



The Barossa Council

MINUTES OF THE SPECIAL MEETING OF THE BAROSSA COUNCIL

held on Thursday 26 March 2020 commencing at 6.30pm in the Council Chambers, 43-51 Tanunda Road, Nuriootpa

1.1 WELCOME

Mayor Bim Lange declared the meeting open at 6.30pm.

1.2 MEMBERS PRESENT

Mayor Bim Lange, Crs Leonie Boothby, John Angas, Tony Hurn, David Haebich, Don Barrett, Cathy Troup, Carla Wiese-Smith, Richard Miller, Kathryn Schilling and Russell Johnstone.

1.3 LEAVE OF ABSENCE

Nil

1.4 APOLOGIES FOR ABSENCE

Cr David de Vries

MOVED Cr Hurn that Council:
Receive and accept Cr de Vries' apology.

Seconded Cr Miller

CARRIED 2018-22/85

2.1 CHIEF EXECUTIVE OFFICER - DEBATE AGENDA

2.1.1

BUDGET INCREASE FOR INITIAL RESPONSE TO COVID-19

B10833

The Chief Executive Officer outlined that in the body of the report the funding is sought for the remainder of the 2019-20 financial year not 2020-21 as written.

MOVED Cr Barrett that Council:

That Council approve the allocation of \$100,000 from the current operating surplus to support the initial response to COVID-19 as outlined in this report.

Seconded Cr Haebich

CARRIED 2018-22/86

PURPOSE

The implementation of increased cleaning regimes, gearing up to operate the business through working at home provisions and supporting meetings by remote and digital means all requires additional funds.

REPORT

It is clear that the management of COVID-19 requires a coordinated and planned response. To date Council's Executive Management have followed the advice of the State and Federal counterparts and implemented various site management matters including:

1. Increased cleaning of public areas at open locations;
2. Increased toilet cleaning;
3. Distributed necessary sanitiser in public areas and offices, vehicles including community transport vehicles;
4. Hand wipes distributed to working areas to maintain desk cleanliness;
5. Closed all non-essential meetings internal and external;
6. Stopped any travel including to attendance at conferences, training and seminars;
7. Reinforced the social distancing requirements;
8. Erected barriers in public facing locations;
9. Planning for the implementation a 2 week shift rotation of staff working from home every second week;
10. Planning for the implementation of electronic meetings for Council and committees should laws introduced by the Minister this week be enacted.
11. Encouraged those returning from travel to self-isolate no matter of the travel location and prior to borders closing.

The implementation of responses to COVID-19 are likely to be required to be in place for at least 3 months. The existing budgets cannot support these costs. We are also likely to see a slowdown in normal activity which may lead to some savings that offset these costs, however it is too early to determine that.

Ultimately, Council has a duty of responsibility under the South Australian Public Health Act for the public health of the community and under the Work Health Safety Act to workers which includes members, volunteers, contractors and staff.

Under the current Public Health Emergency declaration there is a provision under clause 4.3.9 where for "reason of urgent necessity" the CEO in consultation with the Principle Office can authorise variations in activity. I consulted with the Mayor and Deputy Mayor to immediately increase the cleaning levels of service and was provided approval. The requirements is this is to be reporting at the next budget update, however with this report community forward this is the opportune time. The increase in immediate services has been incorporated in this budget adjustment.

It should be noted that this is an initial response and depending on the pathway of the virus over the next month's further support is likely to be needed.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Business Assessment Tool and Due Diligence Report

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Natural Environment and Built Heritage



Community and Culture



Infrastructure



Health and Wellbeing



Business and Employment



How We Work – Good Governance

All

Legislative Requirements

State Australian Public Health Act

Work Health Safety Act

Local Government Act

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Funding is sought for the remainder of the 2020-21 financial year:

Additional cleaning products:	\$20,000
Increased public areas cleaning:	\$30,000
New and increased IT licencing:	\$5,000
IT support and equipment (working at home and remote/electronic meetings):	\$30,000
General direct purchases of other equipment or immediate services	\$10,000
Legal advice:	\$5,000

Item for Budget inclusion:	COVID19
Net operating costs (incl depreciation)	\$100,000
Total project cost (ex GST)	\$100,000
Grant Income (ex GST)	\$0
Funding required by Council	\$100,000
DDR provided	Yes
This projects BAT score – approved by CMT (Cut-off score for 2019/20 NI's = 46)	65
CMT reviewed and recommended	Approved and put to Council
If approved – a BAR or NI will be included in the:	2019/20 Budget Update as at 31 March 2020
Assessment of Key Performance Indicators (KPI) for all changes* since the Quarter Report - Mid-year Budget Review as at 31 Dec 2019:	
KPI	Revised forecast Overall Change since*

Operating Surplus/(Deficit) (Target: break even position over a five year period)	\$20k	Reduction to surplus \$164k
Operating Surplus Ratio (Target: -2% to 10%)	0.05%	0.45%
Net Financial Liabilities Ratio	\$13029.238k	Reduction of cash at bank \$592k
Net Financial Liabilities Ratio (Target: >0 to <100%)	33.4%	Increase to liabilities ratio 1.4%
Asset Funding Renewal Ratio (Target: >80% to <110%)	125%	no change

Noting that after the addition of these projects - all KPI's are within the target range set by Council.

Funding for this project will:

- | | | |
|---|--|--|
| <input type="checkbox"/> Be transferred from existing budget line: | | |
| <input type="checkbox"/> Be allocated from next years discretionary spend: | | |
| <input type="checkbox"/> Be allocated from previous years surplus: | | |
| <input checked="" type="checkbox"/> Effect the Council's end of year results and cash position: | | |

This item has a net cost for 2019/20 of \$100k reducing the forecast operating surplus to \$20k.

Council's cash balance forecast in the Quarter Report - Mid-year Budget Review as at 31 Dec 2019 by year end was \$2m and is now reduced to \$1.41m affecting the funds available for future operations, capital works and other projects.

Since the adoption of the 2019/20 Long Term Financial Plan (LTFF) changes have been made to the provision and cost of services including the quarterly updates, Mid-year review and numerous reports at Council meeting for other budget additions.

The draft 2020/21 LTFF is drafted, reconciled but has not been considered by Council this will occur during the budget workshops and meetings up to the adoption scheduled in June 2020.

This LTFF annual review will include all of Council's decisions made during 2019/20 along with the current proposals and budget deliberations.

The Council's financial sustainability will need to be assessed and as required, projects, revenue, expenditure, other funding and financing options reconsidered.

COMMUNITY CONSULTATION

There is no requirement to undertake consultation as the response to the growing threat of COVID-19 warrants rapid response.

2.1.2

ENDORSEMENT OF SERVICE CHANGES TO DATE AND AUTHORISATION FOR FUTURE CHANGES AS COVID-19 REQUIRES
B10833

The Chief Executive Officer tabled the updated service changes made in consultation with the Mayor dated 25 March 2020 as a result of the announcements of the Government on the evening of 24 March 2020 these were released online and Facebook on the evening of the 25 March 2020. The changed attachment has been uploaded to the web on the afternoon of 26 March 2020.

MOVED Cr Wiese-Smith that Council endorse:

- (a) the service changes undertaken in accordance with Council's Budget and Business Plan and Review Policy clause 4.3.9 ; and
- (b) that the Chief Executive Officer continues to review, monitor and assess the risks and implement further service delivery solutions or changes as the Public Health Emergency proceeds and the State and Federal Government implement new changes to manage COVID-19 in conjunction with the Mayor and report changes back to Council in due course.

Seconded Cr Angas

CARRIED 2018-22/87

PURPOSE

To endorse service changes enacted by the Chief Executive Officer and continue to authorise the Chief Executive Officer to act in consultation with the Mayor.

REPORT

The ongoing changes and response to COVID-19 is placing some strain on services and service provision.

It is clear that the management of COVID-19 requires a coordinated and planned response. To date Council's executive management have followed the advice of the State and Federal Governments and this has placed pressure on the following services:

1. The Gallery which fundamentally operates with volunteer staff, many in a high risk group and therefore self-isolating. Being that the area cannot be easily controlled under the social distancing requirements it was determined the risks were too high and it should close.
2. The Visitor Centre, with the changes to the premises made recently, also found it very difficult to manage social distancing requirements and also in this environment many volunteers were choosing to self-isolate. Equally the nature of the work meant that staff were coming into direct contact with overseas and interstate travellers. The risk was determined as too high and an alternative service delivery model has been put in place through the 'barn' window and ramping up efforts on social media.
3. The Rex has been closed since midday on 23 March 2020 as per the Federal Government's direction on gyms and the like.
4. Social bus trips have been discontinued.
5. All other locations remain open with appropriate barriers, signage, messaging, social distancing and hygiene provisions.

The current detailed service changes and notes are provided at the attachment. These are being updated online and Facebook with links to our website as changes occur. We are seeing this week a significant reduction in foot traffic and calls.

The updated Business Continuity Plan outlines the critical service pathway should we have to implement greater controls, however there are some non-negotiables such as the principal office of Council must remain open unless it is determined under the South Australian Public Health Act that the risk to human health is too high and an order can be made to Council to shut down by an authorised officer.

The Executive Team and senior officers are continuing to plan for greater shut down and move to mitigating risk through working at home on a rotation basis splitting workforces and if necessary all working from home where possible (this is worst case scenario).

Staff that have had to self-isolate and can work from home have been accommodated on a case by case basis, otherwise they must use leave entitlements. The industrial relations landscape provides various mechanisms for us to manage staff services.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Summary of Key Changes as at 23 March 2020

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Natural Environment and Built Heritage



Community and Culture



Infrastructure



Health and Wellbeing



Business and Employment



How We Work – Good Governance

All

Legislative Requirements

State Australian Public Health Act

Work Health Safety Act

Local Government Act

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Managing the risk of a pandemic has been outlined in our risk assessment which has informed the Business Continuity Plan and the current responses outlined in the Summary of Key Changes document.

There are not additional financial or resourcing matters in this report, they were outlined in report 2.1.1.

COMMUNITY CONSULTATION

There is no requirement to undertake consultation and response to the growing threat of COVID-19 warrants rapid response.

2.1.3**FOURTH RATE INSTALMENT AMENDMENT TO RATES HARDSHIP POLICY PROVISIONS
DEFERRAL OF PAYMENT****B10833**

MOVED Cr Johnstone that Council endorse the revised Rates Hardship Policy at Attachment 2 and offer deferral of outstanding 2019/20 (and other accrued years balances outstanding) rates and charges for up to 6 months to those impacted by COVID-19 and becoming unemployed or enduring business failure or hardship, without any fines and charges.

Seconded Cr Wiese-Smith**CARRIED 2018-22/88****PURPOSE**

To endorse changes to the Hardship Policy to allow those who are in hardship due to COVID-19, to defer the whole of the fourth rate instalment payment without fines or interest.

REPORT

It is clear that the management of COVID-19 requires a coordinated and planned response. This includes those impacted in our community by closures of businesses and downturn in the economy.

Officers have modelled the cost of allowing rate payments for those who are impacted and those who have lost their employment as outlined in Attachment 1.

There are \$6.695M in payments expected in the fourth quarter. Based on the expected closing cash balance, if no-one paid which is the worst case scenario, Council would be short \$5.235M in cash at years end without cancelling or reducing any programs.

Economically however this would not be the time for Council to reduce programs until or unless there simply aren't the contractors or staff to deliver. The announcement of stimulus funding is a target for Council and we are in a strong position to pursue the totality of the next phase of The Big Project as well as the Adelaide Wine Cycle Path.

The following table provides some estimates based on the number of ratepayers that maybe impacted and the cash flow impact to the next three months. The cash flow impact can be resolved in three ways, establishing a cash advance debenture (CAD) over the next six months and repay thereafter when deferred payments are made, reducing programs and' reducing capital spending (neither of these last two are recommended). The table below assumes all operating and capital is expended this financial year which is unlikely therefore the cash positions will be easier to manage.

Take Up Rate	50%	25%	15%
Cash Flow Impact	\$3.348 M	\$1.674 M	\$1.004
Cash Deficit / (Surplus)	\$1.888 M	\$0.214 M	(\$0.456M)

The impacts in the short term of six months of a CAD using an interest rate of 2.5% for each scenario are, it will be recommended in the next report that we take you a cash advance which is interest only for 6 months and repay thereafter, or convert to long term borrowings if necessary.

Take Up Rate	50%	25%	15%
Finance Amount	\$2.000 M	\$0.400 M	Not required
Interest on Finance Amount over 6 months	\$100,000	\$10,000	Not applicable

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 - Quarter 4 Rates Model Impact
Attachment 2 - Rates Hardship Policy

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Natural Environment and Built Heritage



Community and Culture



Infrastructure



Health and Wellbeing



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Local Government Act

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Outlined the financial impacts in the report.

Risk in addition to the current environment is the need to support those in the community who have been financially impacted and cannot pay at this time, ability of Council to fund this long term has not been fully assessed due to time constraints but the model is simple enough and when people are able to return to work Council will recover its cash position and pay the loan off, or offset that loan against loans we had in the long term plan for The Big Project and if successful with stimulus funding we can rebalance the cash position overtime. The situation will need to be closely managed.

The alternative or combination is to reduce spending and capital is the quickest way to do that, but economically this is not the time for governments to reduce spending it will have an even more contractionary impact on the local economy.

The adopted budget and Mid-year review includes a \$1.6m loan to fund the existing budget programs and that this may now require an increase. Council officers would recommend the use of a CAD facility with the LGFA.

Council's financial sustainability will be assessed with the next Budget Update as at 31 March 2020 for the effect of the proposed loan and interest charges.

COMMUNITY CONSULTATION

There is no requirement to undertake consultation and response to the growing threat of COVID-19 warrants rapid response.

2.1.4

AUTHORISATION TO BORROW FUNDS

B10833

MOVED Cr Boothby that Council pursuant to Section 123(13) of the Local Government Act (the Act) and pursuant to 134 (1) and (2) authorise:

- (1) the Chief Executive Officer to amend the budget and business to plan to reflect changes outlined in resolution 2.1.3 (2018-22/88) and this resolution;
- (2) the Chief Executive Officer to set up a 10 year cash advance debenture or debentures to the value of \$3,000,000 for the purposes of ensuring continuity of services and providing deferred rate payment options for those impacted by COVID-19; and
- (3) the Mayor and Chief Executive Officer to sign and seal any and all necessary document to give effect to part 1 of this resolution.

Seconded Cr Miller

CARRIED 2018-22/89

PURPOSE

To endorse the Chief Executive Office to set up a cash advance deposit (CAD) facility to fund cash flows deficits that may arise from the authorisation of agenda item 2.1.3 concerning amendment to the Rate Hardship Policy.

REPORT

As outlined in the prior report 2.1.3 in this agenda should Council grant and approve the amendments to the Rate Hardship Policy to defer payment of rates for up to six months additional cash will be needed in the short term to support existing programs and projects, the following table highlights the cash flow impacts.

Take Up Rate	50%	25%	15%
Cash Flow Impact	\$3.348 M	\$1.674 M	\$1.004
Cash Deficit / (Surplus)	\$1.888 M	\$0.214 M	(\$0.456M)

The impacts in the short term of six months of a CAD using an interest rate of 2.5% for each scenario are, it will be recommended in the next report that we take you a cash advance

which is interest only for 6 months and repay thereafter, or convert to long term borrowings if necessary.

Take Up Rate	50%	25%	15%
Finance Amount	\$2.000 M	\$0.400 M	Not required
Interest on Finance Amount over 6 months	\$100,000	\$10,000	Not applicable

The CAD facility provides a short term cash facility that as cash is required it is draw down by the Chief Executive Officer and when there is excess cash the money is returned, very similar to an overdraft. It is charged quarterly interest and is an interest only facility.

Pursuant to Section 123(13) of the Local Government Act (the Act) Council may at any time amend its budget and business plan. Further and pursuant to 134 (1) and (2) borrow money and it may take the form that Council considers appropriate. These powers cannot be delegation and therefore Council needs to instruct the Chief Executive Officer to set up the necessary CAD facility.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Natural Environment and Built Heritage



Community and Culture



Infrastructure



Health and Wellbeing



Business and Employment



How We Work – Good Governance

All

Legislative Requirements

State Australian Public Health Act

Work Health Safety Act

Local Government Act

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Risk, in addition to the current environment is the need to support those in the community who have been financially impacted and cannot pay at this time, ability of Council to fund this long term has not been fully assessed due to time constraints but the model is simple enough and when people are able to return to work Council will recover its cash position and pay the loan off, or offset that loan against loans we had in the long term plan for The Big Project and if successful with stimulus funding we can rebalance the cash position overtime. The situation will need to be closely managed.

The alternative or combination is to reduce spending and capital is the quickest way to do that, but economically this is not the time for governments to reduce spending it will have and even more contractionary impact of the local economy.

The adopted budget and Mid-year review includes a \$1.6m loan to fund the existing budget programs and that this may now require an increase. Council officers would recommend the use of a CAD facility with the LGFA.

Council's financial sustainability will be assessed with the next Budget Update as at 31 March 2020 for the effect of the proposed loan and interest charges.

COMMUNITY CONSULTATION

There is no requirement to undertake consultation as the growing threat of COVID-19 warrants rapid response.

2.1.5

UPDATED BUSINESS CONTINUITY PLAN

B10833

The Chief Executive Officer informed Council the sub-plans have been completed today and the maximum allowable outage in the Business Continuity Plan will be updated in line with those outage estimates.

MOVED Cr Angas that Council approve the overarching Business Continuity Plan noting that the operating sub-plans for each critical service have been completed as part of this work.

Seconded Cr Weise-Smith

CARRIED 2018-22/90

PURPOSE

To endorse the updated strategic component of the Business Continuity Plan.

REPORT

Over the past months officers have been accelerating updates to our risk policy, processes and framework as a continuous improvement program and address recent audit comments.

This work included updating our business continuity plan. The strategic content of the plan is now completed after it was determined that we undertake a complete rewrite, and was significantly accelerated with recent events. Maximum event outages for all of these services are 3-7 days but will be updated as we learn more and test the plan. Whilst Council had a prior plan in place to update this plan, we have now completely rewritten it.

What is presented at the Appendix is the plan that:

1. The business continuity structure and who plays what roll if the plan is initiated;
2. Trigger points that involve the plan;
3. The critical services or components that need to be maintained in an event especially in the short to medium term;
4. Processes for triggering the plan;

5. Media management;
6. Responsibility statements for each of the executive and decision making roles;
7. Management of processes and documentation required when operating under the plan;
8. Critical contacts.

Officers are completing the operating component of the plan, what are the operating sub plans for each critical services and these will be completed and approved as operational plan by CMT targeted for Thursday this week.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

The Barossa Council – Overarching Business Continuity Plan

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Natural Environment and Built Heritage



Community and Culture



Infrastructure



Health and Wellbeing



Business and Employment



How We Work – Good Governance

All

Legislative Requirements

State Australian Public Health Act

Work Health Safety Act

Local Government Act

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The Business Continuity Plan update and supporting sub plans are about managing the highest risks faced when an event stops Council's ability to provide services and identifying the critical services that we have to support. This does not mean we won't provide further services when triggering the business continuity plan but rather we will service these areas as a priority.

The accelerated work on the update plans has placed us in a better position than the prior business continuity plan with better and up to date thinking and risk assessment and mitigation.

COMMUNITY CONSULTATION

There is no requirement to undertake consultation and response to the growing threat of COVID-19 warrants rapid response.

2.2 DEBATE AGENDA – DIRECTOR CORPORATE AND COMMUNITY SERVICES

2.2.1

BUSINESS CONTINUITY PLANNING – EVENTS ON COMMUNITY AND COUNCIL LAND / PREMISES

B10833

MOVED Cr Wiese-Smith that Council:

- (1) Note the current Federal Government requirements and restrictions on non-essential social gatherings and the expected adherence by the whole Australian community to social distancing requirements to contain and control the spread of the Coronavirus Pandemic.
- (2) Cancels all existing, non-essential facility bookings on Community and Council land with immediate effect and instructs Officers to contact those impacted and refund all associated deposits and payments.
- (3) Notes that fees associated with licence and lease arrangements are the subject of a separate Agenda Report for this Special Council Meeting.
- (4) Notes the interim strategy of the Corporate Management Team to put a hold on taking any future non-essential facility bookings on Community and Council land and approves that approach to suspend all future booking applications until the Federal Government changes the non-essential social gathering restrictions.
- (5) Requires Officers to reflect the anticipated revenue impacts in the 2019/20 Quarter 3 Budget Review and 2020/21 draft Budget preparation.
- (6) Notes that the Mount Pleasant Farmers' Market and the health screening services booked on Council land are essential services under the current Federal Government social gathering definitions.

Seconded Cr Troup

CARRIED 2018-22/91

PURPOSE

To seek Council approval for the cancellation and discontinuation of all events / bookings of community facilities during the current Coronavirus Pandemic with the exception of those deemed essential services by the Federal Government.

REPORT

Background

The Federal Government has introduced a series of restrictions on social gatherings and a range of social distancing measures to contain and reduce the person to person transmission of Coronavirus and the potential knock on impacts on health services.

The current restrictions and considerations at the time of compiling this agenda report are:

- No outdoor events exceeding 500 people with social distancing principles to be followed (ie 1.5m separation between people).

- Restrictions on all non-essential indoor gatherings of more than 100 people (including staff).
- An indoor gathering is considered to be any that takes place within a single, enclosed area, for example, a room or premises substantially enclosed by a roof and walls. It does not matter if any part of the room is opened or closed, temporarily or permanently.
- Restrictions of a minimum 4m² space per person – so for example, in an area of 100m² a maximum of 25 people (including any staff) are permitted.
- "Non-essential" is any activity that is not vital.
- Essential activities include those vital to the functioning and wellbeing of the Country including: public transport, medical and healthcare, pharmacies, emergency service functions, prisons, courts, parliaments, supermarkets (this includes outside markets such as farmers' markets), grocery stores and shopping centres.
- Office buildings, factories, construction sites, airports and mines are exempt.
- Event organisers are advised by Federal Government that they should undertake a risk assessment of their event.
- The failure of the broader community to adhere to requirements and take social distancing measures seriously has been well documented over the last week leading to a further tightening of restrictions.
- The Federal Government has indicated that the restrictions will apply for at least 6 months.

Advice received via recent SA Health briefings through the Local Government Association is that the Federal and State Governments will look to Local Government to monitor compliance with social distancing requirements at social gatherings via, for example, Environmental Health Officers and to refer non-compliances to SAPOL. Heavy penalties apply for non-compliance. There is the potential that this support will relate to events on public and private land.

Discussion

Council has bookings for one off, non-essential events on council land including inside activities in the coming weeks and months and since the progressive implementation of social distancing requirements, Customer Support and administrative officers have been in contact with event organisers to get input on which events are proposed to continue, notwithstanding the advice from government to limit all non-essential activities.

Many event organisers have decided to cancel events given the current circumstances, or the activities automatically breach the thresholds and are not able to continue.

Other organisers of non-essential events have expressed their intent to continue. There are instances where the required information to determine whether an event is within the requirements (including the recommended risk assessment process) is not forthcoming. There are other instances where events appear to involve attendees deemed to be at high risk of contraction of the virus (ie 80 birthday celebrations).

Operators of many private event venues and facilities have already moved to cancel non-essential events such as weddings, funerals and milestone celebrations.

In addition, there are groups that are regular / repeat licensees or lessees of facilities and some of the bookings for venues such as Lyndoch Town Hall, The Old Union Chapel, Stockwell Hall continue to be managed by committee volunteers. Not all of those users

have been contacted at this stage. Some of them would be, for example, dance groups as well as people operating small businesses.

Lessees may also have as part of their Lease agreements, the right to hire out Council premises without the consent of Council. However, Council's standard lease arrangements require that:

The Lessee, at its own cost, must comply with all Statutory Requirements (including any obligations under the Work Health and Safety Act 2012 (SA)) and reasonable directives of the Council relating to:

the Lessee's use and occupation of the Premises

and

*The Lessee must not do anything which may:
prejudice any insurance of the Premises or the Building*

Continuing with events that are outside of the guidance is likely to invalidate insurance cover.

Officer resources to administer and monitor non-essential events in all these circumstances are limited and as the potential challenges to maintaining business continuity for critical activities increase in the coming weeks and months, that capacity is likely to further diminish. The Corporate Management Team has put a hold on any new bookings being accepted pending Council determination and the Chief Executive Officer has responsibility for the continued Work Health and Safety of employees.

There are currently:

- 36 total continuing bookings for the period up to the end of September 2020 that are being administered centrally from the Nuriootpa Office.
- 6 of these are outdoor events and below the 500 person threshold
- Circa 18 of these are indoor events estimated to be below the 100 people threshold and could proceed.
- Circa 10 of these are indoor events estimated to be above the 100 threshold and cannot proceed.
- 2 bookings are for health related activities on Council land (breast screening and bone density screening) and are essential services.
- Of these bookings 11 are commercial / business or club revenue raising events, 5 of which cannot proceed due to the indoor 100 threshold.
- The level of bookings managed via community committee booking arrangements is not known. Some of these will fall under lease arrangements.

Council is traditionally highly supportive of community organised and focused events and bookings in community facilities and devotes considerable officer time to assist their safe and effective set up to promote the social, health and wellbeing benefits they provide. In times of public health risks such as the current pandemic, Officers are seeking a determination from Council as to whether the continuation of such events is safe and appropriate and are recommending that they should cease with immediate effect.

The other potential issue is that the Federal Government can continue to change the social gathering thresholds and officers are then having to rework the downstream impacts on bookings and causes confusion in the community.

In relation to essential events; at this time the only identified activities that fall within this criteria on Council owned land, are the Mount Pleasant Farmers Market and 2 healthcare screening bookings in the car park of the Tanunda Regional Gallery. Officers remain in regular contact with the organisers of the Farmers' Market to keep updated on the social distancing and hygiene provisions they are implementing. The operation of the sit down café/catering area has been changed, with all seating removed and a servery / takeaway approach now in place.

Summary and Conclusion

- The Federal Government has put in place restrictions on social gatherings and implemented social distancing requirements to contain and control the spread of the Coronavirus pandemic and the subsequent potential impacts on the public health system.
- Officers are recommending that all non-essential event and function bookings and those associated with lease and licence activities at community facilities are cancelled with immediate effect and no new bookings are taken until the Federal Government restrictions are reviewed or a further determination is made by Council.
- The Mount Pleasant Farmers' Market and health screening services are noted as essential service activities.
- If the recommendations are supported, Officers will move to contact everyone that has made bookings as a matter of urgency. Deposits or payments will be refunded.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Community and Culture

2.11 Contribute to a safer community



Health and Wellbeing

4.3 Work with emergency services to prepare for disaster management and recovery.

4.7 Ensure food safety, hygiene and appropriate waste management standards are maintained.

4.8 Promote a healthy community through a planned approach to public health.



Business and Employment

5.8 Ensure advice and support for small business is available.

Corporate Plan

2.10 Collaborate with key emergency management stakeholders and provide support for community safety initiatives.

3.9 Ensure Council facilities and assets are accessible, safe and maintained to an agreed level of service.

4.1 Deliver and promote health and wellbeing initiatives in line with the Public Health Plan.

4.8 Maintain effective public health standards for the management of communicable diseases.

4.15 Plan for and where appropriate support response to extreme weather events or disasters in the region.

6.1 Ensure that the community has access to information regarding the discussions held and decisions made by Elected Members.

6.5 Implement compliant and contemporary risk management initiatives.

6.16 Provide contemporary internal administrative and business support services in accordance with mandated legislative standards and good practice principles.

Legislative Requirements

Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial Management

Council budgets for predicted facility hire revenues. The current budgeted revenue for the 2019/20 financial year is \$67,469 with year to date revenue at \$25,673 as at 24 March 2020, which includes a small component of deposits and payments for bookings that have not yet taken place.

The recommended strategy will have an impact of circa \$41,800 in lost revenue for the 2019/20 financial year assuming budgeted revenues were to be achieved. Whether or not the recommendation is supported, the demand for new bookings is significantly reduced and a third quarter adjustment to revenue will be required.

The majority of activities will take place outside of core working hours and in most instances this will require the allocation of time off in lieu or unbudgeted overtime payments if officers are required to monitor compliance.

Officers are continuing to assess as far as is possible at the present time the overall impact of the pandemic on Council's financial position.

The 2020/21 draft budget will need to take into account reduced booking revenues given the current situation and whether or not the recommendations are approved. The Federal Government has indicated that social gathering restrictions will apply for at least 6 months.

Resource Management

Customer Support Officers and Manager Community Projects administer facility bookings. The expectation of government is that Environmental Health Officers will monitor the compliance with social gathering and distancing requirements and advise SAPOL of non-compliances. The majority of activities will take place outside of core working hours and in most instances this will require the allocation of time off in lieu or overtime payments if officers are required to monitor compliance.

As the anticipated business continuity demands increase, this monitoring activity is not viewed as a critical service as the events are defined as "non-essential".

Risk Management Considerations

- There is a risk that event organisers will not comply with social distancing practices in the management of their events or recommendations to carry out risk assessments and this could impact the local containment of the pandemic. If events proceed against government emergency and statutory requirements insurances are unlikely to apply.
- There are potential Work Health and Safety risks arising from the expectation that Officers will monitor and report non compliances.
- The capacity for Council Officers to monitor and report non compliances is limited.
- There is the potential that people will choose to turn up in a completely unrestricted informal manner to gather on Community land.
- There are financial risks from lost revenue and increased staff costs.
- The thresholds for social gatherings could be changed again at any time.

COMMUNITY CONSULTATION

There has been no opportunity for consultation given the speed at which restrictions have been implemented on an incremental basis and the restrictions are implemented by Federal Government emergency measures authority and outweigh any other legislative consultation requirements. Officers have contacted all event and booking organisers to determine their position following the announcement of restrictions.

2.2.2

LEASE AND LICENCE FEE RELIEF FOR COMMUNITY CLUBS, GROUPS, ORGANISATIONS USING COMMUNITY FACILITIES

B10833

MOVED Cr Boothby that Council:

- (1) support community clubs, groups and organisations that have an executed lease or licence agreement for use of a Council owned community facility, including facilities managed by Nuriootpa Centennial Park Authority, (due to their inability to continue normal operations as a result of the Coronavirus Pandemic) by waiving lease or licence fees due for the current annual payment period as detailed in their agreement;
- (2) review the application of lease and licence fees during the development of the draft budget for 2020/21 taking into account the continuing impact of the Pandemic.

Seconded Cr Schilling

CARRIED 2018-22/92

PURPOSE

The Coronavirus response is impacting our community in many, varied and significant ways. The purpose of this report is for Council to consider how it can support our community clubs, groups and organisations with relief from lease and licence fees.

REPORT

Introduction

Many community clubs, groups and organisations (Users) have arrangements to hire Council facilities for their operations. There are various structures to define this usage,

through the Event Management Policy and approval process and also through the Lease and Licence Policy for those Users that have regular, more formal usage requirements.

A separate report is tabled in this agenda at 2.2.1 for the consideration of one off events on Council land in Council facilities.

Discussion

As the restriction measures for the response to the Coronavirus has increased, Officers have communicated those increasing restrictions to Users of community facilities. It is noted that some Users, such as football, netball and cricket clubs, implemented their own restrictions at the recommendation of their peak associations and have now resulted in suspension of their seasons.

Some of the Users have responded to notifications with the request for Council to consider reducing and / or waiving their lease or licence fees, stating that the impact of not operating and receiving normal income levels is significant and of concern to their financial viability.

Budget and actual (year to date) fees from lease and licence agreements are shown in the following table. It is important to note that these figures are not complete as Officers are continuing to improve the Lease and Licence processes which will result in modest additional revenue to still be budgeted and proactively managed as more Users transition to formal agreements. The following facilities are still managed by volunteer booking officers and we are progressively working with them to improve processes and centrally manage user agreements.

- Lyndoch Hall
- Williamstown Hall
- Old Union Chapel

Facility	Actual Fees - Year to Date	Budget - Full Year
006 - Facilities with Agreement	\$227	\$227
038 - Outdoor Sporting facilities - Misc	\$423	\$540
040 - Gowers Reserve	\$396	\$455
185 - Hall - Angaston	\$4,036	\$2,500
187 - Hall - Moculta	\$1,311	\$840
189 - Hall - Nuriootpa	\$2,318	\$2,000
190 - Hall - Rowland Flat	\$264	\$0
191 - Hall - Stockwell	\$200	\$0
192 - Hall - Williamstown	\$736	\$0
194 - Hall - Mt Pleasant	\$3,309	\$0
205 - Rec Park - Angas Rec Park	\$3,355	\$2,700
206 - Rec Park - Curdnatta (Sandy Creek)	\$2,500	\$1,185
207 - Rec Park - Moculta	\$265	\$300
208 - Rec Park - Stockwell	\$4,718	\$1,870
210 - Rec Park - Talunga (Mt Pleasant)	\$5,945	\$8,000
211 - Rec Park - Tanunda	\$1,000	\$3,000
212 - Rec Park - Murray Res (Eden Valley)	\$400	\$0
213 - Rec Park - Williamstown	\$400	\$2,800
420 - Outdoor Hockey Facility - Stockwell	\$0	\$505

594 - Hall - CWA Tanunda	\$9,164	\$10,000
639 - Rec Park - Lyndoch	\$1,777	\$1,000
	\$42,746	\$37,922

On average, community football club fees are approximately \$2,500, the next highest fees are community markets and then commercial businesses such as pilates and fitness instructors. Netball and cricket club fees are on average \$850 and hockey clubs, around \$500.

Without the ability for the Users to generate income through player registration, bar and canteen sales, or participation in group fitness businesses, our community clubs, groups and organisations have a limited ability to survive the impact of the Coronavirus and continue providing their valuable services and participation outcomes to the community into the future.

Some Users will have prepaid their annual fees in advance, and some paid in arrears. To provide a consistent level of support for all Users, it is recommended to waive or refund a full annual fee allocation for each club, group or organisation that is unable to continue its normal operations due to the Coronavirus.

There are a total of 39 Users (12 Leases, 24 Licences and 3 Land Only Leases) with agreements that are currently in negotiation, in various stages. Officers continue to correspond with those groups; however it is noted that there are a significant number of agreements that Officers continue to have difficulty in engaging response. It is therefore recommend that to be eligible for the waiving or refunding of fees, those negotiations should be finalised and agreements executed.

In addition to lease or licence fees some groups have to fund other operational costs associated with the facility ie utility costs although these may be reduced due to limited use of facilities. It is proposed that Council should support associations and groups in conjunction with the Local Government Association and other peak bodies to lobby for reductions or rebates in charging the sector for these costs but it is not proposed to include a waiver for allocation of costs for these items.

Summary and Conclusion

Restrictions due to the Coronavirus have a significant impact on our community clubs, groups and organisations. To support them, Council is requested to consider the waiving or refunding of their full annual fee for 2020 for Users with current lease or licence agreements.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

None

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Community and Culture

2.12 Contribute to a safer community

2.4 Encourage and support volunteering in the community.

2.6 Support a vibrant and growing arts, cultural, heritage and event sector.



Health and Wellbeing

4.3 Work with emergency services to prepare for disaster management and recovery.

4.4 Support sporting, recreational and community clubs and organisations to grow and be sustainable.

4.7 Ensure food safety, hygiene and appropriate waste management standards are maintained.

4.8 Promote a healthy community through a planned approach to public health.



Business and Employment

5.8 Ensure advice and support for small business is available.

Corporate Plan

2.10 Collaborate with key emergency management stakeholders and provide support for community safety initiatives.

3.9 Ensure Council facilities and assets are accessible, safe and maintained to an agreed level of service.

4.1 Deliver and promote health and wellbeing initiatives in line with the Public Health Plan.

4.8 Maintain effective public health standards for the management of communicable diseases.

4.15 Plan for and where appropriate support response to extreme weather events or disasters in the region.

6.1 Ensure that the community has access to information regarding the discussions held and decisions made by Elected Members.

6.5 Implement compliant and contemporary risk management initiatives.

6.16 Provide contemporary internal administrative and business support services in accordance with mandated legislative standards and good practice principles.

Legislative Requirements

Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Financial Management

Council budget and actual figures are covered in the report. Community clubs, groups and organisations are at various stages of User Agreement status and therefore are on different schedules for fee invoicing and payment.

The recommended strategy will have an impact of circa \$45,000 lost revenue.

Officers are continuing to assess as far as is possible at the present time, the overall impact of the pandemic on Council's financial position.

The 2020/21 draft budget will need to take into account reduced User fees should the recommendation be supported. The Federal Government has indicated that social gathering restrictions will apply for at least 6 months.

Resource Management

Manager Community Projects and Corporate and Community Services Administration Officer administer User Agreements and will notify all Users of Council's position.

Risk Management Considerations

- Should Council not support Users with relief from lease and/or licence fees, there is an increased risk that those Users may struggle to survive through impacts of the pandemic. Relief from fees will assist with the support for our Users to survive the next 6 months and focus their efforts on the recovery process and provide their services back to our community.
- There are financial risks from lost revenue.

COMMUNITY CONSULTATION

There has been no opportunity for consultation given the speed at which restrictions have been implemented on an incremental basis and the restrictions are implemented by Federal Government emergency measures authority and outweigh any other legislative consultation requirements. Officers have contacted Users and Booking Officers to notify them of the restrictions. Some have responded with the request for Council to consider support with fees.

3. NEXT MEETING

Tuesday day 21 April 2020 at 9.00am.

4. CLOSURE OF MEETING

Mayor Lange declared the meeting closed at 6.47 pm.

Confirmed at Council Meeting on 21 April 2020

Date:.....

Mayor:.....