not prevent the Chief Executive Officer from acting in relation to a matter.
- 4.7 A written record of all delegations and sub-delegations must be kept by the Chief Executive Officer at all times.

5. FINANCIALS

5.1 Budget

- 5.1.1 The proposed Business Plan and the Budget must be referred to the Constituent Councils at least eight (8) weeks prior to the date of the meeting at which the budget is to be adopted.
- 5.1.2 Constituent Councils may comment on the Business Plan and the Budget in writing to the Chief Executive Officer at least ten (10) business days before the meeting at which the Budget is to be adopted or through its Board Member at that meeting.
- 5.1.3 The NYLGA must adopt the Business Plan and Budget after 31 May and before 30 June for the ensuing Financial Year.
- 5.1.4 The NYLGA must provide a copy of its adopted Budget to the Constituent Councils within five (5) business days after the adoption of the Budget by the NYLGA
- 5.1.5 Reports summarising the financial position and performance of the NYLGA against the Budget must be prepared and presented to the

Board at each ordinary meeting of the Board and copies provided to the Constituent Councils.

- 5.1.6 The NYLGA must reconsider its Budget in accordance with the Act and in a manner consistent with the Act and may amend its Budget for a Financial Year at any time before the year ends.
- 5.1.7 The NYLGA must submit to each Constituent Council for approval, any proposed amendment to the Budget that provides for an additional financial contribution by the Constituent Councils.
- 5.1.8 The contents of the Budget must be in accordance with the Act.

5.2 Financial Standards and Reporting

- 5.2.1 The NYLGA must ensure that the Financial Statements of the NYLGA for each Financial Year are audited by the NYLGA's auditor.
- 5.2.2 The Financial Statements must be finalised and audited in sufficient time to be included in the Annual Report to be provided to the Constituent Councils pursuant to Clause 6.2.3.

5.3 Financial Management

- 5.3.1 The NYLGA shall keep proper books of accounts in accordance with the requirements of the Act and Local Government (Financial Management) Regulations 1999.
- 5.3.2 The NYLGA must establish and maintain a bank account with such banking facilities and at a bank to be determined by the Board.
- 5.3.3 The NYLGA will develop and maintain appropriate policies and procedures for all financial transactions including in relation to signing cheques and electronic funds transfer.
- 5.3.4 The Chief Executive Officer must act prudently in the handling of all financial transactions for the NYLGA.

5.4 Levies

- 5.4.1 The NYLGA may levy Constituent Councils or any of them for a specified purpose or purposes.
- 5.4.2 A levy must be imposed by a meeting of the Board.
- 5.4.3 The Chief Executive Officer must give notice of the levy to all affected Constituent Councils.
- 5.4.4 A levy will not be binding on Constituent Councils until the expiration of one calendar month from the date of the notice.
- 5.4.5 A Constituent Council which objects in writing to the imposition of the levy within one month of the date of the notice shall be exempt from payment of the levy until its objection is considered at a meeting of the Board.

- 5.4.6 The NYLGA must, after consideration of the objection of one or more Constituent Councils to a levy, confirm or vary the levy on that Council or exempt that Council from payment of the levy.
- 5.4.7 The Chair may convene an urgent meeting to consider an objection to a levy.
- 5.4.8 In the event that a Constituent Council does not wish to participate in an activity or activities to which the specified purpose or purposes of a levy relate, that Constituent Council may elect to be excluded from that activity or activities provided that the Board is satisfied that the Constituent Council will not receive a material benefit from the activity or activities.

6. MANAGEMENT FRAMEWORK

6.1 Business Plan

- 6.1.1 The NYLGA shall have a rolling Business Plan with respect to the forthcoming four years.
- 6.1.2 The Business Plan must:
 - (a) identify the NYLGA objectives over the period;
 - (b) identify the principal activities that the NYLGA intends to undertake to achieve its objectives;
 - (c) state the measures that are to be used to monitor and assess the performance of the NYLGA over the period;
 - (d) set out the means by which activities are to be carried out with supporting financial projections setting out the estimates of revenue and expenditure as necessary for the period;
 - (e) address issues associated with arranging its affairs; and
 - (f) make provision for the review of the NYLGA Charter at least once in every 4 years.
- 6.1.3 The NYLGA shall consult with the Constituent Councils prior to adopting or amending the Business Plan.
- 6.1.4 The NYLGA shall ensure contents of the Business Plan is in accordance with the Act.

6.2 Annual Report

- 6.2.1 The NYLGA must each year, produce an Annual Report summarising the activities, achievements and financial performance of the NYLGA for the preceding Financial Year.
- 6.2.2 The Annual Report must incorporate the audited financial statements of the NYLGA for the relevant Financial Year.

- 6.2.3 The Annual Report must be provided to the Constituent Councils by 30 September each year.

6.3 **Audit**

- 6.3.1 The NYLGA must cause adequate and proper books of account to be kept in relation to all the affairs of the NYLGA and must establish and maintain effective auditing of its operations.
- 6.3.2 The NYLGA must appoint an Auditor in accordance with the Act on such terms and conditions as determined by the NYLGA.
- 6.3.3 The audited Financial Statements of the NYLGA, together with the accompanying report from the Auditor, shall be submitted to both the Board and the Constituent Councils by 30 September in each year.

6.4 **Audit and Risk Committee**

- 6.4.1 The NYLGA must establish an Audit and Risk Management Committee to be comprised of five (5) persons nominated by the NYLGA and approved by the Constituent Councils.
- 6.4.2 The members of the Audit and Risk Management Committee:
 - 6.4.2.1 must include two (2) professionally qualified officers, one of each from the staff of the Constituent Councils;
 - 6.4.2.2 must include at least 1 person who is not a member of the Board and who is determined by the Constituent Councils to have financial experience relevant to the functions of the Audit and Risk Management Committee;
 - 6.4.2.3 may include elected members of the Constituent Councils;
 - 6.4.2.4 must have regard to the Act in performing their duties.
 - 6.4.2.5 The term of appointment of a member of the Audit and Risk Management Committee shall be for a term not exceeding two (2) years at the expiry of which such member will be eligible for reappointment.

7. **MISCELLANEOUS**

7.1 **New Members**

- 7.1.1 Subject to the provisions of the Act, a council may become a Constituent Council by the unanimous agreement of the Constituent Councils and this Charter may be amended to provide for the admission of a new constituent council or councils, with or without conditions of membership.

7.2 **Subscription**

- 7.2.1 Every Constituent Council shall be liable to contribute monies to the NYLGA each financial year.

- 7.2.2 The amount of each Constituent Council's subscription will be decided by the Board at the meeting where they adopt the Annual Budget and subscriptions will be due and payable within one month of a written request from the Chief Executive Officer for payment.

7.3 Disqualification

- 7.3.1 Subject to any legislative requirements, a Council which fails to pay its subscription or any other monies due to the NYLGA within six months from the date upon which the subscription or other monies become due and payable shall cease to be a Constituent Council.
- 7.3.2 The Chief Executive Officer will give notice in writing to the Council that its status as a Constituent Council has been terminated.

7.4 Withdrawal

- 7.4.1 Subject to the Act and this Charter, a Constituent Council may withdraw from the NYLGA by giving notice in writing of its intention to withdraw to the Chief Executive Officer provided that its subscription of the current year and other monies outstanding prior to the date of its giving notice of withdrawal have been paid to the NYLGA.
- 7.4.2 Written notice of an intention to withdraw under Clause 7.4.1 must be received by the Chief Executive officer prior to 31 December and subject to the Act and this Charter the withdrawal will take effect from the following 30 June.
- 7.4.3 Until a withdrawal becomes effective the Constituent Council proposing the withdrawal from the NYLGA will remain liable for all financial contributions in the remaining period.
- 7.4.4 A withdrawing Constituent Council is not entitled to any refund of the financial contributions made to the NYLGA.
- 7.4.5 The withdrawal of any Constituent Council does not extinguish the liability of that Constituent Council to contribute to any loss or liability incurred by the NYLGA at any time before or after such withdrawal in respect of any act or omission by the NYLGA prior to such withdrawal.

7.5 Insurance and Superannuation Requirements

- 7.5.1 The NYLGA shall register with the Local Government Mutual Liability Scheme and Local Government Workers Compensation Scheme and comply with the rules of those Schemes.
- 7.5.2 The NYLGA shall advise the Local Government Risk Management Services of its insurance requirements relating to Local Government Special Risks including buildings, structures, vehicles and equipment under the management, care and control of the NYLGA.

7.6 NYLGA Winding Up

- 7.6.1 The NYLGA may be wound up in accordance with the Act by unanimous resolution of the Constituent Councils.

- 7.6.2 In the event of a winding up, any surplus assets after payment of all expenses shall be returned to each Constituent Councils in proportion to the subscription paid by each Constituent Council in the financial year prior to the passing of the resolution wind up.
- 7.6.3 If there are insufficient funds to pay all expenses due by the NYLGA on winding up, a levy shall be imposed on all Constituent Councils in proportion to the subscription paid by each Constituent Council in the financial year prior to the passing of the resolution to wind up.

7.7 Non-derogation and Direction by Constituent Councils

- 7.7.1 The establishment of the NYLGA does not derogate from the power of any of the Constituent Councils to act independently or jointly in relation to a matter within the jurisdiction of the NYLGA.
- 7.7.2 Provided that the Constituent Councils have first agreed by unanimous resolution of each Constituent Council as to the action to be taken, the Constituent Councils may jointly direct and control the NYLGA.
- 7.7.3 Where the NYLGA is required pursuant to the Act or this Charter to obtain the approval of one or more of the Constituent Councils that approval must only be granted and must be evidenced by a resolution passed by either or all of the Constituent Councils granting such approval.
- 7.7.4 Unless otherwise stated in this Charter where the NYLGA is required to obtain the consent or approval of the Constituent Councils this means the consent or approval of all of the Constituent Councils expressed in the same or similar terms.
- 7.7.5 For the purpose of Clause 7.7.1, any direction given by the Constituent Councils must be communicated by notice in writing provided to the Chief Executive Officer of the NYLGA together with a copy of the relevant resolutions of the Constituent Councils.

7.8 Alteration and Review of Charter

- 7.8.1 This Charter will be reviewed by the Constituent Councils at least once in every four (4) years.
- 7.8.2 This Charter may be amended by a resolution passed by a simple majority of the Constituent Councils.
- 7.8.3 Before the Constituent Councils vote on a proposal to alter this Charter, they must take into account any recommendation of the Board.

7.9 Disputes

7.9.1 General

- 7.9.1.1 Where a dispute arises between the Constituent Councils or between a Constituent Council and the Authority (the parties to this Charter) which relates to this Charter or the Authority,

(‘the Dispute’) the parties will use their best endeavours to resolve the Dispute and to act at all times in good faith.

7.9.2 Mediation

- 7.9.2.1 A party is not entitled to initiate arbitration or court proceedings (except proceedings seeking urgent equitable or injunctive relief) in respect of a Dispute unless it has complied with this Clause 7.9.2.
- 7.9.2.2 If the parties are unable to resolve the Dispute within thirty (30) days, the parties must refer the Dispute for mediation in accordance with the Mediation Rules of the Law Society of South Australia Incorporated, within seven (7) days of a written request by any party to the other party that the Dispute be referred for mediation, to:
- (a) a mediator agreed by the parties; or
 - (b) if the parties are unable to agree on a mediator at the time the Dispute is to be referred for mediation, a mediator nominated by the then President of the Law Society or the President’s successor.
- 7.9.2.3 In the event the parties fail to refer the matter for mediation in accordance with Clause 7.9.2.2, one or more of the parties may refer the matter for mediation in accordance with the Mediation Rules of the Law Society of South Australia Incorporated to a mediator nominated by the then President of the Law Society or the President’s successor.
- 7.9.2.4 The role of any mediator is to assist in negotiating a resolution of the dispute. A mediator may not make a decision that is binding on a party unless that party has so agreed in writing.
- 7.9.2.5 If mediation does not resolve the Dispute within 28 days of referral of the Dispute for mediation or such longer period agreed unanimously by the parties as evidenced by resolutions of each of the parties, any party may then refer the Dispute to Arbitration in accordance with Clause 7.9.3.

7.9.3 Arbitration

- 7.9.3.1 An arbitrator may be appointed by agreement between the parties.
- 7.9.3.2 Failing agreement as to an arbitrator the then Chairperson of the South Australian Chapter of the Institute of Arbitrators or his successor shall nominate an Arbitrator pursuant to these conditions.
- 7.9.3.3 A submission to arbitration shall be deemed to be a submission to arbitration within the meaning of the Commercial Arbitration Act 1985 (South Australia).

- 7.9.3.4 Upon serving a notice of arbitration the party serving the notice shall lodge with the arbitrator a deposit by way of security for the cost of the arbitration proceedings.
- 7.9.3.5 Upon each submission to arbitration, the costs of and incidental to the submission and award shall be at the discretion of the arbitrator who may in his or her sole discretion determine the amount of costs, how costs are to be proportioned and by whom they are to be paid.
- 7.9.3.6 Whenever reasonably possible performance of the obligations of the parties pursuant to this Charter shall continue during the mediation or arbitration proceedings and no payment by or to a party shall be withheld on account of the mediation and arbitration proceedings.

7.10 Committees

- 7.10.1 The Board may establish a committee of Board Members and/or other persons for the purpose of:
 - 7.10.1.1 enquiring into and reporting to the Board on any matter within the NYLGA's functions and powers and as detailed in the terms of reference given by the Board to the Committee; or
 - 7.10.1.2 exercising, performing or discharging delegated powers, functions or duties.
- 7.10.2 A member of a committee established under this Clause holds office at the pleasure of the Board.
- 7.10.3 The Board may establish advisory committees consisting of or including persons who are not Board Members for enquiring into and reporting to the Board on any matter within the NYLGA's functions and powers and as detailed in the terms of reference determined by the Board.
- 7.10.4 A member of an advisory committee established under this clause holds office at the pleasure of the Board.
- 7.10.5 The Chair of the Board is ex-officio a member of any committee or advisory committee established by the Board.

7.11 NYLGA Common Seal

- 7.11.1 The NYLGA shall have a common seal upon which its corporate name shall appear in legible characters.
- 7.11.2 The common seal shall not be used without the express authorisation of a resolution of the NYLGA Board and every use of the common seal shall be recorded in the minute book of the NYLGA.

7.11.3 The affixing of the common seal shall be witnessed by the Chair or a Deputy Chair and the Chief Executive Officer or such other person as the NYLGA may appoint for the purpose.

7.11.4 The common seal shall be kept in the custody of the Chief Executive Officer or such other person as the NYLGA may from time to time decide.

7.12 Circumstances Not Provided For

7.12.1 If any circumstance arises about which this Charter is silent, incapable of taking effect or being implemented according to its strict provisions, the Chair may decide the action to be taken to ensure achievement of the objects of the NYLGA and its effective administrator.

7.12.2 The Chair shall report any such decision at the next general meeting.

THE LEGATUS GROUP

Regional Local Government Ambassador and Advocate

STRATEGIC PLAN FRAMEWORK

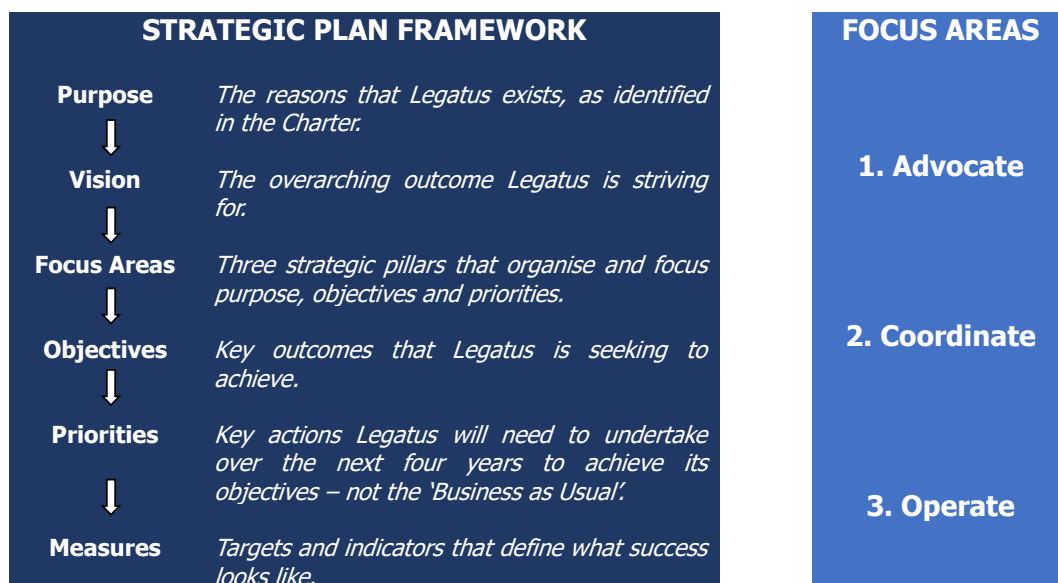
ABOUT THIS DOCUMENT

This strategic plan framework has been prepared to guide the Legatus Group ('Legatus') through a period of change as it considers and adopts an amended Charter and transitions to a new Business Plan approach from 2024/25. It is, in effect, a new Legatus Strategic Plan that will inform and guide future operational planning.

The need for a new strategic framework emerged during consultation with Mayors and CEOs throughout a strategic review undertaken in August – December 2023. Constituent Councils (members) are seeking a stronger focus on advocacy and a narrower and better-defined set of priorities that are clearly aligned to the organisation's purpose. Members are also seeking a more responsive approach to business planning. Legatus needs to have the capacity to respond to new challenges and opportunities, and the flexibility to move on from activities and projects that are delivering less value to members.

To achieve a more flexible and agile approach, it is recommended that Legatus consolidate its Strategic Plan and Annual Business Plan within a four-year rolling Business Plan that is reviewed and updated annually in consultation with members. This approach will ensure that Legatus is always looking ahead and can more rapidly refocus its strategy and resources on the issues that are of the greatest importance to the region.

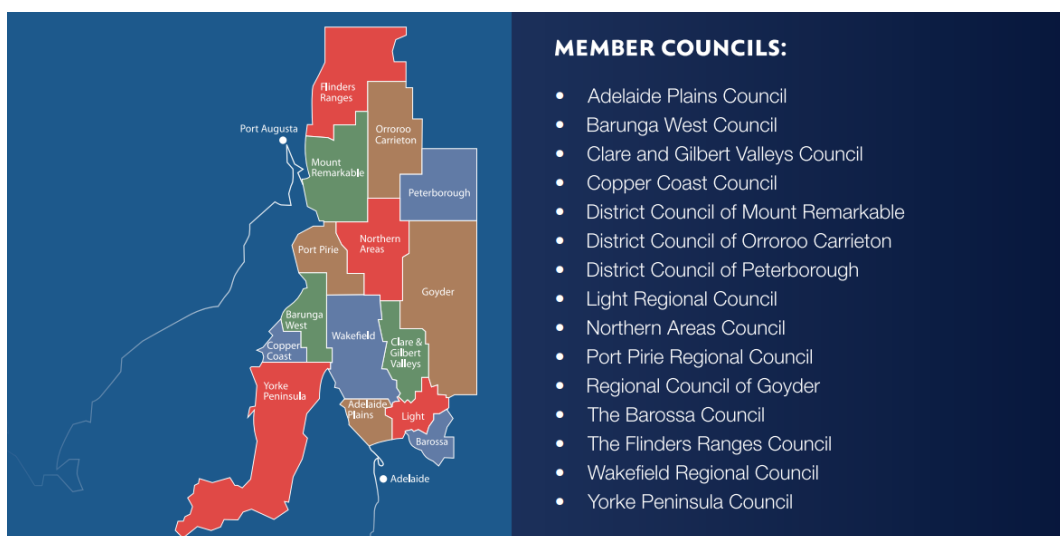
The strategic plan framework has been developed to guide and inform the preparation of the first iteration of the new Business Plan in 2024/25. The key elements of the new strategic framework are outlined below.



ABOUT THE LEGATUS GROUP

The Legatus Group is a regional subsidiary established in 1998 by fifteen Councils to provide a forum for local government in the region to work together and advocate for better outcomes for councils and the community.

Legatus covers a large and diverse geographic area, comprising almost one third of South Australia's incorporated areas. Collectively known as the Northern and Yorke region, Legatus includes Councils from across the Adelaide Plains, Barossa, Mid North, Yorke Peninsula and Southern Flinders Ranges.



The purpose of Legatus is set out in its Charter, which has been reviewed and is subject to adoption by members:

- Undertake advocacy, representational and coordinating roles on behalf of the Constituent Councils at a regional level.
- Provide strong advocacy in developing policy positions and speaking with one voice on issues and matters that affect Constituent Councils and the communities within the Region.
- Work collaboratively with the Local Government Association of South Australia and other regional local government bodies for the benefit of Constituent Councils.
- Liaise, work with and make representations and submissions to the State and Commonwealth Governments and their instrumentalities on a regional basis for the benefit of the Region.
- Undertake projects and activities that benefit Constituent Councils and the Region
- Act as a forum for discussion, information sharing and consideration of matters relating to the powers, functions and duties of the Constituent Councils under the Act and other statutory provisions in relation to the Region.
- Develop and facilitate further co-operation and collaboration between the Constituent Councils for their benefit and the benefit of the Region.
- Develop and manage policies and plans which guide the conduct of regional programs with the objective of securing the best outcomes for the Region.
- Build partnerships with those who can contribute to the development and delivery of projects and activities that benefit Constituent Councils and the Region.

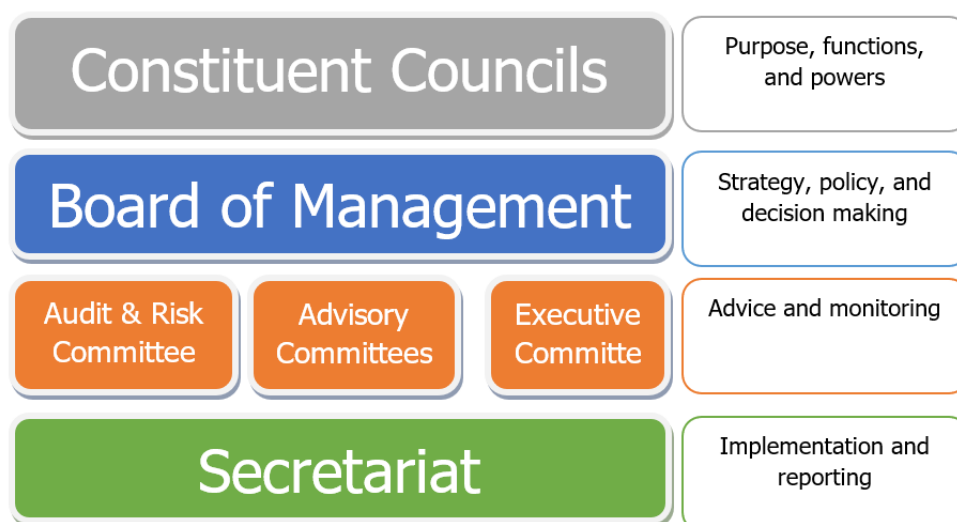
BUSINESS PLANNING FRAMEWORK

It is proposed that Legatus transition to a new business planning framework in 2024-25, which will introduce a rolling four-year Business Plan that is reviewed annually. The Business Plan will incorporate the functions of a Strategic Plan, Action Plan, Long-Term Financial Plan and Annual Business Plan and be used to inform an annual Budget. This framework complies with the requirements of the Local Government Act 1999 for a regional subsidiary and provides a dynamic and responsive approach to business planning.

Legatus Business Planning Framework					
Charter	Business Plan	Annual Budget	Operational Plans and Policies	Regional Plans	Annual Report
Prepared under the <i>Local Government Act 1999</i> to establish purpose, structure and rules. Reviewed at least once every four years.	Rolling four-year Business Plan identifying objectives, priorities, measures and resourcing. Reviewed annually in consultation with members.	Prepared annually in conjunction with Business Plan review and in consultation with members. Alignment of Business Plan to resourcing.	Plans and policies endorsed by the Board that detail how Legatus will achieve the objectives of its Business Plan – such as an Advocacy Plan.	Legatus has prepared or partnered in a suite of plans guiding regional action in areas such as transport, waste, climate change and regional development.	Prepared annually to report against the performance measures outlined in the Business Plan and includes audited financial statements.

GOVERNANCE STRUCTURE

As a regional subsidiary, Legatus is subject to the direction of its Constituent Councils through its Charter. The Board of Management is responsible for setting the strategic directions, adopting policy and making decisions and may establish Committees to assist with or advise on these functions. The Secretariat, led by a Principal Officer, is responsible for the implementation of the Board's decisions.



BUSINESS PLANNING CONTEXT

A Business Plan needs to respond to the key external and internal influences that will create challenges and opportunities for Legatus in achieving its purpose. The strategic context for Legatus over the next four years includes:

- Federal and State Elections to be held in 2025 and 2026, providing opportunities for strong coordinated advocacy to attract funding and services to the region.
- Increased access to Federal and State funding for roads and transport infrastructure remains a significant priority for members to improve regional productivity and safety and relieve pressure on Council budgets.
- Australia's housing crisis creates significant challenges for the region. Access to health, education and childcare services are also major barriers to growth and social and economic wellbeing for regional communities. Local government nationally is exploring ways that it can be a partner in the solution by advocating and working together at a regional level.
- Climate change is here and now. Councils in the region need more funding and support to mitigate climate risk, build resilience and achieve net-zero targets.
- Increasing government fees and charges and the cost of complying with regulatory requirements is a significant financial burden for Councils. Legatus can initiate and support strong sector-wide advocacy to address these issues.
- Rising inflation and interest rates are creating significant cost of living pressures, which have flow on effects for Council budgets and financial sustainability.
- Legatus Business Plan and Budgets need to recognise the real and significant financial constraints facing its members and focus on the priorities and actions that deliver the most value.
- Budget repair at the Federal and State level restricts opportunities for 'new' funding. The region needs to maximise its opportunity and capacity to benefit from the funding streams and grant programs available.
- The State Planning Commission is leading a Regional Planning program, providing opportunities for coordinated engagement and advocacy to align State planning instruments to the needs of the region.
- Legatus is a leader of or partner in a suite of regional plans and strategies for transport, waste, regional development, climate change and drought resilience. These documents guide priority actions for Legatus where they are needed and supported by members.
- The Local Government Association is reviewing its Constitution, providing an opportunity for Legatus to strengthen its role and influence in state-wide forums.
- Councils elections in 2026 may result in new members requiring induction to Legatus.
- Initiating and embedding an amended Legatus Charter and other proposals arising from the 2023 review will require resourcing and focus.

KEY FOCUS AREAS

Legatus Members are seeking more succinct and focussed Business Plan that directs resources to the priorities and actions of greatest need. To achieve this, a Business Plan should be built around three strategic pillars that organise and focus the organisation's objectives, priorities and measures. The following is a strategic plan for Legatus that will guide forward business planning, including the allocation of resources to member priorities.

Advocate

Coordinate

Operate

Focus Area 1 - ADVOCATE

Legatus harnesses and leverages the strength of fifteen Councils speaking together with a united and powerful voice to advocate for better outcomes of the region.

Objectives	Priorities	Measures
<ol style="list-style-type: none"> Through relationships and engagement with members, develop a deep understanding of the collective advocacy needs and priorities of local government in the region. Implement a planned and strategic approach to targeted and tactical regional advocacy to achieve the region's priorities. Focus advocacy efforts on attracting more funding and services to the region. Work collaboratively with the Local Government Association and SAROC to initiate and support sector-wide advocacy and achieve greater influence for Legatus members. Build third party support for the region's advocacy priorities through beneficial alliances, partnerships and relationships. Legatus has a reputation with Federal and State Governments and their agencies as a 'go to' organisation for consultation and advice on matters relevant to local government. 	<ul style="list-style-type: none"> Develop and implement an Advocacy Plan and Framework to set priorities and guide a targeted and tactical approach to regional advocacy with a focus leading or supporting: <ul style="list-style-type: none"> <i>Increased and fairer allocation of funding for roads and transport infrastructure</i> <i>Increased Commonwealth Financial Assistance Grants</i> <i>Reducing the cost impact of government fees and charges</i> <i>Removing barriers to accessing State and Federal grant programs</i> <i>Improving housing supply and affordability</i> <i>Increased funding for tourism and better promotion of the tourism assets in the region</i> <i>Increased funding for regional waste infrastructure.</i> <i>Better access to health, education and childcare services in the region</i> Develop Federal and State Election advocacy campaigns for the region and provide members with a campaign toolkit to amplify regional priorities through local advocacy. Prepare an annual State Budget submission in accordance with the adopted Advocacy Plan. 	<ol style="list-style-type: none"> Advocacy Plan adopted by the Legatus Board by September 2024. 100% delivery of annual actions identified in the adopted Advocacy Plan each year. Achieve a minimum 20% increase in the combined total amount of State and Federal road and transport infrastructure investments in the region by the end of 2027/28. 100% of Council items of business supported by Legatus and referred to the LGA or SAROC are adopted as state-wide positions. Legatus election campaign materials are used by all member councils in their local advocacy.

Focus Area 2 – COORDINATE

Councils and partners work together through Legatus on issues, actions and outcomes that can be sensibly, efficiently and effectively progressed at a regional level to provide benefits to members.

Objectives	Priorities	Measures
<p>7. Encourage and support members to share information, identify common solutions and learn from each other's best practices.</p> <p>8. Coordinate and manage the region's requirements for the Special Local Roads Program.</p> <p>9. Keep regional plans, strategies and partnerships under review and evaluate their effectiveness and value to member councils.</p> <p>10. Provide information and resources to Councils to support service delivery and compliance, where there has been a clear and consistent need for Legatus assistance established across the region.</p> <p>11. Collate research, data and case studies that provide a strong and compelling evidence-base for the region's priorities identified in the Advocacy Plan.</p> <p>12. Identify and apply for grants that are directly linked to the delivery of the Legatus Business Plan.</p>	<ul style="list-style-type: none"> Implement, monitor, review and update the Legatus Group 2030 Regional Transport Plan. Implement, monitor and evaluate the Legatus Group Waste and Resource Recovery Strategy and a Waste Management Action Plan 2021. Implement, monitor, support and evaluate the Northern and Yorke Climate Change Sector Agreement and Regional Drought Resilience Plan. Transition state-wide CWMS roles to the LGA and facilitate regional collaboration and information sharing on CWMS through an informal network of interested members. Work with regional partners to convene on annual 'Regional Forum' with thought leaders and decision makers. 	<p>6. Achieve a member satisfaction score of at least 75% for the coordination of the Special Local Roads.</p> <p>7. Achieve a member satisfaction score of at least 75% for the value of regional plans and strategies managed or supported by Legatus.</p> <p>8. Complete a major review of the Legatus Group 2030 Regional Transport Plan completed by end February 2025.</p> <p>9. Complete a major review of the Legatus Group Waste and Resource Recovery Strategy and Action Plan by end December 2025.</p> <p>10. At least 70% of grant applications submitted or coordinated by Legatus receive funding.</p> <p>11. The Regional Forum achieves a maximum capacity audience each year.</p> <p>12. Year on year increase on the baseline number of visits to the Legatus website and the number of times resources on the website are downloaded.</p>

Focus Area 3 – OPERATE

The Legatus Group operates effectively in accordance with legislative requirements and delivers value to its members.

Objectives	Priorities	Measures
<p>13. Member satisfaction is a priority and is regularly measured and monitored.</p> <p>14. Constituent Council elected members and staff are well informed of what Legatus is doing and able to actively contribute to regional initiatives.</p> <p>15. Legatus is financially sustainable and has robust financial management in place.</p> <p>16. The Legatus Business Plan is reviewed and updated annually and gives priority to the issues and outcomes that matter most to member Councils.</p> <p>17. The Legatus Board makes good decisions that are in the best interest of the region by carefully evaluating the potential benefits and risks of each item of business.</p> <p>18. Legatus is committed to continuous improvement and systematically reviews and evaluates its operations and outcomes.</p>	<ul style="list-style-type: none"> Implement the adopted outcomes of the 2023 Strategic Review, including a new Charter and strategic framework. Implement a change of name to the Northern and Yorke Local Government Association (NYLGA) Introduce an annual member satisfaction survey to be completed by Constituent Council elected members and staff. Prepare and adopt position descriptions for officer bearers of the Board. Review the Terms of Reference of all Advisory Committees at least once every two years. Review the Legatus Charter at least once every four years. 	<p>13. Adopt a new Charter and implement a change of name to the Northern and Yorke LGA to take effect by 1 July 2024.</p> <p>14. All fifteen Councils in the region continue to be financial members of Legatus.</p> <p>15. Year on year increase in overall member satisfaction with a target to achieve a satisfaction score of 75%.</p> <p>16. Achievement of all financial metrics adopted by the Board.</p> <p>17. 100% compliance with all requirements of the Act and Charter.</p> <p>18. The Legatus CEO or President attend a meeting of each Constituent Council at least twice during each four-year Council term.</p>



Strategic Review Report

Prepared for the Legatus Group

December 2023

Final

BUSINESS • RESOURCE • MANAGEMENT



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EXECUTIVE SUMMARY

The fifteen Councils that comprise the Legatus Group membership have a long history of working together for the benefit of the region. This strategic review provides the Legatus member Councils with the opportunity to reflect on the role and functions of the regional subsidiary and the activities that will create value and achieve positive outcomes for Councils and communities.

The key strength of Legatus is its capacity to advocate on behalf of the region with the powerful united voice of fifteen elected community leaders. Members have asked for a Charter and strategy that leverages this strength and unlocks the potential for Legatus to play a greater role in attracting investment and services to the region and building the financial capacity of Councils to deliver services to their communities.

To create the resourcing capacity for more targeted and tactical advocacy, Legatus will have to do less of other things. Members have asked for a more succinct and focussed agenda with matters of strategic importance to local government at the regional level at its heart. Members have also asked that this agenda be delivered in partnership with other organisations with shared goals to reduce duplication and overlap and optimise the use of Legatus resources.

This report provides a summary of how the strategic review has been undertaken and makes twenty-two recommendations that have informed a draft amended Charter and strategic plan framework.

The proposed Charter revises and reorganises the objects and purposes of Legatus to strengthen the focus on advocacy and provide more clarity about why the Regional Subsidiary exists. A proposed rolling four-year Business Plan will consolidate the functions of a Strategic Plan, Two-Year Action Plan, Annual Business Plan and Long-Term Financial Plan and provide a more agile approach to business and financial management.

At the same time, the amended Charter does not unreasonably limit the functions of Legatus. It is important to provide a broad range of opportunities to meet the current and future needs of its members. The review has looked for opportunities to achieve flexible regulation and find the right balance between a Charter that *enables* activities to occur rather than one that *requires* them to occur.

A new strategic plan framework has been prepared to organise the key functions, objectives, priorities and performance outcomes of Legatus under three strategic pillars of *Advocate*, *Coordinate* and *Operate*. This Plan will inform the first iteration of the Legatus Business Plan by providing clear strategic direction about the outcomes that Legatus is striving to achieve and how they can be measured.

Implementation of the proposed changes to focus on advocacy would be enhanced by the Legatus Group changing its name to something that is more aligned to its purpose, such as the Northern and Yorke Local Government Association.

The proposals recommended in this report are mostly incremental changes rather than radical structural reforms. This reflects the feedback received from members that Legatus has a solid foundation, and with the right frameworks and focus, can deliver a strong value proposition to its members.

The adoption of an amended Charter and new strategic plan framework is an exciting opportunity for Legatus to reset its agenda and build on the proud history of fifteen Councils working together for the benefit of the region.



1. INTRODUCTION

1.1 The Legatus Group

The Legatus Group ('Legatus') is the trading name of the *Central Local Government Region*, which is a regional subsidiary established by fifteen Councils and constituted under the *Local Government Act 1999* ('the Act').

Constituent Councils ("Legatus Councils") are:

- Adelaide Plains Council
- The Barossa Council
- Barunga West Council
- Clare and Gilbert Valleys Council
- Copper Coast Council
- The Flinders Ranges Council
- Regional Council of Goyder
- Light Regional Council
- District Council of Mount Remarkable
- Northern Areas Council
- District Council of Orroroo/Carrieton
- District Council of Peterborough
- Port Pirie Regional Council
- Wakefield Regional Council
- Yorke Peninsula Council

The regional organisation was first established in 1998 as a 'controlling authority' under the *Local Government Act 1934* and has continued in existence under various governing documents since that time.

The current Legatus Charter, dated 9 September 2022, outlines twelve objects and purposes for which the Group is established, which can be broadly themed as advocacy, representation, coordination, collaboration and partnerships. The subsidiary provides a forum for Legatus Councils to come together to discuss and progress strategic and operational matters of common interest across the region.

The Charter is set out in a manner that complies with the requirements of the Act, including details about the board and its powers, functions and duties; and provisions relating to employment and staffing matters, business planning and financial affairs. The Charter is required by the Act to be reviewed at least once every four years. Legatus has been undertaking more frequent reviews at two-year intervals and made incremental changes to its governance in line with member feedback and expectations.

The current Legatus Strategic Plan 2018-2028 was adopted in May 2018 and outlines 5 goals and 25 strategies for progressing the stated purpose of the Legatus Group:

- *speaks with one voice on what matters most to our communities;*
- *works together efficiently making the best use of available resources for delivery of services; and*
- *builds partnerships with those who can contribute to stronger and more sustainable communities.*

The current Strategic Plan also includes a three-year Action Plan, which is a high-level list of priority actions to be undertaken to implement the adopted strategies.



1.2 Strategic Review

A strategic review was commissioned by the Legatus Board in September 2023, which is the culmination of the discussions between Legatus and its members over the past two years and comprises two key components.

- 1. Undertake a full review of the Legatus Group Charter with specific emphasis on narrowing and limiting the current operational focus of the Legatus Group and pivoting to its key responsibility of advocacy.*
- 2. Facilitate the development of a new Strategic Plan for the Legatus Group with specific emphasis on narrowing and limiting the Strategic Plan to items of clear and direct relevance to member Councils only and pivoting to the key responsibility of advocacy.*

The key context for the review is summarised below:

- Members are seeking a stronger focus on advocacy as the core purpose of Legatus.
- The current Charter is reflective of the regionalisation and commercialisation agendas being discussed at the time it was first prepared (approximately 2015-2016), which envisaged a stronger role for regional bodies in the planning, coordination and delivery of services to, or on behalf of, councils. Regionalisation reforms and commercial activities undertaken by regional bodies have not eventuated at a sector level to the extent anticipated at the time.
- Some members have expressed uncertainty about the value proposition Legatus, with a view that Legatus is involved in services and projects that are not relevant or delivering value equitably to its membership. Some members have expressed concern about duplication or overlap with other organisations and service providers. Despite these concerns, there is a strong sense within the membership about the value of unity and speaking with one voice as a region.
- Most members (eleven) have endorsed a new draft Strategic Plan, some with conditional approval or commentary about potential improvements. Four members have not endorsed the draft Strategic Plan, with the primary feedback being that it needs a narrower focus with a stronger emphasis on advocacy.
- Members would like to see more succinct and focussed Plans with clear and measurable goals and targets to monitor performance. Some members also identified the opportunity to achieve better alignment of the Strategic Plan, Annual Business Plan and Budget.
- One council has given notice of its intention to withdraw from Legatus in October 2024, subject to the outcomes of the review and an assessment of performance.
- The Board has also commissioned a review of the Legatus CEO position (not the performance of the person holding the position) to align the key functions and terms of the role to the objects and purposes of Legatus. This will be progressed separately once the outcomes of this review have been settled by the Legatus Board.

This report provides the findings and recommendations of the strategic review of the Legatus Charter and Strategic Plan.



1.3 Scope of Works

In undertaking this strategic review we have:

- Reviewed the current Legatus Charter (adopted 2022)
- Reviewed the current and draft Legatus Strategic Plan
- Considered existing regional Plans and Strategies adopted or endorsed by Legatus
- Reviewed the outcomes of previous member consultation of the Legatus Charter and Strategic Plan, as summarised in Legatus Board papers
- Consulted with Legatus Members (Mayors, CEOs and committee members) through surveys, interviews and workshops
- Undertaken a comparative review of the governing documents of other South Australian regional local government bodies
- Reviewed the business plans of other regional subsidiaries in local government
- Considered the requirements of the Local Government Act 1999 relating to a Section 43 Regional Subsidiary and sought informal advice from the Office of Local Government.

2. MEMBER CONSULTATION

As one of the key objectives is to ensure that Legatus is meeting the needs of its members, the feedback received from Legatus Council Mayors and CEOs has been a primary input to this review. Feedback has also been sought from the members of three existing Advisory Committees, which include Council officers working in the areas of waste, infrastructure and CWMS.

A snapshot of consultation is provided below:

- Sixteen (16) responses to an online survey capturing feedback from twelve (12) Legatus Councils (7 Mayors and 9 CEOs completed the survey)
- Eight (8) 1-1 interviews (4 Mayors and 4 CEOs)
- A half day workshop held on 20 October with eighteen (15) attendees representing ten (10) Legatus Councils (10 Mayors and 5 CEOs)
- Feedback from attendees at three (3) Advisory Committee Meetings.

At least one person (either the Mayor or CEO) from each member Council participated in at least one consultation activity, however it is noted that the consultation did not have participation from every Mayor and CEO and has not included engagement with other elected members and staff from Constituent Councils.



2.1 Summary of Consultation

An online survey was provided as one way for Legatus Councils (via the Mayor and CEO) to share their views and inform the review of the Charter. Mayors and CEO were also invited to participate in a 1-1 interview to further discuss their views and any additional matters that the review should consider.

The results from the survey were shared at the 20 October workshop, with attendees confirming that the results were an accurate reflection of the views of the membership and provided a clear guide to the priorities for the review.

A high-level summary of the consultation outcomes is provided in this section.

2.1.1 Member Satisfaction

Members were asked to rate their current level of satisfaction with the value being delivered by the Legatus Group. This question was asked to gain an indication of the scope and opportunity for change. As shown in Figure One, responses were received across the spectrum from very satisfied to very dissatisfied. The average rating of 2.9 out of 5 confirms that there is a solid foundation within the membership with significant room for improvement to increase overall satisfaction.

Figure One: Overall Member Satisfaction Score

Q3 Overall, how satisfied are you with the value that your Council receives from its Legatus membership?

Answered: 16 Skipped: 0

2.9★
average rating



	VERY DISSATISFIED	SOMEWHAT DISSATISFIED	NEUTRAL	SOMEWHAT SATISFIED	VERY SATISFIED	TOTAL	WEIGHTED AVERAGE
★	25.00%	12.50%	18.75%	37.50%	6.25%		
	4	2	3	6	1	16	2.88

From the 1-1 interviews and workshop discussions, the key drivers of satisfaction ratings relate to how well Legatus is performing on its 'core purpose' of advocacy. There is a strong sense in the membership that Legatus needs a more focussed agenda and to get 'back to basics'.

Comments also reflected that Legatus has become too involved in operational matters. It was consistently noted that Legatus is a large and diverse region and that the operational needs of Councils in the region vary greatly; therefore, Legatus has less relevance and value when it becomes involved in how Councils operate and looks for 'one size fits all' solutions to complex issues in a diverse environment.



Some members would support a structural review to determine if Legatus should continue to operate as a single region of fifteen councils or separate into two smaller regional groupings. However, the prevailing view is that a stronger focus on advocacy will make Legatus more effective in its current form. As one participant said, *'Having a membership of fifteen Councils makes sense when you are coming together to advocate, it doesn't make sense for operational matters'*.

2.1.2 Legatus Functions and Services

To guide the review of the objects and purposes of Legatus, the survey asked participants to rate whether they want more or less of certain functions of services from Legatus. Each function / service was rated on the following scale about how much focus it should give it:

- 1 = Not at all
- 2 = Somewhat less
- 3 = About the same
- 4 = A bit more
- 5 = A lot more

The weighted average ratings are summarised in Table One and support the position that members are seeking a much stronger focus on advocating on local government matters of importance such as funding, in collaboration with the LGA / SAROC.

The responses also indicate the areas where Legatus is delivering less perceived value to its members, such as community projects, committees, member services, forums and events, grants, and research. Focussing less on these areas will create additional resourcing capacity within Legatus to expand its advocacy role.

Table One: Legatus Function and Services – More or Less?

Functions or Services	Weighted Average	Level of focus
Advocating on local government matters of regional importance (eg funding, regulation, cost shifting)	4.5	Much more of this
Working Collaboratively with the LGA and SAROC to advance common interests	3.68	A bit more of this
Advocating on broader community matters of regional importance (eg health, education, social services etc)	3.38	About the same
Undertaking projects / activities that assist councils to meet their core legislative service obligations (eg roads, waste, CWMS, emergency management etc)	3.31	About the same
Facilitating networking and information sharing across councils	3.25	About the same
Coordinating and facilitating the sharing of resources / service delivery within the region	3.13	About the same
Assisting member councils to identify and apply for grants and other external funding	2.81	Less of this



Undertaking research and consultation to develop policy positions to support effective advocacy	2.69	Less of this
Hosting / facilitating events and forums on topics of interest to member councils	2.44	Less of this
Providing services to member councils on a fee-for service basis	2.31	Much less of this
Administering and supporting regional committees and advisory working groups	2.31	Much less of this
Undertaking projects / activities with a broader community / regional focus (eg volunteering, regional leadership, youth etc)	2.31	Much less of this

The positions outlined in Table One were further supported by the responses to questions about what Legatus should keep, stop and start doing. The top three responses to these questions are provided in Table Two below.

Table Two: What should Legatus Keep, Stop and Start doing?

KEEP DOING	STOP DOING	START DOING
Advocacy / Voice for the Region (16)	Research projects / engaging with Universities (12)	No additional functions / services (5)
Networks / Information Sharing (7)	Social / Community Initiatives (7)	Sharing best practice / common issues (4)
Roads / SLRP (6) Work with LGA / SAROC (6) Shared Resources/Efficiency (6)	Events / Forums / workshops (4)	Improved advocacy / Advocacy Plan (3)

Survey responses were further explored through 1-1- interviews, the member workshop and committee meetings. Some key observations are provided below.

Advocacy

A focus of the consultation was to determine whether there is a common picture of what successful regional advocacy looks like. Members consistently noted that the strength of fifteen Councils speaking with one united voice on issues affecting the region is the most important outcome they are seeking. Members are looking for Legatus to be more proactive in its advocacy through a planned and coordinated approach.

There was strong support for the development of an advocacy plan and framework to prioritise issues and guide when Legatus would take the lead, when a matter should be escalated to the LGA via SAROC, and when a matter should be progressed at a local or sub-regional level. The development of the advocacy plan and framework is a priority activity for Legatus to undertake in the next financial year, with the intention that the advocacy plan will be reviewed annually along with the business plan and budget.



It is not intended that Legatus will be responsible for all advocacy activities in the region, noting that there are existing relationships with State and Federal members and officials that can be leveraged. Rather, it is envisaged that Legatus will develop an advocacy plan outlining key positions, asks and activities (particularly in the lead up to State and Federal elections) to guide a coordinated and consistent approach to advocacy on common issues across the region.

Shared Services and Policy Consistency

Members presented mixed views about whether Legatus should play a role in coordinating shared services across the region. Some see Legatus as an ideal forum to address challenges such as workforce and skills shortages or consistent service standards; others consider that these operational matters are best tackled at a sub-regional level and driven by relationships between CEOs.

The Regional Waste Strategy was provided by some as a good example of work undertaken by Legatus to set common goals across the region, while leaving operational decision making to individual Councils.

While this remains a contested area of focus for Legatus, the consultation reinforced the value of having a forum for sharing best practice and working together to develop solutions to shared issues.

Committees

While administering and supporting committees and advisory groups was deemed through the survey to be something that Legatus should do less of, discussions with the members of the existing committees found that they are delivering benefits to the participants. Key benefits include information sharing, building networks, getting complex issues and potential risks 'on the radar', and developing solutions to shared challenges.

In particular, it was felt strongly that the Road and Transport Infrastructure Advisory Group should be retained given its important roles of undertaking regional transport planning, coordinating funding submissions for the Special Local Roads Program and successfully advocating to the LGA for changes to the governance and processes of the Local Government Transport Advisory Panel (LGTAP).

However, it was considered by some members that the role of committees needs to be revisited through a Terms of Reference review to ensure they are not creating additional work for Legatus in the operational space and stepping into the decision making domain of Council CEOs.

2.1.3 Directions for the Review

To seek directions from Legatus members about the key directions for the review, the survey asked participants to state the extent to which they agree or disagree with sentiments that had arisen from previous members consultation using the following rating scale:

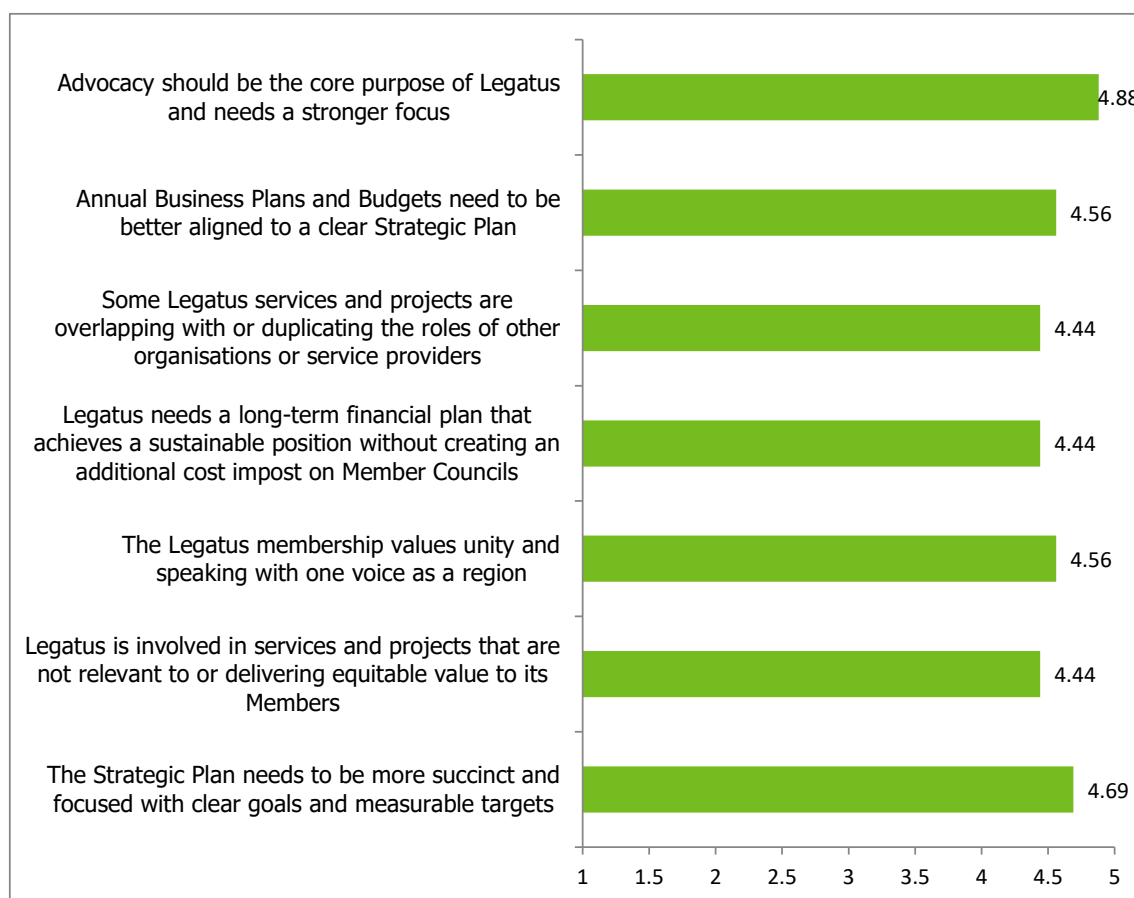
1 = Strongly disagree



2= Somewhat disagree
3 = Neutral
4 = Somewhat agree
5 – Strongly agree

The weighted averages of the responses are provided in Figure Two and confirm strong agreement with the opportunities for strategic and operational reform.

Figure Two: Key directions for the Strategic Review (weighted average)



Throughout the consultation it was consistently noted that there is too much on the agenda and Legatus needs to bring things 'back to basics'. It was also recognised that the Board needs to provide more direction on purpose and priorities and apply a stronger filter when making decisions about whether to commence or continue a project or initiative. Adopting a more succinct and focussed business plan was seen as a key part of achieving this aim.

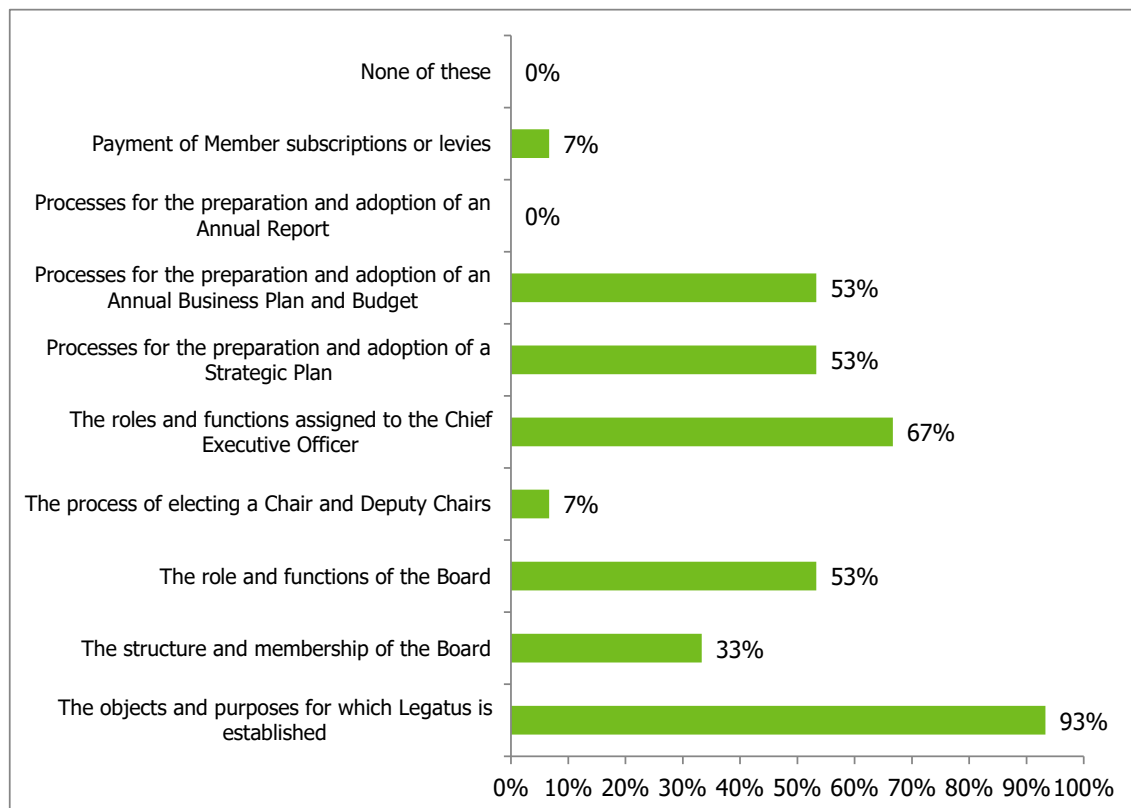
Inconsistency between the Strategic Plan and Annual Business Plan was identified as an issue, with some members commenting that there is no clear functional relationship between the two documents. Some members questioned whether there is an ongoing need for a Strategic Plan as it would be more efficient and effective to



maintain a four-year rolling business plan that is more agile and responds to changes in the operating environment through an annual review process.

Specifically in relation to the Charter, Figure Three outlines the areas of greatest focus for survey participants. These results were used to develop and test a series of change propositions with attendees at the workshop and have informed the recommendations in Section Four of this report.

Figure Three: Areas of focus for the Charter Review (% of respondents)

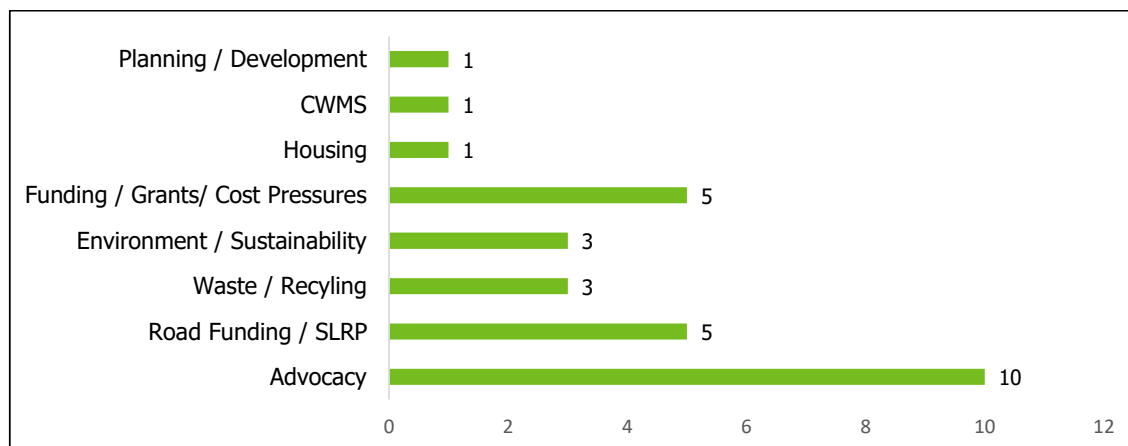


2.1.4 Strategic Priorities

To inform the development of a draft Strategic Plan, the survey asked participants to identify strategic priorities for the region over the next three (3) to five (5) years. Responses are summarised in Figure Four.



Figure Four: Legatus Strategic Priorities 3 – 5 years (number of responses)



Responses included under the theme of 'advocacy' include building relationships, partnerships and building the profile of Legatus and its members.

Members of the three Advisory Committees supported an ongoing focus on their specific areas of roads and infrastructure, waste, and CWMS.

The same questions was asked to attendees at the member workshop, with a focus on the outcomes that Legatus could achieve for the region. The key priorities identified included:

- Advocate for increased State and Federal government investment in the region, specifically in areas such as:
 - Financial Assistance Grants
 - Roads
 - Communications
 - Health
 - Housing
 - Childcare
 - Tourism (achieving equity with other regions)
- Calculate the cumulative impact of increased government fees and charges on Council budgets to build awareness of the cost impact to ratepayers and advocate for fairer funding models (ESCOSA review example).
- Prepare and implement a regional advocacy plan that will deliver a coordinated advocacy approach in the lead up to the next State and Federal elections – including sub-regional plans for each electorate across the region.
- Review and build on the Regional Transport Plan to outline the investment needs in the region to support economic growth (tourism, agriculture and mining etc) and also outline what Councils have to offer as a partner to attract / incentivise more investment.



- Review the criteria of State and Federal grant and investment programs to identify barriers to access for Councils in the region and advocate for changes that will make these investments easier to access and more equitable.

The workshop noted that some of these priorities are also of interest to other organisations such as the LGA and RDAs. Members agreed that before Legatus determines its role in progressing these issues or commits resources to a particular action, the CEO should engage with others to find out what is already being done and bring recommendations to the Board about how Legatus can connect with or leverage from what others are already doing.

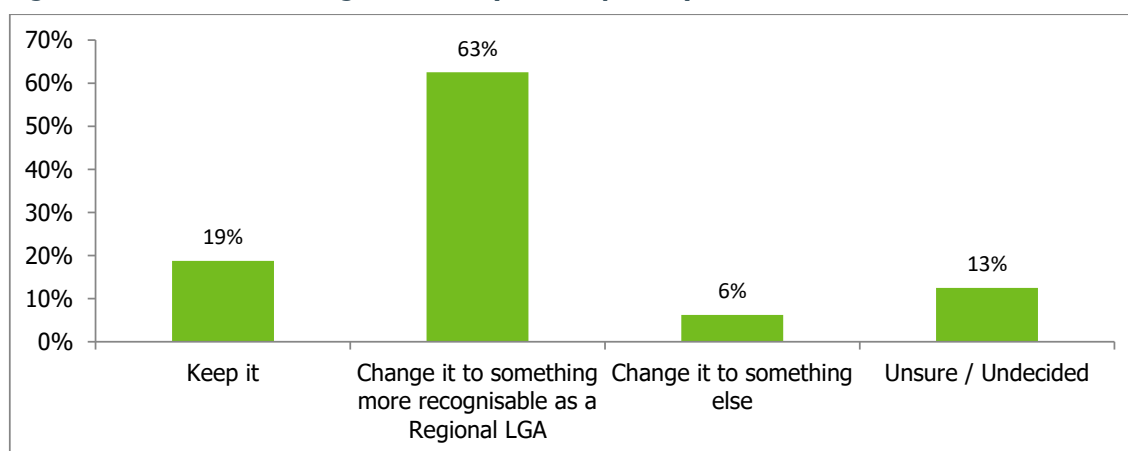
2.1.5 Legatus Name and Branding

The Legatus Group was adopted as the trading name of the Central Local Government Region in approximately 2016. There is currently no clear 'brand story' published on the website or in corporate documents to provides background on the brand and how it relates to the objects and purposes of the organisation.

As one Legatus Council has already formally raised a concern with the name and branding, this strategic review provided an opportunity to test the views of members.

Responses to the survey questions about the 'Legatus' brand are outlined in Figure Five.

Figure Five: Views on the Legatus Brand (% of responses)



The majority of survey respondents would support changing the name to something that is more recognisable as a Regional LGA. This view was also expressed strongly in most of the 1-1 interviews. The primary concerns were that 'Legatus' has no real meaning to its members and stakeholders and has no relevance to local government or the purpose of the subsidiary. Having a 'corporate' style brand is seen as a disadvantage to Legatus in its advocacy role as people who are unfamiliar with the organisation do not automatically make the connection to a body that is representative of regional councils and communities.

While there is clear support for changing the name and brand, there is some concern about the cost and focus required to undertake a rebrand and a query about whether



this is a priority at this point. As one survey respondent said, *'we need to look at what's in the building, not what's on the building'*. There is also a view that there is no obvious alternative for a large and diverse region, which is part of the reason Legatus chose a non-geographic name in a previous review.

While noting these concerns, the predominant view expressed by members is that it would be a lost opportunity to not change the name at the same time as adopting a revised Charter.

The Northern and Yorke Local Government Association (NYLGA) was the most common alternative name put forward. While the boundaries of the Northern and Yorke Landscape Board do not align exactly with the membership of Legatus, it does cover the majority of the region and is considered to be easily recognisable and understood.

3. COMPARATIVE REVIEW

In looking at opportunities to reform the Legatus Charter in response to member feedback, we have reviewed the charters or governing documents of other regional local government bodies, including:

- Eyre Peninsula Local Government Association (EPLGA)
- Limestone Coast Local Government Association (LCLGA)
- Southern and Hills Local Government Association (SHLGA)
- Murraylands and Riverland Local Government Association (MRLGA)
- Spencer Gulf Cities (Upper Spencer Gulf Common Purpose Group) (SGC)

The comparative analysis is provided at **Appendix One**.

With the exception of SGC, each of these bodies is established as a regional subsidiary under the *Local Government Act 1999*. As such, each of the Charters share common elements. This section of the report provides an overview of how Legatus is currently similar to or different from other regional local government bodies.

3.1 Membership and Subscriptions

With fifteen (15) members, Legatus has the largest number of Constituent Councils. Other regional bodies range from having three (3) to eleven (11) members, with the average number of members being 8.3 (including Legatus). In the main, other regional bodies are comprised of Councils within a well-defined geographic region (or regions), which is reflected in the name of the organisation.

All members of a regional body pay an annual subscription, which ranges from an average of \$10,835 to \$44,212 per Council. Legatus Councils currently pay an annual subscription of \$11,590 which is at the lower end of the range.



3.2 Objects and Purposes

Each regional body is established for similar purposes, primarily being advocacy and providing a structure for councils to share information and work together on a regional basis. Each subsidiary Charter prescribes between eight (8) to fourteen (14) objects or purposes, with many being identical or very similar.

One object or purpose that is common across most Charters that is not included in the Legatus Charter is a specific reference to working collaboratively with the Local Government Association of South Australia (LGA) in achieving its aims and objectives.

3.3 Board Membership

In three (3) out of the six (6) regional bodies, including Legatus, the Board comprises the Principal Members of Constituent Councils. Three (3) regional bodies allow for a Constituent Council to choose its appointed member (or members) to the Board (who may or may not be the Principal Member), and in two cases (EPLGA and SHLGA) that member may be an elected member or employee of the Council.

Legatus is the only regional body that does not include a specific provision about appointing a deputy member to the Board (noting that a Council may send a proxy to an AGM in place of the Principal Member).

All regional bodies have an office of President or Deputy / Vice President. Legatus is the only regional body that does not refer to the Chair of the Board as the President.

3.4 Strategic Plan

Half of the regional bodies do not require a separate Strategic Plan to be prepared. It is noted however, that while the SHLGA is not required to adopt a Strategic Plan it does have one published on its website.

Legatus and MRLGA require all Constituent Councils to approve their Strategic Plan. Other bodies either do not require one or the Charter is silent on the process for adoption.

3.5 Business Plan

All regional subsidiaries, in accordance with the Act, have provisions regarding the preparation of a business plan. Most are prepared on an annual basis, but the EPLGA and SHLGA provide for a four-year rolling business plan to be prepared (and reviewed on an annual basis to align with the development of an annual Budget). The regional subsidiaries that have a four-year business plan are those that are not required to adopt a Strategic Plan.

Approval processes for business plans vary. In most cases, an annual business plan requires adoption by a simple majority of the Board. However, the two bodies that have a four-year rolling business plan require adoption by a two-thirds majority of the Board.

3.6 Committees

All regional subsidiary Charters include an enabling provision for the Board to establish committees for any purpose related to its objects and purposes. These are broad powers and



enable the powers and functions of the Board or the CEO (principal officer) to be delegated to a committee (excluding any non-delegable powers listed in the Charter).

All other regional subsidiaries have sought (and been granted) an exemption from the Minister to establish an Audit Committee under the Act. However, this does not preclude those bodies from establishing a committee (using the provisions of its Charter) to undertake some or all functions of an Audit Committee.

Legatus and EPLGA are the only regional bodies to prescribe a specific committee for CEOs through its Charter.

3.7 **Levies or Project Fees**

All regional subsidiary Charters enable the imposition of a 'special levy' (sometimes referred to as a 'service levy' or 'project fee') on some or all members to raise additional funds for a specific purpose. The Charters provide an opportunity for members to object to the imposition of the levy or fee, and for a special meeting of the Board to be called to consider any objections received.

The LCLGA includes a provision for a member to elect to be excluded (opt-out) from the activity that is subject to a separate 'project fee'.

3.8 **Withdrawal of a Member**

Provisions relating to the withdrawal of a member vary across the regional bodies. In all cases, a member must give notice of their intention to withdraw, with the required notice period ranging from three (3) to thirty-six (36) months. Where a shorter notice period applies (3-6 months), the withdrawal only takes effect from 30 June to avoid disruption during a financial year.

In all cases, the withdrawing Council is required to pay all outstanding monies and is not entitled to a refund of any monies paid.



4. REVIEW OUTCOMES AND RECCOMENDATIONS

This review has identified several opportunities to amend the Legatus Charter to address member feedback and adopt contemporary and flexible governance practices. The outcomes and recommendations of the review are outlined in this section of the report and a draft Charter incorporating recommended changes is provided at **Appendix Two**.

Implementing the amended Charter will require Legatus to adopt a new business planning framework that is more agile and responsive to members needs and aspirations as they change over time. A proposed strategic plan framework that organises Legatus functions, objectives, priorities and performance measures under three key 'strategic pillars' of Advocate, Coordinate and Operate is provided at **Attachment Three**. The framework is, in effect, a new Legatus Strategic Plan that will inform the development of a Business Plan by setting clear directions and focus for the forthcoming four years.

4.1 Legatus Membership

The geographic size of the Legatus region and its fifteen member councils was highlighted by some members as a barrier to effective operation and delivering an equitable value proposition. The review considered whether structural change, such as dividing Legatus into two associations or adopting a sub-regional structure, would deliver a better outcome.

Review Outcomes	Recommendations
<p>A comprehensive assessment and business case would need to be prepared to quantify the potential costs and benefits of establishing two new regional subsidiaries. Undertaking this work is beyond the scope of this review and member feedback did not suggest there is a strong enough appetite to investigate alternative structural options at this time.</p> <p>The key advantage of maintaining a membership of fifteen councils is the strength of the united voice in advocacy. This strength could be diluted if the region was to be divided.</p> <p>However, the challenge of addressing operational issues at a regional level with fifteen diverse Councils is noted. In adopting its business plans and making decisions, the Board needs to apply a stronger filter in determining the value and benefit of its proposed activities to its diverse members.</p>	<ol style="list-style-type: none"> 1. Maintain the current membership structure of Legatus. 2. Seek Constituent Council endorsement of the amended Charter attached to this report (Refer to Appendix Two). 3. Adopt a succinct and focussed Strategic Planning Framework that consolidates advocacy as a key focus area (refer to Appendix Three). 4. As a priority action, prepare an Advocacy Plan and Framework to identify the priority outcomes and positions that Legatus will advocate for on behalf of its members. This Advocacy Plan will sit alongside the Legatus Business Plan to guide a targeted and tactical approach to advocacy.



4.2 Legatus Name and Brand

The majority of members support changing the name of Legatus to something that is more recognisable as a Regional LGA. The review considered whether a name and brand change would be an advantage.

Review Outcomes	Recommendations
<p>The Legatus Group name is confusing for members and stakeholders and potentially hinders strong advocacy by being mistaken for a third-party lobby group. The meaning and story behind the name has been lost over the years and it now stands out uncomfortably in the local government sector.</p> <p>The Northern and York Local Government Association (NYLGA) is considered to be a suitable alternative.</p> <p>Concerns about potential costs and effort of a full rebrand are noted. However, it is considered that the current 'flag' logo and branding elements can be retained to reduce the costs of transitioning to a new name. The flag is comprised of fifteen sections, which represents that Legatus is 'flying the flag' for its fifteen Constituent Councils.</p>	<p>5. Adopt the trading name <i>Northern and Yorke Local Government Association</i> in the amended Charter.</p> <p>6. Maintain the current 'flag' logo and branding elements.</p>

4.3 Objects and Purposes

It is important that the objects and purpose of a regional subsidiary outlined in its Charter are broad and flexible enough to enable the subsidiary to operate effectively and meet the changing needs of its members. If the objects and purposes are too narrowly defined, it may stifle opportunities and innovation as a Charter amendment will be required to undertake any additional functions.

Review Outcomes	Recommendations
<p>The draft Charter maintains nine broad objects that enable the subsidiary to operate in a flexible way. The nine proposed objects have been drawn from the existing Charter and those of other regional local government bodies, particularly those with a strong emphasis on advocacy and representation.</p>	<p>7. Adopt the nine amended objects and purpose outlined in the draft Charter (Clause 1.6)</p>

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Where relevant, new wording has been proposed to express the intent more clearly.

One new object and purpose has been included relating to working with the LGA and other regional local government bodies. This reinforces the feedback from members that Legatus needs to work more closely with the LGA and SAROC to avoid role duplication and overlap. It also reflects that Legatus may continue to have a role in coordinating SAROC elections for the region and participating in LGA led activities such as the Local Government Functional Support Group.

While members want less focus on projects and operational issues, enabling provisions relating to projects, plans and policies still need to be included in the Charter to maintain functions such as a Regional Transport Plan, SLRP coordination and a Regional Waste and Resources Strategy.

4.4 Membership of the Board

The review considered whether the Principal Member of the Constituent Councils should continue to be automatically appointed to the Board and whether there is utility in each Constituent Council nominating a proxy Board Member.

Review Outcomes	Recommendations
<p>Legatus is not unique in having a Board comprised of the principal members of its Constituent Councils. In circumstances where Councils have the option to appoint any of its elected members (or staff), it is uncommon for the principal member to not serve on the Board of their Regional LGA. Therefore, we have found no compelling reason to amend the Charter in this regard.</p> <p>However, there are likely to be circumstances where a Principal Member is unable to attend a Board meeting. Having an appointed proxy Board Member ready to step in on these occasions is advantageous. In taking on the role of proxy Board Member, the appointed person is accepting some level</p>	<p>8. Maintain the position in the Charter that the Board shall consist of all the principal members of the Constituent Councils (Clause 3.2.1).</p> <p>9. Adopt the amendments to the Charter that enable Constituent Councils to appoint a proxy Board Member to act as a Board Member only when the principal members is not present or taking part in a meeting (Clause 3.2.3).</p> <p>10. Adopt the amendments to the Charter that limit a proxy Member acting as the Board Member more than twice in a twelve month period (Clause 3.2.4).</p>

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<p>of responsibility to remain aware of the affairs of Legatus in the event that they need to participate in a meeting in the absence of the principal member.</p> <p>Therefore, the draft Charter includes a provision that enables (but does not require) Constituent Councils to appoint an elected member as a proxy Board Member. The proxy Board Member will only have any rights or obligations under the Charter when the principal member of their Council is neither present (physically) or taking part (electronically) in a Board meeting or AGM.</p> <p>To address concerns expressed by the Board that a nominated proxy Board Member could result in the Principal Member choosing not to participate, a limit of two meetings in any twelve months has been introduced. If there are circumstances where the limit should not be exercised, the Chair may give approval in writing for a proxy Member to act as the Board Member more than twice in twelve months.</p> <p>For the sake of clarity, the draft Charter also specifies that a proxy Board Member cannot be elected to the office of Chair or Deputy Chair (Clause 3.5.2)</p>	
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4.5 Officer Bearers

The review considered the appointment, term, role and title of officer bearers to determine if the current provisions are contemporary compared to other regional local government bodies.

Review Outcomes	Recommendations
<p>Appointing office bearers for a two-year term at an AGM is considered to be an acceptable practice, noting that office bearers are eligible for reappointment at the expiry of their term if continuity is favoured by the membership.</p> <p>It was raised during member consultation that it is unusual for a Board to have two Deputies and it is unclear what the role of</p>	<p>11. Adopt position descriptions for the Chair and Deputy Chairs to outline the requirements and responsibilities for the roles.</p> <p>12. Adopt the amendments to the Charter that refer to the Chair as the President and the Deputy Chairs as Deputy Presidents (Clause 3.5.1)</p>

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Deputy Chair entails. As the current arrangements appear to work well in practice, we have not made a recommendation for a change to the Charter in this regard. However, to provide greater clarity about the roles of office bearers and associated responsibilities and skills, it is recommended that position descriptions be developed prior to the next election.

We note that all other Regional LGAs refer to their office bearers as President or Deputy / Vice President. For consistency, and to provide the roles with more gravitas in undertaking advocacy functions, it is recommended that the Charter be amended to refer to the officer bearer positions as President and Deputy Presidents.

4.6 Chief Executive Officer

A separate review of the Legatus CEO position has been commissioned, which will consider the functions, title and employment arrangements for the position. This review has considered how the role should be established in the Charter to provide Legatus with flexibility in how it appoints a CEO.

Review Outcomes	Recommendations
<p>Feedback received from members has highlighted different views about the Legatus CEO position in relation to whether the role should be a Chief Executive Officer or an Executive Officer, full time or part time or an employee or contractor. These matters are yet to be settled.</p> <p>The current Charter establishes the role as a Chief Executive Officer employed by Legatus and assigned a broad range of administrative, HR, record keeping and financial management functions.</p> <p>To provide more flexibility to Legatus in the future, the draft Charter has been amended to provides that the CEO may or may not be an employee of the Legatus Group, may be given a different title, and may be appointed</p>	<p>13. Adopt the amendments to Part 4 of the Charter and consequential amendments to:</p> <ul style="list-style-type: none"> a. Enable the position to be given a different title by resolution of the Board; and b. Provide that the CEO (or another title given by the Board) may, but need not be, an employee of Legatus.

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<p>under terms and conditions agreed between the Board and the appointee.</p> <p>The functions assigned to the Chief Executive Officer in the Charter remain largely unchanged as they are necessary for the efficient and effective day to day operation of the organisation.</p> <p>For the avoidance of doubt, adopting the recommended changes to the Charter does not alter the employments arrangements that are in place with the current CEO.</p>	
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4.7 Strategic Plan and Business Plan

The review considered the process of developing and adopting strategic and business plans to address member feedback that current plans are not aligned and not delivering a clear, focussed and prioritised agenda. In particular, the review considered whether the current planning framework outlined in the Charter is contemporary and fit for purpose.

Review Outcomes	Recommendations
<p>Strong feedback received from members is that the draft Legatus Strategic Plan prepared under the current Charter does not set a clear strategic direction for Legatus, contains too much operational detail, duplicates the role of the annual business plan and budget setting process and creates too many layers of planning and bureaucracy.</p> <p>While the scope of the review was to prepare a new Strategic Plan that addressed this feedback, we also looked for opportunities within the Charter to streamline processes and establish a more contemporary business planning framework.</p> <p>Legatus is not bound by the same requirements as a Council to undertake multiple layers of planning and reporting. However, the current Charter requires Legatus to adopt a four-year Strategic Plan, a two-year Action Plan and an Annual Business Plan. This is considered to be an excessive and complex planning framework</p>	<p>14. Adopt the amendments to Part 6 of the Charter and consequential amendments to:</p> <ul style="list-style-type: none"> a. Replace the requirement to adopt a Strategic Management Plan and Two-Year Action Plan with a requirement to have a rolling Business Plan with respect to the forthcoming four years; b. Require the rolling four-year Business Plan to identify objectives, principal activities and performance measures for period; c. Require the rolling four-year Business Plan to set out the means by which activities are to be carried out and financial projections across the period; d. Maintain an annual review of the Business Plan and adoption of an Annual Budget;



<p>that is contributing to operational inefficiencies and strategic misalignment.</p> <p>Having regard to the approaches used by other regional bodies and contemporary governance practices, it is proposed to consolidate the planning framework into a rolling Business Plan that plans ahead for the forthcoming four years. As a rolling plan, it needs to be updated annually and would set out the objective, principal activities and performance measures to be achieved across the next four years. This process would be undertaken in conjunction with the setting on an annual Budget and done in consultation with Constituent Councils.</p> <p>The advantage of this approach is that it overcomes the 'static' nature of Strategic Plans and combines strategic goals and operational considerations within a single document. Having a four-year Business Plan that is reviewed and updated on an annual basis will provide Legatus with more agility in responding to strategic risks and adapting to changing circumstances.</p> <p>It is proposed that the Business Plan would be adopted by a simple majority of the Board following an eight-week period of consultation with Constituent Councils (as per the current Annual Business Plan and Budget process).</p> <p>There are no changes proposed to the requirements to adopt and annual budget or prepare an annual report.</p> <p>As it will take some time to transition to the proposed new arrangement, it is intended that an interim Strategic Plan will be prepared that will establish the foundation for the first iteration of a rolling four-year Business Plan by establishing key strategic pillars, objectives and performance measures.</p>	<p>e. Require consultation with Constituent Councils prior to adoption or amendment of a Business Plan; and</p> <p>f. Remove the requirement to adopt an Annual Business Plan, noting that these functions will be achieved via an annual review of the Business Plan and Budget.</p>
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4.8 Audit and Risk Committee

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The review considered whether Legatus should be required to establish an Audit Committee under the Act or whether to request the exemption that has been provided by the Minister to other Regional LGAs.

Review Outcomes	Recommendations
<p>As outlined in Section 3 of this report, all other Regional LGAs established under the Act have sought and been granted an exemption from the requirement to establish an Audit Committee under the Act.</p> <p>While it does not necessarily follow that Legatus should seek the same exemption on this basis alone, we have considered whether the Legatus has the financial and operational complexity to warrant the more rigorous audit and risk requirements of the Act to apply.</p> <p>Legatus it is not a complex service provider or regulator and does not own or operate significant assets. This does call into question whether it needs to be subject to the same audit and risk requirements as a Council. However, feedback from some members is that the Audit and Risk Committee provides an important level of advice and oversight and expressed concern that establishing the Committee could become optional.</p> <p>Before an exemption from the requirement to establish an Audit Committee can be sought from the Minister, all Constituent Councils would need to pass a resolution in support of seeking the exemption. As this is unlikely to be achieved, it has been recommended the Legatus continue to be required to establish an Audit Committee under the Act.</p>	<p>15. Maintain the requirement to establish an Audit Committee under the Act and in accordance with the Charter (Clause 6.4)</p> <p>16. Update the Charter to refer to the Audit and Risk Committee.</p>

4.9 Committees and Regional Management Group

The review considered whether any Committees should be prescribed in the Charter with assigned roles and functions, including the Regional Management Group.

Review Outcomes	Recommendations
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<p>Committees are an important mechanism to support a Board to deliver its strategic objectives. They can bring in specialist skills and knowledge from outside an organisation and create capacity for a Board to focus on strategic priorities without being bogged down in technical or operational detail. However, Committees can be resource intensive to administer and must deliver value commensurate with this effort.</p> <p>Advisory Committees</p> <p>The Legatus Board currently has three advisory committees appointed under its Charter:</p> <ul style="list-style-type: none"> • Road and Transport Infrastructure Advisory Group • Waste Management Advisory Group • CWMS Advisory Committee <p>Advisory Committees should be retained, but subject to regular review to ensure their purposes, functions and outputs remain relevant and deliver value to Legatus Councils.</p> <p>Regional Management Group</p> <p>The Charter also specifically established a Regional Management Group comprised of the Legatus CEO and CEOs of Constituent Councils.</p> <p>There was clear feedback given during the consultation, particularly from CEOs, that the Regional Management Group is not functioning effectively as a committee of Legatus. While some see value in continuing to meet informally to discuss common issues and share information, there is less value in meeting for the purpose of implementing and delivering the strategic objectives of Legatus. As we have not been able to establish a clear purpose or function for the Regional Management Group, we are recommending that the requirement to have one be removed from the Charter. This does not preclude the Board from establishing a</p>	<p>17. Retain Clause 7.10 in the Charter which provides broad powers to the Board to establish committees comprised of Board Members and/or other persons.</p> <p>18. Undertake a review of the Terms of Reference of all Committees established under the Charter at least once every two years to ensure they remain aligned to strategic priorities.</p> <p>19. Adopt the amendments to Charter to remove Clause 7.11 which requires the establishment of the Regional Management Group.</p> <p>20. Retain a reference in the Charter enabling Council CEOs (or their delegate) to attend Board meetings and provide advice and support to the Board as may be required (Clause 3.6.5)</p> <p>21. Develop Terms of Reference for an Executive Committee comprised of the Chair (President), Deputy Chairs (Deputy President and the CEO of a Constituent Council to provide guidance and advice to the CEO on the agenda for Board meetings and the implementation of Board decisions.</p>
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committee of CEOs at any point in the future if the need to have one is established. It is recommended that the provisions that enable Council CEOs to attend Board meetings and provide advice and support where required is retained.

Executive Committee

While not formally established as a Committee of Legatus, it has become an established practice for the Chair, Deputy Chairs and Chair of the Regional Management Group to meet regularly with the Legatus CEO to guide the development and implementation of the agenda set by the Legatus Board. As the Board meets quarterly, this meeting provides a forum for progress to be guided and monitored between meetings. This is considered to be a good practice that could be formalised by the adoption of an Executive Committee Terms of Reference by the Board. To avoid establishing another level of bureaucracy, it is not envisaged that specific functions or powers will be delegated to the Executive Committee or that formal minutes or meeting procedures will be required.

4.10 Special Purpose Levy

Feedback received during consultation on the review suggested that the Legatus Board should adopt a 'user-pays' approach to some of its projects and initiatives that are specific to a particular grouping of Councils. These comments were made in relation to delivering an equitable member value proposition and reducing pressure on annual member subscriptions. The review has considered whether the special purpose levy in the Charter adequately enable this approach, where it is deemed appropriate by the Board.

Review Outcomes	Recommendations
The Charter enables the Legatus Board to impose a levy on some or all Constituent Councils for a specified purpose or purposes. Councils must be consulted, and any objections must be considered by the Board.	22. Adopt the insertion of a new Clause in the Charter (Clause 5.4.8) which would enable a Constituent Council to 'opt out' of an activity that is subject to a special levy if the Board is satisfied that the

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<p>A view was expressed by some members that the special purpose levy provisions could be used to fund initiatives that are of interest or benefit to a particular group of Councils. There is no change to the Charter required to enable this to occur.</p> <p>If the Board did want to make greater use of the special levy provisions in the future to fund specific projects or activities, it is recommended that an 'opt out' Clause be inserted to enable Councils to elect to be excluded from the activity. This approach has been modelled on the 'Project Fees' provisions in the Limestone Coast LGA Charter. However, the proposed amendments to the Legatus Charter would require the Board to be satisfied that any Council that elects to 'opt out' would not receive a material benefit from the activity. This would avoid a potential situation where a Council is gaining the benefits from a Legatus activity without making an equitable financial contribution.</p>	<p>Council will not receive a material benefit from the activity.</p>
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4.11 Withdrawal of a Member

<i>The review has considered whether the Charter provides for a process that is fair and reasonable to Legatus and a Constituent Council in the event that a Council wanted to seek approval from the Minister to withdraw from Legatus.</i>	
Review Outcomes	Recommendations
<p>The Charter currently requires a Council to provide 18 months' notice of its intention to withdraw. While this provides Legatus with time to complete two budget cycles and plan for the financial impact of the withdrawal, it could create disruption and conflict by requiring an unwilling Council to serve out a long notice period.</p> <p>Drawing from the approaches used by other Regional LGAs, we propose that the withdrawal notice period be reduced to a minimum of six months, with the withdrawal</p>	<p>23. Adopt the amendments to Clause 7.4 of the Charter to:</p> <ul style="list-style-type: none"> a. require a Council to provide written notice of its intention to withdraw by 31 December b. specify that withdrawal cannot come into effect until the following 30 June (in effect providing a minimum six month notice period) c. specifying that the withdrawing Council remains liable for the

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<p>to take effect from the 30 June following the expiry of the six month notice period.</p> <p>In effect, this means that a Council must give notice of its intention to withdraw by December 31 for the withdrawal to be able to take effect in the following financial year. In this scenario, Legatus would have six months to adjust its business plan and budget to reflect the changed membership.</p> <p>Under the proposed model, if, for example, a Council gave notice to withdraw in March 2024, the withdrawal would not take effect until June 30, 2025, and the withdrawing Council would be required to pay a subscription for the 2024/25 financial year.</p>	<p>payment of any or all financial contributions during the withdrawal period and is not entitled a refund on any monies paid.</p>
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APPENDIX ONE – REGIONAL LGA COMPARATIVE ANALYSIS

	Legatus Group	Eyre Peninsula LGA	Limestone Coast LGA	Southern and Hills LGA	Murraylands and Riverland LGA	Spencer Gulf Cities
General						
Structure	Regional Subsidiary s.43 LG Act	Regional Subsidiary s.43 LG Act	Regional Subsidiary s.43 LG Act	Regional Subsidiary s.43 LG Act	Regional Subsidiary s.43 LG Act	Incorporated Association under Associations Incorporation Act
Members	15 Councils	11 Councils	7 Councils	6 Councils	8 councils	3 Councils
Value of Member Subscriptions 2022/23	\$173,900	\$119,186	\$309,487 (base subscriptions) \$832,060 (total member contributions)	\$132,680	\$164,965	Data not available
Average subscription per Member	\$11,590	\$10,835	\$44,212	\$22,113	\$20,620	Data not available
Total budget 2022/23	\$500,200	\$388,740	\$1,269,812	\$369,743	\$373,849	Data not available
Charter						
Adoption	September 2022	September 2018	September 2015	January 2022	October 2019	January 2017
Objects / Purpose (see separate analysis for details)	12 objects / Purposes	8 objects / purposes	10 objects / purposes	8 objects / purposes	14 objects / purposes	1 object / purpose
Board Membership	The Board comprises of the Principal Member	Each Constituent Council may appoint either one	Each Constituent Council may appoint one	Each Constituent Council may appoint two	The Board comprises of the Principal Member	The Board comprises the

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	of each Constituent Council.	elected member or one officer (employee) to the Board.	elected member to the Board.	people to the Board. One must be an elected member and the other may be either an elected members or an employee of the Council.	of each Constituent Council.	Mayors of the Member Councils. The CEOs of the Member Councils are ex-officio Members of the Board.
Deputy Board Members	The Charter notes that when the Principal Member is on leave, the Deputy Mayor will act in the role of Principal Member. A Council may nominate a proxy to attend the AGM if the Board Member is unable to attend.	Each Constituent may appoint either one elected member or one officer as a Deputy Board Member If neither the Board Member or Deputy Board Member can attend a meeting, a proxy may be appointed in writing.	Each Constituent Council may appoint two elected members as Deputy Board Members. If neither the Board Member or Deputy Board Members can attend a meeting, another elected member may seek approval from the meeting to serve as a proxy.	Each Constituent Council may appoint one Deputy Member for each Board Member. If neither the Board Member or Deputy Board Member can attend a meeting, a proxy may be appointed in writing.	Each Constituent Council may appoint two elected members as Deputy Board Members.	Each Member may appoint an elected member of the Council to be a proxy.
Officer Bearers	A Chair and two Deputy Chairs are elected by Board Members at an AGM for a two-year term.	A President and Deputy President are elected by the Board at a meeting in February in the year following the periodic local government elections.	A President and Vice President are elected by Board Members at each AGM.	A President and Deputy President are elected by the Board for a two-year term.	A Chair (referred to as President) and Deputy Chair (referred to as Deputy President) are elected by Board Members at an AGM for a one-year term.	The Chair is appointed by the Board in a manner and for a term determined by the Board.

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					Special provisions are in place for these appointments in a local government election year.	
Strategic Management Plan	Must adopt and implement a 4-year Strategic Plan, with a 2-Year Action Plan. The Strategic Plan must be approved by all Constituent Councils.	No provision in the Charter for a Strategic Management Plan (see Business Plan)	Must adopt and implement a Strategic Management Plan. The Charter does not set out the term of the Plan or the process for adoption. The Strategic Management Plan must be reviewed at least once every 5 years.	No provision in the Charter for a Strategic Management Plan (see Business Plan)	Must prepare a 5-year Strategic Management Plan, consistent with a LTFP. The Strategic Plan must be approved by all Constituent Councils.	No provisions in the Charter for Strategic Management Plan.
Long Term Financial Plan (LTFP)	The Charter provides a definition of a LTFP, with no corresponding requirement to adopt one.	No provision in the Charter for a LTFP.	No provision in the Charter for a LTFP.	No provision in the Charter for a LTFP.	Requirement to adopt a 5-year LTFP in the same form as the Act requires for Councils.	No provision in the Charter for a LTFP
Annual Business Plan / Budget	Annual Business Plan must be prepared in consultation with Councils. Requires adoption by a simple	Rolling four-year business plan that is reviewed annually in consultation with Councils.	Annual Business Plan must be prepared in consultation with Councils (8-week minimum consultation period).	Rolling four-year business plan that is reviewed annually in consultation with Councils.	Annual Business Plan must be prepared in consultation with Councils. Requires adoption by a simple	No provision in the Charter for an Annual Business Plan / Budget.

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	majority of the Board.	Annual budget requires adoption by a two-thirds majority of Board Members.	Requires adoption by a simple majority of the Board.	Annual budget requires adoption by a two-thirds majority of Board Members.	majority of the Board.	
Audit Committee	Charter establishes a five-person audit committee with membership to be approved by Constituent Councils.	Subject to the approval of the Minister, the EPLGA will not have an Audit Committee.	Subject to the approval of the Minister, the LCLGA will not have an Audit Committee.	Subject to the approval of the Minister, the S&HLGA will not have an Audit Committee.	Subject to the approval of the Minister, the MRLGA will not have an Audit Committee.	N/A
Levies	Special levies may be imposed by a decision of the Board, with decision to be reviewed by the Board on objection of one or more Constituent Councils.	Any budget that provides for an additional financial contribution by members must be submitted to Constituent Councils for approval and must be approved by a two thirds majority of the Constituent Councils.	'Project Fees' may be imposed by a decision of the Board for specified activities, with decision to be reviewed by the Board on objection of one or more Constituent Council. A Council may elect to be excluded from the activity subject of the project fee.	Service charges may be levied by the Board for services provided to Constituent Councils. Any budget that provides for an additional financial contribution by members must be submitted to Constituent Councils for approval and must be approved by a two thirds majority of the Constituent Councils	Special levies may be imposed by a decision of the Board, with decision to be reviewed by the Board on objection of one or more Constituent Councils.	N/A
Withdrawal of Member	A Member must give not less than 18 months' notice	A member must give minimum of six months' notice	A Member must give not less than three months'	A member must give minimum of six months' notice	A Member must give not less than 36 months' notice	No specific provision in the Charter for the

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	of intention to withdraw.	of intention to withdraw.	notice of intention to withdraw.	of intention to withdraw.	of intention to withdraw.	withdrawal of a member
	Subscriptions and any outstanding monies must be paid up to the notice date.	Withdrawal takes effect from 30 June. No refund of any contributions made.	Subscriptions and any outstanding monies must be paid up to the notice date.	Withdrawal takes effect from 30 June. No refund of any contributions made.	Subscriptions and any outstanding monies must be paid up to the notice date.	

Regional Local Government Bodies – Objects and Purposes					
Legatus	Eyre Peninsula LGA	Limestone Coast LGA	Southern and Hills LGA	Murraylands and Riverland LGA	Spencer Gulf Cities
Undertake co-ordinating, advocacy and representational roles on behalf of the Constituent Councils at a regional level;	To work collaboratively with the LGA to achieve the aims and objectives of the LGA.	Work in association with both the LGA and the Australian Local Government Association	To work collaboratively with the LGA for the benefit of Constituent Councils and Affiliates;	Work with the Local Government Association of South Australia (LGA) in achieving its aims and objectives;	The purpose of the Association is to provide a forum for information sharing, collaborative action and a united voice by the regional cities of Port Augusta, Whyalla and Port Pirie.
Facilitate and co-ordinate activities of local government at a regional level related to community and economic development with the object of achieving improvement for the benefit of the communities of the Constituent Councils;	To encourage, promote, protect and foster an efficient and effective autonomous, democratic system of local government elected by and responsible to local communities.	Undertake co-ordinating, advocacy and representational roles on behalf of its Constituent Councils at a regional level;	To encourage, promote, protect and foster an efficient and effective autonomous, democratic system of local government elected by and responsible to local communities;	Provide strong advocacy speaking with one voice on what matters most to the communities of the Constituent Councils;	

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Develop, encourage, promote, foster and maintain consultation and cooperation and to strengthen the representation and status of local government when dealing with other governments, private enterprise and the community;	To act as a forum for discussion and consideration of matters relating to the powers, functions and duties of the Constituent Councils under the Act and other statutory provisions in relation to the region.	Facilitate and co-ordinate activities of local government at a regional level related to social, environmental and community development with the object of achieving improvement for the benefit of the communities of its Constituent Councils;	To identify available resources within the region of Constituent Councils and Affiliates and to co-ordinate or assist in coordinating the management of these resources for the betterment of the region's community;	Work together to make the best use of available resources;	
Develop further co-operation between the Constituent Councils for the benefit of the communities of the Region;	To identify available resources within the region and to co-ordinate or assist in coordinating the management of these resources for the betterment of the region's community.	Develop, encourage, promote, foster and maintain consultation and co-operation and to strengthen the representation and status of local government when dealing with other governments, private enterprise and the community;	To encourage, assist, seek out, determine, assess and respond to the needs and aspirations of the region's constituents;	Build partnerships with those who can contribute to stronger and more sustainable communities;	
Develop and manage policies which guide the conduct of programs and projects in the region with the objective of securing the best outcomes for the communities of the Region;	To encourage, assist, seek out, determine, assess and respond to the needs and aspirations of the region's constituents.	Develop further co-operation between its Constituent Councils for the benefit of the communities of its region;	To develop, encourage, promote, foster and maintain consultation and co-operation between local government authorities, State and Commonwealth Governments and their instrumentalities;	Develop and implement a robust Annual Business Plan consistent with the intent of the Strategic Plan;	

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Undertake projects and activities that benefit the Region and its communities;	To develop, encourage, promote, foster and maintain consultation and co-operation between local government authorities, State and Commonwealth Governments and their instrumentalities.	Develop and manage policies which guide the conduct of programs and projects in its region with the objective of securing the best outcomes for the communities of the region;	To develop, encourage, promote, foster and maintain the financial and economic well-being and advancement of the region and if desirable for such purpose to undertake, establish, acquire, conduct or dispose of any business, enterprise, undertaking or venture which in the opinion of the Subsidiary is necessary, desirable or convenient;	To undertake coordinating, advocacy and representational roles for its Constituent Councils at a regional level;	
Associate, collaborate and work in conjunction with other regional local government bodies for the advancement of matters of common interest;	To develop, encourage, promote, foster and maintain the financial and economic wellbeing and advancement of the region and if desirable for such purpose to undertake, establish, acquire, conduct or dispose of any business, enterprise, undertaking or venture which in the opinion of the EPLGA is necessary, desirable or convenient.	Undertake projects and activities that benefit its region and its communities;	To effectively liaise and work with the State and Commonwealth Governments and their instrumentalities on a regional basis for the general enhancement of the region;	To facilitate and coordinate activities of local government at a regional level on behalf of our Constituent Councils;	

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Provide strong advocacy speaking with one voice on what matters most to the communities of the Constituent Councils;	To effectively liaise and work with the State and Commonwealth Governments and their instrumentalities on a regional basis for the general enhancement of the region.	Associate, collaborate and work in conjunction with other regional local government bodies for the advancement of matters of common interest;	To act as a forum for discussion and consideration of matters relating to the powers, functions and duties of the Constituent Councils and Affiliates under the Act and other statutory provisions in relation to the region.	To develop, encourage, promote, foster and maintain consultation and cooperation and to strengthen the representation and status of local government;	
Work together to make the best use of available resources		Implement programs that seek to deliver local government services on a regional basis; and		To develop further cooperation between its Constituent Councils for the benefit of the communities in the region;	
Collaborate to deliver effective services;		To effectively liaise and work with the State and Commonwealth Governments and instrumentalities on a regional basis for the general enhancement of the region.		To develop and manage policies which guide the conduct of programs and projects in the region;	
Build partnerships with those who can contribute to stronger and more sustainable communities;				To undertake projects that benefit the region and its communities;	
Develop and implement a robust Business Plan consistent with the Region Plan.				To facilitate and coordinate collaborative procurement activities for the collective benefit of the Constituent Councils and other non-Constituent Councils;	

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				<div>To maximize the benefits of collaborative procurement through developing and implementing procurement policies and procedures;</div> <div>To improve financial sustainability of the Constituent Councils by improvement of operational efficiency in procurement and process management</div>	
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APPENDIX TWO – DRAFT CHARTER (ATTACHED SEPARATELY)

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APPENDIX THREE – STRATEGIC PLAN FRAMEWORK (ATTACHED SEPARATELY)

14.2 LOCAL GOVERNMENT ASSOCIATION OF SOUTH AUSTRALIA - SUBMISSIONS FOR LOCAL GOVERNMENT PARTICIPATION AND ELECTIONS REVIEW

Record Number: D24/2408

Author: Manager Governance

Authoriser: Acting Director Corporate Services

Attachments: 1. Local Government Participation & Elections Review - Discussion Paper
 
2. Local Government Participation & Elections Review - Consultation Paper
 

EXECUTIVE SUMMARY

- The purpose of this report is to provide Council Members with the opportunity to submit feedback on the Local Government Association of South Australia (LGA) submission for the Local Government Participation and Elections Review arising from the *Statutes Amendment (Local Government Review) Act 2021*. LGA are coordinating the preparation of a sector-wide submission to the review.
- The review commenced at the end of October 2023 and is currently open for consultation. On 6 December 2023, the Office of Local Government provided an online information session. The recording (and PowerPoint slides) is available here: [OLG Online Information session - Participation & Elections Review](#).
- The 'Local Government Participation and Elections Review Discussion Paper', presented as **Attachment 1** to this report, outlines the topics being considered in the review and provides some guiding questions for Council to consider in providing feedback.
- The 'template Consultation Paper', presented as **Attachment 2** to this report, can assist Council to provide feedback.
- To be considered, feedback must be submitted by 5.00pm Friday, 2 February 2024 to allow the LGA time prepare a document before the consultation closes on 1 March 2024.

RECOMMENDATION 1

"that Council, having considered Item 14.2 – *Local Government Association of South Australia - Submissions for Local Government Participation and Elections Review*, dated 29 January 2024, receives and notes the report."

RECOMMENDATION 2

"that Council, having considered Item 14.2 – *Local Government Association of South Australia - Submissions for Local Government Participation and Elections Review*, dated 29 January 2024, submits the following feedback to the Local Government Association of South Australia for consideration in their submission for the Local Government Participation and Elections Review:

_____."

BUDGET IMPACT

Estimated Cost:	Nil
Future ongoing operating costs:	Nil
Is this Budgeted?	Not applicable

RISK ASSESSMENT

To be considered, feedback must be submitted by 5.00pm Friday, 2 February 2024 to allow the LGA time prepare a document before the consultation closes on 1 March 2024.

DETAILED REPORT

Purpose

The purpose of this report is to provide Council Members with the opportunity to submit feedback on the Local Government Association of South Australia (LGA) submission for the Local Government Participation and Elections Review arising from the *Statutes Amendment (Local Government Review) Act 2021*. LGA are coordinating the preparation of a sector-wide submission to the review.

The Review commenced at the end of October 2023 and is currently open for consultation.

Background

As outlined in the *'Local Government Participation and Elections Review Discussion Paper'*, presented as **Attachment 1** to this report, four key topics are covered:

1. How people engage and participate with their council;
2. How we can encourage greater numbers and more diverse candidates;
3. How we can increase voter turnout; and
4. How we can make sure that council elections are run efficiently, with the highest level of integrity.

For each of these topics, the discussion paper provides a brief snapshot of current requirements, and changes over time. Each section also puts forward some ideas for improvements.

The LGA is seeking feedback on the ideas for improvement, and other ideas Council may have to improve community engagement both at, and between, elections to be implemented in the Act.

Conclusion

Council is invited to provide feedback to the LGA on their submission for the Local Government Participation and Elections review. The *'template Consultation Paper'*, presented as **Attachment 2** to this report, can be used to assist Council in providing feedback. For feedback to be considered, submissions must be received by 5.00pm Friday, 2 February 2024 to allow the LGA time prepare a document before the consultation closes on 1 March 2024.

References

Legislation

Local Government Act 1999

Council Policies/Plans

Strategic Plan 2021-2024 Proactive Leadership

Local Government Participation and Elections Review

Discussion Paper

October 2023



Government of South Australia

Department for Infrastructure
and Transport

**Build.
Move.
Connect.**

Disclaimer

While every reasonable effort has been made to ensure that this document is correct at the time of publication, the Minister for Local Government, its agencies, instrumentalities, employees and contractors disclaim any and all liability to any person in respect to anything or the consequence of anything done or omitted to be done in reliance upon the whole or any part of this document.

We acknowledge the Traditional Custodians of the Country throughout South Australia and recognise their continuing connection to land and waters. We pay our respects to the diversity of cultures, significance of contributions and to Elders past, present and emerging.



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Minister's foreword



Nearly 35 years ago, I threw my hat in the ring and stood for election to my local council. And after 20 years as a council member—including six as Mayor—and 14 as a Member of Parliament, I can confidently say that this was one of the best decisions of my life.

I stood for council for the same reasons that many South Australians do; because I wanted to get involved in the local decisions that have such an impact on our day-to-day lives. It's a challenging role, but one that also has tremendous rewards. I can honestly say—and often do—that my time as a local elected member has been one of the best of my life.

I'm passionate about local government, local leadership, and local decision-making. That's why I am also passionate about encouraging every South Australian to get involved with their council—to have your say about council decisions and activities, and,

at election time, to make sure you have your say about who will represent you and make decisions on your behalf by voting.

I'm also passionate about making sure that we have as many South Australians as possible making the same decision that I did so many years ago—to turn my commitment to my community into a decision to run for council and put that commitment into action.

This discussion paper poses a number of questions about how we can improve participation in local government, both throughout councils' terms, and at election times.

It poses some bold ideas that might be challenging or even controversial. But I firmly believe that it is time for us to take real action to better connect people to their councils; to get serious about tackling the persistently low voter turnout that we see every four years at council election time, and to make sure that the future of local government is in the hands of the most diverse and capable local representatives that we can find.

I encourage everybody reading this paper to respond to the questions it poses. Let us know how we can build a future for South Australia where our councils represent and are supported by a local community that truly feels connected to their local government.

A handwritten signature in blue ink that reads "Brock".

Hon Geoff Brock MP

MINISTER FOR LOCAL GOVERNMENT

Introduction

Our local councils are often described as the sphere of government that is 'closest to the people'. The services they provide are often those that touch our day-to-day lives most closely—the footpaths and roads we walk and drive on, the bins we put our rubbish in, the parks, gardens and ovals where we walk, exercise and play with our children, and our local libraries to name just a few.

Yet this involvement with our local services isn't always reflected in close participation and engagement with our councils. While our local members are elected by the ratepayers and residents in their local areas, typically only around a third of voters choose to exercise their democratic right to vote for their council representatives. Councils can also struggle to have a good number of diverse candidates put their hand up to stand for election, to ensure that a local elected body has the best chance of representing and making the best decisions for its local community.

Over the past 20 years, the local government sector has been making increasingly large investments in promoting elections, both to encourage nominations, and to increase voter turnout. This participation is crucial, as elections establish the democratic foundations for the decisions that a council will make over a four-year term to spend ratepayers' money on the services and facilities that the council decides its community can and wants to pay for.

Despite these investments, engagement with councils at election times has remained at consistently low rates. This discussion paper therefore tackles some fundamental questions, not only about how council elections should be run to improve the number and diversity of council members and increase voter turnout, but also how people engage with their council over the whole of a council term, so that when election time rolls around, they are interested and engaged with the future of their local council.

There are four key topics covered in this paper. They are:

1. How people engage and participate with their council;
2. How we can encourage greater numbers and more diverse candidates;
3. How we can increase voter turnout; and
4. How we can make sure that council elections are run efficiently, with the highest level of integrity.

For each of these topics, this discussion paper provides a brief snapshot of current requirements, and changes over time. Each section also puts forward some ideas for improvements—and we want to hear from you! Are these ideas good ones? If not, why not? What other ideas do you have to improve people's engagement with councils—both at, and between, elections?

Topic 1: How people engage with their council

Community Engagement Charter

Councils continually engage with their communities on a range of critical decisions—their annual business plans and budgets, how council rates are set and collected, how parks and gardens and other council land should be used and managed, how a council's elected member body should be structured, and so on.

The *Local Government Act 1999* (the Act) requires all councils to have a public consultation policy in place. This policy must include some actions as a minimum—largely a requirement to consult for a minimum period of 21 days, to publish material on their website and in a newspaper, and to allow for submissions. The Act also requires councils to undertake more specific consultation on significant decisions, such as the requirement to hold an hour-long public meeting on its annual business plan and budget.

Principles of engagement

The Charter is underpinned by these engagement principles:

1. Members of the community should have reasonable, timely, meaningful and ongoing opportunities to gain access to information about proposed decisions, activities and processes of councils and to participate in relevant processes.
2. Information about issues should be in plain language, readily accessible and in a form that facilitates community participation.
3. Participation methods should seek to foster and encourage constructive dialogue, discussion and debate in relation to proposed decisions, activities and processes of councils.
4. Participation methods should be appropriate having regard to the significance and likely impact of proposed decisions, activities and processes.
5. Insofar as is reasonable, communities should be provided with information about how community views have been considered and reasons for actions and decisions of councils.

These principles are consistent with principles adopted by individual councils over many years. They are informed by the International Association for Public Participation (IAP2) Core Values.

These basic requirements have now been in place in the Act for more than 20 years, however, community and council expectations regarding consultation have changed. For example, many councils have moved towards more modern methods of communication and engagement—for instance, using social media to 'get the word out' rather than relying on ratepayers reading notices published in the back of a local newspaper, or undertaking more fit-for-purpose engagement methods such as 'drop in' events at council venues.

Yet while councils may wish to invest in more modern and effective engagement—and their communities may expect them to—they must still comply with two-decades-old statutory requirements.

Changes to the Act will replace these inflexible requirements with a 'Community Engagement Charter' (the Charter). Councils' community engagement policies must be consistent with the Charter and comply with its requirements. These changes will commence when a Charter has been developed—which needs your input!

A flexible or prescriptive approach?

There is broad scope to create a Charter that reflects community and councils' views on how it should direct council's community engagement.

For example, the Charter could specify mandatory requirements that largely replicate the current requirements contained within the Act. Councils would then be required to undertake 'engagement tasks' as the Charter instructs them—for example, to release information online for a specific period of time; or to publish material elsewhere in a particular way. However, placing these requirements on councils may not support councils to invest in community engagement in a way that they feel best meets their community's particular needs.

Another option would be for the Charter to set out a range of general principles or performance outcomes then enable the specifics of each councils' community engagement to be determined in its own community engagement policy. With this approach, there might be concerns in the community that not all councils would engage in a similar way or might not engage to the level that a community may like to see.

The Charter could also be a mixture of these approaches. For example, it could contain more specific requirements for significant council decisions that affect the whole council area, but also allow for a more flexible approach for more localised matters.

While the public consultation requirements have traditionally covered the method of engagement (e.g., minimum consultation periods and publishing requirements), the Charter could also cover the type of information that should be made available during community engagement, or how public consultation feedback should be considered. This approach may fulfil the principle that engagement should encourage constructive dialogue and discussion.

A Charter might include that a council should provide information in a form that is appropriate for the council's community to engage with and make a submission on. Councils could then determine what this information looks like in their community engagement policies.

The intent of the change to a Charter is to enable councils to take a more fit-for-purpose approach to public consultation, taking into account the significance of the matter under consideration, the needs of their local community, and the advantages of new technology. It should also bolster community confidence that their council will engage with them properly on the decisions and actions that affect them.

To achieve this aim, the Charter may:

- include categories of consultation;
- specify mandatory requirements or set out more general principles and performance outcomes related to engagement, for each category;
- provide guidance on specific measures or techniques to achieve outcomes; and
- set out measures to evaluate how outcomes have been achieved, or to what degree.

And, of course, there will be mandatory public consultation on both the Charter and the related council community engagement policies.

One proposal is that the Charter set some minimum standards for more significant council tasks, such as the annual business plan and budget, but largely focus on a 'principles-based approach' to allow councils to determine the exact activities they will undertake to best engage with their communities on their business under their own policies. Another approach could be for the Charter to more specifically dictate exactly what activities councils must undertake to consult on particular matters and decisions, more like the current legislative requirements.

Of course, the Charter will not preclude councils from undertaking non-statutory consultation, which councils may choose to include in their community engagement policies.

Ideas and questions

- What requirements should be set for councils' community engagement for what decisions?
- What should be included in the Charter and what should be left for councils' own community engagement policies?
- Should councils have the capacity to determine how they will engage with their communities, or should the Charter be more directive in its approach?
- What other ideas do you have for councils' community engagement?
- How would you like to see councils engage with you?
- What are the types of information you would like to see councils include when they engage with you?

Council meetings

While community engagement on council decisions is a critical part of councils' business, councils also have other opportunities to engage their communities. Chief amongst these tools is council meetings, which are open, public meetings where all community members should have the opportunity to view council debates and decisions.

Traditionally, council meetings have been held in the council's chambers, with a gallery open to those who wish to spectate. The COVID-19 public health emergency, however, accelerated an increase in people's desire to watch council meetings at home, either at the meeting time or at a time of their own choosing. There is also an increasing need for councils to ensure the safety of people attending council meetings in person, particularly when contentious or highly debated matters are being discussed.

Many councils have met this demand by livestreaming their meetings, or by making recordings available after the meeting.

Ideas and questions

- Should councils be required to livestream their meetings, and make recordings available?
- All metropolitan councils hold their council meetings during the evenings, but councils in regional areas often hold their meetings during business hours. Should councils be required to hold their meetings at a particular time to maximise community participation?

Support council members to engage with communities

Council members are elected to represent their communities. However, many people do not realise that their local elected members are available to speak to about their concerns and priorities and to advocate on their behalf. Instead, people will contact their council administration directly, which can lead to a sense of frustration that they are not being heard, or that their concerns are not being acted on.

Members themselves may not feel empowered or supported to engage with community members, particularly if this is presented as engaging with operational rather than strategic council matters. Additionally, it can be difficult for members to spend time with their community, particularly if they are also busy with work and other life matters.

This can result in a lack of understanding that council members are elected to make decisions on their community's behalf and can also cause a sense of disconnection between citizens and their councils. Conversely, supporting stronger engagement between council members and constituents can increase engagement with local matters and decisions.

Ideas and questions

- How should members be supported to engage directly with their communities?
- Should all council members be provided with a specific allowance to support constituent work, similar to the allowance that is provided to Members of Parliament?
- What other ideas do you have to strengthen the relationship between council members and their local community members?

Topic 2: How can we encourage a greater number of more diverse candidates?

Every four years, elections are held so that local communities can decide who should represent them and make decisions on their behalf about the services and facilities that are provided in their local area. These elections are the foundation of local government—as is the case with state and federal elections, communities exercising their choice on their representation is what makes councils governments in their own right.

For these elections to truly deliver this democratic foundation of councils, community members should be choosing who they vote for from as wide a selection of candidates as possible. Councils that reflect the diversity of their communities are better able to make decisions for, and provide services to, these communities.

However, council elections often struggle to attract enough candidates to fill all vacancies, let alone a wide range of candidates. For example, at the 2022 council elections, 683 positions needed to be filled, but 93 of these positions were filled without an election being held. The voters in these elections had no opportunity to exercise their democratic right to vote for their local representation. Additionally, some positions—including two mayoral positions—did not receive enough nominations, meaning that nine supplementary elections were then needed to fill these roles.

There is also a strong perception that councils are dominated by older people, usually men. Female representation has increased enormously in recent decades, but it is true that candidates for council continue to be dominated by older people.

While the commitment of every person who puts their hand up to stand for council should be acknowledged and appreciated, a more varied range of candidates would better reflect our increasingly diverse community.

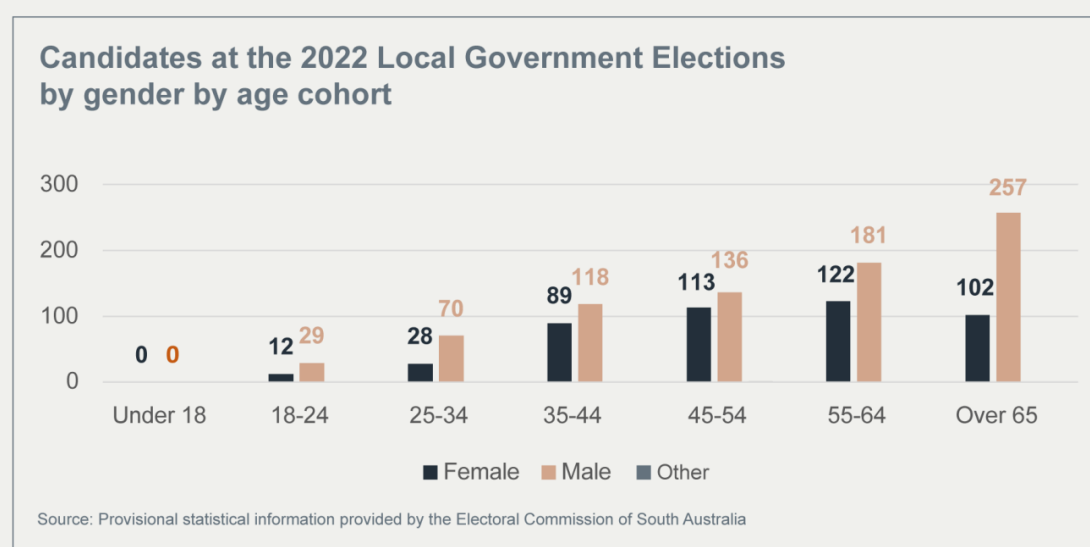
Ideas and questions

Many people choose to stand for their council as they have a real commitment to their local community and want to 'make a difference' by being part of the decision-making body that determines the vitality and sustainability of their local area. However, there would be many community-minded people who already commit many hours to community service but would not consider running in a council election. Why is this? Some ideas to tackle this issue are included below.

2022 periodic council elections—provisional statistics

Provisional statistical information provided by the Electoral Commission of South Australia shows that at the 2022 periodic council elections, elections were held for 565 of a possible 683 (82.7%) vacant positions. This was the lowest proportion of elections held for vacant positions since 2006. Related to this, nine supplementary elections were held following the 2022 periodic council elections, which was the highest number required since, at least, the elections held in 2000. Both statistics point to a drop in the number of candidates nominating, with a record number of positions receiving no nominations.

Of 791 male candidates, over a half (438, or 55.4%) were aged over 55 years.



Both the number and proportion of female candidates have continued to increase, with a record 466 females (37%) nominating for election. Of 466 female candidates, 224 (48%) were aged over 55 years.

Of all 1258 candidates, 1043 (82.9%) were born in Australia. The next largest group by birth was the United Kingdom (78, or 6.2%), followed by India (42, or 3.3%).

While the total number of nominations declined at the 2022 Local Government elections, the long-term trend has seen an increase in people nominating for election, particularly amongst women. From the 2000 council elections until 2014, women consistently made up between 25% and 29% of nominees. At the 2022 council elections, the number of women nominating reached an all-time high, with women representing 37% of all nominees.

Increase council members' allowances

Most council members receive a small independently determined annual allowance of between \$7,192 and \$25,838, depending on the council. Mayors receive an allowance four times more than the councillors of their council. The City of Adelaide is an exception to this: council members' allowance is \$28,692, and the Lord Mayor's allowance is \$195,851.

These allowances are not intended to be remuneration or a salary, as is the case for Members of Parliament. This often results in council members performing their roles in addition to paid employment or other income, or—as is often the case—being retired.

Would more, and a more diverse range of, people be attracted to the role if allowances were increased?

Make council meetings more flexible

Are there elements of council business that might put people off nominating?

For example, if a council meets during business hours, does that prevent people from standing for council if they are in the workforce or have family or other responsibilities? Or does it enable others, who may not be able to attend evening meetings, to run for council?

Currently, council members are required to attend council meetings in person. Enabling members to attend meetings electronically may also provide the flexibility that is needed to encourage a wider range of people to nominate for council. However, this should also be considered in the context of additional matters, including:

- Challenges that can arise when a meeting is held with some members in the room, and some are on screen, which can make meeting discussion and management difficult.
- The need to ensure that important integrity matters are properly managed, such as members not participating where they have a conflict of interest in a matter or ensuring that sensitive matters are discussed in confidence.
- Providing an assurance to communities that their council members are physically present in their local area, for at least a good proportion of time. If members are able to attend meetings electronically, there may be no guarantee that they are in the local area at any time.

Should council members be able to attend some council meetings electronically?

More local promotion

Local government invests in raising the profile of councils and council elections shortly before elections to increase awareness of and interest in, nominating for elections.

Close to each council election, the Local Government Association of South Australia (LGA) runs a campaign on the sector's behalf to generate awareness of the upcoming elections, and to encourage interest in standing.

This approach has the benefit of providing a statewide, funded campaign, but may also mean that promotion on a local level doesn't necessarily reflect what is going on in each council area, or the local issues. It may also mean that people don't draw a strong connection between a wider, consistent campaign and their own local area and council.

Are there other efforts that councils could make to increase interest in standing over a council term, for example, by working with ratepayer or other community organisations?

Would councils get a better local result if they make greater investments in local promotion and initiatives, particularly ahead of election periods?

Term limits for council members

Council members have no limit to the terms that they can serve on council—it's not unusual for council members to serve for 20, 30, or even 40 years. While this commitment is commended, limiting council members to a maximum of two or three terms may 'open up' vacancies to a wider range of candidates, who may otherwise be dissuaded by having to run against a long-established incumbent member. Limiting council members to a maximum of two or three terms may also allow for fresh ideas and perspectives to be brought in by new candidates.

Should term limits for council members be introduced?

Required training for candidates

A question that is increasingly being asked is whether people considering nominating for council should be required to undertake some kind of formal or informal training, such as a short online course, before they nominate.

This might ensure that potential candidates better understand a council member's role before they put the time and energy into running, and also maximise the chances of a person being really committed before they stand and are potentially elected. It may also reassure people considering standing that if they are elected, they will be joining a group of people who all have sufficient commitment to the role to complete this training.

However, requiring some form of training might also put people, who would potentially make great elected members, off standing. Should people be required to complete an online course before nominating?

What forms of training could both benefit candidates and generate more community confidence in the people that are standing for election?

Consider real-time publishing of nominations

Historically, candidates have deposited their nomination with the council, who would forward it to the Electoral Commission of South Australia (ECSA) for lodgement. Councils were then required to display names of people who had successfully nominated for election on the noticeboard in their principal office once notified by ECSA.

Following requests from councils, changes were made ahead of the 2022 periodic council elections that removed councils' role in displaying candidate details in council offices.

ECSA then managed the nominations as it does for State elections by receiving and publishing all of them online at the close of nominations—this is also the case for federal elections, as managed by the Australian Electoral Commissioner. This harmonised the nomination process for all three spheres of government, and also responded to concerns that some candidates were 'ward shopping', that is, withdrawing their nomination for a contested election to re-nominate for another, uncontested ward after reviewing nominations displayed at the council.

However, some councils reported that not publishing nominations at council offices meant that potential candidates did not know that not enough nominations had been received to fill all council positions, and—if local people had known that only two or three people, or no-one had nominated—they otherwise may have put their hand up to stand.

There is also a view, though, that the publication of these details encourages people to stand for reasons that may not be considered the best reasons—for example, because they know that they will not have to run in a contested election—rather than simply because they wish to contribute to improving their local community.

Should councils have a role in the nomination process?

If ECSA continues to receive nominations directly, should there be a requirement for nominations to be published throughout the nomination process, not just at the end? If so, how should these be published?

Remove council wards

Thirty of South Australia's 68 councils have a ward structure, where a council is divided into smaller areas for the purposes of elections.

Traditionally, maintaining a ward structure has been regarded as a way to bolster representation from all parts of a council's whole area, rather than just its major population centres—although it should be remembered that all wards are required to have equivalent elector and member ratios to ensure the 'one vote, one value' principle.

Once a member has been elected from a ward, though, they have a clear obligation to make decisions in the interests of the whole council area, not just their ward. It can be difficult for members to be able to do this, as they will respond to the concerns and views of the constituency that elected them—the electors of their ward—even if this may not be consistent with the interests of the council as a whole.

Wards can also determine—and to a degree, restrict—who can stand, as they essentially require candidates to form a constituency from within a limited geographic area, rather than across a whole council area.

For example, one candidate may wish to stand on a platform of advocating for additional services for parents, and while they may not have a sufficient constituency within their local ward to support their views, they may well do so across the whole council. Yet the requirement to standing for a ward also restricts them to forming a like-minded community within that small area.

Removing wards from councils could 'open up' opportunities for a much wider, more diverse group of candidates, by giving them much more flexible options to find their own community of potential voters.

Many councils, particularly regional councils, have already removed wards as some wards were heavily contested, and others not at all. Occasionally, where wards had fewer nominations than positions, this resulted in the need for a supplementary election. It could also be possible for wards to be removed from a council if elections for all, or some wards, are not contested.

However, especially in larger councils, wards can provide a way for the council's population to maintain a closer level of connection to their council member. An alternative approach to removing wards for all councils may therefore be to set a 'size threshold' for councils to retain wards. This threshold could be the size of the council's roll, or the ratio of council members to voters.

Should councils continue to have wards? If so, why? And if not, what would be the benefits of removing them?

Should wards only be kept in councils where a council's size warrants their retention?

Lack of nominations trigger for boundary reform

A council's existence as a local government is predicated on having a locally elected body. Smaller councils often point towards the support for their local elections as evidence that amalgamation, or other boundary change is not necessary or desirable to help the council deliver the services that their community expects. However, this is hard to argue when not enough people stand to fill all council positions at election time.

Increasing the size of a council's area, or making other structural changes, may support a greater number of more diverse candidates to stand for that council, giving its citizens greater choice and a stronger local representative body.

Should potential boundary changes be referred to the South Australian Boundaries Commission when a council receives significantly fewer nominations than it has vacancies?

What are other factors that might encourage—or dissuade—people to stand for election to their councils?

What ideas do you have to increase nominations?

Topic 3: How can we achieve a better voter turnout?

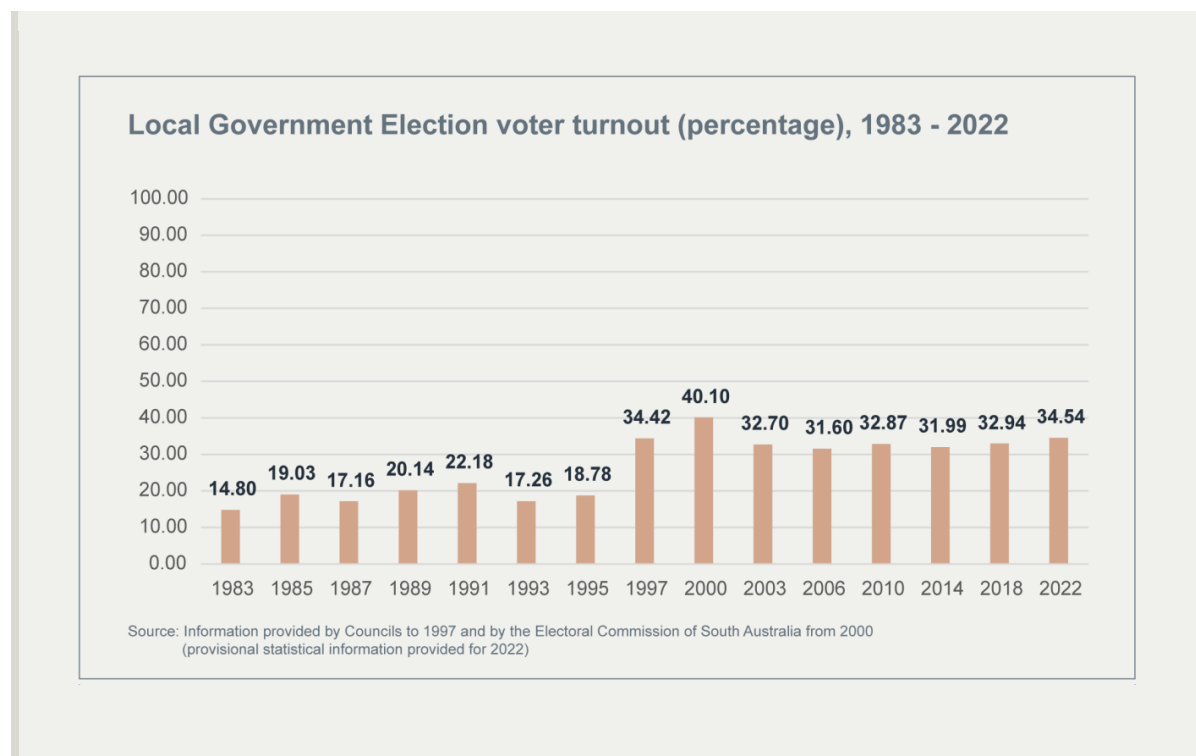
One of the unique factors about local government in South Australia is the way in which people vote for their council. Unlike federal and state elections, where voting is compulsory and in person, voting for councils is voluntary and done through the postal system.

Many people are not aware that postal voting was introduced in 1997. Before this, voting was done in person, but voter turnout rarely exceeded 20%. Over the six elections since the turn of the century, voter turnout has remained consistently low. This held true for the most recent periodic council elections held in November 2022, when the voter turnout was 34.5%.

This means that around two-thirds of people who could vote for their local council representatives are choosing not to vote.

Democratically elected councils are the foundation of local government. Yet citizens are not exercising their right to choose who will represent them, make the decisions about how to spend their rates, and determine what services their local area should receive.

Some ideas to improve voter turnout are detailed below.



Make voting for councils compulsory

Over time, most other Australian jurisdictions have made voting in council elections compulsory. South Australia is now one of only two states that have maintained voluntary voting in council elections, along with Western Australia.

Tasmania is the most recent state to make this change, following concerns that voluntary voting had dipped to 68%. Following the introduction of compulsory voting, this increased to 84.8%, with the increase in participation higher amongst electors aged under 34 years, whose participation rates in past elections was below 46%.

Making voting for your council compulsory would be the most certain way to increase voter turnout. It would also remove a significant difference between council elections and both the Australian Government and South Australian Government elections.

Is there any particular reason why councils do not warrant compulsory voting, when the two other spheres of Australian governments do?

Should voting for councils be compulsory in South Australian council elections?

How do people vote for their council in other Australian jurisdictions?

Queensland—voting for councils is compulsory in Queensland. Voting is by attendance, but councils can apply to the Minister to request postal voting to apply for all or part of their area. For the March 2024 Queensland council elections, the Minister approved full postal elections for 15 councils. Hybrid elections (a mix of attendance and postal voting) were approved for a further two councils.

Victoria—in Victoria, it is compulsory for residents in a council area who are enrolled for state elections to vote in council elections. However, voting it is not compulsory for other voters, including property-owning ratepayers, except in Melbourne City Council. The Victorian Minister for Local Government decides before an election whether council elections will be held by postal vote or attendance vote.

Tasmania—as with Victoria, voting at council elections is compulsory for voters on the state roll in Tasmania, but not for other voters. Postal voting is the voting method.

New South Wales—in NSW, voting is compulsory for electors on the residential roll, but not for other voters. Voting is by attendance.

Western Australia—voting for councils is not compulsory in Western Australia. Most voting is through the postal system—while attendance voting is also available to electors, it is not primarily used. Eight out of 139 local government areas run in-person elections.

States that have attendance voting for councils (Victoria, NSW and Queensland) allow voters to cast a 'pre-poll' vote at a polling centre before polling day, or apply for a postal vote, if they cannot attend a polling place on election day. Additionally, some states—including South Australia—offer telephone voting to assist vision-impaired voters, and/or voters who are overseas or interstate and may not otherwise be able to return a vote in time.

Change the method of voting

Voting for Australian councils is done by postal or attendance voting, or a hybrid of the two. In a postal voting system, electors are sent their ballot papers in the post. They fill them out and then return via post, or by depositing the envelope in a ballot box at their local council. Attendance voting requires electors to 'attend a polling place' in person, where their enrolment details are checked, and they then vote—as is the case for state and federal elections.

Hypothetically, it should be easy for voters to open the envelope that is sent directly to them, read the candidate profiles, decide who they want to vote for, mark the ballot paper, sign the declaration, and return the vote in the post. However, the stubbornly low rate of people who do this indicates that in our busy lives, it can become one more administrative task to do—and easy to put to one side.

Given this, it may be worth re-visiting the question of whether voting for councils should be through the post, or return to attendance (in person) voting, particularly given the increase in pre-polling and postal voting in recent state and federal elections.

But it must also be acknowledged that voter turnout in a postal voting system for local government has always been higher than it was for in person voting. As noted, the change from attendance to postal voting in 1997 saw a bump in voter turnout, however, this turnout then dropped and has consistently stayed at around 32–34% since.

How should people vote for their councils?

Consider who can vote for their council

People who can vote for their council are:

- Residents in a council area who are enrolled for state elections. These people automatically receive ballot papers in the post.
- Persons, business lessees, business owners, bodies corporate or groups that are ratepayers, or occupy a rateable property, within the council area (often referred to as the 'property franchise'). Those falling under this category, who wish to vote in council elections, must self-enrol for each council election by completing an enrolment form (except in the City of Adelaide, where they are automatically enrolled).

Voters exercising their property franchise do not need to live in the area of the election they are voting in, and do not need to be Australian citizens.

Additionally, residents within a council area who are not Australian citizens may also self-enrol to vote for their council, if they have been a resident in the area for at least one month immediately before the date they apply to vote. This reflects the general tenor of council elections—that local people who use local services should have a say in the local decision-making body that determines them. However, some people argue that this is not appropriate, or that a longer period of residency should be required before non-Australian citizens can enrol to vote.

While one month's residency may not sound like a long time, non-citizens choosing to vote for their council will have been living in their area for a longer period. For the 2022 council elections, the final date to enrol to vote was 29 July 2022. This means that a person would have needed to have resided in a council area for at least the period from 29 June 2022 to the point at which ballot papers were posted out at the end of October 2022—approximately four months in total.

Should the franchise for council elections be changed in any way?

Online voting

Often people ask why they can't vote online for their council, particularly now that so many transactions—including government processes—are conducted online.

However, Australia is not yet in a position to introduce any large-scale system of online voting without seriously compromising the integrity of our elections. There is a very serious risk that personal computers, as well as servers, storing and counting votes could be hacked.

Any move to online voting must consider a number of factors:

- **Security**—can the system be made secure from tampering?
- **Operational**—can the system be securely and effectively administered by electoral officials?
- **Authenticity**—how does the system know that the person voting is who they say they are? Can votes be verified and scrutinised? How does the system guarantee the secrecy of a person's vote, and that it was cast without undue pressure?
- **Perception**—is the system robust enough to assure all citizens that the election is secure, and the results can be trusted?

These challenges explain why there are very few examples of fully online voting around the world.

NSW is the only jurisdiction in Australia where online voting has been permitted. The remote voting system iVote has been used in a limited capacity for state elections since 2011, and more recently in council elections. However, in March 2022, the NSW Supreme Court ruled that three council elections held in December 2021 were invalid due to an error with the iVote system.

Additionally, in these elections, the iVote system suffered outages—the NSW Electoral Commission estimated that more than 10,000 people could not cast a vote. iVote was then not used for the 2023 NSW State elections.

Change the timing of council elections

Currently, council elections are held in November of the same year as State government elections. This can mean that three elections—state, federal and local—could be all held in the same year—as was the case in 2022. Many people argue that this generates 'voter fatigue'—that by the time council elections roll around, people struggle to have interest in and enthusiasm for another election.

Many will argue that giving council elections 'clear air', well separated from South Australian Government elections, gives local government the opportunity to gain the attention that it deserves as an independent sphere of government. Others argue that a close alignment between local and state elections means that councils and the South Australian Government have the majority of their respective four-year terms to build close working relationships.

Additionally, both councils and the Electoral Commissioner have also expressed concerns that requiring ECSA to hold South Australian Government and council elections in the same year places a huge burden on ECSA, which, while it has enormous experience in running multiple processes at once, cannot really turn its whole attention to council elections until all aspects of a state election are completed. This may not be the best result for councils.

Should council elections be moved to a different year from South Australian Government elections?

Election promotion

As described in Topic 2, the LGA undertakes promotion before council elections to encourage people to stand for election. Councils also provide funding to the Electoral Commissioner to run a promotional campaign to let people know the election is underway, and to encourage people to vote.

While this approach results in a centrally funded and organised election promotion campaign, as is the case with encouraging nominations, it doesn't necessarily link the elections to a local area in a way that might prompt voters to consider voting for their council members.

Should councils have a stronger role in promoting elections locally to increase voter turnout?

Removing wards

Topic 2 includes discussion on the reasons that councils have wards, and the impact that wards may have on nominations for council elections.

It is also noted that removing wards would provide voters with a greater choice of candidates to choose from and may therefore encourage more people to vote. Where wards are in place, voters only have the opportunity to consider and vote for a relatively small number of candidates for a small number of places. This can be particularly noticeable where voters in some wards do not get to vote at all, as there is the same number of candidates as positions, but other wards in the same council area are heavily contested.

Varying voter participation rates across different wards in the same council can also give rise to inconsistencies in the number of votes that are needed for a candidate to win a position at that council. For example, in the 2022 periodic elections, a candidate in one council ward was elected with 722 votes, while other candidates in different wards for that council did not get elected, despite receiving between 786 to 998 votes.

Would removing wards provide voters with greater choice, and produce fairer results?

Consider candidate information

Currently, information about all candidates is included in the ballot pack distributed to voters. This includes the 'candidate profile' that is prepared by each candidate, along with information on any political party membership, and a 'tick the box' statement of whether the candidate lives in the area being contested.

This information is crucial in helping voters decide who they will vote for, particularly in larger council areas where it may be more difficult to know your candidates personally. But it can also be difficult for voters to work out who to vote for based on the brief candidate profile that is included in a ballot pack. If voters want more information about people running for their council, then they must generally make their own efforts to find it, by searching social media, or contacting councils directly.

There may be a role for councils to play in providing a platform for candidates to use to make themselves known to voters, and for voters to gain a better understanding of their choices. This may be through online 'town hall' or 'question and answer' sessions. Council administrations may have concerns, however, that this may be inappropriate involvement in an election for a body that must be, and must be seen to be, impartial.

Some feedback received after the 2022 periodic council elections was that the newly introduced requirement for members to include information on political party membership was helpful to voters, but also that additional information—including a National Police Check—may help people to know more about the candidates, and therefore encourage them to return their vote. This raises a question, however, as to whether requiring what can be sensitive information may dissuade people who may make good council members from standing. Is it fair for someone who has 'served their time' to have to release this information?

What information should candidates be required to include with their nominations?

Is there a role for councils to play in enabling all candidates to reach potential voters?

What are other factors that might encourage—or dissuade—people to stand for election to their councils?

What ideas do you have to increase nominations?

Topic 4: Election improvements

As the foundation of our local democracy, it is essential that council elections are run as efficiently as possible and with the greatest level of integrity. This review is therefore an opportunity to consider any needed improvements to our system of council elections, particularly considering that a number of changes were introduced before the 2022 periodic council elections.

After each periodic council election, the Electoral Commissioner undertakes a review of the elections. The Electoral Commissioner has advised that he will provide a report of his review of the 2022 periodic council elections to the Minister towards the end of the 2023 calendar year. Any recommendations that the Electoral Commissioner makes will be considered for inclusion in this review.

In summary, therefore, this review will look at the following:

- Any modifications that may be needed following changes introduced in 2022. In particular, the obligations for council election candidates to provide their campaign donations returns directly to ECSA, and the automatic loss of council office for failure to do so will be considered, given the significant issue this caused in early 2023, when special legislation needed to be passed to restore 45 council members to office who had lost their positions for this reason.
- Any matters raised by the Court of Disputed Returns, or other illegal practices found by the Electoral Commissioner, which may require legislative amendment to protect the integrity of council election processes.
- Any other matters raised, or improvements identified by the Electoral Commissioner in his review of the 2022 periodic council elections.

Do you have any ideas to improve council elections?

Local Government Participation and Elections Review

Consultation Paper

November 2023

The LGA is the statutory peak body for Local Government in South Australia, representing all 68 Councils in the State.

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Introduction

The Minister for Local Government, Hon Geoff Brock MP, has launched the Local Government Participation and Elections Review (the Participation Review); a state-wide consultation process to give all South Australians the opportunity to provide feedback on ideas and suggestions on how communities can better engage with their councils through a council term and, particularly, at election time.

The consultation process is supported by the Local Government Participation and Elections Review Discussion Paper which contains ideas and questions to assist with making submissions to the Review.

The discussion paper puts forward a range of ideas such as compulsory voting, term limits for council members, removal of council wards and possible boundary changes where councils don't receive enough nominations at election time. Broad discussion and feedback is being sought by the Minister to inform further consideration of what, if any, changes may be required to legislation and election processes to support enhanced participation in councils and council elections.

Scope of the Review

The scope of the Participation Review encapsulates the following matters:

- engaging and participating with councils, including community engagement, access to council meetings and engagement by council members with communities
- encouraging greater numbers/more diverse candidates
- increasing voter turnout
- ensuring council elections are run efficiently and with the highest level of integrity.

It is important to note that the Participation Review is being used as the consultation mechanism for community engagement related changes to the *Local Government Act 1999* (the Local Government Act) arising from the passage of the *Statutes Amendment (Local Government Review) Act 2021*, which have not yet been proclaimed for commencement.

Community Engagement Charter

The community engagement reforms will introduce a Community Engagement Charter as part of a simplified approach to community engagement, which provides greater flexibility and allows councils to design and deliver engagement that is the 'best fit' for the decisions and actions.

Previously, the LGA has consulted the sector to inform the development of a proposed Community Engagement Charter (the proposed CEC). The proposed CEC benefited from input from communication and engagements specialists in the sector and the LGA's Legal Connect partners, Norman Waterhouse Lawyers. The proposed CEC considered implications from the 'Coastal Park' decision¹, which had negative consequences for public consultation in the local government sector.

The proposed CEC was endorsed by the LGA Board of Directors in November 2021 and subsequently submitted to the then Minister for Planning and Local Government (the Hon Josh Teague MP). A copy of the proposed CEC is provided as Attachment 1.

¹ Coastal Ecology Protection Group Inc & Ors v City of Charles Sturt [2017] SASC 136

LGA consultation process

The LGA will be making a submission to the Participation Review on behalf of the sector and is seeking feedback from member councils to inform that submission. This Consultation Paper has been prepared to assist councils with providing feedback to the LGA. Councils may also find it will assist with the development of a direct response to the Participation Review, should it wish to make one.

Since the November 2022 elections, the LGA has received various proposed items of business and feedback from member councils raising issues related to participation and elections. The items of business received were presented to either the LGA Board, GAROC or SAROC and not referred through to the respective LGA Ordinary General Meeting (OGM) or Annual General Meeting (AGM) based on the knowledge that the Participation Review was to be conducted by the State Government.

The following pages may be extracted and attached to a council report for endorsement as council's formal submission to the LGA consultation process. The pages include:

- supporting information relevant to each topic included in the Participation Review discussion paper
- each of the questions asked in the Participation Review discussion paper and space for comment/response by councils
- Additional matters raised with the LGA by councils via proposed items of business not already captured by the questions in the Participation Review discussion paper and space for comment/response by councils
- Space for additional ideas/feedback councils wish to submit.

The Participation Review discussion paper contains further data and information to support council's consideration and submission preparation. **The discussion paper should be read in conjunction with this consultation paper.** Information in the discussion paper, apart from the specific questions asked, has not been replicated in this consultation paper.

The LGA Secretariat is seeking submissions from councils by **5.00pm Friday 2 February 2024**. Submissions should be sent to the LGA via email governance@lga.sa.gov.au.

Once council responses are received, the information will be collated into a submission for endorsement by the LGA Board on behalf of the sector.

The consultation period for the Participation Review closes on 1 March 2024 and direct submissions can also be made until that time via the following options:

- Emailing comments to DIT.LocalGovernmentReform@sa.gov.au
- Posting written feedback to *Office of Local Government, GPO Box 1533, Adelaide, SA 5001*

The LGA Secretariat would also appreciate receiving copies of direct submissions made to the Participation Review.

For further information please contact the LGA Governance Team (governance@lga.sa.gov.au or 8224 2000)

Name of Council:

Insert Council Name

**Submission to the LGA – to inform sector response to the
State Government - Local Government Participation and Elections Review**

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

TOPIC 1 HOW PEOPLE ENGAGE WITH THEIR COUNCIL**(refer pages 7-10 – Local Government Participation and Elections Review Discussion Paper).****1.1—Community Engagement Charter**

Once section 16 of the *Statutes Amendment (Local Government Review) Act 2021* commences, changes to publication consultation requirements for councils will take effect. The intent of these reforms is to simplify community engagement, provide greater flexibility and allow councils to design and deliver engagement that is the ‘best fit’ for the decisions and actions it is considering.

A core component of these reforms is the introduction of a Community Engagement Charter (CEC), which will be published by the Minister, and which will regulate arrangements relating to public consultation and giving of public notice by councils. The CEC will be supported by a council’s mandatory Community Engagement Policy.

In November 2021 the LGA submitted a Proposed Community Engagement Charter (CEC) to the then Minister. This draft CEC was prepared with input from a working group of council community engagement specialists and Norman Waterhouse Lawyers and then informed by formal consultation with the sector. Given the extensive work undertaken on the proposed CEC and to support council’s consideration of the questions below, the proposed CEC is provided as Attachment 1 to the LGA consultation paper.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 1.1—Community Engagement Charter	Comments
What requirements should be set for councils’ community engagement for what decisions?	
What should be included in the Charter and what should be left for councils’ own community engagement policies?	
Should councils have the capacity to determine how they will engage with their communities, or should the Charter be more directive in its approach?	

[INSERT COUNCIL NAME]*Submission to LGA – Participation & Elections Review*

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 1.1—Community Engagement Charter	Comments
What other ideas do you have for councils' community engagement?	
What are the types of information you would like to see councils include when they engage with you?	

LGA CONSULTATION QUESTIONS: 1.1—Community Engagement Charter	
Are there changes required to the proposed Community Engagement Charter? If yes, what changes should be made and why?	
Is there anything else you would like to raise in relation to council community engagement policies and practices?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

TOPIC 1 HOW PEOPLE ENGAGE WITH THEIR COUNCIL**(refer pages 7-10 – Local Government Participation and Elections Review Discussion Paper).****1.2—Council meetings (refer also Topic 2)**

Pursuant to section 90(1) of the Local Government Act, council meetings are required to be conducted in places open to the public. One of the key guiding principles for council meetings as per the *Local Government (Procedures at Meetings) Regulations 2013* is that procedures should encourage appropriate community participation in the affairs of the council.

Attendance at council meetings via electronic means for councillors is specifically dealt with under Topic 2 as a means of encouraging a greater number of more diverse candidates. This topic relates to **public participation in meetings** and specifically seeks feedback on livestreaming of council meetings, making recordings available, and the commencement time of council meetings **to enable greater participation in the council meeting process by members of the community**.

Mandatory livestreaming/recording of council meetings

The primary methods for members of the community to participate in council meetings are currently by observing a council meeting, either from the public gallery (or if available via a livestream/recording of the meeting); making a deputation or contributing to a petition which is then presented at a council meeting for consideration.

During the COVID-19 Pandemic, specific arrangements were in place to allow councils to continue to meet when there were restrictions in place, one of which included a requirement that council meetings conducted via electronic means were to be livestreamed. Changed practices introduced during the pandemic have led to increased expectations for greater use of technology in many ways, including community access to council meetings.

Many councils have voluntarily continued a practice of livestreaming meetings undertaken from the council chamber or provide access to a recording of the council meeting via the council's website after the meeting has concluded. The approach adopted is generally informed by each council's available technology and resources to facilitate such services.

More recently, some councils have encountered disruptive and aggressive behaviours from members of the public, which poses risks to council member and staff safety as well as potentially compromising decision-making processes for the council. In this context, the option to satisfy the provision of access to council meetings via livestreaming or recording could be an effective risk management strategy for councils.

The Participation Review is exploring whether there should be a mandatory requirement for councils to livestream meetings and make recordings available?

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

TOPIC 1 HOW PEOPLE ENGAGE WITH THEIR COUNCIL**(refer pages 7-10 – Local Government Participation and Elections Review Discussion Paper).**Timing of council meetings

Sections 81(5) and (6) of the Local Government Act require that council meetings may not be held on Sundays or public holidays, and metropolitan councils may not commence meetings prior to 5:00pm unless councils resolve to do so by unanimous vote of **all** council members. This limitation is not imposed on regional councils, where council meetings may be convened during business hours. Presently, each council determines its meeting schedule and makes the information publicly available in accordance with the legislative requirements.

The timing of council meetings impacts the ability of members of the community to attend those meetings.

The Participation Review is exploring whether a particular time should be specified for councils to be held with a view to maximising community participation.

Live streaming and/or putting a video recording of the meeting may also lessen any impact as people can watch from wherever they are and at a time that suits. Is that preferable to having public present at the meeting? These considerations can also be considered in conjunction with council's response to Topic 2, part 2 (How can we make council meetings more flexible?).

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 1.2—Council Meetings	Comments
Should councils be required to livestream their meetings, and make recordings available?	
All metropolitan councils hold their council meetings during the evenings, but councils in regional areas often hold their meetings during business hours. Should councils be required to hold their meetings at a particular time to maximise community participation?	

[INSERT COUNCIL NAME]*Submission to LGA – Participation & Elections Review*

LGA CONSULTATION QUESTIONS: 1.2—Council Meetings	
Does your council currently livestream council meetings and/or make recordings available after the meeting has concluded?	
What would impact (or has impacted) your council's ability to livestream council meetings or make recordings of meetings available? (e.g., available technology, reliable internet service, installation/ongoing costs)	
Are there any other issues relating to livestreaming and/or making recording of council meetings available you would like to raise?	
Do you have any other suggestions/comments to enhance community participation in council meetings?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

TOPIC 1 HOW PEOPLE ENGAGE WITH THEIR COUNCIL**(refer pages 7-10 – Local Government Participation and Elections Review Discussion Paper).****1.3—Support council members to engage with communities**

The role of a council member is extensive and the circumstances of individual members are wide and varied, resulting in differing approaches for engaging with and representing their constituents.

Council members receive an allowance, determined by the independent Remuneration Tribunal SA (RTSA) and changes to allowances are specifically discussed in Topic 2 as a means of encouraging a greater number of more diverse candidates.

Council members also have access to a range of facilities and support (determined by each council) to assist them with the delivery of their role and functions.

The Participation Review canvases whether the introduction of a specific allowance to support constituent work similar to that which Members of Parliament (MPs) receive would assist council members to engage more effectively with their communities. State MPs receive an electorate allowance in respect of expenses associated with discharging parliamentary, electoral or community duties (but not party political duties) in their electoral district. This allowance is determined by the RTSA, having regard to a range of factors, and is in addition to any salary paid to the MP. The electorate allowance recognises the requirement for MPs to be actively involved in community affairs and represent and assist their constituent in dealings with governmental, other public agencies and authorities, in addition to their parliamentary duties.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 1.3—Support council members to engage with communities	Comments
How should members be supported to engage directly with their communities?	
Should all council members be provided with a specific allowance to support constituent work, similar to the allowance that is provided to all Members of Parliament?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 1.3—Support council members to engage with communities	Comments
What other ideas do you have to strengthen the relationship between council members and their local community members?	

LGA CONSULTATION QUESTIONS: 1.3—Support council members to engage with communities	
Are there any other matters relating to supporting council members to engage with communities you wish to raise?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

TOPIC 2 HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?
(refer pages 11-16 – Local Government Participation and Elections Review Discussion Paper).

2.1—Increase council members' allowances

Council member allowances are determined by the Remuneration Tribunal SA (RTSA) in accordance with section 76 of the Local Government Act. In making a determination the Tribunal must have regard to the following:

- nature of the office and representative role of council members on council's governing body
- size, population and revenue of the council and any relevant economic, social, demographic and regional factors
- ratio of members to ratepayers
- fact that an allowance is not intended to be a salary
- separate provisions of the Local Government Act relating to reimbursement of expenses (refer section 77 of the Local Government Act).

The allowance is not intended to be remuneration or a salary, and some council members also undertake paid employment in addition to their council member. There may be merit in considering the manner in which council members are remunerated overall, rather than simply whether an increase to the current allowances would influence more people to consider nominating for council.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 2.1—Increase council members' allowances	Comments
Would more, and a more diverse range of, people be attracted to the role if allowances were increased?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

LGA CONSULTATION QUESTIONS: 2.1—Increase council members’ allowances	
When considering council members allowances, what other factors warrant review that may attract more people to the role? (e.g., taxation implications, superannuation)	
Are there any other matters relating to council member allowances you wish to raise?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

TOPIC 2 HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?
(refer pages 11-16 – Local Government Participation and Elections Review Discussion Paper).

2.2—Make council meetings more flexible

Section 6(a) of the Local Government Act requires that councils are required to act as a '*representative, informed and responsible decision-maker in the interests of its community*' and one of the key principles to be observed by council in performing its roles and functions is to '*provide open, responsive and accountable government*.' Council meetings are the primary decision-making mechanisms for councils.

Section 86 of the Local Government Act and the *Local Government (Procedures at meetings) Regulations 2013* prescribes the procedure to be observed at council meetings to ensure council meetings are held in a consistent way to meet the following guiding principles:

- '(a) procedures should be fair and contribute to open, transparent and informed decision-making;*
- (b) procedures should encourage appropriate community participation in the affairs of the council;*
- (c) procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting;*
- (d) procedures should be sufficiently certain to give the community and decision-makers confidence in the deliberations undertaken at the meeting.'*

In considering the issue of greater flexibility for council meetings, the Participation Review talks primarily about timing of council meetings and enabling members to attend meetings electronically as mechanism to encourage a wider range of people to nominate.

Council meeting times

The issue of council meeting times and the impact this has on community participation was considered in Topic 1 of the Review. In this Topic, the focus is on the impact of the time of council meetings on council members/nominations for council. As noted previously, subject to the requirements of the Local Government Act, each council has the ability to determine the time and place for council meetings.

Electronic council meetings

The issue of electronic council meetings has been raised with the LGA on numerous occasions following the cessation of the COVID-19 emergency declaration and the removal of the ability to conduct council meetings via electronic means. Whilst the legislation allows committee meetings and information/briefing session to be conducted electronically, council meetings are not able to be.

At the LGA AGM held on 29 October 2020 an item of business requested the LGA lobby the State Government to review the legislation to include provisions for attendance at council meetings and informal gatherings by electronic means. Consultation was undertaken with member councils and

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

TOPIC 2 HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?
(refer pages 11-16 – Local Government Participation and Elections Review Discussion Paper).

at that time, general support was expressed for the ability to conduct meetings electronically in certain circumstances and with a range of limitations, rather than a blanket support for council meetings to be able to be convened electronically.

Preliminary discussions were held with the Office of Local Government (OLG) in 2020, as part of progressing the item of business. However, in light of both the major emergency declaration in place and the status of local government reforms at the time, the State Government preferred to defer consideration of the issue. The LGA Secretariat provided this advice to councils at the time and indicated that consultation would likely occur in 2023 following commencement of the majority of local government reforms.

The COVID-19 experience has changed attitudes to electronic meetings and the Participation Review provides an opportunity for councils to provide input as to how and whether the ability to conduct council meetings electronically should be available on an ongoing basis.

As noted in Topic 1, recent experiences with disruptions to council meetings has introduced other reasons that may support consideration of electronic council meetings, such as ensuring the safety of all meeting participants/attendees.

The Participation Review specifically raises the proper management of integrity matters (e.g., a council member removing themselves from the meeting after declaring a conflict of interest or discussion of matters in confidence) and community members having assurance that their council members are physically present in their local area, for at least a good proportion of the time as matters for consideration.

There are likely other elements of council meetings that warrant discussion as part of this Topic, e.g., formality of council meeting procedures.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 2.2—Make council meetings more flexible	Comments
<p>Are there elements of council business that might put people off nominating? (for example, if a council meets during business hours, does that prevent people from standing for council if they are in the workforce or have family or other responsibilities? Or does it enable others, who may not be able to attend evening meetings, to run for council?)</p>	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 2.2—Make council meetings more flexible	Comments
Should council members be able to attend some council meetings electronically?	

LGA CONSULTATION QUESTIONS: 2.2—Make council meetings more flexible	
What issues should be considered if council meetings are to be conducted electronically?	
Should limitations be introduced relating to electronic council meetings? (e.g., specific circumstances under which a member may attend a meeting electronically, a limit on the number of times a member may attend electronically etc)	
Are there examples from your COVID-19 council meetings that demonstrate benefits/challenges with electronic council meetings that could inform this consideration? (e.g., managing 'hybrid' meetings compared with all members participating electronically, benefits/challenges for the presiding member, management of meeting procedures, minute taking etc)	
Are there any other matters relating to council meetings which may influence a person's decision to nominate for council you wish to raise?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

TOPIC 2 HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?
(refer pages 11-16 – Local Government Participation and Elections Review Discussion Paper).

2.3—More local promotion of nominating for elections

Council elections are conducted by the Electoral Commission of SA (ECSA), with councils paying the full cost of the electoral process.

Whilst ECSA has formal responsibility for promotion of the ‘enrolment’ and ‘participation (vote)’ elements of the election, historically the LGA has facilitated promotional activities as efficient means of providing sector wide collateral for council elections and to maximise the value of advertising/promotion of council elections through a consistent look and feel.

For the 2022 council election process, the LGA secured \$300,000 of Local Government Research and Development Scheme (LGR&DS) funding for an advertising campaign aimed at raising awareness and increasing engagement with the elections across the three election stages: enrol, nominate and vote.

The approach used for local promotion of elections varies across councils and is generally driven by available resourcing and cost. A majority of councils access promotional materials from the LGA and use these for online, social media and other advertising. In addition, many councils host information sessions for potential candidates to provide details of the role of a councillor, the time/commitment involved and other general information about the council/local government.

Assigning an increased role for councils in the promotion of elections, either specifically for the nomination stage or more broadly, must have regard to the cost impact for councils. In relation to the 2022 election process, there were significant increases to ECSA costs to council based on factors such as inflation, transport, Australia Posts charges, ICT requirements and other amendments to the *Local Government (Elections) Act 1999*. Information on the actual total cost of the election is not yet available, however, estimated increases advised to councils prior to the election by ECSA were in the order of 30%.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 2.3—More local promotion of nominating for elections	Comments
Are there other efforts that councils could make to increase interest in standing over a council term, e.g., by working with ratepayer or other community organisations?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 2.3—More local promotion of nominating for elections	Comments
Would councils get a better local result if they make greater investments in local promotion and initiatives, particularly ahead of election periods?	

LGA CONSULTATION QUESTIONS: 2.3—More local promotion of nominating for elections	Comments
What strategies did your council use to promote nominating for council? What costs did you incur for your local promotion?	
Are there any other matters relating to the role of councils in promoting nominating for elections you wish to raise?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

TOPIC 2 HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?
(refer pages 11-16 – Local Government Participation and Elections Review Discussion Paper).

2.4—Term limits for council members

Currently there is no limit on the number of terms a council member may serve. The Participation Review discussion paper raises the idea that limiting council members to say a maximum of two or three terms will effectively increase turnover and therefore interest in becoming a council member, as potential candidates feel there is less risk in going up against a well-established incumbent council member.

From a general perspective it may be that term limits could assist with providing more people the opportunity to represent their community. Equally, there could be an argument that limiting terms could result in challenges in attracting enough candidates for the available roles.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 2.4—Term limits for council members	Comments
Should term limits for council members be introduced?	

LGA CONSULTATION QUESTIONS: 2.4—Term limits for council members	Comments
What opportunities/risks do you consider may arise as a consequence of limiting council member terms?	
Are there any other matters relating to term limits for council members you wish to raise?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

TOPIC 2 HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?
(refer pages 11-16 – Local Government Participation and Elections Review Discussion Paper).

2.5—Required training for candidates

Currently there is no minimum skill, knowledge or experience necessary for a person to be able to nominate as a candidate in a council election.

Following election, council members must complete mandatory training within 12 months of the election, which ensures council members have necessary knowledge and skills across areas such as strategy and finance, legal, civic and council member behaviour/leaderships.

The Victorian Government has introduced compulsory training for all Victorians who wish to nominate as a candidate in any council election. The training is online and takes around an hour to complete. The training covers information about being a councillor, including understanding a conflict of interest, a code of conduct, and what support is available to help undertake the role. The training is not graded (there is no 'pass' or 'fail') and remains valid for two years. The training must be completed by anyone intending to nominate, including serving councillors and people who have been councillors in the past.

The mandatory course was introduced in the *Local Government Act 2020 (Vic)* to ensure candidates understand the role of councillor and the standards they are expected to uphold if elected (Refer: <https://www.localgovernment.vic.gov.au/council-governance/candidate-training>).

Candidate screening

Separate, but related to training for candidates, the LGA Secretariat has received proposed items of business relating to additional nomination information or screening for candidates. These matters have been included as LGA Consultation Questions in addition to the Participation Review questions below.

Candidate information is raised in Topic 3, Part 7-Consider candidate information of this discussion paper, however candidate screening has been included here on the basis that it relates to candidate eligibility requirements, which is consistent with establishing a required training for candidates before they are able to nominate.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 2.5—Required training for candidates	Comments
Should people be required to complete an online course before nominating?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 2.5—Required training for candidates	Comments
What forms of training could both benefit candidates and generate more community confidence in the people that are standing for election?	

LGA CONSULTATION QUESTIONS: 2.5—Required training for council members	Comments
What are the opportunities/risks associated with the introduction of mandatory candidate training?	
If mandatory candidate training requirements are introduced, who should have responsibility for developing and delivering the training and maintaining required records?	
Are there other options available to ensure candidates have the necessary information to support their decision to nominate?	
Should the criteria for individuals seeking candidacy be strengthened by requiring a Department of Human services Working with Children clearance and that candidates should be considered fit and proper?	
Are there any other screening criteria or eligibility requirements that should be considered for candidates?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

LGA CONSULTATION QUESTIONS: 2.5—Required training for council members	Comments
Are there any other matters relating to training for council members you wish to raise?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

TOPIC 2 HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?
(refer pages 11-16 – Local Government Participation and Elections Review Discussion Paper).**2.6—Consider real-time publishing of nominations**

As part of the local government reform process, the LGA on behalf of members, successfully advocated to remove councils from the candidate nomination process on the basis that ECSA holds responsibility for the conduct of council elections. Prior to the passage of the *Statutes Amendment (Local Government Review) Act 2021* (the Local Government Review Act) and subsequent changes to the *Local Government (Elections) Act 1999* council officers (appointed as Electoral Officers by ECSA) would receive candidate nominations, with the majority of nominations submitted via councils, rather than directly to ECSA for processing.

Previously, nominations were displayed on a notice board at the council office immediately following acceptance by ECSA. This meant that at any time, a member of the community could attend the council office and see who had nominated for election to the council. It also meant there was visibility of the overall number of nominations received throughout the entirety of the nomination period.

Following the commencement of legislative changes in November 2021, candidate nominations are now made directly to ECSA (using the candidate nomination portal) and council officers no longer play a role in relation to receipt/processing of candidate nominations or publication of nomination details. Information regarding accepted nominations is made available after the conclusion of the nomination period (the legislation requires ECSA to publish the information within 24 hours of close of nominations). The approach to display of nomination information is consistent with State and Federal election processes.

In the November 2022 council elections there were a number of councils who did not receive sufficient candidate nominations to fill all vacancies. As a consequence, supplementary elections were required, which not only contributed to election related costs but resulted in delays in commencement of the new council until early in 2023, some three months after the conclusion of the general election.

The LGA Secretariat has received proposed items of business relating to candidate nomination processes following the November 2022 council elections. These matters have been included as LGA Consultation Questions in addition to the Participation Review questions below.

ECSA has not yet published its report into the November 2022 council elections, however, it is anticipated the issue of insufficient nominations is likely to be canvassed in that report.

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 2.6—Consider real time publishing of nominations	Comments
Should councils have a role in the nomination process? <i>LGA Note – This question relates to whether councils should be directly involved in the receipt/processing of candidate nominations, <u>not</u> the real-time publishing of nominations - that question is below.</i>	
If ECSA continues to receive nominations directly, should there be a requirement for nominations to be published throughout the nomination process, not just at the end? If so, how should these be published?	

LGA CONSULTATION QUESTIONS: 2.6—Consider real time publishing of nominations	Comments
What other changes could be made to the candidate nomination process that may encourage a greater number of more diverse candidates?	
What other changes could be made to publishing of candidate nominations that may encourage a greater number of more diverse candidates?	
Are there any other matters relating to real time publishing of nominations you wish to raise?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

TOPIC 2 HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?
(refer pages 11-16 – Local Government Participation and Elections Review Discussion Paper).

2.7—Removal of council wards

Councils currently have the power to determine the composition of the council, including whether to divide the area of the council into wards, alter the division of the council or abolish the division of the council area into wards, subject to complying with the requirements of section 12 of the *Local Government Act 1999*.

Councils use the Representation Review process and, based on a schedule determined by the Minister (approximately every 8 years), must review the representation structure, including examining the advantages/disadvantages of various options available for the composition of the council (ward structures) and the number of members. Councils must undertake public consultation when conducting a Representation Review.

Changes arising from the passage of the *Statutes Amendment (Local Government Review) Act 2021* have introduced a 'member cap' which provides that a council must not be comprised of more than 13 members unless the council is granted an exemption certificate by the Electoral Commission SA.

Whilst it is often the case, candidates do not need to live in the ward they nominate in: they must be eligible for nomination within the council area, but are able to nominate in any ward within the council. Once elected to council, all council members must make decisions in the interest of the whole council.

Ward elections are managed separately. If a vacancy occurs in a council ward an election only involves eligible voters within that ward. This is likely to mean lower costs are incurred for supplementary ward elections. In a council with no wards, any vacancy would result in an election involving **all** eligible voters within the council area.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 2.7—Removal of council wards	Comments
Should councils continue to have wards? If so, why? If not, what would be the benefits of removing them?	

[INSERT COUNCIL NAME]*Submission to LGA – Participation & Elections Review*

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 2.7—Removal of council wards	Comments
Should wards only be kept in councils where a size warrants their retention?	

LGA CONSULTATION QUESTIONS: 2.7—Removal of council wards	Comments
What opportunities/risks do you consider may arise as a consequence of the removal of wards?	
Are there any other matters relating to the removal of wards you wish to raise?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

TOPIC 2 HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?
(refer pages 11-16 – Local Government Participation and Elections Review Discussion Paper).

2.8—Lack of nominations trigger for boundary reform

The endorsed policy position of the LGA in relation to amalgamations is that they should only occur on a voluntary basis, where there is support of council and their communities and strong supporting evidence. It is important that councils maintain their autonomy and the ability to respond directly to the needs of their communities.

The Participation Review discussion paper suggests increasing the size of a council's area (e.g., through amalgamation with an adjoining council or councils), or making other structural changes (e.g., removal of existing ward structures), may support a greater number of more diverse candidates to stand for that council.

The Participation Review discussion paper proposes that where insufficient nominations are received at a general election, this should trigger the referral of a boundary review process to the SA Boundaries Commission, the end product of which could be forced council amalgamations or changes to ward structures within the council.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 2.8—Lack of nominations trigger for boundary reform	Comments
Should a lack of nominations be a trigger for boundary reform?	

[INSERT COUNCIL NAME]*Submission to LGA – Participation & Elections Review*

LGA CONSULTATION QUESTIONS: 2.8—Lack of nominations trigger for boundary reform	Comments
What opportunities/risks do you consider may arise as a consequence of boundary reform processes being triggered by a lack of nominations?	
If legislative changes are introduced that commence a boundary reform process following a lack of nominations, who should bear the cost of that process and why?	
Are there any other matters relating to the proposal to trigger boundary reform as a consequence of insufficient nominations you wish to raise?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

TOPIC 3 HOW CAN WE ACHIEVE A BETTER VOTER TURNOUT?**(refer pages 17-22 – Local Government Participation and Elections Review Discussion Paper).****3.1—Make voting for councils compulsory**

There has been significant discussion over a long period of time about whether voting in council elections should be compulsory, as is the case for state and federal elections. Voter turnout in South Australian Council Elections has remained relatively static at around 32% over the past six elections (2003 – 2022).

South Australia and Western Australia are the two states where voting is not compulsory in council elections.

A primary consideration for compulsory voting relates to the impact on people's perception of local government (low turnout can be seen as reducing the legitimacy of councils) and, potentially, the quality of election candidates. Compulsory voting would, however, result in a cost increase to councils (ECSA recovers the full costs for the conduct of council elections from councils). The issue of the potential for increased politicisation of councils has also been raised during discussions about the introduction of compulsory voting.

The LGA Secretariat has received a proposed items of business relating to the introduction of compulsory voting following the November 2022 council elections so is keen to understand the level of support across the sector for this proposal.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 3.1—Make voting for councils compulsory	Comments
Should voting for councils be compulsory in South Australian council elections?	

LGA CONSULTATION QUESTIONS: 3.1—Make voting for councils compulsory	Comments
What opportunities/risks do you consider may arise as a consequence of making voting for councils compulsory?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

LGA CONSULTATION QUESTIONS: 3.1—Make voting for councils compulsory	Comments
Are there any other matters relating to the proposal to make voting for councils compulsory you wish to raise?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

TOPIC 3 HOW CAN WE ACHIEVE A BETTER VOTER TURNOUT?**(refer pages 17-22 – Local Government Participation and Elections Review Discussion Paper).****3.2—Change the method of voting**

The current method of voting in South Australian council elections is postal voting. As noted previously, voter turnout has been relatively static at around 32% over the past six elections (2003 – 2022). Some hold the view that voter turnout is connected to the method of voting with a greater risk of lower participation for postal voting.

Anecdotally it is claimed that people receive postal ballot papers, put them down to action later and then forget to do so, resulting in lower voter turnout.

Other factors for consideration with the current postal ballot process include:

- delivery times and reliability, particularly for regional areas, of the postal service
- increasing costs associated with postal voting processes (the service directly, fuel, logistics, processing)
- risks of vote tampering or interference/influencing the completion of ballot papers
- risks of interference with the election process through ballot paper theft

There are limited examples where voters are able to vote electronically. Whilst there would be up front costs to establish electronic voting for council elections, there is the potential for longer term savings to be achieved. However, given the limited operation of electronic voting systems in Australia, there are concerns about access, reliability and the potential for manipulation of electronic voting systems. Electronic voting may warrant further consideration.

The LGA Secretariat has received a proposed items of business relating to voting fraud and whether there is a need for legislative change to minimise the occurrence of this following the November 2022 council elections so is keen to receive councils' views on the method of voting and how this may affect voting fraud.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 3.2—Change the method of voting	Comments
How should people vote for their councils?	

[INSERT COUNCIL NAME]*Submission to LGA – Participation & Elections Review*

LGA CONSULTATION QUESTIONS: 3.2—Change the method of voting	Comments
Is there a need for legislative change to minimise the risk of voting fraud?	
Do you support investigation of electronic voting systems? What are the opportunities and risks of this approach?	
What opportunities/risks do you consider may arise as a consequence of changing the method of voting?	
Are there any other matters relating to the proposal to change the method of voting you wish to raise?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

TOPIC 3 HOW CAN WE ACHIEVE A BETTER VOTER TURNOUT?**(refer pages 17-22 – Local Government Participation and Elections Review Discussion Paper).****3.3—Consider who can vote for their council**

Currently, residents on the state electoral roll receive an automatic entitlement to vote in council elections.

Residents within a council area who are not Australian citizens may also enrol to vote on the council electoral roll if they have been a resident in the council area for at least one month immediately before the date they apply to enrol.

In addition, persons, business lessees, business owners, bodies corporate or groups that are ratepayers, or occupy a rateable property, within the council are eligible to enrol to vote in council elections. This category of voter does not need to live in the area of the election they are voting in and do not need to be Australian citizens.

The LGA Secretariat has received proposed items of business relating to eligibility to vote following the November 2022 council elections. These matters have been included as LGA Consultation Questions in addition to the Participation Review questions below.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 3.3—Consider who can vote for their council	Comments
Should the franchise for council elections be changed in any way?	

LGA CONSULTATION QUESTIONS: 3.3—Consider who can vote for their council	Comments
Should the eligibility to vote in council elections be restricted to only those persons on the State Electoral Roll?	

[INSERT COUNCIL NAME]*Submission to LGA – Participation & Elections Review*

LGA CONSULTATION QUESTIONS: 3.3—Consider who can vote for their council	Comments
Should the residency time for non-property owners who are not on the State/Federal electoral roll be changed? If yes, what changes should be made?	
Are there additional regulatory arrangements needed in relation to supplementary roll applications to ensure the integrity of the enrolment process? If yes, what do you propose?	
What opportunities/risks do you consider may arise as a consequence of changing who can vote for their council?	
Are there any other matters relating to the proposal to change who can vote for their council you wish to raise?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

TOPIC 3 HOW CAN WE ACHIEVE A BETTER VOTER TURNOUT?**(refer pages 17-22 – Local Government Participation and Elections Review Discussion Paper).****3.4—Change the timing of council elections**

The timing of council elections has been a longstanding concern for the sector with the alignment of elections for all three levels of government in 2022 highlighting the issue.

Legislation currently deems that both State and council elections occur on a four yearly cycle, with State elections generally held around March and council elections occurring in November. The Electoral Commission SA (ECSA) is responsible for the conduct of both elections. Federal elections occur on a three yearly cycle, which means that every fourth State/council election coincides with a Federal election.

During 2022 there was particular concern about potential 'voter fatigue' impacting voter turnout for council elections. Surprisingly, despite some electors having to participate in up to three compulsory election process prior to the voluntary council elections, voter turnout was approximately 34% in the November 2022 council elections.

Councils have previously expressed concern at the capacity of ECSA to effectively manage State and council elections within close proximity to each other. As council elections follow State elections, their view is that the quality of service provided to councils is compromised as ECSA cannot commence the council election process until it has effectively concluded the State election.

ECSA has not yet published its report into the November 2022 council elections, however, it is anticipated the issue of timing of council elections is likely to be canvassed in that report.

The LGA Secretariat has received proposed items of business relating to timing of council elections following the November 2022 council elections and is keen to receive councils views on this issue.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 3.4—Change the timing of council elections	Comments
Should council elections be moved to a different year from South Australian Government elections?	

[INSERT COUNCIL NAME]*Submission to LGA – Participation & Elections Review*

LGA CONSULTATION QUESTIONS: 3.4—Change the timing of council elections	Comments
Should any change to the timing of council elections not only consider alignment with SA Government elections, but also whether the time of year (i.e., November) council elections are held?	
What opportunities/risks do you consider may arise as a consequence of changing the timing of council elections?	
Are there any other matters relating to the proposal to change the timing of council elections you wish to raise?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

TOPIC 3 HOW CAN WE ACHIEVE A BETTER VOTER TURNOUT?
(refer pages 17-22 – Local Government Participation and Elections Review Discussion Paper).

3.5—Election promotion

(Refer also to section 2.3—More local promotion of nominating for elections)

As noted previously, councils pay the Electoral Commission SA (ECSA) for the costs associated with the conduct of council elections. In relation to the November 2022 council elections, ECSA advised councils that advertising research, development, production and media campaigns funded by ECSA would come at an approximate cost of \$900,000 in order to encourage as many electors as possible to be enrolled and participate in the 2022 elections.

This expenditure is in addition to the LGR&DS funded promotion undertaken by the LGA.

Election signs

Election signs are one means of promoting candidates in council elections. There are a wide range of views on the use of election signs.

Changes made as part of the local government reform process introduced restrictions on the placement of local government electoral signs made of corflute/plastic. Whilst not raised in the Participation Review discussion paper, this issue of election signs presented a range of challenges for the sector during the November 2022 council elections.

Changes to section 226 inadvertently removed the timeframes within which electoral signs could be displayed. Whilst the changes prohibited the display of an 'electoral advertising poster' (being a poster display electoral advertising made of corflute or plastic), the removal of the provision allowing the display of signs relating to council elections in section 226 meant that the regulation of display of election signs was limited to council by-laws, which had not previously had to be relied upon for that purpose. As a consequence, there was significant confusion and a wide variation of arrangements in place for the display of election signs across the sector.

In addition, in response to the ban on signs made of corflute or plastic, signs made from alternative materials started to appear. It is anticipated that alternative signage materials will become more widely available ahead of the 2026 elections, which will mean that the corflute/plastic ban is likely to have less impact on the display of election signs.

The LGA Secretariat has received proposed items of business relating to display of election signs following the November 2022 council elections. These matters have been included as LGA Consultation Questions in addition to the Participation Review questions below.

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 3.5—Election promotion	Comments
Should councils have a stronger role in promoting elections locally to increase voter turnout?	

LGA CONSULTATION QUESTIONS: 3.5—Election promotion	Comments
What opportunities/risks do you consider may arise as a consequence of councils playing a stronger role in the promotion of elections to increase voter turnout?	
Are there any other matters relating to councils having a stronger role in promoting elections locally you wish to raise?	
Should changes be made to requirements for the display of election signs? If yes, what changes are required? For example: <ul style="list-style-type: none"> - specify a timeframe within which election signs may be displayed - specify requirements for the removal of election signs - limit the number of signs that may be displayed - limit the locations in which signs may be displayed 	
Should the rules relating to council election signs be the same as the rules for state and federal election signs?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

LGA CONSULTATION QUESTIONS: 3.5—Election promotion	Comments
Are there any other matters relating to council election signs you wish to raise?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

TOPIC 3 HOW CAN WE ACHIEVE A BETTER VOTER TURNOUT?**(refer pages 17-22 – Local Government Participation and Elections Review Discussion Paper).****3.6—Removing wards***(Refer also to section 2.7—Removal of council wards)*

In the context of achieving a better voter turnout, the Participation Review discussion paper suggests that the removal of wards would provide voters with a greater choice of candidates.

As noted previously, councils currently have the power to determine the composition of the council and are required to review this in accordance with a schedule determined by the Minister. The council considers a range of factors to arrive at the preferred representation structure and must consult with its community.

Ward elections are managed separately. If a vacancy occurs in a council ward an election only involves eligible voters within that ward. This is likely to mean lower costs are incurred for supplementary ward elections. The removal of wards, would mean that any vacancy would result in an election involving **all** eligible voters within the council area.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 3.6—Removing wards	Comments
Would removing wards provide voters with greater choice, and produce fairer results?	

LGA CONSULTATION QUESTIONS: 3.6—Removing wards	Comments
What opportunities/risks (for achieving a better voter turnout) do you consider may arise as a consequence of removing wards?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

LGA CONSULTATION QUESTIONS: 3.6—Removing wards	Comments
Are there any other matters relating to the removal of wards you wish to raise?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

TOPIC 3 HOW CAN WE ACHIEVE A BETTER VOTER TURNOUT?**(refer pages 17-22 – Local Government Participation and Elections Review Discussion Paper).****3.7—Consider candidate information**

This section of the Participation Review discussion paper explores what, if any, additional information should be required from candidates to inform voters e.g., on the 'Candidate Profile' and whether councils should provide a platform or mechanisms to help disseminate information about candidates to voters.

Refer also to 2.5—Required training for candidates: Candidate screening

Currently the legislation provides that following the close of nominations candidates are able to access a copy of the electoral roll for the council or ward in which they are contesting election. This information assists candidates with election campaigning and accessible eligible voters.

During election periods, councils are also bound by caretaker provisions/policies, which prohibit the use of council resources for the advantage of a particular candidate or group of candidates. A council caretaker policy may allow the equal use of council resources by all candidates for election.

The LGA Secretariat has received proposed items of business relating to candidate information following the November 2022 council elections. These matters have been included as LGA Consultation Questions in addition to the Participation Review questions below.

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 3.7—Consider candidate information	Comments
What information should candidates be required to include with their nominations?	
Is there a role for councils to play in enabling all candidates to reach potential voters?	

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

LGA CONSULTATION QUESTIONS: 3.7—Consider candidate information	Comments
Should candidates in council elections be required to declare any employment arrangements associated with a political party in the 12 months leading up to an election? If yes, should the declaration include the place of employment and where relevant, the name of the member of parliament?	
Should information relating to employment arrangements associated with a political party be required to be published as part of the candidate profile?	
Is there other candidate information that should be required as part of the nomination process, or to be distributed with voting materials, to assist voters?	
What opportunities/risks do you consider may arise as a consequence of changing candidate information requirements?	
What opportunities/risks do you consider may arise as a consequence of councils playing a role in enabling all candidates to reach potential voters?	
Are there any other matters relating to candidate information you wish to raise?	

[INSERT COUNCIL NAME]*Submission to LGA – Participation & Elections Review***TOPIC 4 ELECTION IMPROVEMENTS****(refer page 23 – Local Government Participation and Elections Review Discussion Paper).**

The final section of the Participation Review discussion paper seeks feedback from council on any improvements that could be considered to council elections.

As noted in the discussion paper, the review of the Electoral Commissioner which is undertaken following each periodic council election is expected to consider:

- Any modifications that may be needed following legislative changes introduced in 2022. In particular, the obligations for members to provide their campaign donations returns directly to ECSA, and their automatic loss of office for failure to do so will be considered, given the significant issue this caused in early 2023, when special legislation needed to be passed to restore 45 members to office who had lost their positions for this reason.
- Any matters raised by the Court of Disputed Returns, or other illegal practices found by the Electoral Commissioner, which may require legislative amendment to protect the integrity of election processes.
- Any other matters raised, or improvements identified, by the Electoral Commissioner in his review of the 2022 periodic elections (this report is anticipated before the end of the 2023 calendar year).

The LGA successfully advocated for legislative change to reinstate members who lost office as a consequence of non-lodgement of campaign donation returns. There were a number of factors discussed following this event, in particular, the extreme nature of the consequence for non-lodgement of what was in many cases a 'Nil' return. This is an example of where a change to the legislation should be pursued, to avoid the significant disruption and costs to councils.

ECSA has not yet published its report into the November 2022 council elections. The LGA Secretariat will review the report once it becomes available to identify other matters that may warrant action as part of the Participation Review.

[INSERT COUNCIL NAME]

Submission to LGA – Participation & Elections Review

PARTICIPATION REVIEW DISCUSSION PAPER IDEAS AND QUESTIONS: 4—Election improvements	Council comments
Do you have any ideas to improve council elections?	

LGA CONSULTATION QUESTIONS: 4—Election improvements	Comments
Campaign donation returns: What legislative changes should be pursued based on the campaign donation return experience in the 2022 council elections?	
What issues did your council encounter with the operation of the legislation during the 2022 council elections that warrant action? What action do you propose?	
What issues did your council encounter with the Electoral Commission SA and delivery of the 2022 council elections that warrant action? What action do you propose?	
Are there any other matters relating to election improvements you wish to raise?	



Local Government Association
of South Australia

LG Equip

Attachment 1

Proposed Community Engagement Charter (CEC)

(as submitted to the Minister)

November 2021



This document sets out the LGA proposed Community Engagement Charter (CEC) as submitted to the Minister for Local Government in November 2021.

The Minister retains the discretion to determine the content of, and publish, the CEC in accordance with the requirements of section 50(1) of the Local Government Act 1999.

This resource has been prepared by the Local Government Association of SA (LGA) to assist councils with implementation of legislative changes arising from Local Government Reforms, incorporating advice from Norman Waterhouse Lawyers, for the guidance of and use by member councils.



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Introduction

The *Local Government Act 1999* (the Act) recognises that it is not always appropriate for legislation to mandate that all community engagement should be conducted in the same manner for all decisions in every region of South Australia. The Act encourages councils to take a more fit-for-purpose approach to engagement, taking into account the particular matter under consideration, the type and needs of the local community and the advantages of new technology.

The Principles of the Act

Section 50 of the *Local Government Act 1999* sets out the principles underpinning this Charter as follows:

1. members of the community should have reasonable, timely, meaningful and ongoing opportunities to gain access to information about proposed decisions, activities and processes of councils and to participate in relevant processes;
2. information about issues should be in plain language, readily accessible and in a form that facilitates community participation;
3. participation methods should seek to foster and encourage constructive dialogue, discussion and debate in relation to proposed decisions, activities and processes of councils;
4. participation methods should be appropriate having regard to the significance and likely impact of proposed decisions, activities and processes;
5. insofar as is reasonable, communities should be provided with information about how community views have been taken into account and reasons for actions and decisions of councils.

These principles are consistent with principles adopted by individual councils over many years. They are informed by the International Association for Public Participation (IAP2) Core Values.

Purpose of the Community Engagement Charter

The views of the community are essential in helping to inform council decision-making processes.

This Community Engagement Charter (the Charter) relates to:

- community consultation and participation with respect to any decision, activity or process where compliance with the Charter is required by the Act; and
- any other circumstance where compliance with the Charter is required by the Act.

The Charter provides members of the community with the information they need to understand how councils approach decisions and an understanding of how they can effectively engage in local government matters and inform decision-making by councils.

The Charter includes the following components:

- categories of statutory process;
- mandatory requirements for all councils;
- adoption of community engagement policy;



- measuring performance; and
- giving of public notice.

Nothing in this Charter should be taken to limit a council's ability to undertake other forms of community consultation or engagement, including other engagement methods, in respect of any decision, activity or process. Furthermore, a council, chief executive officer or delegate is not obliged to consider whether to undertake such other consultation or engagement before making the relevant decision or undertaking the relevant activity or process.

Categories of Statutory Processes

The Act provides the Charter may establish categories of statutory processes to which various parts of the Charter will apply.

The following categories are established:

Category A Statutory Processes	Category B Statutory Processes
<ul style="list-style-type: none"> • Section 12 – Composition and wards • Section 13 – Status of a council or change of various names • Section 50A – Public consultation policies • Section 92 – Access to meetings and documents – code of practice • Section 122 – Strategic management plans • Section 123 – Annual business plan and budget • Section 151 – Basis of rating • Section 156 – Basis of differential rates 	<ul style="list-style-type: none"> • All other decisions, activities and processes where a council is required by the Act to undertake public consultation

Mandatory Requirements for all Councils

The Act provides the Charter may, in relation to each category of statutory processes established by the Charter, specify mandatory requirements.

Category A Statutory Processes

The mandatory requirements for community consultation and participation in relation to Category A statutory processes are as follows:

Requirement	Specified Means
1. Give notice of the proposed decision, activity or process by at least one of the specified means	<ul style="list-style-type: none"> • Notice in a newspaper or other publication circulating in the area of the council • Notice on a website determined by the council or chief executive officer • Notice on a social media platform maintained by the council • Notice published in the Gazette
2. Invite interested persons to make submissions by way of at least one of the specified means	<ul style="list-style-type: none"> • Written submission within at least 21 days of the giving of notice • Completion of a survey or questionnaire within at least 21 days of the giving of notice • Provision of an online response via social media within at least 21 days of the giving of notice • Attendance in person, by representative or via electronic means at a council meeting or public meeting held at least 21 days after the giving of notice • Attendance in person, by representative or via electronic means at a workshop, focus group or interview held at least 21 days after the giving of notice
3. Give consideration to any submissions made in response to an invitation by specified means, as appropriate	<ul style="list-style-type: none"> • Report presented to a council meeting for consideration by council members • Submissions considered by the person or body with delegated authority to make the proposed decision or undertake the proposed activity or process (if delegable)
4. Insofar as is reasonably practicable, provide information about how community views were taken into account and reasons for decisions or actions of councils by way of at least one of the specified means.	<ul style="list-style-type: none"> • Report presented to a council meeting for consideration by council members • Information published on a website determined by the council or chief executive officer • Outcome of decision communicated to persons who made submissions (where an email or physical address was provided). • Outcome of decision communicated to person(s) affected by the decision (where contact details provided).

There is no obligation on a council to utilise more than one of the specified means in respect of each requirement.

A determination about which specified means will be utilised for each requirement may be made by:

- the council;
- the chief executive officer; or
- a delegate with power to make the relevant decision or undertake the relevant activity or process.

Category B Statutory Processes

The mandatory requirements for community consultation and participation in relation to Category B statutory processes are as follows:

Requirement
Comply with the council's community engagement policy adopted under section 50A of the Act.

Adoption of Community Engagement Policy

Section 50A of the Act requires a council to prepare and adopt a policy relating to community engagement for the purposes of the Act. A council must undertake public consultation in the preparation of its community engagement policy.

Information about a council's community engagement policy, and how the community can have input into the policy, must be accessible on a council's website.

A community engagement policy adopted by a council must provide for the undertaking of community engagement in respect of Category B statutory processes.

A community engagement policy adopted by a council may provide for:

- the undertaking of additional community engagement in respect of a Category A statutory process;
- the undertaking of community engagement in respect of a decision, activity or process that is neither a Category A nor a Category B statutory process.

The following principles and performance outcomes must be considered when a council adopts or alters a community engagement policy or substitutes a new policy.

The principles are a reference point for good engagement. If councils have regard to the principles of engagement in the preparation a community engagement policy, then the public can have confidence that the community engagement conducted pursuant to that policy will be appropriate and effective.

It is acknowledged that a council may not necessarily be able to accommodate all views in a final outcome of a consultation process. However, engagement should facilitate a wide spectrum of views to be captured and reported. Feedback gained during community engagement is one of many factors that will be considered by the decision maker.

Principle	Performance Outcome
Members of the community should have reasonable, timely, meaningful and ongoing opportunities to gain access to information about proposed decisions, activities and processes of councils and to participate in relevant processes.	Information about decisions and how to access and contribute to the decision-making process is available and facilitates participation by affected and interested people.
Information about issues should be in plain language, readily accessible and in a form that facilitates community participation.	Information is made available using communication methods that reach the affected stakeholders, who can access it and understand how the matter would affect them.
Participation methods should seek to foster and encourage constructive dialogue, discussion and debate in relation to proposed decisions, activities and processes of councils.	The engagement method(s) enable the participation of the community in deliberation on council decisions.
Participation methods should be appropriate having regard to the significance and likely impact of proposed decisions, activities and processes.	The engagement method(s) meet objectives specific to the engagement process.
Insofar as is reasonable, communities should be provided with information about how community views have been taken into account and reasons for decisions or actions of councils.	Where relevant, people understand how their views are considered, the reasons for the outcomes and the final decision that was made.

Measuring Performance

Community engagement is undertaken to achieve better outcomes, decisions, projects and policies.

Establishing engagement objectives, and then measuring progress, helps to gauge how successful the engagement process has been. Evaluation can build transparency and accountability. It can contribute to the evidence base, identify good engagement practice and improve future practice.

Examples of how councils may measure engagement processes:

- number of formats used to distribute information;
- number of views and downloads on a website;
- number of registrations for engagement activities;
- numbers of participation/interactions in engagement activities;
- number of comment forms or questions submitted;
- number of methods used to allow for dialogue and deliberation;
- number of objectives set for the decision-making process that were met;
- levels of satisfaction with the decision-making process.



Giving Public Notice

The Act states that the Charter may provide for the giving of public notice under the Act.

Where the Act requires public notice to be given, public notice may be given for a specified matter by a notice:

- published on a website determined by the council chief executive officer; and
- available for inspection upon request at the principal office of the council.

The specified matters are as follows:

Section 93(2) – Meeting of electors
Section 184(4) – Sale of land for non-payment of rates
Section 197(3) – Adoption of management plan
Section 198(4) – Amendment or revocation of management plan
Section 219(7) – Adoption or altering of a policy relating to assigning or changing a name of a road or public place
Section 237(4) – Notification of removal of vehicle where the owner is unknown or cannot be found
Section 234A(6a) – Prohibition of traffic or closure of streets or roads

Further Information

The LGA Community Engagement Guide provides additional information and support resources that supplements this Charter.

If you would like more information about your council's approach to engagement or to learn about how you can be more involved, the starting place is your local council's website. If you do not have access to the internet, council staff will be able to assist.



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14.3 LOCAL GOVERNMENT ASSOCIATION OF SOUTH AUSTRALIA - 2024 ORDINARY GENERAL MEETING - CALL FOR ITEMS OF BUSINESS

Record Number: D24/1165

Author: Manager Governance

Authoriser: Acting Director Corporate Services

Attachments: 1. Proposed Items of Business - Guidelines [↓](#) 
2. Items of Business - Frequently Asked Questions [↓](#) 

EXECUTIVE SUMMARY

- The purpose of this report is to provide Council Members with the opportunity to submit proposed items of business for the 2024 Local Government Association of South Australia (LGA) Ordinary General Meeting (OGM) scheduled to be held in April 2024, on a date yet to be confirmed.
- The purpose of the OGM is to consider items of strategic importance to local government and the LGA, as recommended by South Australian Regional Organisation of Councils (SAROC), Greater Adelaide Regional Organisation of Councils (GAROC) and/or the LGA Board of Directors.
- Councils are encouraged to discuss proposed items of business with the LGA Secretariat prior to being submitted. A copy of the '*Proposed Items of Business Guidelines*' and '*Items of Business - Frequently Asked Questions*' are available on the LGA website and presented as **Attachment 1** and **Attachment 2** to this report.
- For proposed items of business to be considered for the 2024 OGM, LGA must receive submissions by 5.00pm on Friday, 9 February 2024 (otherwise considered for LGA 2025 OGM).

RECOMMENDATION 1

"that Council, having considered Item 14.3 – *Local Government Association of South Australia - 2024 Ordinary General Meeting - Call for Items of Business*, dated 29 January 2024, receives and notes the report."

RECOMMENDATION 2

"that Council, having considered Item 14.3 – *Local Government Association of South Australia - 2024 Ordinary General Meeting - Call for Items of Business*, dated 29 January 2024, submits the following Proposed Item(s) of Business to SAROC/GAROC/Board of Directors for approval and inclusion in the agenda of the Local Government Association Ordinary General Meeting anticipated to be held in April 2024:

_____."

BUDGET IMPACT

Estimated Cost:	Nil
Future ongoing operating costs:	Nil
Is this Budgeted?	Not applicable

RISK ASSESSMENT

For proposed items of business to be considered for the 2024 OGM, LGA must receive submissions by 5.00pm on Friday, 9 February 2024 (otherwise considered for LGA 2025 OGM).

DETAILED REPORT

Purpose

The purpose of this report is to provide Council Members with the opportunity to submit proposed items of business for the 2024 Local Government Association of South Australia (LGA) Ordinary General Meeting (OGM).

Background

The OGM is scheduled to be held in April 2024 on a date yet to be confirmed.

The purpose of the OGM is to consider items of strategic importance to local government and the LGA, as recommended by South Australian Regional Organisation of Councils (SAROC), Greater Adelaide Regional Organisation of Councils (GAROC) and/or the LGA Board of Directors.

Discussion

Submission of Proposed Items of Business

To submit a proposed item of business, Council is required to complete the *LGA General Meeting – Proposed Item of Business* form. Proposals should be accompanied by adequate supporting information to assist SAROC, GAROC and the Board of Directors to make informed decisions and recommendations. Staff will prepare and submit the form (if required), and any Council resolution that outlines the proposed item of business should include a sufficient level of detail to inform the item of business.

Member councils may, at any time throughout the year, propose an item of business for a General Meeting. *‘Proposed Items of Business Guidelines’* presented as **Attachment 1** to this report, and *‘Items of Business - Frequently Asked Questions’* is presented as **Attachment 2** to this Report. Members are encouraged to consider these documents and discuss proposed items of business with the LGA Secretariat prior to submission.

Further information about LGA Ordinary General Meetings, Board of Directors, SAROC and GAROC, the LGA Constitution and Ancillary Documents is available on the LGA website (<https://www.lga.sa.gov.au/about-lga/lga-meetings/ogmagm>).

In order for items of business to be considered for the upcoming OGM (April 2024), proposals must be received no later than 5.00pm on Friday, 9 February 2024.

All proposed items will then be considered by either SAROC, GAROC or the Board of Directors and must be approved by them for inclusion in the agenda for the OGM.

Conclusion

Proposed items of business must be received by 5.00pm on Friday, 9 February 2024 to be considered for the OGM. Accordingly, Council is invited to submit any proposed items of business for consideration by SAROC for inclusion in the OGM agenda.

References

Legislation

Local Government Act 1999

Council Policies/Plans

Strategic Plan 2021-2024 Proactive Leadership

Considering Proposed Items of Business for LGA General Meetings

Guidelines

February 2019

Version 1

Introduction

The Local Government Association of South Australia (LGA) schedules two General Meetings each year for member councils to consider items of strategic importance to local government and the LGA. Proposing and voting on items of business for a General Meeting is one of the important ways that member councils participate in the development of policy and strategy on issues and influence the advocacy agenda for local government in matters affecting councils and their communities.

These guidelines have been prepared to assist the LGA Board of Directors (Board), South Australian Region Organisation of Councils (SAROC) and Greater Adelaide Region Organisation of Council (GAROC) to consider the items of business to be placed upon an agenda for an LGA Ordinary or Annual General Meeting. They also provide guidance to member councils to develop and prioritise proposals to submit for consideration.

The *Considering Proposed Items of Business for LGA General Meetings* Guidelines may be reviewed and amended by the LGA Board of Directors from time to time.

LGA Constitution

Section 16 of the LGA Constitution provides guidance about the matters to be discussed at a General Meeting, and the process by which items of business may be proposed for inclusion on the agenda. The requirements of Section 16 are outlined below.

16. Business of General Meetings

- 16.1 *The business of a General Meeting will be to consider items of strategic importance to local government and the LGA as recommended by SAROC, GAROC or the Board of Directors and matters which must be determined under this Constitution at a General Meeting.*
- 16.2 *Any Member may propose an item of business for an Annual General Meeting or an Ordinary General Meeting to SAROC, GAROC or the Board of Directors.*
- 16.3 *No business shall be brought before a General Meeting of the LGA unless:*
 - 16.3.1 *it has been placed on the agenda of an Annual General Meeting or an Ordinary General Meeting by SAROC, GAROC or the Board of Directors taking into account the purpose of a General Meeting set out in clause 16.1; or*
 - 16.3.2 *the business is as stated in the notice of a Special General Meeting, given in accordance with clause 10.*

In summary, the Constitution provides all member councils with the opportunity to submit a proposed item of business to the Board, SAROC or GAROC for approval to be placed on the agenda of a General Meeting. No item of business will be placed upon the agenda for a General Meeting unless it has been approved by one of the relevant bodies, which must consider whether a matter is of '*strategic importance*' to local government and the LGA'.

Relevant bodies

As outlined in the Constitution, a member council may propose an item of business to SAROC, GAROC or the Board of Directors. This opportunity is also enshrined within the LGA Membership Proposition, which outlines the rights of members to participate in the development of LGA policy and strategy.

While the Constitution refers to members being able to refer items directly to the Board, the Membership Proposition specifically provides for members referring matters relating to policy and strategy development to either SAROC or GAROC (as relevant).

To provide greater clarity to members about the best pathway for submitting an item of business, the following guidance is provided.

LGA Board of Directors

Items should be referred to the Board if related to:

- the LGA Constitution or Ancillary Documents
- a subsidiary of the LGA
- a commercial service provided (or proposed to be provided) by the LGA
- an activity requiring the allocation of significant resources by the LGA
- any LGA operational matter

SAROC or GAROC

Items should be referred to the relevant ROC if related to:

- the development of LGA policy and strategy
- LGA advocacy activities
- an amendment or addition to the LGA Policy Manual
- an operational matter related to SAROC or GAROC

The Board, SAROC and GAROC may choose to refer items submitted by member councils to each other for advice or consideration. Such referrals will be at the discretion of the Board, SAROC and GAROC.

Guiding principles

The following guiding principles have been developed to provide clarity and consistency to the Board, SAROC, GAROC and member councils about the relevant matters that will be considered in determining whether an item of business will be placed on the agenda of a General Meeting.

1. Strategic importance

The matters discussed at General Meetings should be of strategic importance to local government and the LGA. The policies and activities that are resolved at the LGA General Meetings are important in guiding the priorities and work plans of the LGA, and it is important that the association's resources are focussed on the issues that will be of the greatest benefit to councils and communities.

In determining whether a matter is of strategic importance to local government and the LGA, the Board, SAROC and GAROC will consider:

- whether the item has relevance to and will benefit a particular group (eg regional or metro councils) or the sector as a whole;
- alignment with the strategic plans and business plans of the LGA, SAROC and GAROC;
- the level of urgency required to deal with the issue;
- relevance to the role of local government and the potential positive and negative impacts of the issue on councils and communities;

- whether there are other bodies or industry groups that are better placed to address the issue or undertake the proposed activity; and
- the resources required to execute the policies or activities.

2. Supporting evidence

Good public policy positions need to be supported by solid evidence that the issues are well understood and that the proposed course of action provides the most efficient and effective solution. A strong evidence base is critical to successful advocacy, particularly when trying to change government policy, influence public opinion or attract additional funding.

The Board, SAROC and GAROC will consider whether there is sufficient evidence provided in support of the policy position or course of action being sought. In some instances, an item may be referred back to the submitting council with a request for further information.

In many cases the evidence needed to support a position might not be readily available. In these circumstances it is best for a motion to seek further investigation of an issue and/or further consultation with councils, rather than seeking endorsement of a specific policy position or action. The Board, SAROC and GAROC may propose an alternative course of action, in consultation with the submitting council.

3. Alignment with LGA policy

The LGA Policy Manual is a compendium of principles and policies that have been developed and endorsed by a majority vote of member councils at previous General Meetings. There are a wide range of policies addressing a number of priority issues for the sector.

The policies act as a guide for advocacy and best practice in the sector. In most cases, the LGA Policy Manual can provide councils with a broad direction on how an issue can be resolved and whether further development of a policy position is required.

The Board, SAROC and GAROC will consider the LGA Policy Manual in determining whether a new or amended policy position is required to be endorsed by members to enable the LGA to take the requested action. If the LGA already has a supportive policy position in relation to the proposed item, further consideration by members at a General Meeting may not be required.

4. Resourcing

In some cases, the items of business put forward by members require significant resources to be allocated in order to achieve the desired outcome. Resources may not be available through the LGA to tackle every issue.

Before determining to place an item on the agenda of a General Meeting; the Board, SAROC and GAROC will consider:

- whether resources are available within the LGA to achieve the desired outcome;
- other resources that may be available;
- potential impacts on the LGA budget and business plan; and
- the level of input that will be required by councils or other stakeholders to progress the item.

The Board, SAROC and GAROC may determine not to proceed with (or defer) an item of business if the resourcing required would detract from the achievement of outcomes of greater priority for members.

Determinations by the Board, SAROC and GAROC

After considering a proposed item of business against these guiding principles and having regard to any other relevant factors, the Board, SAROC and GAROC may determine to:

- approve an item of business for inclusion on the agenda of a General Meeting;
- approve an amended item of business for inclusion on the agenda of a General Meeting (in consultation with the submitting councils);
- take no further action;
- request additional information from the submitting council;
- refer an item back to the submitting council or regional LGA for action if it relates to a local or regional issue;
- resolve that the matter be dealt with by the LGA, SAROC or GAROC without progressing to a General Meeting (such as matters requiring urgent attention or actions that can be progressed immediately due to alignment with existing policies and work plans); or
- defer the item to a future General Meeting

The submitting council will be advised in writing of the determination of their proposed item of business.

Items of business for LGA General Meetings

**Frequently Asked
Questions**

November 2020

Items of business for LGA General Meetings

Introduction

The Local Government Association of South Australia (LGA) schedules two General Meetings each year:

- the Ordinary General Meeting (OGM) is held annually in April or May; and
- the Annual General Meeting (AGM) is held annually in October or November.

A key purpose of the AGM/OGM is to bring together member councils to consider 'items of business' that are of strategic importance to local government.

Proposing and voting on items of business for a General Meeting is one of the important ways that member councils participate in the development of policy and strategy on issues and influence the advocacy agenda for local government in matters affecting councils and their communities.

This FAQ provides helpful guidance to councils about how to successfully participate in this process.

General overview of process

Items of business can be submitted by member councils, or a Regional LGA, to either SAROC, GAROC or the LGA Board of Directors for approval to be placed on the agenda of a General Meeting.

It is at the discretion of councils whether to refer an item to SAROC (regional councils), GAROC (metro councils) or the LGA Board of Directors. As a general guide, all policy and advocacy matters should be referred to SAROC or GAROC, and matters related to the operations of the LGA should be referred to the LGA Board.

Items of business can be submitted at any time during the year. Councils do not need to wait for the call for items from the LGA. However, to enable all items to be assessed by the relevant body and for reports to be prepared and included in the Agenda, a closing date is determined for each General Meeting. This closing date will typically be around 8-10 weeks prior to each General Meeting. If you miss the deadline, you can still submit your item, but it will be held until the following General Meeting.

Councils and Regional LGAs must submit their items by completing and submitting the LGA General Meeting - Proposed Item of Business form.

Proposals should be accompanied by enough supporting information to make informed decisions and recommendations. Councils and Regional LGAs are encouraged to discuss proposed items of business with the LGA Secretariat before they are submitted for advice on LGA policy, current activities and the type of supporting evidence or documentation that may be required.

SAROC, GAROC, or the LGA Board of Directors may decide to approve an item of business for inclusion on the agenda of a General Meeting. If appropriate, they may determine another course of action, including approving with amendments, requesting further information, referring the matter back to the council or Regional LGA, or resolving that the matter be dealt with by the LGA/SAROC/GAROC without progressing to an OGM/AGM.

Once an item of business has been recommended for inclusion on the agenda for a General Meeting, and subsequently carried by member councils by a majority vote, the LGA will use its best endeavors to achieve the outcomes sought by member councils.

Before proposing an item of business, member councils and Regional LGAs are encouraged to carefully consider the following *Frequently Asked Questions* and to refer to the *Guidelines on Considering Proposed Items of Business for LGA General Meetings*¹.

Frequently Asked Questions

- Why should I consider an item of business for an LGA general meeting?
- What is a 'strategically important' issue?
- What supporting evidence does the LGA need to consider my item of business?
- When should I submit a proposed item of business to the LGA?
- I have read the agenda for the next General Meeting and think an issue needs to be on there. Can I submit a late item of business?
- How do I submit a proposed item of business?
- Can I write a letter to the LGA President or CEO to submit a proposed item of business?
- Who makes the decision on my proposed item of business / where should I refer my item of business to?
- My council is not a member of a Regional LGA. Can I still submit a proposed item of business?
- Why might the LGA decide not to allow my proposed item of business to go to a General Meeting?
- Can I get help to prepare a proposed item of business?

Why should I consider an item of business for an LGA general meeting?

- Member councils and Regional LGAs should consider submitting a proposed item of business if they believe there is an opportunity for the LGA to take the lead on an issue that is strategically important to local government and will benefit the sector as a whole.
- There is significant value and impact in local government speaking with one voice through the LGA to influence State and Federal Government setting the policy, legislation and funding arrangements that support the delivery of council services and operations. Similarly, the LGA can bring councils together to assist with capacity building and knowledge sharing within local government.

What is a 'strategically important' issue?

- The policies and activities that are resolved at the LGA General Meetings are important in guiding the priorities and work plans of the LGA, and it is important that the Association's resources are focussed on the issues that will be of the greatest benefit to councils and communities.
- Generally, an item may be deemed to strategically important if:
 - it has direct relevance to the role of local government, or council services and operations; and

¹ https://www.lga.sa.gov.au/_data/assets/pdf_file/0032/467744/ECM_670949_v6_Guidelines-Considering-Proposed-Items-of-Business-for-LGA-General-Meetings-2.pdf

- it will benefit the local government sector as a whole; and
- there is alignment with LGA/SAROC/GAROC strategic and business plans; and
- there is alignment with the LGA Policy Manual.

What supporting evidence does the LGA need to consider my item of business?

- Good public policy positions need to be supported by solid evidence so that the issues are well understood and that the proposed course of action provides the most efficient and effective solution.
- A strong evidence base is critical to successful advocacy, particularly when trying to change government policy, influence public opinion or attract additional funding.
- To support SAROC, GAROC and the LGA Board of Directors in determining whether an item of business should be recommended to an LGA General Meeting, all submissions should provide a summary of the issue, a clear definition of the problem and its impact on local government or council services and operations. Information should be provided on any relevant legislation, policy settings and relevant research reports and papers.
- If sufficient supporting evidence is not provided, SAROC, GAROC or the LGA Board of Directors may refer an item back to the submitting council with a request for further information.
- In many cases the evidence needed to support a position might not be readily available. In these circumstances it is best for a motion to seek further investigation of an issue and/or further consultation with councils, rather than seeking endorsement of a specific policy position or action.

When should I submit a proposed item of business to the LGA?

- Items of business for LGA General Meetings can be submitted at any time throughout the year.
- A proposed item of business will be referred to SAROC, GAROC or the LGA Board of Directors at their next available meeting, along with a report with recommendations from the LGA Secretariat.
- The LGA will advise member councils of the final date for submitting proposed items of business for the next available General Meeting. This 'closing date' is required to ensure that the LGA Secretariat can engage with the submitting councils and make recommendations to SAROC, GAROC or the LGA Board of Directors at their meeting prior to preparation of the General Meeting Agenda.
- Generally, proposed items of business for the Annual General Meeting (October/November) need to be with the LGA in August and proposed items of business for the Ordinary General Meeting (April/May) need to be with the LGA in February.
- The 'closing date' for each General Meeting is communicated to councils via LGA Latest News, typically five months in advance.

I have read the agenda for the next General Meeting and think an issue needs to be on there. Can I submit a late item of business?

- No. Once the Agenda has been finalised for a General Meeting, no further items of business will be accepted for that Meeting. The Agenda is provided to councils at least 30 days prior to a

General Meeting to enable each council to discuss and determine a position on the items of business.

- Any items that are received after the closing date will be held until the following General Meeting.
- The LGA Board of Directors, SAROC and GAROC may decide to progress an issue that is strategically important to local government if there is a level of urgency required to deal with the issue outside of the scheduling for the LGA General Meetings.

How do I submit a proposed item of business?

- To submit a proposal please complete the *LGA General Meeting - Proposed Item of Business* form. This form requires councils to identify:
 - Which body the proposed item of business is being referred to ie SAROC, GAROC or the LGA Board of Directors
 - The subject of the proposed item of business - a short title is preferred.
 - The proposed motion for the General Meeting – a succinct and clear motion ie that the Annual / Ordinary General Meeting requests the LGA to....
 - Supporting information - attachments are permitted to ensure adequate supporting information is provided
 - Alignment to the LGA Policy Manual - consider if this item requires a change to the LGA Policy Manual (new policy or amendment to existing policy)?
 - Alignment to LGA Strategic Plan reference - identify links to one key initiative and one strategy
 - A Council Contact Officer responsible for submitting form - the LGA may wish to liaise with the proposing council to request additional information or consult on potential amendments to the motion
 - Council Meeting minute reference and date of meeting - all proposed items of business must be appropriately considered by the submitting council or Regional LGA before being sent to the LGA.

Can I write a letter to the LGA President or CEO to submit a proposed item of business?

- No. To ensure that all the required information is provided and that proposed items of business are handled correctly by the LGA Secretariat, please use the LGA General Meeting - Proposed Item of Business form and submit it to lgasa@lga.sa.gov.au

Who makes the decision on my proposed item of business / where should I refer my item of business to?

- It is at the discretion of councils and Regional LGAs whether to refer an item to SAROC, GAROC or the LGA Board of Directors.
- The Guidelines on Considering Proposed Items of Business for LGA General Meetings, suggests that items should be referred to SAROC (from regional member councils) or GAROC (from metropolitan member councils) if they relate to the development of LGA policy and strategy, advocacy issues, the LGA Policy Manual, and operational matters related to SAROC or GAROC.

- Otherwise items should be referred to the LGA Board of Directors if related to:
 - the LGA Constitution or Ancillary Documents
 - a subsidiary of the LGA
 - a commercial service provided (or proposed to be provided) by the LGA
 - an activity requiring the allocation of significant resources by the LGA
 - any LGA operational matter

Regional councils may choose to refer their proposed items of business to their Regional LGA prior to submitting with the LGA. This is not required, but it often assists councils with refining the proposed actions and may help to inform and build support for the proposed item of business in their region.

My council is not a member of a Regional LGA. Can I still submit a proposed item of business?

- Yes. Any member council from regional South Australia may submit a proposed item of business to SAROC or to the LGA Board of Directors.

Why might the LGA decide not to allow my proposed item of business to go to a General Meeting?

An item may not be recommended for consideration at a General Meeting:

- If it is not considered to be 'strategically important' to local government; for example, it is not an issue that is within the scope of local government to address or influence.
- If progressing the item would impact negatively on the reputation of local government in South Australia.
- If an issue is only relevant to a particular group of councils it may be referred back to a council or Regional LGA, or resolved that the matter be dealt with by SAROC (for regional issues) or GAROC (for metropolitan issues) without progressing to a General Meeting.
- If there is insufficient supporting evidence provided in support of the policy position or course of action being sought. In some instances, an item may be referred back to the submitting council with a request for further information.
- In circumstances where the evidence needed to support a position might not be readily available, it would be appropriate for a proposed item of business to request that the LGA seeks further investigation and/or further consultation with councils, rather than seeking endorsement of a specific policy position or action.
- If the LGA already has a supportive policy position in relation to the proposed item, further consideration by members at a General Meeting may not be required.
- If there are a lack of resources available to the LGA to progress the proposed item of business. In some cases, the items of business put forward by members require significant resources to be allocated in order to achieve the desired outcome. Resources may not be available through the LGA to tackle every issue. The Board, SAROC and GAROC may determine not to proceed with (or defer) an item of business if the resourcing required would detract from the achievement of outcomes of greater priority for members.

Can I get help to prepare a proposed item of business?

- Yes. All member councils are encouraged to contact the LGA Secretariat early in the process to discuss the development of their proposed items of business.
- Please contact Allison Down, Executive Coordinator, GAROC and SAROC Committees via email: allison.down@lga.sa.gov.au or telephone: 08 8224 2054.

14.4 THE PLAINS COMMUNITY GROUP - REQUEST OF DONATION FOR PUBLIC LIABILITY INSURANCE

Record Number: D24/2730

Author: Manager Library and Community

Authoriser: Acting Director Development & Community

Attachments: 1. The Plains Community Group - Request of Donation for Public Liability Insurance - 4 January 2024 [↓](#) 

EXECUTIVE SUMMARY

- The purpose of this report is for Council to consider a donation request from *The Plains Community Group* (PCG) for Public Liability Insurance.

RECOMMENDATION

“that Council, having considered Item 14.4 – *The Plains Community Group - Request of Donation for Public Liability Insurance*, dated 29 January 2024, receives and notes the report and in doing so **approves/does not approve** the request to donate \$250.00 to The Plains Community Group for Public Liability Insurance.”

BUDGET IMPACT

Estimated Cost:	\$250.00
Future ongoing operating costs:	Unknown
Is this Budgeted?	No

RISK ASSESSMENT

Council does not currently assist any of the 70+ community groups within Council’s area with Public Liability Insurance. Approval of this donation request may set a precedence for future requests from community groups.

DETAILED REPORT

Purpose

The purpose of this report is for Council to consider a donation request from The Plains Community Group(PCG) for Public Liability Insurance.

Background

At the 27 November 2023 Ordinary Council Meeting, the PCG presented a deputation to Council. This deputation requested (in addition to various other things) supplementation of insurance costs. No formal motion was raised at the 27 November 2023 Ordinary Council Meeting in relation to PCG's insurance costs. On 4 January 2024, PCG, via letter, requested a \$250.00 donation for their Public Liability Insurance (**Attachment 1**). Council now needs to determine whether to approve PCG's request of donation for Public Liability Insurance.

Discussion

PCG formed in 2023, and aims to:

- create and promote a variety of events within the Adelaide Plains Council region;
- showcase events that promote and make connections with the community;
- build community resilience and assist disadvantaged families to attend affordable events within the Adelaide Plains Council region e.g., the "Twinkling" and the "Twinkling Trail";
- create and promote events of the visual and performing arts within Adelaide Plains Council region;
- engage the community and cater for the needs of the Adelaide Plains Council region through accessible and inclusive events; and
- collaborate with other charitable organisations within and around the Adelaide Plains Council.

Council administration across the Executive Office, Corporate Services and Development and Community teams, have turned their mind to the request for donation and have collectively formed the following view:

1. Council has an ongoing budget to support community group Christmas Event Liability Insurance. This insurance is for the Christmas events only (to cover community groups in the event any injuries or damage is caused to participants or members of the public at the event).
2. When a community group/sporting organisation take out Public Liability Insurance, it covers them for protection against any liability that may arise as a result of activities or operations of the groups in general (anything other than the Christmas event). Council **does not** currently have a budget line to support payment for community group Public Liability Insurance and will therefore need to consider whether Council wish to potentially incur these additional costs on an ongoing basis.

Conclusion

Council now needs to determine whether to approve PCG's donation request of \$250.00 for Public Liability Insurance.

References

Legislation

Local Government Act (SA) 1999

Council Policies/Plans

Event Management Policy

Adelaide Plains Council
RECEIVED
08 JAN 2024

THE PLAINS COMMUNITY GROUP

c/o 20 Williams Road, Two Wells. S.A. 5501.

e-mail: gwenjohnson46@hotmail.com

4th January, 2024.

ADELAIDE PLAINS COUNCIL.
P.O. BOX 18,
MALLALA, S.A. 5502.

For the attention of: The MAYOR, CEO and ALL COUNCIL MEMBERS,

As part of our requests at our deputation to Council in November, 2023, the Plains Community Group would like to request a donation from Council of \$250, to assist with the payment of our Insurance for Public Liability.

Thank you for your assistance in this matter.

For and on behalf of

THE PLAINS COMMUNITY GROUP



Gwen. Johnson.
Treasurer.

TOGETHER - PARTICIPATE - CELEBRATE - GRAVITATE

15 REPORTS FOR INFORMATION

15.1 COUNCIL RESOLUTIONS - MONTHLY STATUS UPDATE

Record Number: D24/169

Author: Manager Governance

Authoriser: Acting Director Corporate Services

Attachments: 1. Resolution Register - Update - January 2024 [↓](#) 

RECOMMENDATION

“that Council, having considered Item 15.1 – *Council Resolutions - Monthly Status Update*, dated 29 January 2024, receives and notes the report.”

Purpose

The purpose of this report is to provide Council with an update in relation to the status of ongoing Council Resolutions.

Discussion

Council Resolutions Status Update report is presented as a standing monthly Agenda Item and provided for Members' information and monitoring.

Presented as **Attachment 1** to this report is a 'Resolution Register' showing all ongoing (yet to be completed) resolutions of Council with up-to-date commentary regarding progress and status. Any items that have been completed since the last Council Resolutions Status Update report are also included, and marked as 'Complete'.

Conclusion

The Council Resolutions Status Update report is a transparent and efficient reporting tool, ensuring that Council Members and the community are regularly updated in relation to the implementation of Council decisions.

Legislation

Local Government Act 1999

Local Government (Procedures at Meetings) Regulations 2013

Council Policies/Plans

Strategic Plan 2021-2024 Proactive Leadership

Resolution Register - March 2019 - December 2023 - Ongoing								
Setting Date	Item Number	Title	Resolution Description	Resolution Number	Status (Ongoing, Completed)	Responsible Department	Comments	
15-Mar-19	12.2	Infrastructure and Environment Committee Meeting - 13 March 2019	"that Council endorses resolution 2019/020 of the Infrastructure and Environment Committee, and in doing so instructs the Chief Executive Officer to have particular regard to the financial impact of relevant design specifications, in assessing Eden and Liberty development applications, until a policy is adopted."	2019/119	Ongoing	Infrastructure & Environment	I&E Committee Agenda (likely March 2024)	
24-Feb-20	14.7	Two Wells District Tennis Club Lease Request	"that Council, having considered Item 14.7 – Two Wells District Tennis Club Lease Request, dated 24 February 2020, receives and notes the report and in doing so: 1. Authorises the Chief Executive to seek the assistance of Norman Waterhouse Lawyers and to negotiate and finalise the Lease Agreement between Council and the Two Wells District Tennis Club Inc for the lease of a portion of land within Crown	2020/055	Ongoing	Corporate Services	Updated received from Club on 8 January, repairs not completed, lease execution pending finalisation of repairs	
23-Nov-20	14.6	Mallala Resource Recovery Centre - Twelve Month Closure Review	"that Council, having considered Item 14.6 – Mallala Resource Recovery Centre – Twelve Month Closure Review, dated 23 November 2020, instructs the Chief Executive Officer to bring back a report to Council exploring future land use/disposal options in relation to the former Mallala Resource Recovery Centre site."	2020/407	Ongoing	Infrastructure & Environment	I&E Committee Agenda (likely March 2024)	
27-Jan-21	9	Motion Without Notice	"that the Chief Executive Officer contact all relevant government agencies and stakeholder groups with a view of facilitating a community forum that seeks to address escalating trends associated with public nuisance/public safety throughout the Council	2021/002	Ongoing	Development & Community	Surveyor General to give final approval for vesting of allotment 101 (Closed Road) to the Council	
8-Nov-21	4.1	Outcome of Public Consultation - Wasleys Bridge Closure or Load Limit Reduction	"that Council, having considered item 14.3 – Outcome of Public Consultation – Wasleys Bridge Closure or Load Limit Reduction, dated 25 October 2021, and in doing so, instructs the Chief Executive Officer to:	2021/387	Ongoing	Infrastructure & Environment	Load limit applied, funding application ongoing	
13-May-22	21.4	Heritage Survey Review	"that Council, having considered item 21.4 – Heritage Survey Review, dated 23 May 2022, receives and notes the report and in doing so: 1. Notes the Heritage Review Report in Attachment 1 to this Report includes: a. The Local Heritage Assessment Sheets identifying 34 properties as being of local heritage value; b. The Buckland Park State Heritage Assessment identifying the property as being of State heritage value; 2. Endorses in principle commencing an Amendment to the Planning and Design Code: a. To formally designate as local heritage places the 34 properties identified in Attachment 1 to this report; b. With early commencement of the Amendment to enable the buildings being listed on an interim basis to prevent risk of demolition during consultation	2022/151	Ongoing	Development & Community	The State Planning Commission has requested additional specific heritage analysis to occur prior to the initiation of a Code Amendment and staff are considering funding sources for this additional work with a recent grant application being made to the South Australian History Fund. Correspondence with State Planning Commission Staff requesting reconsideration of their position	
27-Jun-22	12.3	Infrastructure and Environment Committee Meeting	"that Council endorses resolution 2022/012 of the Infrastructure and Environment Committee and in doing so: 1. Instructs the Chief Executive Officer to engage a suitably qualified consultant in accordance with Council's Procurement Policy to deliver a community waste education program; and 2. Acknowledges that an allocation of \$15,000 will be incorporated into the appropriate quarterly budget revision in the 2022/2023 Financial Year."	2022/175	Ongoing	Infrastructure & Environment	Consultant has been engaged – Work is underway to collect data to be used in the development of a community waste education program	
22-Aug-22	11.3	Infrastructure and Environment Committee Meeting	"that Council endorses resolution 2022/025 of the Infrastructure and Environment Committee and in doing so instructs the Chief Executive Officer to undertake the necessary process to enable the development of CR6249/280 (Attachment 3) for stormwater and passive recreation uses."	2022/277	Ongoing	Infrastructure & Environment	Crown land assessing the request	
19-Dec-22	15.5	Update on Parham Campground and Road Closure	"that Council, having considered item 15.5 – Update on Parham Campground and Road Closure, dated 19 December 2022, receives and notes the report and in doing so: 1. Acknowledges the Public Mapping System data anomaly and that the resultant issues are through no fault of Adelaide Plains Council; 2. Resolves to enter into an interim Licence Agreement with the Minister for Climate	2022/406	Ongoing	Corporate Services	Headlease document signed (with fire management plan) and sent back to DEW for execution	
19-Dec-22	15.5	Update on Parham Campground and Road Closure	"that Council, having considered Item 15.5 – Update on Parham Campground and Road Closure, dated 19 December 2022: 1. Endorses the action of the Chief Executive Officer to proceed with the closure of portion of The Esplanade from North Parade Road to North Terrace, Parham, comprising part of the Parham Campground, in accordance with Section 5 of the Roads (Opening and Closing) Act 1991; and 2. Resolves to exclude the portion of The Esplanade being closed, from North Parham Road to North Terrace, Parham, from classification of Community Land pursuant to Section 193(4a) of the Local Government Act 1999 prior to the Final Plan being approved by the Surveyor-General under the Roads (Opening and Closing) Act 1991 and Certificate of Title issued"	2022/407	Ongoing	Corporate Services	Road Closure process orders signed and returned to Surveyors for finalisation. Delays with corrections to documentation, now resolved and awaiting Surveyor General sign off	
30-Jan-23	14.3	Hart Reserve Skate Park Investigation	"that Council, having considered item 14.3 – Hart Reserve Skate Park Investigation dated 30 January 2023, receives and notes the report and in doing so: 1. Approves the skate park design scheme as presented in Attachment 3 to this report	2023/013	Ongoing	Infrastructure & Environment	I&E Committee Agenda	
27-Feb-23	14.5	Hart Reserve - Detailed Design Update (50% Stage)	"that Council, having considered item 14.5 – Hart Reserve - Detailed Design Update (50% Stage), dated 27 February 2023, receives and notes the report and in doing so: 1. Endorses the design direction of the 50% Hart Reserve detailed design plans	2023/052	Ongoing	Infrastructure & Environment	Detail design is progressing to 90% hold point	
17-Mar-23	12.2	Minutes of the Infrastructure and Environment Meeting held 16 March 2023	"that Council endorses resolution 2023/005 of the Infrastructure and Environment Committee and in doing so instructs the Chief Executive Officer to: 1. Undertake public consultation in relation to a proposed green waste collection service for the coastal communities of Middle Beach, Thompson Beach, Webb Beach and Parham in accordance Council's Public Consultation Policy; and 2. Bring a report back to the Infrastructure and Environment Committee on the	2023/073	Ongoing	Infrastructure & Environment	Consultant has been engaged – Work is underway to collect data to be used to understand the sustainability of a future Organics waste service within the coastal communities	

27-Mar-23	14.7	Short Term Staff Accommodation	"that Council, having considered Item 14.7 – Short Term Staff Accommodation, dated 27 March 2023, receives and notes the report and in doing so:- 1. Determines not to proceed with the conversion of 65 Old Port Wakefield Road, Two Wells (former Two Wells RSL building) to provide short term staff accommodation; and 2. Instructs the Chief Executive Officer to continue to progress the Short-Term Staff Accommodation Project, through further costings of the purchase and location of a transportable building within the existing Two Wells Service Centre Car Park."	2023/083	Ongoing	Development & Community	This project has been put on hold pending the outcome of the Community & Civic Hub Stage 2 project and internal reconfiguration of areas of the Two Wells Service Centre to create additional work stations
24-Apr-23	14.4	Thompson Beach Vehicle Access – Public Consultation	"that Council, having considered Item 14.4 – Thompson Beach Vehicle Access – Public Consultation, dated 24 April 2023, receives and notes the report and in doing so:- 1. Endorses in principle undertaking public consultation about a seasonal vehicle closure of Thompson Beach to inform a Council resolution under the Local Government Land By-Law 2019. 2. Instructs the Chief Executive Officer to prepare the Thompson Beach Seasonal Vehicle Closure Discussion Paper and to bring it to Council for endorsement for use for public consultation."	2023/097	Ongoing	Development & Community	Liaising with DEW, DIT, Birdlife Australia and National Parks Ranger Service regarding beach vehicle access closure, as these authorities will be involved in the consultation process. Update to be provided to Council early in 2024
24-Apr-23	18.1	Motion on Notice	"that Council instructs the Chief Executive Officer to undertake investigations into a traffic management plan for Old Port Wakefield Road (Brooks Road to Mallala Road), Two Wells, as included in the Draft 2023/2024 Financial Year Annual Business Plan and Budget."	2023/111	Ongoing	Infrastructure & Environment	Consultant has been engaged to undertake investigations. Commencing early 2024
26-Jun-23	14.6	Dogs On Leash – Lewiston Wetlands and Reserves Trails	"that Council, having considered Item 14.6 – Dogs On Leash – Lewiston Wetlands and Reserves Trails, dated 26 June 2023, receives and notes the report and in doing so:- 1. Endorses undertaking public consultation in relation to a proposal that dogs be on-leash in the Lewiston Wetlands and Reserves Trails to inform a Council resolution under the Dogs By-Law 2019."	2023/155	Ongoing	Development & Community	Public consultation to commence early 2024
24-Jul-23	12.4	Committee Meetings	"that Council endorses resolution 2023/045 of the Audit Committee and in doing so instruct the Chief Executive Officer to organise a Risk Management workshop facilitated by Bentleys in August 2023."	2023/189	Ongoing	Executive Office	Workshops will reconvene in February 2024
24-Jul-23	14.3	Community and Civic Hub Investigation – Completion of Phase 1	"that Council, having considered Item 14.3 – Community and Civic Hub Investigation – Completion of Phase 1, dated 24 July 2023, instructs the Chief Executive Officer to engage Holmes Dyer to continue to advance (Phase 2) the Community and Civic Hub Investigation as outlined within the Holmes Dyer report dated 17 July 2023."	2023/204	Ongoing	Infrastructure & Environment	Holmes Dyer engaged – workshop held with Council on 5 September 23. updates to Council in due course
24-Jul-23	14.6	Deed of Extension and Variation of Lease – Adelaide Kerbing Pty Ltd	"that Council, having considered Item 14.6 – Deed of Extension and Variation of Lease – Adelaide Kerbing Pty Ltd, dated 24 July 2023, receives and notes the report and in doing so authorises the Chief Executive Officer to: i. Negotiate and finalise the terms and conditions of the Draft Deed of Extension and Variation of Lease, and to prepare the Draft Lease for execution; and ii. Pursuant to Sections 38 and 44 of the Local Government Act 1999, the Mayor and Chief Executive Officer execute the lease agreement between the Adelaide Plains Council and Adelaide Kerbing Pty Ltd."	2023/208	Ongoing	Corporate Services	Lease execution pending Greencap report. Lessee applying for EPA licence to relocate site.
28-Aug-23	12.2	Committee Meetings	"that Council endorses resolution 2023/016 of the Infrastructure and Environment Committee and in doing so instructs the Chief Executive Officer to bring back a report to Council in relation to setting up a working party/reporting structure that focuses on Salt Creek remediation and other associated infrastructure matters."	2023/235	Ongoing	Infrastructure & Environment	Report to be tabled early 2024
25-Sep-23	14.4	Draft Mobile Food Vendor Policy	"that Council, having considered Item 14.4 – Draft Mobile Food Vendor Policy, dated 25 September 2023, receives and notes the report and in doing so instructs the Chief Executive Officer to undertake public consultation on the proposed draft Mobile Food Vendor Policy as presented at Attachment 1 to this Report."	2023/285	Complete	Development & Community	Agenda - December 2023
23-Oct-23	14.7	Recruitment of an Independent Member – Infrastructure & Environment Committee	"that Council, having considered Item 14.7 – Recruitment of an Independent Member - Infrastructure and Environment Committee, dated 23 October 2023, receives and notes the report and in doing so instructs the Chief Executive Officer to undertake an Expressions Of Interest process for one (1) vacant independent member position on Council's Infrastructure and Environment Committee and bring a report back to Council in order for Council to consider appointing a second independent member to the Committee."	2023/317	Ongoing	Infrastructure & Environment	Outcome of Expression of Interest to be tabled early 2024
23-Oct-23	14.8	Local Roads and Community Infrastructure Program Funding	"that Council, having considered Item 14.8–Local Roads and Community Infrastructure Program Funding, dated 23 October 2023, receives and notes the report and in doing so:- 1. Allocates the Local Roads and Community Infrastructure Program Round 4 Part B - \$199,268 to Hart Road construct and seal project (Port Wakefield Road to Devon Road); 2. Instructs the Chief Executive Officer to apply for Heavy Vehicle Safety and Productivity Program funding for the Hart Road construct and seal project (Port Wakefield Road to Devon Road); and 3. Instructs the Chief Executive Officer to bring back a report outlining the outcome of the funding application."	2023/318	Ongoing	Infrastructure & Environment	Funding Application ongoing
23-Oct-23	14.9	Signage and Wayfinding Design Strategy	"that Council, having considered Item 14.9–Signage and Wayfinding Design Strategy, dated 23 October 2023, receives and notes the report and in doing so:- 1. Adopts the Signage and Wayfinding Design Strategy as presented in Attachment 1 to this report; and 2. Authorises the Chief Executive Officer to make any necessary minor and administrative amendments to the Signage and Wayfinding Design Strategy."	2023/319	Complete	Infrastructure & Environment	

23-Oct-23	15.5	Windsor Institute Status	<p>"that Council, having considered Item 15.5 – Windsor Institute Status, instructs the CEO to -</p> <ol style="list-style-type: none"> 1. Secure possession of all historical items including the machine gun, honour boards, photos and documentation. 2. Bring back a report to Council outlining the cost schedule of repairs sufficient to enable safe public access." 	2023/325	Ongoing	Infrastructure & Environment	Report to be tabled early 2024
27-Nov-23	15.6	Thompson Beach & Parham - Webb Beach Discussion Paper for Consultation	<p>"that Council, having considered Item 15.6 – Thompson Beach & Parham - Webb Beach Discussion Paper for Consultation, dated 27 November 2023, receives and notes the report and in doing so:</p> <ol style="list-style-type: none"> 1. Endorses in principle the Discussion Paper - Thompson Beach and Parham - Webb Beach, as presented as Attachment 1 to this report, to be released for the purposes of undertaking consultation as envisaged in the Consultation Policy; and 2. Delegates authority to the Chief Executive Officer to undertake editorial but not policy changes to enable the Discussion Paper to be suitable for consultation." 	2023/355	Ongoing	Development & Community	Preparing for Consultation to commence early 2024
18-Dec-23	14.1	Annual Review of Confidential Items	<p>"that Council, having considered Item 14.1 – Annual Review of Confidential Items, dated 18 December 2023, resolves as follows with respect to the orders made under section 91(7) of the Local Government Act 1999 outlined in Table 3 of the report, entitled 'Recommended to Release':</p> <ol style="list-style-type: none"> 1. For all orders which are marked as "Subject to Consultation", Council authorises and directs the Chief Executive Officer: <p>(a) to conduct consultation with whomever the Chief Executive Officer considers appropriate and however the Chief Executive Officer see fits; and</p> <p>(b) to determine, following such consultation, whether or not to revoke each order (and, for any such order with respect to which the Council has not already delegated the power to revoke, the Council hereby delegates that power to the Chief Executive Officer under section 91(9)(c) of the Local Government Act 1999);</p> <ol style="list-style-type: none"> 2. For all orders which are not marked as "Subject to Consultation", the Council revokes those orders." 	2023/380	Ongoing	Corporate Services	Consultation required with appropriate parties. All items to be released as bundle in 2024
18-Dec-23	14.2	Mallala & Districts Lion Club - Request to construct fence	<p>"that Council, having considered Item 14.2 – Mallala & Districts Lions Club - Request to Construct Fence, dated 18 December 2023, receives and notes the report and in doing so instructs the Chief Executive Officer to advise the Mallala & Districts Lions Club that it does not approve the northern boundary fencing at Mallala & Districts Lions Club Community Complex in 1.8m high Colourbond Fencing."</p>	2023/381	Complete	Corporate Services	Mallala & Districts Lion Club notified of unsuccessful application
18-Dec-23	14.3	Regional Health Plan - Elected Member Representation	<p>"that Council, having considered Item 14.3 – Regional Health Plan - Elected Member Representation, dated 18 December 2023, and in light of Councillor Alana Bombadier's resignation, appoints Councillor Terry-Anne Keen to represent Adelaide Plains Council on the Barossa, Light and Lower Northern Regional Public Health Plan Advisory Group."</p>	2023/383	Complete	Development & Community	Notified Barossa, Light and Lower Northern Regional Public Health Plan Advisory Group Cr Keen appointed
18-Dec-23	14.4	Mobile Food Vendor Policy	<p>"that Council, having considered Item 14.4 – Mobile Food Vendor Policy, dated 18 December 2023, endorses the amended Draft Mobile Food Vendor Policy presented in Attachment 3 to this report with changes to include:</p> <ol style="list-style-type: none"> 1. definitions to include public road, and 2. define the parameters of the boundary of shops /not for profit groups, 3. to include that all rubbish be removed around their site at the conclusion of their trading." 	2023/386	Complete	Development & Community	Uploaded to website (in new template)
18-Dec-23	14.5	Proposed Dublin Employment Lands Code Amendment	<p>"that Council, having considered Item 14.5 – Proposed Dublin Employment Lands Code Amendment, dated 18 December 2023, receives and notes the report and in doing so notes the Chief Executive Officer's intention to advise Leinad Land Developments (Dublin) Pty Ltd that Council has no objection to the initiation of the Code Amendment seeking to investigate employment land to the south of Dublin, and notes advice dated 14 December 2023 from Ekistics for Leinad that the area affected does not include, Lot 22 Ruskin Road (CT 6090 419)."</p>	2023/387	Complete	Executive Office	CEO letter sent 19 December 2023
18-Dec-23	15.3	Campground - Operations & Expenditure	<p>"that Council, having considered Item 15.3 – Campground - Operations & Expenditure dated 18 December 2023, receives and notes the report."</p>	2023/390	Ongoing	Corporate Services	Agenda - February 2024
18-Dec-23	15.4	Mallala Council Chamber Livestream Audio	<p>"that Council, having considered Item 15.4 – Mallala Council Chamber Livestream Audio, dated 18 December 2023, receives and notes the report."</p>	2023/391	Ongoing	Finance	Internal test - laptop microphones on zoom through corporate and finance meeting (to test feedback concern).
18-Dec-23	15.6	Precinct Development Grant Opportunity	<p>"that Council, having considered Item 15.6 – Precinct Development Grant Opportunity, dated 18 December 2023, receives and notes the report."</p>	2023/393	Ongoing	Development & Community	Agenda - February 2024

15.2 CHIEF EXECUTIVE OFFICER - CREDIT CARD EXPENDITURE - 1 JULY 2023 TO 31 DECEMBER 2023

Record Number: D24/4149
Author: Accountant
Authoriser: Chief Executive Officer
Attachments: Nil

RECOMMENDATION

“that Council, having considered Item 15.2 – Chief Executive Officer - Credit Card Expenditure - 1 July 2023 to 31 December 2023, dated 29 January 2024, receives and notes the report.”

Purpose

The Audit Committee, by way of resolution, has called for the Chief Executive Officer’s (CEO) credit card expenditure to be tabled twice yearly as a means of transparency and good governance. While the CEO has been providing the Audit Committee with his credit card statements up to this point, the CEO believes it appropriate to disclose same to the elected body and this report provides for that.

Background

At the Audit Committee meeting held on 7 November 2022, the Committee resolved as follows:

- “7.3 Moved Deputy Mayor Strudwicke Seconded Mayor Wasley 2022/ 062***
“that the Audit Committee, having considered Item 7.3 – Reporting of Credit Card Transactions, dated 7 November 2022, received and notes the report and in doing so;
1. notes that a report by the Auditor General in 2020 on credit card use at The Coorong District Council recommended that “Council should ... periodically report the CEO’s and Mayor’s credit card transactions to its audit committee” (page 8 of Auditor General’s Report 4 of 2020) and
2. Recommends to Council that it revise its Credit Card Policy to include the reporting of the Chief Executive Officer’s credit card transactions, to the Audit Committee, on a 6-monthly basis and including the details of ‘Supplier’, ‘Amount’ and ‘Description’.”

CARRIED”

Following resolution 2022/062 of the Audit Committee, as part of Council’s periodic review of the Credit Card Policy, clause 3.19 was inserted:

“3.19 A report containing the details such as ‘Supplier’, ‘Amount’ and ‘Description’ is presented to the Audit Committee on the Chief Executive Officer’s credit card transactions, on a 6-monthly basis.”

On 13 February 2023, the Audit Committee then recommended to Council as follows:

“RESOLUTION 2023/013

Moved: Mayor Wasley

Seconded: Deputy Mayor Strudwicke

“that [the Audit Committee] having considered Item 6.6 – Policy Review – Credit Card Policy, dated 13 February 2023, receives and notes the report and in doing so recommends to the Council that the updated Credit Card Policy, as presented in Attachment 1 to this report, be adopted.”

CARRIED”

Council then, at its meeting held on 27 February 2023, adopted the Credit Card Policy, which included clause 3.19 as abovementioned by resolving as follows:

“RESOLUTION 2023/042

Moved: Councillor Panella

Seconded: Councillor Keen

“that Council endorses resolution 2023/013 of the Audit Committee and in doing so adopts the revised Credit Card Policy as presented at Attachment 4 to this Report.”

CARRIED”

Discussion

The CEO leads by example when it comes to applying discipline in expenditure of public money, as is evidenced through the CEO’s credit card expenditure.

A majority of the CEO’s city-based meetings sees the CEO either park in his personally funded car park or are commuted there and back by way of public transport, thus significant savings are realised in parking. Further, all of the CEO’s meal expenses at stakeholder meetings and civic engagements are funded entirely by the CEO and not the ratepayer, with the only exclusions being evening meals where the CEO and Mayor are off site attending Council endorsed meetings.

This same discipline in expenditure of public funds cascades down throughout the organisation and, as a means of instilling confidence in the performance and diligence of its CEO, this report is provided for awareness and will continue to be provided twice yearly.

Date	Supplier	Amount \$	Description
20/07/2023	Fasta Pasta Gawler	84.30	Evening Meals-Mayor/Deputy Mayor/CEO-Regional Reform Round Table Meeting-Barossa Pavilions
26/07/2023	Commercial Motors	1,072.92	Motor vehicle-routine service
28/07/2023	Card Fee	55.00	Annual Credit Card Fee
18/08/2023	CMI Toyota	29.17	Replacement of motor vehicle key batteries
24/08/2023	SMP Junction Hotel - Peterborough	51.74	Evening Meals-Mayor/CEO-Legatus Board of Management Meeting-Peterborough
29/08/2023	UPK Pirie Adelaide	19.00	Parking-Meting at Local Government House
24/10/2023	Auto Park	15.22	Parking-Meeting-Norman Waterhouse Lawyers
26/10/2023	Board of the Botanic	15.00	Parking-LGA-AGM
7/11/2023	UPK Pirie	20.00	Parking-Interviews-Independent Member Audit and Risk Committee and Director Development and Community
10/11/2023	Care Park Melbourne	16.39	Parking -Meeting re Gawler River Business Case with Deputy Premier and Minister for Local Government

15/11/2023	OTR West Terrace	269.11	Diesel purchase-Awaiting replacement BP fuel card
6/12/2023	Commercial Motor Ind Adelaide	611.67	Motor vehicle-routine service
13/12/2023	City of Adelaide	4.60	Parking-Meeting with McArthur re Enterprise Agreement
13/12/2023	City of Adelaide	15.30	Parking-Meetings at Local Government House
Total Payments		2,279.42	

Conclusion

While the Audit Committee will soon receive the 1 July 2023 to 31 December 2023 CEO credit card statement at its meeting to be held on 12 February 2023, the CEO felt it necessary to now table same at the corresponding Council meeting, hence this report.

References

Legislation

Section 124 (Accounting Records to be Kept) of the Local Government Act 1999

Section 125 (Internal Control Policies) of the Local Government Act 1999

Council Policies/Plans

Credit Card Policy

Internal Financial Control Policy

Procurement Policy

Audit & Risk Committee Annual Work Program 2022/2023

15.3 CHIEF EXECUTIVE OFFICER - KEY PERFORMANCE INDICATOR STATISTICS - QUARTERLY UPDATE**Record Number:** D23/56432**Author:** Chief Executive Officer**Authoriser:** Chief Executive Officer**Attachments:** Nil**RECOMMENDATION**

“that Council, having considered Item 15.3 – Chief Executive Officer - Key Performance Indicator Statistics - Quarterly Update, dated 29 January 2024, receives and notes the report.”

Purpose

The purpose of this report is to provide Council Members with the first of four quarterly update reports pertaining to statistical data on operational matters, as called for as one of six Key Performance Indicators (KPI) set by the Council for the Chief Executive Officer (CEO) for the period 1 October 2023 to 30 September 2024.

Background

Council, at its meeting held on 25 September 2023, adopted six KPIs for the CEO to focus on for the 12-month period; one of which sought to place a focus on information being presented to the Chamber regarding statistical data into operational matters.

Provided for below is an excerpt from the relevant resolution: -

RESOLUTION 2023/302**Moved:** Councillor Strudwicke**Seconded:** Councillor Keen

“that Council, having considered Item 21.4 – 2023 / 2024 Chief Executive Officer Key Performance Indicators, dated 25 September 2023, receives and notes the Report and in doing so adopts the below six Key Performance Indicators for the Chief Executive Officer for the period 1 October 2023 to 30 September 2024: -

- ...
- ***Provision of Statistic Data to Inform Council on Operational Matters***
The Chief Executive Officer shall, on a quarterly basis and via a formal report to Council, provide the elected body with high level statistic data on all manner of operational matters (without necessarily divulging names or addresses) including but not limited to:
 - ***development (lodgement numbers, approvals, refusals, timeframe adherence and appeals)***
 - ***regulatory (enforcement, compliance, expiations and appeals)***
 - ***CRMs (lodgement numbers, timeframes and responsiveness)***
 - ***governance (FOIs, Ombudsman enquires and section 270 reviews)***
- ...

CARRIED

Discussion

With Council Members having called for a report into statistical data surrounding the depth and breadth of Council's operational functions, it is prudent to remind Members that while statistics are a good way to measure performance, relying solely on statistics can overlook the human element of a situation such as individual experiences, investigative timeframes/obligations and context and therefore ought to be considered as just one matrix in tracking performance. With many of Council's operational tasks and functions sitting in the heavily scrutinised and much debated compliance and enforcement space, the time taken to close-out a particular matter may take longer due to a raft of reasons, be them legislative or otherwise.

With that in mind, Management has compiled the first of four quarterly reports to be presented to the Chamber, with the first report focusing on the period 1 October 2023 to 31 December 2023. As the resolution calls for, the report delves into: -

- development-related matters
- regulatory-related matters
- CRMs
- governance-related matters

In preparing this report, Management has observed an anomaly in relation to its Customer Request Management System (CRMS), particularly around the reporting of responsiveness with the program only able to show what tasks have been fully closed out as opposed to tasks that are still on foot. The fact that tasks on foot are reported and potentially assumed or interpreted to be 'outside of target timeframe' or still 'open' skews the data and misrepresents the responsiveness of staff in dealing with various matters. This exercise has now highlighted that the CRMS software program is unable to track both responsiveness and 'close out' of tasks and therefore a further review into alternative options and/or software providers may be necessary to realise the desired result; noting of course this initiative could well be costly and time consuming.

Labour needs continue to be reported to the Chamber via the CEO as an issue that, if and when addressed through further and much needed staff allocation, would assist in meeting the ever-increasing workload demands to ensure ongoing responsiveness and close out of tasks.

The CEO, in his organisation review of January 2023, tabled staffing shortfalls (primarily in the administrative support space) and future staffing needs. These were then endorsed as part of the draft 2023/2024 budget prior to being removed in large part at budget adoption. And then, as part of the administration's address to the Council workshop on 13 November 2023, it was again reiterated across numerous platforms the shortfalls that influence and affect staff's ability to respond to the ever-increasing workflows and workloads.

With Council universally known as the fastest growing council in the state, commensurate resources (including administrative support to the various operational streams of Council) are a must to meet with the ever-increasing workload demands. This will again be the theme of the upcoming budget discussions.

Against this backdrop, the below data is provided for Council Members' information and in order to assist in understanding/interpreting the below tables, the following bullet points are provided; -

- opened- any new CRM lodged during the reporting period;
- closed- any CRM closed during the reporting period, which may include CRMs that were lodged prior to the reporting period; and
- closed within target- any CRM closed during the reporting period, within target;*

*When the CRMS program was implemented the software automated workflow timeframes did not align with Council's policies. A review is now being undertaken, over the next quarter, to establish appropriate workflow timeframes.

CRMs

Type	Opened	Closed	Closed Within Target
Animal Management			
Animal Removal	2	0	0
Cat Complaints/Concerns	3	3	1
Dog Attack - Animal	4	2	1
Dog Barking Complaints/Concerns	2	0	0
Dog Excess	1	1	1
Dog Harassment - Animal	1	0	0
Dog Harassment - Person	2	2	1
Dog Lost Report	2	2	2
Dog Registration	27	25	11
Dog Wandering at Large	40	39	10
Stock Wandering	3	2	0
<i>Total</i>	<i>87</i>	<i>76</i>	<i>27</i>
Community Relations			
Camping Grounds	2	0	0
Citizenship Information	1	1	1
Community Event	4	4	3
Mallala Units Enquiry	5	5	1
Volunteers	1	1	1
<i>Total</i>	<i>13</i>	<i>11</i>	<i>6</i>
Development Control			
CWMS Connection	1	0	0
CWMS Maintenance	1	1	1
DA Existing Enquiry Including Cat 2 & 3 Submissions	3	2	0
DA & Planning & Building General Enquiry	138	137	60
General Enquiry-Development and Community	10	9	9
Illegal Development	4	1	1
<i>Total</i>	<i>157</i>	<i>150</i>	<i>71</i>
Environmental Management			
Backyard Burning & Fire Prevention	67	67	40
BBQ Maintenance	3	3	3
Graffiti	2	2	2
Waste Collection	24	22	23
Septic and Aerobic Waste Control	14	1	1
Bin Waste Levy	4	4	4
<i>Total</i>	<i>114</i>	<i>99</i>	<i>73</i>
Financial Management			
Accounts Payable	1	1	1
General Enquiry - Finance and Business	2	2	1
Rates Enquiry	111	110	109
<i>Total</i>	<i>114</i>	<i>113</i>	<i>111</i>
Governance			
Event Permits	5	5	5
<i>Total</i>	<i>5</i>	<i>5</i>	<i>5</i>

Health Management

Food Premise Complaint	1	0	0
Health Premise Complaint	2	1	0
Mosquito - Concerns / Complaints	1	0	0
Pest Control Council Property	8	8	8
Pollution - Grey or Black Water	1	0	0
<i>Total</i>	<i>13</i>	<i>9</i>	<i>8</i>

Infrastructure

Coastal	2	2	2
Dog Bag Dispenser - Refills Only	3	2	3
Drainage & Flooding	10	0	10
Driveway/Crossover	4	0	4
Fencing Council Property	5	3	5
Footpath	14	1	14
General Enquiry - Infrastructure and Environment	19	12	11
Kerb & Gutter	1	0	1
Line marking	1	0	1
Mowing and Slashing	12	12	12
Over dimensional Vehicle Authorisation	3	0	3
Road Grading	2	0	2
Road Sealed Maintenance	28	0	28
Road Unsealed Maintenance	26	0	26
Section 221 Applications	2	2	2
Signs	27	0	27
Stormwater	5	2	5
Street Furniture (Benches Seats Tables)	2	2	2
Tree/Shrub	41	39	41
Weed Control	10	9	10
<i>Total</i>	<i>217</i>	<i>86</i>	<i>209</i>

Legal Provisions

Compliance Enquires	2	2	2
General Enquiry - Regulatory Services	19	14	8
<i>Total</i>	<i>21</i>	<i>16</i>	<i>10</i>

Property Management

Council Building Maintenance	22	12	22
Cemetery Enquiry	13	11	11
Cemetery Maintenance	1	1	1
Cemetery Reservation	3	3	3
Irrigation	2	2	2
Parks	2	1	2
Public Toilet Maintenance/Cleaning	4	2	4
Reserves	2	2	2
Sporting Facilities/Ovals - Horticulture	2	2	2
<i>Total</i>	<i>51</i>	<i>36</i>	<i>49</i>

Regulatory

Dogs and Cats - Business Registrations	1	1	1
Nuisance - Animals	3	3	2
Nuisance - Dust	3	2	0
Nuisance - Litter	2	2	1
Nuisance - Noise	2	1	0
Nuisance - Odour	1	1	0
<i>Total</i>	<i>12</i>	<i>10</i>	<i>4</i>

Social Cultural & Community Services

Community Group General Enquiry	4	3	2
<i>Total</i>	<i>4</i>	<i>3</i>	<i>2</i>
Traffic Management			
Illegal Dumping	33	0	33
Traffic Management and Parking	6	5	2
Abandoned Vehicle	8	8	6
<i>Total</i>	<i>47</i>	<i>13</i>	<i>41</i>
Grand Totals	855	627	616

Development, Regulatory, Library, Governance**

Type	Amount
Development	
Applications Submitted	117
Applications Lodged	70
Applications granted Consent (planning & building)	104
Applications granted Development Approval	94
Decisions in time (%)	92
Development Enforcement Appeals	1
Regulatory	
Barking dog reports	2
Wandering Dog Reports	40
Dog Harassment to Person Reports	1
Dog attack to persons report	0
Dog harassment to animals report	1
Dog attack to animals reports	4
Dogs impounded	8
Dogs impounded and returned to owner	4
Dogs collected and returned to owner before impounded	5
Dogs rehomed	4
Cat complaints	3
Dogs delivered to welfare league	0
Cats delivered to animal welfare league by the community	3
Local nuisance and littering complaints	32
Public health complaints	1
Food complaints	2
Food safety inspections undertaken	17
Wastewater inspections undertaken	42
Wastewater application received	43
Wastewater application approved	39
Health/food notices issued	6
Section 105F fire hazard reduction notices issued	22
Expiations issued	18
Notices/orders appealed	1
Library	
Door Count Two Wells (average per open day)	27
Door Count Mallala (average per open day)	4
Library Facebook Page - Posts	90
Library Facebook Page – People Reached	19,730

Governance

Freedom of Information Request	1 (withdrawn)
Ombudsman Enquiry	1
Review of Decision Request (Section 270)	0

**some data in this table is also recorded within the CRMS program.

Conclusion

This high-level statistical data is to keep Council informed on operational matters, as part of the Chief Executive Officer's Key Performance Indicators for 2023/2024, as identified in resolution 2023/302.

ReferencesLegislation

Local Government Act 1999

Council Policies/Plans

Strategic Plan 2021-2024 Proactive Leadership

15.4 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION - 2024 NATIONAL GENERAL ASSEMBLY**Record Number:** D24/1742**Author:** Manager Governance**Authoriser:** Acting Director Corporate Services**Attachments:** 1. ALGA - 2024 National General Assembly - Discussion Paper  **RECOMMENDATION**

“that Council, having considered Item 15.4 – *Australian Local Government Association - 2024 National General Assembly*, dated 29 January 2024, receives and notes the report.”

Purpose

The purpose of this report is to formally notify Council Members of the upcoming Australian Local Government Association (ALGA) National General Assembly (NGA).

Background

ALGA hosts an annual NGA, providing a platform for Local Government to address national issues and lobby the Federal Government on critical issues facing the sector. This year’s NGA will be held in Canberra from 2 to 4 July 2024 at the National Convention Centre.

Discussion

The NGA provides an opportunity for councils to submit Notices of Motion (NoM) for consideration. ALGA is now calling for councils to submit NoM for the 2024 NGA which can be submitted until Friday, 29 March 2024.

The NGA theme for 2024 is “*Building Community Trust*”. ALGA is seeking motions that align with this theme and identify opportunities for new federal programs and policies that will support councils to build trust, both in communities and as a local delivery partner for the Australian Government. NoM should be concise, practical and implementable and meet the criteria for motions set out in the Discussion Paper, presented as **Attachment 1** to this report. All NoM require, among other things, endorsement of Council.

Note, any NoM should not be primarily concerned with local or state issues, and will be referred to Local Government Association of SA and will not be included in the NGA Business Papers.

Conclusion

Prior to being submitted to ALGA, NoM must be endorsed by Council. It is therefore recommended that Members submit any proposed NoM to the February Meeting on Monday, 26 February 2024 for endorsement.

A further report will also be presented to Council to consider the Mayor and Chief Executive Officer’s attendance at the NGA.

ReferencesLegislation

Local Government Act 1999

Council Policies/Plans

Strategic Plan 2021-2024 Proactive Leadership

2024 NGA

Building
Community
Trust

National Convention Centre
Canberra



AUSTRALIAN
LOCAL GOVERNMENT
ASSOCIATION

2 - 4
JULY
2024

DISCUSSION
PAPER



KEY DATES

29 March 2024 | Acceptance of Motions

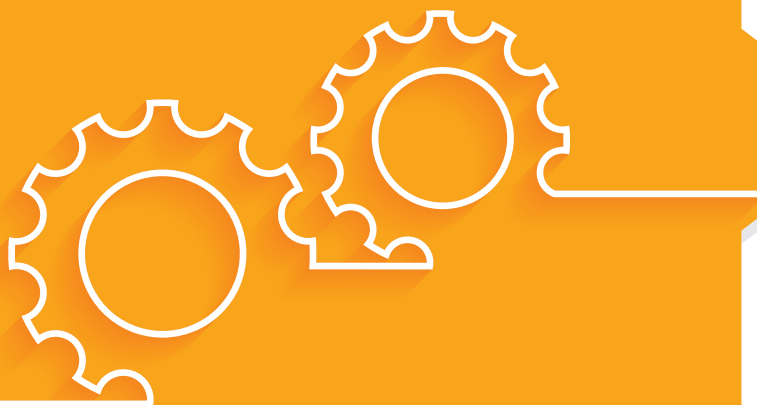
2 July 2024 | Regional Cooperation & Development Forum

3 - 4 July 2024 | National General Assembly

5 July 2024 | Australian Council of Local Government

TO SUBMIT YOUR MOTION

VISIT: [ALGA.COM.AU](https://alga.com.au)





The Australian Local Government Association (ALGA) is pleased to convene the 30th National General Assembly of Local Government (NGA), to be held in Canberra from 2-4 July 2024.

As convenor of the NGA, the ALGA Board cordially invites all councils to send representatives to this important national event.

The NGA is the premier national gathering of local governments, and provides councils with the opportunity to come together, share ideas, debate motions, and most importantly unite and further build on the relationship between local government and the Australian Government.

This discussion paper contains essential information for Australian councils considering submitting motions for debate at the 2024 National General Assembly of Local Government (NGA).

It is recommended that all councils and delegates intending to attend the 2024 NGA familiarise themselves with the guidelines for motions contained in this paper on page 6.

BACKGROUND TO ALGA AND THE NGA

ALGA was established 1947. In structure, ALGA is a federation of member state and territory associations. Its mission is to achieve outcomes for local government through advocacy with impact, and maximise the economic, environmental and social wellbeing of councils and our communities.

Since 1994, the NGA has built the profile of local government on the national stage, showcased the value of councils, and most importantly demonstrated - particularly to the Australian Government - the strength and value of working with local government to help deliver on national priorities.

Debate on motions was introduced to the NGA as a vehicle for councils from across the nation to canvas ideas. Outcomes of debate on motions (NGA Resolutions) could be used by participating councils to inform their own policies and priorities, as well as their advocacy when dealing with federal politicians.

At the same time, they help ALGA and its member state and territory associations gain valuable insight into council priorities, emerging national issues, and the level of need and support for new policy and program initiatives.

Given the structure of ALGA, its Constitution, and level of resources, the NGA does not bind the ALGA Board. However, the Board carefully considers NGA resolutions as it determines ALGA's policies, priorities and strategies to advance local governments within the national agenda.

This is your NGA and ALGA is pleased to act as the convenor. ALGA's policies and priorities will continue to be determined by the ALGA Board in the interests of all councils.

The ALGA Board thanks all councils for attending the NGA and those that will take the time to reflect on the purpose of debate on motions outlined in this paper, and to submit motions for debate at the 2024 NGA.

SUBMITTING MOTIONS

Australia is one of the world's great democracies. It is held in high regard across the world but should never be taken for granted.

The theme of the 2024 NGA is – Building Community Trust.

This theme aims to explore the critical importance of trust in governments, between governments, its institutions, and its citizens. This trust is a fundamental building block of our nation's democracy.

While relatively low key, over the past decade there has been increasing public debate by scholars and policy makers about the level of trust in government, its institutions and indeed the operation of our democracy more broadly.

Mark Evans et al (2019) published research in 'The Conversation' indicating that Australians' trust in politicians (our political representatives) and democracy has hit an all-time low. This report indicates 'fewer than 41% of Australian citizens are satisfied with the way democracy works in Australia, down from 86% in 2007.

Public satisfaction has fallen particularly sharply since 2013, when 72% of Australian citizens were satisfied. Generation X is least satisfied (31%) and Baby Boomers most satisfied (50%). Some political authors suggest that these trends in part explain the rise in popularity and the relative success of independents and micro or single-issue parties.

These statistics should be of concern to every level of government and those interested in the future of our communities and Australia's democratic system.

It is said that 'trust is hard-earned, easily lost, and difficult to re-establish – and a key to absolutely everything.' While media and public attention frequently focuses on levels of trust in the national and state governments, local governments have an equally important role in building, maintaining and indeed, often repairing government-community relationships.

At its most fundamental level, the 2024 NGA focusses on the role of local government and how all levels of government can help each other build, maintain and strengthen government-community relationships.

This discussion paper is a call for councils to submit motions for debate at the 2024 NGA to be held in Canberra from 2-4 July 2024.



Motions for this year's NGA should consider:

- how all levels of government in Australia can build trust in each other and earn greater trust from the community;
- practical opportunities for the Australian Government to leverage the trust that local communities have in their local council;
- focus on practical programs that can strengthen the system of local government nationally to provide the services and infrastructure required to support and strengthen our communities; and
- new program ideas that that would help the local government sector to deliver the Australian Government's objectives.

Motions should be concise, practical and implementable and meet the guidelines for motions set out in the paper.

You are encouraged to read all the sections of the paper but are not expected to respond to every issue or question. Your council's motion/s must address one or more of the issues identified in the discussion paper.

Motions must be lodged electronically using the online form available on the NGA website at: www.alga.com.au and received no later than 11:59pm AEST on Friday 29 March 2024.

All notices of motions will be reviewed by the ALGA Board's NGA Sub-committee prior to publishing the NGA Business Paper to ensure that they meet these guidelines. This sub-committee reserves the right to select, edit or amend notices of motions to facilitate the efficient and effective management of debate on motions at the NGA.

All NGA resolutions will be published on www.nationalgeneralassembly.com.au.

As the host of the NGA, ALGA will communicate resolutions to the relevant Australian Government Minister and publish Ministerial responses as they are received on this website.

Please note that if your council does submit a motion, there is an expectation that a council representative will be present at the NGA to move and speak to that motion if required.

We look forward to hearing from you and seeing you at the 2024 NGA.

CRITERIA FOR MOTIONS

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. Be relevant to the work of local government nationally.
2. Not be focused on a specific jurisdiction, location or region – unless the project or issue has national implications.
3. Be consistent with the themes of the NGA.
4. Complement or build on the policy objectives of ALGA and your state or territory local government association.
5. Be submitted by a council which is a financial member of their state or territory local government association.
6. Propose a clear action and outcome ie call on the Australian Government to act on something.
7. Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.
8. Address issues that will directly improve the capacity of local government to deliver services and infrastructure for the benefit of all Australian communities.
9. Not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.
10. Be supported by sufficient evidence to support the outcome being sought and demonstrate the relevance and significance of the matter to local government nationally.

Motions must commence with the following wording:

This National General Assembly calls on the Australian Government to ...

Please note that resolutions of the NGA do not automatically become ALGA's national policy positions.

OTHER THINGS TO CONSIDER

It is important to complete the background section of the submission form. Submitters of motions should not assume that NGA delegates will have background knowledge of the proposal. The background section helps all delegates, including those with no previous knowledge of the issue, in their consideration of the motion. Please note, motions should NOT be prescriptive in directing how the matter should be pursued.

Try to keep motions practical, focussed and capable of implementation to ensure that relevant Australian Government Ministers provide considered, thoughtful and timely responses.

Try to avoid motions that are complex, contain multi-dot points and require complex cross-portfolio implementation.

All motions submitted will be reviewed by the ALGA Board's NGA Sub-committee, in consultation with state and territory local government associations, to determine their eligibility for inclusion in the NGA Business Papers.

When reviewing motions, the Sub-committee considers the criteria, clarity of the motion and the importance and relevance of the issue to local government.

If there are any questions about the substance or intent of a motion, ALGA will raise these with the nominated contact officer. With the agreement of the submitting council, these motions may be edited before inclusion in the NGA Business Papers.

To ensure an efficient and effective debate, where there are numerous motions on a similar issue, the NGA Sub-committee will group these motions together under an overarching strategic motion. The strategic motions will have either been drafted by ALGA or will be based on a motion submitted by a council which best summarises the subject matter.

Debate will occur in accordance with the rules for debate published in the Business Papers and will focus on the strategic motions. Associated sub-motions will be debated by exception only or in accordance with the debating rules.

Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state or territory local government association and will not be included in the NGA Business Papers.

All motions require:

- a contact officer;
- a clear national objective;
- a summary of the key arguments in support of the motion; and
- endorsement of your council.

**Motions should be lodged electronically using the online form available at www.alga.asn.au.
Motions should be received no later than 11:59pm AEST on Friday 29 March 2024.**

SETTING THE SCENE

The theme for NGA24 'Building Community Trust' aims to focus on the role of local government in the Australian system of government and explore the critical importance of trust in governments, between governments, its institutions, and our citizens.


In a recent essay on Capitalism after the Crisis (2023) the Treasurer the Hon Dr Jim Chalmers MP wrote:

'Our mission is to redefine and reform our economy and institutions in ways that make our people and communities more resilient, and our society and democracy stronger as well.'

The need to strengthen our democracy was also emphasised the Prime Minister the Hon Anthony Albanese MP in a speech at Queensland's Woodford Folk Festival toward the end of 2022:

'I urge anyone who thinks our democracy is unassailable to have a look around the world. Even some of the oldest, most stable democracies have come under attack from a whole range of corrosive, insidious forces. No one is immune. Our democracy is precious, something we have carefully grown and nurtured from one generation to the next. One of our core responsibilities is to make it stronger, and the key to that strength is transparency and accountability.'

In early 2023 the Australian Government established a taskforce to advise government on 'what can be done – practically – to strengthen Australian democracy'.



The 2024 NGA provides you - the elected representatives of Australia's local councils and communities - with the opportunity to engage with the Federal Government and key Ministers.

Further, it is your opportunity to advocate for new or expanded programs and key policy initiatives that could strengthen local governments, its capacity to deliver services and infrastructure to local communities across the nation. This service delivery is critical to build, maintain and strengthen the trust of our citizens.

This year's call for motion focusses on twelve priority areas:

- Intergovernmental relations;
- Financial sustainability;
- Roads and infrastructure;
- Emergency management;
- Housing and homelessness;
- Jobs and skills;
- Community services;
- Closing the Gap and Aboriginal and Torres Strait Islander Reconciliation;
- Data, digital technology and cyber security;
- Climate change and renewable energy;
- Environment; and
- Circular economy.



1. INTERGOVERNMENTAL RELATIONS

'Australia's federal structure, built upon reciprocal financial, legislative and policy responsibilities, requires intelligent cooperation on issues of strategic national significance.'

National Cabinet is a forum for the Prime Minister, Premiers and Chief Ministers to meet and work collaboratively. National Cabinet was established on 13 March 2020 and is chaired by the Prime Minister. The National Cabinet is a key mechanism in Australia's current intergovernmental architecture.

A representative of local government, the President of ALGA, is invited to meet with National Cabinet once each year. The President of ALGA also attends one meeting per year of the Council on Federal Financial Relations comprising the Commonwealth Treasurer as Chair and all state and territory treasurers.

A substantial body of research, from Australia and internationally, has highlighted that governments that work together are generally more successful in achieving shared national objectives, including economic recovery from events like the COVID-19 pandemic as well as in service and infrastructure delivery.

This research reinforces the need for local government to be included in relevant ministerial forums that support national priorities – from housing affordability to reaching net-zero emissions. ALGA currently participates in National Cabinet (1/year), Council on Federal Financial Relations (1/year), Infrastructure Transport Ministers Meeting, National Emergency Managers Meeting, Local Government Ministers Forum, Joint Council on Closing the Gap, Planning Ministers Meeting, Meeting of Environment Ministers, Energy and Climate Change Ministers and the Road Safety Ministers Meeting, to represent local government views.

Local government input can provide a community voice, enabling our intergovernmental forums to make decisions with greater legitimacy and authority.

Given the importance of trust in governments, between governments and its citizens, how can intergovernmental arrangements be further improved in Australia?

Are there ways of maintaining and enhancing the community's trust in local government?

Are there new initiatives and programs that could be adopted to improve the level of cooperation and collaboration between the Australian Government and local government?

2. FINANCIAL SUSTAINABILITY

Trust in governments is highly correlated with their ability to fulfill the implicit social contract between government and its citizens by keeping promises.

Local government is the third sphere of government in Australia's system of government. Councils are comprised of locally elected representatives who understand local needs and engage locally on strategies to meet those needs.

Councils are responsible for providing a wide range of critical local area services including planning, libraries, waste management systems, transport and infrastructure (eg roads and footpaths, parks, sporting grounds and swimming pools) and social services.

These services are critical to the wellbeing, liveability and productivity of all local communities, and therefore the nation. Equally important is the sustaining of democratic processes at the local and regional level.

Local government's total annual expenditure in 2021 -22 was approximately \$43.6 billion. Non-financial assets including roads, community infrastructure such as buildings, facilities, airports, water, and sewerage (in some states) including land, are valued at \$539 billion [ABS Government Finance Statistics, Australia, 2021-22].

In 2021-22, the Australian Government provided \$2.6 billion in Financial Assistance Grants funding to councils. This included \$1.3b which was brought forward from the 2021-22 estimate and paid through state and territory governments in 2020-21.

Nationally, local government derives nearly 90% of its revenue from its own sources (including rates and services charges), compared to around 50% for state governments. Grants from other levels of government make up just over 10% of local government's total revenue, however these grants are particularly important in areas with a low-rate base, and/or high growth rates, and rapidly expanding service and infrastructure needs.

In 2021-22 Financial Assistance Grants to local governments was less than 0.6% of Commonwealth taxation revenue (CTR), a significant drop from 1996 when these grants were at 1% of CTR. In 2023-24 Financial Assistance Grants have fallen to 0.5% of Commonwealth taxation.

What improvements are needed to the intergovernmental financial transfer system, particularly the Commonwealth transfers to local government, to enhance the community's trust in local government and by extension all governments?

Noting that Commonwealth tied funding is provided with detailed requirements how can this system be improved to provide flexibility and maximize the benefit to local communities?

3. ROADS AND INFRASTRUCTURE

ALGA's 2021 National State of the Assets Report (NSoA) is currently being updated and expected to be launched in 2024. The most recent NSoA shows that while most local government assets such as roads, bridges, buildings, parks and recreation, stormwater, water and wastewater, and airports and aerodromes are generally in good to very good condition, around 10% are not fit for purpose, and around 20–25% are only fair and over time will need attention.

The last NSoA found that in 2019–20 non-financial infrastructure assets were valued at \$342 billion and were depreciating at \$7.7 billion per year. Replacement costs of these infrastructure assets were in the order of \$533 billion.

Local government assets make up a significant proportion of the physical structure of local communities and often provide critical access to and support for citizens to engage in state and national assets and opportunities.

For example, local roads provide important “first and last-mile access” for communities and industry to road networks, integral to economic development and community connection. Local sporting grounds can provide access for community groups to build community participation that has social, health and economic benefits.

Are there programs or initiatives that the Australian Government could adopt to improve the long-term sustainability of local government infrastructure?

Are there programs or initiatives that the Australian Government could provide to improve the sector's capacity to manage local government infrastructure and to integrate these plans into long-term financial plans?

Are there programs or initiatives that the Australian Government could develop to maintain, strengthen and enhance the reputation of Australia's infrastructure providers, including local government?

4. EMERGENCY MANAGEMENT

In 2022 alone, 46 disasters were declared across Australia, covering more than 300 different council areas. In recent years, almost every Australian council has been impacted in some way by fires, floods, or cyclones.

Last year's flooding caused a damage bill of approximately \$3.8 billion to local roads across Queensland, New South Wales, Victoria and South Australia. This was just a fraction of the total disaster costs incurred by governments across the country.

There have been numerous NGA motions in recent years regarding natural disasters and this has been a significant priority in ALGA's advocacy program.

In 2022 ALGA successfully advocated for a new \$200 million per year Disaster Ready Fund, with the first round of funding allocated in June 2023. This fund will support councils and communities to mitigate against the risk of future disasters and help address the significant imbalance between mitigation and recovery spending.

Councils are encouraged to draw on their practical experience of the improvements that could be made to managing emergencies.

Please note that many aspects of emergency management are state or territory responsibilities, and your motions should focus on how the Australian Government could assist.

What new programs, or improvements to existing programs, could the Australian Government develop to partner with local government to improve the current natural disaster management systems to further assist in recovery and build resilience?

5. HOUSING AND HOMELESSNESS

Almost every Australian council and community is facing challenges around a lack of affordable housing.

Alarming research by the UNSW City Futures Research Centre shows 640,000 Australian households – or one in 15 households – are under housing stress.

All levels of government, including councils, have a fundamental role to play in addressing this crisis, which is being compounded by high interest rates, rising construction costs and skills shortages.

At a national level, ALGA is a signatory to the National Housing Accord, and in 2023 successfully advocated for a new \$500 million Housing Support Program for state and local governments to deliver supporting infrastructure for new housing developments.

While the provision of affordable housing is not a local government responsibility, councils have a role to play in ensuring there is enough suitably located land available for housing and that a diversity of housing stock is supported. Councils also want to ensure that new housing developments are supported with the necessary services and infrastructure to create liveable and sustainable communities.

Many councils are also addressing thin markets and developing land and housing themselves, delivering local solutions to meet the needs of their communities.

Councils also want to ensure that they engaged with planning decisions that affect local communities. Taking planning powers away from councils does not always support the best local outcomes.

Councils also play an important role addressing some of the causes of homelessness, including social inclusion programs that can assist mental health and family violence issues, as well as providing support for people currently experiencing homelessness.

What new programs and policies could the Australian Government develop to partner with local government to support the provision of more affordable housing?

How can the Australian Government work with councils to address the causes and impacts of homelessness?

6. JOBS AND SKILLS

Local government is a major employer in Australia providing employment, career advancement and training opportunities for more than 190,800 Australians, across an estimated 400 occupations.

However, councils are facing significant jobs and skills shortages that are constraining their capacity to deliver services and build and maintain local infrastructure.

ALGA's 2022 National Local Government Workforce Skills and Capability Survey indicated that more than 90 percent of Australia's 537 councils were experiencing skills shortages.

The survey also showed that for approximately two-thirds of these councils, these shortages were impacting on project delivery.

In particular, councils are facing a shortage of planners, engineers, building surveyors, environmental officers and human resources professionals.

Skills shortages occur for a variety of reasons including an inability to compete against the private sector, worker accommodation, support services for families, ageing of the workforce and geographic isolation.

Are there programs or initiatives that the Australian Government could implement that would enhance local government's capacity to attract and retain appropriately skilled staff now and into the future?

Are there programs or changes to existing programs that would increase local government's ability to employ apprentices and trainees?

Are there other initiatives that the Australian Government could provide to improve the sector's ability to plan and develop skills fit for the future?

7. COMMUNITY SERVICES

Councils provide a wide range of services based on local characteristics, needs, priorities, and the resources of their community. Indeed, it is this level of responsiveness and accountability to the local community that is an essential feature of democratic local governments worldwide.

Some of these services are provided to address market failure, and many of them are provided by councils on behalf of other levels of government.

It is important to note that nationally local government is more than 83% self-sufficient ie funded at the local level either through rates, fees and charges, sale of goods and services, or interest. The Australian Bureau of Statistics data shows that total local government annual expenditure in 2021-22 was \$43.6 billion.

Only 17% comes from grants and subsidies from other levels of government. Unfortunately, many of these grants and subsidies are tied, or require matching funding which restricts the ability to address local priorities in the way the council and community might need.

Arguably there is no greater obligation upon government than to maintain the trust that citizens have in meeting their community services obligations and promises, particularly to society's most vulnerable.

Local government community services are broadly defined, and may include but are not limited to:

- environmental health including food safety;
- childcare, early childhood education, municipal health;
- aged care, senior citizens;
- services to people living with disability;
- programs to address disadvantage, to reduce poverty and homelessness;
- sporting and recreational programs;
- arts and cultural activities, programs and festivals;
- tourism and economic development activities; and
- library services.

Noting the funding arrangements for the provision of local government community services are there programs and initiatives that the Australian Government could implement to improve the delivery of these services?

Are there reforms or improvements in national community services program that would help local governments support the Australian Government to deliver on its national objectives?

8. CLOSING THE GAP AND ABORIGINAL AND TORRES STRAIT ISLANDER RECONCILIATION

In 2021, ALGA co-signed a landmark national agreement to close the gap between Indigenous and non-Indigenous Australians. At the heart of the National Agreement on Closing the Gap Partnership are four agreed priority reform targets and 19 socio-economic targets in areas including education, employment, health and wellbeing, justice, safety, housing, land and waters, and Aboriginal and Torres Strait Islander languages.

The Indigenous Voice Co-design Final Report to the Australian Government was released in December 2021. The Local & Regional Voice will contribute to achieving the Closing the Gap outcomes by providing avenues for Indigenous voices to be heard, including to provide feedback to government on Closing the Gap.

As the level of government closest to the people, councils have an essential role supporting and helping to steer the development of policies and programs in partnership with local Indigenous peoples that address closing the gap priorities at the local and regional level.

Local government plays a positive role in reconciliation and celebrating Indigenous culture and identity, and sustainably funded could work effectively to reduce Indigenous disadvantage in all its forms.

On 14 October 2023, Australians voted in a referendum about whether to change the Constitution to recognise the First Peoples of Australia by establishing a body called the Aboriginal and Torres Strait Islander Voice. The referendum did not pass.

Are there programs or initiatives that the Australian Government could adopt to assist local government to advance reconciliation and close the gap?

Are there practical programs or initiatives that local government and the Australian Government could introduce to maintain, build and strengthen the level of trust between Aboriginal and Torres Strait Islanders and governments?

9. DATA, DIGITAL TECHNOLOGY AND CYBER SECURITY

Provision of information technology to all Australians is vital to innovation, economic growth, and social equity. However, it is potentially even more important to regional Australia where the tyranny of distance increases the inequity of services available – including education, health, economic and social. Innovative technology is becoming more broadly available and could boost productivity and economic growth.

Councils around Australia continue to embrace new technologies to improve their service delivery standards and broaden consultation and engagement with their local communities. However, implementation can be hindered without access to basic technological infrastructure and the necessary IT skills and resources.

In recent times, cyber-attacks on major corporations and other businesses have resulted in significant data breaches. It is a timely reminder as digital information, services and products become an increasing feature of modern business operation including in local government.

Like all risks, local government must manage the risk of cyber-attacks and address cyber security. At a national level, there is limited understanding of local governments' vulnerability to cyber-attacks, preparedness and adequacy of risk management strategies or business continuity planning.

While this is primarily a responsibility of the sector itself, governments at all levels must work together to ensure that the public have confidence in government information management systems and its security.

Drawing upon your council's experience, and your knowledge of other councils within your state or territory, are there programs and initiatives that the Australian Government could implement to help local government develop its digital technology services and infrastructure?

Are there actions the Australian Government could take to improve cyber security within the local government sector?

10. CLIMATE CHANGE AND RENEWABLE ENERGY

Australia's changing climate presents a significant challenge to governments, individuals, communities, businesses, industry, and the environment.

The Australian Government has committed to address climate change and in June 2022 submitted its revised National Determined Contribution (NDC) to the United Nations Framework Convention on Climate Change. The revised NDC included reaffirming a target of net zero emissions by 2050 and committing to reduce greenhouse gas emissions by 43% from 2005 levels.

Local governments have played an important leadership role in addressing climate change, and councils have supported a wide range of community-based programs and initiatives to lower the carbon footprint of their own business operations and of their local communities.

As a sector, local government has been an advocate and active participant in the debate for lowering carbon emissions, is sourcing renewable energy, has responded creatively to reduce greenhouse gas emissions from landfills, and facilitated the construction of green buildings and water sensitive design of cities and towns.

Local government has been at the forefront in addressing the impacts of climate change and adaptation to climate change. In particular, councils have a practical understanding of the risk and impact of climate change on Australia's infrastructure and physical assets, natural ecosystems, local economies and their community.

Noting the Australian Government's approach to reducing emissions, are there partnerships, programs, and initiatives that local government and the Australian Government can form to achieve Australia's 2050 net zero emissions target?

Are there initiatives that could assist local governments to build trust in the community for implementation of key climate change and emissions reduction initiatives?

11. ENVIRONMENT

Australia's 537 local councils play an essential role in providing, regulating and managing Australia's environmental services and infrastructure.

Whether it's biodiversity, biosecurity, natural resource management (NRM), contaminated lands, waste management, water resources, sustainability or roadside environments, councils are responsible for educating households and businesses on environment policy, as well as driving environmental programs and initiatives in their local communities.

In recent years the National General Assembly has considered a range of environmental issues, and passed resolutions on biodiversity, biosecurity, conservation, climate change and water security.

How could the Australian Government partner with local government to strengthen Australia's environmental services and infrastructure?

What new programs could the Australian Government partner with local government in to progress local regional and national objectives?



12. CIRCULAR ECONOMY

Local government is responsible for the management of household and domestic waste and has a critical role to play in further developing the circular economy.

Australia's 537 councils manage approximately 26 percent of Australian waste, either directly or through contractual arrangements. Each year, local governments collect around 9.7 million tonnes of waste from kerbside bin services, sort it at material recovery facilities (MRFs), and dispatch what can be recycled to reprocessing facilities in Australia and overseas.

Where waste cannot be recovered it is landfilled, and local governments in most jurisdictions must pay a significant levy per tonne for landfilled waste, as well as incur the operational costs of maintaining and managing a landfill.

Collecting, treating, and disposing of Australian domestic waste costs local government an estimated \$3.5 billion annually. Local government also dedicates resources to administering community waste-education programs, collecting litter, addressing illegal rubbish dumping, and ensuring compliance with waste bylaws.

In November 2023, Australia's Environment Ministers agreed that the Federal Government would establish new regulations for packaging as well as mandate how packaging is designed, develop minimum recycled content requirements and prohibit harmful chemicals being used. These changes are expected to have a positive impact on the amount of waste sent to landfill, and the costs borne by councils and their communities.

How could the Australian Government further strengthen product stewardship arrangements to support local governments in their endeavours to increase recycling and reduce the volume of waste?

How could the Australian Government partner with local government to advance the circular economy?

CONCLUSION

Thank you for taking the time to read this discussion paper and your support for the 2024 National General Assembly of Local Government.

A FINAL REMINDER:

- » Motions should be lodged electronically at www.alga.com.au and received no later than 11.59pm on Friday 29 March 2024.
- » Motions must meet the criteria published in this paper.
- » Motions should commence with the following wording: 'This National General Assembly calls on the Australian Government to...'
- » Motions should not be prescriptive in directing how the matter should be pursued.
- » Motions should be practical, focussed and relatively simple.
- » It is important to complete the background section on the form.
- » Motions must not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.
- » When your council submits a motion there is an expectation that a council representative will be present at the 2024 National General Assembly to move and speak to that motion if required.
- » Resolutions of the National General Assembly do not automatically become ALGA's national policy positions. The resolutions are used by the ALGA Board to inform policies, priorities and strategies to advance local governments within the national agenda.

We look forward to hearing from you and seeing you at the 2024 National General Assembly in Canberra.





15.5 CAPITAL WORKS AND OPERATING PROGRAM - MONTHLY UPDATE - JANUARY 2024**Record Number:** D24/3606**Author:** Acting Director Infrastructure and Environment**Authoriser:** Chief Executive Officer

Attachments:

1. Capital Projects Progress Report 2023-2022 [↓](#) 
2. Operating Projects Progress Report 2023-2024 [↓](#) 
3. Local Government Partnership Program Projects [↓](#) 

RECOMMENDATION

“that Council, having considered Item 15.5 – Capital Works and Operating Program - Monthly Update - January 2024, dated 29 January 2024, receives and notes the report.”

Purpose

The purpose of this report is to provide an update in relation to the status of the Infrastructure and Environment Department 2023-2024 Capital Works and Operating Program, for Council Members' information and monitoring.

Background

Council has adopted a significant Capital Works and Operating Program for delivery in 2023-24 totalling \$6.9 million, with an additional \$4.4million allocated to Local Government Partnership Program and Two Wells Levee projects. Management have established a project management framework for managing and monitoring projects to ensure that every effort is made to deliver the projects on time and within budget.

Attachment 1 provides a list and status of the 2023-2024 Capital projects, and **Attachment 2** provides a list and status of the 2023-2024 Operating projects.

Additionally, **Attachment 3** provides a list of Local Government Partnership Program projects.

Further to this, Management provides the following update of some of the activities and projects carried out by the Infrastructure and Environment Department over the last month.

DiscussionRe-Sheeting Program

Council's re-sheeting program is on schedule.

Owen Road and Paddy's Bridge Road are currently underway.

Civil

The Civil team is currently carrying out maintenance activities such as stormwater drain cleaning, sealed road maintenance, unsealed road patching, burials, illegal dumping clean-up and Cat 6 un sheeted patrolling.

Footpath and street scape works have commenced on Rowe / Drew St Two Wells.

Civil projects will resume late January 2024.

Rubble crushing campaign complete 29 January 2024.

Open Space and Environment

The Open Space and Environment team is currently carrying out vegetation clearance along program re-sheeting roads, vegetation clearance along unsealed road network and also carrying out routine maintenance activities within parks, street tree watering, gardens and oval precincts. Council's slashing program complete with spraying program progressing as scheduled.

Plant replacement program

Now complete

Conclusion

This report is provided as a standing monthly update for Council's information.

References**Legislation**

Local Government Act 1999

Council Policies/Plans

Strategic Plan 2021-2024

Long Term Financial Plan 2024-2033

Infrastructure and Asset Management Plans

Annual Business Plan and Budget 2023-2024

Public Consultation Policy

CAPITAL PROJECT PROGRESS REPORT 2023-2024 - JANUARY 2024

Budget No	Project Name	Total Budget	YTD Actual Spend	Available to Spend	Project Commenced (Y/N)	Estimated Project Start Date	Estimated Project Completion Date	Project Completed (Y/N)	Percentage of Completion
72908	Sealed Road - Dublin Road - Hill Road to Earl Road - Pavement Rehabilitation	80,000	90,238	(10,238)	Yes	Jan-24	Jun-24	Yes	100%
72909	Sealed Road - Bailey Road East - Old Port Wakefield Road to End	91,000	69,859	21,141	Yes	Jan-24	Jun-24	Yes	100%
72910	Sealed Road - Baker Road – Gawler River Road to River	87,000	67,689	19,311	Yes	Jan-24	Jun-24	Yes	100%
72911	Sealed Road - Boundary Road - Hayman Road to Dawkins Road	65,000	84,393	(19,393)	Yes	Jan-24	Jun-24	Yes	100%
72912	Sealed Road - Garden Avenue - Artesian Road to Southern Enc	85,000	67,766	17,234	Yes	Jan-24	Jun-24	Yes	100%
72913	Sealed Road - Germantown Road – Gawler Road to Dawkins	142,000	121,050	20,950	Yes	Jan-24	Jun-24	Yes	100%
72914	Sealed Road - Jenkin Court - Butler Road to End	77,000	66,665	10,335	Yes	Jan-24	Jun-24	Yes	100%
72915	Sealed Road - Seventh Street – South Terrace to Fifth Street	69,000	65,981	3,019	Yes	Jan-24	Jun-24	Yes	100%
72916	Sealed Road - Third Street (Dublin) - Sixth Street to End of Seal	23,000	21,192	1,808	Yes	Jan-24	Jun-24	Yes	100%
72917	Sealed Road - Williams Road – Dawkins Road to Hayman Road	82,000	54,399	27,601	Yes	Jan-24	Jun-24	Yes	100%
72940	Sealed Road - Two Wells Mainstreet - Pedestrian Refuges/Crossing	195,000	482	194,518	No	Jan-24	Jun-24		
72903	Sealed Road - Longview Road and Gameau Road - Traffic calming devices	60,000	-	60,000	No	Jan-24	Jun-24		
72941	Sealed Road - Pram Ramp renewal to DDA compliant	10,000	5,854	4,146	No	Jan-24	Jun-24		50%
72906	Street Lighting - Two Wells Main Street	315,503	26,982	288,521	Yes	Jul-23	Jun-24		5%
72918	Streetscape - Irish Street - Butler Street to Redbanks Road	31,000	4,159	26,841	No	Nov-23	Apr-24		
72919	Streetscape - Rowe Crescent - Drew Street to Applebee Road	16,000	4,350	11,650	No	Nov-23	Apr-24		50%
72920	Streetscape - Chivell Street - Mary Street to End	38,000	-	38,000	No	Nov-23	Apr-24		
72921	Streetscape - Tangari Reserve - Footpath	24,000	-	24,000	No	Nov-23	Apr-24		
72922	Resheet - Bakers Road - Slant Road to Ridley Road	104,000	90,506	13,494	Yes	Sep-23	Oct-23	Yes	100%
72923	Resheet - Gallipoli Road - Curnow Road to Jarmyn Road	78,000	61,035	16,965	Yes	Oct-23	Nov-23	Yes	100%
72924	Resheet - Germantown Road - Verner Road to Seal	134,000	107,336	26,664	Yes	Jan-24	Feb-24	Yes	100%
72925	Resheet - Harris Road - Schlodder Road to Bubner Road	19,000	20,451	(1,451)	Yes	Sep-23	Oct-23	Yes	100%
72926	Resheet - Hart Road - Port Wakefield Road to Smith Road	140,000	-	140,000	No	Sep-23	Jun-24		
72927	Resheet - North Parham Road - Lowey Road to Gilberts Road	75,000	62,103	12,897	Yes	Oct-23	Nov-23	Yes	100%
72928	Resheet - Owen Road - March Road to Woods Road	121,000	9,690	111,310	Yes	Nov-23	Dec-23		50%
72929	Resheet - Paddys Bridge Road - Mallala - Two Wells Road to Germantown Road	287,000	9,515	277,485	Yes	Feb-24	Mar-24		20%
72930	Resheet - Schlodder Road - Clonan Road to Schutt Road	39,000	29,211	9,789	Yes	Oct-23	Oct-23	Yes	100%
72931	Resheet - Wasleys Road - Cheek Road to Woolsheds Road	263,000	18,951	244,049	No	Mar-24	Jun-24		
72862	Kerbing - Balaklava Road - Lisieux Street to Aerodrome Road	240,000	-	240,000	No	Jan-24	Jun-24		
72932	Site Improvements - Renew Street & Reserves/Parks Furniture Program	20,000	14,333	5,667	No	Mar-24	May-24		
72935	Site Improvements - New/Upgrade Street & Reserves/Parks Furniture Program	20,000	28,084	(8,084)	No	Mar-24	May-24		
72933	Site Improvements - Site Improvements Renewal	200,000	21,485	178,515	No	Oct-23	Mar-24		
72934	Site Improvements - Fuel supply upgrade	45,000	35,586	9,414	Yes	Sep-23	Oct-23	Yes	100%
72936	Site Improvements - Streetscape and WSUD	50,000	-	50,000	No	Jan-24	Jun-24		
72937	Site Improvements - Lewiston Dog Park Shelters	20,000	16,642	3,358	No	Mar-24	May-24		50%
72942	Site Improvements - Dublin Oval - Toilet Block	70,000	41,289	28,711	Yes	Apr-24	Jun-24		50%
72852	Site Improvements - Various locations - Signage - wayfinding and information	35,000	9,300	25,700	No	Jan-24	Jun-24		
72888	Site Improvements - Council Boundary Signs - Allocation	60,000	-	60,000	No	Jan-24	Jun-24		
72889	Site Improvements - Stage 1 - Hart Reserve Masterplan - Implementation	70,000	32,800	37,200	Yes	Sep-23	Feb-24		50%
72893	Site Improvements - Renewal of Lighting & Paths and Bike Racks Various	14,973	-	14,973	Yes	Jan-24	Jun-24	Yes	50%
72900	Wasleys Bridge - Repairs	199,771	229	199,542	No	Jul-23	Jun-24		

72938	CWMS - Mallala - Replacement of Property Pumps	15,000	11,406	3,594	Yes	Apr-24	Apr-24		80%
72939	Stormwater - Mallala Oval stormwater and road upgrade	60,000	20,680	39,320	No	Nov-23	Apr-24		
72899	Stormwater - Middle Beach - Tidal Drainage System	25,686	17,935	7,751	No	Jul-23	Dec-23		
80072	Two Wells Township Levee	1,566,373	11,822	1,554,552	No	Oct-23	Jun-24		
75100	Plant and Equipment Program	1,111,000	884,161	226,839	Yes	Sep-23	Mar-24		100%
		6,573,306	2,305,606	4,267,700					

OPERATING PROJECT PROGRESS REPORT 2023-2024 - DECEMBER 2023

Budget No	Project Name	Total Budget	YTD Actual Spend	Available to Spend	Project Commenced (Y/N)	Estimated Project Start Date	Estimated Project Completion Date	Project Completed (Y/N)	Percentage of Completion
80020	Installation of single lane roundabout	500,000	879,000	(379,000)	Yes	Sep-23	Oct-23	Yes	100%
80084	Donaldson Road - Design (Reserve corridor)	10,000	-	10,000	No	Nov-23	Jun-24		
80098	Community Waste Education	15,000	-	15,000	No	Nov-23	Feb-24		
83000/820	Implement Regional/Council DAIP Initiatives	15,000	-	15,000	No	Nov-23	Jun-24		
80100	Coastal adaptation study review	60,000	-	60,000	No	Nov-23	Jun-24		
80103	Undergrounding of Power Lines in Two Wells	1,320,902	1,011	1,319,891	Yes	Sep-23	Jun-24		50%
80059	Establish Horse Floating Park Area	50,000	-	50,000	No	Dec-23	Feb-24		
80104	Street/Verge Tree Planting	30,000	2,410	27,590	No	Apr-24	Apr-24		
80107	Donaldson Road - WSUD and Open Space Elements	10,000	-	10,000	No	Nov-23	Jun-24		
80110	Two Wells CWMS - Concept Design	155,000	-	155,000	No	Nov-23	Jun-24		
80111	LRCIP Round 4 (Part B)	199,268	-	199,268	No	Nov-23	Jun-24		
		2,365,170	882,421	1,482,749					

LOCAL GOVERNMENT INFRASTRUCTURE PARTNERSHIP PROGRAM (DUE BY 31 DECEMBER 2023)

Budget No	Project Name	Total Budget	YTD Actual Spend	Available to Spend	Project Commenced (Y/N)	Estimated Project Start Date	Estimated Project Completion Date	Project Completed (Y/N)	Percentage of Completion
72809	Middle Beach Road (End of Seal to Start of Seal)	2,390,000	2,817,064	- 427,064	Yes	Mar-23	Dec-23	Yes	100%
		2,390,000	2,817,064	(427,064)					

15.6 LIBRARY AND COMMUNITY QUARTERLY REPORT - OCTOBER TO DECEMBER 2023**Record Number: D24/2233****Author: Manager Library and Community****Authoriser: Acting Director Development & Community****Attachments: Nil****RECOMMENDATION**

“that Council, having considered Item 15.6 – *Library and Community Quarterly Report - October to December 2023*, dated 29 January 2024, receives and notes the report.”

Purpose

The purpose of this report is to provide an update about the various events and programs developed and implemented by the Library and Community Services team during the months of October to December 2023.

Discussion

Listed below are the events and programs that have been held between 1 October 2023 to 21 December 2023.

October 2023 School Holiday Programs

On Tuesday 3 October 2023 ten budding writers attended a creative writing course run by South Australia children's author Tim Law, at the Two Wells Council Chambers. On the following Tuesday, over 50 people attended (children and their accompanying parent/s) and were kept entertained with the antics of Mr Snotbottom at the Two Wells Uniting Church Hall.



Above – Mr Snotbottom flyer

School Holiday Activity

When: Tuesday 3 October 2023
Time: 2:00 - 3:00 pm
Where: Two Wells Council Chamber
What: Creative Writing for Kids
Cost: FREE

Want to write but need inspiration to get started? Started a story and then you got stuck, or worse, bored with it? Super-charge your story ideas with this creative writing for kids workshop with author Tim Law.

Tim is a writer of fantasy, horror, detective fiction and more in just about any format you can think of: novels, short stories, articles, poetry to name a few.

For ages 9-14. Session facilitated by author Tim Law.

Bookings are essential

Children are not required to be accompanied by an adult for this event.
 Tel 8520 2100 email: library@apc.sa.gov.au
[@AdelaidePlainsLibrary](https://www.facebook.com/AdelaidePlainsLibrary)



children's CENTRE
Adelaide Plains Council

Bring your CU passport to get it stamped

Presented by
Adelaide Plains Library



Adelaide Plains Council

Above –

Writing for Kids flyer

Creative



Above – Mr Snotbottom having fun with the children

Author Event – Michelle Prak – 31 October 2023

Thirty people enjoyed listening to debut thriller novelist Michelle Prak's interactive talk at the Two Wells Bowling Club on 31 October 2023. Afterwards the guests had a wide selection of traditional afternoon tea treats to partake of.



Above – Michelle Prak signing books

Christmas Community Events

Community Service staff worked closely with the Lions Club of Mallala & Districts, Plains Community Group and the Two Wells Regional Action Team with their respective Christmas themed community events held on Council owned properties. This was the first time Mallala families had the opportunity to join in local celebrations since COVID-19 restrictions.

Adelaide Plains Library Facebook Page

With over 1,060 followers, the library Facebook page continues to disseminate information about its various programs and services, as well as supporting local community group events. Below are the statistics for the last two years.

Table 1 – Library Facebook statistics (Monthly average in *ITALICS*)

Library Facebook Activity	Oct – Dec 2021	Jan – Mar 2022	April – June 2022	July – Sept 2022	Oct – Dec 2022	Jan – Mar 2023	April – June 2023	July – Sept 2023	Oct-Dec 2023
Total number of posts	103 <i>(34)</i>	107 <i>(36)</i>	101 <i>(34)</i>	114 <i>(38)</i>	115 <i>(38)</i>	129 <i>(43)</i>	102 <i>(34)</i>	104 <i>(35)</i>	90 <i>(30)</i>
Total post views	19,332 <i>6,444</i>	28,812 <i>9,604</i>	22,661 <i>7,554</i>	29,460 <i>9,820</i>	28,880 <i>9,627</i>	52,209 <i>17,403</i>	27,885 <i>9,285</i>	24,465 <i>8,155</i>	19,730 <i>6,576</i>

Below are two recent popular posts sent during this quarter:



Adelaide Plains Library
24 October 2023

There's one week to go until [Michelle Prak Author](#) is in Two Wells for Adelaide Plains Library! Give us a call on 8520 2100 to book in.


AUTHOR EVENT
Michelle Prak

Adelaide Plains Library will be hosting author of *The Rush*, Michelle Prak in our next event.

Michelle's debut thriller *The Rush* was published in May 2023. Full of unexpected plot twists, relatable characters and taut human dynamics, this gripping thriller tackles contemporary themes of climate change, toxic masculinity and the troubling culture of online gaming.

Michelle is a writer at heart, starting in primary school with a little red typewriter gifted by her father. In her later years, she has written media releases, speeches, newsletters, blogs, tweets and more. She was runner up in the 2021 Fuphy Literary Award and her short stories have been listed in several writing prizes. Michelle currently lectures in public relations and social media at the University of South Australia.

BOOKINGS ESSENTIAL
Tel: 08 8520 2100 Email: library@apc.sa.gov.au




**Date: 1:00–2:30pm,
Tuesday 31 October 2023**

Where: Two Wells Bowling Club, Old Port Wakefield Road, Two Wells

Cost: FREE EVENT

Afternoon tea included

Presented by
Adelaide Plains Library



Forthcoming Library and Community events – January to March 2024

Below is a list of events and programs staff are currently working on.

Australia Day – Friday 26 January 2024

Council's Australia Day Celebrations were held at the Dublin Oval Complex on Friday morning, 26 January 2024. A cooked breakfast was prepared and served by the Dublin Cricket Club volunteers (the Club receives financial reimbursement from Council) from 8.00am.

The formal proceedings commenced at 9.00 am with Mayor Wasley introducing out Australia Day Ambassador Major General (Retd) Vikram Madan OAM VSM, who was awarded his Medal in the Order of Australia in 2019 for his outstanding contribution to multicultural affairs. The Mayor then announced and presented a framed certificate to Council's Australia Day/Citizen of the Year 2024 Award recipients:

- **Citizen of the Year** – Denis and Maria Pellizzari
- **Young Citizen of the Year** – Jacob Paul
- **Community Event of the Year** – Dublin War Memorial 20th Anniversary and Remembrance Service
- **Community Project of the Year** – Two Wells Football & Netball Sporting Club – Two Wells Oval Water Tank Mural

Lastly, the Mayor conducted a citizenship ceremony for six residents (including one child) who each received a 'welcome' pack including a native plant for them to remember this important occasion. Our newest Australia citizens came from the Philippines, United Kingdom, Vietnam and Scotland.



Above – Australia Day 2024 flyer

Summer Reading Club Party – Wednesday 21 February 2024

The Adelaide Plains Library Service has been involved with the nationally run Summer Reading Club (SRC) for over the last 12 years. Not only does the SRC aim to increase children's and youths desire to read, but also encourages them to visit their local public library. During the months of December 2023 and January 2024, over 75 packs (containing a novelty pen, note pad, log book and fidget toy) have been handed out to local children/youth.

In order to receive an invitation to the SRC party, participants are required to read a minimum of ten books of their choice during the summer school holidays and return their log book record to one of the libraries by early February 2024. At the party Mayor Wasley will be tasked with presenting each child/young person (up to 18 years of age) with their certificate and book prize. The party is planned to be held in the Village Green, but in the event of extreme weather conditions then the venue will be changed to the Two Wells Council Chambers. The celebrations will finish with the children indulging in locally bought cakes and ice-blocks served with cordial.



Above – Summer Reading Club 2024 flyer

Outdoor Cinemas March 2024

Families will be able to enjoy watching two free animated outdoor cinemas in March 2024. On 1 March 2024 *“Around the World in Eighty Days”* will be shown at the Dublin Oval and a fortnight later on Friday 15 March 2024, the featured film at the Two Wells Oval will be *“Super Mario Bros”*.

Each of the local Cricket Clubs will open their canteens on the night.



FREE EVENT
Outdoor Cinema 2024
Dublin Oval
Friday 1 March 2024

The ever popular Outdoor Cinema event is back in 2024
Join us on Friday 1 March at Dublin Oval for the family friendly movie
Around the World in Eighty Days (PG rated)
The movie will start after sunset - when it's dark
Canteen facilities will be available
Bring your beanbag, swag, deckchair or pillow
For further information contact Council
Phone 8527 0200 or email: info@apc.sa.gov.au

Adelaide Plains Council

Above – Outdoor Cinema – Dublin Oval – 2024 – flyer



FREE EVENT
Outdoor Cinema 2024
Two Wells Oval
Friday 15 March 2024

The ever popular Outdoor Cinema event is back in 2024
Join us on Friday 15 March at Two Wells Oval for the family friendly
Super Mario Bros. Movie (PG rated)
The movie will start after sunset - when it's dark
Canteen facilities will be available
Bring your beanbag, swag, deckchair or pillow
Drug and alcohol free zone
For further information contact Council
Phone 8527 0200 or email: info@apc.sa.gov.au

Adelaide Plains Council

Above – Outdoor Cinema – Two Wells Oval – 2024 – flyer

Citizenship Ceremony – Harmony Day – 21 March 2024

As per Council's Citizenship Ceremony Policy, the next scheduled citizenship ceremony will be held on Thursday 21 March 2024 at the Two Wells Council Chambers. The Department of Home Affairs will inform community services staff if any local residents have been approved to take their final step in becoming an Australian citizen. The International Day for the elimination of racial discrimination is marked on 21 March 2024.

Conclusion

The Library and Community Services team continue to deliver a wide range of programs and services for all members of the community.

References**Legislation**

Local Government Act (SA) 1999

Libraries Act 1982

Council Policies/Plans

Strategic Plan 2021-2024

15.7 BUSINESS SUPPORT PROGRAM - BUDGET PROPOSAL**Record Number:** D24/167**Author:** Economic Development Officer**Authoriser:** Manager Growth and Investment**Attachments:**

1. Research - Small Business Incentive Programs - Local Councils [↓](#) 
2. Draft Proposal - ProsperityPath Program - Business Grant Program and Guidelines 2024 [↓](#) 

OVERVIEW

With the population growth within Adelaide Plains, the need to attract, support and grow business is important, as highlighted in the Tourism and Economic Development Strategy.

This information report is to bring an awareness to Council about a proposed budget item for the establishment of what could be called the *ProsperityPath Program: Fuelling Business Success in the Adelaide Plains*. Funding up \$10,000 per annum is intended to be sought.

RECOMMENDATION

“that Council, having considered Item 15.7 – Business Support Program - Budget Proposal, dated 29 January 2024, receives and notes the report.”

Purpose

This information report is to advise that a Budget bid for \$10,000 per annum will be requested as part of the 2024/2025 Business Plan and Budget to roll out the *ProsperityPath Program* (the Program) to support existing and attract new businesses to Adelaide Plains.

If implemented, the Program will cement Council’s commitment through the Tourism and Economic Development Strategy (TED’s) in supporting the business community. It will also complement the Regional Development B2B Program and other government incentives, providing financial and non-financial support.

Background**Need for Grant Program**

The adoption of the TED’s in March 2022 outlined Council’s commitment to the development, building capacity, networking and attraction of businesses.

The current restraints are that businesses need a helping hand in building their capacities, skills, workforce and digital literacy to grow and be ready for population growth and need.

The consultation on the TED’s highlighted that *“Businesses may be lacking contemporary skills and knowledge in technology that would otherwise assist with communication, time and resource management and promotion of goods and services beyond bricks and mortar. Businesses have specifically expressed a desire for greater skills, education resources and business networking opportunities within the region.”*

The TED's guiding theme of Business Support and Growth aligns with our Strategic Plan theme of Emerging Economy to *"facilitate growth of the business sector through strategic advocacy, partnerships and service improvements that generate local procurement and employment opportunities, provide certainty for investment and enhance the appeal and visitor experience delivered by Council's key tourism strengths and opportunities."*

These strategies outline Council's commitment to our business and tourism community. This emerging community needs a planned assistance package that can be clearly defined and measured to support a strong, diverse economy, attracting more businesses and creating employment opportunities.

Officers have heard from Regional Development Australia Barossa Gawler Light Adelaide Plains (RDA) officers that businesses find it difficult to progress after having their B2B mentoring sessions due to lack of funds and/or resourcing.

Furthermore, in the 2022 Customer Satisfaction Survey, from a business perspective, the business owner segment (n=50) was relatively dissatisfied (55%) with the support Council provides to local business compared to the general population reporting 35% dissatisfaction levels.

Small Business Friendly Council commitment

As a Small Business Friendly accredited Council, we are to ensure we: -

- Support three initiatives per year.
- Implement activities to improve operating environment.
- Establish Business Advisory Group.
- Procurement policy to recognise and support local small business.

This program supports this commitment.

What RDA offers and how the grant program complements

RDA delivers a range of services to businesses to support better business performance. This enables new businesses to invest and existing businesses to thrive and create jobs.

The Business to Business (B2B) Program is a business support program that connects skilled service providers and consultants with local small and medium enterprises looking for aid with their business.

Types of services

- Free assistance to business, including the development of business plans, marketing plans, process improvement, exporting, and more
- Career development and human resource planning
- Skills training access
- Workforce planning and development
- Advocacy and business case development for regional infrastructure and investment
- Community consultation and facilitation

Running a small or medium enterprise (SME) can be challenging, especially when it comes to finding the right skilled service providers or consultants to help with various aspects of your business. The B2B Support Program connects small to medium businesses with local experts who can offer tailored assistance to help your business thrive.

Their program works by providing a three-hour consultation with a skilled service provider or consultant who has expertise in the area you need help with, such as marketing, web design, HR, IT, accounting, tourism advice, or business planning. There is a small co-payment fee of \$55 for the business owner requesting assistance. They have a wide network of professionals who are dedicated to supporting SMEs and entrepreneurs in our regional area.

RDA staff have strong networks across government and experience in working with various government agencies and programs. The board of industry leaders have extensive private sector experience and knowledge in developing business plans and initiatives to drive growth.

Other Councils Programs

The Business Incentive Programs across local Councils document, presented as **Attachment 1** to this report, highlights different council's commitments to their business community. Councils have varying approaches to business support, with some offering business grants and others not.

What a Business Program Could Look Like

Adapting the programs offered by Wakefield Regional and Yorke Peninsula councils, officers have drafted what an Adelaide Plains program could look like, presented as **Attachment 2** to this report, and given a name of *ProsperityPath Program: Fuelling Business Success in the Adelaide Plains* (the Program).

Aligned with the goals of TEDs, the Program would assist Council to: -

- Develop and sustain its emerging economies.
- Facilitate economic development opportunities for the district.
- Create a supportive environment for small business.
- Maintain business competitiveness and increase business profitability.
- Increase visitor numbers, spending and overnight stays.

The Program would provide non-financial assistance plus three streams of matched funding for businesses to build their capacity, create jobs and bring positive impacts to the Adelaide Plains economy. This program also works in partnership with the RDA, Tourism Industry Council of SA and other government business programs available.

The Program is designed to specifically support Adelaide Plains businesses in any stage of the business lifecycle.

The Program includes non-financial assistance and business grants and gives Council relevant data on

- Who we have helped
- What we have done
- Outcomes of support
- Increase in employment and/or business growth
- Opportunities for the future

Non-Financial Assistance

Business, regardless of where they are at within their development, can be provided with access to assistance and support from Council staff in the areas of: -

- Planning / development approvals
- Land zoning determination
- Where to get assistance in: -
 - Developing business / marketing plans
 - Seeking grant funding opportunities
 - Writing grant funding applications
- Local knowledge such as community profiles, market data, business directory, contacts/connections and networking events/breakfasts
- Linking with specialist government programs in Human resource management and recruits / financial accounting / risk management and contingency planning / cyber security / work health and safety / waste management / sustainability practices.
- Tourism supports and connections
- Doing business with Council.

Officers provide these services now.

Business Grant

\$10,000 per annum is proposed to be allocated in Council's annual budget.

Business grant applications would be open from September 1 to June 30 of any given year. The grant applications will close when all of the \$10,000 has been allocated for that financial year.

Any proposal that will boost the local economy will be considered under this grant funding.

To assist business with bespoke support, the business grant would consist of three streams.

1. **Get Going Stream** – Specifically tailored for busy small business owners who just need a little extra support to take their business to the next level. Application process designed with minimal paperwork required. The grant funding is capped to \$1,500 per application.
2. **New Business Stream** – Designed to accelerate the establishment of a new business, alleviate business hardship in its infant stage (up to 12 months of the business launch). Funding is functioned as support only. Start-up businesses will be expected to be planning to generate the majority of their income from other sources (i.e. not from this grant). The grant funding is capped at \$3,000 per application.
3. **Growth Stream** – Aimed to assist the growth or expansion of an established business, either into new markets, property, products or services or escalating the current property. These expansions are expected to grow business revenue as well as bring more local jobs. The grant funding is capped to \$5,000 per application.

Discussion

This proposed Program complements the RDA's B2B Program. Adelaide Plains businesses are busy working in their businesses and not on their business. Having time and skills to build their capacities and skills across business management comes at a cost, which many don't give resourcing to.

Officers have heard from the RDA team that businesses find it difficult to progress after having their B2B mentoring sessions due to lack of funds and/or resourcing. With the Business grant program, they will be able to progress further, engage a person to do some work or purchase equipment. It completes the loop for the business.

If incorporated in the adopted budget, a policy to guide the program, including grant evaluation and acquittal, would be prepared.

Conclusion

TED's underscores the Council's commitment to business development. Recognising the need for businesses to enhance capacities, skills, and digital literacy for anticipated population growth, this information report proposes a \$10,000 annual budget bid for the *ProsperityPath* Program.

This initiative aligns with TED's objectives, aiming to support existing businesses and attract new ones in a strategic and transparent manner. The program, complementing the RDA B2B Program and government incentives, establishes a comprehensive financial and non-financial support network.

During the budget process, it is recommended that the Council considers a budget bid to establish the *ProsperityPath* program.

ReferencesLegislation

South Australian Local Government Act 1999;

Council Policies/Plans

Strategic Plan 2021-2024

Adelaide Plains Tourism and Economic Development Strategy 2022-2025

research. Business Incentive Programs – Other Councils – January 2024

Council	Program	Budget	Details
Yorke Peninsula	Business Enhancement Program	\$20k p.a.	<p>Yorke Peninsula Council is committed to supporting economic growth and job creation and wants to positively impact the local business environment and economy.</p> <p>The BEP consists of two streams:</p> <ul style="list-style-type: none"> • non-financial assistance • Business Grant. <p>An amount of \$20,000 per annum has been allocated in Council's annual budget to support local businesses.</p> <p>The funding may be used for investment in new equipment or infrastructure, production of marketing and promotional materials, IT equipment installation and software development, training or conference attendance, mentoring and networking opportunities, etc. Any proposal that will boost the local economy will be considered under this grant funding.</p> <p>If funding is being sought, you will be required to 'match' the funding as follows:</p> <p>For grants up to \$2,500 (GST exclusive) – For each \$1 granted, applicants are expected to contribute a matching \$1 towards the project. E.g., the applicant contributes \$2,000 and seeks \$2,000 from the business grant for the project's total costs of \$4,000 (GST exclusive).</p> <p>For grants over \$2,500 (capped at \$10,000) (GST exclusive) – For each \$1 granted, applicants are expected to contribute a minimum of \$1 towards the project; however, a greater co-contribution may be required (e.g., \$2 contribution from applicants for \$1 granted).</p>
Wakefield Regional	Small Business Incentive Program	<p>\$30k p.a.</p> <p>Up to \$3k over 2 years can be applied for</p>	<p>Wakefield 2030 includes as a key theme 'Thriving Region', with strategies and priority actions to drive growth and prosperity in the region. Building on the excellent feedback from the COVID-19 support package, the Small Business Incentives program aims to encourage small businesses to startup, grow, innovate and develop.</p> <p>Applications</p> <p>Businesses can seek up to \$3,000, matched on a dollar-for-dollar basis, for activities that seek to find new ways of working to give the business a competitive edge, enhance the skills of employees or market business activities.</p> <p>Businesses can apply for one grant per year for up to \$3000 support across two financial years. For example, a business could apply for \$1600 support one financial year and a further \$1400 the following financial year.</p>

Council	Program	Budget	Details
			<ul style="list-style-type: none"> • Applicants may not receive the full amount being sought. • Eligibility does not guarantee grant funding. • Funds must be spent and acquitted before grant monies paid. (New for 2024/2025) <p>Feedback: <i>The Small Business Incentives program is an annual grant program for Wakefield-based businesses (or new businesses to Wakefield), providing grants of up to \$3000 to support growth and improvement initiatives.</i></p> <p><i>So far this year (2023/24) –</i> <i>Total successful applications: 5</i> <i>Total funding provided: \$13,154</i> <i>Total value of projects supported: \$52,123</i></p> <p><i>Council closed its 2022/23 Small Business Incentives program on June 30. During this period, 10 businesses received grants, matched at least dollar for dollar, ranging between \$885 to the maximum \$3000.</i></p> <p><i>One of these grants assisted with the start up costs of a new local hairdressing salon in Balaklava. Another assisted with fit out equipment to establish a new butcher shop, the only one in the Council region, at Lochiel.</i></p> <p><i>Total funding provided: \$23,442.27</i> <i>Total value of projects supported: \$101,160.8</i></p> <p><i>2021/22 –</i> <i>Total successful applications: 14</i> <i>Total funding provided: \$38,155</i> <i>Total value of projects supported: \$159,205</i></p>
Barossa	No Business Grants Only community, youth and heritage grants		<u>Tourism Business Support</u> Barossa Visitor Centre (BVC) is a nationally accredited Visitor Information Centre and one of the busiest in South Australia with around 65,000 enquiries per annum. Staffed by Council staff and volunteers. The Barossa Visitor Centre aims at the following: Curating hand-made Barossa experiences and itineraries for visitors to the region, and, Inspiring guests for the purpose of generating longer stays, dispersal throughout the region, and maximising visitor yield and investment in our region.

Council	Program	Budget	Details
			Businesses across the region can partner with Council and take advantage of promotional opportunities and support services offered through the team. By entering a Participation Agreement, businesses can enjoy a whole host of benefits.
Clare and Gilbert Valley Council	No Business Grants Only Community Grants which business can not apply.		Community Asset Grant and the Events Grants annually
Regional Council of Goyder	No Business Grants Only Community Grants which business can not apply.		The Community Grants program has three categories: <ul style="list-style-type: none"> • Community Development opens March and September (\$7.5k budget p.a.) • Community Facilities- opens March and September (\$50k budget p.a.) • Community Events- always open (\$2k budget pa)
Light Regional Council	No Business Grants Some incentives during COVID		LRC doesn't have grants program per se – they usually refer business development to the RDA and Office for Small and Family Business. During COVID, LRC subsidised business costs for the RDA's B2B Program provided they were referred via local business alliances. Their Investment Attraction Policy talks about a (future) Development Incentive Scheme. They are yet to develop this scheme with associated guidelines...a work in progress. The Council has adopted some incentives over the past few years, in the form of rate rebates/holidays for catalytic developments.
City of Playford	No Business Grants		We're ready to work with both new and established businesses to develop opportunities. Here are just some of the ways that our team can support you: <ul style="list-style-type: none"> • offering a single key contact who can coordinate your interactions with council • finding your ideal workspace or site • identifying market trends and opportunities • assisting with applications for grants and tenders • identifying relevant government programs.

"Prosperity Path Program: Fuelling Business Success in the Adelaide Plains"

Note – This DRAFT document shows what an Adelaide Plains program could look like. It is adapted from programs offered by Wakefield Regional and Yorke Peninsula Councils.

"Prosperity Path" signifies the path to success for businesses within the region, and it emphasises the Council's Business programs' role in helping businesses thrive and prosper.

This program incorporates the idea of businesses prospering within the Adelaide Plains Council, as well as the strategic components of our vision, including: -

- Growth
- Advocacy
- Partnerships
- Local procurement
- Employment opportunities
- Investment certainty
- Tourism enhancement

Aligned with the goals of the Tourism and Economic Development Strategy (TEDs), this program assists Council to: -

- Develop and sustain its emerging economies.
- Facilitate economic development opportunities.
- Create a supportive environment for small business.
- Maintain business competitiveness and increase business profitability.
- Increase visitor numbers, spending and overnight stays.

An overview of the Program

Are you a business looking to set up in the Adelaide Plains Council area or an existing business looking to create new employment or expansion opportunities?

Adelaide Plains Council is committed to supporting economic growth, job creation, tourism opportunities and business development. This program is designed to specifically support Adelaide Plains businesses in any stage of the business lifecycle.

The program includes non-financial assistance and business grants and gives Council relevant data on

- Who we have helped
- What we have done
- Outcomes of support
- Increase in employment and/or business growth
- Opportunities for the future

Non-Financial Assistance

Business, regardless of where they are at can be provided with access to assistance and support from Council staff in the areas of: -

- Planning / development approvals

- Land zoning determination
- Developing business
- Seeking grant funding opportunities
- Writing grant funding applications
- Local knowledge such as community profiles, market data, business directory, contacts/connections and networks
- Human resource management and recruits / financial accounting / risk management and contingency planning / cyber security / work health and safety / waste management / sustainability practices.
- Tourism supports and connections
- Doing business with Council.

Business Grant

An amount of \$10,000 per annum to be allocated in Council's annual budget to support the program.

Grant applications are open from September 1 to June 30 of any given year. The grant applications will close when all of the \$10,000 has been allocated for that financial year.

Any proposal that will boost the local economy will be considered under this grant funding.

To assist business with bespoke support, the business grant consists of three streams.

1. **Get Going Stream** – Specifically tailored for busy small business owners who just need a little extra support to take their business to the next level. Application process designed with minimal paperwork required. The grant funding is capped to \$1,500 per application.
2. **New Business Stream** – Designed to accelerate the establishment of a new business, alleviate business hardship in its infant stage (up to 12 months of the business launch). Funding is functioned as support only. Start-up businesses will be expected to be planning to generate the majority of their income from other sources (i.e. not from this grant). The grant funding is capped at \$3,000 per application.
3. **Growth Stream** – Aimed to assist the growth or expansion of an established business, either into new markets, property, products or services or escalating the current property. These expansions are expected to grow business revenue as well as bring more local jobs. The grant funding is capped to \$5,000 per application.

The funds from the grant program are provided after successful delivery of your project.

Eligibility

What is eligible under each stream. What funding can be used for

Projects	Get Going	New Business	Growth
Acquisition of small plant and equipment	✓	✓	✓
Purchasing new infrastructure, machinery etc.	X	X	✓
IT equipment installation and software development	✓	✓	✓

Mentoring, training, conference attendance and networking opportunities (if not eligible for other available programs).	✓	✓	✓
Production of marketing and promotion activities and materials	✓	✓	✓
Hosting an event with the majority of the event benefits delivered to the local business community and the local economy rather than the host's profit.	✓	X	X
Council rate relief (capped for a fixed period)	X	✓	X
Rent assistance (capped for a fixed period)	X	✓	X

If your project does not fit this list as above, please discuss with the Economic Development Officer. Generally, if your project is proven to create jobs and bring positive impacts to the local economy of the Adelaide Plains, it can be eligible for Council's Business Program.

Who is eligible to apply?

To be eligible, an application must:

- Have a registered Australian Business Number (ABN) or provide evidence of intent to register;
- Have evidence of an appropriate legal structure such as a sole trader, trust, Australian registered company or company limited by guarantee (e.g., Certificate of Registration of a Company issued by Australian Securities and Investments Commission) (or have written evidence that you are moving towards becoming one of the above);
- Hold or are in the process of obtaining any required permits or licences for conducting business (e.g., liquor licences, food business notification, mobile vendor permits, outdoor dining permits, signage permits etc.);
- Operate the business in accordance with relevant Council policies and all other Commonwealth and State legislation;
- Applicants who are under investigations for breaches to any Federal/State or Local government laws and regulations will be ineligible to receive the grant. This may also extend to entities and their representatives that may be subject to proceedings for bankruptcy or breaches of the Corporations Act 2001;
- Be located or committed to locate within the Council's region;
- Evidence of a bank account in the name of the applicant or the business;
- Provide details of all Commonwealth and State Government grants received in the past two years and any pending applications for grants;
- Be able to complete the stated grant objectives within 12 months, following approval of the grant;
- Secure appropriate permissions and approvals for the project (e.g., development approval, property owner approval) or a statement of intent to secure such permissions;
- Be a business that will enhance (not compete with) existing businesses; and
- Have no outstanding debts of any kind to the Council.

The funding can NOT be used for:

- Retrospective funding;
- Payment of debt or outstanding loans;
- Charitable fundraising;
- Operational expenditure, such as wages, utilities and other variable costs for business operation as usual;
- Activities that could be perceived as benefitting a political party or political party campaign;
- Religious functions;
- Activities that create, encourage or perpetuate militarism;
- Activities that create, encourage or promote discrimination;
- Activities that will exploit people through the payment of below-award wages or poor working conditions;
- Gift vouchers, prizes or trophies;
- Items funded by other Council grants;
- Projects/objectives which are more appropriately funded by the Australian or State Governments or other industry sources;
- Projects that directly contravene Council policies and By-Laws; or
- Projects that do not have a clearly identifiable benefit to the businesses and community of the Adelaide Plains Council area.

Other conditions

Matched Funding: Each requested funding in the application must be matched by contribution from the applicant.

- For a grant up to \$1,500 (GST exclusive) for each \$1 granted, the applicant is expected to contribute a matching \$1 towards the project. E.g., applicants contribute \$1,500 and seek \$1,500 from the business grant for the project's total costs of \$3,000 (GST exclusive).
- For a grant over \$1,500 (capped at \$5,000) (GST exclusive), for each \$1 granted, applicants are expected to contribute a minimum of \$1 towards the project, however a greater co-contribution may be required (e.g., \$1 grant for \$2 contribution from applicants). This will be assessed on a case-by-case basis by Council.

Non-Conformance: If Council believe that grant recipients haven't cooperated with the intent of this program and have 'wasted' funds provided, recipients may not receive some or all of the funds granted.

Confidentiality and Commercial-in-Confidence Considerations: If an applicant believes that any information provided in their application is confidential or commercial-in-confidence, the applicant must clearly identify such information and the reason for its confidentiality.

Applicants should be aware that the Council is subject to certain legislative requirements relating to public information, including the Freedom of Information Act 1991. Council will treat all information provided by applicants sensitively. Any information contained in, or relating to, an application, including information identified by an applicant as confidential, may be disclosed by Council:

- For the purposes of application assessment;
- Where information is authorised or permitted by law to be disclosed.

If an application is successful, and upon a written consent approved by the grant recipient and/or where the information is already in the public domain, brief information of the funded projects can be used for Council's publicity purposes.

Record Keeping: As part of the funding conditions, you will be required to keep all relevant invoices and records relating to the grant.

Acknowledgment of Funding: Grant recipients will be required to acknowledge the Council's support in relation to the funded activities in all promotional and advertising material by using either:

- Council's logo; or
- the phrase "supported by the Adelaide Plains Councils' ProsperityPath Program".

APPLICATION PROCESS

1. Before starting an application, it is suggested you contact Council's Economic Development Officer to discuss the project.
2. Complete grant application, ensuring you attach all supporting documents to the application.
3. The application is assessed by Council employees. If considered relevant, applications may be assessed by external experts.
4. Throughout the life of the project, you must comply with conditions of the grant funding, including the acquittal process. Relevant information of these terms will be outlined in the Funding Agreement.
5. Within six weeks after a successful submission of the application and supporting documents, a notification of the application's outcome is issued.
6. If the application is successful, a Letter of Offer/Grant Agreement will be posted out, which requires signing by both Council and the grant recipient.
7. You're on your way to Prosperity!

To ensure there is no perceived conflict of interest, the approval process will include several stages, with the following indicative timeframes

Initial assessment	Application to be checked against eligibility/ guidelines. An initial assessment to be undertaken against weighted criteria.	Economic Development Officer	Within fortnight of receipt
Review	A review of the initial assessment to be undertaken and recommendation drafted for CEO / Director review.	Manager Growth and Investment	Within three weeks of receipt
Approval	CEO to approve following consultation with Director.	CEO and Director Development and Community	Within four weeks of receipt

Grant Assessment:

The ProsperityPath business grant is open competitive for eligible businesses in the Adelaide Plains Council's region.

All applications will be assessed using the following criteria:

Assessment criteria Requirement	What we will consider	Weighting
Mandatory	Evidence the business: <ul style="list-style-type: none"> • Has Adelaide Plains based operations. • Operates within the region and benefits the local community. • Is appropriately insured with current \$20 million Public Liability Insurance. • Has any necessary approvals to operate a business. • Complies with all relevant legislation/standards. • Demonstrated alignment with Tourism and Economic Development strategies. 	Mandatory – not weighted
Budget/ finances	<ul style="list-style-type: none"> • The applicant will contribute dollar-for-dollar towards the activity. • The applicant has clearly demonstrated how funds will be used. • The activity budget reflects the likely expense (quotes if possible). • The applicant has provided two quotes (where relevant) for works to be delivered. 	40%
Project governance / risk	<ul style="list-style-type: none"> • The applicant has ability to deliver the activity as described. • Achievable milestones have been set (within ensuing six months) 	20%
Local supplier support	<ul style="list-style-type: none"> • Use of local suppliers / tradespeople for activities undertaken (where this is relevant to the activity). 	40%

Applicants will also sign a non-confidential formal grant agreement. A simple template will be provided to ensure the following details are captured:

- The precise nature of the project.
- Budget showing expenditure breakdown and quotes to justify expenses (if relevant).
- Benefits the grant will provide – to the business and/or community
- Alignment to the Tourism and Economic Development Strategy.
- Timeframes and milestones for delivering the project and completion date
- Requirements as per table above
- Approval for Council to use the activity for promotional purposes
- Request for photographs (minimum 3MB quality)

Council will assess all applications based on the full suite of information provided and the opportunities and/or risks associated with the activity.

Acquittal

The grant must be completed within 60 days of the completion date detailed on the grant application. Successful applicants will also be required to submit an acquittal form and short report on how the project/activity has achieved the desired outcomes. Once this has been received and confirmed, grant monies will be paid.

Key dates

ProsperityPath Business Grants are available all year from September until the budget has been expended or 30th June, whichever comes first.

DRAFT

16 QUESTIONS ON NOTICE

Nil

17 QUESTIONS WITHOUT NOTICE

18 MOTIONS ON NOTICE

Nil

19 MOTIONS WITHOUT NOTICE

20 URGENT BUSINESS

21 CONFIDENTIAL ITEMS

Nil

22 CLOSURE