NOTICE OF ORDINARY COUNCIL MEETING
Tuesday 20 February 2024
in the Council Chambers, 43-51 Tanunda Road, Nuriootpa,
commencing at 5.30pm.

A recording of the meeting will be available to view on the Council's website.

Martin McCarthy
CHIEF EXECUTIVE OFFICER
THE BAROSSA COUNCIL

A G E N D A

Welcome by Mayor

1. ATTENDANCE RECORD

1.1 Members Present

Apologies

Nil

Not Present

Nil

Leave of Absence

Cr Don Barrett

2 CONFIRMATION OF PREVIOUS MINUTES

2.1 Minutes of previous meetings – for confirmation:

2.1.1 Council meeting held on Tuesday 23 January 2024 at 5.30pm
2.1.2 Special Council meeting held on Wednesday 7 February 2024 at 5.00pm

2.2 Matters arising from previous minutes

Nil

3 PROCEDURAL ITEMS

3.1 Petitions

Nil

3.2 Deputations/Visitors to the meeting

Deputation - 10 minutes
1. Stormwater flooding and Councils stormwater infrastructure in Elizabeth Street and on 18A Elizabeth Street, Tanunda.
2. Issues relating to Council's drainage easement on 18A Elizabeth Street, Tanunda.

Volunteer recognition - Long term volunteer Maurie Dow retirement after 17 years of volunteer involvement across many areas of The Barossa Council and influential in the set-up of Volunteering Barossa & Light.

3.3 Notice of Motion

Nil

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Tuesday 19 March 2024 at 5.30pm

11. CLOSURE

PROCEDURAL ITEMS

3.4.1 QUESTION ON NOTICE – COUNCILLOR PREECE - MOWING SERVICES 24/23442

PURPOSE

To consider questions on notice provided in accordance with the Local Government Act by Cr Preece.

RECOMMENDATION

That Council receive and note the response and that the questions and responses be placed in the minutes.

QUESTION AND RESPONSE

There has been a lot of press from Residents about the poor quality of mowing of council reserves and Parklands and open space.

Question

(1) What actions have been taken to address concerns about mowing services?

(2) Has there been any benefits by having council Staff do the mowing instead of Contractors?

Response

(1) What actions have been taken to address concerns about mowing services?

Notwithstanding the one article in the Barossa Leader, there was little action required other than checking on service status as it was already being addressed. The team had already identified the issues well before any press or customer requests and were addressing the backlog already. The quality of the staff and management in our horticultural workforce ensure such matters rarely need CEO or Executive Team intervention.

The backlog arose due to nature! The weather cycle in the early period of summer resulted in an exceptional year of rapid grass growing, not of the norm for late 2023 and early 2024. The team has already addressed the majority of the backlog and are firmly back on track with the service program. The approved service program is attached for members information and endorsed by Council.

The main service example outlined recently in the press is a challenging one due to the unseasonable and periodic rain events. The location in question is a drain and could not be accessed until it was safe to do so with very wet soil, when the work was undertaken from the 21st of January 2024 for approximately two weeks the mower and tractor still got bogged which was acknowledged by the

customer in response to Council dated 25th of January 2024. There is prior history of rollover in such circumstances and whilst the situation was not ideal for community nor would directing staff undertake work in a potentially unacceptable risk environment.

The clear learning is to better and proactively communicate on such matters in future where the issue had already been identified and was already being addressed.

(2) Has there been any benefits by having council Staff do the mowing instead of Contractors?

Yes, significant benefit:

- Cost savings in the order of $65K per annum and indexed into the out years of the budget.
- Greater flexibility as we have resources internally and industrial mechanisms, we can use to address events like this year's weather versus contractor arrangements where such services are structured on a fixed service level and interval and cost.
- Increased service levels at a majority of sites over the contracted arrangements and as outlined above at less cost!

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Activity Specification and Standards - Mowing PDF ⇩

Supporting references
Nil

Activity	**Grass Mowing**

Activity Definition (Why we do it and what work is included)

Grass mowing is undertaken to allow for safe usage of Council reserves and recreation areas as well as creating a tidy appearance.

These guidelines cover the mowing of all parks, reserves and sports fields within each of The Barossa Councils 6 mowing categories.

Performance Defects (What we look for)

Grass growth impeding safe and intended usage of parks and recreation areas and creating an unsightly appearance to parks/area users.

Work Method Requirements (Undertaking to provide quality)

1. Litter shall be removed prior to mowing and disposed.
2. Heavy litter or deciduous leaf accumulation (in season) or 'dumped refuse' shall be removed prior to mowing or reported to supervisor.
3. No skidding, dragging or detrimental mowing operations permitted with clippings evenly distributed across the site.
4. Equipment will be maintained and operated as per manufacturers specifications as to minimise the danger of projecting stones or debris in a dangerous fashion. Grass and other debris shall not be projected into open surface drains, grates culverts or roads.
5. The operators shall be fully trained in the safety requirements contained in Councils Safe Work Method Statements and:
   AS 2657-1985 Powered rotary lawnmowers
   AS 3792 Ride-on lawnmowers
   AS 3792.1-1990 Field guides for traffic control
   AS 4057-1992 Powered walk-behind and hand-held lawn trimmers and lawn edge trimmers - Mechanical safety requirements and test methods
6. The operator(s) shall be fully trained to carry out the works specified and briefed on requirements necessary to avoid damage to natural regeneration of native vegetation or landscaped areas.
7. Hand mowing and/or trimming/edging shall be undertaken along footpath edges, around trees, shrubs, access chambers, hydrants, posts, poles and around seats, tables and playgrounds. In certain circumstances with prior approval chemical application may be approved to a maximum width of 50mm.
8. Remove grass cuttings and debris from cutting operation from roads, tracks, paths, walkways, paved areas and reserve furniture.
9. Mulching mowers to be used.
10. Mowing shall cease during periods of Total Fire Ban on Non irrigated areas.

Performance Standards (What is required)

Grassed areas are to be maintained to the height standards and approximate frequencies as outlined below

Category 1 - Irrigated lawns in regional parks, civic centres, etc Approximately 37 cuts per year

- Within Standard: 30mm – 75mm height (Summer) 40mm-75mm height (Winter)
- Out of Standard: > 75mm height

Category 2 – Irrigated neighbourhood parks Approximately 26 cuts per year
- Within Standard: 30mm – 90mm height (Summer) 40mm-90mm height (Winter)
- Out of Standard: > 90mm height

Category 3 – Non-irrigated neighbourhood reserves Approximately 14 cuts per year when actively growing.
- Within Standard: 30mm – 100mm height (Summer) 40mm-100mm height (Winter)
- Out of Standard: > 100mm height

Category 4 – Non-irrigated district parks Approximately 9 cuts per year when actively growing
- Within Standard: 50 mm – 150mm height
- Out of Standard: > 150mm height

Category 5 – Rural Reserves Approximately 3- 4 cuts per year when actively growing
- Within Standard: 150mm – 500mm height
- Out of Standard: > 500mm height

Sports Fields (A)
- Within Standard: 15mm – 20mm height (Summer) 35mm-35mm height (Winter)
- Out of Standard: > when exceeds maximum height range dependant on season.

Sports Fields (B)
- Within Standard: 20mm – 25mm height (Summer) 35mm-40mm height (Winter)
- Out of Standard: > when exceeds maximum height range dependant on season

Note: Summer Months – October to April Winter Months – May to September

Performance Requirements

Category	Maintenance Level	Response Time
1	Height of Grass > 75mm Or Every 10 Days Whichever comes first	Within 10 Working Days
2	Height of Grass > 90mm OR Every 2 weeks Whichever comes first	Within 15 Working Days
3	Height of Grass > 100mm OR Every 2 weeks (Winter) Whichever comes first	Within 15 Working Days
4	Height of Grass > 150mm OR Every 3 weeks (Winter) Whichever comes first	Within 20 Working Days
5	Height of Grass > 500mm	Within 30 Working Days

	OR Pre summer of fire ban?	
Sports Fields (A)	Height of Grass > 15 mm Summer OR > 40 mm Winter Every second Thursday (the week of home games) - Winter Twice a week – Summer Whichever comes first	Within 5 Working Days dependant on turf condition
Sports Fields (B)	Height of Grass > 15 mm Summer OR > 40 mm Winter Or once a week	Within 5 Working Days dependant on turf condition

Mayor's Report - January Meeting 2024

24/23476

FEBRUARY

16/01/2024 Flow FM Radio interview – Barossa Happenings.

Attendance at the Tour Down Under 2024

The Barossa rolled out the welcome mat for Ziptrak Stage 1 of the Santos Tour Down Under in January with a day of festivities centered around Tanunda. Despite blistering conditions, our community activations were well supported across three locations, the Barossa Visitor Centre, Tanunda Rotunda and Barossa Regional Gallery. The Barossa Visitor Centre fielded over 630 visitor interactions, many representing interstate visitation.

Tanunda was fittingly crowned Best Dressed Town, while for the second year in a row Homburg Real Estate took honours in the Best Dressed Commercial or Community Property category.

Council's association with this international event continues to have many tangible and intangible benefits including exposure to a global audience, economic benefits and repeat visitation, plus opportunities for increased community engagement.

Later in the week the spotlight was on Lyndoch and Williamstown for Health Partners Stage 3, providing further brand recognition and tourism opportunities.











17/01/2025 Meeting with David Braunack regarding real estate trends and demands for properties in the Barossa.

Site meeting with Diane Schaefer and Deputy Mayor Kathryn Schilling at Goldfields Road.

18/01/2024 Meeting with Southern Barossa Business Alliance Business Committee - signage identifying directions to Lyndoch and Williamstown via Gomersal Road.

19/01/2024 Adelaide Safe Cycling workshop – Hilton Hotel.

21/01/2024 Guest attendance at Schwalbe Men's Stage 6 Tour Down Under – Mount Lofty Summit.

15/01/2024 Lyndoch Recreational Park Stakeholders Update Meeting.

26/01/2024 Australia Day 2024 and Citizenship Event.

I really successful event that held true our values of – 'Reflect, Respect, Celebrate'.

Congratulations to our new Citizens and the Citizen of the Year Awards Recipients for 2024.

Citizen of the Year – Debbie Miles
Young Citizen of the Year – Casey Miles
Community Event of the Year – Barossa Medieval Fair
Award for Active Citizenship – Matt Hale









7/02/2024 Vintage Festival Review report findings – Barossa Cellars.

8/02/2024 Meeting with Robert O'Callaghan – Barossa Growth and Infrastructure Plan Consultation.

ABC radio interview with David Bevan - Barossa Growth and Infrastructure Plan Consultation.

Meeting with representatives Concordia Land Management and Natasha Weedon, Senior Strategy Advisor.

9/02/2024 Site meeting with Frank Rocca - Development opportunities.

12/02/2024 Concordia development site meeting.

MATTERS FOR INFORMATION

6.1 ADELAIDE PERI-URBAN PROJECT

Author: Manager Development Services
24/22799

Planners from the Councils of Adelaide Hills, Alexandrina, Barossa and Mount Barker commenced working with University of Adelaide researchers in 2022. Titled the Adelaide Peri-Urban Project, the group came together to examine farm value-adding and rural business diversification within the peri-urban region of Adelaide.

With a new regional plan for Greater Adelaide pending and implementation of South Australia's Planning & Design Code completed, the project provided participating Councils with an opportunity to collaborate on a shared research topic of relevance to participating Councils.

Stage one of the pilot project, involved reviewing development applications for farm value-adding and rural business diversification activity during the period 2016-2021. A copy of the stage one report, titled 'Consuming Landscapes' was finalised on 11 January 2024 and is contained in Attachment 1. Key findings from the research were:

- There was significant growth in number of farm value adding and rural business diversification activity since introduction of the Planning & Design Code in 2021.
- Development Applications are dominated by proposals for rural business diversification, premised on bringing non-resident visitors into the region;
- Applications are dominated by a handful of development types, namely, tourist accommodation (98), wineries (80), cellar door shops (64), function centres (28) and restaurants (24);
- Preliminary mapping of the data suggests formation of potential 'hotspots' that may result in localised development pressures.

The project proposes a second stage of research that will consolidate the data and test the provisional findings from the stage one report with a range of regional stakeholders.

ATTACHMENTS

Attachment 1 Attachment One - Adelaide Peri-Urban Project - Consuming Landscapes ⇩

SUPPORTING REFERENCES

Nil



Consuming Landscapes?

Farm value-adding and rural business diversification in Adelaide's peri-urban region—past, present and future



This report was produced for the Adelaide Peri-urban Project by Peter Houston, Associate Professor Douglas Bardsley and Professor Guy Robinson with support from the following people at various times between April 2022 and December 2023: James Szabo, Marc Salver, Ari Wilkinson (Adelaide Hills Council), Sally Roberts, Judith Urquhart, Kylie Weymouth (Alexandrina Council), Aaron Curtis, Gary Mavrinac, Paul Mickan (The Barossa Council), Greg Sarre, Steven Conn, Glen Searle (Mount Barker District Council) and Dr Bingjie Song (University of Adelaide).

The report may be cited as: Houston, P., Bardsley, D., Robinson, G., Curtis, A., Sarre, G., Szabo, J. and Urquhart, J. (2023) *Consuming Landscapes? Farm value-adding and rural business diversification in Adelaide's peri-urban region—past, present and future*. Adelaide Peri-urban Project, Report #1 - Pilot Study Stage One.

Preface

In early 2021, following various joint research projects and collaborations on a range of peri-urban topics, Peter Houston,[1] Douglas Bardsley[2] and Guy Robinson[2] circulated a discussion paper proposing a new venture, provisionally titled the Adelaide Peri-urban Project (APP) (see Appendix 1). The APP proposal anticipates an innovative, multi-stakeholder-based research program focused on the sustainable development and management of rural landscapes in Adelaide's peri-urban region. Its aim would be to develop collaborative projects that monitor trends in these landscapes, identify emerging issues and deliver policy-relevant insights.

The discussion paper was shared with potential project partners to test support for the APP concept and scope for new collaborations. The parties to those initial conversations were key stakeholders in the future development and management of the region surrounding metropolitan Adelaide, with roles and responsibilities across natural resource management, environmental protection and regional development. All of these arenas hold potential research topics and projects that would align well with the APP proposal. However, the conversation that suggested the most immediate opportunity for collaboration was that which arose from meetings with Local Government planners, especially those from Council areas within the new Productive Rural Landscape Zone (PRLZ).

With a new regional plan for Greater Adelaide pending, and implementation of South Australia's Planning and Design Code still being resolved, these planners responded enthusiastically to the APP concept. In particular they welcomed the notion of a collaborative research mechanism that would exist precisely to support policy-making in Adelaide's peri-urban region. Following the transition from local Development Plans to a single state-wide Planning and Design Code, during which Council assessment policy was heavily culled, planners felt challenged on several fronts. They described these as: (1) managing the practical implications of the transition on the assessment of certain types of development in rural areas; in that context, (2) maintaining the integrity of regional landscape character; and, to that end, (3) building capacity to participate meaningfully in key planning activities. Responding to these challenges effectively and efficiently would be a major undertaking for any individual Council and, in current circumstances, likely to exceed available resources.

An April 2022 workshop with representatives from Adelaide Hills, Alexandrina, Barossa, Mt Barker and Yankalilla Councils canvassed the range of land use planning challenges in rural landscapes across the PRLZ and Adelaide's wider peri-urban region. Rather than immediately pursuing the full complexity of those challenges, however, participants agreed to first develop a pilot project to test how an APP research collaboration might operate.

It was agreed that the focus for the pilot project should be farm value-adding and rural business diversification activity in the rural areas of the participating Councils. While it represents only one aspect of the land use planning challenges present in Adelaide's peri-urban region, this topic is relevant to the current policy-making demands on Councils. It is also emblematic of the change processes underway in the region and the tensions surrounding that change. Indeed, while some stakeholders regard this type of development as essential for the continuation of rural businesses and the landscapes they produce, others see it as more problematic, and potentially compromising that future. This report summarises the first stage of the pilot project and sets out the basis for moving from a preliminary *pro bono* exercise to the type of formal research collaboration anticipated in the original APP discussion paper.

[1] At the time, Senior Development Planning Consultant in the S.A. Department of Primary Industries and Regions.
[2] Respectively, Associate Professor and Professor in Geography, Environment and Population within the School of Social Sciences, University of Adelaide.

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Executive Summary

With preliminary consultation complete and work on the next Greater Adelaide Regional Plan (GARP) now underway, planners and decision-makers are, once again, facing important choices about land use and development priorities in the region's rural landscapes. As well as long-standing concerns about remnant biodiversity, water resources, natural hazards and agriculture, all amplified by advancing climate change, the context for this new Plan includes circumstances not encountered in the current version. A post-pandemic surge in demand for non-metropolitan lifestyles, the uncertain effects of 'stream-lining' development assessment in rural areas, and a modified State Government stance on growth management, will all likely add to the pressures on these landscapes. Can the new Plan manage these competing priorities? Can it finally deliver the long-term sustainability promised by previous Plans?

In this context, planners from Adelaide Hills, Alexandrina, Barossa and Mount Barker Councils have been working with University of Adelaide researchers—the Adelaide Peri-urban Project (APP)—to examine scope for research projects that can inform land use planning for rural landscapes in Adelaide's peri-urban region. In order to test how such collaborations might operate in practice, a pilot project has been developed that examines farm value-adding and rural business diversification activity over recent years, and the current treatment of that topic in planning policy. While it represents only one aspect of the land use planning challenges present in Adelaide's peri-urban region, this topic is relevant to the current policy-making demands on these four Councils and their assessment workload. Indeed, it is emblematic of change processes underway in the region and tensions surrounding that change, and it will provide a good test of the planning system's ability to provide opportunities for sustainable business growth and economic development while also mitigating emerging risks.

It is important to emphasise that this project does not presuppose that farm value-adding and rural business diversification activities are necessarily good or bad outcomes on rural land. Instead it takes an evidence-based approach to the topic and uses the exercise, as a pilot project, to examine how best to provide information to support Local Government planners, and their Councils, in deliberations affecting the region's rural landscapes. Nevertheless, preliminary investigations for this report, summarised in section 2, have identified a number of shortcomings in policy-making around this topic. A recent APP workshop also found wide acknowledgement that this activity and its treatment in planning policy are matters of some concern.[3] With a draft GARP document not scheduled for public consultation until mid-2024, there is still time for Councils and others to refine their position on this topic.

This report summarises Stage One of the pilot project, which has been reviewing development applications for farm value-adding and rural business diversification activity during the period 2016-2021. Amongst other objectives, that time-frame enables the project to observe the impact of the Planning and Design Code and the associated Rural Value Adding Developments policy following their introduction in March 2021 and April 2020 respectively. Key findings to date include the following:

- There has been significant growth in the number of applications for these forms of development since introduction of the Code, although that trend varies geographically and by development type.

[3] Adelaide Peri-urban Project (2023) *What future for rural landscapes in the Greater Adelaide Region?* Report on a workshop for Local Government and regional stakeholders, 18 August 2023, Laratinga Pavilion, Mt Barker. Unpublished report by the APP.

- Applications are dominated by proposals for rural business diversification projects, which are premised on bringing non-resident visitors into the region.
- In contrast, there have been relatively few applications for farm value-adding projects, which retain a direct connection with local on-farm production.
- Over the time-frame of the project and across the study area, applications have been dominated just by a handful of development types, namely, tourist accommodation (98), wineries (80), cellar door shops (64), function centres (28) and restaurants (24).
- Preliminary mapping of the data suggests formation of potential 'hotspots' that may require planning policy or other interventions to reconcile competing objectives.

While some of the data behind these findings are remarkable, they need to be treated with caution. Amongst a series of caveats is the limited time-frame of the data series, especially for the period following introduction of the Code, and the effects of some extraordinary circumstances, including the COVID-19 pandemic. Furthermore, on their own the data do not reveal anything definitive about the pros and cons of recent development activity, the effectiveness or otherwise of current policy, or the features of possible policy refinements. To that end it is proposed to conduct a second stage of research that will consolidate data and test these provisional findings with a range of regional stakeholders. The final section of this report sets out the basis for interested parties to consider supporting that second stage and, potentially, further work in this vein.

1 Introduction

During South Australia's recent planning reforms, new regulations and policies were introduced by the State Government with the aim of "promoting 'value adding' in rural areas".[4] According to a 2020 Fact Sheet on Rural Value Adding Developments, this change "removes barriers to innovation and efficiency" and supports "greater diversification of activities on rural land".[5] Such outcomes will likely be welcomed by primary industry and local government, especially in rural parts of the Greater Adelaide region, such as the Productive Rural Landscape Zone (PRLZ), where most forms of development were treated as non-complying by the planning system from the mid 1990s.

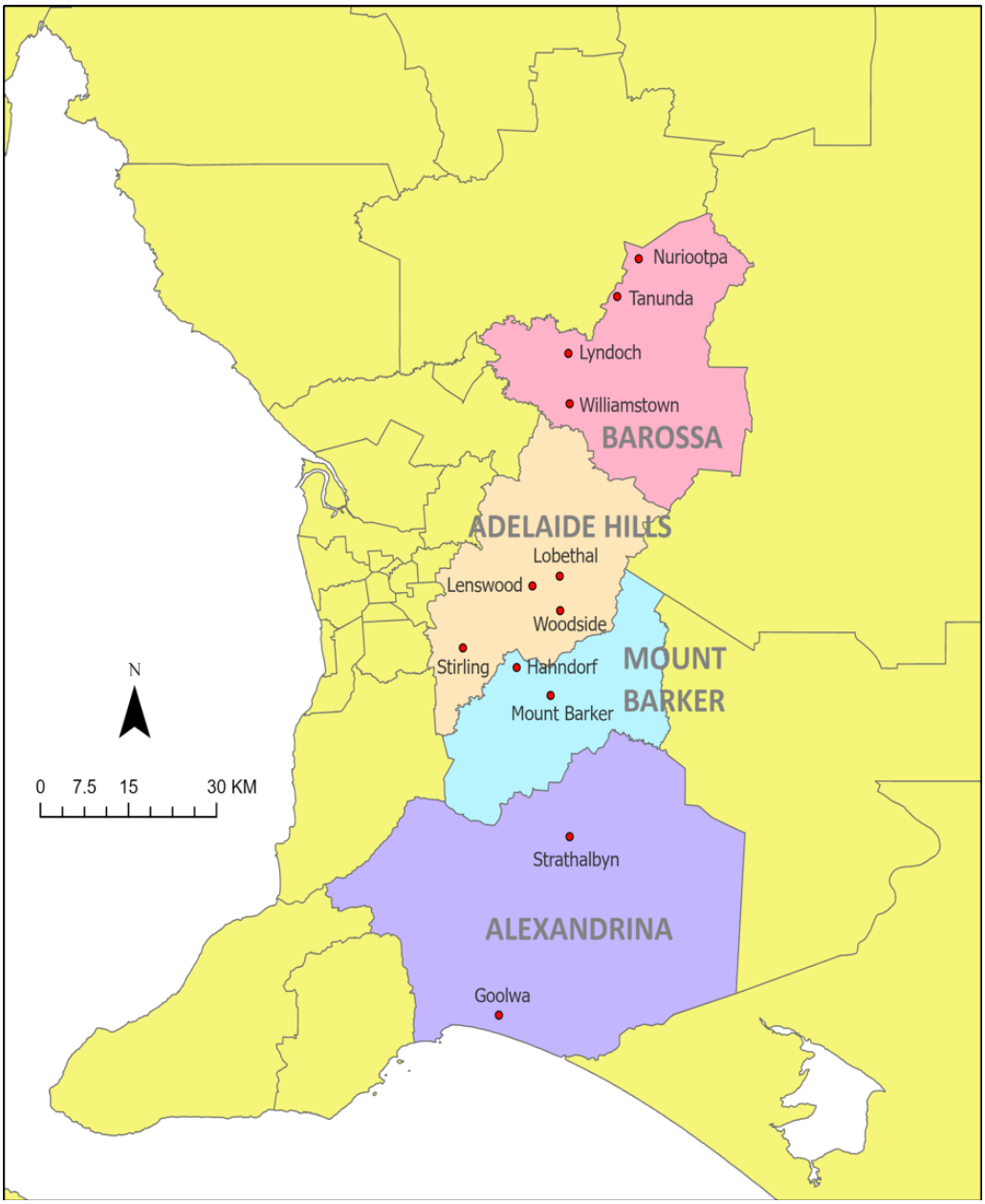
However, Council planners and others have observed that these reforms have to co-exist with other State Government initiatives, in particular, special designations in the same region that aim to "protect our valuable food producing and rural areas as well as conserving our prized natural landscapes, and tourism and environmental resources".[6] They also note anecdotal evidence of a substantial increase in development applications on rural land since the introduction of the new policies and cite examples of developments, such as function centres, that appear unconnected with traditional notions of rurality. These two themes warrant closer examination and consideration for the following reasons.

First, and without prejudice to either proposition, it is not clear how policy initiatives for both Rural Value Adding Developments and the protection of rural character, environment and food production will interact in practice. Neither is it clear whether the goals behind both can be satisfied and reconciled concurrently. These two objectives are not fundamentally in opposition but seem unlikely to co-exist across the region without issue or incident. Some level of intervention or management will likely be necessary to successfully mediate the two and avoid conflict.

Second, expressions of concern about some of the developments enabled by the Rural Value Adding Developments initiative suggest a lack of consensus about its intended outcomes and/or a failure to adequately conceptualise and explain the purpose and scope of the policy. The former invites questions about stakeholder consultation and engagement during policy development. The latter seems to be evident in the way value-adding, which in this context is usually understood as a farm-level activity directly linked to on-farm production, has been conflated with broader notions of rural economic development in the new policy. To make sense of this topic for policy purposes a more differentiated conceptual framework, as implied by the sub-title of this report, is necessary.

Against this backdrop, planners from Adelaide Hills, Alexandrina, Barossa and Mount Barker Councils have been collaborating with the proponents of the APP (hereafter, the Project Team) to examine recent farm value-adding and rural business diversification activity across this part of Adelaide's peri-urban region (Map 1). The first stage of the project, reported in section 3, takes a quantitative approach to the topic by reviewing recent development application data and, for arguably the first time, presenting a regional-scale analysis of trends. A proposed second stage, outlined briefly in section 4, would take a more qualitative approach, contextualising the data with insights from recent social research on agricultural change in the Adelaide Hills and, potentially, a new round of stakeholder interviews commissioned specifically for this project.

[4] Government of South Australia, (no date) *South Australia's new planning and development system is now live!*, https://plan.sa.gov.au/our_planning_system/south_australias_new_planning_and_development_system_is_now_live! Accessed: 23/11/23; Government of South Australia, (no date) *More opportunity for value adding development in rural areas*, https://plan.sa.gov.au/our_planning_system/development_regulation_amendments Accessed: 23/11/23
[5] Government of South Australia, (no date) *Fact Sheet: Rural Value Adding Developments*, https://plan.sa.gov.au/data/assets/pdf_file/FactSheet-RuralValueAddingDevelopments.pdf Accessed 23/11/23
[6] Government of South Australia, (no date) *Environment and food production areas*, https://plan.sa.gov.au/ourplanningsystem/instruments/planninginstruments/environmentandfoodproductionareas Accessed: 23/11/23



Map 1: Study Area for the Farm Value-Adding and Rural Business Diversification Pilot Project

Stages One and Two combined will enable evidence-based analysis of the impact and effectiveness of current policies on farm value-adding and rural business diversification activity in the study area and inform possible policy refinements. Noting that work on a new regional plan for Greater Adelaide is underway, such research is timely. The State Planning Commission has invited Councils to identify issues for attention, including matters related to Planning and Design Code operation. This project will enable participating Councils to do that in a more cost-effective and influential manner than submissions made separately. Section 2 provides necessary conceptual, historical, technical and strategic context for further consideration of these endeavours.

2 Setting the scene

The defining feature of peri-urban regions internationally is the relationship and interplay of rural land use, including agriculture and remnant natural areas, with the direct and indirect impacts of adjacent, often encroaching, urban land use. Researchers have described the resulting landscape transformation as, variously, the product of competing forces of 'ruralisation' and 'urbanisation',[7] and a transition from productive to 'consumptive' or 'amenity' landscapes.[8] The balance struck by policy makers in mediating these processes, the priority afforded to the rural dimension of this equation, and the effectiveness of policy to that end is the subject of perennial debate. One leading observer suggests that "the nature and function of rural land in expanding metropolitan regions is an issue which has long dominated land use planning in industrialised nations, for it … goes to the very heart of the relationship between town and country".[9] We would add that trends in the use and development of peri-urban land are a key indicator of sustainability in broader city-regions, including the Greater Adelaide Region.

In Adelaide's case this interplay is characterised, on the urban side, by occasional strategically-framed decisions to expand the footprint of the metropolitan area and adjacent towns, such as Mount Barker, and to build new expressways. A steady stream of rural lifestyle dwelling construction in the more accessible and higher amenity parts of the regional landscape accompanies these decisions. On the rural side are periodic trends in agriculture itself, involving both intensification of land use and diversification of farm businesses. The former is best illustrated by the rapid expansion of viticulture beyond traditional wine districts that occurred from the 1980s onwards. The latter is strongly associated with that same wine 'boom', but also reflects more general pressures on farm business viability and an eagerness to capitalise on growing consumer demand for the amenity of the region in its various forms. In combination these forces—urban and rural—drive continuing pressures for change in the region's rural landscapes.

Effective responses to those pressures require an informed basis for decision-making. So, to provide context for this project and help readers interpret our report we begin with a short discussion of key terms, concepts and definitions, noting that while farm value-adding and rural business diversification share common conceptual ground they are not the same. In a study concerned with how planning policy treats these types of development, clarity about terms and the ambit of their associated definitions is important. That discussion is followed by a summary of how, in practice, planning policy for Adelaide's peri-urban region has treated this topic. Key policy documents, associated studies and research projects that have shaped the evolving understanding of the topic are identified and their implications briefly considered. Local Government members of the Project Team then summarise how recent circumstances are affecting their current work. The scene-setting concludes with a short discussion of how the topic relates to various contemporary challenges confronting the future development and management of the region.

[7] Bunce, M. and Walker, G. (1992) "The Transformation of Rural Life", in Bowler, I. R., Bryant, C. R. and Nellis, M. D. (Eds.) *Contemporary Rural Systems in Transition*, Volume 2, Economy and Society, CABI, Wallingford, pp. 49-61.
[8] Argent, N., Tonts, M., Jones, R., Holmes, J. (2010). Amenity-Led Migration in Rural Australia: A New Driver of Local Demographic and Environmental Change? In: Luck, G., Black, R., Race, D. (eds) *Demographic Change in Australia's Rural Landscapes.* Landscape Series, vol 12. Springer, Dordrecht. https://doi.org/10.1007/978-90-481-9654-8_2
[9] Bunce, M. F. (1991) Local planning and the role of rural land in metropolitan regions: the example of the Toronto area. In: van Oort, G. M., van Den Berg, L. M., Groenendijk, J. G. & Kempers, A. H. (Eds.) *Limits to Rural Land Use.* Pudoc, Wageningen, The Netherlands.

2.1 Key terms, concepts and definitions

This research project is concerned with aspects of economic and social change in rural areas: a process referred to variously as farm, agricultural or rural *restructuring*. One characteristic of this widespread and continually evolving phenomenon is a trend to increasing *intensification* and/or *diversification* of farm-business activity in order to do more with available land. Another trend, where land prices permit, is the expansion of farm-business *scale*, as exemplified by farm amalgamation and the rise of the so-called 'corporate farm'. These changes, which are more or less evident across all of rural and peri-urban Australia, can be observed at both the individual farm-business level and, in aggregate, at wider regional levels. Our focus here is primarily on the diversification theme.

At the level of the farm-business, diversification can take various forms. The most basic, usually referred to as *value-adding*, involves the on-site transformation of a raw commodity or its by-products into a more valuable or entirely new product (e.g. processing harvested fruit into juices, raw milk into cheeses or crop waste into garden mulch). Examples are routinely reported in rural media such as ABC TV's Landline program. More complex forms of diversification, or *pluriactivity*,[10] might involve new farm-related ventures on-site (e.g. farm produce shops, 'pick-your-own' operations, adoption of novel production techniques); new non-farm enterprises on-site (e.g. tourist accommodation, restaurants, truck parking, golf courses), and new sources of income off-site (e.g. contractor services). Figure 1 summarises these dimensions of diversification.

The conceptual boundaries between these different forms of diversification are often blurred and more than one may be employed by a farm-business at any given time. However, the simple summary above is adequate for making two key points relevant to this project. First, notwithstanding the ambiguity, an important distinction can be made between diversification strategies, including value-adding, that retain a direct connection with on-farm production; and those that have no such connection but instead seek to derive economic benefit indirectly from the locality of the farm-business or its surrounding landscape. Activities in this latter group typically involve bringing a non-resident visitor population on-site for various retail or experiential transactions and cannot be described strictly as value-adding.

Second, while value-adding can be found across all rural landscapes and communities, the more complex and inventive forms of diversification tend to be most evident amongst smaller farms and in peri-urban regions, where competition for land and higher land prices restrict scope for physical expansion of the farm base. Indeed, in peri-urban regions, diversification strategies may be the only avenue available to farm businesses seeking to become or remain profitable.

This latter point helps explain why efforts to increase scope for diversification in planning policy are usually welcomed and encouraged. As well as its potential to increase income, farmers need to diversify their businesses in order to build resilience to market shocks and adapt to climate change. The same logic applies at the regional level, where rural communities' vulnerability to external events was starkly demonstrated during the COVID-19 pandemic. However, these business imperatives have to co-exist with policies that promote parallel rural objectives related to environmental protection (e.g. water catchment), nature conservation (e.g. remnant biodiversity and habitat) and natural hazard minimisation (e.g. bushfire and flood). These are all present in Adelaide's peri-urban region, along with special-purpose policies for character preservation districts and designated areas of environment and food production significance.

[10] Evans, N. J., and Ilbery, B. W. (1993). The Pluriactivity, Part-Time Farming, and Farm Diversification Debate. *Environment and Planning A: Economy and Space*, 25(7), 945–959. https://doi.org/10.1068/a250945

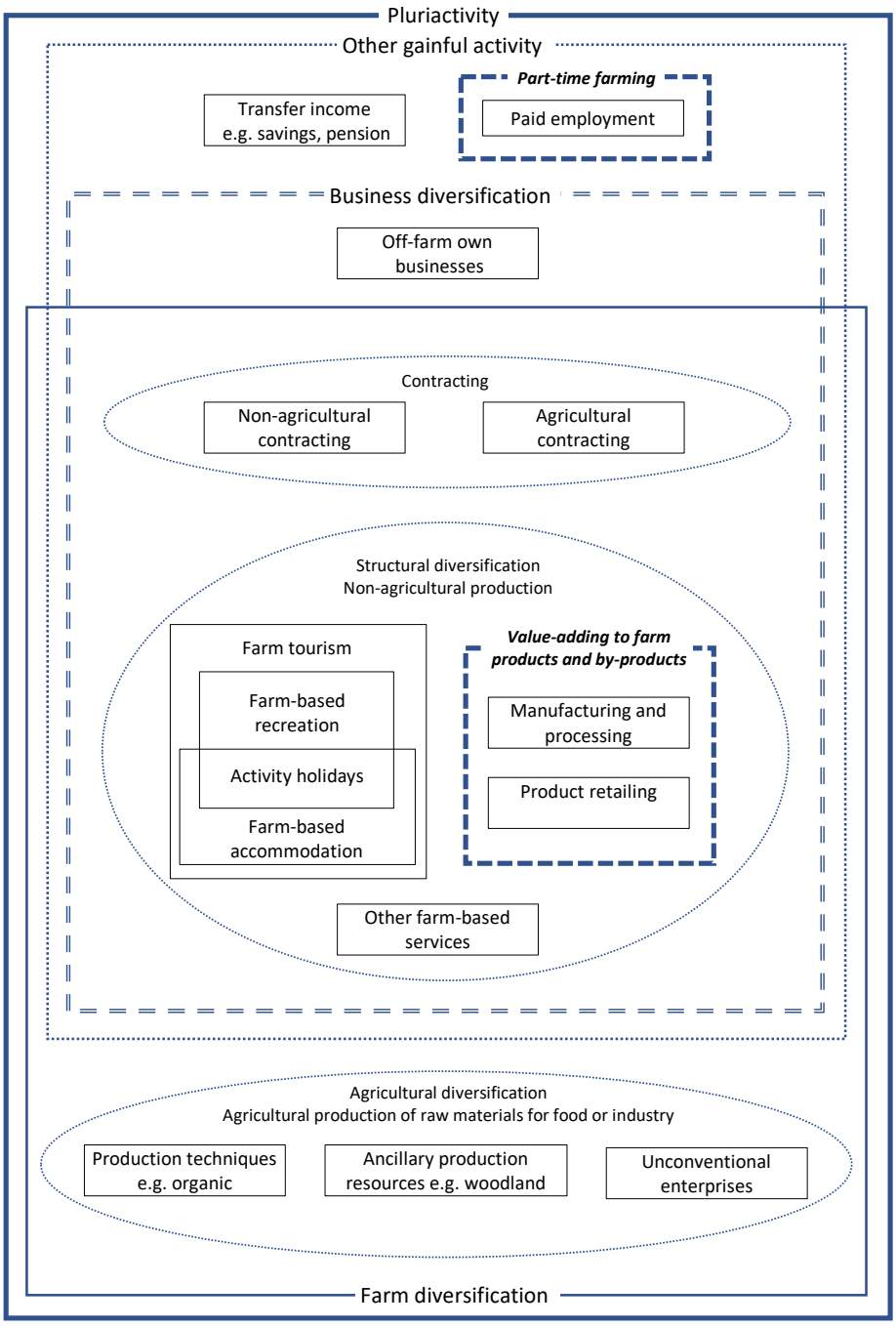


Figure 1: Conceptualisation of the relationship between value-adding, business diversification and pluriactivity.
Based on: G.M. Robinson 2004. *Geographies of agriculture: Globalisation, restructuring and sustainability*. Pearson, Harlow.

Increasingly, farmers seek to integrate some of these parallel objectives into their farming systems by practicing *multifunctional agriculture*. It is now commonplace to encounter farm-businesses designed and managed explicitly to promote water catchment, biodiversity protection and other sustainability goals alongside primary production. Many of the basic forms of diversification described above would appear to be readily compatible with multifunctional agriculture. However, scope to effectively integrate these parallel objectives with some of the more complex diversification options, in particular those premised on attracting large numbers of non-resident visitors into rural landscapes, seems less certain. This observation is equally relevant to the planning arena and, hence, the current project. Along with the two earlier points, we can also anticipate that these more complex forms of diversification may exhibit a quite different risk profile, such that requires a more sophisticated planning assessment.

This discussion of terms, concepts and definitions is necessarily brief and focuses on the topic in question solely from the perspective of farm businesses. The important role of non-farming rural landholders in Adelaide's peri-urban region, and how they might seek to take advantage of the Rural Value Adding Developments policy initiative is not considered here. Nevertheless, we have identified three points of relevance to the project: one will guide the project method and data analysis while the other two will inform subsequent policy considerations.

First, we make a distinction between forms of diversification according to the extent of their connection with on-farm production and, for the purposes of the project, propose two key terms: farm value-adding (FVA) and rural business diversification (RBD). The former refers to activities that involve processing or transforming a basic farm product grown on-site or nearby into a more valuable form. The latter describes activities, not necessarily with a connection to local production or even a primary producer, that capture an economic benefit when visitors, attracted by the locality or landscape, purchase, consume or experience a product, service or other offering on-site. As above, lines of demarcation between these categories are blurry and, depending on scale, some activities, such as farm produce shops or wineries, could be described either way. However, the categorisation is reasonable and will help provide insights about the essential nature of changes underway in the regional landscape.

Second, we note the importance of providing scope for FVA and RBD development in peri-urban regions given the limited opportunities to expand farm scale. Failing to do so risks landholders resorting to other pathways for income generation that may have more fundamental effects on rural landscapes. Third, noting the likelihood that these two forms of diversification may have very different environmental footprints, local impacts and risk profiles, we see a need for greater precision in definitions surrounding this topic. We also anticipate a corresponding need to invest in more sophisticated planning policy for RBD, especially its more complex forms.

2.2 The Rural Value Adding Developments policy and its antecedents

South Australian planning policy has not always spoken as directly about FVA and RBD activity as the Rural Value Adding Developments (RVAD) Fact Sheet of 2020. When land use planning first began in Adelaide's peri-urban region, value-adding and diversification were not mentioned. The Outer Metropolitan Planning Area Development Plan[11] identified protection of agricultural land as an issue and introduced policies related to subdivision of rural land but was silent on the subject of this report. A later study commissioned by the then Department of Agriculture examined social and land-use changes underway in the region but focused its attention on changing patterns of land ownership in the Adelaide Hills amid an emerging trend for rural living and hobby farming.[12]

[11] South Australian State Planning Authority (1975) *Outer Metropolitan Planning Area Development Plan*, Adelaide.
[12] Menzies B.J. and Bell M.J. (1981) *Peri-urban development: a case study of the Adelaide Hills*. Research Monograph No.2, Extension Research and Evaluation Unit, South Australian Department of Agriculture, Adelaide.

By the mid 1980s, wider environmental concerns arising largely but not exclusively from that same trend were becoming apparent. The long-running Mount Lofty Ranges Review investigated various alternative policies, governance arrangements and innovative management tools before concluding in 1993 with a Regional Strategy Plan.[13] Concerns about the impacts of ad hoc development in the region's rural landscapes saw a number of major policy changes, one of which had the effect of significantly curtailing scope for what we refer to here as FVA/RBD activities. The 1993 Mount Lofty Ranges Comprehensive No.1 Supplementary Development Plan (SDP) introduced changes to all Council Development Plans in the region, making most forms of development outside of townships non-complying. This blunt policy, which underwent several refinements in the face of significant public opposition, was intended as a temporary measure until new policies, based on the investigations of the Review, could be formulated. In the meantime, however, it had the effect of frustrating the efforts of farmers seeking to diversify their businesses.

New policies eventually arrived in the form of Ministerial Plan Amendment Reports (PARs) introducing provisions to Council Development Plans for tourist accommodation (2000), agricultural and home based Industries (2000), and wineries and ancillary development (2006).[14] The changes were intended to provide relief from the provisions of the Comprehensive No.1 SDP by enabling establishment of small-scale enterprises based on, or associated with primary production conducted on-site or nearby. The three PARs are likely to have had the desired effect for farm businesses seeking to establish simple value-adding and diversification activities. However, for those with more ambitious diversification strategies in mind, this prescription of scale and provenance continued to block their plans.

Over the next two decades there was little change in policy affecting FVA/RBD activity. Indeed, initiatives in the natural resource management arena, in particular the prescription of water resources in the Mount Lofty Ranges which effectively capped scope for irrigated production, likely added to the pressures on farm businesses across the region. Regulatory changes in the mid-2000s created some new opportunities for establishment of roadside stalls but lack of scope for diversification on farmland was attracting the attention of stakeholders other than primary producers. Character Preservation legislation did not directly address the topic but it was implicitly part of the parliamentary bargaining that saw the two Bills eventually pass in 2012, on condition of a statutory review after five years of operation. Elsewhere, events that highlighted the practical difficulties facing some peri-urban farmers caused The Barossa Council to raise concerns about the limited opportunities for diversification in various strategic reports, policy proposals and submissions;[15] and in 2017 the Mount Barker Council introduced policies that acknowledged the extent of existing diversification in its rural landscapes.[16]

On the back of this growing constituency, the topic moved closer to the mainstream of planning policy during implementation of the *Planning Development and Infrastructure Act 2016*. In 2019 "primary production value-adding and tourism activities" were named as policy priorities in State

[13] Department of Housing and Urban Development. (1993) *Mount Lofty Ranges Regional Strategy Plan*. DHUD. Adelaide.
[14] Government of South Australia, (no date), Development Plans (Revoked) Greater metropolitan Adelaide plans, including the following Gazetted Amendments: Small Scale Tourist Accommodation in Rural Areas of the Mount Lofty Ranges PAR (Ministerial) - [21 September 2000]; Small Scale Rural/Agricultural and Home Based Industries PAR (Ministerial) - [21 September 2000]; Mount Lofty Ranges Watershed Wineries and Ancillary Development PAR (Ministerial) - [8 June 2006]. https://plan.sa.gov.au/resources/resources_library/development_plans Accessed: 23/11/23
[15] See, for example, The Barossa Council's 2013 *Strategic Directions Report*, the major *Rural Areas and Character Review* in 2014 and a subsequent *Rural Areas and Character DPA* initiated soon after. See also, The Barossa Council (2018) Submission to the Review of the *Character Preservation (Barossa Valley) Act 2012* and *Character Preservation (McLaren Vale) Act* 2012. https://plan.sa.gov.au/data/assets/pdf_file/CharacterPreservationActsReview-submissions.pdf Accessed: 23/11/23
[16] Government of South Australia, (no date), Development Plans (Revoked) Greater metropolitan Adelaide plans – Mount Barker (including the following Gazetted Amendment: Rural (Primary Production Protection) DPA - [8 August 2017]. https://plan.sa.gov.au/resources/resources_library/development_plans Accessed: 23/11/23

Planning Policies for the Barossa and McLaren Vale Character Preservation districts.[17] Subsequently, a new zone—eventually to become the PRLZ—was proposed for parts of Adelaide's peri-urban region with the aim of promoting "agriculture, horticulture, value adding opportunities, farm gate businesses, the sale and consumption of agricultural based products, tourist development and accommodation…".[18] Objectives for the Rural and Rural Horticulture Zones were similarly expansive in their aims, and references to small-scale enterprises and on-site production were diluted and demoted.

These new directions were summarised in the Rural Value Adding Developments Fact Sheet issued in early 2020. However, the remarkable turn-around in the treatment of FVA/RBD activity in planning policy can be attributed mainly to a 2018 State Planning Commission document that canvassed the possible future form and content of the Planning and Design Code. Amongst other things, the Productive Economy discussion paper[19] observed the significance of "agribusiness and value-adding" to the State's economy and considered what the implications might be for planning policy.

Compared to previous key documents, this discussion paper was unambiguous in supporting value adding and diversification. However, it made little distinction between the scales of analysis under consideration—value-adding in "SA's agriculture, forestry and aquaculture industries" was discussed alongside "Value-adding in the Adelaide Hills"—and seemed to assume that the planning policy challenges in both are the same. Related to this, there was no consideration of the circumstances in which new policies might be applied—such as the presence of substantial non-farm land-holdings in the same rural landscapes—and the implications of that situation. A recent NSW policy on Agritourism directed its reforms explicitly to the farming sector,[20] but the discussion paper did not consider this implementation dimension of the policy options it was canvassing.

Apart from the Fact Sheet, which provides very little detail about the policies it announces and cites no supporting evidence, the Productive Economy discussion paper seems to be the most relevant source for understanding recent changes made in the transition from Development Plans to the Code. There appears to be no other public document that considers, in any level of detail and with any evidence base, the case for planning policy changes regarding FVA and RBD development. As set out below, Councils have expressed a number of operational concerns about the resulting changes but three themes to emerge from this brief overview of the policy-making process are as follows:

- The unexplained shift of focus away from scale and provenance as key conceptual principles in the new policies governing FVA/RBD activity in Adelaide's peri-urban region;
- The apparent conflation of FVA with RBD in the Fact Sheet, and with broader notions of value adding and diversification at higher levels of the economy in the Productive Economy discussion paper; and
- Ambiguity about whether the new policies are intended solely for benefit of the farm sector or are open to all rural landholders.

2.3 The perspective from Local Government

In the wake of the most recent events outlined above, there are now a number of challenges confronting the region's planners within their respective rural areas. Local Government members of the Project Team summarise these as follows.

[17] Government of South Australia, (no date), *State Planning Policies for South Australia: Special Legislative Schemes*, https://plan.sa.gov.au/__data/assets/pdf_file/Special_Legislative_Schemes_-_27_May_2019.pdf Accessed: 23/11/23
[18] Government of South Australia, (no date), Productive Rural Landscape Zone, DO2, *Planning and Design Code*. https://code.plan.sa.gov.au/home/browse_the_planning_and_design_code Accessed: 23/11/23
[19] State Planning Commission, 2018, *Productive Economy Policy Discussion Paper*, https://plan.sa.gov.au/data/assets/pdf_file/Productive_Economy_Policy_Discussion_Paper.pdf Accessed: 23/11/23
[20] NSW Agritourism policies: https://www.planning.nsw.gov.au/Policy-and-Legislation/Under-review-and-new-policy-and-legislation/Planning-amendments-for-agriculture Accessed: 23/11/23

The first challenge arises from changes to planning policies within the Productive Rural Landscape Zone, Rural Zone and Rural Horticulture Zone following the transition from Council-specific Development Plans to a single Planning and Design Code. Extensive culling of previous Council assessment policy has impacted how development applications are now categorised and assessed. As a consequence, participating Councils have observed emerging pressures associated with applications for land division (boundary realignments), increased tourist accommodation and the expansion of non-traditional forms of development in their rural landscapes.

In this same context, the second challenge is to maintain the character and environmental qualities of these landscapes that make them highly productive primary producing areas, desirable places to live, a key attraction for tourists and the source of important ecosystem services. Pressure from increased development opportunities now permitted by the Planning and Design Code has potential to erode landscape character and undermine these important and diverse functions.

The third challenge is the need for strengthening sub-regional planning partnerships to provide a mechanism to participate meaningfully in state-lead planning initiatives, such as regional planning and future Code amendment processes. The group understands the rationale for standardisation of policy within the Planning and Design Code but feels there is a need to examine if this policy is resulting in unintended development outcomes. A more nuanced approach to rural planning policy development and localised policy may be needed based on identification of critical landscape units, land productivity, infrastructure provision and environmentally sensitive areas. A partnership approach will help progress these questions and investigations.

2.4 Strategic context and risk in Adelaide's peri-urban region

At face value, the types of development examined in this project seem unlikely to pose a fundamental threat to rural landscapes in Adelaide's peri-urban region. However, questions raised by these and other forms of land use change in the region need to be viewed in the context of evolving risks associated with changing circumstances—economic, societal, environmental and geopolitical—for South Australia. Adelaide's peri-urban region will be subject to many of the same national and global scale risks, as well as some that are particular to its unique situation and to the expectations on it that South Australians hold. While it may not figure in contemporary thinking about how the State can manage and adapt to these risks, FVA/RBD activity should be considered in this same context, noting its potential, even if only at the margins, to make adaptation more or less difficult and the region more or less vulnerable. The following examples illustrate some of these changing circumstances and associated risks.

At the global and national scale, the COVID-19 pandemic, war in Ukraine, diplomatic tensions and associated supply chain disruptions have created financial challenges for many rural businesses across Adelaide's peri-urban region. Some of these changed circumstances were/are industry-specific in their impacts, such as the Chinese ban on Australian wine imports and constraints on customer visits to winery cellar doors during COVID-19 restrictions[21]. The region's grape and wine industry was able to respond to the former by diversifying, which may have included restaurant and tourism opportunities enabled by the RVAD policy described above; the latter, however, would have made such a strategy problematic. Other circumstances, such as inflation and labour shortages in the years since the pandemic have been more general in their impact but will likely have affected projects predicated on major investment and construction much more than those involving simple on-farm value-adding. These examples suggest that the success of diversification strategies depends upon the circumstances in question and the type of strategy adopted.

[21] Golley, J., Agarwal, V., Laurenceson, J. and Qiu, T., 2022. For better or worse, in sickness and in health: Australia-China political relations and trade. *China Economic Journal*, *15*(3), pp.290-309. https://doi.org/10.1080/17538963.2022.2117180

Compared to these relatively temporary events, climate change will deliver a more long-term, even permanent change of circumstances.[22] Amongst various anticipated impacts, bushfire risk is increasing dramatically, such that insurance premiums may become unaffordable for many residents and businesses[23]. Along with other hazards such as heat waves, flooding and storms, which are also projected to increase in frequency and severity, these circumstances raise important questions for emergency responders about how they manage extreme weather events across a large, increasingly complex region. In these scenarios, rural businesses that rely heavily on bringing visitors on-site may increasingly need to consider, or be expected to comply with, special measures for high-risk times of the year. Such measures might render this type of diversification strategy impractical and unviable, even as other strategies present lifelines for businesses seeking to adapt to climate change. Should a perception develop that certain localities are beyond effective risk management, the amenity and attraction of those places may change fundamentally[24]. This suggests that the conditions that make a particular diversification strategy possible and attractive at one point in time are not immutable.

Climate change also poses broader ecological risks to the long-term security of key natural resources in Adelaide's peri-urban region. As well as projected impacts on the region's various agricultural systems,[25] a warming, drying climate has already driven the prescription of regional water resources in order to manage competing sectoral demands. Amongst those demands are the environmental flows required by nationally-listed biodiversity conservation landscapes across the region. Increasing FVA and RBD activity could add a layer of complexity to those circumstances and, through its water demands and physical footprint, potentially put increased pressure on the habitat that remains[26]. Growing interest across the region in multifunctional agriculture, whereby production and conservation goals are integrated on-site, provides a template for diversifying rural businesses to avoid such impacts. However, climate-proof, habitat-positive diversification strategies would require as much attention to site-level ecology and design as to their business model and particular consumer offering. Whether the Planning and Design Code can play a constructive role in that task is a question that echoes the concerns of Local Government planners.

More generally, ongoing competition for land in the region occasionally manifests itself as tension between groups and individuals in the community over their respective aspirations for particular rural landscapes. Those aspirations might relate to housing affordability and lifestyle opportunities; or to the future of remnant natural areas, valued landscapes or local agriculture[27]. The changing circumstances here are a steadily growing regional population and their increasingly complex expectations for liveability, prosperity and environmental quality, all from the same rural landscapes. Although expressed socially, the risk is political if State and local government misread the community in these matters. FVA and RBD activity does not appear to be a key element in this interplay of interests but may have the effect of heightening a generalised sense of land use conflict

[22] Bardsley, D.K. and Rogers, G.P., 2010. Prioritizing engagement for sustainable adaptation to climate change: an example from natural resource management in South Australia. *Society and Natural Resources*, 24(1), pp.1-17. https://doi.org/10.1080/08941920802287163

[23] Young, T., Lucas, C. and Booth, K., 2022. Insurance, fire and the peri-urban: perceptions of changing communities in Melbourne's rural-urban interface. *Australian Geographer*, 53(1), pp.41-60. https://doi.org/10.1080/00049182.2022.2052238

[24] Bardsley, D.K., Moskwa, E., Weber, D., Robinson, G.M., Waschl, N. and Bardsley, A.M., 2018. Climate change, bushfire risk, and environmental values: examining a potential risk perception threshold in peri-urban South Australia. *Society & Natural Resources*, 31(4), pp.424-441. https://doi.org/10.1080/08941920.2017.1421733

[25] Houston, P. and Bardsley, D.K., 2018. Climate change adaptation for peri-urban horticulture: A case study of the Adelaide hills apple and pear industry. *South Australian Geographical Journal*, 114(1), pp.29-42. https://api.semanticscholar.org/CorpusID:134205979

[26] Guerin, G.R., Biffin, E., Baruch, Z. and Lowe, A.J., 2016. Identifying centres of plant biodiversity in South Australia. *PLoS One*, 11(1), p.e0144779. https://doi.org/10.1371/journal.pone.0144779

[27] Lawton, A. and Morrison, N., 2022. The loss of peri-urban agricultural land and the state-local tensions in managing its demise: The case of Greater Western Sydney, Australia. *Land Use Policy*, 120, p.106265. https://doi.org/10.1016/j.landusepol.2022.106265

or diminishing environmental quality if not managed well. How to do that is the subject of this pilot study but, even at this early stage, seems likely to require planning policy that is informed by sound evidence and fit-for-purpose, and wider governance arrangements that can effectively mediate competing demands and set clear priorities. In other words, diversification needs to occur more by design than drift.

South Australia has invested heavily in recent years to establish a reputation for premium food and beverage production, closely and deliberately linked to accessible, attractive farmed and natural landscapes. Many of those assets are situated in Adelaide's peri-urban region, which is a relatively small and distinctive environment with a variety of natural advantages but also subject to a range of growth pressures and risks. In order to maintain this reputation and credibly continue the promotional narrative, South Australian public policy needs to make an equivalent investment—literally and metaphorically—in managing these rural landscapes for long-term sustainability. However, it remains to be seen whether a key element of that policy framework, the State's land use planning system, is capable of playing a constructive role in that task. Specifically, it is unclear whether it can adequately account for changing circumstances in these landscapes and accommodate the complexity of risks likely to be encountered[28]. FVA and RBD activities may not present the most fundamental threat to the region's rural landscapes but they do provide a good test of the planning system's ability to simultaneously provide opportunities for sustainable business growth and economic development while also mitigating emerging risks.

2.5 Conclusion

Noting the importance of diversification opportunities for farm businesses in Adelaide's peri-urban region, this brief background makes a number of observations and qualifications regarding that policy-making task. First, the term 'value-adding' is an inadequate and potentially misleading descriptor for the range of activities likely to be pursued under the current RVAD policy. In its lack of precision, the term fails to address important differences in the type and scale of development proposals that are lodged, such that may require different levels of planning assessment. Second, following a long period of neglect, the policy treatment of this topic has seen a period of rapid change in which important questions about the purpose and scope of the RVAD policy have not been fully addressed in public documents. Third, these changes are presenting Local Government planners with a range of challenges that affect their ability to support implementation of parallel policy objectives for the region's rural landscapes, including those relating to character preservation, environment and food production. Finally, all of this is complicated by a variety of changing circumstances and evolving risks that need to inform policy-making but will likely be ignored without new investment in this arena.

[28] McGregor, J., Parsons, M. and Glavac, S., 2022. Local government capacity and land use planning for natural hazards: A comparative evaluation of Australian Local Government Areas. *Planning Practice & Research*, 37(2), pp.248-268. https://doi.org/10.1080/02697459.2021.1919431.

3 Stage One project report

3.1 Objectives

The focus of this project is on farm value-adding (FVA) and rural business diversification (RBD) activity in the rural areas of the four participating Councils (the study area), as shown on Map 1. By examining recent trends in development applications, the project aims to:

- Better understand and describe the nature and extent of this activity across the study area;
- Examine the impact of the State Government's Rural Value Adding Developments policy in the study area; and
- Develop an evidence base for assessing the suitability of that policy to the study area and, if necessary, informing possible policy refinements.

As explained in the Introduction, this first stage of the project, with its emphasis on development applications, provides a simple quantitative response to these objectives. A proposed second stage outlined in section 4 would, amongst other things, test the findings with key stakeholders to add necessary qualitative perspective.

3.2 Methodology

Like several other potential APP initiatives, Stage One of this project is premised on the existence of a substantial body of data related to land and development that is routinely collected for official purposes but rarely analysed for its relevance to public policy. Assuming access is not restricted for privacy reasons and participating organisations support this type of work, these data offer an inexpensive and rapid way to inform a variety of peri-urban research questions. In this case, the project uses records of development applications in the study area over a period of six years: five years prior to the introduction of the Planning and Design Code (the Code) and the Rural Value Adding Developments (RVAD) policy, and one year following the Code becoming fully operational in the study area in March 2021. The remainder of this section describes the gathering, assembly and preparations for analysis of that data, before presenting it in various summary formats.

3.2.1 Data gathering and specifications

The pilot project began in mid 2022 with Local Government members of the Project Team gathering the records of selected development applications (DAs) in the rural parts of their respective Council areas for the period 2016–2021. Records for years prior to the introduction of the Code were obtained directly from each Council's public register of applications; later records were obtained by the Project Team member, or other authorised Council staff, from the PlanSA planning portal.[29]

The selection of DAs followed agreed specifications regarding the in-scope development types, planning zones and time-frame of the project, as well as the particular data fields in each record that would be relevant to the study.[30] The DA selections deliberately excluded proposals for dwellings and land division but otherwise captured most of the remaining applications lodged within the study area during the project time-frame. These included development types within the FVA and RBD categories defined in section 2.1, such as wineries and distilleries, 'cellar door' shops, restaurants, sheds and similar structures for processing or sale of farm produce, and tourism accommodation. However, in each Council area the selections also captured a number of DAs for development types

[29] The planning portal gives Council staff access to all development applications lodged via the ePlanning development assessment platform. This mechanism, which captures application data in real time according to a standardised format, provides a potentially very useful avenue for research and monitoring of development trends across South Australia. However, access is currently Council-specific and authorisation is limited to a handful of officers in each Council.
[30] As shown in the accompanying spreadsheets, these data fields include the date lodged, unique identifier number, zone, property address, main element proposed, assessment status and estimated capital value of each DA.

outside the FVA and RBD categories. These included proposals more closely associated with primary production and others for non-farm development, such as communications infrastructure and transport depots. Although out-of-scope for the project, these DAs were retained in each Council's data selection because of the extra information they provide about local development trends.

The geographic scope for these data selections was limited to the Productive Rural Landscape Zone, Rural Zone and Rural Horticulture Zone parts of the participating Council areas, as defined in the Code, and the corresponding zones in pre-Code Development Plans. In other words, DA selections were limited to locations where planning policy anticipates the continuation of farming and agriculture. Based on their original lodgement date, DAs in these zones were collected for twelve-month periods commencing 19 March each year, to align with the introduction of the Code on that day in 2021, and to enable analysis of development outcomes pre- and post- Code. The overall time-frame for the DA selections ran from 19 March 2016 to 18 March 2022.

3.2.2 Data assembly and preparations for analysis

Following initial selection, each Council's raw data were transferred to Excel© spreadsheets where they were reviewed, 'cleaned'[31] and sorted by date of lodgement for the reasons described above. All records were subsequently coded to various project-relevant parameters to assist analysis. To date two phases of this coding have been undertaken.

First, based on information in individual records,[32] each DA was coded according to whether the proposal represents an example of either FVA or RBD activity. DAs that did not align with these two categories were coded as either Primary Production or Other Rural Development.[33] All DAs were then further coded according to whether the application was approved or had/has some other administrative status (i.e. under assessment, refused, withdrawn/lapsed).[34] This first phase of coding revealed the total number of DAs for both FVA and RBD development in the study area during the time-frame of the project, and the number of DAs in each category that were actually approved.

A second phase of coding was conducted to identify the particular development types (e.g. wineries, tourist accommodation, function centres etc.) behind the broad FVA and RBD categories. Each record was coded according to the main element of the proposal described in the DA, with second and third elements also recorded where listed. At the same time, each DA was coded according to its scope of works (i.e. new development; expansion or addition to existing development; conversion of existing structures; change of use; minor works or variation of a previous approval). This enabled a more fine-grained summary of development trends in the study area, and helps qualify the findings.

An important third phase of this preparatory work involved identifying instances of serial DAs, where more than one DA has been lodged for the same site during the project time-frame. The number of serial DAs in each Council selection was calculated using a basic spreadsheet sort routine to find duplicate addresses. In some of the cases identified, applicants appear to have been seeking simple variations to previous approvals; in others, serial applications have been facilitating the staged development of large projects. This is one of several features of the data used in the project that needed to be understood before moving on to the analysis proper.

[31] This process included correction of typographic errors and missing data, especially in the address field; removal of duplicate records; and standardising the recorded administrative status of each DA.
[32] Column F in the 'Data_[Council name]' spreadsheet contains descriptions of the development proposed in each DA. In most cases this appears to be the applicant's description; however, amongst the more recent records, a significant number appear to have been entered by planning officers or administrative staff.
[33] Coding of the four categories in the spreadsheets is as follows: A - Primary Production, B - Farm Value-Adding, C - Rural business diversification, D - Other Rural Development.
[34] In the spreadsheets these other forms of administrative status are grouped together in a category called 'Other Lodged'. This category is unrelated to actual development outcomes but was included to provide perspective on the DA workload for Councils related to this topic during the time-frame of the study.

The data that appear in the accompanying spreadsheets comprise records of applications for activities that constitute development under South Australian planning legislation and, hence, require assessment by a planning authority. Despite this provenance, the data need to be qualified in various ways, some of which have already been noted but are reiterated here for emphasis:

- The records do not capture FVA/RBD activities that are outside the remit of planning legislation (e.g. small 'pick-your-own' operations, agistment of livestock, contractor services);
- Not all DAs lodged are approved and, at the time of writing, a number of DAs remain subject to assessment and may yet be approved;
- Similarly, not all DAs approved necessarily proceed to actual development;
- A number of DAs are simply for minor development, variations to previous approvals or building matters within the ambit of planning legislation;
- A significant proportion of DAs are serial applications;[35]
- A significant proportion of DAs include more than one element; and
- With the possible exception of recent records from the PlanSA portal, most of the DA records used here were not developed with future research in mind and, as such, their coding required some interpretation and assumption.

Notwithstanding these qualifications, several of which introduce potential for over-counting or under-counting, DAs are a reasonable and legitimate indicator of the FVA/RBD sector in the study area. While they do not describe FVA/RBD activity that existed prior to the study period, they illustrate contemporary interest amongst the farm sector and wider community in those forms of development. Data provided by the participating Councils is used on the basis that the issues listed above have been incorporated into the analysis and caveats attached to findings where appropriate. These and other issues surrounding data are discussed further in 3.3 and 3.4.

3.2.3 Data presentation

Project Team members were requested to review and confirm the two coding exercises described above. After confirmation the spreadsheets were used to generate a series of graphs, tables and maps to assist analysis. The following are presented below along with brief explanations:

- A series of graphs illustrating the trend in DAs for FVA and RBD development for the study area as a whole and for each Council area (Figures 2-6);
- A table summarising the relationship of particular development types to the broad development categories, including FVA and RBD (Table 1);
- A table summarising DAs by development type and Council area (Table 2);
- A series of graphs illustrating trends in DAs for selected development types for the study area (Figures 7-11); and
- Maps illustrating the spatial distribution of DAs for FVA and RBD development (Maps 2-4).

In Figures 2-6 following, DAs coded to either FVA or RBD are summarised by development assessment status for the study area and for each Council area. Columns illustrate the total number of DAs lodged in each twelve-month period, with the bottom two dark colours in each column showing the number of DAs approved, and the top two lighter shades showing the number of other lodged DAs with a different development assessment status (refer 3.2.2). Note that some of the DAs originally categorised as Other Lodged may since have been approved.

[35] Serial DAs appear to introduce potential for double-counting. However, the records suggest that a significant proportion relate to staging of large projects. Rather than introduce a methodological problem by having to determine which DA to count, the Project Team agreed to count all DAs but make a clear distinction between those lodged and those approved.

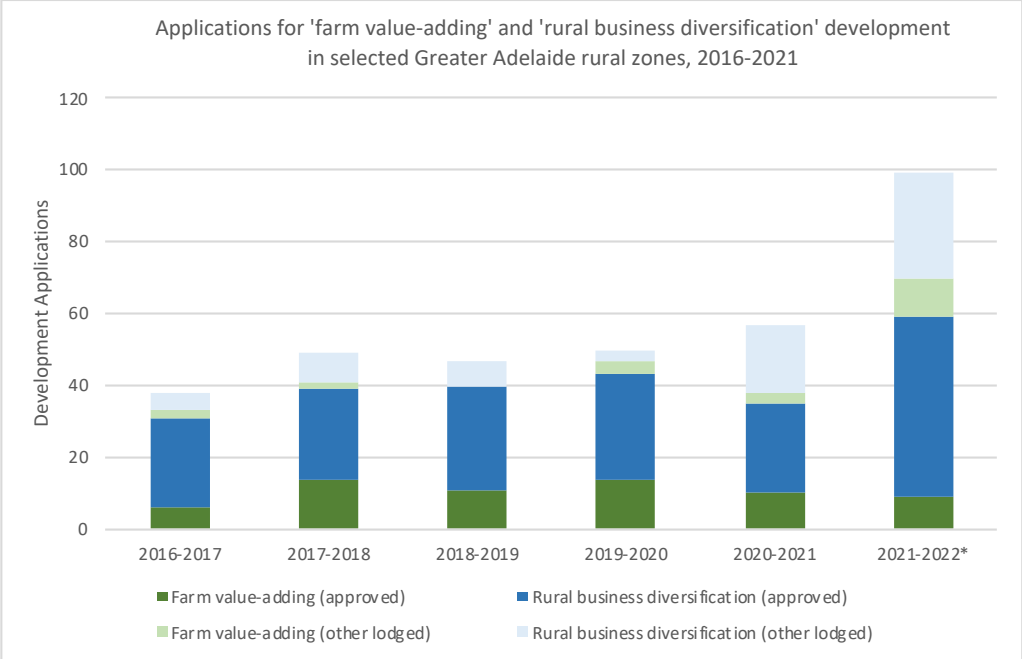


Figure 2: DAs for Farm Value-Adding and Rural Business Diversification development
All four Council areas, 2016-2021. (Source: Council public registers & *PlanSA planning portal.)

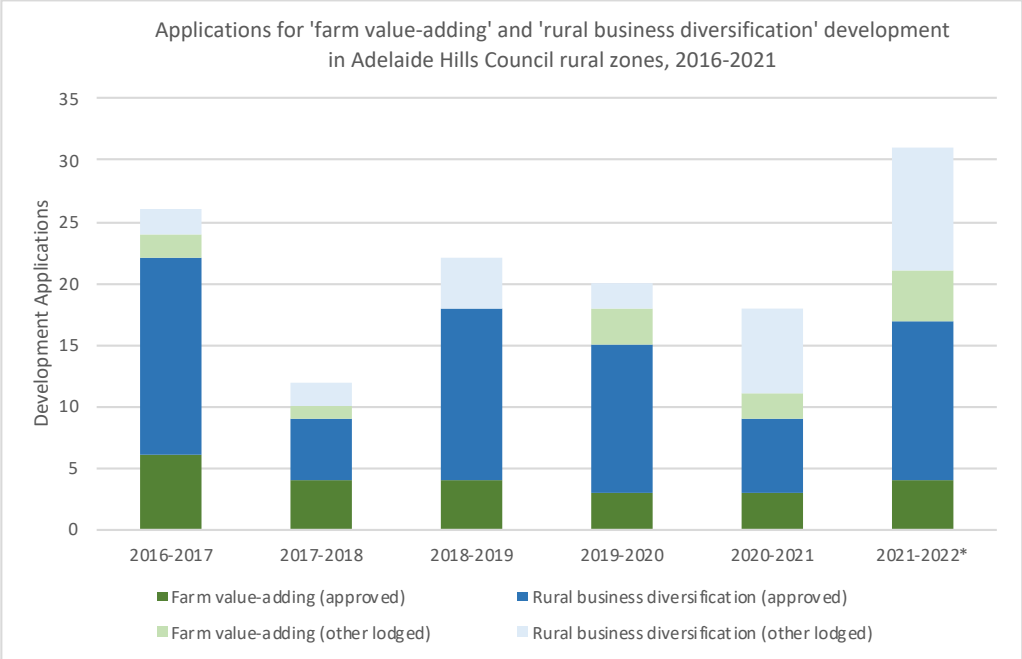


Figure 3: DAs for Farm Value-Adding and Rural Business Diversification development
Adelaide Hills Council, 2016-2021. (Source: Council public register & *PlanSA planning portal.)

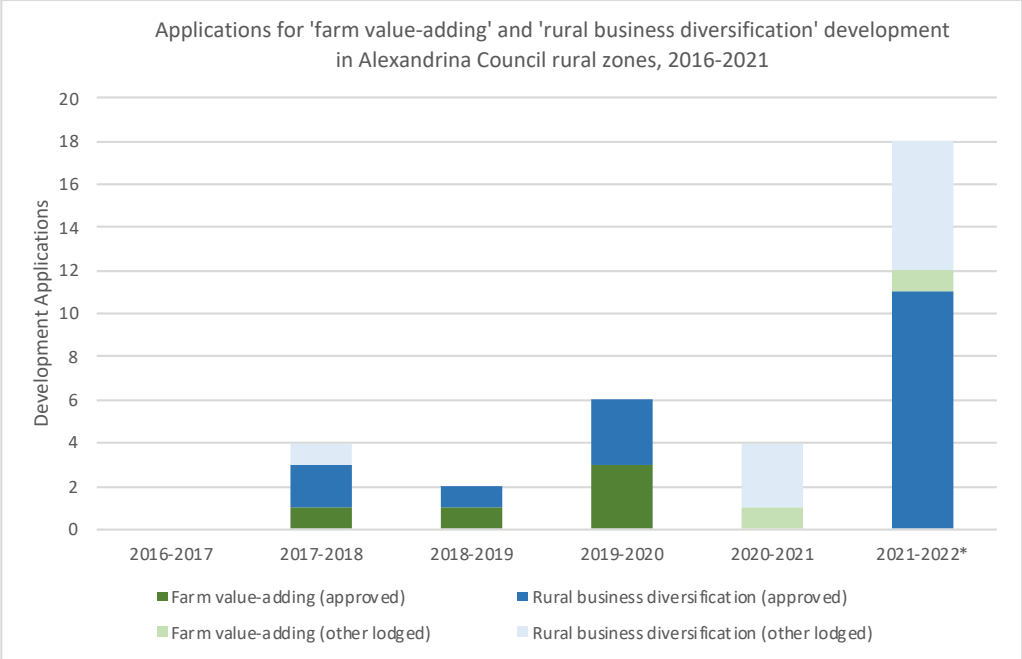


Figure 4: DAs for Farm Value-Adding and Rural Business Diversification development Alexandrina Council, 2016-2021. (Source: Council public register & *PlanSA planning portal.)

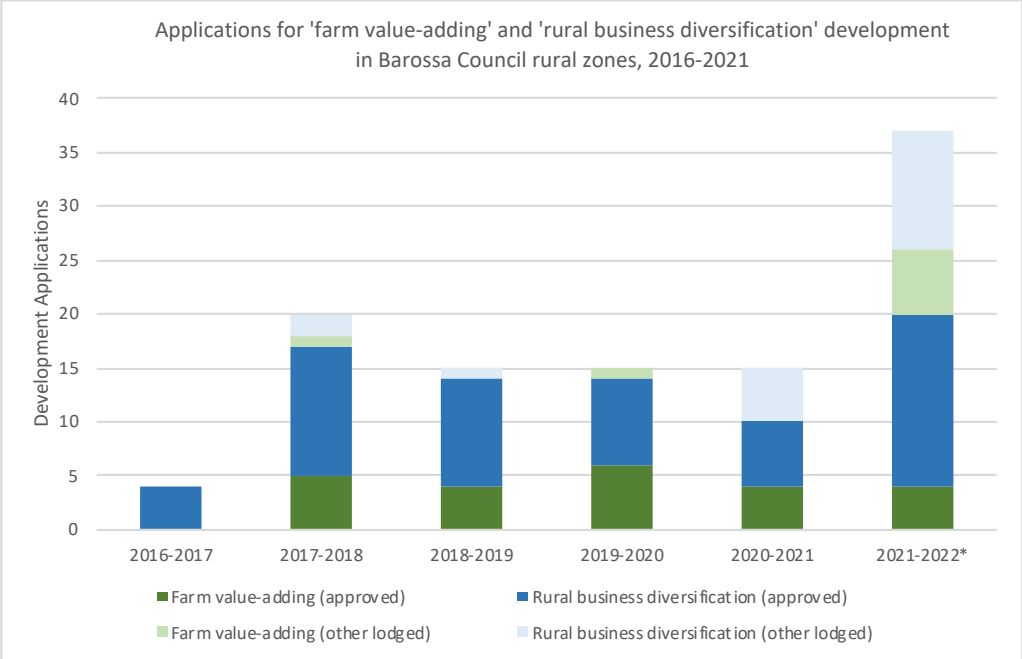


Figure 5: DAs for Farm Value-Adding and Rural Business Diversification development Barossa Council, 2016-2021. (Source: Council public register & *PlanSA planning portal.)

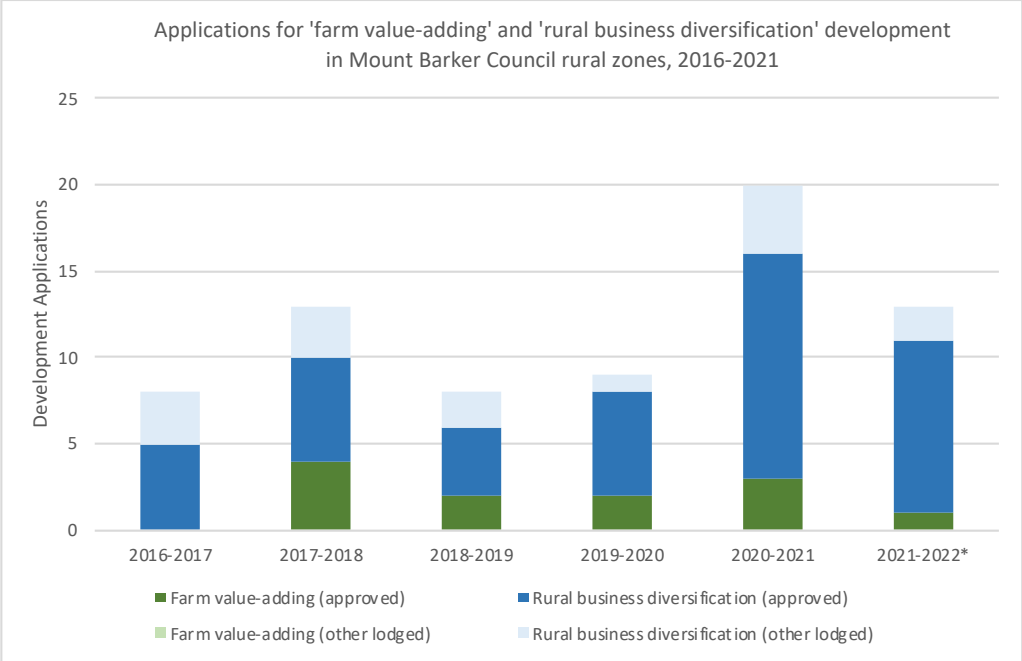


Figure 6: DAs for Farm Value-Adding and Rural Business Diversification development Mount Barker Council, 2016-2021. (Source: Council public register & *PlanSA planning portal.)

Table 1 on the following page lists all of the development types present in the Council records and shows how they have been assigned to the broader development categories, including FVA and RBD, for the purposes of coding and creating Figures 2-6. Note that some of the decisions about assignment are debatable. They include the various forms of beverage manufacturing which, for consistency, have all been treated as examples of FVA despite some having no apparent connection with local farm production. These and other examples of this categorisation issue are discussed in section 3.3.

Table 2 summarises the number of DAs lodged for all recorded development types across the study area over the time-frame of the project. Statistics of interest are shown highlighted or bold. Equally significant here is the number of times some of these development types are listed as second or third elements in a development application.

Following the tables, Figures 7-11 illustrate trends in DAs for the five most common types of FVA/RUV development across the study area. The graphs distinguish total DAs lodged from those that involved substantial proposals (i.e. not minor works or variations of previous approvals) and those that were actually approved. Table 2 reveals the contribution each Council area makes to these graphs but, as above, note that they are based solely on the main element proposed in each DA. To avoid double-counting, second and third elements of DA proposals listed in Table 2 currently do not figure in these graphs. Also, as explained in relation to Figures 2-6, note that some DAs for 2021-22 were still under assessment at the time these records were gathered and may subsequently have been approved.

Development type	Development type codes	Development category	Category codes	Coding comment
Agricultural Building	Ag Bld	Primary Production	A	
Agricultural Industry	Ag Ind	FVA	B	
Animal keeping - Dogs	AK - Dogs	Other Rural Dev't	D	post Agriculture indicator?
Animal keeping - Horses	AK - Horses	Other Rural Dev't	D	post Agriculture indicator?
Animal Processing Facility	APF	FVA	B	Industry scale?
Brewery	Brew	FVA	B	trending to C?
Cidery	Cid	FVA	B	trending to C?
Commercial kitchen	Com Kit	RBD	C	
Distillery	Dist	FVA	B	trending to C?
Function Centre	FC	RBD	C	
Health Retreat	HR	Other Rural Dev't	D	post Agriculture indicator?
Outdoor Events	OD Events	RBD	C	
Other	Other	Other Rural Dev't	D	
Bulk Wine Storage	Other - BWS	FVA	B	Industry scale?
Camp Facility	Other - Camp	Other Rural Dev't	D	post Agriculture indicator?
Organic waste	Other - OW	Other Rural Dev't	D	
Solar Panel Array	Other - Solar	Other Rural Dev't	D	
Transport	Other - Trnspt	Other Rural Dev't	D	
Vet Clinic	Other - Vet	Other Rural Dev't	D	post Agriculture indicator?
Waste Treatment Plant	Other - WTP	Other Rural Dev't	D	
Primary Production	PP	Primary Production	A	
Restaurant	Rest	RBD	C	
Shop	Sh	RBD	C	
Shop - Bakery	Sh Bak	RBD	C	
Shop - Cellar Door	Sh CD	RBD	C	
Shop - Cidery	Sh Cid	RBD	C	
Shop - Farm Produce	Sh Farm	FVA	B	trending to C?
Shop - Personal Services	Sh PSE	RBD	C	
Tourist Accommodation	TA	RBD	C	
Wedding Venue	Wed Ven	RBD	C	
Winery	Win	FVA	B	trending to C?
Worker Accommodation	Wrk Accom	Other Rural Dev't	A	Changed from D

Table 1: Assignment of development types to development categories, highlighting FVA (B) and RBD (C) categories.

Development type	AHC			ALEX			BARO			MTB			Total Main element	Total All elements
	Main element	2nd element	3rd element	Main element	2nd element	3rd element	Main element	2nd element	3rd element	Main element	2nd element	3rd element		
Agricultural Building		2		1			2			5			8	10
Agricultural Industry	3									5			8	8
Animal keeping - Dogs				1			1			2			4	4
Animal keeping - Horses				1						**17**	1		**18**	**19**
Animal Processing Facility				1									1	1
Brewery	2	1			1					2			4	6
Cidery	1												1	1
Commercial kitchen							3	1					3	4
Distillery		1		2						4			6	7
Function Centre	**12**	6	5	4	1		5	3		7	1	2	**28**	**46**
Health Retreat				1						1			2	2
Outdoor Events	1	1											1	2
Other		1					4			**34**			**38**	**39**
Bulk Wine Storage								2					0	2
Camp Facility	1			1									2	2
Organic waste				1									1	1
Solar Panel Array		1						1					0	2
Transport				1			1						2	2
Vet Clinic				1						1			2	2
Waste Treatment Plant				1									1	1
Primary Production	2			4		1	1		1	6			13	15
Restaurant	**14**	9	1			5	4	2	5	6	1		**24**	**47**
Shop			2					1		3			3	6
Shop - Bakery	1												1	1
Shop - Cellar Door	**25**	7	1	8		2	**25**	12	2	6	7		**64**	**95**
Shop - Cidery		2											0	2
Shop - Farm Produce	1	1		1						3			5	6
Shop - Personal Services		2						1					0	3
Tourist Accommodation	**34**	1		**11**			**28**	3	2	**25**	4		**98**	**108**
Wedding Venue				1									1	1
Winery	**34**	1	1	4			**39**	3	1	3			**80**	**86**
Worker Accommodation				4						2			6	6
	131	36	10	**49**	2	8	**113**	29	11	**132**	14	2	425	537

Table 2: Development types by Council area, 2016-2021.
(Source: Council public registers & PlanSA planning portal.)

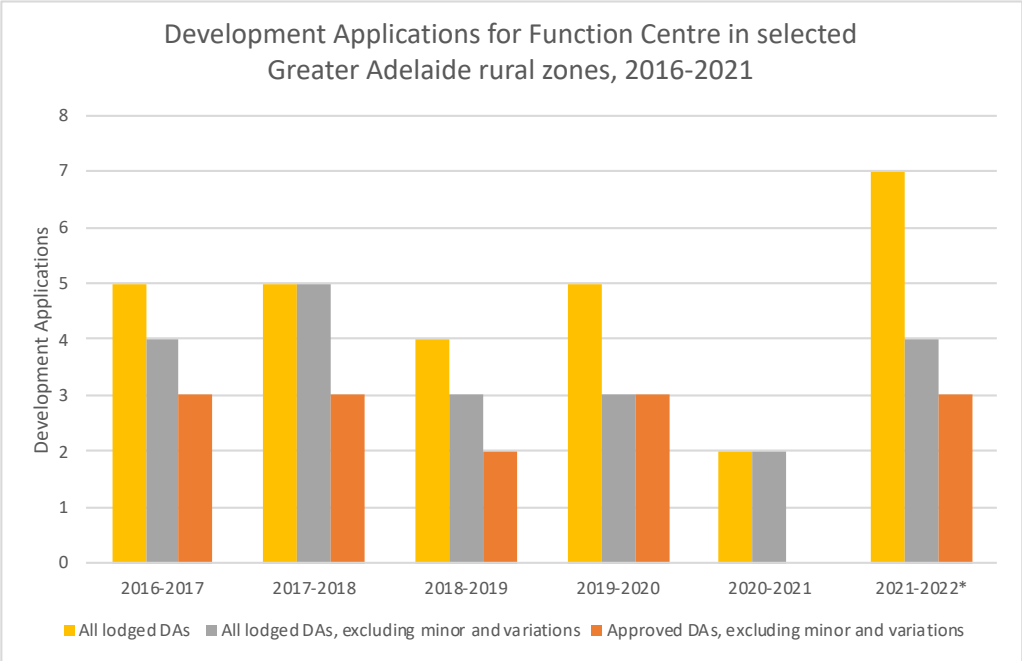


Figure 7: DAs for Function Centres, all four Council areas, 2016-2021.
(Source: Council public registers & *PlanSA planning portal.)

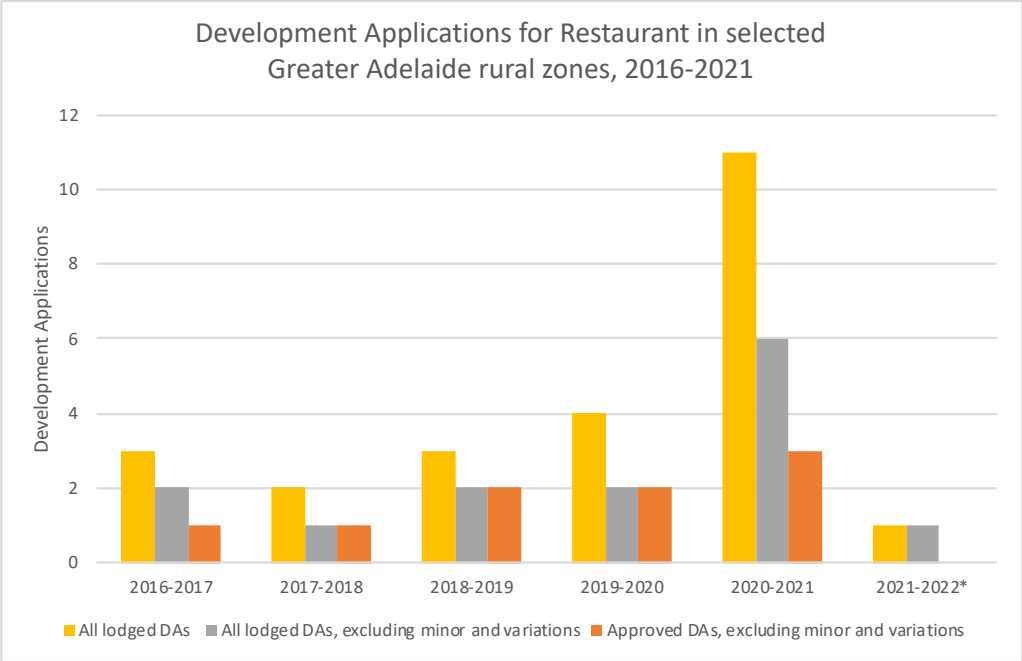


Figure 8: DAs for Restaurants, all four Council areas, 2016-2021.
(Source: Council public registers & *PlanSA planning portal.)

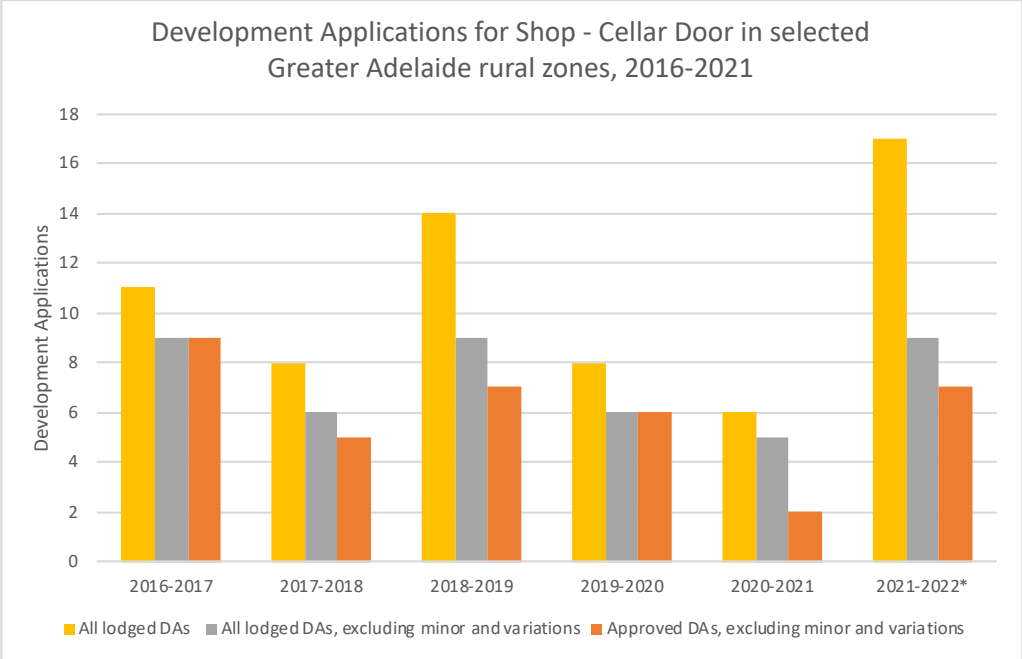


Figure 9: DAs for Cellar Door shops, all four Council areas, 2016-2021.
(Source: Council public registers & *PlanSA planning portal.)

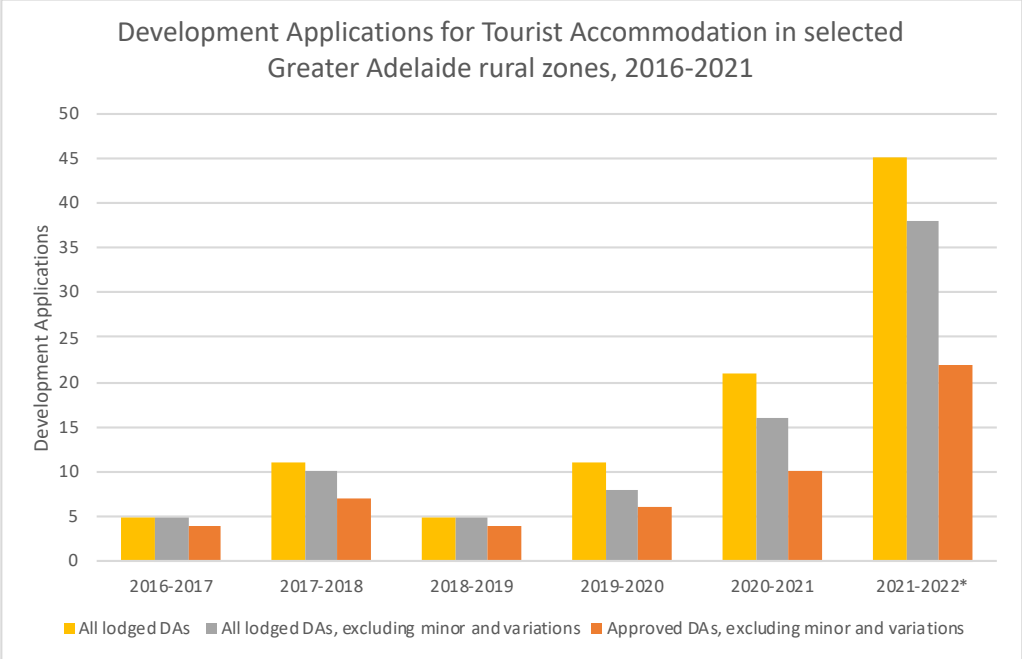


Figure 10: DAs for Tourist Accommodation, all four Council areas, 2016-2021.
(Source: Council public registers & *PlanSA planning portal.)

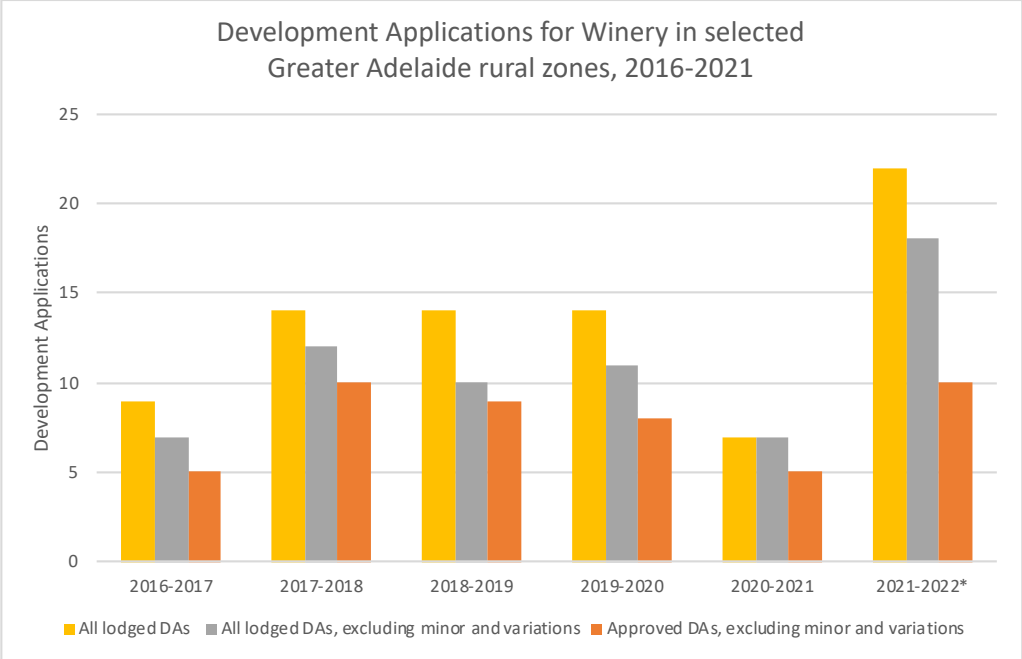
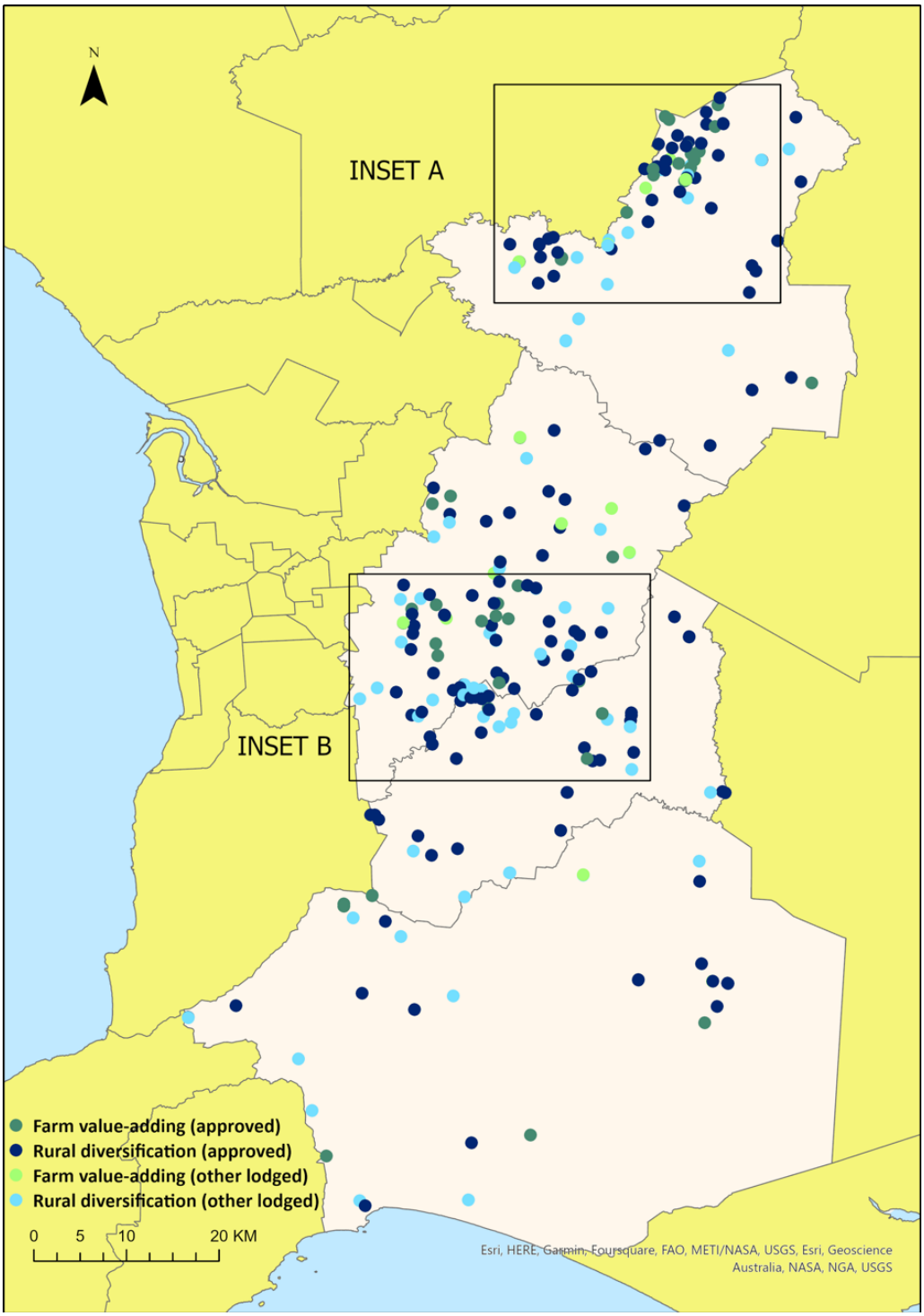
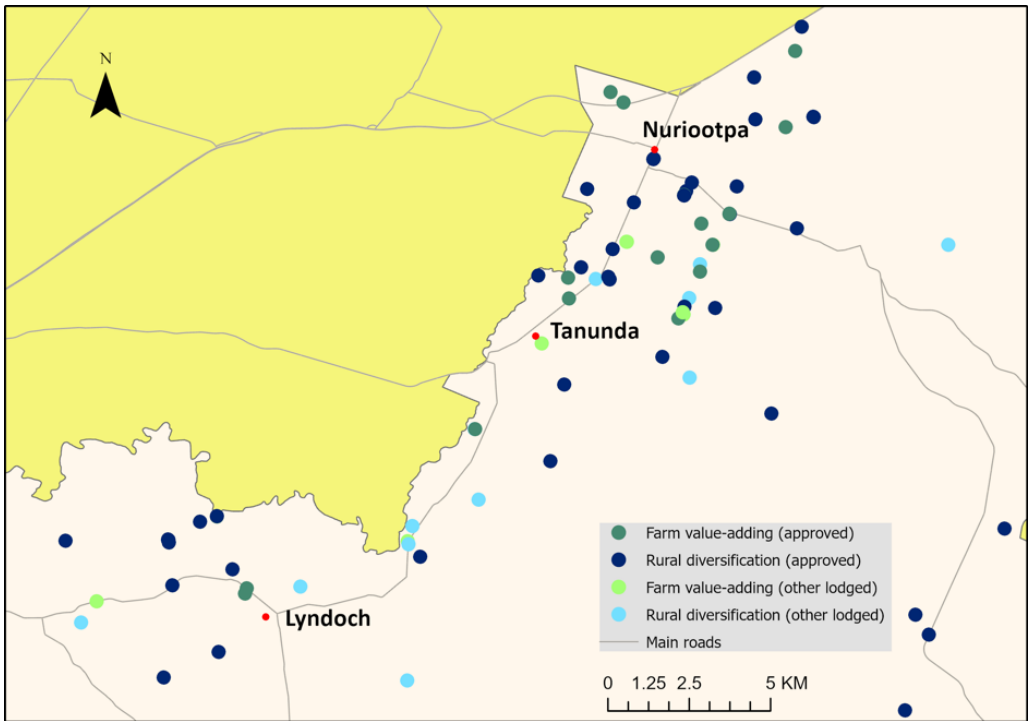


Figure 11: DAs for Wineries, all four Council areas, 2016-2021.
(Source: Council public registers & *PlanSA planning portal.)

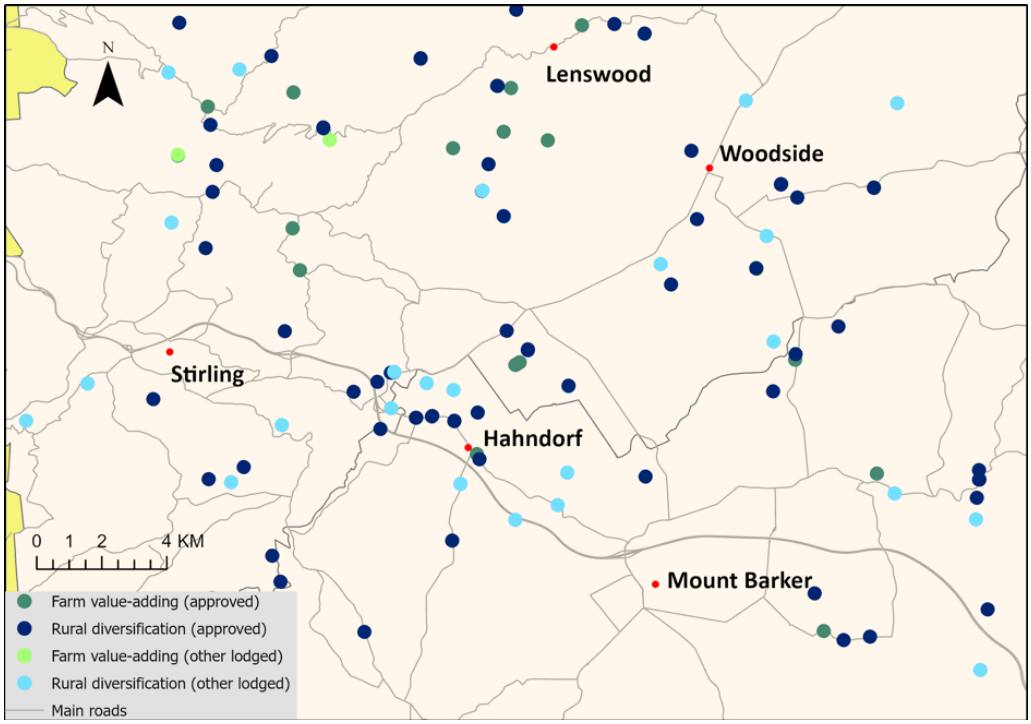
In addition to the graphs and tables above, the Project Team has prepared a series of maps illustrating the spatial distribution of DAs for FVA/RBD development. Map 2 shows, cumulatively, all of the DA sites across the study area during 2016–2021. Maps 3 and 4 provide a larger scale perspective on the same data. Note that due to the presence of numerous serial DAs there are fewer sites shown on these maps than are summarised in the graphs and tables.



Map 2: Distribution of DAs for Farm Value-Adding and Rural Business Diversification development, all four Council areas, 2016 to 2021. (Source: Council public registers & PlanSA planning portal.)



Map 3 (INSET A): Distribution of DAs for Farm Value-Adding and Rural Business Diversification development, northern Study Area, 2016 to 2021. (Source: Council public registers & PlanSA planning portal.)



Map 4 (INSET B): Distribution of DAs for Farm Value-Adding and Rural Business Diversification development, central Study Area, 2016 to 2021. (Source: Council public registers & PlanSA planning portal.)

3.3 Observations on the data

Before reviewing the preceding graphs, tables and maps it should be noted that the time-frame of the study included some extraordinary circumstances. Besides commencement of the Code and RVAD policy, proponents contemplating DAs will likely have been affected in their decision-making by one or more of the following: the direct and indirect impacts of the COVID-19 pandemic, extended drought conditions and major bushfires, unforeseen changes in international trading arrangements and government stimulus and recovery programs announced in the wake of these events. Some proponents will have also been affected by Council-specific changes to Development Plan policy prior to 2021, although those scenarios seem routine by comparison.

It is likely that these extraordinary circumstances will, at particular times, have caused a significant number of proponents to bring forward, delay or abandon plans for DAs.[36] Others, after learning of the availability of government support, may have decided to initiate a DA where previously none was contemplated. As a consequence, the data summarised above cannot be regarded as typical and should be treated with some caution. With that proviso, and recalling other qualifications regarding data from 3.2.2 above, this section makes four general observations below and suggests themes that might be pursued further in Stage Two of the project.

Observation One: At the regional scale, the data suggest that introduction of the Code and RVAD policy has had a significant impact on FVA/RBD activity generally. Figure 2 shows a clear and substantial increase in the number of DAs lodged and approved across the study area in 2021-22, compared to all previous years. However, Figures 3-6 show that those numbers vary geographically with very pronounced trends in Alexandrina (Figure 4) and Barossa (Figure 5) but less clear trends in the two LGAs closest to the metropolitan area, Adelaide Hills (Figure 3) and Mt Barker (Figure 6). Also, while the trend in Figure 2 seems unambiguous, there is not necessarily an equivalence between the DA proposals it summarises. As already noted, the scope of works proposed by a DA can vary significantly, as can the scale of projects and the investment committed.

A worthwhile secondary perspective on the trend would be provided by recreating Figure 2 using the estimated capital value of projects instead of DA numbers.[37] That same course of action may also help explain the variation of trends in Figures 3-6 if, for example, it reveals a small number of large (high capital value) projects close to the metropolitan area and a large number of small (low capital value) projects in the more remote LGAs. Other lines of inquiry in Stage Two could focus on the influence of recent road building projects on the region's accessibility; or the influence of local land use patterns, property sizes and land prices on development opportunities in the more fragmented landscapes of Adelaide Hills and Mt Barker.

Compared to Figure 2, which summarises DAs for all FVA/RBD activities, Figures 7-11 are less clear about the impact of the Code and RVAD policy on particular development types. Only Tourist Accommodation (Figure 10), where DA numbers more than doubled in 2021-22, exhibits a trend similar to that in Figure 2. Total lodged DAs for each of the other selected development types, with the exception of Restaurant DAs (Figure 8), are higher in 2021-22 than all previous years, although some of these are off a low base and the number of DAs actually approved is unremarkable. Apart from Agricultural Industry, Brewery, Distillery and Shop-Farm Produce, none of the other FVA/RBD activities are in sufficient numbers to produce a meaningful graph.

[36] Anecdotal evidence from the months leading up to the commencement of the Code is that applicants were being advised, variously, to lodge planned DAs before commencement to avoid uncertainties surrounding Code implementation, or delay lodgement until after commencement to take advantage of anticipated policy changes.
[37] An estimate of a proposal's cost or capital value has been required information in DAs for some years. Currently it only appears in the spreadsheets for Adelaide Hills and The Barossa Council areas.

Significantly, these graphs seem to reflect the extraordinary circumstances mentioned above more clearly than Figures 2. For example, Figures 7, 9 and 11 could be interpreted as showing applicants delaying DAs in anticipation of more favourable policies following the introduction of the Code. Conversely, Figure 8 arguably shows applicants bringing forward DAs due to uncertainty surrounding the Code. These graphs are also where the impacts of COVID-19 are most evident. Because some of these development types will have been impacted more or less severely by public health restrictions than others (e.g. restaurants), it is reasonable to speculate that some of the fluctuations show proponents abandoning plans for DAs due to the pandemic. Here again, recreating Figures 7-11 using estimated capital value instead of DA numbers would be helpful in understanding trends.

Observation Two: Turning to Table 2, DAs across the time-frame of the study are dominated by just a handful of development types: Tourist Accommodation (98), Winery (80), Cellar Door Shop (64), Function Centre (28) and Restaurant (24). As noted above, instances of these development types recorded as second or third elements in their respective DA are counted in Table 2 but currently not included in Figures 7-11. Recreating those graphs so that they include these extra numbers would significantly change all of the graphs—DAs for function centres, restaurants and cellar door shops would increase by 50-100%—but will not necessarily alter trends across the time-frame of the study.

Noting that DA equivalence is again an issue, a feature of these development types that should be investigated further is scale. Many of the records in the spreadsheets include information about the number of residential units or beds in tourist accommodation proposals, the number of seats in restaurants and function centres, or the crush capacity of wineries. Unfortunately, this information does not appear systematically in the DA records, like estimated capital value, and there are some gaps in the dataset. However, the information that does exist could be summarised in graphs and, more meaningfully, on maps, to illustrate the number and pattern of small and large facilities.

Other development types in Table 2 that warrant mention are the miscellaneous category Other, which includes various non-farm rural development, and Horse keeping, both of which are significant in the Mt Barker Council area. These numbers may be an indicator of advanced change in that district's rural landscape or a function of the initial DA selection process for Mt Barker.

Observation Three: Figures 2-6 all show RBD development as the dominant purpose of DAs, and increasingly so. Despite the notional focus on 'value-adding' in the RVAD policy, DAs for development with a direct link to on-farm production appear to be a minor, even diminishing part of the sector. Table 2 and Figures 7-11 confirm this assessment, with DAs for wineries the only FVA development type to stand out in the data. The other four development types are all examples of RBD activity and, as noted already, the categorisation of wineries as FVA is itself questionable. This latter issue warrants further consideration because several development types categorised as FVA are, arguably, examples of RBD or even industrial-scale development in rural settings.

Wineries have been treated as FVA on the basis that processing grapes in or adjacent to the vineyard where they are grown is a text-book example of value-adding. For the sake of consistency, and because 'boutique' wineries have been established on small vineyards throughout the study area since the 1980s, all forms of beverage manufacturing captured in the data selection have been categorised as FVA. This seems reasonable for cideries, which are presumably associated with the Adelaide Hills pome-fruit industry, however, the connection of breweries and distilleries to local farm production is less clear. Furthermore, the prevailing business model for all of these beverage manufacturing facilities seems predicated on visitation in one form or another. A worthwhile line of inquiry in Stage Two would be to examine how many wineries in the dataset exist as stand-alone facilities and how many are associated with a Restaurant, Cellar Door Shop or Function Centre.

Scale is also an important consideration here because, notwithstanding the number of 'boutique' wineries, the study area comprises major wine industry infrastructure. Information about crush capacity in several of the winery DAs suggest the proposals in question are, indeed, for industrial-scale manufacturing plants rather than farm-level value-adding. Other development types categorised by association or at face value as FVA (e.g. Bulk Wine Storage, Animal Processing Facility, Farm Produce Shop) warrant review for similar reasons. For example, the Beerenberg enterprise near Hahndorf arguably exceeds the common understanding and formal definition of a farm produce shop.

In combination, these two perspectives suggest that the analysis reported above may, in fact, overstate the extent of FVA activity in the study area, and that the categorisation exercise should be re-visited during Stage Two. There may be good explanations for the small number of FVA DAs in the dataset: recent reforms may mean that development previously associated with value-adding is now not captured by planning policy due to exemptions and exclusions; and popular contemporary FVA activities being pursued by the farm sector (e.g. 'pick-your-own' operations) may be outside the remit of planning policy anyway. Nevertheless, the upshot is that the sector appears dominated by RBD activity, and the RVAD policy, despite its title, seems to be enabling very few developments that can be legitimately described as a value-adding. Whether the policy provides an adequate assessment framework for some of the larger proposals noted here is also questionable.

Observation Four: Maps 2-4 show that DAs are clustered in a number of localities and along particular routes, especially in the Barossa Valley and central Hills districts, such that 'hotspots' of FVA/RBD activity may form, with potential for unforeseen consequences. Indeed, 'hotspots' may have already formed if historic FVA/RBD development carried out prior to the relatively short time-frame of this study and serial DAs are also taken into account. Identifying 'hotspots' where policy effort and other interventions might be required would be one of the most relevant outcomes of this project. To that end Stage Two should aim to carry out more sophisticated spatial analyses using parameters like estimated capital value, development types and project scale. Identifying and incorporating spatial data sets that can show pre-existing FVA/RBD development, either directly or by proxy, would assist that work.

The four themes observed here are not purely academic considerations. The reasons behind a stronger DA trend in the more remote LGAs, a preponderance of DAs for tourist accommodation, a minority of DAs for actual farm-value adding activity and evidence of 'hotspots' may provide important insights for policy makers. Those insights might relate to sub-regional differences that warrant policy differentiation, patterns of development that require specialised siting and design guidance, or a more fundamental mis-diagnosis of the topic, such as the observed lack of conceptual precision in the current RVAD policy. It is too early to propose responses to these matters here but some speculative lines of inquiry have been advanced.

3.4 Discussion

As explained above, the underlying purpose of this pilot project is to test the potential for a collaborative working arrangement that helps Councils participate in policy forums that have a bearing on the future development and management of the region's rural landscapes. Central to that collaboration would be a commitment to co-design that emphasises Council concerns, and a focus on initiatives that enhance Local Government capacity. Markers of effective participation would include raising relevant questions in policy forums (e.g. has the RVAD policy expanded access to FVA/RBD opportunities to all rural landholders, not just the farm sector, and was that the intention?) and maintaining an evidence base to support such lines of inquiry.

Given this context, the project does not set out to make a judgement on the merits or otherwise of FVA/RBD activity. The types of development examined here are unlikely to pose a fundamental threat to the region's rural landscapes. Indeed, diversification opportunities seem necessary for the continuation of rural businesses and the landscapes they produce. Still, these types of development can be problematic locally for reasons of scale, siting or oversupply, and may create situations that reinforce or amplify other real or perceived threats, as outlined in 2.4. To avoid such scenarios and ensure FVA/RBD development supports other regional objectives, the planning policy that governs it needs to be informed by sound evidence and fit-for-purpose.

Section 2 raises some questions about whether the current RVAD policy meets these criteria but to make any judgement on that topic the project itself needs to be more adequately informed. To that end, Stage One has been modestly successful in responding to the objectives listed in section 3.1. It provides some new understanding on the nature and extent of recent FVA/RBD activity across the study area; some insights about the impact of the RVAD policy on that activity; and the beginnings of an evidence base that might assist Council planners and others in their future dealings with this topic. As a pilot project, the exercise will also inform them about the potential benefits of more substantial, longer-term collaborations on this and similar themes.

However, questions arising from Stage One cannot be answered by the current dataset as it stands. On its own the analysis has limited explanatory power—why are these trends occurring?—and limited policy relevance—what aspects of current policy are working well, or not? Furthermore, the project is not much further advanced in answering the original question of whether the additional FVA/RBD activity enabled by the RVAD policy is consistent with other parallel objectives for rural landscapes in Adelaide's peri-urban region.

Dealing with these questions will require a second stage of work which, in turn, will require different evidence and a change of research focus and methods. Before proposing what that would look like there are some refinements and further applications of the current dataset that have already been canvassed amongst the Project Team. Collecting the latest twelve-months of data (19 March 2022 to 18 March 2023) to understand whether the 2021-22 surge shown in Figure 2 was a temporary anomaly or is now the new baseline, seems to be an obvious, indeed necessary, next step. Arranging an ongoing annual update of the project dataset from the PlanSA portal would be a low-cost, 'no regrets' extension of that action to enable monitoring into the future.

As well as these forward-looking actions, re-visiting the original data gathering described in 3.2.1 to build a longer time-series prior to 2021-22—say, ten years instead of five—would provide better perspective on the topic. A longer time-series would help account for the influence of recent extraordinary circumstances on the dataset. It may also provide insights about the apparently declining position of FVA relative to RBD activity, and the geographic variation in recent DAs. Given lessons learnt during the pilot project, and assuming formal in-kind support from participating Councils, this should be an easier undertaking than the original exercise.

The Project Team has also anticipated some more sophisticated spatial analysis than what currently appears in Map 2, 3 and 4. Subject to the level of GIS support available in Stage Two this could include maps at various scales (e.g. study area, zone, LGA, locality) illustrating the data by parameters such as development type (e.g. function centres, cellar door shops), scale (e.g. winery crush tonnage, restaurant seats, tourist accommodation beds) and capital value. These types of analysis will enable a more fine-grained perspective on the data which would, in turn, help understanding of matters such as serial DAs, development intensity (i.e. 'hotspot' formation), local economic benefit, effectiveness of particular zone policies and facility over-/under-supply. A capacity for enhanced mapping will also assist development of locality-scale case studies.

These incremental improvements will refine, confirm and qualify the Stage One findings but to begin answering the questions posed above, the project should use those findings as the basis for commencing engagement with regional stakeholders. At its most basic, this would comprise surveys and/or targeted interviews with representatives of key stakeholder groups, such as primary industry and tourism bodies, RDA organisations, Landscape Boards and the EPA, as well as Council planners and their elected members. The focus of these inquiries, informed by a summary of Stage One, would be on the respective sectoral perspectives on FVA/RBD activity and the RVAD policy. The observations of Council planners about the assessment process, the resulting FVA/RBD activity (e.g. do problems arise with neighbours?), and the potential for policy improvements would be especially valuable.

The practical dimensions of FVA/RBD activity for primary producers and other rural landholders are to some extent already understood following recent University of Adelaide research on agricultural change and multifunctionality in the Mount Lofty Ranges region.[38] However, engagement with past DA proponents and their neighbours, noting the importance of privacy considerations in such circumstances, would add a level of detail about the motives, aspirations, benefits, costs and impacts of these projects that other stakeholders cannot. Engagement at this level would also enable development of case studies, which promise a more forensic perspective on the topic.

Subject to funding and support, a more ambitious Stage Two research program might develop a number of such case studies to identify notional 'best practice' measures as a guide to policy makers. With the assistance of Council planners it might also test some hypothetical 'high risk' proposals to investigate the effective limits of the current policy and gauge stakeholder reactions to those scenarios. Noting that the research topic is not unique to the four participating Councils, Stage Two inquiries could also usefully extend to other Councils in the Greater Adelaide Region, and even interstate. A public seminar or series of workshops for stakeholders would provide opportunities for engagement and input beyond the immediate project participants.

3.5 Conclusion

Stage One of this pilot project has reviewed development applications for FVA/RBD activity during the period 2016-2021. Key findings to date include the following:

- There has been significant growth in the number of applications for these forms of development since introduction of the Code, although that trend varies geographically and by development type.
- Applications are dominated by proposals for rural business diversification projects, which are premised on bringing non-resident visitors into the region. The growing dominance of this category presents some potential risks for the region's rural landscapes.
- In contrast, there have been relatively few applications for farm value-adding projects, which retain a direct connection with local on-farm production. Closer examination of this category and its definition may reveal the true number is even lower than reported here.
- Over the time-frame of the project and across the study area, applications have been dominated just by a handful of development types, namely, tourist accommodation (98), wineries (80), cellar door shops (64), function centres (28) and restaurants (24).
- Preliminary mapping of the data suggests formation of potential 'hotspots' that may require planning policy or other interventions to reconcile competing objectives.

[38] Song, Bingjie, Robinson, Guy and Bardsley, Douglas. (2022). Hobby and part-time farmers in a multifunctional landscape: Environmentalism, lifestyles, and amenity. Geographical Research. 60. https://doi.org/10.1111/1745-5871.12541; Song, Bingjie, Robinson, Guy and Bardsley, Douglas. (2022). Multifunctionality and path dependence: Farmer decision-making in the peri-urban fringe. Journal of Rural Studies. 96. 64-77. https://doi.org/10.1016/j.jrurstud.2022.10.012.

These findings present prima facie evidence of significant forces of change at work in the region's rural landscapes but need to be qualified in various ways. Those qualifications, which include the impact of the COVID-19 pandemic and other extraordinary circumstances, could be addressed in part simply by extending the data collection to include more recent data and, ideally, earlier data. However, for more definitive insights about the pros and cons of recent development activity, the effectiveness or otherwise of current policy, and the features of possible policy refinements, a second stage of research will be necessary.

4 Next steps (Stage Two)

This report presents Stage One of a pilot project to test scope for future collaboration between four Councils in the Greater Adelaide Region and the Adelaide Peri-urban Project. For reasons explained above, the focus of that project is on farm value-adding (FVA) and rural business diversification (RBD) activity in the rural areas of the four Councils. The topic was chosen because it currently represents a significant part of the workload for planning staff in those LGAs; because it is likely to arise in pending regional planning discussions; and because it is manageable within a time-frame that suits all parties. It is not necessarily the most important planning policy topic for Councils in the Greater Adelaide Region.

Stage Two would take as its starting point the findings of Stage One, which are based exclusively on analysis of development application data. Following the refinements suggested in section 3.4, it would revisit the same project objectives set out in 3.1 but with a qualitative approach comprising interviews with key regional stakeholders and other social research techniques. Preparation for this work, including design of interviews and other survey instruments, would be informed by recent University of Adelaide research in the Mount Lofty Ranges region. The overall program would be co-designed with Local Government members of the Project Team to maximise relevance and efficiency. Besides a project report that provides evidence and makes recommendations relevant to Council planners' needs, outputs could include public seminars and a report on the findings of intra-state and inter-state consultation on the topic.

Stage One has been a largely desk-top exercise conducted informally and *pro bono* with in-kind support from the Local Government members of the Project Team. The aim has been to develop a report that can be used to test support amongst stakeholders for a second stage. As suggested above, Stage Two would be more field-based and labour-intensive and, as such, would need to be supported more formally and modestly funded.

Support from regional stakeholders, including Councils in the wider Greater Adelaide Region,[39] would help a future bid to funding bodies, such as the Local Government Research and Development Scheme. In regard to in-kind support, the inclusion of Stage Two in each Council's 2024-25 business plans, so that officers can formally commit time to this work, would assist significantly. To date the project has relied on Local Government members of the Project Team for initial data gathering and the subsequent checking of coding. Stage Two would require more of that same work plus liaison with PlanSA regarding new data, and with the wider Project Team regarding planning of the overall program. Appropriate project management arrangements for all of these tasks and activities would need to be agreed before commencement.

[39] Apart from the early participation of Yankalilla, no other LGAs have been involved in the project. However, officers of other Councils have expressed interest informally.

Appendix 1

The Adelaide Peri-urban Project

For more than a decade South Australia's politicians, policymakers and public have taken a special interest in Adelaide's peri-urban region, launching a variety of measures aimed at its protection or better management. The best-known expression of this interest, triggered by events surrounding the original 30 Year Plan for Greater Adelaide, was the introduction of Character Preservation legislation for the Barossa Valley and McLaren Vale in 2013.[1] New planning legislation in 2016 saw the designation of a similarly conceived Environment and Food Production Area[2] across the remaining rural parts of the Greater Adelaide region; then, in 2020, the proposal—albeit short-lived—of a Peri-urban Zone for parts of the Mount Lofty Ranges.[3] Interspersed with these State-level initiatives, some of the region's Councils have proposed changes to local planning policy referencing 'horticulture industry enhancement', 'primary production protection' and 'food bowl protection';[4] and some participated in a community-based proposal seeking World Heritage status for agrarian landscapes in the Mount Lofty Ranges.[5] There have been other periods of interest in this topic—notably the mid 1970s and early 1990s—but the repeated and focused activity of the past decade is unprecedented.

Like the steadily urbanising hinterland of most other Australian cities, Adelaide's peri-urban region also faces long-standing challenges related to the health of its water supply catchment, increasing exposure to natural hazards, especially bushfire, and degradation of remnant natural areas. From time to time, the quality and security of Adelaide's drinking water or the consequences of bushfire have dominated local headlines and Hansard. By comparison, biodiversity protection has taken a back seat, although for a decade from the mid 2000's it was championed by the now former Adelaide and Mount Lofty Ranges Natural Resources Management Board, itself an acknowledgement of the peri-urban phenomenon. However, the theme that has inspired all of this recent activity is a concern about the future of agriculture in the region; about the various impacts of urban encroachment on the sector; about land use conflict and the so-called 'right to farm'; and about creating supportive local conditions for food and wine production.

This concern about agriculture is understandable: the relatively small bio-climatic 'island' in which Adelaide and its hinterland sit, coupled with the strategic opportunities afforded by urban proximity make the region an important part of the State's asset base for primary industry. The Adelaide Hills are essential to cool climate horticulture in South Australia;[6] cropping districts on the northern Adelaide Plains routinely and reliably generate some of the State's highest grain yields;[7] the region is home to the majority of South Australia's premium wine regions; and access to recycled urban wastewater underpins 'drought-proof' irrigated horticulture and viticulture north and south of the city.[8] Indeed, Adelaide's peri-urban region generates a disproportionately large share of the total value of South Australian agricultural production—about 20% in most years—and gross regional product derived from primary industry in the Greater Adelaide Region rivals that of the State's other

[1] Character Preservation (Barossa Valley) Act 2012; Character Preservation (McLaren Vale) Act 2012
[2] Planning, Development and Infrastructure Act 2016 – Part 7.
[3] State Planning Commission (2019) *Draft Planning and Design Code - Phase 3 (Urban Areas)*, October 2019. Adelaide.
[4] City of Playford, *Virginia Horticulture Industry Enhancement Development Plan Amendment - Statement of Intent*, January 2015; Mount Barker Council, *Rural (Primary Production Protection) DPA*, 8 August 2017; Adelaide Plains Council, *Northern Food Bowl Protection Areas DPA*, 20 February 2018.
[5] https://www.adelaide.edu.au/adelaidean/issues/54101/news54222.html; https://www.planning.org.au/documents/item/8060; https://www.ahc.sa.gov.au/Business/unesco-world-heritage-bid.
[6] Houston P. and Bardsley D.K. (2018) Climate change adaptation for peri-urban horticulture: a case study of the Adelaide Hills apple and pear industry. *South Australian Geographical Journal* 114(1), 29-42.
[7] See, for example, Annual Crop and Pasture reports on the PIRSA website.
[8] Houston P. and Davies G. (2011) Maintaining "wriggle room" in contested space: The missing spatial dimension in adaptation strategies for agriculture. Poster presented at *CCRSPI*, February 15-17 2011, Melbourne.

much larger regions.[9] Variations on this convergence of circumstances exist elsewhere in Australia but in none does the role of the peri-urban region appear more important to the State's contemporary and future prospects for agriculture.

Equally remarkable, however, is the limited evidence base that has underpinned many of the endeavours listed above—the notable exception being the World Heritage bid—and the absence of any systematic monitoring of the policy initiatives introduced. Most strikingly, the technical basis on which Character Protection districts were delineated in 2012 remains obscure and, almost a decade on, there is no formal program for assessing their ongoing effectiveness. Adding weight to this perspective is a sense of conceptual confusion and lack of theoretical grounding. The Peri-urban Zone proposed in 2020 appeared ill-conceived and arbitrary when it was announced, and was promptly renamed following negative public submissions;[10] while the doubtless well-intended references to 'food bowls' of the last decade seem more like attempts to market new policies than to justify them. Besides these questions of policy design and effect, the preoccupation with agriculture has, arguably, also been to the neglect of other legitimate concerns in the region and the possibility of a more integrated approach to sustainable management and development. The Environment and Food Production Area might hint at a balancing of protection and production objectives but it offers no mechanism for mediating and reconciling the two where they conflict. In other words, there appears to have been a disconnect between the enthusiasm of the past decade for peri-urban matters and the object of those endeavours.

This situation begs a variety of questions ranging from the foundational to the diagnostic. Indeed, what is Adelaide's peri-urban region, what are its defining characteristics and why is it important? What is the economic value of agriculture, food and beverage production in the peri-urban region and how does that compare with other regions of the State? What other values derived from rural landscapes are also present in the region and do these compete with or complement agriculture? What is driving the pressures on agriculture at the landscape level and do the same processes also affect remnant biodiversity, water catchments and bushfire hazard? Are there interactions between these themes and are there opportunities for multifunctional landscapes that reconcile otherwise competing objectives? How have key planning policies performed and are there alternative policies or management tools worthy of consideration? What are we monitoring, what should we be monitoring and what are the targeted research questions we need to answer?

Against this background, we are proposing to spend 2021 scoping the feasibility and possible forms of a multidisciplinary research program—provisionally known as the Adelaide Peri-urban Project (APP)—to address questions such as these. Separately and together we have conducted research and other projects throughout Adelaide's peri-urban region that address land use change and encroachment pressures; the physical, economic and social dimensions of agriculture; the challenges of climate change adaptation; community preparedness for bushfire, and consultation tools for planning in peri-urban settings. Current university research projects are examining aspects of agricultural change in the Adelaide Hills and McLaren Vale, as well as water risk management in irrigation communities. The APP proposes to build on this body of past and current work to develop a suite of linked research projects that *monitor* trends in the land use, population, economy and natural assets of Adelaide's peri-urban region, *identify* emerging issues and *deliver* policy-relevant insights. Central to this objective will be the establishment of some long-term monitoring programs and datasets that can serve as key decision-making infrastructure for the region's future.

[9] Houston P. (2005) Re-valuing the Fringe: some findings on the value of agricultural production in Australia's peri-urban regions. *Geographical Research* 43(2), 209-223; Australian Bureau of Statistics (2012) Value of Agricultural Commodities Produced, Australia, 2010/11, ABS Cat No. 7503.0, November; EconSearch (2014) *I-O Tables for SA and its Regions 2012/13 Update Method: Fact Sheet*, report prepared for the Department of the Premier and Cabinet, February.
[10] State Planning Commission (2020) *Phase 3 (Urban Areas) Planning and Design Code Amendment Engagement Report.* Adelaide

With emerging evidence of a strong new trend in demand for living outside metropolitan areas,[11] this type of undertaking comes at an important time for Australian peri-urban regions generally and the Adelaide hinterland in particular. If past experience is a guide, and assuming it is more than a temporary post-COVID19 reaction, such demand will again be focussed largely on high amenity 'sea-change' and 'tree-change' locations adjacent to those same metropolitan areas and regional cities.[12] Around Adelaide any such surge will be problematic because current PhD research is already showing that trends in peri-urban population, property ownership and land use identified in the early 1980s[13] are continuing unabated, despite the policy initiatives outlined above. One project, focusing on the Adelaide Hills, is revealing both the extensive challenges facing current horticultural producers—from urban sprawl, changing markets, environmental pressures and tourism developments—and the significant changes to land-use patterns associated with the continued growth of lifestyle and hobby farming. As if to confirm this, the Minister for Primary Industries has recently expressed concern over the role of hobby farms in the underutilisation of valuable, high rainfall agricultural land in the Adelaide Hills and Fleurieu districts.[14]

In this context, pending reviews and updates of key planning instruments that notionally guide and govern development in Adelaide's peri-urban region—the Environment and Food Production Area, the 30 Year Plan and Character Protection Districts—provide important opportunities to assess, reconsider and, if necessary, reset policy. The existence of something like the APP holds out the possibility that those exercises will be informed, directly or indirectly, by an evidence base that is not just technically rigorous but independent, abreast of national and international research, and engaged with stakeholders. In other words, we see the APP enabling a planning process that matches the community's evident enthusiasm for better management of Adelaide's peri-urban region.

How the APP concept develops remains to be seen but we believe that recent events, including drought, bushfires and a global pandemic underline the importance of this type of initiative in creating sustainable regions and communities. These same circumstances also point to a business model that, of necessity, is more distributed than normal and capable of launching without the advantage of major grants: more a community of common concern than a consortium. To this end the project is keen to form partnerships with local stakeholders, including Councils, Landscape Boards, Regional Development organisations and industry groups to develop targeted projects and products that address key regional needs. Likewise, we are interested in collaborations with local, interstate and international researchers with a view to comparative research and projects that consolidate the findings of what might otherwise remain disparate and disconnected work.

Douglas Bardsley
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University of Adelaide

26 March 2021

[11] Online media reports: https://www.stockjournal.com.au/story/7136613/one-in-five-want-to-move-to-country-survey-says/?cs=4869; https://www.abc.net.au/news/2021-01-04/house-prices-rise-1pc-regional-beats-capital-cities/13029268; https://www.abc.net.au/news/2020-12-18/regional-real-estate-sales-booming-in-south-australia/12995048; https://www.abc.net.au/news/2021-03-25/qld-development-dilemma-moreton-bay-region-brisbane/100016870.
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[13] Menzies B.J. and Bell M.J. (1981) Peri-urban development: a case study of the Adelaide Hills. Extension Research and Evaluation Unit, Research Monograph Number 2. South Australian Department of Agriculture, Adelaide.
[14] Online media reports: https://www.stockjournal.com.au/story/6935140/peri-urban-sprawl-in-ags-sights/; https://www.abc.net.au/radio/adelaide/programs/mornings/mornings/12809392 (start at 32:30)

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MATTERS FOR INFORMATION

6.2 GREATER ADELAIDE REGIONAL PLAN (GARP) DISCUSSION PAPER - ENGAGEMENT UPDATE

Author: Manager Development Services
24/22934

The State Planning Commission wrote to The Barossa Council in December 2023 to provide an engagement update, following the conclusion of the consultation period of the Greater Adelaide Regional Plan (GARP) Discussion Paper on 6 November 2023. A copy of the letter from the Chair, Mr Craig Holden, is contained in *Attachment 1*.

The State Planning Commission has also released a "What We Heard" summary of the consultation feedback received. The report is contained in *Attachment 2*. A total of 754 submissions were received during the 12 week consultation period. The summary document provides a short overview of the main themes of feedback received.

Key themes were:

- Housing availability and affordability – rising housing and rental costs, the rate and variety of affordable housing;
- Infrastructure – increasing demand for freight, better collaboration of local and state governments to cater for growth, supporting active travel;
- Housing diversity and quality – housing diversity needs to meet broader needs, housing quality is important in areas of established character and heritage;
- Greening – protecting and enhancing trees and increasing greening to achieve quality neighbourhoods;
- Open Space – well located, quality open space, catering for wide diversity of uses, equitable distribution of open space, planning of sporting and recreation.
- Climate impacts and biodiversity – development consider long-term impacts of climate change, sustainable communities, alternative energy supplies;
- Public Transport – substantial investment is required in public transport modes, increasing walking and cycling infrastructure;
- Increasing density/infill – Well planned infill should be encouraged, infill/density can grow population, concerns with general infill, better design is required;
- Greenfield/township growth– support of expansion of satellite cities, protection of high-quality primary production land, infill in townships.

Looking ahead, the draft GARP is slated for release for consultation in late 2024, providing councils with an opportunity to delve into its details, review the proposed content, share insights and contribute feedback on the proposed direction. This collaborative process will precede the endorsement and implementation phase.

ATTACHMENTS

Attachment 1 Letter from State Planning Commission - GARP Discussion Paper Update ⇩

Attachment 2 What We Heard - Greater Adelaide Regional Plan Discussion Paper ⇩

SUPPORTING REFERENCES

Greater Adelaide Regional Plan Discussion Paper

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14 December 2023

Mayor Michael Lange
The Barossa Council

By email: mayor.lange@barossa.sa.gov.au

Dear Mayor Lange

GARP Discussion Paper - Engagement Update

On behalf of the State Planning Commission (the Commission), I would like to express our gratitude to you and your council for your valuable contribution to the recent Greater Adelaide Regional Plan (GARP) Discussion Paper.

Currently, we are in the process of reviewing all submissions received during the 12-week Discussion Paper consultation period. The Commission is carefully considering all feedback as we work towards creating the draft GARP.

As part of our commitment to transparency, we will progressively make all written submissions publicly available on the PlanSA portal. It is important to note that personal information such as email addresses, phone numbers, IP addresses, and residential property addresses that are not the subject of a submission, will be redacted before submissions are published.

We will release a What We Have Heard Report on the PlanSA portal shortly, outlining the overarching themes of the feedback received. Additionally, a detailed analysis of survey responses and YourSAy map pins will be incorporated into the GARP Discussion Paper Engagement Report, which is expected to be released in early 2024.

Looking ahead, the forthcoming GARP draft will play a pivotal role in setting the direction for Greater Adelaide's growth. This comprehensive plan will outline strategic paths for jobs, housing, infrastructure, and amenities crucial for our region's development over the next three decades. The draft GARP is slated for release for consultation in late 2024, providing councils with an opportunity to delve into its details, review the proposed content, share insights, and contribute feedback on the proposed direction. This collaborative process will precede the endorsement and implementation phases, ensuring a thorough and inclusive approach to shaping the future of Greater Adelaide.

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If you would like to stay updated on the Regional Planning Program, including Greater Adelaide and all Country Plans, please register for the Planning Ahead Newsletter.

Yours sincerely



Craig Holden
Chair

Cc: Mr Martin McCarthy, Chief Executive Officer, The Barossa Council - mmccarthy@barossa.sa.gov.au

STATE PLANNING COMMISSION

What We Heard

December 2023

Greater Adelaide Regional Plan Discussion Paper

Overview

Between 14 August 2023 and 6 November 2023, communities, councils, state agencies, industries, interest groups and other key stakeholders were invited to have their say on the Greater Adelaide Regional Plan Discussion Paper (the Discussion Paper).

The Discussion Paper was prepared by the State Planning Commission (the Commission) to guide a collaborative process to prepare the Greater Adelaide Regional Plan (GARP).

As one of seven Regional Plans to be developed by the Commission, the GARP will determine how urban growth will be managed within the Greater Adelaide Planning Region over the next 30 years, by identifying where future housing and employment land will go and investigating what infrastructure is needed. The GARP will replace the current *30-Year Plan for Greater Adelaide*.

The Commission is pleased with the discussion, debate and the exchange of ideas prompted by the Discussion Paper on how the region should evolve as we approach 2050 and beyond. Much of the discussion was centred on how we can protect and enhance the highly valued features of the Greater Adelaide region: our premium food and wine, our scenic landscapes and natural environment, our cultural and built heritage, our world class beaches and overall quality of life; whilst providing for the land supply required to support projected growth.

This document provides an overview of the engagement activities undertaken and a short summary of the main themes of feedback received via the various events held and the submissions received during the consultation process.

Engagement So Far

A total of **754 individuals provided submissions** during the 12-week engagement period, via the following methods:

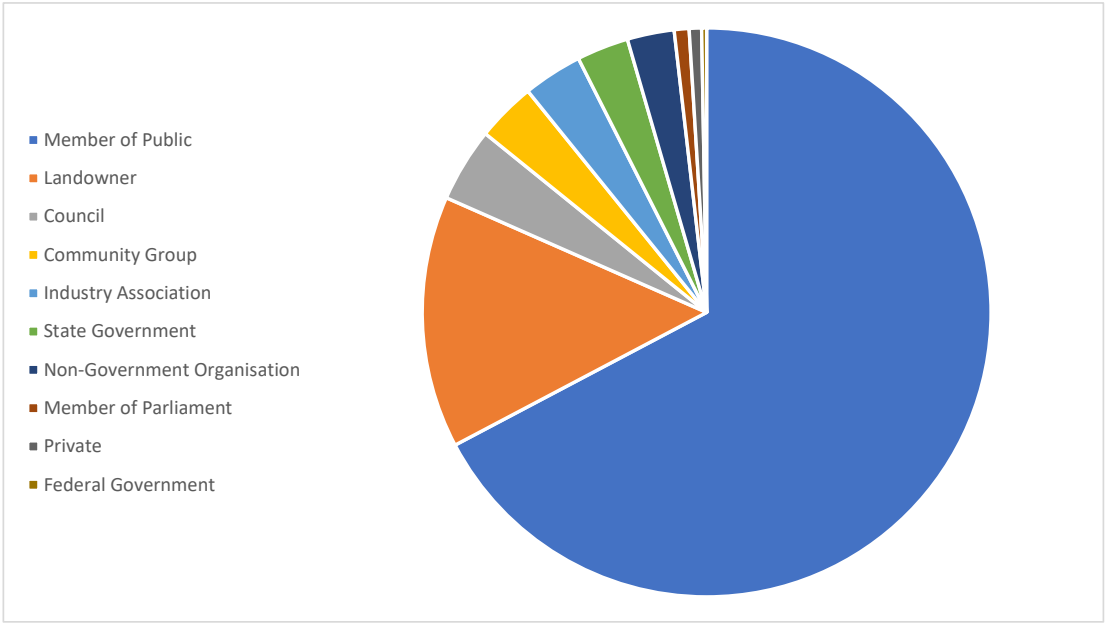
- Email submissions
- PlanSA portal submissions
- YourSAy survey
- YourSAy interactive map comments
- Hard copy/postal submissions

In addition, a significant amount of verbal and informal feedback was provided by community and key stakeholders at more than 70 engagement events, such as community information sessions, listening posts, stakeholder briefing sessions and workshops.

A series of facilitated workshops and forums were held with councils, state government agencies, youth organisations and First Nations groups across the Greater Adelaide region to discuss the relationship between the GARP and the communities they represent. Councils provided detailed written submissions in addition to these workshops.

Who We Heard From

Submissions were received from a range of stakeholders including members of the public (479), landowners (102) and councils (30). A summary of submissions received by stakeholder is shown below. A landowner is a stakeholder who has made a submission to the Discussion Paper regarding land in which they have a direct financial interest, advocating for a certain development or zoning outcome through the GARP drafting process.



What We Heard

Whilst the feedback received covered a diverse range of topics and viewpoints, common themes that were frequently referred to included:

- Housing availability and affordability
- Infrastructure
- Housing diversity and quality
- Greening

- Open Space
- Climate impacts and biodiversity
- Public transport
- Qualified support for increasing density and infill development.

Housing Availability and Affordability

More than 380 survey responses and submissions discussed issues relating to housing availability and affordability. Key feedback themes included:

- Rising housing and rental costs having an impact on living standards within the community.
- The current rate and variety of available affordable housing is falling short of meeting people's needs in Greater Adelaide.
- Corridor development isn't consistently achieving expected outcomes. Some Councils would like to see a review of these corridors to better consider the land use mix, interface issues, the process of precinct development and the provision of a broader range of transport choices.
- The importance and continuing role of the Adelaide Central Business District (CBD) in providing a range of housing options close to study and employment.

Infrastructure

Around 300 submissions referred to infrastructure. Key feedback themes included:

- Road infrastructure not meeting community needs in adequately getting to and from work, school, and other day to day destinations. Increasing demand for freight throughout the Greater Adelaide region also needs to be considered and balanced.
- Focussing growth in areas that are already well serviced by or can easily connect to existing infrastructure is generally accepted. Greenfield development or development on the fringe can incur substantial investment costs in infrastructure development.
- There is an opportunity for State Government and Councils (particularly in growth areas on the urban fringe) to better work together on a whole-of-Government approach to planning, physical and social infrastructure, local employment, and funding to support residential growth.
- Continuing to improve infrastructure that encourages active travel (walking and cycling) was valued by many respondents.

Housing Diversity and Quality

More than 300 submissions referred to housing diversity and quality. Key feedback themes included:

- Housing diversity needs to meet a broader range of needs (such as various demographics, abilities and cultures). There is demand for housing types and design that responds to a changing climate, changing working practices (e.g., working from home) and changing cultural needs (e.g. multigenerational living).
- High quality housing and neighbourhood design was a theme raised regularly by respondents, keen to see that new as well as established neighbourhoods have high quality design in housing and the public realm.
- Ancillary dwellings (including additional houses to accommodate workers on productive land, and granny flats) can play a big role in promoting diversity in housing options. Some feedback indicated that policies of the Planning and Design Code could be amended to be more responsive to these needs.
- Housing quality is particularly important to respondents in areas with established character and heritage value.

Greening

Greening was considered of particular importance to many respondents, with more than 300 submissions relating to this topic. Key feedback themes included:

- Tree canopy is a defining feature of Adelaide and is highly valued. Tree canopy should be increased to improve amenity, contribute to wellbeing and to mitigate the heat island effect.
- Legislation on tree removal should be strengthened; making it more difficult for significant, regulated and mature trees to be removed was regularly stated.
- Protecting and enhancing trees and increasing greening is critical to achieving quality neighbourhoods, a net zero emissions target and design quality.

Open Space

Open space was a common theme with nearly 300 comments on this topic. Members of the public in particular mentioned this more frequently than other stakeholders. Key feedback themes included:

- Well-located, quality open space is a key part of the living locally concept, and to meet community needs and expectations. There was a desire to see more open space and facilities with shade to increase their use year-round.

- Open space is used for a wide diversity of uses – active and passive recreation, sport, relaxation and exploration. It also plays an important role in contributing to amenity. 'Pocket' parks, or smaller green spaces within neighbourhoods, are often overlooked but are highly valued by the community, particularly in areas where higher-density development is taking place.
- Open space is not considered to be evenly distributed across all areas of Greater Adelaide, with the size, amount and quality of open spaces varying significantly through different areas within the region.
- Sporting and recreation facilities need to be specifically planned for to ensure they are well-located to neighbourhoods.

Climate Impacts and Biodiversity

Nearly 300 comments relating to climate impacts and biodiversity were received. Key themes of feedback included:

- The location of future development needs to consider the long-term impacts of climate change, particularly sea level rise, coastal erosion and bushfire risk.
- Council submissions demonstrated strong leadership in the areas of planning for and actively responding to environmental issues including improving sustainability, reducing greenhouse emissions, reducing energy consumption and travel distances, maximising water use (including harvesting and re-use opportunities) and building cool, green suburbs (more sustainable building design).
- Improving supply and use of alternative energy sources was regularly stated – including solar and infrastructure to support Electric Vehicles.
- An interest in increasing engagement with Aboriginal communities so that we can learn more about sustainable land management and improve the way we manage hazards like bushfire.
- Mixed views were received on proximity of development to food production areas (in both the south and north of Greater Adelaide). Some respondents suggested that Environmental and Food Production Areas and Character Preservation Areas are restricting growth and need to be reviewed, while others said they should be maintained or expanded.

Public Transport

Hundreds of comments about public transport were received, with respondents responding both generally and specifically about the kinds of public transport services that should be available in Greater Adelaide. Key feedback themes included:

- Suggestions that substantial investment in public transport infrastructure is required to reduce car dependency across Greater Adelaide region. Many modes of public transport were specifically mentioned, including extending existing tramways, and adding new lines, electrification and extension of train lines, and the expansion of bus rapid transit services.

- Increased investment in public transport and cycling and walking infrastructure is considered by many to help enhance 'living locally' and reduce emissions, resulting in better environmental outcomes.

Support for Increasing Density and Infill Development

Infill development and increasing density was a key feedback area with over 200 respondents providing comments indicating their support for this kind of development. Key feedback themes included:

- Well-planned infill development is regarded by many respondents (Councils, organisations, and the community) as being able to deliver on living locally, responding to environmental challenges, and providing housing diversity.
- Many suggested infill and increasing density was the obvious way to accommodate a growing population and that this provides advantages in terms of proximity to employment, services, and existing infrastructure.
- A range of challenges were identified that are stemming from general infill development. These include on-street parking, road network congestion, loss of tree canopy, increased heat island effect, increased stormwater runoff, loss of streetscape and neighbourhood character and lack of public open space. Many submissions advocated for the mitigation of these impacts through improved design, policy, and enforcement.

Greenfield/township growth investigation areas

A large volume of submissions received were in relation to the greenfield and township growth areas identified in the Discussion Paper, which covered both general viewpoints on greenfield growth and specific suggestions of land parcels that could be included in the detailed investigations. Key feedback themes included:

- Many submissions suggested further investigation of specific areas for future development. Kudla, Roseworthy, Hillier, and Murray Bridge were frequently mentioned.
- Opportunities identified in the Discussion Paper to explore the expansion of satellite cities were generally supported by respondents, however, in many cases these comments were qualified with the need for them to be developed along with improved public transport, actively maintaining biodiversity, and ensuring impacts to primary production land are reduced.
- Protection of areas of high-quality primary production land in the north, Adelaide Hills, and Southern Vales continue to prevail as issues of ongoing importance for community and Councils.
- Submitters would like to see more employment opportunities provided in Murray Bridge and Victor Harbor to reduce the need to travel for work.
- Additionally, planning policy needs to ensure that infill development can be supported in townships/ satellite cities, not just additional fringe development.

Next steps



All written submissions are being progressively released as they are reviewed. A detailed analysis of survey responses and YourSAy map pins will be incorporated within the GARP Discussion Paper Engagement Report, anticipated for release in early 2024.

The draft Greater Adelaide Regional Plan is anticipated to be released for public consultation in late 2024. This will provide community members and stakeholders with an opportunity to review and provide feedback on the directions of the draft plan before final amendments are made ahead of the Plan's formal endorsement and adoption.

Contact

Enquiries relating to the Greater Adelaide Plan can be directed to:

Contact: Plan SA

Telephone: 1800 752 664

Email: plansa@sa.gov.au

Visit: plan.sa.gov.au/regional-planning-program

MATTERS FOR INFORMATION

6.3 LOCAL GOVERNMENT ASSOCIAITON OF SOUTH AUSTRALIAN ORDINARY GENERAL MEETING

Author: Chief Executive Officer
24/23170

The Local Government Association of South Australia will hold its Ordinary General Meeting on 24 May 2024.

Items for the agenda closed on 9 February 2024, if any members wish to put a matter forward for any Local Government Association agenda, please contact the Mayor or myself and we will provide assistance on the process. Agenda motions proposed must be endorsed through SAROC (SA Regional Organisation of Councils) and this process takes many months.

Any items proposed now would not proceed until the Annual General Meeting normally held in late October or early November if they are supported by SAROC.

The Mayor is Councils nominee and will be present at the event. The agenda when released will be provided to Council with commentary on any matters of business on the agenda.

ATTACHMENTS

Nil

SUPPORTING REFERENCES

Items of business due for the 2024 Ordinary General Meeting | LGA South Australia

MATTERS FOR INFORMATION

6.4 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NATIONAL GENERAL ASSEMBLEY 2024

Author: Chief Executive Officer
24/23173

The Australian Local Government Association will hold its 29th National General Assembly in Canberra from 2 – 4 July 2024.

The Mayor is our nominee and is authorised to attend under the Training and Development policy settings of Council. Normally the Mayor attends every second year, and has not attended for the past few years, and is considering his attendance at this year's event.

The theme for this year is Building Community Trust. The Council can submit motions to ALGA on this theme and addressing the discussion paper, a link is provided below. Items for the agenda close on 30 April 2024, if any members wish to put a matter forward please contact the Mayor or myself and we will provide assistance on the process. Motions accepted for debate and passed at ALGA are not binding on ALGA.

ATTACHMENTS

Nil

SUPPORTING REFERENCES

NGA24 (eventsair.com)

b10057b7e1d549108a9e69e321f582d5 (msecnd.net)

DEBATE REPORT

7.1 Office of the Mayor and CEO

7.1.1 REVIEW OF CENTRAL LOCAL GOVERNMENT REGION OF COUNCILS (KNOWN AS LEGATUS) GOVERNANCE STRUCTURE, CHARTER AND STRATEGIC REVIEW AND RESULTING STRATEGIC FRAMEWORK

Author: Chief Executive Officer
23/125585

PURPOSE

To review the findings of Central Local Government Region of Councils (known as Legatus) recent review into their governance, Charter, strategic planning, and the resulting strategic framework.

RECOMMENDATION

That Council having assessed the review findings, report and revised Charter:

(1) Approve the recommendations contained in the 'Table – Recommendations and Analysis – Analysis and Comments'.

(2) Approve the recommendation that Clause 7.8.2 of the Charter be altered to require either a unanimous decision of constituent Councils to amend the Charter or at least a two thirds majority.

(3) Authorise the Chief Executive Officer to provide a response to the Board of management of Legatus as contained in this resolution.

REPORT

Background and Introduction
Legatus is a regional local government representative body of 15 Councils of which Council are a member.

The original core role of these associations was policy and advocacy bodies related to regional issues and opportunities.

Legatos has expanded over the past decade to include various roles associated with non-core activities including projects of interest to some Councils, networking and skill sharing.

The Legatus model has now been reviewed independently and the relevant reports and outcomes are provided at Attachments 1 - 4.

The primary benefits for The Barossa Council are:

1. It is accepted practice that each region manages a strategic road network plan that informs access to funding through the Special Local Road Program. Council has been very successful in accessing funds over the decades through this program for strategic road infrastructure namely freight route infrastructure.

2. Advocacy and policy development on specific matters where there is a regional benefit.

The review has been triggered by normal review requirements of its charter, realignment of its strategic purpose and financial position.

Discussion
Generally, the review addressed various issues raised with the consultant that are present with the strategic and financial model of Legatus.

In summary, and quoted from the review findings, the key matters which at officer level are supported are:

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

There are twenty-two recommendations that support these findings and how they be embedded in the subsidiary Charter. And these are analysed in the following table.

Further, the review outlines a new strategic plan framework that is significantly improved and will develop overtime. This too is assessed as a good way forward for the group.

Importantly the findings also identify that the identity of the group needs to be changed to align with its true purpose. It is suggested the Northern and Yorke Local Government Association. I have not turned my mind to the name, nor do I intend to, that is a matter for the Board and its members, but rather the strategic intent is supported.

Table - Recommendations and Analysis

	Recommendations of Review	**Analysis and Comments**
1	Maintain the current membership structure of Legatus.	Agree in principle, however the member should be Council and the representative the Elected Member endorsed by the constituent Council. It is for the principal body to determine its representation not the subsidiary body.
2	Seek Constituent Council endorsement of the amended Charter.	Agree.
3	Adopt a succinct and focussed Strategic Planning Framework that	Agree.

	consolidates advocacy as a key focus area.	
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.	Agree.
5	Adopt the trading name Northern and Yorke Local Government Association in the amended Charter.	Agree in principle – naming to be determined by further Board discussion.
6	Maintain the current 'flag' logo and branding elements.	Agree
7	Adopt the nine amended objects and purpose outlined in the draft Charter.	Agree.
8	Maintain the position in the Charter that the Board shall consist of all the principal members of the Constituent Councils.	Disagree, see comments to recommendation 1 above.
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 member is not present or taking part in a meeting.	Agree.
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	Disagree, this is inflexible and does not take account of the principal constituent Council needs should illness or other matters arise impacting the nominated delegate.
11	Adopt position descriptions for the Chair and Deputy Chairs to outline the requirements and responsibilities for the roles.	Agree.
12	Adopt the amendments to the Charter that refer to the Chair as the President and the Deputy Chairs as Deputy Presidents.	Agree.
13	Adopt the amendments to Part 4 of the Charter and consequential amendments to: 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.	Agree.

14	Adopt the amendments to Part 6 of the Charter and consequential amendments to: 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; a. Require the rolling four-year Business Plan to identify objectives, principal activities and performance measures for period; b. 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; c. Maintain an annual review of the Business Plan and adoption of an Annual Budget; d. Require consultation with Constituent Councils prior to adoption or amendment of a Business Plan; and e. 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.	Agree Recommend additional clause that a business plan and budget cannot be adopted so as to place the Long Term Financial position of the organisation in an unsustainable position as measured by financial indicators set by the Board with concurrence of the constituent Councils.
15	Maintain the requirement to establish an Audit Committee under the Act and in accordance with the Charter.	Agree.
16	Update the Charter to refer to the Audit and Risk Committee.	Agree.
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.	Agree.
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.	Agree.
19	Adopt the amendments to Charter to remove Clause 7.11 which requires the establishment of the Regional Management Group.	Agree.

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.	Agree.
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.	Disagree the business of the organisation can be efficiently conducted with the proposed structure and other legislative mechanisms if urgent matters arise.
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 Council will not receive a material benefit from the activity.	Agree on condition there is a policy position developed around this model as to determine Council wishes to be part or not part of specific initiatives and that decision determines the need where Council elect out of "non" core initiatives to implement the levy only upon those who agree to be part of these initiatives.

In regard to the proposed changes to the Charter, not covered in the table above or tracked in the Charter document, the following recommendation is made related to terms of the management of charter alterations:

7.8.2 – Charter alterations are recommended to be unanimous or at least a two thirds majority to ensure there is strong basis for alteration.

Summary and Conclusion

The review of the organisation has been undertaken and from the recommendations made by the consultant the majority are supported. The information is now tabled for Council consideration and endorsement.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Legatus Strategic Review Report
Attachment 2 Legatus Marked Up Amended Charter
Attachment 3 Legatus Strategic Framework Proposal
Attachment 4 Minutes of Special Meeting of 15 December 2023

Supporting references

Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS7 Governance - Provision of governance advice and support in the discharge of legislative responsibilities for policy development, delegations and authorisations, internal review of Council decisions, delegations and authorisations, Native Title claims

Legislative Requirements
Section 43 of the Local Government Act

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

At this time, it is not known what financial impact the direction will take; however it will clearly address the looming cash and operating stresses on the organisation by significantly reducing its scope and returning its role back to the original intent of a regional association of local government.

Councils' current membership cost is $12,755 for the 2023-2024 financial year.

COMMUNITY ENGAGEMENT

The consultant has undertaken consultation with member Councils, as a local government entity solely servicing its constituent Councils no community engagement is recommended or required by policy.



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 than *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% 4	12.50% 2	18.75% 3	37.50% 6	6.25% 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

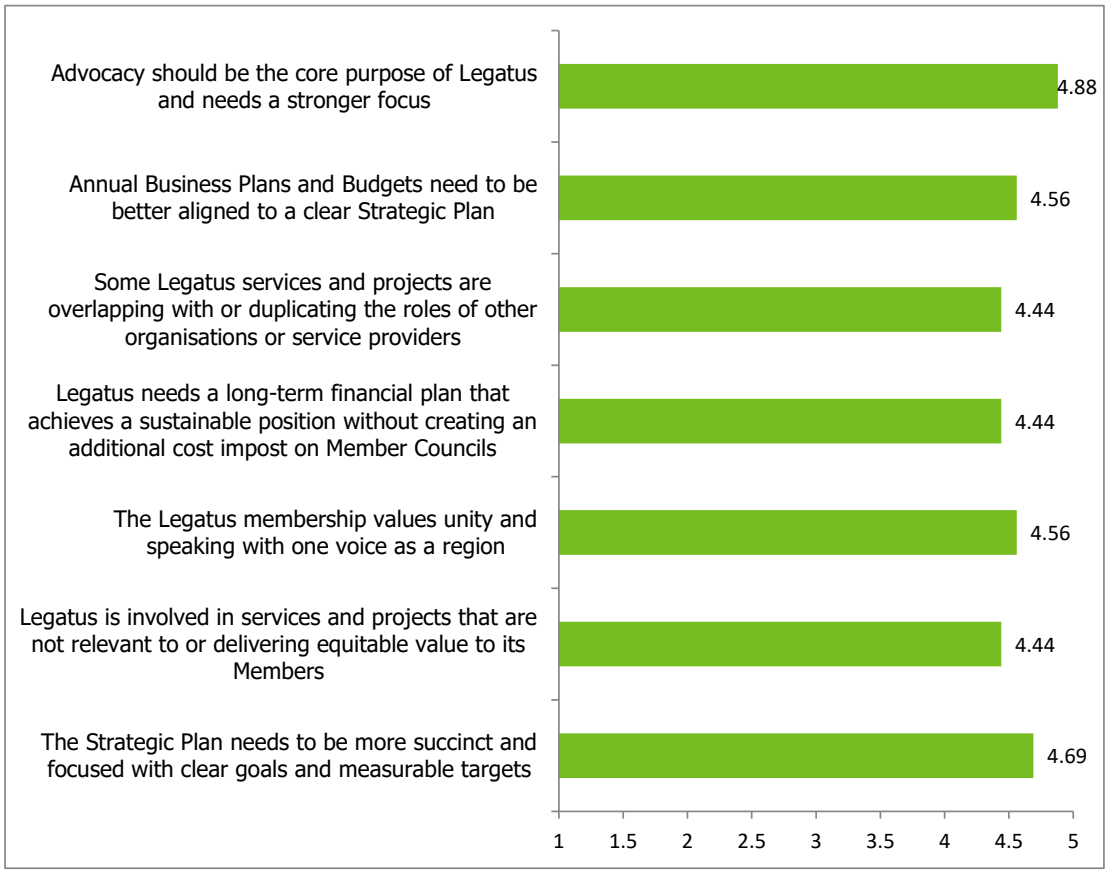
To seek directions from Legatus members about the key directions for the review, the survey asked participants to state the extent to which they agree or disagree with sentiments that had arisen from previous members consultation using the following rating scale:

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)



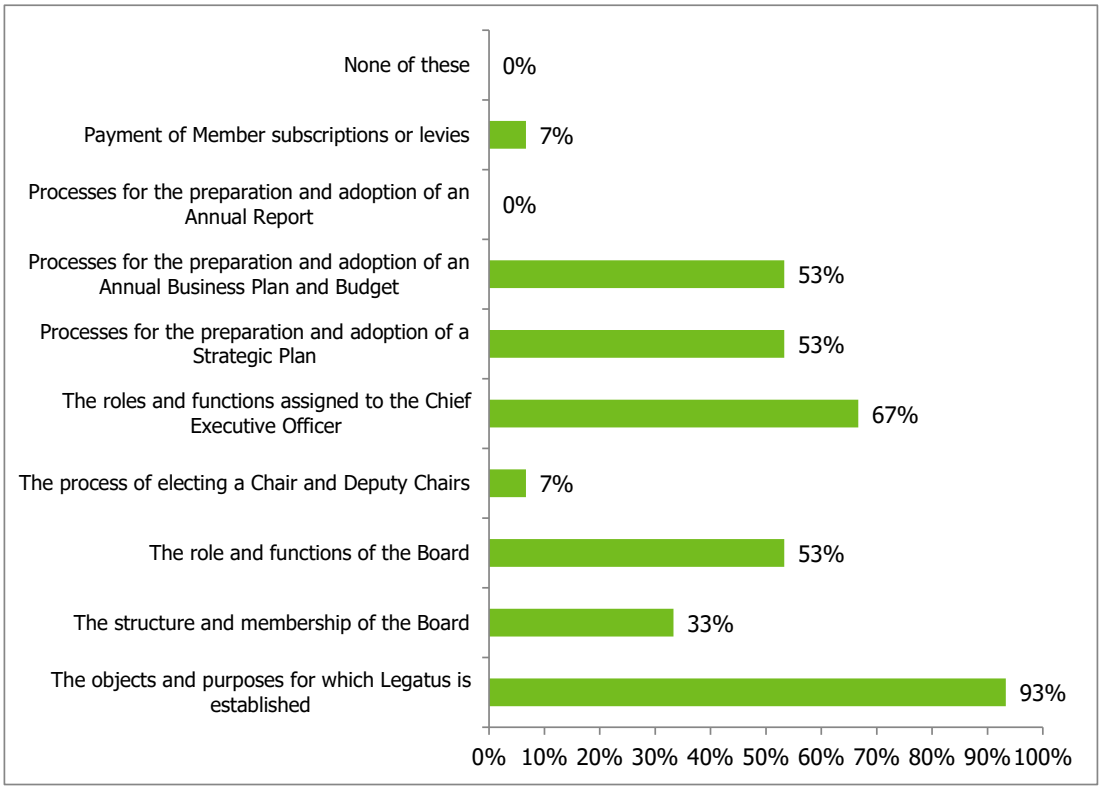
Throughout the consultation it was consistently noted that there is too much on the agenda and Legatus needs to bring things 'back to basics'. It was also recognised that the Board needs to provide more direction on purpose and priorities and apply a stronger filter when making decisions about whether 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.

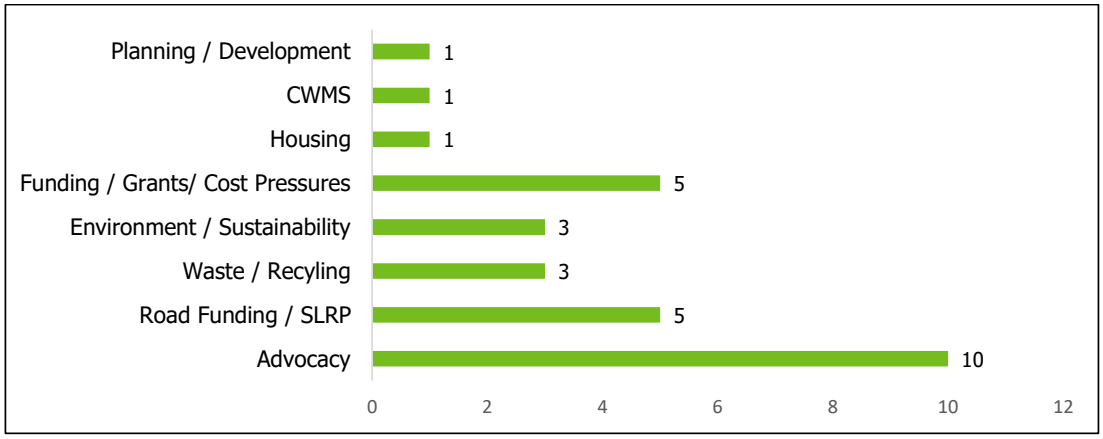
Figure Three: Areas of focus for the Charter Review (% of respondents)



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.

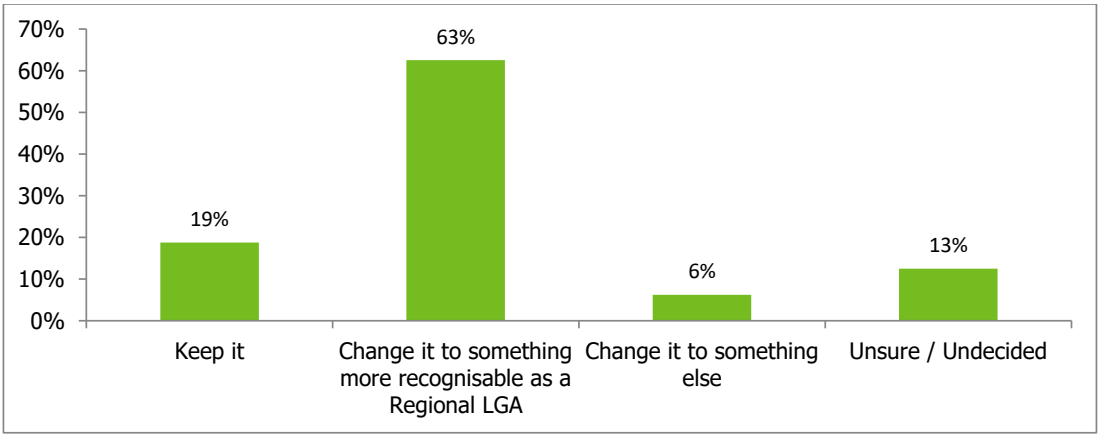
2.1.5 Legatus Name and Branding

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
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. 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. 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.	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
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. The Northern and York Local Government Association (NYLGA) is considered to be a suitable alternative. 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.	5. Adopt the trading name *Northern and Yorke Local Government Association* in the amended Charter. 6. Maintain the current 'flag' logo and branding elements.

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
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.	7. Adopt the nine amended objects and purpose outlined in the draft Charter (Clause 1.6)

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**
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. 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	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). 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). 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).

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. 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. 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. 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)	

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**
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. 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	11. Adopt position descriptions for the Chair and Deputy Chairs to outline the requirements and responsibilities for the roles. 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)

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**
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. 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. 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	13. Adopt the amendments to Part 4 of the Charter and consequential amendments to: 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.

under terms and conditions agreed between the Board and the appointee. 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. 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.	

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
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. 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. 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	14. Adopt the amendments to Part 6 of the Charter and consequential amendments to: 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;



that is contributing to operational inefficiencies and strategic misalignment. 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. The advantage of this approach is that is 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. 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). There are no changes proposed to the requirements to adopt and annual budget or prepare an annual report. 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.	e. Require consultation with Constituent Councils prior to adoption or amendment of a Business Plan; and 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.

4.8 Audit and Risk Committee



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**
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. 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. 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. Before an exemption from the requirement to establish an Audit Committee can be sought from the Minster, 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.	15. Maintain the requirement to establish an Audit Committee under the Act and in accordance with the Charter (Clause 6.4) 16. Update the Charter to refer to the Audit *and Risk* Committee.

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**

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.

Advisory Committees

The Legatus Board currently has three advisory committees appointed under its Charter:

- Road and Transport Infrastructure Advisory Group
- Waste Management Advisory Group
- CWMS Advisory Committee

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.

Regional Management Group

The Charter also specifically established a Regional Management Group comprised of the Legatus CEO and CEOs of Constituent Councils.

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

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.

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.

19. Adopt the amendments to Charter to remove Clause 7.11 which requires the establishment of the Regional Management Group.

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)

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.

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

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. 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.	Council will not receive a material benefit from the activity.

4.11 Withdrawal of a Member

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.	
Review Outcomes	**Recommendations**
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. 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	23. Adopt the amendments to Clause 7.4 of the Charter to: 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

to take effect from the 30 June following the expiry of the six month notice period. 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. 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.	payment of any or all financial contributions during the withdrawal period and is not entitled a refund on any monies paid.

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

	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.

					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.

	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

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

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;	

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;	

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;	

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;	

				To maximize the benefits of collaborative procurement through developing and implementing procurement policies and procedures;	
				To improve financial sustainability of the Constituent Councils by improvement of operational efficiency in procurement and process management	

APPENDIX TWO – DRAFT CHARTER (ATTACHED SEPARATELY)

APPENDIX THREE – STRATEGIC PLAN FRAMEWORK (ATTACHED SEPARATELY)

CENTRAL LOCAL GOVERNMENT REGION OF SOUTH AUSTRALIA

(REFERRED TO AS NORTHERN AND YORKE LOCAL GOVERNMENT ASSOCIATION~~LEGATUS GROUP~~)

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~~Legatus Group~~' 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~~Legatus Group~~ held in accordance with Clause 3.7;

'**the Board**' means the Board of Management of the NYLGA~~Legatus Group~~ set out at Clause 3;

'**Board Member**' means a member of the Board;

'**Budget**' means the annual budget adopted by the NYLGA~~Legatus Group~~ pursuant to Clause 5.1;

'**~~Annual~~ Business Plan**' means the business plan adopted by the NYLGA~~Legatus Group~~ pursuant to Clause ~~6.2~~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; ~~as the Chief Executive Officer of the Legatus Group~~;

'**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;

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'**NYLGA'** means the Northern and Yorke Local Government Association

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'~~**Long Term Financial Plan**' means the long term financial plan prepared by the Legatus Group and approved by the Constituent Councils pursuant to Clause 5.3;~~

'**Principal Member'** means the Mayor / Chair of the Constituent Councils. ~~and notes that if the Principal Member is on leave from the Constituent Councils, then the Deputy Mayor / Chair becomes the Principal Member.~~

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

~~'**Regional Management Group**' means the group established pursuant to Clause 7.11;~~

~~'**Strategic Plan**' means the strategic plan adopted by the Legatus Group pursuant to Clause 6.1.~~

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~~Legatus Group~~ is established under the Act.

The Constituent Councils are:

1.4.1 The Barossa Council;

1.4.2 ~~District Council of~~ 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;

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~~Legatus Group~~ 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~~Legatus Group~~ is Established**

The NYLGA~~Legatus Group~~ is established to:~~:~~

1.6.1 undertake ~~co-ordinating,~~ advocacy, ~~and~~ 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;

~~1.6.1~~1.6.5liaise, 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;

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~~1.6.2 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;~~

~~1.6.3 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;~~

1.6.6 develop and facilitate further co-operation and collaboration between the Constituent Councils for their benefit and the benefit of the ~~communities of the~~ Region;

~~1.6.4~~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;

~~1.6.5 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;~~

~~1.6.6~~1.6.8 undertake projects and activities that benefit Constituent Councils and the Region ~~the Region and its communities~~; and

~~1.6.7 associate, collaborate and work in conjunction with other regional local government bodies for the advancement of matters of common interest;~~

~~1.6.8 provide strong advocacy speaking with one voice on what matters most to the communities of the Constituent Councils;~~

~~1.6.9 work together to make the best use of available resources~~

~~1.6.10 collaborate to deliver effective services;~~

~~1.6.11~~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 ~~contribute to stronger and more sustainable communities;~~

~~1.6.12 develop and implement a robust Business Plan consistent with the Region Plan.~~

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2. **POWERS AND FUNCTIONS OF THE NYLGA ~~LEGATUS GROUP~~**

The powers, functions and duties of the NYLGA ~~Legatus Group~~ are to be exercised in the performance of the NYLGA ~~Legatus Group~~'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 ~~Legatus Group~~ 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~~Legatus Group~~;

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~~Legatus Group~~, 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~~Legatus Group~~;

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~~Legatus Group~~;

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;

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~~Legatus Group~~ in any investment provided that:

2.1.16.1 in exercising this power of investment, the NYLGA~~Legatus Group~~ 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~~Legatus Group~~ 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~~Legatus Group~~.

2.2 **Duties**

The NYLGA~~Legatus Group~~ has the following duties:

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2.2.1 to exercise the functions and powers of the NYLGA~~Legatus Group~~ only in the performance and furtherance of the NYLGA~~Legatus Group~~'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~~Legatus Group~~ may exercise such other functions, powers and duties as are delegated to the NYLGA~~Legatus Group~~ or authorised by the Constituent Councils from time to time.

2.4 **Borrowings and Expenditure**

2.4.1 The NYLGA~~Legatus Group~~ has the power to incur expenditure as follows:

2.4.1.1 in accordance with a budget adopted by the ~~Legatus Group~~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 ~~Legatus Group~~NYLGA for a purpose of genuine emergency or hardship.

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

2.4.2.1 in accordance with a budget adopted by the ~~Legatus Group~~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 ~~Legatus Group~~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 ~~Legatus Group~~NYLGA without the prior approval of the Constituent Councils and the approval of the ~~Legatus Group~~NYLGA by resolution of the Board.

2.6 **Delegation by the ~~Legatus Group~~NYLGA**

2.6.1 The ~~Legatus Group~~NYLGA may in accordance with this Charter and the Act by resolution delegate to a committee of the ~~Legatus Group~~NYLGA, an employee of the ~~Legatus Group~~NYLGA, a Constituent Council or to a person for the time being occupying a particular office or position of the ~~Legatus Group~~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 ~~Legatus Group~~NYLGA;

2.6.1.3 the power to approve expenditure of money on the works, services or operations of the ~~Legatus Group~~NYLGA not contained in a Budget adopted by the ~~Legatus Group~~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~~, Strategic Plan or Long Term Financial Plan~~ of the ~~Legatus Group~~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 ~~Legatus Group~~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 ~~Legatus Group~~NYLGA is a body corporate and is governed by the Act and this Charter.

3.1.2 The Board is the ~~Legatus Group~~NYLGA's governing body and has the responsibility for the administration of the affairs of the ~~Legatus Group~~NYLGA ensuring that the ~~Legatus Group~~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~~, and for the Annual General Meeting if the Principal Member of the Constituent Council is unable to attend then the membership can include their Councils nominated proxy.~~

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.

~~3.2.1~~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.

~~3.2.2 Each Board Member shall be entitled to exercise one vote on any matter arising and if the regular principal member of the board is on leave, then the Constituent Council must advise the Legatus Group on who their principal member is on the day of any given meeting.~~

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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~~strategic~~ plans and strategies aimed at achieving the objects and purposes of the ~~Legatus Group~~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 ~~Legatus Group~~NYLGA;

3.3.1.4 monitoring, overseeing and evaluating the performance of the Chief Executive Officer of the ~~Legatus Group~~NYLGA;

3.3.1.5 ensuring that ethical behaviour and integrity is established and maintained by the ~~Legatus Group~~NYLGA, the Board and Board Members in all activities undertaken by the ~~Legatus Group~~NYLGA;

3.3.1.6 ensuring that the activities of the ~~Legatus Group~~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.

~~3.5.1~~3.5.2 A proxy Board Member is not eligible to be elected to the office of Chair or Deputy Chair.

~~3.5.2~~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.

~~3.5.3~~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.

~~3.5.4~~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.

~~3.5.5~~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 ~~Legatus Group~~NYLGA Board.

3.6.2 An ordinary meeting of the Board will constitute an ordinary meeting of the ~~Legatus Group~~NYLGA. The Board shall administer the business of the ~~Legatus Group~~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 ~~Legatus Group~~NYLGA as if the ~~Legatus Group~~NYLGA were a council and the Board Members were members of the council.

~~3.6.4~~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

~~3.6.5~~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.

~~3.6.6~~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 ~~Legatus~~

~~Group~~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.

~~3.6.7~~3.6.8 Notice of a meeting of the Board must:

~~3.6.7.1~~3.6.8.1 be in writing; and

~~3.6.7.2~~3.6.8.2 set out the date, time and place of the meeting; and

~~3.6.7.3~~3.6.8.3 be signed by the Chief Executive Officer; and

~~3.6.7.4~~3.6.8.4 contain, or be accompanied by, the agenda for the meeting.

~~3.6.8~~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.

~~3.6.9~~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.

~~3.6.10~~3.6.11 The Chief Executive Officer must, insofar as is reasonably practicable:

~~3.6.10.1~~3.6.11.1 ensure that items on an agenda given to Board Members are described with reasonable particularity and accuracy; and

~~3.6.10.2~~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).

~~3.6.11~~3.6.12 Notice of a meeting of the Board may be given to a Board Member:

~~3.6.11.1~~3.6.12.1 personally; or

~~3.6.11.2~~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

~~3.6.11.3~~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

~~3.6.11.4~~3.6.12.4 by a means authorised in writing by the Board Member as being an available means of giving notice.

~~3.6.12~~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.

~~3.6.13~~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 ~~Legatus Group~~NYLGA.

~~3.6.14~~3.6.15 Subject to Clause 3.6.17~~3.6.16~~, 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:

~~3.6.14.1~~3.6.15.1 on the ~~Legatus Group~~NYLGA website as soon as practicable after the time when the document or report is supplied to Board Members; or

~~3.6.14.2~~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.

~~3.6.15~~3.6.16 The Chief Executive Officer may indicate on a document or report provided to Board Members under Clause 3.6.15.2~~3.6.14.2~~ 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.

~~3.6.16~~3.6.17 Clause 3.6.15~~3.6.14~~ does not apply to a document or report:

~~3.6.16.1~~3.6.17.1 that is subject to the operation of Clause 3.6.16~~3.6.15~~; or

~~3.6.16.2~~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.

~~3.6.17~~3.6.18 The Chief Executive Officer must maintain a record of all notices of Board meetings given under Clause 3.~~1~~6.11 to Board Members.

Quorum

~~3.6.18~~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

~~3.6.19~~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

~~3.6.20~~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~~3.6.15~~ 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

~~3.6.21~~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.

~~3.6.22~~3.6.23 Subject to Clause 3.6.25~~3.6.24~~ 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 ~~Legatus Group~~NYLGA within five (5) days after the meeting and kept on public display for a period of one (1) month.

~~3.6.23~~3.6.24 Subject to Clause 3.6.25~~3.6.24~~, a person is entitled, on payment of a fee fixed by the Board, to obtain a copy of any documents placed on public display.

~~3.6.24~~3.6.25 Clauses 3.6.23~~3.6.22~~ and 3.6.24~~3.6.23~~ 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.

~~3.6.25~~3.6.26 Subject to this Charter ~~and to any direction of the Constituent Councils~~ 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 ~~Legatus Group~~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;

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 ~~Legatus Group~~NYLGA to manage the affairs of the ~~Legatus Group~~NYLGA on such terms and conditions as may be determined by~~greed between the Chief Executive Officer and~~ the Board and agreed by the Chief Executive Officer.~~.~~

~~4.1~~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.

~~4.2 The Chief Executive Officer is responsible to the Legatus Group for the implementation of the decisions of the Legatus Group and will work collaboratively with the Regional Management Group.~~

4.3 The terms and conditions of the appointment~~engagement~~ and remuneration of the Chief Executive Officer shall be reviewed annually according to any ~~employment~~ agreement that may be in place with the Chief Executive Officer.

~~4.4 The Chief Executive Officer shall cause records to be kept of all activities and financial affairs of the Legatus Group in accordance with this Charter.~~

~~4.5~~4.4 The Board shall delegate responsibility for the day to day management of the ~~Legatus Group~~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 ~~Legatus Group~~NYLGA.

~~4.6~~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:

~~4.6.1~~4.5.1 attending at all meetings of the Board unless excluded by resolution of the Board;

~~4.6.2~~4.5.2 ensuring that the decisions of the Board are implemented in a timely and efficient manner;

~~4.6.3~~4.5.3 providing information to assist the Board to assess the ~~Legatus Group~~NYLGA's performance against its ~~Strategic and~~ Business Plans;

~~4.6.4~~4.5.4 appointing, managing, suspending and dismissing employees of the ~~Legatus Group~~NYLGA;

~~4.6.5~~4.5.5 determining the conditions of employment of employees of the ~~Legatus Group~~NYLGA, within budgetary constraints set by the Board;

~~4.6.6~~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;

~~4.6.7~~4.5.7 ensuring that the ~~Legatus Group~~NYLGA is at all times complying with Schedule 2 of the Local Government Act 1999;

~~4.6.8~~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 ~~Legatus Group~~NYLGA;

~~4.6.9~~4.5.9 ensuring that the assets and resources of the ~~Legatus Group~~NYLGA are properly managed and maintained;

~~4.6.10~~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;

~~4.6.11~~4.5.11 ensuring that the ~~Legatus Group~~NYLGA's annual report is distributed to the Constituent Councils in time to be incorporated in their annual reports;

~~4.6.12~~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

~~4.6.13~~4.5.13 achieving financial outcomes in accordance with adopted plans and budgets of the ~~Legatus Group~~NYLGA.

~~4.7~~4.6 The Chief Executive Officer may delegate or sub-delegate to:

~~4.7.1~~4.6.1 a committee;

~~4.7.2~~4.6.2 an employee of the ~~Legatus Group~~NYLGA;

~~4.7.3~~4.6.3 an employee of a Constituent Council; or

~~4.7.4~~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.

4.84.7 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 ~~Annual~~ 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 ~~Annual~~ Business Plan and the Budget in writing to the Chief Executive Officer at least ten (10) business days before the meeting at which the Bbudget is to be adopted or through its Board Member at that meeting.

5.1.3 The ~~Legatus Group~~NYLGA must adopt the ~~Annual~~ Business Plan and Budget after 31 May and before 30 June for the ensuing Financial Year.

5.1.4 The ~~Legatus Group~~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 ~~Legatus Group~~NYLGA

5.1.5 Reports summarising the financial position and performance of the ~~Legatus Group~~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 ~~Legatus Group~~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 ~~Legatus Group~~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 ~~Legatus Group~~NYLGA must ensure that the Financial Statements of the ~~Legatus Group~~NYLGA for each Financial Year are audited by the ~~Legatus Group~~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~~.3.

5.3 **Financial Management**

5.3.1 The ~~Legatus Group~~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 ~~Legatus Group~~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 ~~Legatus Group~~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 ~~Legatus Group~~NYLGA.

5.4 **Levies**

5.4.1 The ~~Legatus Group~~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 ~~Legatus Group~~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.

~~5.4.7~~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~~Strategic~~ Plan

6.1.1 The ~~Legatus Group~~NYLGA shall have a rolling Business Plan with respect to the forthcoming four years~~prepare and implement a 4 year Strategic Management Plan and a 2 year Action Plan~~.

6.1.2 The Business~~Strategic Management~~ Plan must~~will~~:

(a) identify the ~~Legatus Group~~NYLGA objectives over the period;

(b) identify the principal activities that the ~~Legatus Group~~NYLGA intends to undertake to achieve its objectives;

(c) state the measures that are to be used to monitor and access the performance of the ~~Legatus Group~~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;~~identify the broad means by which its activities are to be carried out;~~

(e) address issues associated with arranging its affairs; and

(f) make provision for the review of the ~~Legatus Group~~NYLGA C~~c~~harter ~~and activities~~ at least once in every 4~~2~~ years.

6.1.3 The NYLGA shall consult with the Constituent Councils prior to adopting or amending the Business Plan.~~Submit the Strategic Plan to the Constituent Councils for their approval.~~

~~6.1.3~~

6.1.4 The ~~Le~~NYLGA shall ensure contents of the Business Plan is in accordance with the Act.~~gatus Group may amend its Strategic Management Plan at any Board meeting for consideration by the Constituent Councils but must review the Strategic Management Plan at least once during its term.~~

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~~6.2 Annual Business Plan~~

~~The Legatus Group shall:~~

~~6.2.1 prepare an Annual Business Plan linking the core activities of the Legatus Group to strategic, operational and organisational requirements with supporting financial projections setting out the estimates of revenue and expenditure as necessary for the period;~~

~~6.2.2 consult with the Constituent Councils prior to adopting or amending the Annual Business Plan; and~~

~~6.2.3 ensure contents of the Business Plan is in accordance with the Act.~~

~~6.3~~6.2 **Annual Report**

~~6.3.1~~6.2.1 The ~~Legatus Group~~NYLGA must each year, produce an Annual Report summarising the activities, achievements and financial performance of the ~~Legatus Group~~NYLGA for the preceding Financial Year.

~~6.3.2~~6.2.2 The Annual Report must incorporate the audited financial statements of the ~~Legatus Group~~NYLGA for the relevant Financial Year.

~~6.3.3~~6.2.3 The Annual Report must be provided to the Constituent Councils by 30 September each year.

~~6.4~~6.3 **Audit**

~~6.4.1~~6.3.1 The ~~Legatus Group~~NYLGA must cause adequate and proper books of account to be kept in relation to all the affairs of the ~~Legatus Group~~NYLGA and must establish and maintain effective auditing of its operations.

~~6.4.2~~6.3.2 The ~~Legatus Group~~NYLGA must appoint an Auditor in accordance with the Act on such terms and conditions as determined by the ~~Legatus Group~~NYLGA.

~~6.4.3~~6.3.3 The audited Financial Statements of the ~~Legatus Group~~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.

~~6.5~~6.4 **Audit and Risk Committee**

~~6.5.1~~6.4.1 T~~T~~he ~~Legatus Group~~NYLGA must establish an Audit and Risk Management Committee to be comprised of five (5) persons nominated by the ~~Legatus Group~~NYLGA and approved by the Constituent Councils.

~~6.5.2~~6.4.2 The members of the Audit and Risk Management Committee:

~~6.5.2.1~~6.4.2.1 must include two (2) professionally qualified officers, one of each from the staff of the Constituent Councils;

~~6.5.2.2~~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;

~~6.5.2.3~~6.4.2.3 may include elected members of the Constituent Councils;

~~6.5.2.4~~6.4.2.4 must have regard to the Act in performing their duties.

~~6.5.3~~6.4.2.5 The term of appointment of a member of the Audit and Risk Management Committee shall be for a term not

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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 ~~Legatus Group~~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 ~~Business Plan and~~ Budget and ~~that~~ 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 ~~Legatus Group~~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 ~~or, as the case may be, an Affiliate~~.

7.3.2 The Chief Executive Officer will give notice in writing to the Council that its status as a Constituent Council ~~or, as the case may be, an Affiliate,~~ has been terminated.

7.4 **Withdrawal**

Subject to the Act and this Charter, a Constituent Council may withdraw from the NYLGA~~cease to be a Constituent Council~~ by giving ~~not less than eighteen (18) months'~~ notice in writing of its intention to withdraw~~such withdrawal~~ 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 ~~Legatus Group~~NYLGA.

7.4.1 ~~Chief Executive Officer~~

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 ~~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 Legatus Group.~~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.

~~7.4.1~~7.4.4A withdrawing Constituent Council is not entitled to any refund of the financial contributions made to the NYLGA.

~~7.4.2~~7.4.5The withdrawal of any Constituent Council does not extinguish the liability of that Constituent Council to contribute to any loss or liability incurred by the ~~Legatus Group~~NYLGA at any time before or after such withdrawal in respect of any act or omission by the ~~Legatus Group~~NYLGA prior to such withdrawal.

7.5 **Insurance and Superannuation Requirements**

7.5.1 The ~~Legatus Group~~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 ~~Legatus Group~~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 ~~Legatus Group~~NYLGA.

7.6 **~~Legatus Group~~NYLGA Winding Up**

7.6.1 The ~~Legatus Group~~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 ~~Legatus Group~~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 ~~Legatus Group~~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 ~~Legatus Group~~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 ~~Legatus Group~~NYLGA.

7.7.3 Where the ~~Legatus Group~~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 ~~Legatus Group~~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 ~~Legatus Group~~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 ~~Legatus Group~~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 ~~Legatus Group~~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 **Regional Management Group**~~

~~7.11.1 The Regional Management Group shall comprise the Chief Executive Officers or their proxy of the Constituent Councils and they will include the Chief Executive Officer for attendance at their meetings who will in turn provide the secretariat services on behalf of the Regional Management Group.~~

~~7.11.2 The Regional Management Group will support and work collaboratively with the Chief Executive Officer to implement and deliver the strategic objectives of the Legatus Group.~~

~~7.11.3 The Regional Management Group will meet at such times and at places determined by the Regional Management Group.~~

~~7.11.4 The members of the Regional Management Group may attend Board meetings and provide such advice and support to the Board as required from time to time.~~

~~7.11.5 The proceedings of meetings of the Regional Management Group will be determined by the Regional Management Group.~~

~~7.12~~7.11 ~~**Legatus Group**~~**NYLGA Common Seal**

~~7.12.1~~7.11.1 The ~~Legatus Group~~NYLGA shall have a common seal upon which its corporate name shall appear in legible characters.

~~7.12.2~~7.11.2 The common seal shall not be used without the express authorisation of a resolution of the ~~Legatus Group~~NYLGA Board and every use of the common seal shall be recorded in the minute book of the ~~Legatus Group~~NYLGA.

~~7.12.3~~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 ~~Legatus Group~~NYLGA may appoint for the purpose.

~~7.12.4~~7.11.4 The common seal shall be kept in the custody of the Chief Executive Officer or such other person as the ~~Legatus Group~~NYLGA may from time to time decide.

~~7.13~~7.12 **Circumstances Not Provided For**

~~7.13.1~~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 ~~Legatus Group~~NYLGA and its effective administrator.

~~7.13.2~~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.

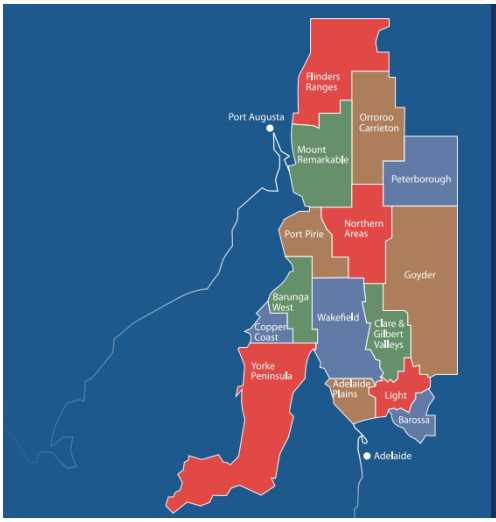
STRATEGIC PLAN FRAMEWORK	
Purpose	*The reasons that Legatus exists, as identified in the Charter.*
Vision	*The overarching outcome Legatus is striving for.*
Focus Areas	*Three strategic pillars that organise and focus purpose, objectives and priorities.*
Objectives	*Key outcomes that Legatus is seeking to achieve.*
Priorities	*Key actions Legatus will need to undertake over the next four years to achieve its objectives – not the 'Business as Usual'.*
Measures	*Targets and indicators that define what success looks like.*

FOCUS AREAS
1. Advocate
2. Coordinate
3. Operate

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.



MEMBER COUNCILS:

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

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

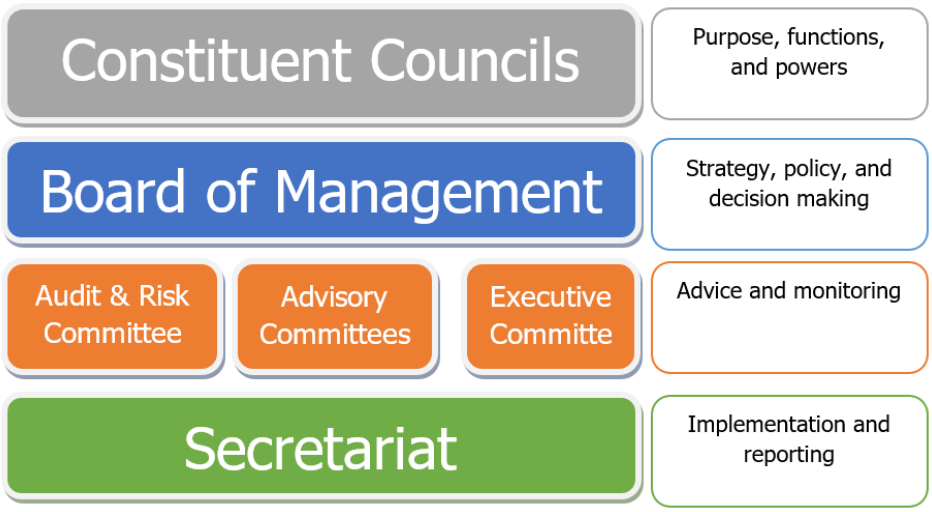
It is proposed that Legatus transition to a new business planning framework in 2024-25, which will introduce a rolling four-year Business Plan that is reviewed annually. The Business Plan will incorporate the functions of a Strategic Plan, Action Plan, Long-Term Financial Plan and Annual Business Plan 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 *Local Government Act 1999* 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.



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
1. Through relationships and engagement with members, develop a deep understanding of the collective advocacy needs and priorities of local government in the region. 2. Implement a planned and strategic approach to targeted and tactical regional advocacy to achieve the region's priorities. 3. Focus advocacy efforts on attracting more funding and services to the region. 4. Work collaboratively with the Local Government Association and SAROC to initiate and support sector-wide advocacy and achieve greater influence for Legatus members. 5. Build third party support for the region's advocacy priorities through beneficial alliances, partnerships and relationships. 6. 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.	• 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: ○ *Increased and fairer allocation of funding for roads and transport infrastructure* ○ *Increased Commonwealth Financial Assistance Grants* ○ *Reducing the cost impact of government fees and charges* ○ *Removing barriers to accessing State and Federal grant programs* ○ *Improving housing supply and affordability* ○ *Increased funding for tourism and better promotion of the tourism assets in the region* ○ *Increased funding for regional waste infrastructure.* ○ *Better access to health, education and childcare services in the region* • 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.	1. Advocacy Plan adopted by the Legatus Board by September 2024. 2. 100% delivery of annual actions identified in the adopted Advocacy Plan each year. 3. 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. 4. 100% of Council items of business supported by Legatus and referred to the LGA or SAROC are adopted as state-wide positions. 5. 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
7. Encourage and support members to share information, identify common solutions and learn from each other's best practices. 8. Coordinate and manage the region's requirements for the Special Local Roads Program. 9. Keep regional plans, strategies and partnerships under review and evaluate their effectiveness and value to member councils. 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. 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. 12. Identify and apply for grants that are directly linked to the delivery of the Legatus Business Plan.	• 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.	6. Achieve a member satisfaction score of at least 75% for the coordination of the Special Local Roads. 7. Achieve a member satisfaction score of at least 75% for the value of regional plans and strategies managed or supported by Legatus. 8. Complete a major review of the Legatus Group 2030 Regional Transport Plan completed by end February 2025. 9. Complete a major review of the Legatus Group Waste and Resource Recovery Strategy and Action Plan by end December 2025. 10. At least 70% of grant applications submitted or coordinated by Legatus receive funding. 11. The Regional Forum achieves a maximum capacity audience each year. 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.

Focus Area 3 – OPERATE

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

Objectives	Priorities	Measures
13. Member satisfaction is a priority and is regularly measured and monitored. 14. Constituent Council elected members and staff are well informed of what Legatus is doing and able to actively contribute to regional initiatives. 15. Legatus is financially sustainable and has robust financial management in place. 16. The Legatus Business Plan is reviewed and updated annually and gives priority to the issues and outcomes that matter most to member Councils. 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. 18. Legatus is committed to continuous improvement and systematically reviews and evaluates its operations and outcomes.	• 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.	13. Adopt a new Charter and implement a change of name to the Northern and Yorke LGA to take effect by 1 July 2024. 14. All fifteen Councils in the region continue to be financial members of Legatus. 15. Year on year increase in overall member satisfaction with a target to achieve a satisfaction score of 75%. 16. Achievement of all financial metrics adopted by the Board. 17. 100% compliance with all requirements of the Act and Charter. 18. The Legatus CEO or President attend a meeting of each Constituent Council at least twice during each four-year Council term.

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.

1. 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 MCarthy **CARRIED**

DRAFT

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.

DRAFT

DEBATE REPORT

7.1 Office of the Mayor and CEO

7.1.2 LOCAL GOVERNMENT PARTICIPATION AND ELECTIONS REVIEW - SUBMISSION

Author: Executive Business Partner
24/1042

PURPOSE

To inform Council of their collated feedback provided on the Local Government Participation and Elections Review and to seek approval to make a submission via the YourSay website to Minster Brock.

RECOMMENDATION

That Council receive and note the Councils collated feedback on the Local Government Participation and Elections Review as at Attachment 1 and approve the attachment to be submitted via the YourSay website to Minster Geoff Brock.

REPORT

Introduction
On 25 October 2023, the Minister for Local Government, Hon Geoff Brock MP, launched the Local Government Participation and Elections Review) via a Media Release (Attachment 2); 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 (Attachment 3) as well as a Local Government Participation and Elections Review Summary Paper (Attachment 4) 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 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.

All South Australians are invited to provide their feedback and recommendations until consultation closes on Thursday, 29 February 2024.

Furthermore, after each periodic council election, the Electoral Commissioner conducts a comprehensive review to ensure that elections are transparent, fair and maintain the highest standard of integrity. Any recommendations the Commissioner may make will also be incorporated into this review.

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.

Discussion
While local members are elected to represent their local communities, historically only around one-third of voters choose to vote in their local council elections.

The 2023 Local Government Participation and Elections Review focuses on participation and elections, including improving people's engagement with councils, increasing the number and diversity of council members, and increasing voter turnout.

Elected Members of The Barossa Council were given an opportunity to forward their feedback via an internal survey. The responses have been collated and presented as at Attachment 1.

Councils if they wish can also provide their own direct feedback through the YourSay website site as per the link provided in the supporting references below.

This feedback will play a key role in informing reform proposals and the development of the bill to amend local government legislation.

Summary and Conclusion
That Council's approve the submission as per Attachment 1 on the consultation.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1	Participation and Elections Review - Elected Member Survey Results ⇩
Attachment 2	Media Release from Minister Brock - Seeking feedback on low engagement for council elections ⇩
Attachment 3	Discussion Paper - Local Government Participation and Elections Review ⇩
Attachment 4	Summary Paper - Local Government Participation and Elections Review ⇩

Supporting references
Local Government Participation and Elections Review | YourSAy

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS7	Governance - Provision of governance advice and support in the discharge of legislative responsibilities for policy development, delegations and authorisations, internal review of Council decisions, delegations and authorisations, Native Title claims

Legislative Requirements
Nil

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil

COMMUNITY ENGAGEMENT

Nil

LOCAL GOVERNMENT PARTICIPATION & ELECTIONS REVIEW

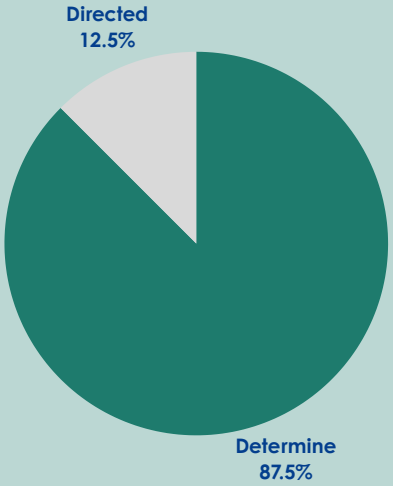
SURVEY RESULTS

Completed by 9 Elected Members

TOPIC 1

HOW PEOPLE ENGAGE WITH THEIR COUNCIL

Community Engagement Charter



Should councils have the capacity to determine how they will engage with their communities, or should the Charter be more directive in its approach?

- A one size fits all charter is not the answer to better public engagement.
- Every community is different and approaches to engagement should be determined by people within it.
- So that there is some form of consistency across the State I would like the Charter to be more directive so that people living on either side of the same street but in different Councils receive similar treatment and messaging.
- Each community will have a good idea on what would be the best approach.
- As with all things, a more flexible approach is fine until it is taken advantage of. The mixed approach outlined in the White Paper seeks to strike a sensible balance. Alternatives whereby a determinative approach can be the default position, with the Minister granted power to impose a directive Charter in the event that Council fails to sufficiently engage with the community require significant resourcing and legislative framework.

Is there anything else you would like to raise in relation to council community engagement policies/practices?

- So that there is some form of consistency across the State I would like the Charter to be more directive so that people living on either side of the same street but in different Councils receive similar treatment and messaging.
- Established Policy appropriate to individual Councils.
- A key challenge lies not with Council being required to do more and better engagement, but with the lack of proactive engagement on the part of the community. This disengagement from civic responsibility is a far greater challenge than can be solved by requiring the Council to advertise its submission processes more broadly. In my experience Councils engage widely and often, but there is a lack of response or involvement on the part of the community, as a whole.

TOPIC 1

HOW PEOPLE ENGAGE WITH THEIR COUNCIL

Council Meetings



Should councils be required to livestream their meetings, and make recordings available?

- Councils should have the option to do this.
- Absolutely. Transparency and convenience especially for those who have limited access to transport, childcare and work commitments. Live streaming may also make Ems accountable for words and behaviour.
- That is my preference however I am mindful of costs with very few people watching meetings, maybe for the large Councils it makes sense however for small country-based Councils it will be an impost that they may not wish incur when there are other more pressing priorities.
- Additional cost needs to be determined and what is the viewing numbers. Leave as optional for Council to determine.
- State Parliament is not live streamed so why force additional cost on ratepayers?
- Gives opportunity for engagement by the community.
- I believe recordings are beneficial and enable the public to have access to the meetings, however I don't think livestream is necessary.
- Without question. This is an essential requirement for the transparent execution of Council's roles. I see no reason why meetings should not be recorded and made available to the public.

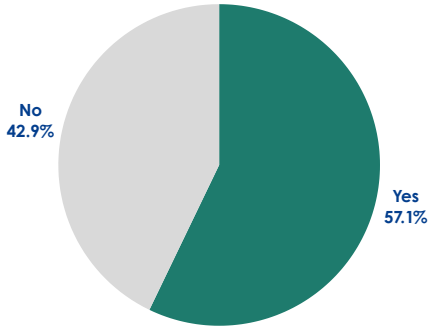
TOPIC 1
HOW PEOPLE ENGAGE WITH THEIR COUNCIL

Council Meetings

Do you have any other suggestions to enhance community participation in council meetings?

- Engage with local High Schools and bring students along to Council meetings so that students have an appreciation of Council and how meetings are conducted – an excellent learning experience.
- Legislating the time will not lead to improved community participation and interest it was not broken don't fix it.
- Promoting agenda items before meetings through social media EM's could also help promote.
- Meetings should be held outside of normal business hours to allow increased participation by both members of the public and potential/actual candidates.

Should councils be required to hold their meetings at a particular time to maximise community participateion?

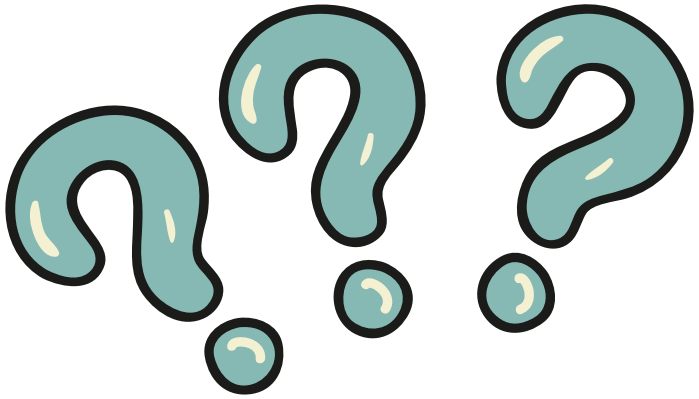


- Meeting times should be left to the discretion of Council.
- Accessible inclusive hours is vital for Community participation, especially for those with businesses and working commitments. Otherwise, we limit diversity and exclude hundreds from every even considering nominating for LG.
- This is a decision for the newly elected members to make. It makes sense to have meetings to maximise community participation.
- Council has had both day and night meetings with the argument that more people will be engaged with night meetings which is not the case. Community only engages when there is something relevant to their own personal issues. Leave councils to make their own choice.
- Our Council moved from 9am to 5.30pm meetings with no impact on community engagement. The community attends when there is an agenda item they are interested in. It did allow full-time workers to become EM's.
- I believe that Councils should have the capacity to set their own meeting schedules, but that there should be a broader requirement that reasonable adjustments be made as suits their particular community. This could take into account specific regional requirements such as a harvest seasons, peak tourism season etc. A mixed, flexible approach is essential to encourage greater participation both by a diverse elected member body and also the public.

TOPIC 1

HOW PEOPLE ENGAGE WITH THEIR COUNCIL

Support council members to engage with communities



Do you have ideas about improving council member engagement with communities?

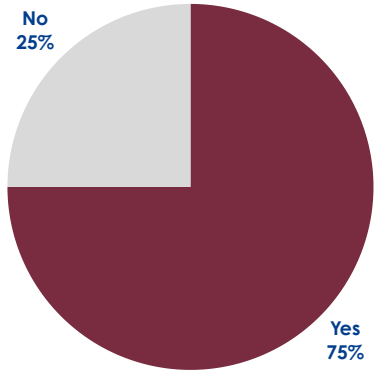
- You can't make Elected Members effective engagers with their community. They either have it or they don't.
- This is pretty personal for each EM. I think many are working because the money provided does not cover extra hours and engagement. This limits engagement.
- I think EQ training may help with community engagement skills.
- It is an individual thing; this is my second term on the Council and I go to at least two community meetings a week spread across 5 towns. Not everyone has the time or inclination to attend such meetings however I do so that I know what is happening near where I live, how can I represent people if I don't know what is going on and their concerns?
- I believe you have to go to the people as the people in our communities won't necessarily come to us. Have street corner meetings, the local supermarket, and attend the various town community group meetings to help people understand that they can approach Elected Members to discuss issues that are important to them. "Closest to the people" this slogan should be used more.
- I think Barossa Council is actively engaged with the community. I do like the way the Port Adelaide Enfield Council put together a weekly YouTube clip on what has been happening in the council that week. It is engaging and modern.

TOPIC 2

HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?

Increase council members' allowances

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



- But probably for all the wrong reasons. Look at well-remunerated state and federal politicians and you will note some totally inappropriate and incapable individuals get elected.
- Yes, I think the allowance precludes many. Not enough to live on, and many need to work thereby compromising community engagement because of work.
- Could be, but would they be doing the job for the right reasons?
- Local government should not be a career path for income. Participation as an elected member should be based on the willingness to provide services to the community. Local Government relies heavily on volunteer participation, by increasing salaries may work against the commitment of valued volunteers within a community.
- Money is always important and EM's holds all the responsibility.
- I don't think the allowance should be the major influence in a community member being motivated to represent their electorate. As long as it is fair and comparable to other relevant LG areas.
- Yes, I believe this is critically important.
- The individual financial circumstances of Elected Members vary enormously as do their individuvial time contributions to their Council responsibilities.

TOPIC 2

HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?

Increase council members' allowances

Would more, and a more diverse range of, people be attracted to the role if allowances were increased?...con't

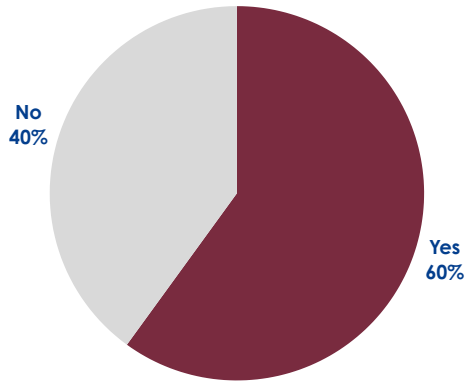
- The individual financial circumstances of Elected Members varies enormously as do their individual time contributions to their Council responsibilities.
- By way of example, I believe it would be extraordinarily difficult for a single parent on a low income to contribute their time towards being an Elected Member. At present, the allowance acts more as an honorarium than any form of replacement or compensatory wages. Until it can be said that the allowance actually creates (or allows for) the times and space to undertake the work and obligations of being an Elected Member, people will continue to be excluded from participating as Elected Members. There are systemic barriers to members of the community standing as Elected Members and increasing the allowance can be a significant step in removing some of those financial barriers. The current system was established to allow professional men with autonomy in their roles or who were retired, with wives at home managing all additional care tasks, to attend meetings. It doesn't represent the reality of modern society and it excludes large swathes of our community from genuine participation.
- Another aspect is the inconsistent or unpredictable nature of the role. Some agendas are hundreds of pages long with hugely complex matters under consideration. I have very frequently taken time from my paid employment to engage with Council matters, which is only possible because I have an enormously flexible role that is well paid and largely self-directed. How can someone who is employed in casual or part time work, or any kind of roster system be able to attend meetings, engage with long agendas and attend additional events or training without sufficient financial compensation? People who work in hotels, or hospitals or night shifts or insecure employment are essentially excluded from participating and yet it is essential that we have a diversity of voices in our Council chambers.
- If a person is elected to State or Federal government, they are able to leave their current employment and live on the salary that is provided to them as a politician but this is not necessarily the case for the Elected Members allowance.
- I'm sure there will be arguments that Elected Members already get 'paid too much' but I suggest a re-calibration from the allowance not just as a cost to ratepayers but as a means by which diversity among Elected Members can be supported.

TOPIC 2

HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?

Increase council members' allowances

When considering council members' allowances, what other factors warrant review that may attract more people to the role?



- There needs to be some qualification as to what constitutes a suitable elected member. Maybe candidate testing before accepting a nomination would weed out the suitable from the not so suitable.
- More money.
- Paid monthly not quarterly.
- The factors mentioned – tax implications and superannuation are worthy of consideration, but again will you have the right type of person putting their hand up to be elected?
- Taxation is a huge issue for those with another wage. This income adds to the taxable amount. It has placed me in a higher tax bracket, then I owed thousands. Effectively sacrificing nearly half of my Council allowance.
- It effectively supports those who are on the pension, rather than the working cohort. Thus, perpetuating the cycle of retirees as EMs. The allowance does not really support or promote young, employed people to nominate.
- Not a career path leave as is.

TOPIC 2

HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?

Make council meetings more flexible



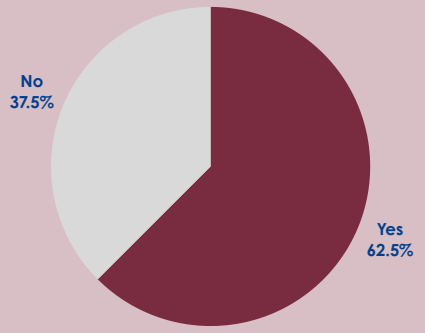
What may restrict people from nominating for Council?

- Compulsory training which is not forced on State or Federal pollys!
- Time constraints
- Not understanding the machinations and formalities of Council
- Fear of the unknown
- The actual process to be elected
- Look at the people on it and don't want to be involved.
- On a personal level I spent just short of 40 years working for the State Government as a policeman. Whilst I've always had an interest in local government my work commitments just did not give me time to consider putting my hand up to run for Council. Maybe the State Govt. should be approached about allowing govt. employees time for local government.
- I don't believe there is any restrictions those who want to participate all should willingly get involved not be prompted by rewards.
- Not understanding the role. Current EM's could be mentors for prospective and new EM's to discuss what is required in more detail. This would vary from Council to Council.
- Persistent, negative commentary from within the community, not wanting to engage in an adversarial election campaign, negative perceptions of council, lack of understanding about the roles and jurisdiction of Councils, insufficient allowance, inflexible meeting arrangements, belligerent or aggressive Elected Members, lack of support from Executive staff or poor working relationships with staff.

TOPIC 2

HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?

Make council meetings more flexible



Do you support electronic meetings?

- Meeting electronically is useful for absenteeism, or occasional emergency. Meeting in person allows much greater interaction, reading body language, etc. Electronic meetings are Much more difficult for administration.
- Yes, flexibility, especially for those who are not as mobile and perhaps restricted (parents, long distances to travel in country areas).
- The best example I can give relates to myself. I am about to go into hospital for a hip replacement. Meetings are held at 5.30 pm. There is no public transport after hours from my house to the principal council office – 43 kms away where meetings are held. With such a scenario I'll be applying for leave and thus miss meetings until the surgeon says I can drive a vehicle again to get to and from meetings.
- Take was elected member who should participate face-to-face in the debate in the discussion not remotely. Further trying to encourage people to come to council meetings when even the elected members are not present doesn't make a lot of sense.
- It gives flexibility to be able to stay informed. I do not support full electronic meetings but if an EM was away for work or holidays they could jump online and still be part of the meeting.
- As a single parent, I have to arrange in-home care for my children for every single meeting and workshop that I attend. The option to attend online meetings would mean I can stay in my own home and attend meetings while my children are asleep.
- Electronic meetings also remove barriers for people who may not have a drivers license, may have some other disability that restricts their movement, may not want to attend in person due to immune disorders etc. Again, we need to remember that the system was established for a group of old men to gather frequently in a grand town hall and talk in person. There absolutely has to be accommodations for the modern world and a diversity of Elected Members.
- Potential Elected Members may travel frequently for work, stay in the city for study commitments, have care obligations – all of which make compulsory in-person attendance a very significant barrier for participation.

TOPIC 2

HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?

Make council meetings more flexible



What are critical considerations for electronic participation in meetings such as maintaining confidential sessions, number allowed to attend, voting needs?

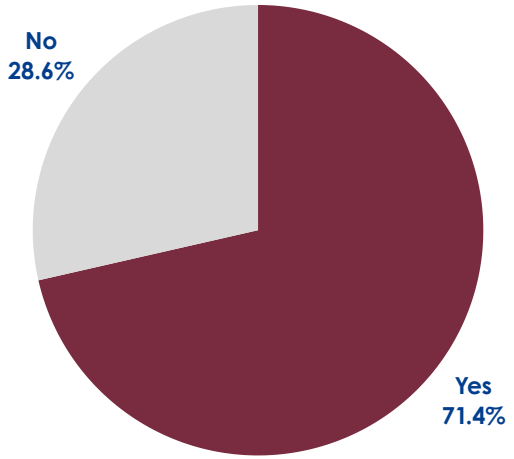
- Training to use computer
- Training in participation and etiquette online.
- These are considerations however I do not see them as critical, whilst I would always prefer to attend meetings in person the experiences during the peak of Covid highlight to me that electronic participation is a 'no brainer' as long as there are sufficient safeguards around such attendance.
- Leave as it is it was not broken don't fix it.
- It will make it easier not to vote if you attend online but that would be difficult if you do not have a quorum in person. It will take extra time but worth giving online participants to chance to vote.
- Confidentiality must be maintained but this can be achieved by an undertaking included in the compulsory code of conduct to ensure protocols are followed. Holding meetings in person in a closed room only ensures confidentiality insofar as no Elected Member walks out of the room and discloses what was discussed, in exactly the same way that they don't attend confidential meetings in a public place or where they can be overheard.
- It also needs to be considered that Councils will likely need to upgrade their own systems and equipment to ensure equal participation and clear audio etc.
- Further, not all potential Elected Members have or can afford high speed internet connections and that some allowance should be provided for this.
- A balance can be struck with regard to attendance – a maximum number attended electronically, with the option to seek an extension of this as warranted.

TOPIC 2

HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?

More local promotion of nominating for elections

Would councils get a better local result if they make greater investments in local promotion?

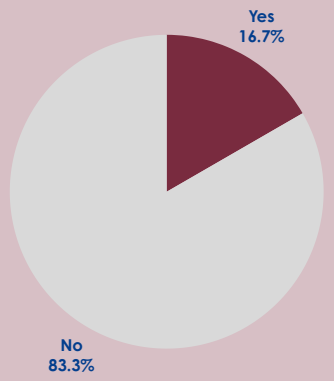


- Ward system should be done away with. Nominations should be made public as soon as they are received. What's with the EC's secrecy over nominations? It's a disgrace and lacks transparency and probity.
- Absolutely. Promotion of successes, better access to info etc.
- Receiving the extraordinary amount of money spent on publicity in the last two elections.I guess if the community is not happy with their councils they will get out and vote. no amount of further investment will take the horse to water.
- Possible my Council gets plenty of nominations again I believe its about clearly explaining the role and that has to come from those who have been an EM.
- Possibly, but I feel significant investment would be required for limited impact.

TOPIC 2

HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?

Term limits for council members



Should term limits for council members be introduced?

- I have represented my community since 1999. I'm sure they will let me know when they have had enough of me. And yes, I'm white male and in my 60's!
- Provided members of parliament do the same.
- I do think terms should be limited to encourage fresh thinking and perspectives, however there is great value in the experience that long term Councillors bring to debate. Their historical experience is valuable to newer Ems. I am mixed on this.
- People are voted into a position, if you are not performing the voting public will soon make a determination one way or the other.
- We still live in a democratic society are we going to see terms introduced federal and state government.
- Yes, I believe there should be term limits but with an option to extend at the discretion of the individual Council. This issue is a double edged sword, with some long standing members holding incredible knowledge and insight, and others who have simply become welded to the seat with little to offer and a sense of entitlement to the role.

Are there any other matters relating to term limits for council members you wish to raise?

- I do think terms should be limited to encourage fresh thinking and perspectives, however there is great value in the experience that long term Councillors bring to debate. Their historical experience is valuable to newer EMs. I am mixed on this.

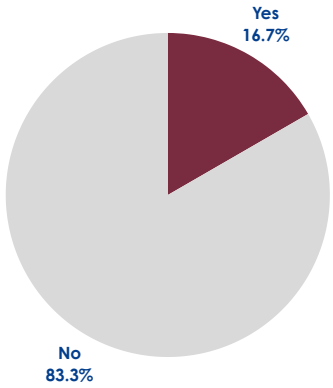
- I have learnt a lot from EM's who have been in Council long-term their experience is valuable for a new EM learning the system. But if a long-term EM is not performing there should be a mechanism to remove them. Maybe KPI's or a performance review could be introduced for long term EM's.

TOPIC 2

HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?

Required training for candidates

Should people be required to complete an online course before nominating?



- I think this would be so valuable.
- When I see candidates for Federal and State parliament doing such courses then I may be a bit interested in this point, in the meantime leave things as they are.
- What level of training business State and Federal government candidates have before nominating?
- If not an online course, then at the least a short engagement that clearly outlines the roles, responsibilities and expectations of Elected Members (and the limits of their jurisdiction). This needs to be accessible ie in a variety of formats to account for disabilities and learning styles.

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

- Well, I would ask the same question of our state and federal counterparts. Electors make choices based on candidate profiles which hopefully are accurate and honest.
- I think Candidate description (given out with the ballot papers) could have some training and it needs to be expanded. It is restrictive, more training in writing these could help the community to decide better, or feel more confident in their choice.
- All forms of training could benefit candidates however a lot depends on the background and life skills of the candidate who is nominating. Some are well versed and need very little training, others you can never put enough into them.
- Discussions with current and past EM's would be valuable. The training provided by LGA is excellent.
- More training around the importance of cohesion as a group of members.
- Basic communication skills. Public speaking skills. Conflict resolution skills. Understanding of emotional intelligence. We shouldn't take it for granted that people standing as Elected Members have these skills and they have a significant impact on the operations of Council.

TOPIC 2

HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?

Required training for candidates

What are the opportunities/risks associated with the introduction of mandatory candidate training?

- People either make good EMs or they don't. It's like trying to teach "leadership". You either have it or you don't.
- Opportunities, you will have a group of people who have the base knowledge to do the job upon which they have just embarked otherwise you will have a CEO pulling his/her hair out with a group of people trying to do things they can't lawfully do. You need a base knowledge to do the job at hand.
- Everyone starts on the same footing, equipped with same information. Risks, not sure, it excludes people, restrictive and controlling??
- It definitely has to be done with all EM's of a new Council present to promote working together for the benefit of the community.
- The opportunity exists to improve and enhance the capacity of the Elected Member body – there is no downside to this! The risk is that it acts a barrier for people to participate who have different access requirements and that will need to find the time and capacity to engage with the training. For this reason it should be as accessible as possible.

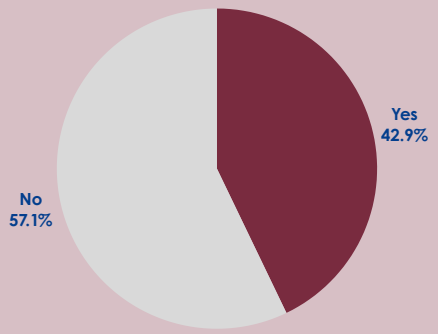
Are there any other screening criteria or eligibility requirements that should be considered for candidates?

- Yes, any police record, DV, behaviour issues should be disclosed. Too much time spent trying to re-educate the unwilling.
- I think a Police Check should be mandatory, we are associated with public continually, this should be a given.
- I also think previous Council experience should be disclosed.
- Yes – a declaration as to complaints if a person has been on council beforehand. Some people are just square pegs in round holes and cause untold damage to organisations once they are entrenched within an organisation.
- Yes, if an EM has been in breach of the code of conduct in another Council, they should not be eligible to nominate again.
- I believe that candidates who have been found to have breached professional standards or are the subject of finalised conduct complaints in an analogous Council role (particularly where prescribed remedies or actions have not been completed) should not be eligible to stand for election in Council Elections unless they can demonstrate that remedy has been made and they have undertaken mandatory training in conduct, behavioural standards etc.

TOPIC 2

HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?

Consider real time publishing of nominations



Should councils be directly involved in the receipt/processing of candidate nominations?

- The ECSA withholding candidate names till close of nominations is undemocratic.
- I think this makes sense, councils are community based, we know people and those who work in Council. Too much risk involved.
- I had issues with my nomination in 2022, these were IT based, and ECSA eventually resolved them. However, if Council were involved I'm sure the issues could have been resolved a lot quicker and easier.
- The last election nomination process was an absolute failure.
- Yes that would be beneficial.
- Allows for the perception of bias.

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?

ALL SAID YES

How would you publish them?

- Has the ECSA a website?? Council websites. Can't be that difficult.
- Definitely throughout, so public and other nominees can see who has nominated. In state and local newspapers, radio and online.
- I like the idea, all Councils have a web site, possibly at the end of each day on their website plus a hardcopy in Council offices throughout the Council area and not just the principal office.
- Notice board at each Council office.
- Only publish once all nominations are received. If people wish to nominate, let them nominate and stand on their own platform and capacities. The idea of holding your breath until a minute to midnight in order to nominate for a ward where they're guaranteed to win a seat because of low nomination numbers is an absolute farce.

TOPIC 2

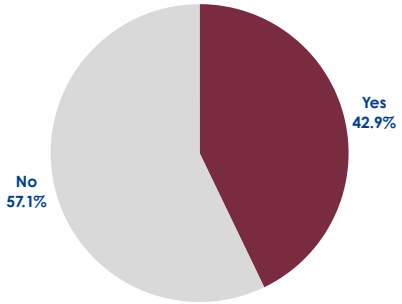
HOW CAN WE ENCOURAGE A GREATER NUMBER OF MORE DIVERSE CANDIDATES?

Consider real time publishing of nominations

What other changes could be made to publishing of candidate nominations that may encourage a greater number of more diverse candidates?

- What is the underlying meaning in this question? Nomination is open to all eligible people, and it seems that ECSA sets the rules.
- I think if people see nominations and perceive their demographic has limited or no voice, this could inspire people to nominate.
- Open transparent nominations are always the way to go so people can see who's nominated gives opportunity for those who may be only just on the fringe to make a final decision based on the level of candidates that they know who have nominated.
- Online on Council website.

Should a lack of nominations be a trigger for boundary reform?



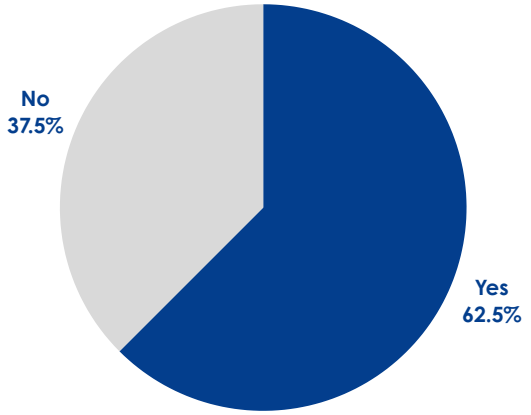
- Not necessarily. Need to look critically at reason for lack of nominees.
- Especially in rural areas, I think a HISTORIC ONGOING lack of nominations could start a conversation.
- Don't know about being a trigger but worthy of consideration.
- 68 councils within South Australia is not sustainable into the future.
- If there is already an issue then boundary reform should be considered.
- Not in the first instance. If lack of nominations is a systemic or ongoing challenge then this can act as a trigger for boundary reform investigation.

TOPIC 3

HOW CAN WE ACHIEVE A BETTER VOTER TURNOUT?

Make voting for councils compulsory

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



- At least the ones who vote now, have some interest in the process. Compulsory voting will result in a very high proportion of donkey votes, and this will ensure the worst result in elected representation.
- It would be hard but worth it. It would lift profile of Councillors increase competitiveness.
- People may be more engaged with local government if voting is compulsory rather than just over 30% of the population taking the time to vote.
- At least the people who care for their communities make the effort to go out and vote.
- It would encourage more people to vote.
- Yes absolutely. No reason whatsoever that it should be voluntary. We have the electoral framework and infrastructure to do so, Elected Members make significant and consequential decisions and should be elected by the community, not a handful of voters. As with strategic ward-based nominations, the idea that a nominee can be installed as an Elected Member on the basis of 50? 200? votes make a farce of the system and rightly undermines community trust in the integrity of Council.

TOPIC 3

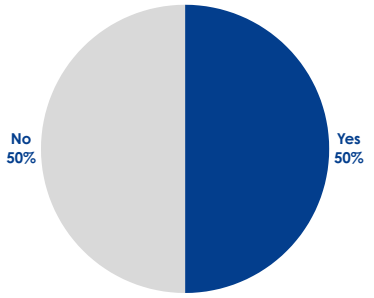
HOW CAN WE ACHIEVE A BETTER VOTER TURNOUT?

Change the method of voting

How should people vote for their councils?

- Postal or online.
- I think Online would be a great option, especially for those in rural areas. Postal is a good second.
- Until electronic voting is tried and tested at a federal/state level I do not believe that the IT systems are mature enough for local government elections. There are enough checks and balances with a postal system, and I believe that booths would be very expensive.
- Postal and polling booths.
- Polling booth and postal votes. We have existing infrastructure and I don't see the reason to investigate, introduce and finance another voting system that isn't employed at State or Federal levels.

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?

- I don't have much confidence in the ECSA to date but I'm sure there are systems in existence which could well be adapted to local government elections. Plenty of organisations accept electronic voting, why not ECSA?
- Quite simply, voter fraud, potentially on a large scale.
- Increased voter participation if there is more easily accessible options such as online.
- Until electronic voting is embedded at a State and Federal level I can't see how it can be successfully implemented at a local level without enormous costs and at the risk of significant failure, eroding confidence in the result.

TOPIC 3

HOW CAN WE ACHIEVE A BETTER VOTER TURNOUT?

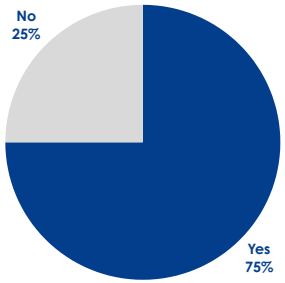
Consider who can vote for their council

Should the system of voting be based on one person one vote, as it is now a corporate can vote so long as they don't have a local resident (personal) vote, or, expanded that all people owning property can vote if they don't have a local resident (personal) vote?

= YES

- Technically, all ratepayers and residents should get a vote. Corporate rate payers should also get a vote. Not sure about your reference to one vote one-person, proportional representation blows that out of the water
- I believe in one person, one vote. I find voting based on corporate control of a property within a Council area somewhat archaic and a throwback to the 1800's.
- All residents and property owners should have the local vote.
- This is only satisfactory insofar that a corporate interest cannot outweigh a residential community member. Corporate votes must only ever account for a single vote per rates notice and only where there isn't a doubly up with a residential vote.

Should the eligibility to vote in council elections be restricted to only those persons on the State Electoral Roll?



- You should have some "skin in the game" to vote. Absentee ratepayers may miss out.
- Yes, because the people on the State Electoral Roll are the people of South Australia.
- I think it's important that all community members are able to vote in Council Elections, including recent migrants and permeant residents who are not Australian citizens.

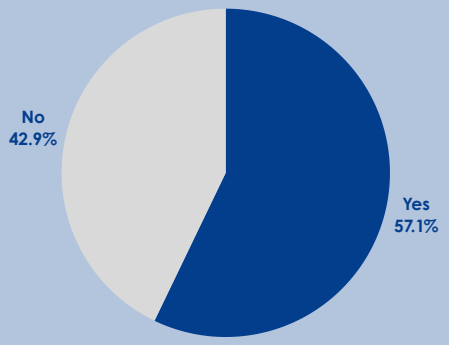
Should council elections be moved to a different year from State elections?

- Absolutely….honestly people and public get election fatigue. I feel really bad for CEOs and staff managing a potential newly elected State Govt and Elected Member body and managing all the change at the same time. Really difficult and it could easily be avoided.
- Worth considering, especially in a year like 2022 when there were Federal, State and LG elections, by the end of the process people were 'electioned out'.
- Ideally, yes, but if voting is compulsory this removes some of the burden of addressing voter fatigue.

TOPIC 3

HOW CAN WE ACHIEVE A BETTER VOTER TURNOUT?

Election promotion



Should councils have a stronger role in promoting elections locally to increase voter turnout? Response = 50/50

- I like how the state does this not depending on the whim of smaller councils or CEOS. It is fair.
- My preference is for Councils to stay out of elections and operate as per the Local Government Act.
- The last election saw an enormous amount of electronic promotion along with TV ads didn't make any difference save the ratepayers money.
- Council could support a community forum or a meet and great for nominees.
- Again, not relevant is voting is compulsory. While voting remains voluntary, Councils will continue to invest heavily with limited return in terms of engagement.

Should changes be made to requirements for the display of election signs?

- Election signs should be done away with.
- No, I liked the signage…. It was diverse inclusive and positive.
- I live in a country based LGA area and there are very little issues with electoral signs and what is in place at the moment seems to work however as soon as I go into metropolitan Adelaide at LGA election time it is a totally different situation, I see signs everywhere. Perhaps this matter is more about resourcing and policing of the existing rules rather than strengthening existing rules.
- The people that care will vote regardless of advertising signs I think we're all sick of the State and Federal electorate posters.
- I agree with all suggestions timeframe, number of signs and locations.
- For the sake of clarity and consistency I believe local government elections should be governed by the same signage requirements as State and Federal elections. However, it is essential that potentially complicated regulatory frameworks are explained in plain English and translated into multiple languages so that signage requirements don't act as a barrier for people nominating and running an election campaign.

TOPIC 4

ELECTION IMPROVEMENTS

Election improvements

Campaign donation returns: What legislative changes should be pursued based on the campaign donation return experience in the 2022 council elections?

- No comment. I had no campaign donations. Are they really an issue?
- I Understand the need for the campaign donation return but way too complicated for the vast majority of candidates whom I suspect submitted a NIL return. Would very much like to know how many out of the total candidates actually received donations above the specified limit. I ask the rhetorical questions, are we using a sledgehammer to crack a nut?
- Leave as is it is sufficient.
- No changes necessary – the instructions were clear and multiple reminders were provided.



What issues did you encounter with the Electoral Commission SA and delivery of the 2022 council elections that warrant action? What action?

- Seemed a long wait for results.
- I submitted a declaration, but had wrong dates and subsequently had to get in contact with the ECSA to resubmit the correct information. Forms should come prepopulated so that it is only done once and not have to make phone calls to ECSA after there were IT issues in lodging a NIL Return. Situation rectified in the end but a lot of wasted time and effort.
- Nomination process was clunky and confusing.
- No issues encountered.

Summary

- Councils should have the capacity to determine how they will engage with their communities.
- Councils should determine when to hold their meetings and whether or not to livestream/record their meetings. There is strong support that meetings be available to their community to offer a higher level of engagement and transparency.
- Yes, a more diverse range of people would be attracted to the role if allowances were increased and believe at the very least that the amounts be reviewed.
- Yes, there is the majority of support for electronic meetings to support work and life arrangements, including travel.
- Yes, Councils will get a better local result if they make greater investments in local promotion.
- Term limits for Council Members should not be introduced as experience and knowledge assist newly elected members to learn from.
- It is not supported for people to be required to complete an online course before nominating but does support other screening such as Police Checks or breaches

Summary

- It is not supported for people to be required to complete an online course before nominating but do support other screening such as Police Checks or breaches.
- Yes, Councils should be directly involved in the receipt/processing of candidate nominations.
- Full support for nominations to be published throughout the nomination process, not just at the end.
- No, a lack of nominations should not be a trigger for boundary reform.
- There is a majority of our Council that supports voting for councils to be compulsory in South Australian council elections.
- How should people vote for their councils? Online, postal, polling booths, are supported.
- The support for investigation of electronic voting systems is divided.
- Eligibility to vote in council elections should be restricted to only those persons on the State Electoral Roll.
- Council elections should be moved to a different year from State elections.
- Yes, the system of voting be based on one person one vote, as it is now.

Media Release

SOUTH AUSTRALIA
Government of South Australia

Geoff Brock MP
Minister for Local Government

Wednesday 25 October 2023

Seeking SA's feedback on low engagement for council elections

South Australians have the chance to shape major reforms as the State Government looks to tackle consistently low engagement in local government elections.

Launching today, as part of the State Government's Local Government Participation and Elections Review, Minister for Local Government Geoff Brock is seeking feedback from South Australians on several bold and innovative ideas, including the possibility of compulsory voting.

Council elections hold a unique place in South Australia's democratic system, allowing residents to choose who represents them and makes decisions on their behalf about local services, facilities, and rates.

Residents should be choosing who they vote for from as wide a selection of candidates as possible because councils that reflect the diversity of their communities are better able to make decisions and provide meaningful services.

However, council elections often struggle to attract enough candidates to fill vacancies. For example, at the most recent 2022 elections, 93 positions were filled without an election even being held.

Disappointingly, 16 vacancies across 10 council areas did not receive enough nominations meaning that supplementary elections had to be held earlier this year to fill these roles.

And despite the ease provided by postal voting, which was introduced in 1997, voter turnout has consistently remained at about 33 per cent. This means about two-thirds of eligible voters are choosing not to exercise their right to have a say.

The discussion paper puts forward some challenging ideas for discussion, like compulsory voting, term limits for elected members, removal of council wards and possible boundary changes where councils don't receive enough nominations at election time.

All South Australians are invited to provide their feedback and recommendations until consultation closes on Thursday, 29 February 2024.

To submit feedback, please visit https://yoursay.sa.gov.au/council-participation-elections

Read the Local Government Participation and Elections Review discussion paper.

Media contact: Roshni Harding 0403 826 991 **premier.sa.gov.au**

After each periodic council election, the Electoral Commissioner conducts a comprehensive review to ensure that elections are transparent, fair and maintain the highest standard of integrity. Any recommendations the Commissioner may make will also be incorporated into this review.

Quotes attributable to Geoff Brock

Local democracy is often described as the sphere of government 'closest to the people', yet the people of South Australia are consistently choosing not to exercise their right to have a say when it comes to council elections.

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 we see every four years at election time.

I want the ideas I have put forward to generate serious debate about the future of our local government. My goal is to create a more inclusive, representative, and participatory local government system that truly reflects the voices and aspirations of South Australia's diverse communities.

The input of community members, stakeholders and experts is invaluable as we embark on this vital process, and I urge everyone to take 15 minutes out of their day and provide their feedback. Your insights, suggestions, and concerns are crucial as we work towards strengthening our democratic foundations.

Quotes attributable to LGA President Mayor Dean Johnson:

Council elected members play a vital role in representing and serving the interests of their community – helping to shape our suburbs and regions into vibrant, thriving spaces.

Following last year's elections, we have been working closely with the State Government to undertake a review of the local democratic process and constructively look at ways to improve participation in local government.

For many years, we've seen voting in local government elections linger at around 33 per cent, which means a big portion of the community is unheard in the elections process.

We will be engaging with all South Australian councils on this process and welcome the chance to listen to the community on their thoughts to boost voter turnout, encourage more people to stand for council and improve the elections process overall.

As the most accessible level of government for South Australians, we want to hear different ideas and weigh up their merits – from compulsory voting, the timing of elections to the process for nominations, everyone's perspective matters.

Media contact: Roshni Harding 0403 826 991 **premier.sa.gov.au**

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.



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 polices 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.

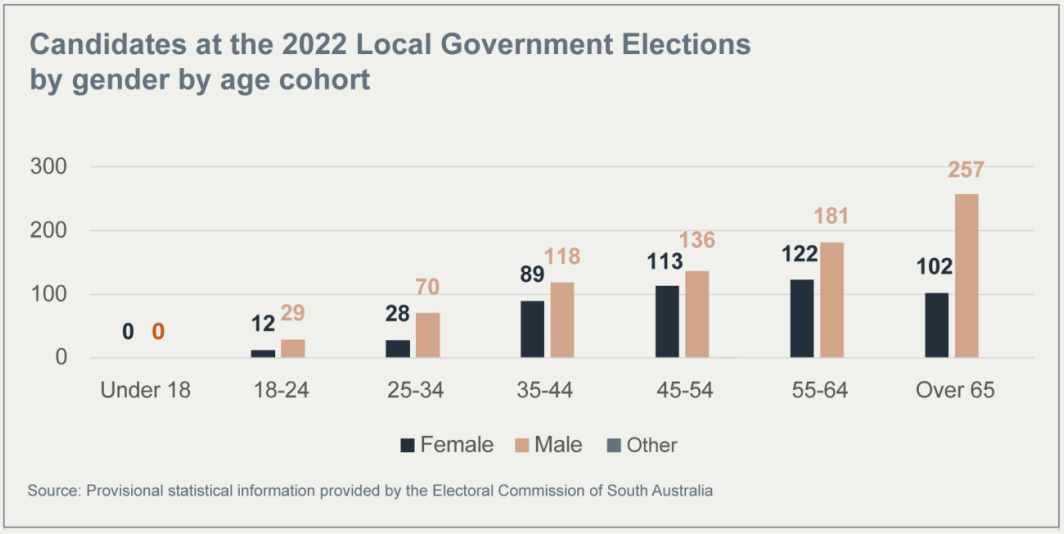
Ideas and questions

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?

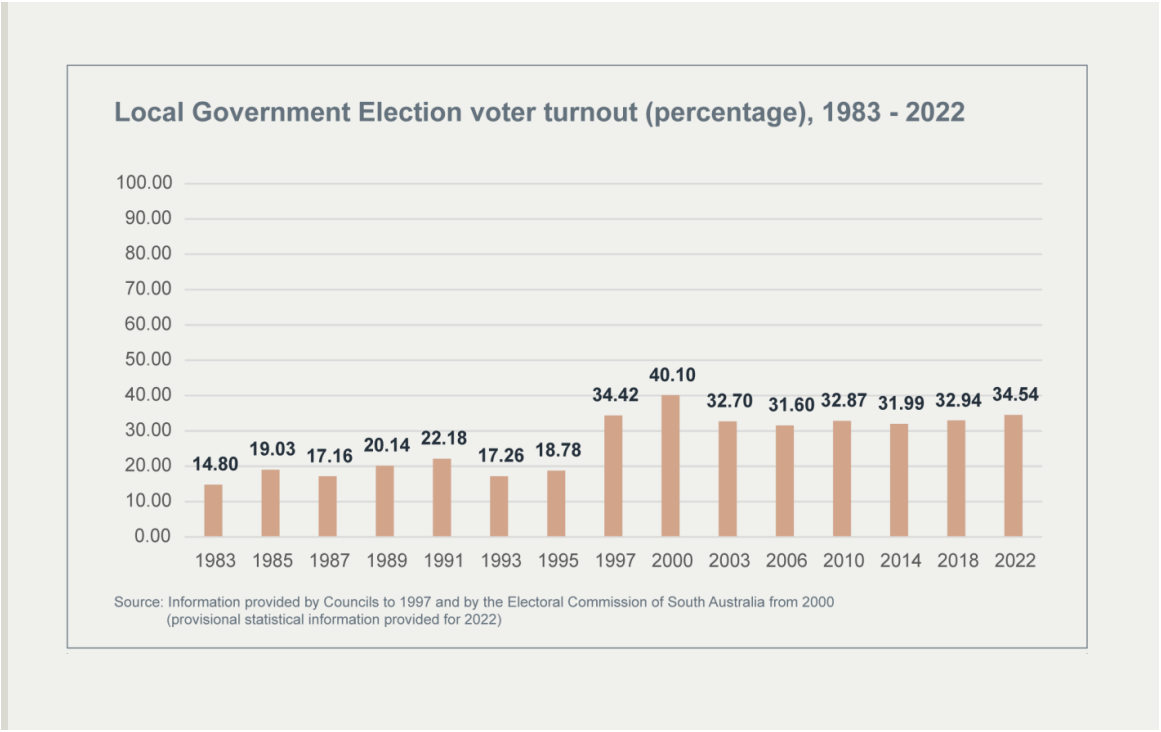
One of the unique factors about local government in South Australia is the way in which people vote for their council. Unlike federal and state elections, where voting is compulsory and in person, voting for councils is voluntary and done through the postal system.

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

Seeking community feedback on ideas and suggestions for changing the way councils operate in South Australia

Background

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. Yet this involvement with local services isn't always reflected in how people engage with councils.

While local members are elected to represent their local communities, historically only around one-third of voters choose to vote in their local council elections.

Councils can also struggle to have a good number of diverse candidates willing 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, councils have been making increasingly large investments in promoting elections, both to encourage nominations, and to increase voter turnout. Despite these investments, engagement with councils at election times has remained at consistently low rates.

The 2023 Local Government Participation and Elections Review will focus on participation and elections, including improving people's engagement with councils, increasing the number and diversity of council members, and increasing voter turnout.

The Office of Local Government, on behalf of the Minister for Local Government, the Hon Geoff Brock MP, is conducting a state-wide consultation to give the community an 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.

Please see overleaf the four key topics covered in this consultation.

Your feedback will play a key role in informing reform proposals and the development of the bill to amend local government legislation.

Have your say on ideas and suggestions for changing the way councils operate in South Australia

yoursay.sa.gov.au/council-participation-elections

Feedback can be provided via the following channels:

YourSAy survey

To complete the online survey and view project background information, please scan the QR code.

Hard copies can be requested via DIT.LocalGovernmentReform@sa.gov.au

Written surveys and feedback can be posted to:

Office of Local Government
GPO Box 1533
Adelaide, SA 5001

YourSAy community forum

YourSAy community forum ('Guestbook') is your opportunity to share your ideas on the topic and ask questions.

Please scan the QR code above to access the forum.

Enquiry hotline

To provide your feedback via phone, please call (08) 7133 3277.

Enquiry email address

You can also email your feedback to DIT.LocalGovernmentReform@sa.gov.au

Consultation will close at 5pm on Friday, 1 March 2024

Government of South Australia
Department for Infrastructure and Transport

We are keen to hear your thoughts on the following key topics:



Ways to better engage and participate with councils

This topic covers ideas and suggestions for:

- A new Community Engagement Charter
- More accessible council meetings

Ways to encourage more people from diverse backgrounds to run for council



This topic covers ideas and suggestions for changing:

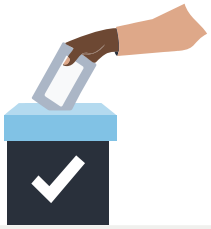
- Council members' allowances
- Flexibility of council meetings
- Extent of local promotion for council nominations
- Term limits for council members
- Training requirements for candidates
- Timing for publishing of nominations
- Ward structure
- Council boundaries

Ways to increase voter turnout



This topic covers ideas and suggestions for changing:

- The nature of voting for councils (compulsory vs voluntary)
- Eligibility to vote in council elections
- Methods of voting
- Timing of council elections
- Election promotion methods
- Amount of candidate information provided to voters



Ways to ensure that council elections are run efficiently with the highest level of integrity

This topic provides an opportunity to share ideas to improve local government elections

We are also open to any other feedback and ideas that could help improve people's engagement with councils

For more information

Call (08) 7133 3277

Email DIT.LocalGovernmentReform@sa.gov.au

Visit dit.sa.gov.au/local-government-reform-2023 or yoursay.sa.gov.au/council-participation-elections

Government of South Australia
Department for Infrastructure and Transport

DEBATE REPORT

7.1 Office of the Mayor and CEO

7.1.3 CEO PERFORMANCE REVIEW COMMITTEE 2024

Author: Mayor
24/23030

PURPOSE

For Council to endorse the revised CEO Performance Review Committee's Terms of Reference as per Attachment 1.

For Council to appoint two Elected Member representatives to the Chief Executive Officer Performance Review Committee for the 2024 annual review.

To approve the allocation of budget to enable the Committee to conduct the annual review of the Chief Executive Officer's performance and remuneration as required in accordance with the Contract of Employment and the Section 102, *Local Government Act 1999*.

RECOMMENDATION

That Council:

(1) Endorse the revised Terms of Reference for the Committee as at Attachment 1.

(2) Appoints Mayor Lange, Deputy Mayor Schilling and Cr ..... and Cr ..... to the Chief Executive Officer Performance Review Committee for the conduct of the 2024 process.

(3) Allocate a budget of up to $15,000 for the purpose of executing the Committee Terms of Reference including the external review of the Chief Executive Officers performance and remuneration.

REPORT

Introduction
The *Local Government Act 1999*, along with the Chief Executive Officer's Contract of Employment requires that Council is responsible to review the performance, remuneration and management of the Chief Executive Officer.

Background
The previous two years, Council elected to undertake the review process engaging a relevant external agency to undertake the review, utilising external expertise of a HR management consultancy.

Discussion

As part of the contract of employment with the CEO, the CEO Performance Review Committee is required to conduct the CEO's performance and remuneration reviews.

As per Council resolution CO 2022-26/349, the Terms of Reference have been updated to reflect the number of Elected Members that can be appointed to the Committee and presented to you for endorsement as at Attachment 1.

Changes to *The Local Government Act 1999* require that a Qualified Independent Member be appointed to the Committee. Please see below for definition as per the *Local Government Act 1999,* Section 102A(3) of Qualified Independent Member:

102A—Chief executive officer—performance review

(1) A council must review the performance of its chief executive officer—

(a) at least once in each year that the chief executive officer holds office as chief executive officer; and

(b) if relevant, before reappointment of the chief executive officer.

(2) The council must obtain and consider the advice of a qualified independent person on a review under subsection (1).

(3) In this section—

qualified independent person means a person who is—

(a) not a member or employee of the council; and

(b) determined by the council to have appropriate qualifications or experience in human resource management.

The Committee's Terms of Reference is for the purpose of not only undertaking the CEO Performance Review but formalise the terms of the Committee's operation, and to determine the time and frequency of meetings, prepare and distribution agendas, reports and minutes to facility transparency and accountability of the process and to review and make recommendations to Council.

The Representatives appointed to the Committee are contained within in the Terms of Reference and outlined below:

4 MEMBERSHIP

4.1 Members of the Committee shall be appointed by Council and shall comprise of six (5) Members, unless otherwise agreed with the CEO, as follows:

4.3.1 Mayor;
4.3.2 Deputy Mayor;
4.3.3 Two (2) Elected Members; and
4.3.4 One (1) Qualified Independent Member; (a person who is:
- not an Elected Member or Employee of Council; and
- determined by Council to have appropriate qualifications or experience in human resource management)

At the finalisation of the Committee's review, they will provide Council with a full report of review outcomes, assess and make decisions. As Mayor, I may also provide a summary of the process and performance findings.

If more nominations are received than the number of positions to the Committee, a ballot will be conducted as per Council's Code of Practice for Meeting Procedures.

Summary and Conclusion
It should be noted that the reform to the *Local Government Act 1999*, provides additional requirements to the CEO performance review process. The reform provisions have now been enacted as law, and are subject to parliamentary processes, the engagement of a consultant is in line with these proposed reforms.

I now ask Council to endorse the revised Terms of Reference, allocate Elected Member representatives and allocate the appropriate budget to undergo the review process.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Revised Terms of Reference of the CEO Performance Review Committee 2024 ⇩

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS7 Governance - Provision of governance advice and support in the discharge of legislative responsibilities for policy development, delegations and authorisations, internal review of Council decisions, delegations and authorisations, Native Title claims

Legislative Requirements
Section 102, of the Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The financial impact is currently included in the approved budget for 23/24.

COMMUNITY ENGAGEMENT

Not required.

THE BAROSSA COUNCIL

TERMS OF REFERENCE OF THE CEO PERFORMANCE REVIEW COMMITTEE

1. ESTABLISHMENT

1.1 Pursuant to Section 41 of the *Local Government Act 1999* (the "Act"), The Barossa Council (the "Council") has established a committee to be known as the Chief Executive Officer Performance Review Committee (the "Committee").

1.2 The Council is responsible for the selection, remuneration and review of the Chief Executive Officer (the "CEO"). The overall role of the Committee is to provide advice to Council on matters relating to the performance, remuneration and development of the CEO.

2. OBJECTIVE

2.1 The objectives of the Committee are to:

2.2.1 At the minimum on an annual basis, carry out the performance review of the CEO within the parameters of the Employment Agreement, and report the Committee's recommendations and findings to Council.

2.2.2 At the minimum on an annual basis, carry out the review of the CEO's remuneration package in accordance with the Employment Agreement and relevant legislation, and report the Committee's recommendations and findings to Council.

2.2.3 Set and review the CEO's agreed performance indicators and objectives.

2.2.4 Monitor progress of the CEO's agreed performance targets for the current 12 month performance period through the Annual Performance Review

2.2.5 Utilise all reasonable endeavours, including by engaging a consultant to gather stakeholder feedback to inform the performance management process. The stakeholders providing feedback must be agreed by the CEO and the Committee.

2.2.6 Obtain and consider the advice of the Qualified Independent Member appointed pursuant to clause 4.1, on the performance review of the CEO.

2.2.7 Identify and facilitate (where appropriate) development opportunities for the CEO.

2.2.8 Make recommendations to Council regarding the performance, remuneration and conditions of employment of the Chief Executive Officer (and any proposed changes thereof) consistent with the requirements of the Employment Agreement and any determination made by the CEO Remuneration Tribunal.

2.2.9 Do anything necessary, expedient, or incidental to performing or discharging the functions of the Committee as listed herein or to achieving its objectives.

2.2.10 In carrying out its objectives, the Committee may, and subject to a direction by Council, engage a consultant to carry out the reviews and provide recommendations and findings to the Committee subject to the allocation of budget.

3 ROLES AND RESPONSIBILITIES

3.1 The Committee may, subject to a direction by Council, carry out the CEO performance and/or remuneration review directly, or engage a consultant to carry out the reviews and

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provide findings and recommendations to the Committee, in accordance with this Terms of Reference and the conditions of the Employment Agreement.

3.2 The review process will be undertaken by an external consultant and must at a minimum undertake the following general processes including engagement and consultation with the CEO as outlined in the Employment Agreement:

3.2.1 Facilitation of a survey or other data gathering method from Elected Members, direct reports to the CEO and any other officers (internal or external) that are agreed between the Committee and CEO undertake the survey and the CEO self-assessment;

3.2.2 The Committee and CEO shall review survey results including year to year comparisons where application and address any areas of material difference in performance outcomes;

3.2.3 The CEO will present to the Committee a summation of the year (to date) performance and activity outcomes;

3.2.4 The Committee will, with the CEO, develop achievable but challenging goals for forthcoming year within the existing resourcing of Council afforded to the CEO;

3.2.5 A remuneration assessment will be undertaken in accordance with the Employment Agreement;

3.2.6 A final report of the findings shall be presented to full Council by the Mayor along with other relevant documentation. The final report must include the advice of the Qualified Independent Member, appointed by Council pursuant to clause 4.1.

3.3 Relevant Council Officers will provide all necessary governance and administrative support to the Committee to discharge its responsibilities.

4	MEMBERSHIP

4.1 Members of the Committee shall be appointed by Council and shall comprise of six (6) Members, unless otherwise agreed with the CEO, as follows:

4.1.1 Mayor;

4.1.2 Deputy Mayor;

4.1.3 Three (2) Elected Members; and

4.1.4 One (1) Qualified Independent Member; (a person who is:

- not a member or employee of Council; and
- determined by Council to have appropriate qualifications or experience in human resource management)

4.2 Appointments to the Committee shall be for One (1) year from the date the Committee is established from June to May to align with the anniversary dates of the current Employment contract, with the following exceptions:

4.2.1 A member resigns or is otherwise incapable of continuing as a member;

4.2.2 A member is removed from office by Council, in accordance with this Terms of Reference;

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4.2.3 The Deputy Mayor, whose term expires upon his or her appointment as Deputy Mayor expiring;

4.2.4 The Qualified Independent Member, who may be appointed for the duration of the performance review.

4.3 Members of the Committee are eligible for reappointment at the expiration of their terms of office.

4.4 The Committee may be re-established by the Council after the conclusion of the term of the Committee.

5 CHAIRPERSON

5.1 The Chairperson will be the Mayor.

5.2 The role of the Chairperson is to:

5.2.1 Ensure that the Committee acts and operates at all times in accordance with these Terms of Reference;

5.2.2 Oversee and facilitating the conduct of meetings in accordance with the Act, Regulations and any relevant Council policies;

5.2.3 Ensure that the Guiding Principles at Regulation 5 are observed and that all Committee Members have an opportunity to participate in discussions in an open, respectful and encouraging manner; and

5.2.4 Call the meeting to order and move the debate towards finalisation when a matter has been debated significantly and no new information is being discussed.

5.3 The Council authorises the Committee to determine if there will be a Deputy Chairperson and, if so, authorises the Committee to make the appointment to that position for a term determined by the Committee. The term determined by the Committee should not exceed the term of the Council.

5.4 If the Chairperson is absent from a meeting, the Deputy Chairperson (if such position exists) will preside at that meeting. If there is no such position, or both the Chairperson and Deputy Chairperson are absent, then a Member of the Committee chosen from those present will preside at the meeting under the Chairperson (or Deputy Chairperson as the case may be) is present.

6 DELEGATED POWERS

6.1 In order for the Committee to perform its functions consistent with these Terms of Reference, the Council delegates to the Committee in accordance with section 137 of the *Local Government Act 1999*, the power to expend Council's approved budgeted funds subject to the Committee's budget allocation and Council's policies.

7 GOVERNANCE

7.1 A recommendation by the Committee to the Council to amend these Terms of Reference must be made by the majority of all Committee members.

7.2 Notwithstanding this Terms of Reference, all Committee members are expected to have read and understood, and must at all times observe and comply with the relevant requirements under the:

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7.2.1 Act;

7.2.2 Regulations

7.2.3 Code of Conduct for Elected Members; and

7.2.4 Council's policies and processes which are relevant to the operations of the Committee.

7.3 Authority

7.2.1 The Council has not delegated any powers to the Committee. Accordingly, all decisions of the Committee will constitute recommendations to Council unless Council has resolved to delegate the decision on the agenda to the Committee.

7.2.2 The Committee is authorised by Council to undertake work to effectively and efficiently meet the objectives described of its role.

8 MEETINGS

8.1 Frequency and Timing of Meetings

8.1.1 The Committee will meet on an as needs basis, with a minimum of two meetings per year.

8.1.2 When scheduling meetings, the Committee must ensure that it meets within the appropriate timeframes required in order to complete the CEO performance review prior to the anniversary date of the CEO Employment Agreement.

8.2 Agenda and Minutes of the Meeting

8.2.1 An agenda will be prepared and distributed to all Committee Members at least three (3) clear days prior to the meeting.

8.2.2 Minutes of the meeting (in accordance with legislative requirements) will be kept and provided to all Committee Members within five (5) days of the meeting.

8.2.3 The minutes of each Committee meeting will be presented to Council.

8.3 Quorum

8.3.1 A quorum for a meeting of the Committee shall be half of the current membership, ignoring any fraction resulting from the division and adding 1.

8.3.2 A meeting will commence as soon after the time specified in the notice of meeting as a quorum is present.

8.3.3 In accordance with Section 90(7a) of the Act, one or more Committee Members may participate in the meeting by telephone or other electronic means provided that members of the public can hear the discussion between all Committee Members.

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8.4 Decisions and Voting

8.4.1 All decisions of the Committee shall be made on the basis of a majority decision of the Members present.

8.4.2 All Committee Members must (subject to a provision of the Act or Regulations to the contrary) vote on any matter arising for decision at a meeting of the Committee.

8.4.3 Each Member of the Committee has a deliberative vote only. In the event of a tied vote, the Chairperson does not having a casting vote. Should the vote on a matter be tied, the item shall be referred to Council for decision.

8.5 Meeting Procedures

8.5.1 The meetings of the Committee shall be held in accordance with Parts 1, 3 and 4 of the *Local Government (Procedures at Meetings) Regulations 2013* (the "Regulations"). Part 2 of the Regulations does not apply to this Committee.

8.5.2 Insofar as the Act and/or Regulations or these Terms of Reference do not prescribe the process to be observed in relation to the conduct of a meeting of the Committee, the Committee may determine its own process. In that case, the Committee will document that process within its Minutes.

8.5.3 Members must comply with the conflict of interest provisions of the Act.

8.5.4 Members of the public are able to attend all meetings of the Committee and have access to all documents relating to the Committee, unless prohibited by resolution of the Committee under confidentiality provisions of section 90 and/or 91 of the Act.

9 RESOURCES

9.1 Local Government Act 1999

9.2 Local Government (Procedures at Meetings) Regulations 2013

9.3 Caretaker Policy

9.4 Customer Service policy

9.5 Elected Members Training and Development Policy

9.6 Declaration of Conflict of Interest Form – Committee Members

10 TRAINING

10.1 Committee Members are encouraged to attend training related to the management of Local Government committees, as provided by the Local Government Association or other appropriate training providers.

10.2 Committee Members are entitled to reimbursement of approved expenditure in relation to attendance at training, in accordance with Council policies and processes.

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11.	DOCUMENT CONTROL

Corporate Plan Link:		6.2 Ensure that Council's policy and process frameworks are based on principles of sound governance and meet legislative requirements. 6.3 Align operational strategy to strategic objectives and measure organisational performance to demonstrate progress towards achieving our goals.			
Document Owner:	Mayor			**Document Control Officer:**	Executive Business Partner, Office of the Mayor and CEO
Consultation Rating:	N/A	**Audience:**	Internal	**Next Review Date:**	30/06/2024

Version history		
Version No.	**Date**	**Description of Change**
1.0	20 April 2021	Terms of Reference adopted upon Committee being established
2.0	17 May 2022	Included items required as part of the Local Government Reform under the Local Government Act 1999; annual reviews with a Qualified Independent Member.
3.0	21 March 2023	Removed 3.3 and replaced with a summary.
4.0	20 February 2024	Number of Elected Members that sit on the committee.

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DEBATE REPORT

7.1 Office of the Mayor and CEO Report

7.1.4 APPOINTMENT OF REPRESENTATIVES TO THE SECTION 41 - SISTER CITIES ADVISORY COMMITTEE

Author: Executive Business Partner
24/2118

PURPOSE

For Council to appoint representatives to the Section 41, Sister Cities Advisory Committee as per the committee's Terms of Reference (TOR).

RECOMMENDATION

That Council appoints the following representatives to the Sister Cities Advisory Committee for a Term of two years commencing on 20 February 2024:

(1) As nominated by the Chief Executive Officer of The Barossa Council appoint the following officers pursuant to Clause 3.1.2 of the Sister Cities Advisory Committee Terms of Reference (TOR) the Corporate Services and Business Innovation; Executive Business Partner; Community Development Officer; and Manager, Tourism Services.

(2) Five Community representatives pursuant to Clause 3.1.3 of the TOR being Vanessa Lambert, Matt Hale, Ingrid Day, Carol Dadds and Louise Hickinbotham and if a further nomination is received during the current period of appointment Council shall consider that appointment at that time.

(3) Organisational representatives pursuant to Clause 3.1.3 of the TOR being Scott Hazeldine, Barossa Australia; Rolf Binder, RDA Barossa, Gawler, Light and Adelaide Plains; Bill Simons, Rotary Barossa District; Michelle Schwarz, Faith Lutheran College; and Rick Lane, Nuriootpa High School, noting that if for any reason the Organisational representative is no longer available to sit on the committee, then the organisation will nominate a replacement for the remainder of the appointees term upon approval of the Sister Cities Advisory Committee.

REPORT

Background
On 21 November 2023, pursuant to Section 41 of the *Local Government Act 1999,* Council endorsed the establishment of the Sister Cities Advisory Committee including adoption of the committee's Terms of Reference for the legislative operation of the Committee and it members.

Discussion
As per the Terms of Reference:

1.2 The Committee, in partnership with Council, industry and community, is established to support Council's strategic commitment to the development and maintenance of effective international relations via Sister City and Friendship City relationships and provide a framework for entering into, maintaining and assessing such relationships to ensure that maximum benefits can be realised by both parties.

Members of the Committee shall be appointed by Council and shall comprise of seventeen 17 Members as follows:

⇒ **Mayor**

⇒ **Council Staff**
Nominated by the CEO, being no more than four (4) Members with relevant experience and expertise to assist the Committee's purpose.

⇒ **Community Members**
Six (6) independent members from the community nominated via expression of interest who broadly represent the community in key areas of interest including:

- Business and wine;
- Tourism, events and marketing;
- Volunteerism;
- Education, recreation and sport;
- Arts, history and culture.

⇒ **Organisational Representative Members**
Six (6) Members will be directly appointed from the following organisations:

- Barossa Australia
- RDA, Barossa, Gawler, Light and Adelaide Plains
- Rotary Australia
- Faith Lutheran College
- Nuriootpa High School

Membership on the Committee shall be for two (2) years from the date the Member is appointed.

Members must be committed to attend and participate in meetings and be actively engaged in the planning and execution of program activities and initiatives.

Discussion
Council is asked to consider the following appointments:

Mayor
Mayor Lange is the Presiding Member as per the Terms of Reference.

Council Staff
The CEO has nominated the following four (4) positions to be representatives on the committee:

- Director Corporate Services and Business Innovation
- Executive Business Partner
- Community Development Officer
- Manager, Tourism Services

Community Representatives
A Public Notice was placed in the Leader Newspaper on 24 January 2024, and closed on 7 February 2024.

During this time, five (5) Expressions of Interest were received and are presented in Attachment 1.

All submissions, meet the criteria and fall within the objectives of the Terms of Reference. Those submissions were:

- Vanesa Lambert
- Matt Hale
- Ingrid Day
- Carol Dadds
- Louise Hickinbotham

Organisational Representative Members
The following organisational representatives have been nominated by their respective organisations:

- Scott Hazeldine, Barossa Australia
- Rolf Binder, RDA, Barossa, Gawler, Light and Adelaide Plains
- Bill Simons, Rotary Australia
- Michelle Schwarz, Faith College
- Rick Lane, Nuriootpa High School

Summary and Conclusion
Council is asked to appoint membership as outlined in the recommendation.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Expressions of Interest - Sister Cities Advisory Committee - February 2024 - Redacted ⇩

Supporting references
https://cdn.barossa.sa.gov.au/downloads/terms-of-reference/Terms-of-Reference-Sister-Cities-Advisory-Committee-November-2023.PDF

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS7 Governance - Provision of governance advice and support in the discharge of legislative responsibilities for policy development, delegations and authorisations, internal review of Council decisions, delegations and authorisations, Native Title claims

Legislative Requirements

The Local Government Act 1999

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Nil

COMMUNITY ENGAGEMENT

Not required

Sister Cities Advisory Committee – Community Member Expression of Interest

Expression of Interest 1

First Name: Ingrid
Last Name: Day

Email Address - [redacted]

Mobile [redacted]

Address: [redacted]

What is your connection to The Barossa Council area?

- I am a resident

What are your key areas of interest?

- Business and wine
- Tourism, events and marketing
- Volunteerism
- Recreation and sport
- Arts, history and culture

Why would you like to be a part of the Committee?
I am writing to express my keen interest in becoming a member of the Barossa Council's Sister Cities Advisory Committee. Having grown up in a grape growing family in Light Pass and subsequently pursuing a successful career in higher education, I believe my background and extensive educational leadership make me an excellent candidate for this role. I am passionate about education, committed to community engagement and confident in my ability to make valuable contributions towards the Committee's objectives with a high level of commitment and motivation.

With over 30 years of experience in higher education institutions across Australia and New Zealand I have developed a deep understanding of the importance of fostering strong relationships and collaborations with institutions both locally and internationally. These partnerships have involved joint research and academic programs, articulation agreements and student exchange (face to face and virtual). I have also initiated and led a combined German/Australian student study tour in Singapore. In my experience, successful initiatives are shaped by shared intercultural interests as well as mutually beneficial economic considerations. In short, partnerships designed to achieve benefit for both parties are the ones that flourish. My innovative disposition, business acumen, and deep educational knowledge have been instrumental in initiating and nurturing these

Sister Cities Advisory Committee – Community Member Expression of Interest

relationships. I believe that my experience in successfully establishing and managing numerous international collaborations would provide a valuable resource for the Sister Cities Committee.

I have also been responsible for managing large budgets, designing and implementing effective strategies, leading diverse teams, and contributing to the development of successful marketing initiatives. I have visited the United States on numerous occasions, including living in New York for 12 months in 2021. Additionally, during a visit to Texas in 2018, I had the privilege of being hosted by the Tarrant County College, where I formed a professional relationship with Carlos Morales, the President of the Tarrant Community College Connect Campus.

In May 2023, I made the decision to transition from a full-time role to consultancy-based work. While I continue to serve on several educational boards and committees and to undertake project-based work, the increased flexibility now allows me to actively engage with and contribute to the community that is my home. Joining the Barossa Valley's Sister Cities Advisory Committee would provide the ideal opportunity to support endeavors that align with my personal and professional skills and values.
Thank you for considering my expression of interest. I look forward to the possibility of contributing to the Barossa Valley Sister Cities Advisory Committee and working as part of a team to promote the growth and development of our community partnerships.
For more information my Linkedin profile can be viewed at
https://www.linkedin.com/in/ingrid-day-3aa91325/

Attendance
Yes

Terms of Reference
[redacted]

Sister Cities Advisory Committee – Community Member Expression of Interest

Expression of Interest 2

First Name: Vanesa
Last Name: Lambert

Email Address [redacted]

Mobile [redacted]

Address: [redacted]

What is your connection to The Barossa Council area?

- I am a resident
- I am a ratepayer
- I am a business owner
- I work in the Barossa

What are your key areas of interest?

- Business and wine
- Tourism, events and marketing
- Arts, history and culture

Why would you like to be a part of the Committee?
I have strong ties to Texas, we visit at least multiple times a year and we have family that lives there. I speak Spanish, 30% of Texas residents speak Spanish at home. I attended GrapeFest in 2023, made many connections there. We hosted the Grapevine delegation during their visit in 2023. From a business standpoint, we are involved in local events, Vintage Festival, Fringe, other local events. We have our own import company in the US and export products to the US. We are well aware of the complexities of doing business in Texas and are keen to continue to develop relationships with the people there and learn more from their experience.

Attendance
Yes

Terms of Reference
[redacted]

Sister Cities Advisory Committee – Community Member Expression of Interest

Expression of Interest 3

First Name: Carol

Last Name: Dadds

Email Address [redacted]

Mobile [redacted]

Address: [redacted]

What is your connection to The Barossa Council area?

- I am a resident
- I am a ratepayer
- I am a business owner
- I work in the Barossa

What are your key areas of interest?

- Tourism, events and marketing
- Arts, history and culture

Why would you like to be a part of the Committee?

The Sister Cities Advisory Committee is such an interesting concept that I found out about when my business Sunshine Barossa Australia handcrafted the leather folders that were gifted to the Sister City representatives. It has now become an interest of mine after speaking to Janine about the future plans and I would like to be involved somehow with international relations via Sister City and Friendship City relationship as this is a great broadening growth opportunity for our beautiful Barossa Valley!

My world is tourism, manufacturing, arts and communication with what I do for a living so hopefully this could be of help somehow.

Attendance

Yes

Terms of Reference

Yes

Signature

[redacted]

Sister Cities Advisory Committee – Community Member Expression of Interest

Expression of Interest 4

First Name: Louise
Last Name: Hickinbotham

Email Address [redacted]

Mobile [redacted]

Address: [redacted]

What is your connection to The Barossa Council area?

- I am a resident

What are your key areas of interest?

- Business and wine
- Tourism, events and marketing
- Volunteerism

Why would you like to be a part of the Committee?
I worked in Aviation for 11 years with extensive travel, management, VIP protocols, coordination and training. Familiar with other cultures and well traveled. Born in the Coonawarra, grew up in the Adelaide Hills and now a Barossa local with experience in Wine, Vineyard ownership and Grape Growing practices. Currently working in social services supporting the most vulnerable in our community with Lutheran Care, I feel my experience would benefit the Barossa and sister cities program.

Attendance
Yes

Terms of Reference
Yes

Signature
[redacted]

Sister Cities Advisory Committee – Community Member Expression of Interest

Expression of Interest 5

First Name: Matt
Last Name: Hale

Email Address [redacted]

Mobile [redacted]

Address: [redacted]

What is your connection to The Barossa Council area?

- I am a resident
- I am a ratepayer
- I am a business owner
- I work in the Barossa

What are your key areas of interest?

- Business and wine
- Tourism, events and marketing
- Volunteerism
- Recreation and sport

Why would you like to be a part of the Committee?
As a small eco-business we are keen to learn how other cities encourage their citizens to get out in nature. We believe being able to access nature easily in our region contributes to the health and wellbeing of all Barossans.

Attendance
Yes

Terms of Reference
Yes

Signature
[redacted]

DEBATE REPORT

7.1 Office of the Mayor and CEO

7.1.5 NEW INITIATIVES FOR THE 2024-2025 BUDGET - DIRECTION OF PROPOSALS TO ASSESS

Author: Chief Executive Officer
24/23551

PURPOSE

Seeking Councils direction as to what proposal put up for consideration shall be assessed for potential funding in the 2024-2025 budget.

RECOMMENDATION

That Council endorse the recommendations encased in Attachment 1 for assessment of new initiatives pursuant to Clause 3.1.4 the Annual Business Plan and Budget Policy.

Or

That Council instruct that the following new initiatives shall be assessed pursuant to Clause 3.1.4 the Annual Business Plan and Budget Policy:

- Project to be listed
- Project to be listed
- Etc

REPORT

As outlined in the program approved by the Council in December 2023 this report is tabling the new initiatives received for consideration as to those that will proceed for full assessment under the Annual Business Plan and Budget Policy.

The submissions received a preliminary assessment are provided at Attachment 1.

The status of initiatives is that only preliminary assessment has been undertaken and Council is now requested to instruct what, if any, shall be assessed. With the current and prospective investments and workload on the horizon for core infrastructure and the potential Big Project developments there is very limited to no capacity to absorb any additional capital works and it is recommended at this time, other than Fife Road which was flagged as being designed in 2023-2024 for potential delivery in 2024-2025 be considered. In relation to the operating programs, it is suggested at this time only the finalisation of the home library service, which formed part of the endorsed Library Service review be undertaken and the security system upgrades be assessed.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 New Initiative Assessment ⇩

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS6 Finance - Transparency and accountability regarding Council activity and expenditure. Provision of organisational performance report (outcomes), activity report (outputs), a range of statutory reporting (e.g. public health, tax, superannuation), financial reporting

BS7 Governance - Provision of governance advice and support in the discharge of legislative responsibilities for policy development, delegations and authorisations, internal review of Council decisions, delegations and authorisations, Native Title claims

Legislative Requirements
Section 123 of the Local Government Act

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Based upon the recommendation there is limited resource impact to undertake the assessments.

The assessments under the Annual Business Plan and Budget Policy will address the financial and risk considerations of the proposed projects or service changes.

COMMUNITY ENGAGEMENT

Any matters placed within the draft business plan and budget will be including in the community engagement processes required annually as part of the Local Government Act requirements.

Budget Consideration Requests for the 2024-25 Financial Year

Elected Member Proposals - Data Entry

Proposal Name	Description	Funding Request If Kr	Any Other Information	Intiatial Assessement ELT	Council Decision to Fully Assess
M/P Caravan Park - upgrade	Managers Accommodation - Mt. Pleasant Caravan Park	N/a	The first is for consideration of Managers Accommodation at the Mt. Pleasant Caravan Park – on my understanding the current manager is living on site in a caravan, not ideal. I raise this for consideration more than anything else, should be picked up in the review of all Caravan Parks rather than as a one off NI however I raise it so it is not missed in the review.	As outlined will be assessed in caravan park review.	
Paved footpath	Melrose Street, Mt. Pleasant between Tungkillo Road and Cricksmill Road	N/a	See attachment	Not current priority - Council has prioritised rural road and Fife Street for works priorities at present.	
Community Assistance Grants	Increase the annual allocation of funds to support community events and volunteer groups using Council facilities that require an upgrade	$50K		The long awaited review of the community assistance scheme will be accelerated to address this issue outside of budget - do not recommend for assessment.	
Hetitage Grants	Increase the annual allocatoon of funds to support the restoration and preservation of our heritage buildings	$50K		Council needs to focus on its own infrastructure and building needs. The long awaited review of the community assistance scheme will be accelerated to address this issue outside of budget - do not recommend for assessment.	
Recycling cans and bottles	Can and bottel recycle bins at key locations particularly parks		if Council resources to empty these bins are stretched, service clubs or town committees collaboration could be a great way to manage emptying and fundraise	Will undertake and assessment outside of budget processes about viability and bring report to council in due course - do not recommend assessment.	
Aquatic Strategy	Nuriootpa Pool heating activate the Aquatic Strategy and create a site plan for future upgardes of this facility			The aquatic strategy was not supported previously by Council, however there simply is no resourcing availability to apply to work - do not recommended assessment.	
Entrance upgrades	Beautify corner of Schaedel Street and Old Kapunda Road Nuriootpa with a desiganated pathway, native plants and sculpture art		approach to be similar to that of Atze Parade Nuriootpa but with some sculpture art and collaboration with NFA as a town project - Meeting Place theme	These are being rolled out through existing budgeting where available. Works will develop a rolling plan for members review - do not recommend for assessment.	

Prior two years matters	See attachments			Fife Street was earmarked for design in 2023-24 whichis underway and potential delivery in 2024-25. All other items have there is no alteration to the prior recommendatiosn of Councils decisions in 2023-24 and thus are not recommended for assessment	

Budget Consideration Requests - Prior Two Years (2022-23 and 2023-24) - Requests Not Included In Budget

Item	Proposal Name	Description	Funding Request If Known	Any other Information	Operating / Capital	Recommendation
37	Oval Surface Renewal/Upgrade	Angaston (please note Tanudna done in 23-24, Lyndoch will be addressed as part of new development)	1,500,000		Capital	Defer - indefinately Council has indicated Lyndoch is the priority
22	Recycling stations	Recycling Stations (ability to recycle soft plastics, batteries, bread tags etc). I can provide an example from Adelaide Council's for our EM's to look at.	15,000		Operating	No support previously - no change to prior endrosed Council position - do not proceed to assessment.
1a	Prior two years initiatives	Kalima Road drainage and footpath	1,864,000	Requested to be assessed. Post budget decisions - footpath installed as bridging measure until the land is developed	Capital	No support previously - no change to prior endrosed Council position - do not proceed to assessment.
14	New dual lane bridge - Research Road Nuriootpa	Located adjacent to Hickinbottoms development	900,000	Requires road realignment, significant bridge construction in the flood plain, is a water effectiving activity and thus subject to state approval and extensive native vegetation costs are likely to be involved.	Capital	No support previously - no change to prior endrosed Council position - do not proceed to assessment.
29a	Seal Issac Street	Isaac Street seal as per petition presented to Coucnil meeting January 2023	346,000	Council resolved to assess it as part of the budget - wasn't prioritised.	Capital	No support previously - no change to prior endrosed Council position - do not proceed to assessment.
11	Nuriootpa Pool	Installation of new heating	630,000	From October 2021 estimate of $400K plus 20% for current year estimate - would also trigger power capacity upgrade estimated in October 2021 at $100K not consider sufficient + 50%.	Capital	No support previously - no change to prior endrosed Council position - do not proceed to assessment.
3	Fife Street Upgrade	Fife Street Upgrade	745,000	As part of budget decision inclusion for design in 23-24 and consideration for priority delivery in 24-25.	Capital	Council has funded design this year for potential implementation in 2024-25 proceed to assessment
16	Coulthard Park	Coulthard Park to to be returned to its former glory will speak more at the Work Shop	Unknown	No scope to be able to provide estimate. Already determined that the lake cannot be reinstated as a water effecting activity wioth Landscape Board also not a sustainable use of scarce water resources.	Unknown	No support previously - no change to prior endorsed Coucil position - work underway on new arrangemtns and will also be part of caravan park review work.

Budget Consideration Requests - Prior Two Years (2022-23 and 2023-24) - Requests Not Included In Budget

Item	Proposal Name	Description	Funding Request If Known	Any other Information	Operating / Capital	Recommendation
25	Tanunda Oval Playground	Safety fence and shade sails	150,000	Potential alternative reduced fencing extent around the new Bilyara Road entrance only for reduced cost. Exposure is to internal park road only, all external road boundaries fenced. Installation of shade sail sets precedent for other playgrounds. Post budget decision approval provided for fencing.	Capital	No support previously - no change to prior endrosed Council position - do not proceed to assessment.
20	Nuriootpa War Memorial Swimming Pool Facility Improvements	Various matters	Anywhere from $15K for doors and seating to over $1M for heating, todler, splash park	Site SAPN Electrical Upgrade assessment, to facilitate future site upgrades, including heating. Addition of doors to shower cubicles for personal safety, currently shower curtains. Replacement of the aging and rusted outdoor seating. Heritage Signage explaining importance of the pool to the Nuriootpa and broader community. Council resourced and funded staff role ie community, events & promotions, estimated 8hrs per week. Would also have responsibility for promoting and creating activities for tourism at the pool. Electric/Gas Water heating to maintain a constant water temperature to widen user groups, inc but not exclusive to swim clubs, ie young families and elderly. Upgrade of toddler pool to include splash pad (as per Burnside).	Capital	No support previously - no change to prior endrosed Council position - do not proceed to assessment.
22	Town Entry Statement Landscaping	Town entrance program	30,000	Increased operational budget is requested to deliver improved landscaped treatments at key points of entry to towns across the Barossa. This will be a multi-year program of works requiring a permanent increase to budget. Councils Open Space Team will be responsible for delivering these works along with the ongoing maintenance, which will contribute to a higher level of job satisfaction and team culture. Being addressed through existing allocations as funds are available.	Operating	See notes in the summary sheet provided - not recommended to assess.

Budget Consideration Requests - Prior Two Years (2022-23 and 2023-24) - Requests Not Included In Budget

Item	Proposal Name	Description	Funding Request If Known	Any other Information	Operating / Capital	Recommendation
25	Outdoor fitness equipment at Talunga Park Mt Pleasant	Fitness equipment	60,000	Purchase and installation of 4 pieces of outdoor fitness equipment, (elliptical trainer, air walker, foot cycle & rower) along with appropriate soft fall ground cover.	Capital	No support previously - no change to prior endrosed Council position - do not proceed to assessment.

Budget Consideration Requests for the 2024-25 Financial Year

Council Officer Proposals - Data Entry

Proposal Name	Description	Funding Request If Known	Any Other Information	Approvd by ELT Member	Initial Assessment	Council Decision to Fully Assess
Signage Project	Develop a framework and implementation plan to deliver a consistent approach to application of signage at Council venues and spaces to address the proliferation of ad-hoc and inconsistent signage across Council facilities. The framework would develop a heirarchy of signage types (by venue type) and guidelines for ancillary wayfinding signage and/or aggregation of signage at locations supporting multiple user groups such as rec parks. This will also provide brand recognition and visibility of Council assets, similar to Street Flags project. Implementation would be staged and subject to funding.	Further scoping required	Identified as a Strategic Action in the Corporate Plan BS3-6 and Council-endorsed Grapevine Report. Project supports previous policy work around Signage Policy and Leases and Licences. Preliminary consultation with internal business units supports a structured approach.	Jo Moen Has Approved	No - low priority in face of known other matters and budget constraints. Do from internal resources when available. Does not meet the extreme or high risk or legislative test for administrative new initiatives	
Home Libray Service expansion	Home Library Services benefit vulnerable and isolated members of the community by providing access to information, knowledge, reading/viewing for pleasure, and social connection. The current Barossa service is at capacity with 40 clients, and provides a 4 weekly curated book delivery service only. Conservative estimates suggest 186 members of the community would currently be interested and eligible for this service. The project proposal allows for service delivery to 190 clients, the addition of digital literacy programs to the service, and the provision of a dedicated coordinator and vehicle.	Estimated request (subject to potential external funding as suggested by ELT): Years 1-3 (trial period) cumulative project cost $271,740 10 year LTFP cumulative project cost $1,008,845	The Home Library Service Review is a key outcome of the Council-endorsed 2022 Library Services Review. The proposed service improvements align with achieving Goals 9 and 10 of the Community Plan 2020-2040.	Approval to submit provided by ELT at meeting 23 November 2023	Proceed to assessment - required to close out part of approved Library review findings.	
Nuriootpa Administration Centre Building Management System (BMS)	Supply and install a site main BMS Ethernet system to capture all Heating Ventalation and Air Conditioning (HVAC) allowing for integrated control of all systems in order to provide energy efficiency and power monitoring of the site.	Project Cost including variation allowances is $80000.	This has been recommended in the recent energy audit carried out by Tandem Energy.	Approved by Ben Clark	No - low priority in face of known other matters and budget constraints. Does not meet the extreme or high risk or legislative test for administrative new initiatives	
Security System replacements	Our security systems at our library sites have started to degrade to the point of requireing constant maintenance and are unable to be expanded to accommodate additional personnel. The replacement would allow us to integrate the management systems into a cloud base system ensureing we can make changes in house saving on Security Contractor Call out costs.	Project Cost for replacement total of $25000 to cover all sites	Additional funding required on top on normal operational budget to replace outdated systems at Lyndoch, Mount Pleasant and Nuriootpa which will also allow us to manage the personnal protection pendants in house. The total project cost would be split accross all sites.	Approved by Ben Clark	Proceed to assessment - related to risk and safety.	
Residential green waste pulse check	Engage KESAB to undertake visual inspections at the kerbisde for an agreed number of residential township green bins to provide Council with baseline data about green organic bin use. Visual inspections will be paired with some direct engagement with residents through a combination of doorknocking and bin tagging. Waste auditing has not been completed since mandatory green waste bins were introduced to Townships (July 2021). This audit meets the information needs of Council (CM 19/73404) at a reduced cost to audits proposed previous years and will also deliver an element of community waste education and awareness (CS23).	15,000	CM 19/73404 re-auditing remains outstanding action CS23 - Waste and Resource Recovery - provide on going waste education and awareness to service users.	Approved Jake McVicar	No - low priority in face of known other matters and budget constraints. Does not meet the extreme or high risk or legislative test for administrative new initiatives.	
Carbon management planning staff engagement & upskilling program	Facilitate a staff engagement & upskilling program to support Corporate Plan Action CS17-1 to develop a Carbon Management Plan. A plan to reduce carbon emissions needs to be owned by the whole business to be effective and transformational. Largely the responsibility for reduction action strategies will sit with each business area. Council are participating the inaugural State Government Net Zero Accelerate Program to complete the first step of developing a plan, which is measurement and establishing a baseline. Because of this funding, measurement is heavily subsidised($500 contribution, actual value $20-$30K). Investing in engagement and upskilling upfront will ensure local context and knowledge is utilised to its full value to develop the best Carbon Management Plan.	15,000	CS17-1 Carbon Management Plan Community Plan Goal 3 - “proactive approach in responding to key environmental challenges such as climate change”	Approved Jake McVicar	No - low priority in face of known other matters and budget constraints. Does not meet the extreme or high risk or legislative test for administrative new initiatives.	
Public place waste and resource guideline development	Review public place waste and resource management to develop clearer guidelines. This includes the review of public place bins and current service models within the Waste Services Contract, how we respond to community requests about public place bins/ set service levels, and invest in strategic infrastructure to facilitate the recovery of 10c refundable containers from Tanunda Main Street and organic waste from Dog Parks. We anticipate internal efficiency gains (labour) and reduced bin servicing costs (Solo) to be achieved by reviewing placement of some public place bins across the region.	12,000	This will deliver cross program benefits and proposal intent has support from Manager Infrastructure and Environmental Services. CS17 - Natural Resources, Output 1 - Sustainability - support initiatives and programs in the region. Tanunda main street initiative will deliver additional community benefit by creating a system that allows non-for-profits to collect the material and keep the financial benefit.	Approved Jake McVicar	No - low priority in face of known other matters and budget constraints. Does not meet the extreme or high risk or legislative test for administrative new initiatives	

DEBATE REPORT

7.1 Office of the Mayor and CEO

7.1.6 AMENDMENT - CODE OF PRACTICE FOR MEETING PROCEDURES

Author: Executive Business Partner
24/23741

PURPOSE

The *Local Government Act 1999* and *Local Government (Procedures at Meetings) Regulations 2013* provide the legislative meeting procedure framework for the conduct of Council and Committees meetings. A slight amendment to the Code of Practice for Meeting Procedures has been undertaken to align with legislative requirements.

RECOMMENDATION

That Council adopts the amended Code of Practice for Meeting Procedures as at Attachment 1.

REPORT

Background
Chapter 6 of the *Local Government Act 1999* (the Act) and the *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations) govern Council and Committee meetings. The rules set out in the Act and Regulations are generally mandatory, with some exceptions. Council may establish discretionary procedures under the Regulations that alter or substitute specific regulation.

In accordance with Section 86, of the *Local Government Act 1999*, the procedure to be observed at a meeting of a Council is to be as prescribed by regulation. The *Local Government (Procedures at Meetings) Regulations 2013* details the minimum meeting procedures Council must observe, and provide for Council to determine procedures not prescribed within the *Local Government (Procedures at Meetings) Regulations 2013.*

Introduction
The Code of Practice is a public document, available for inspection by members of the public. The adoption of a Code of Practice provides transparency to the community with respect to meeting procedures, and a consistent framework for Elected Members, Council staff, Committee Members and community members. Further it allows rules governing meeting procedures, variations and any guidance notes to be collated in one document.

Discussion
The Code of Practice for Meeting Procedures has been slightly amended for Council consideration as at Attachment 1 to reflect the mandatory requirements of the Local Government (Procedures at Meetings) Regulations 2013 - Section 9(1) and 12(2).

Summary of changes:

Section of the Code	Current	Change
Section 9(1) - Questions	(1) A member may ask a question on notice by giving the chief executive officer written notice of the question at least **5** clear days before the date of the meeting at which the question is to be asked	(1) A member may ask a question on notice by giving the chief executive officer written notice of the question at least **7** clear days before the date of the meeting at which the question is to be asked.
Section 12(2) - Motions	(2) The notice of motion must be given to the chief executive officer at least **5** clear days before the date of the meeting at which the motion is to be moved.	(2) The notice of motion must be given to the chief executive officer at least **7** clear days before the date of the meeting at which the motion is to be moved

Summary and Conclusion
Council is presented with the draft Code of Practice for Meeting Procedures as attached at Attachment 1 for endorsement.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Draft Code of Practice for Meeting Procedures ⇩

Supporting references
Local Government Act 1999 (legislation.sa.gov.au)
Local Government (Procedures at Meetings) Regulations 2013 | South Australian Legislation

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan
BS7 Governance - Provision of governance advice and support in the discharge of legislative responsibilities for policy development, delegations and authorisations, internal review of Council decisions, delegations and authorisations, Native Title claims

Legislative Requirements
Local Government Act 1999
Local Government (Procedures at Meetings) Regulations 2013

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

There are no additional financial or resource implications associated with the endorsement of the Code of Practice for Meeting Procedures.

COMMUNITY ENGAGEMENT

There is no requirement to consult the community on the Code of Practice for Meeting Procedures.

THE BAROSSA COUNCIL
CODE OF PRACTICE FOR MEETING PROCEDURES

1.	Purpose

1.1 Council and Committee meeting procedures are governed by Chapter 6 of the *Local Government Act* 1999 (the Act) and the *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations).

1.2 Regulation 6 of the Regulations allows for Councils to adopt a Code of Practice for Meeting Procedures, and in particular, vary any discretionary procedures set out in the Regulations, or establish its own procedures for any matter not included in the Act or Regulations. A Council resolution to adopt this Code of Practice must be supported by at least two-thirds of the Elected Members entitled to vote on the resolution.

1.3 The purpose of this Code of Practice is to document the meeting procedures that apply to Council and Committee meetings, provide transparency and a consistent framework for Elected Members, Council Workers, Members of Committees and community members.

1.4 This Code of Practice should be read in conjunction with Council's *Code of Practice for Access to Council and Committee Meetings and Associated Documents*, the Act and Regulations.

1.5 This Code of Practice does not apply to the Barossa Assessment Panel (BAP) which has its own BAP Operating and Meeting Procedures.

2.	Scope

2.1. This Code of Practice applies to Council Meetings and Committee Meetings, including Committees performing regulatory activities. All Elected Members, Committee Members and Council Employees are expected to comply with this Code and associated legislation.

2.2. This Code of Practice outlines the meeting procedures set out in the Regulations with annotations in highlighted text boxes in this Code. In addition, where the Council has varied a procedure set out in the Regulations (being a procedure that is capable of variation) or has adopted a procedure in circumstances where the Act or Regulations do not prescribe a procedure, this Code of Practice sets out those varied or additional procedures (as the case may be) in highlighted text boxes.

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3. Policy Statement

3.1. The rules that govern Council and Committee Meetings are set out in the Extract of the *Local Government (Procedures at Meetings) Regulations 2013* at Appendix 1 to this Code of Practice. Any variations made to the meeting procedures are indicated in Appendix 1.

3.2. In accordance with Regulation 4 of the Regulations, when using this Code of Practice, the following guiding principles should be applied with respect to meeting procedures.

3.3. Council and Committee meeting procedures should:

3.3.1. be fair and contribute to open, transparent and informed decision-making;

3.3.2. encourage appropriate community participation in the affairs of Council;

3.3.3. reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting;

3.3.4. be sufficiently certain to give the community and decision-makers confidence in the deliberations undertaken at the meeting.

4. Related Policies and Documents

Code of Practice for Public Access to Meetings and Meeting Documents (Ref: 23/30184)
Behavioural Standards for Council Members (Ref: CD/22/25)
Behavioural Management Policy (Ref: CD/22/26)
Customer Service Policy (Ref 22/32237)
Application to make a Deputation (online form on Council's website)
Petition Template (Ref: 17/16066)

5. Legislation and References

Local Government Act 1999
Local Government (Procedures at Meetings) Regulations 2013

6. Review

Pursuant to Regulation 6 of the *Local Government (Procedures at Meetings) Regulations 2013*, this Code will be reviewed by the Council once every financial year or more frequently if legislation or Council require changes.

7. Further Information

7.1. This Code is available on Council's website at www.barossa.sa.gov.au. It can also be viewed electronically at Council's Principal Office at 43-51 Tanunda Road, Nuriootpa and all Council branches, during ordinary business hours. A copy of this Code can be obtained at those venues upon payment of a fixed fee.

7.2. Complaints regarding this Code or its application can be made to the Customer Experience team on 8563 8444 or barossa@barossa.sa.gov.au at first instance, who will refer you to the most appropriate officer according to Council's *Customer Service Policy*.

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8. Document Control

Corporate Plan Link:	6.2 Ensure that Council's policy and process frameworks are based on principles of sound governance and meet legislative requirements.				
Document Owner:	Chief Executive Officer			**Document Control Officer:**	Executive Business Partner
Consultation Rating:	C	**Audience:**	External	**Next Review Date:**	Once every financial year - by 30/06/2025

Version history

Version No.	Date	Description of Change
1.0	18/05/2021	New Code of Practice adopted by Council
2.0	21/06/2022	Revised Code of Practice adopted by Council to remove reference to the Emergency Declaration and conditions therein.
3.0	15/08/2023	Updated references within Item 4 Related Policies and Documents to include requirements under the Local Government Reform.
3.1	20/02/2024	Update to Item 9 and 12 to reflect the number of 'clear days' to reflect current legislation.

9. Definitions

Act	*Local Government Act 1999*
CEO	Chief Executive Officer of The Barossa Council
Clear Days – in relation to giving notice before a Meeting	Does not include the day on which the notice is given, and the day on which the meeting occurs, but includes Saturdays, Sundays and Public Holidays. If notice of a meeting is given after 5:00pm on a day, the notice will be taken to have been given on the next day.
Committee	As defined by Section 41 of the Act
Council	The Barossa Council
Deputation	A person or group of persons who wish to appear personally before Council or a Committee in order to address Council or Committee on a particular matter.
Elected Member or Council Member	All Elected Members of The Barossa Council, and includes the Mayor or the Presiding Member of a Committee (unless stated otherwise). Council Member is commonly used to refer to Elected Member.
Guiding Principles	As defined by Regulation 4 of the *Local Government (Procedures at Meetings) Regulations 2000*.
Information or Briefing Session	An Information or Briefing Session is held under Section 90A of the *Local Government Act 1999*. A council, or the chief executive officer of a council, may hold or arrange for the holding of a session (not being a formal meeting of a council or council committee required to be held under this Chapter) to which more than 1 member of the council or a council committee is invited to attend or be involved in for the purposes of providing.

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Leave of the Meeting	A vote on whether leave of the meeting is granted may be conducted by a show of hands (but nothing prevents a division being called in relation to the vote).
Member	A member of the Council or Council Committee
Petition	A petition is a document that contains the names, signatures and addresses of a group of people who have a common issue of concern or idea to bring to council for consideration. Refer Regulation 10.
Presiding Member	The person who is the presiding member of a Council or Council Committee, or acting in the role.
Regulatory Activity	An activity which involves the making or enforcement of by-laws, orders, standards or other controls under the Local Government Act or another Act.
Written Notice	Includes a notice given in a manner or form determined by Council.
Worker	A person is a worker if the person carries out work in any capacity for Council, including work as: (a) an employee; or (b) a contractor or subcontractor; or (c) an employee of a contractor or subcontractor; or (d) an employee of a labour hire company who has been assigned to work in the person's business or undertaking; or (e) an outworker; or (f) an apprentice or trainee; or (g) a student gaining work experience; or (h) a volunteer; or (i) a person of a prescribed class.

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Appendix 1	Extract of the Local Government (Procedures at Meetings) Regulations 2013

All variations to the Regulations and notes are marked in this manner.

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Part 2—Meetings of councils and key committees

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5 Application of Part
6 Discretionary procedures

Division 2—Prescribed procedures

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9 Questions
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19 Adjourned business
20 Short-term suspension of proceedings
21 Chief executive officer may submit report recommending revocation or amendment of council decision

Part 3—Meetings of other committees

22 Application of Part
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26 Quorum for committees
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Part 2—Meetings of councils and key committees

Division 1—Preliminary

5—Application of Part

The provisions of this Part apply to or in relation to—

(a) the meetings of a council; and

(b) the meetings of a council committee performing regulatory activities; and

(c) the meetings of any other council committee if the council has, by resolution, determined that this Part should apply to that committee.

***NOTE:** For the list of Committees that perform regulatory activities, please refer to the Code of Practice for Access to Council and Committee Meetings and Associated Documents.*

Where there is any doubt as to whether a Committee performs regulatory activities, the Chief Executive Officer will make a final determination on the matter.

6—Discretionary procedures

(1) Subject to the requirements of the Act, if a provision of this Part is expressed to be capable of being varied at the discretion of the council pursuant to this regulation, then a council may, by a resolution supported by at least two-thirds of the members of the council entitled to vote on the resolution, determine that a code of practice prepared or adopted by the council that establishes its own procedures for the relevant matter or matters will apply in substitution for the relevant provision (and such a determination will have effect according to its terms).

(2) A council should, at least once in every financial year, review the operation of a code of practice under this regulation.

(3) A council may at any time, by resolution supported by at least two-thirds of the members of the council entitled to vote on the resolution, alter a code of practice, or substitute or revoke a code of practice.

(4) A council must, in considering the exercise of a power under this regulation, take into account the Guiding Principles.

(5) A person is entitled to inspect (without charge) the code of practice of a council under this regulation at the principal office of the council during ordinary office hours.

(6) A person is entitled, on payment of a fee fixed by the council, to a copy of the code of practice.

(7) Regulation 12(4) does not apply to a motion under subregulation (3).

(8) This regulation does not limit or derogate from the operation of regulation 20[1].

Note—

1 Furthermore, if a matter is not dealt with by the Act or these regulations (including under a code of practice under this regulation), then the relevant procedure will be—

(a) as determined by the council; or

(b) in the case of a council committee where a determination has not been made by the council—as determined by the committee.

(See sections 86(8) and 89(1) of the Act.)

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Division 2—Prescribed procedures

7—Commencement of meetings and quorums

(1) A meeting will commence as soon after the time specified in the notice of meeting as a quorum is present.

(2) If the number of apologies received by the chief executive officer indicates that a quorum will not be present at a meeting, the chief executive officer may adjourn the meeting to a specified day and time.

(3) If at the expiration of 30 minutes from the time specified in the notice of meeting as the time of commencement a quorum is not present, the presiding member or, in the absence of a presiding member, the chief executive officer, will adjourn the meeting to a specified day and time.

(4) If a meeting is adjourned for want of a quorum, the chief executive officer will record in the minute book the reason for the adjournment, the names of any members present, and the date and time to which the meeting is adjourned.

(5) If a meeting is adjourned to another day, the chief executive officer must—

(a) give notice of the adjourned meeting to each member setting out the date, time and place of the meeting; and

(b) give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place of the meeting to be placed on display at the principal office of the council.

ACKNOWLEDGEMENT OF COUNTRY

At the discretion of the Mayor, The Barossa Council will acknowledge the First Nations People with an acknowledgment of country as part of the 'Welcome'.

SPECIAL COUNCIL MEETING

Special Council meetings may be called in accordance with the requirements detailed under Section 82 of the Act.

The Council may only consider at a Special Council Meeting those items as appearing on the agenda provided to the Chief Executive Officer in requesting a Special Meeting.

INFORMATION BRIEFING SESSION

Elected Member Workshops are deemed an Information Briefing Session.

QUORUMS

A quorum of the Council is calculated by dividing the total number of Council members for the time being in office by two, ignoring any fraction and adding one.

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8—Minutes

(1) The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.

(2) No discussion on the minutes may occur before confirmation, except as to the accuracy of the minutes as a record of proceedings.

(3) On the confirmation of the minutes, the presiding member will—

(a) initial each page of the minutes, which pages are to be consecutively numbered; and

(b) place his or her signature and the date of confirmation at the foot of the last page of the minutes.

(4) The minutes of the proceedings of a meeting must include—

(a) the names of the members present at the meeting; and

(b) in relation to each member present—

(i) the time at which the person entered or left the meeting; and

(ii) unless the person is present for the whole meeting, the point in the proceedings at which the person entered or left the meeting; and

(c) each motion or amendment, and the names of the mover and seconder; and

(d) any variation, alteration or withdrawal of a motion or amendment; and

(e) whether a motion or amendment is carried or lost; and

(f) any disclosure of interest made by a member; and

(g) an account of any personal explanation given by a member; and

(h) details of the making of an order under subsection (2) of section 90 of the Act (see subsection (7) of that section); and

(i) a note of the making of an order under subsection (7) of section 91 of the Act in accordance with the requirements of subsection (9) of that section; and

(j) details of any adjournment of business; and

(k) a record of any request for documents to be tabled at the meeting; and

(l) a record of any documents tabled at the meeting; and

(m) a description of any oral briefing given to the meeting on a matter of council business; and

(n) any other matter required to be included in the minutes by or under the Act or any regulation.

***NOTE:** In accordance with clause 4.5 of Council's Code of Practice for Access to Council and Committee Meetings and Associated Documents, Minutes of a meeting of Council or a Committee will be available at Council's Principal Office and on its website www.barossa.sa.gov.au within 5 days after the meeting.*

MINUTES

The format of the minutes of a meeting is at the discretion of the Chief Executive Officer. However, the content of the minutes must meet the requirements of the Act and Regulations.

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MAYOR'S REPORT

At an Ordinary Council Meeting, the Mayor may provide a report on any activities of the Mayor for the previous month. A summary of the Mayor's Report will be included in the Agenda.

Clarification: The Mayor may also draw to the attention of the Members any matter or issue they believe is necessary for the Members to be aware.

LEAVE OF ABSENCE

A Council Member may request leave of the Council to be absent from one or more meetings of the Council.

The request for leave must be made in writing and provided to the Mayor and Chief Executive Officer who will arrange for the request of leave to be considered by the Council as soon as possible.

A Council Member must advise of the specific dates that they will be absent.

APOLOGIES

If a Council Member becomes aware of a situation or circumstance that will prevent that Member's attendance at a Council or Committee Meeting, they should provide an apology either in person, by phone or by email to one of the following people:

- *Mayor (in relation to a Council Meeting),*
- *Presiding Member of the Committee,*
- *CEO,*
- *If in regards to a Committee meeting, then to the relevant officer(s) providing administrative support to the Committee.*

Apologies will be noted in the minutes provided the meeting is made aware of the apology.

If an apology is not recorded and notified to the meeting, the Member's non-attendance will be recorded as Not Present.

Clarification: If a Council or Committee Member is incapacitated due to serious illness or injury, an apology on their behalf can be made by a family member or close associate.

CHANGE IN ORDER OF DISCUSSING AGENDA ITEMS

The Presiding Member of the Council or a Committee, at their discretion, may change the order of discussion of agenda items during the meeting to bring agenda items forward to an earlier time or defer an agenda item to a later time in the meeting.

The following justifications (not limited to this list) may be utilised for re-ordering of agenda items:

- *The attendance of an external visitor to the Meeting.*
- *Community attendance at the Meeting for a particular item.*
- *If community members present a deputation on a specific agenda item, that item may be brought forward to immediately follow the deputation.*

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9—Questions

(1) A member may ask a question on notice by giving the chief executive officer written notice of the question at least 7 clear days before the date of the meeting at which the question is to be asked.

(2) If notice of a question is given under subregulation (1)—

(a) the chief executive officer must ensure that the question is placed on the agenda for the meeting at which the question is to be asked; and

(b) the question and the reply must be entered in the minutes of the relevant meeting.

(3) A member may ask a question without notice at a meeting.

(4) The presiding member may allow the reply to a question without notice to be given at the next meeting.

(5) A question without notice and the reply will not be entered in the minutes of the relevant meeting unless the members present at the meeting resolve that an entry should be made.

(6) The presiding member may rule that a question with or without notice not be answered if the presiding member considers that the question is vague, irrelevant, insulting or improper.

ADDITIONAL PROCEDURES

(7) Members are encouraged to seek answers to questions prior to the meeting wherever possible. Please contact the Chief Executive Officer, Directors and authorised officers for any agenda enquiries.

(8) Members of the public are welcome to sit in the public gallery, but are not permitted to take part in the debate or ask questions.

10—Petitions

(1) A petition to the council must—

(a) be legibly written or typed or printed; and

(b) clearly set out the request or submission of the petitioners; and

(c) include the name and address of each person who signed or endorsed the petition; and

(d) be addressed to the council and delivered to the principal office of the council:

- ***at 43-51 Tanunda Road, Nuriootpa SA 5355, or***
- ***by post to PO Box 867, Nuriootpa SA 5355, or***
- ***by email to barossa@barossa.sa.gov.au***

(2) If a petition is received under subregulation (1), the chief executive officer must ensure that the petition or, if the council has so determined as a policy of the council, a statement as to the nature of the request or submission and the number of signatures or the number of persons endorsing the petition, is placed on the agenda for the next ordinary meeting of the council or, if so provided by a policy of the council, a committee of the council.

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(3) Subregulation (2) may be varied at the discretion of the council pursuant to regulation 6.

ADDITIONAL PROCEDURES

A petition will be placed on the agenda for the next available Ordinary Council Meeting. There are deadlines that Council officers work towards with respect to the publication of meeting agendas. If these deadlines are missed, the petition will be placed on the agenda for the next available Ordinary Council Meeting. Petitions will not normally be placed on the agenda for a Special Council Meeting.

Petitions may be redacted in accordance with Council's Privacy Policy.

A petition will not be placed on the agenda for a Council meeting if, in the opinion of the Chief Executive Officer, it is defamatory.

When the petition is submitted to Council, the person submitting the petition will be informed that the petition will become a public document.

When Council considers a petition submitted and included in an agenda, Council will receive the petition and if necessary resolve any further action regarding the petition.

It should be noted that a template petition document has been designed and available on Council's website along with the relevant guidelines. The petition template is the preferred format for Council to receive petitions from the community.

11—Deputations

(1) A person or persons wishing to appear as a deputation at a meeting must deliver (to the principal office of the council) a written request to the council:

- ***by completing the electronic form on Council's website www.barossa.sa.gov.au; or***
- ***by delivery to Council's principal office located at 43-51 Tanunda Road, Nuriootpa SA 5355, or***
- ***by post to PO Box 867, Nuriootpa SA 5355, or***
- ***by email to barossa@barossa.sa.gov.au***

(2) The chief executive officer must transmit a request received under subregulation (1) to the presiding member.

(3) The presiding member may refuse to allow the deputation to appear at a meeting.

(4) The chief executive officer must take reasonable steps to ensure that the person or persons who requested a deputation are informed of the outcome of the request.

(5) If the presiding member refuses to allow a deputation to appear at a meeting, the presiding member must report the decision to the next meeting of the council or council committee (as the case may be).

(6) The council or council committee may resolve to allow a deputation to appear despite a contrary ruling by the presiding member.

(7) A council may refer the hearing of a deputation to a council committee.

A person requesting to appear as a deputation at a meeting must submit a request to the Council 7 (seven) business days prior to the meeting to which the deputation relates. The Deputation Application Form is available on the Council website www.barossa.sa.gov.au.

Deputations provide an opportunity for the community or interested persons to bring a matter to the attention of the Council. At all times, appropriate behaviour shall be maintained by the deputation and the Council Members with all persons being considerate of other people's points of view.

DEPUTATION PROCESS

- ***Handouts or presentations may be provided as part of the deputation but must be included in the Application to Make a Deputation, or if this is not possible, then emailed to Council officers at least 7 (seven) business days prior to the meeting.***
- ***A person appearing as a deputation can speak for no more than 10 (ten) minutes, unless an extension is granted by the meeting.***
- ***The content of deputations will not be included in the minutes. Only the names of those persons appearing as a deputation at the meeting will be recorded along with the topic or reference to the relevant agenda item.***
- ***Elected Members may ask questions of the deputation at the discretion of the Presiding Member.***
- ***The person appearing as a deputation is not permitted to take part in the debate, or ask questions during that time.***

12—Motions

(1) A member may bring forward any business in the form of a written notice of motion.

(2) The notice of motion must be given to the chief executive officer at least 7 clear days before the date of the meeting at which the motion is to be moved.

(3) A motion the effect of which, if carried, would be to revoke or amend a resolution passed since the last general election of the council must be brought by written notice of motion.

(4) If a motion under subregulation (3) is lost, a motion to the same effect cannot be brought—

(a) until after the expiration of 12 months; or

(b) until after the next general election,

whichever is the sooner.

(5) Subject to the Act and these regulations, a member may also bring forward any business by way of a motion without notice.

(6) The presiding member may refuse to accept a motion without notice if, after taking into account the Guiding Principles, he or she considers that the motion should be dealt with by way of a written notice of motion.

(7) The presiding member may refuse to accept a motion if the subject matter is, in his or her opinion, beyond the power of the council or council committee (as the case may be).

(8) A motion will lapse if it is not seconded at the appropriate time.

(9) A member moving or seconding a motion will speak to the motion at the time of moving or seconding the motion,

(10) A member may only speak once to a motion except—

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(a) to provide an explanation in regard to a material part of his or her speech, but not so as to introduce any new matter; or

(b) with leave of the meeting; or

(c) as the mover in reply.

***NOTE:** A Member may ask a question in relation or seek clarification to the item at any time in the debate. These questions for clarification will not be captured under clause 9 of this Appendix 1.*

(11) A member who has spoken to a motion may not at a later stage of the debate move or second an amendment to the motion.

(12) A member who has not spoken in the debate on a question may move a formal motion.

(13) A formal motion must be in the form of a motion set out in subregulation (14) (and no other formal motion to a different effect will be recognised).

(14) If the formal motion is—

(a) that ***the meeting proceed to the next business***, then the effect of the motion, if successful, is, in the case of an amendment, that the amendment lapses and the meeting proceeds with the consideration of the motion before the meeting without further reference to the amendment and, in the case of a motion, that the motion lapses and the meeting proceeds to the next item of business; or

(b) that ***the question be put***, then the effect of the motion, if successful, is that debate is terminated and the question put to the vote by the presiding member without further debate; or

(c) that ***the question lie on the table***, then the effect of the motion, if successful, is that the meeting immediately moves to the next item of business and the question can then only be retrieved at a later time by resolution (and, if so retrieved, debate is then resumed at the point of interruption); or

(d) that ***the question be adjourned***, then the effect of the motion, if successful, is that the question is disposed of for the time being but debate can be resumed at the later time (at the point of interruption); or

(e) that ***the meeting be adjourned***, then the effect of the motion, if successful, is that the meeting is brought to an end immediately without the consideration of further business.

(15) If seconded, a formal motion takes precedence and will be put by the presiding member without discussion unless the motion is for an adjournment (in which case discussion may occur (but only occur) on the details for resumption).

(16) A formal motion does not constitute an amendment to a substantive motion.

(17) If a formal motion is lost—

(a) the meeting will be resumed at the point at which it was interrupted; and

(b) if the formal motion was put during debate (and not at the end of debate) on a question, then a similar formal motion (ie a motion to the same effect) cannot be put until at least 1 member has spoken on the question.

(18) A formal motion for adjournment must include the reason for the adjournment and the details for resumption.

(19) Any question that lies on the table as a result of a successful formal motion under subregulation (14)(c) lapses at the next general election.

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(20) The chief executive officer must report on each question that lapses under subregulation (19) to the council at the first ordinary meeting of the council after the general election.

(21) Subregulations (9), (10) and (11) may be varied at the discretion of the council pursuant to regulation 6.

13—Amendments to motions

NOTE: ***The purpose of an amendment is to alter or modify the wording of a motion before the meeting, not to substantially change the intention of the motion.***

Amendments may be used to insert, delete or substitute words in the motion or to add to or detract from the substantive purpose of the motion.

(1) A member who has not spoken to a motion at an earlier stage of the debate may move or second an amendment to the motion

ADDITIONAL PROCEDURES

(1a) An amendment to a motion is not a motion in its own right and must neither substantially alter or contradict the intent of the original motion. The presiding member will not accept a proposed amendment to a motion that directly contradicts (a direct negative) of the original motion.

(1b) An amendment to a motion shall be relevant to the motion and shall be:

- ***(a) to leave out words;***
- ***(b) to insert or add words;***
- ***(c) to leave out words and insert and insert or add other words;***
- ***(d) to refer a matter or the subject of debate to a committee for consideration or reconsideration.***

(2) An amendment will lapse if it is not seconded at the appropriate time.

(3) A person who moves or seconds an amendment (and, if he or she chooses to do so, speaks to the amendment) will, in so doing, be taken to have spoken to the motion to which the amendment relates.

(4) If an amendment is lost, only 1 further amendment may be moved to the original motion.

However additional amendments may be moved with the leave of the meeting.

(5) If an amendment is carried, only 1 further amendment may be moved to the original motion.

However additional amendments may be moved with the leave of the meeting.

(6) Subregulations (1), (3), (4) and (5) may be varied at the discretion of the council pursuant to regulation 6.

14—Variations etc

(1) The mover of a motion or amendment may, with the consent of the seconder, request leave of the meeting to vary, alter or withdraw the motion or amendment.

(2) The presiding member must immediately put the question for leave to be granted and no debate will be allowed on that question.

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15—Addresses by members etc

(1) A member must not speak for longer than 5 minutes at any 1 time without leave of the meeting.

NOTE

Each Member shall speak for no more than five (5) minutes unless the Presiding Member rules otherwise.

(2) A member may, with leave of the meeting, raise a matter of urgency.

(3) A member may, with leave of the meeting, make a personal explanation.

(4) The subject matter of a personal explanation may not be debated.

(5) The contribution of a member must be relevant to the subject matter of the debate.

(6) Subregulations (1) and (2) may be varied at the discretion of the council pursuant to regulation 6.

ADDITIONAL PROCEDURES

"Other Business" should not be used as a forum or opportunity to discuss matters not on the Agenda, to provide information or to Members to make statements of any nature.

16—Voting

(1) The presiding member, or any other member, may ask the chief executive officer to read out a motion before a vote is taken.

(2) The presiding member will, in taking a vote, ask for the votes of those members in favour of the question and then for the votes of those members against the question (and may do so as often as is necessary to enable him or her to determine the result of the voting), and will then declare the outcome.

(3) A person who is not in his or her seat is not permitted to vote.

(4) Subregulation (3)—

(a) may be varied at the discretion of the council pursuant to regulation 6; and

(b) does not apply in relation to a member participating in a council committee meeting by telephone or electronic means approved in accordance with procedures determined by the council or council committee for the purposes of section 89 of the Act.

TIED VOTE

In the event that a tied vote on a matter at Council Meeting occurs, the Presiding Member shall advise the meeting that they are exercising their right to use a casting vote motion.

SECRET BALLOT PROCEDURES

Secret Ballots are used when appropriate in Council meetings, for example when electing the Deputy Mayor.

These procedures will govern, generally, how secret ballots work.

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1. *Where a matter has been identified as requiring a private ballot, the Mayor will call for nominations from the floor, and Council Members may nominate themselves if they wish. A secret ballot shall be carried out where there are two or more nominations to a position.*
2. *In the event that there are two or more candidates for the position, a Secret Ballot will be conducted by the CEO, generally using preferential voting (unless the Council decides to use a different method).*

   Example of preferential voting:

   A preferential system with the elimination of the candidate with the lowest vote until a preferred candidate is left.

   Candidate 1 5 votes

   Candidate 2 4 votes

   Candidate 3 3 votes

   Candidate 3 is eliminated and those three votes are distributed to the second preference demonstrated on the ballots. Let's assume candidate 3's second preferences all went to candidate 2, then the result will be:

   Candidate 1 5 votes

   Candidate 2 7 votes

   Candidate 2 would be elected with a majority of the total votes cast on a preferential basis.
3. *In the event of a tied vote, lots shall be drawn by the CEO, to determine who is excluded from the ballot. This is done by placing the tied nominee's names on identical pieces of paper, placing them in a receptacle so that no one can see the names on the paper and the CEO drawing names until only one nominee remains (of those on the tied vote). The name of the candidate/s withdrawn will be the one/s excluded from the ballot.*
4. *Secret ballots should be undertaken in adjourned Council so that nominees and the Mayor may cast a ballot. Once the result is determined, the adjournment ends and the result is confirmed by a formal resolution of Council.*
5. *While a ballot is undertaken, no conflict of interest arises for the nominees. For avoidance of doubt, the Mayor will be provided with a ballot, and may cast a ballot.*
6. *Once the result it determined and formal meeting procedures resume, the successful nominee may have a conflict of interest based on the position to which they have been nominated. All conflicts of interest must be declared at the appropriate time in accordance with legislative requirements.*

17—Divisions

(1) A division will be taken at the request of a member.

(2) If a division is called for, it must be taken immediately and the previous decision of the presiding member as to whether the motion was carried or lost is set aside.

(3) The division will be taken as follows:

(a) the members voting in the affirmative will, until the vote is recorded, stand in their places;

(b) the members voting in the negative will, until the vote is recorded, sit in their seats;

(c) the presiding member will count the number of votes and then declare the outcome.

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(4) The chief executive officer will record in the minutes the names of members who voted in the affirmative and the names of the members who voted in the negative (in addition to the result of the vote).

(5) Subregulation (3) may be varied at the discretion of the council pursuant to regulation 6.

***NOTE:** Once the votes have been recorded, the Presiding Member will then declare the vote.*

18—Tabling of information

(1) A member may require the chief executive officer to table any documents of the council relating to a motion that is before a meeting (and the chief executive officer must then table the documents within a reasonable time, or at a time determined by the presiding member after taking into account the wishes of the meeting, and if the member who has required the tabling indicates that he or she is unwilling to vote on the motion until the documents are tabled, then the matter must not be put to the vote until the documents are tabled).

(2) The chief executive officer may, in tabling a document, indicate that in his or her opinion consideration should be given to dealing with the document on a confidential basis under section 90 or 91 of the Act.

19—Adjourned business

(1) If a formal motion for a substantive motion to be adjourned is carried—

(a) the adjournment may either be to a later hour of the same day, to another day, or to another place; and

(b) the debate will, on resumption, continue from the point at which it was adjourned.

(2) If debate is interrupted for want of a quorum and the meeting is then adjourned, the debate will, on resumption, continue from the point at which it was interrupted.

(3) Business adjourned from a previous meeting must be dealt with before any new business at a subsequent meeting.

(4) The provisions of this regulation may be varied at the discretion of the council pursuant to regulation 6.

20—Short-term suspension of proceedings

(1) If the presiding member considers that the conduct of a meeting would benefit from suspending the operation of all or some of the provisions of this Division for a period of time in order to allow or facilitate informal discussions, the presiding member may, with the approval of at least two-thirds of the members present at the meeting, suspend the operation of this Division (or any part of this Division) for a period determined by the presiding member.

(2) The Guiding Principles must be taken into account when considering whether to act under subregulation (1).

(3) If a suspension occurs under subregulation (1)—

(a) a note of the suspension, including the reasons for and period of suspension, must be entered in the minutes; and

(b) the meeting may proceed provided that a quorum is maintained but, during the period of suspension—

(i) the provisions of the Act must continue to be observed[1]; and

(ii) no act or discussion will have any status or significance under the provisions which have been suspended; and

(iii) no motion may be moved, seconded, amended or voted on, other than a motion that the period of suspension should be brought to an end; and

(c) the period of suspension should be limited to achieving the purpose for which it was declared; and

(d) the period of suspension will come to an end if—

(i) the presiding member determines that the period should be brought to an end; or

(ii) at least two-thirds of the members present at the meeting resolve that the period should be brought to an end.

Note—

1 See particularly Part 4 of Chapter 5, and Chapter 6, of the Act.

21—Chief executive officer may submit report recommending revocation or amendment of council decision

(1) The chief executive officer may submit a report to the council recommending the revocation or amendment of a resolution passed since the last general election of the council.

(2) The chief executive officer must ensure that the report is placed on the agenda for the meeting at which the report is to be considered.

(3) The provisions of this regulation may be varied at the discretion of the council pursuant to regulation 6.

Part 3—Meetings of other committees

22—Application of Part

The provisions of this Part apply to or in relation to the meetings of any council committee that is not subject to the operation of Part 2.

23—Notice of meetings for members

Pursuant to section 87(15) of the Act, section 87 is modified in its application in relation to the meetings of a committee to which this Part applies as if subsections (4) and (7) to (10) of that section provided as follows:

(a) that notice of a meeting of the committee may be given in a form determined by the committee after taking into account the nature and purpose of the committee;

(b) that notice need not be given for each meeting separately;

(c) that if ordinary meetings of the committee have a set agenda then notice of such a meeting need not contain, or be accompanied by, the agenda for the meeting;

(d) that it is not necessary for the chief executive officer to ensure that each member of the committee at the time that notice of a meeting is given is supplied with a copy of any documents or reports that are to be considered at the meeting.

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24—Public notice of committee meetings

Pursuant to section 88(7) of the Act, section 88 is modified in its application in relation to the meetings of a committee to which this Part applies as if subsections (2) and (3) provided as follows:

(a) that public notice need not be given for each meeting separately; and

(b) that public notice may be given by displaying a notice and agenda in a place or places determined by the chief executive officer after taking into account the nature and purpose of the committee.

***NOTE:** In accordance with Council's Code of Practice for Access to Council and Committee Meetings and Associated Documents, Committee meeting calendars are published on Council's website www.barossa.sa.gov.au.*

See also Council's Code of Practice for Access to Council and Committee Meetings and Associated Documents for information on topics such as Public Access to Meetings and the Use of the Confidentiality Provisions.

25—Minutes

(1) The minutes of the proceedings of a meeting must include—

(a) the names of the members present at the meeting; and

(b) each motion carried at the meeting; and

(c) any disclosure of interest made by a member; and

(d) details of the making of an order under subsection (2) of section 90 of the Act (see subsection (7) of that section); and

(e) a note of the making of an order under subsection (7) of section 91 of the Act in accordance with the requirements of subsection (9) of that section.

(2) The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.

Part 4—Miscellaneous

26—Quorum for committees

(1) The prescribed number of members of a council committee constitutes a quorum of the committee and no business can be transacted at a meeting unless a quorum is present.

(2) For the purposes of this regulation, the ***prescribed number*** of members of a council committee is—

(a) unless paragraph (b) applies—a number ascertained by dividing the total number of members of the committee by 2, ignoring any fraction resulting from the division, and adding 1; or

(b) a number determined by the council.

Note—

See also section 41(6) of the Act.

27—Voting at committee meetings

(1) Subject to the Act and these regulations, a question arising for decision at a meeting of a council committee will be decided by a majority of the votes cast by the members present at the meeting and entitled to vote on the question.

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(2) Each member of a council who is a member of a council committee and who is present at a meeting of the committee must, subject to a provision of the Act to the contrary, vote on a question arising for decision at that meeting.

(3) The presiding member of a council committee has a deliberative vote on a question arising for decision at the meeting but does not, in the event of an equality of votes, have a casting vote.

28—Points of order

(1) The presiding member may call to order a member who is in breach of the Act or these regulations.

(2) A member may draw to the attention of the presiding member a breach of the Act or these regulations, and must state briefly the nature of the alleged breach.

(3) A point of order takes precedence over all other business until determined.

(4) The presiding member will rule on a point of order.

(5) If an objection is taken to the ruling of the presiding member, a motion that the ruling not be agreed with must be moved immediately.

(6) The presiding member is entitled to make a statement in support of the ruling before a motion under subregulation (5) is put.

(7) A resolution under subregulation (5) binds the meeting and, if a ruling is not agreed with—

(a) the ruling has no effect; and

(b) the point of order is annulled.

29—Interruption of meetings by members

(1) A member of a council or council committee must not, while at a meeting—

(a) behave in an improper or disorderly manner; or

(b) cause an interruption or interrupt another member who is speaking.

(2) Subregulation (1)(b) does not apply to a member who is—

(a) objecting to words used by a member who is speaking; or

(b) calling attention to a point of order; or

(c) calling attention to want of a quorum.

(3) If the presiding member considers that a member may have acted in contravention of subregulation (1), the member must be allowed to make a personal explanation.

(4) Subject to complying with subregulation (3), the relevant member must leave the meeting while the matter is considered by the meeting.

(5) If the remaining members resolve that a contravention of subregulation (1) has occurred, those members may, by resolution—

(a) censure the member; or

(b) suspend the member for a part, or for the remainder, of the meeting.

(6) A member who—

(a) refuses to leave a meeting in contravention of subregulation (4); or

(b) enters a meeting in contravention of a suspension under subregulation (5),

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is guilty of an offence.

Maximum penalty: $1 250.

30—Interruption of meetings by others

A member of the public who is present at a meeting of a council or council committee must not—

(a) behave in a disorderly manner; or

(b) cause an interruption.

Maximum penalty: $500.

MOBILE DEVICES

Any mobile devices brought into Council or Committee Meetings are to be switched to silent or off.

RECORDING AND PHOTOGRAPHY AT MEETINGS BY THIRD PARTIES

Audio, video or photographic recording devices are not permitted to be used by third parties during any Information Briefing Sessions, Ordinary Council, Special Council or Committee Meetings except with Council's permission.

However, it should be noted that Council and Committee meetings and Informal Briefing Sessions may be recorded and uploaded to the internet. Links to recordings are available on Council's website www.barossa.sa.gov.au.

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DEBATE REPORT

7.2 Corporate Services and Business Innovation

7.2.1 RATE REBATE POLICY

Author: Manager Financial Services
23/127426

PURPOSE

To adopt a Rate Rebate Policy which will provide guidance to the community, as to the grounds upon which a person or body is or may be entitled to a rebate of rates and the matters that the Council will take into account in deciding an application for a rebate.

RECOMMENDATION

That Council adopts the Rate Rebate Policy provided at Attachment 1.

REPORT

Background
At the Ordinary Council meeting held on the 19th December 2023, Council resolved to implement a Rate Rebate Policy in preparation for the 2024/25 rating year.

The Revenue Professionals of South Australia – Rate Rebate Guidelines recommends that Councils adopt a rate rebate policy to ensure consistency in the assessment and determination of rate rebates under the Act.

Introduction
Whilst the Local Government Act 1999 details the circumstance in which a mandatory rebate applies and which a discretionary rebate may be applied by Council, a Rate Rebate Policy provides further guidance to the community he matters that the Council will take into account in deciding an application for a rebate.

Discussion
A Draft Rate Rebate Policy has been prepared for consideration and adoption by Council (see Attachment 1).

Key clauses within the policy that should be noted, in which some clauses change current community expectations include:

Section 3.5 – Applications of the policy should be noted as there is a proposed change to community expectations. The clauses outline the requirement for ratepayers to apply for a (discretionary) rebate annually, by 30th April, on the form determined by Council.

This policy setting represents a change to the current practice whereby rebates are automatically applied based on the assessment having received a rebate in the prior

year. The exception to this is clause 3.6.9 for mandatory rebates whereby they will remain valid for three years and where there has been no change in the rate assessment, the rebate will remain for a further three years.

It is recommended this change is implemented to ensure that Council can consider all rate rebate applications together to consider the impact of granting the rebate on the ratepayers of the council area as any financial impact is, essentially, recovered through the rest of the council's rating community.

Furthermore, The Revenue Professionals of South Australia – Rate Rebate Guidelines recommends that Councils undertake an annual review of all rate rebates that have been granted to ensure continuing eligibility, particularly where there has been any change in circumstances.

Summary and Conclusion
It is recommended Council adopts the Draft Rate Rebate Policy as provided at Attachment 1.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Policy Rate Rebate - Draft - December 2023 ⇩

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS12 Property and Rates - Rates, revaluation and forecasting for revenue purposes, collection, and recovery of rates; including payment arrangements and negotiation parameters, hardship arrangement negotiations, property and assessment management to ensure Council's long term financial sustainability.

BS7 Governance - Provision of governance advice and support in the discharge of legislative responsibilities for policy development, delegations and authorisations, internal review of Council decisions, delegations and authorisations, Native Title claims

Legislative Requirements
Nil

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The adoption of rate rebate policy settings ensures consistency in the assessment and determination of rate rebates under the Act mitigating the risk of reputational damage and poor customer satisfaction. The ability to set and review rate rebates also provides an opportunity for Council to assess financial impacts associated with the granting of rebates to ensure ongoing financial sustainability and the limitation of financial hardship on the remaining rate payer base.

COMMUNITY ENGAGEMENT

There are no legislative or policy requirements for community engagement. The policy is reflective of the Local Government Act and is provided to simplify and offer guidance on a complex legal matter, to assist the community to navigate requests for rebates and to clarify the limits of Council decision making.

THE BAROSSA COUNCIL
Rate Rebate Policy

1 Purpose

1.1 To provide guidance to the community, as to the grounds upon which a person or body is or may be entitled to a rebate of rates and the matters that the Council will take into account in deciding an application for a rebate.

2 Scope

2.1 The Local Government Act 1999 sets out in Chapter 10, Division 5 (Sections 159 to 166) those provisions applicable to the Council for granting rate rebates to persons or bodies (refer Application Form – Rate Rebate).

3 Policy Statement

3.1 Rate rebates in respect of any rateable land in the Council area will be available only when the applicant satisfies the requirements under the Local Government Act 1999 and where appropriate, the requirements of this Policy.

3.2 **Mandatory Rebates**

3.2.1 The Council must grant a rebate in the amount specified in respect of those land uses which the Act provides will be granted a rebate.

Rates on the following land will be rebated at 100%:

3.2.2 Health Services - Land being predominantly used for service delivery or administration by a hospital or health centre incorporated under the South Australia Health Commission Act 1976.

3.2.3 Religious Purposes - Land containing a church or other building used for public worship (and any grounds), or land solely used for religious purposes.

3.2.4 Public Cemeteries – Land being used for the purposes of a public cemetery.

3.2.5 Royal Zoological Society of SA - and (other than land used as domestic premises) owned by, or under the care, control and management of, the Royal Zoological Society of South Australia incorporated.

Rates on the following land will be rebated at 75%:

3.2.6 Community Services - Land being predominantly used for service delivery or administration (or both) by a community services organisation. A "community services organisation" is defined in the Act as a body that:

- is incorporated on a not for profit basis for the benefit of the public; and

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- Provides community services without charge or for a charge that is below the cost to the body of providing the services; and
- Does not restrict its services to persons who are members of the body.

3.2.6.1 It is necessary for a community service organisation to satisfy all of the above criteria to be entitled to the mandatory 75% rebate.

3.2.6.2 The Act further provides that eligibility for a rebate by a community services organisation is subject to it providing one or more of the following community services –

- Emergency accommodation
- Food or clothing for disadvantaged persons (ie persons who are disadvantaged by reason of poverty, illness, frailty, or mental, intellectual or physical disability)
- Supported accommodation (ie residential care facilities in receipt of Commonwealth funding or accommodation for persons with mental health, intellectual, physical or other difficulties who require support in order to live an independent life)
- Essential services, or employment support, for persons with mental health disabilities, or with intellectual or physical disabilities
- Legal services for disadvantaged persons
- Drug or alcohol rehabilitation services
- The conduct of research into, or the provision of community education about, diseases or illnesses, or the provision of palliative care to persons who suffer from diseases or illnesses.

3.2.7 Educational Purposes where -

- Land occupied by a government school under a lease or licence and being used for educational purposes.
- Land occupied by a non-government school registered under Part 5 of the Education Act 1972 and being used for educational purposes.
- Land being used by a University or University College to provide accommodation and other forms of support for students on a not for profit basis.

3.2.8 Where a person or body is entitled to a rebate of 75% the Council may, pursuant to Section 159(4) of the Act, increase the rebate up to a further 25%. The Council may grant the further 25% rebate upon application or on its own initiative.

3.3 **Discretionary Rebates**

3.3.1 The Council may in its absolute discretion grant a rebate of rate or service charges in any of the following cases pursuant to Section 166 of the Act –

3.3.1.1 where it is desirable for the purpose of securing the proper development of the area (or a part of the area).

3.3.1.2 where it is desirable for the purpose of assisting or supporting a business in its area.

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3.3.1.3 where it will be conducive to the preservation of buildings or places of historic significance.

3.3.1.4 where the land is being used for educational purposes.

3.3.1.5 where the land is being used for agricultural horticultural or floricultural exhibitions.

3.3.1.6 where the land is being used for a hospital or health centre.

3.3.1.7 where the land is being used to provide facilities or services for children or young persons.

3.3.1.8 where the land is being used to provide accommodation for the aged or disabled.

3.3.1.9 where the land is being used for a residential aged care facility that is approved for Commonwealth funding under the Aged Care Act 1997 (Commonwealth) or a day therapy centre.

3.3.1.10 where the land is being used by an organisation which, in the opinion of the Council, provides a benefit or service to the local community.

3.3.1.11 where the rebate relates to common property or land vested in a community corporation under the Community Titles Act 1996 over which the public has a free and unrestricted right of access and enjoyment.

3.3.1.12 where the rebate is considered by the Council to be appropriate to provide relief against what would otherwise amount to a substantial change in rates payable due to a redistribution of the rates burden within the community arising from a change to the basis or structure of the council rates or a change to the basis on which land is valued for the purpose of rating, rapid changes in valuations, or anomalies in valuations.

3.3.1.13 where the rebate is considered by council to be appropriate to provide relief in order to avoid what would otherwise constitute a liability to pay a rate or charge that is inconsistent with the liabilities that were anticipated by the council in its annual business plan or a liability that is unfair or unreasonable.

3.3.1.14 where the rebate is to give effect to a review of a decision of the council under Chapter 13 part 2 (section 270 and 271).

3.3.1.15 where the rebate is contemplated under another provision of the Local Government Act 1999.

The Council may grant a rebate of rates up to and including 100% of the relevant rates or service charges.

3.3.2 The Council has an absolute discretion –

3.3.3.1 to grant a rebate of rates or service charges in the above cases

3.3.3.2 to determine the amount of any such rebate.

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3.3.3 Persons who or bodies which seek a discretionary rebate will be required to submit an application form to the Council and provide to the Council such information as stipulated on the application form and any other information that the Council may reasonably require.

3.4 **General Rate Capping**

3.4.1 Council considers it appropriate to grant, upon application, pursuant to Section 166(1)(l)(ii) of the Act or clause 3.3.1.12 of this policy a rebate of general rates (excluding the fixed charge) to provide relief against what would otherwise amount to a substantial change in rates payable by a ratepayer due to a change to the basis on which land is valued for the purpose of rating, rapid changes in valuations, or anomalies in valuations.

3.4.2 Clause 3.4.1 will only be applied to residential and primary production ratepayers whereby it constitutes the principal place of residence where the increase in general rates levied upon a property exceeds the previous financial years general rates levied by more than 7.5% for ratepayers on fixed government incomes and 15% for other rate payers.

3.5 **Applications**

3.5.1 The Council will inform the community of the provisions for rate rebate under the Local Government Act by publishing a copy of this policy on Council's website at www.barossa.sa.gov.au.

3.5.2 Persons or bodies who seek a rebate of rates (and/or service charges) either pursuant to Section 159(4) of the Act and clause 3.2 of this policy; or pursuant to Section 166 of the Act and clause 3.3 of this policy, must make written application to the Council pursuant to Section 159(1) of the Act in the manner and form determined by the Council and supplying such information as the Council may reasonably require.

3.5.3 All persons or bodies which wish to apply to the Council for a discretionary rebate of rates must do so on or before 30th April in the year of application. Applications received after this date, at the discretion of Council, may be declined. However, Applicants which satisfy the criteria for a mandatory rebate will be granted the rebate as per the Act at any time.

3.5.4 Discretionary Rate Rebates must be applied for annually; existing rebates and applications will not 'roll-over'. This will enable Council to undertake an annual review of all rate rebates that have been granted to ensure continuing eligibility, particularly where there has been any change in circumstances.

3.5.5 Where an organisation wishes to apply for a rebate of rates on a property they are leasing, the owner of the property must agree in writing to Council, for the organisation to be listed as the principal rate payer to enable this to occur. A copy of the Lease must also be provided, indicating the Lessee's responsibility for the payment of rates.

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3.5.6 If an application is for a portion of the land, you must contact the Office of the Valuer General to have the rebated area separately assessed before any rebate will be applied.

3.6 **Assessment**

3.6.1 The Council will take into account, in accordance with Section 166(1a) of the Act, the following matters in deciding to grant a rebate of rates or charges under 166(1)(d to J) or clauses 3.3.1.4 to 3.3.1.10 within this policy –

3.6.1.1 the nature and extent of Council services provided in respect of the land for which the rebate is sought in comparison to similar services provided elsewhere in the Council's area;

3.6.1.2 the community need that is being met by activities carried out on the land for which the rebate is sought; and

3.6.1.3 the extent to which activities carried out on the land for which the rebate is sought provides assistance or relief to disadvantaged persons.

3.6.2 The Council may take into account other matters considered relevant by the Council including, but not limited to, the following –

3.6.2.1 why there is a need for financial assistance through a rebate

3.6.2.2 the level of rebate (percentage and dollar amount) being sought and why it is appropriate

3.6.2.3 the extent of financial assistance, if any, being provided to the applicant and/or in respect of the land by Commonwealth or State agencies

3.6.2.4 whether the applicant has made/intends to make applications to another Council

3.6.2.5 whether, and if so to what extent, the applicant is or will be providing a service within the Council area

3.6.2.6 whether the applicant is a public sector body, a private not for profit body or a private for profit body

3.6.2.7 whether there are any relevant historical considerations that may be relevant for all or any part of the current Council term

3.6.2.8 the desirability of granting a rebate for more than one year in those circumstances

3.6.2.9 consideration of the full financial consequences of the rebate for the Council

3.6.2.10 the time the application is received

3.6.2.11 the availability of any community grant to the person or body making the application

3.6.2.12 whether the applicant is in receipt of other funding from Council

3.6.2.13 any other matters, and policies of the Council, which the Council considers relevant.

3.6.3 The Council may grant a rebate of rates or charges on such conditions as the Council thinks fit.

3.6.4 The Council may, for proper cause, determine that an entitlement to a rebate of rates under the Act no longer applies.

3.6.5 Where an entitlement to a rebate of rates ceases or no longer applies during the course of a financial year, the Council is entitled to recover rates, or rates at the increased level (as the case may be), proportionate to the remaining part of the financial year.

3.6.6 It is an offence for a person or body to make a false or misleading statement or representation in an application or to provide false or misleading information or evidence in support of an application made (or purporting to be made) under the Local Government Act 1999 Section 159.

The maximum penalty for this offence is $5,000.

3.6.7 If a person or body has the benefit of a rebate of rates and the grounds on which the rebate has been granted cease to exist, the person or body must immediately inform the Council of that fact and (whether or not the Council is so informed), the entitlement to a rebate ceases. If a person or body fails to do so that person or body is guilty of an offence.

The maximum penalty for this offence is $5,000.

3.6.8 The Council will, in writing, advise an applicant for a rebate of its determination of that application within 20 business days of adoption of the Annual Business Plan & Budget and Declaration of Rates for the financial year. The advice will state –

a) if the application has been granted, the amount of the rebate; or
b) if the application has not been granted, the reasons why.

3.6.9 Where a mandatory rebate has been granted and no change to the rate assessment has been advised (change of ownership, change of land use) after 3 years, the rebate will continue to apply for a further 3 years where confirmation from the person or body relating to the assessment has been ascertained on request from the Council.

3.6.10 A report including a summary of all mandatory and discretionary rate rebates applied for, including whether they are supported or not and the associated reasons will be tabled to Council for adoption at a Special Council Meeting to adopt the Annual Business Plan & Budget and Declaration of Rates in each year.

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3.6.11 A person or body that is dissatisfied by a determination of Council in respect of an application for a rate rebate may seek a review of that determination by written application in accordance with Council's Review of Council Decisions Policy and Section 270 of the Act.

4 Supporting Processes and Documents

4.1 Budget & Business Plan and Review Policy – TBCPOC4400
4.2 Budget & Business Plan and Review Process – TBCPOC4409
4.3 Rating Process – 18/19833
4.4 Rebate Process – 19/13326

5 Related Policies

5.1 Rating Policy 15/24314
5.2 Hardship Policy – 17/31104
5.3 Funding Policy – 15/28475
5.4 Budget and Business Plan review Policy – 14/36056
5.5 Records Management Policy 17/83474

6 Legislation and References

6.1 Local Government Act 1999
6.2 Revenue Professionals SA – Rate Rebate Guidelines

7 Review

7.1 This Policy will be reviewed by the Document Control Officer in consultation with the relevant stakeholders, within four (4) years or more frequently if legislation or Council's need changes.

8 Further Information

8.1 This Policy is available on Council's website at www.barossa.sa.gov.au. It can also be viewed electronically at Council's principal office at 43-51 Tanunda Road, Nuriootpa and all Council branches, during ordinary business hours. A copy of this Policy can be obtained at those venues upon payment of a fixed fee.

8.2 Complaints regarding this Policy or its application can be made to the Customer Service team on 8563 8444 or barossa@barossa.sa.gov.au at first instance, who will refer you to the most appropriate officer according to Council's *Customer Service Policy*.

9 Definitions

The Act	A Refers to the Local Government Act 1999
Service Rate or Service Charge	A fee for service, with the Service Rate or Charge being levied to recover the cost of providing the related activity from users of the service.

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10 Document Control

Corporate Plan Link:	Good Governance				
Document Owner:	Director Corporate Services and Business Innovation				
Document Control Officer:	Manager Financial Services				
Audience:	External	**Approval Date:**	DD/MM/YYYY	**Review Due:**	DD/MM/YYYY
Version history					
Version No.	**Date**	**Description of Change**			
1.0	DD/MM/YYYY	New Policy			

DRAFT

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DEBATE REPORT

7.2 Corporate Services and Business Innovation

7.2.2 MONTHLY FINANCE REPORT AS AT 31 JANUARY 2024

Author: Senior Accountant
24/23027

PURPOSE

The Uniform Presentation of Finances report provides information as to the financial position of Council, including notes on material financial trends and transactions.

RECOMMENDATION

That Council receive and note the Monthly Finance Report as at 31 January 2024 as provided at Attachment 1.

REPORT

The Monthly Finance Report (as at 31 January 2024) is Attached. The report has been prepared comparing actuals to the original adopted budget 2023/24.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Monthly Finance Report Council January 2024

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS6 Finance - Transparency and accountability regarding Council activity and expenditure. Provision of organisational performance report (outcomes), activity report (outputs), a range of statutory reporting (e.g. public health, tax, superannuation), financial reporting

BS7 Governance - Provision of governance advice and support in the discharge of legislative responsibilities for policy development, delegations and authorisations, internal review of Council decisions, delegations and authorisations, Native Title claims

Legislative Requirements
Local Government (Financial Management) Regulations 2011, Regulation 9(1)(b) LGA Information paper no.25 – Monitoring Council Budget Performance.

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

To enable Council to make effective and strategic financial decisions, a regular up to date high level financial report is provided.

COMMUNITY ENGAGEMENT

Community Consultation was part of the original budget adoption process in June/July 2023, as per legislation. This report is advising Council of the monthly finance position compared to that budget.

MONTHLY FINANCE REPORT

AS AT 31 January 2024
FOR YEAR ENDING 30 JUNE 2024

Uniform Presentation of Finances

	Notes	% Actual Expenditure to Original Budget	Original Budget (Full-Year) $'000	Revised Budget (Q1) (Full-Year) $'000	Actual Result (Year-to-Date) $'000
OPERATING ACTIVITIES:		*Operating*			
Operating Income			45,014	45,480	42,280
					0
Less Operating Expenses		**55.59%**	(47,359)	(47,544)	(26,326)
Operating Surplus / (Deficit)			**(2,345)**	**(2,064)**	**15,954**
CAPITAL ACTIVITIES:					
Net Outlays on Existing Assets		*Capital*			
Capital Expenditure on Renewal and Replacement of Existing Assets		56.61%	(8,031)	(10,574)	(4,546)
Add back Depreciation, Amortisation & Impairment			10,170	10,170	5,933
					0
Add back Proceeds from Sale of Replaced Assets			224	206	256
Subtotal			**2,363**	**(198)**	**1,643**
Net Outlays on New and Upgraded Assets					
Capital Expenditure on New and Upgraded Assets		41.47%	(14,822)	(18,086)	(6,146)
Add back Amounts Received Specifically for New and Upgraded Assets			2,796	2,281	1,608
Add back Proceeds from Sale of Surplus Assets			0	0	0
Subtotal			**(12,026)**	**(15,805)**	**(4,538)**
Net Lending/(Borrowing) for the Financial Year			**(12,008)**	**(18,067)**	**13,059**
Total % Capital Budget Spent		**46.79%**			

NOTES
1) 2023/24 Capital Expenditure to end of January includes:
- The Big Project - Tanunda Rec Park - $1.28M
- Upgrade Tanunda Oval - $1.29M
- Bridges - $70k
- Road Resheeting $785k
- Mt Pleasant Caravan Park Upgrade - $991k
- The Big Project -Barossa Rugby Park - $2.45M
- Drainage $208k
- Streetscaping $99k
- Footpaths & Kerbing $275k
- Sealed Roads $1.61M
- Parks and Gardens - $169k
- The Big Project - Lyndoch Rec Park - $85k

DEBATE REPORT

7.2 Corporate Services and Business Innovation

7.2.3 BUDGET UPDATE - QUARTER 2 2023-2024 - AS AT 31 DECEMBER 2023

Author: Senior Accountant
24/23432

PURPOSE

The Budget Update for 2023-2024 (as at 31 December 2023) is attached for Council consideration and adoption of budget variations.

RECOMMENDATION

That Council having reviewed the Budget Update for 2023/2024 (as at 31 December 2023) at Attachment 1 adopt the budget update report and budget variations including reserve transfers contained therein.

REPORT

Background
On a quarterly basis the budgets of Council are to be reviewed in accordance with the *Local Government Act 1999* and associated regulations.

Officers undertake a review of all budget lines and adjust where budgets are trending over or under budget, changes are required associated with capital programs, or new or changed funding conditions are present.

Further, the first review in September each year brings into the budget changes associated with the finalisation of the financial statements and carried forward funding, final annual grant allocations, insurance costs and many others that are estimated in the budget but are solidified in the first quarter of each financial year when annual accounts are received. Each quarter will present prior decisions of Council where funding changes have been made so they are captured in the full estimates and budgeted financial statements.

Discussion
The report provided at Attachment 1 provides information as to the financial position of Council, containing budget update reports which include Executive Summary, Uniform Presentation of Finances, Key Performance Indicators, Summary of Operating Budget Variance Adjustments and Summary of Capital Budget Variance Adjustments.

The proposed variances between the Original Budget and this budget update are listed on the operating and capital budget adjustment pages.

Summary and Conclusion
The review has been completed and is ready for review and endorsement.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 2023-24 Quarter 2 Budget Review

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS6 Finance - Transparency and accountability regarding Council activity and expenditure. Provision of organisational performance report (outcomes), activity report (outputs), a range of statutory reporting (e.g. public health, tax, superannuation), financial reporting

Legislative Requirements

Section 123(13) of the Local Government Act 1999 Regulation 9 of the Local Government (Financial Management) Regulations 2011.

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The report provides the best up to date estimates of financial and resource estimates to achieve the annual business plan and strategies set by Council.

COMMUNITY ENGAGEMENT

Community Consultation was part of the Original Budget adoption process in July 2023, as per legislation.

Annual Budget and Business Plan 2023/24

Mid-Year Budget Review

As at 31 December 2023

Budget Update Report

Executive Summary 2
Uniform Presentation of Finances 3
Key Performance Indicators 4
Summary of Operating Budget Variance Adjustments 5
Summary of Capital Budget Variance Adjustments 8

Statement of Comprehensive Income 9
Statement of Financial Position 10
Statement of Changes in Equity 11
Statement of Cash Flows 12

Annual Business Plan Report

Functional Reporting Operating Expenditure 13
Capital Works Program 14

Executive Summary

This report is a Mid-Year Budget Review as at 31 December 2023 for the 2023/24 financial year pursuant to Regulations 7, 9 and 10 of the Local Government (Financial Management) Regulations 2011 under the Act. Unless otherwise indicated figures shown are for the 2023/24 financial year and the variance report comparison is actual to original budget.

The proposed Revised Budget adjustments include a number of 'one-off' variations shown as Favourable (F) or Unfavourable (U).

Long Term Financial Plan (LTFP) - Review

Since the adoption of the Budget, Council has made decisions on projects that have material financial implications not only for the 2023/24 year (these are included within the yearly budget wherever possible) but also may affect the longer term. In some cases, not all information is available for these projects and not included in the budget review. The following list is a summary of these types of projects:

- Infrastructure expenditure on project scoping, designs and works with this budget update at $11.5m. The updated budget includes not limited to: Bridges $0.2m; Foot/bike paths $0.5m; Resheeting and road shoulders – $1.0m; Motor vehicles and plant and equipment $0.7m; Sealing/resealing/reconstruction – $4.0m; Stormwater – $0.7m and Community Wastewater Management Systems (CWMS) $2.5m.

- Office and Community Facilities inc. The Big Project (TBP) expenditure on project scoping, designs and works with this budget update at $15m. TBPs are included in the adopted LTFP and will be regularly monitored as/when substantial costings and actual build costs are incurred to ensure financial sustainability is checked and reported to Council. TBP actual expenditure included in this budget update:

    - Tanunda Oval Renovation - $1.6m
    - Barossa Rugby - $4.1
    - Lyndoch Rec Park - $1.3m
    - Nuriootpa Soccer - $1.7m
    - Talunga Caravan Park Facilities, including cabins $0.9m
    - Tanunda Recreation Park –oval widening, junior sports field, playground and cricket nets $1.7m

- The Councils Community Wastewater Management Systems (CWMS) operating result and capital expenditure programs are transferred to/from a reserve held specifically for this service area. A review of the service charges and rating methodology is required to check the charge vs service provision in line with legislative and ESCOSA requirements.

Uniform Presentation of Finances

for the year ending 30 June 2024

The following is a high level summary of both operating and capital investment activities of the Council prepared in a uniform and consistent basis. All Councils in South Australia voluntarily have agreed to summarise annual budgets and long term financial plans on the same basis. The arrangement ensures that all Councils provide a common 'core' of financial information, which enables meaningful comparisons of each Council's finances.

	Budget Adjustment Notes	Variance Report Notes	Original Full Year Budget ($'000)	Actuals as at 31 Dec ($'000)	*Restated Full year Revised Budget in ($'000)	Budget Adjustments Quarter 2 ($'000)	Proposed Full Year Revised Budget ($'000)
Income	1-7	9-15	45,014	42,227	45,480	537	46,017
Less Expenses	8-11	16-19	(47,359)	(22,908)	(47,544)	(236)	(47,780)
Operating Surplus / (Deficit)			(2,345)	19,319	(2,064)	301	(1,763)
Less Net Outlays on Existing Assets							
Capital Expenditure on Renewal and Replacement of Existing Assets	12	26	(8,031)	0	(21,171)	0	(10,574)
add back Depreciation, Amortisation and Impairment	10	18	10,170	5,085	20,340	0	10,170
add back Proceeds from Sale of Replaced Assets	13	20	224	0	394	0	206
			2,363	5,085	(437)	0	(198)
Less Net Outlays on New and Upgraded Assets							
Capital Expenditure on New and Upgraded Assets	14	26	(14,822)	0	(34,038)	1,378	(16,708)
add back Amounts Received Specifically for New and Upgraded Assets	15	21	2,838	1,732	3,692	0	2,281
add back Proceeds from Sale of Surplus Assets	16	20	0	0	0	0	0
			(11,984)	1,732	(30,346)	1,378	(14,427)
Net Lending / (Borrowing) for Financial Year			(11,966)	26,136	(32,847)	1,679	(16,388)

Uniform Presentation of Finances

Funding Source for the movement in Net Lending / (Borrowing)	**($'000)**
Original Full year Budget Net Lending / (Borrowing)	(11,966)
Carried Forward Budget Adjustments – Report on Financial Results Funds were held for these projects in cash and investments at 30 June 2023	(7,605)
Other Budget Adjustments - September Budget Update. Funds required for these items will decrease Councils cash and investments. This amount includes amendments approved at the Council meetings held July, August and September 2023	1,504
Budget Adjustments - December (includes Sept correction). Funds required for these items will decrease Council's cash and investments	1,679
Carried Forward Budget Adjustments to 2023/24	0
Proposed Full-year Revised Budget - Net Lending / (Borrowing)	(16,388)

Key Performance Indicators (KPI)

Key Performance Indicators (KPI)	Original Budget 30 June 2024	Mid-year Budget Review 31 Dec 2023
Operating Surplus / (Deficit) ($'000)	(2,345)	(1,763)
Target	To achieve an operating breakeven position, or better, over any five-year period.	
Notes	*Operating Deficit decreased by $299k as a result of an increase of revenue of $537k and an increase of net costs of $236k. Due to the advance payment of Financial Assistance Grants totalling $2.086M (received June 2023) the true underlying budget position for 2023-24 is $321K surplus not $1.765M deficit.*	
Operating Surplus Ratio	(5.2%)	(3.83%)
Target	To achieve an operating surplus ratio of between -2% to 10%.	
Notes	*The adopted LTFP 3 year average for this ratio was (4.3%), this update forecasts an annual result of (3.83%) which is outside of the target range. Using the last 2 years actuals 2022 at 6.4% and 2023 at 2.1% and this Budget update of (3.83%) the three year average is 1.4%, within the adopted target range of (2%) to 10%. Due to the advance payment of Financial Assistance Grants totalling $2.086M the true underlying budget position for 2023-24 is an operating surplus ratio of 0.7% well within the target range.*	
Net Financial Liabilities ($'000)	29,744	23,302
Target	Council's level of net financial liabilities (NFL) is no greater than its annual operating revenue and not less than zero.	
Notes	*An improvement (reduction) to net liabilities as a result of the better cash at bank position from last year actual result as compared to the estimates used for this year adopted budget.*	
Net Financial Liabilities Ratio	66%	50.6%
Target	Net financial liabilities ratio is greater than zero but less than 100% of total operating revenue.	
Notes	*This ratio has improved; refer to the comments in the Net Financial Liabilities indicator above.*	
Asset Funding Renewal Ratio	122%	120%
Target	Capital outlays on renewing/replacing assets is greater than 80% but less than 110% of Infrastructure Asset Management Plans (previously depreciation) over a rolling 3-year period, the ratio shown above is for the current year only.	
Notes	*For the purposes of this Financial Indicator the 2023 Infrastructure Asset Management Plan (IAMP) does not contain renewal spend information. The Long Term Financial Plan (LTFP) required an annual spend for the major asset classes at $6,607k, the adopted 23/24 budget renewal spend is $8,031k that calculates a budget Asset Renewal Funding Ratio (ARFR) of 122%.*	

Department	Description	Income/Expenditure Account	Reason for Budget Adjustment	Type of Adjustment	2023/24 Adjustment Quarter 2
Operating Adjustments					
Regulatory Services	563 - Compliance, Monitoring & Enforcement-Regulatory	426 - Statutory Fines - Parking Expiations	Higher than anticiopated income	Addition to income (negative amount)	(2,000)
Statutory Charges				***Note 2***	***(2,000)***
Nuriootpa Centennial Park	Nuriootpa Centennial Park	Nuriootpa Centennial Park	Changes to operating for Q2 for NCPA Budgets (excluding wages)	Transfer To - Income (negative amount)	(238,950)
User Charges				***Note 3***	***(238,950)***
Works Administration	552 - Engineering Services - Miscellaneous	561 - Contributions - Other Councils	Regional Growth Fund Payment	Addition to income (negative amount)	(290,906)
Grants, Subsidies and Contributions				***Note 4***	***(290,906)***
Office of the Mayor and CEO	462 - Office of the Mayor and CEO	567 - Other Income - Misc.	Funds retained for outstanding defects - Tanunda Rec Park Playground	Addition to income (negative amount)	(4,500)
Other Income				***Note 7***	***(4,500)***
NET TOTAL - Operating Income Adjustments					***(536,356)***
Nuriootpa Centennial Park	Nuriootpa Centennial Park	Nuriootpa Centennial Park	Salary and Wages - NCPA	Addition to expenditure (positive amount)	205,587
Financial Services	118 - Accounting/Finance - Miscellaneous	622 - Salaries - Finance staff	Transfer Salary to Contractors	Transfer From - expenditure (negative amount)	(60,467)
Works Operating	638 - Parks & Gardens Services	600 - Wages (Normal Rate - Depot Staff)	Transfer to Wages	Transfer To - expenditure (Positive amount)	29,708
Offices and Community Facilities	037 - Barossa Aquatic & Fitness Centre 'The Rex'	600 - Wages (Normal Rate - Depot Staff)	Reallocation of funds to apply to inside workers for open space work to the gardens we have brough in house as approved by Jo Moen	Transfer To - expenditure (Positive amount)	15,000
Multiple	Multiple	Multiple	Full recalculation of salaries and wages and associated insurances - savings	Reduction to expenditure (negative amount)	(95,658)
Employee Costs				***Note 8***	***94,170***
Office of the Mayor and CEO	462 - Office of the Mayor and CEO	654 - Contractors - Other Services	Transfer contractor budget to Concordia Township Development Budget	Transfer of expenditure	(17,500)
Office of the Mayor and CEO	462 - Office of the Mayor and CEO	658 - Contractors - Recyclables Sorting Svces	Transfer consultant budget to Concordia Township Development Budget	Transfer of expenditure	(17,500)
Library Services	175 - Library: Programs and Experience	654 - Contractors - Other Services	Programs budget, add to contractors	Addition to expenditure (positive amount)	2,000
Works Operating	637 - Play Equipment - Inspection/Repair/Maintenance	654 - Contractors - Other Services	Tanunda Playground - Defect Works	Addition to expenditure (positive amount)	4,500
Financial Services	118 - Accounting/Finance - Miscellaneous	641 - Contractors - Relief Staff	Backfillng Finance vacancies transferring salaries to contractors	Transfer To - expenditure (Positive amount)	60,467
Offices and Community Facilities	206 - Rec Park - Curdnatta (Sandy Creek)	638 - Contractors - Bldg Maintenance Services	Curdnatta Park reallocation of caretakers fees	Transfer To - expenditure (Positive amount)	17,499
Offices and Community Facilities	182 - Mt Pleasant Caravan Park (Talunga)	654 - Contractors - Other Services	Talunga Caravan Park contract management fee reduction	Transfer To - expenditure (Positive amount)	67,677
Offices and Community Facilities	210 - Rec Park - Talunga (Mt Pleasant)	637 - Contractors - Fire Equipment Servicing	Transfer To - expenditure (Positive amount)	Transfer To - expenditure (Positive amount)	1,513
Offices and Community Facilities	188 - Hall - Union Chapel	642 - Contractors - Lawn Mowing/Grass slashing	Transfer From - expenditure (negative amount)	Transfer From - expenditure (negative amount)	(4,000)
Works Operating	600 - Spray Weeds/plants	638 - Contractors - Bldg Maintenance Services	Transfer To - expenditure (Positive amount)	Transfer To - expenditure (Positive amount)	8,000
Offices and Community Facilities	190 - Hall - Rowland Flat	642 - Contractors - Lawn Mowing/Grass slashing	Transfer From - expenditure (negative amount)	Transfer From - expenditure (negative amount)	(4,000)
Nuriootpa Centennial Park	Nuriootpa Centennial Park	Nuriootpa Centennial Park	Changes to operating for Q2 for NCPA Budgets (excluding wages)	Reduction to expenditure (negative amount)	(38,247)
Works Ovals and Open Space	298 - Ovals & Open Space-RecreationParks (PR)	657 - Contractors - Works Contract Labour Staff	Transfer to Wages	Transfer to Wages	(29,708)
Works Ovals and Open Space	298 - Ovals & Open Space-RecreationParks (PR)	657 - Contractors - Works Contract Labour Staff	Transfer To - expenditure (Positive amount)	Transfer To - expenditure (Positive amount)	19,787

Department	Description	Income/Expenditure Account	Reason for Budget Adjustment	Type of Adjustment	2023/24 Adjustment Quarter 2
Operating Adjustments					
	Angaston & Tanunda 2	Angaston & Tanunda 2	Transfer From - expenditure (negative amount)	Transfer From - expenditure (negative amount)	(6,666)
	Talunga Rec Park	Talunga Rec Park	Transfer From - expenditure (negative amount)	Transfer From - expenditure (negative amount)	(13,121)
Office of the Mayor and CEO	454 - Regional Development - Miscellaneous	735 - Direct Purchases - Other	Sister City Committee - Seed Funding As approved by Council at its meeting of 21/11/2023	Addition to expenditure (positive amount)	10,000
Library Services	155 - Library: History and Heritage	735 - Direct Purchases - Other	Heritage App subscription	Addition to expenditure (positive amount)	1,095
Library Services	175 - Library: Programs and Experience	735 - Direct Purchases - Other	Programs budget change	Reduction to expenditure (negative amount)	(2,000)
Library Services	275 - Library DVDs & CDs	735 - Direct Purchases - Other	Collections reduction	Reduction to expenditure (negative amount)	(1,000)
Library Services	276 - Library Magazines & Periodicals	735 - Direct Purchases - Other	Collections addition	Addition to expenditure (positive amount)	1,000
Planning	385 - Assessment and Advice- Planning	878 - Legal Fees	Judicial Review - Barossa Central Development - Legal Costs	Addition to expenditure (positive amount)	5,000
Office of the Mayor and CEO	454 - Regional Development - Miscellaneous	856 - Contributions - Regional Development Australia (RDA)	RDA Annual Contribution	Addition to expenditure (positive amount)	2,883
Office of the Mayor and CEO	454 - Regional Development - Miscellaneous	668 - Consultants - Other	Transfer consultant budget to Concordia Township Development Budget	Transfer of expenditure	(50,000)
Office of the Mayor and CEO	462 - Office of the Mayor and CEO	878 - Legal Fees	Talunga Village Transfer	Addition to expenditure (positive amount)	5,000
Office of the Mayor and CEO	482 - Elected Members - Miscellaneous (PR)	868 - Donations - Sundry	Barossa Wildlife Rescue Service	Addition to expenditure (positive amount)	5,000
Office of the Mayor and CEO	462 - Office of the Mayor and CEO	824 - Staff Training - Seminar/Conference Fees	OMCEO - Training Budget	Reduction to expenditure (negative amount)	3,000
Information Technology	142 - Info Tech - Lease Agreements	690 - Operating Lease Payments - Computer Eq.	Additional contribution to purchase of additional tablets	Transfer From - expenditure (negative amount)	4,820
Organisational Development	053 - Human Resources - Miscellaneous	668 - Consultants - Other	Increased costs associated with outsourced recruitment for specialist roles - offset by savings in forecast salaries	Reduction to expenditure (negative amount)	15,000
Organisational Development	053 - Human Resources - Miscellaneous	820 - Advertising	Increase in recruitment advertising costs due to vacancy activity - offset by savings in forecast salaries	Addition to expenditure (positive amount)	5,000
Publicity and Public Relations	005 - Public Relations Service	700 - Software - Annual Licence Fees	Centralisation of Communications Software Expenses in ICT Software Budget - Bang the Table Subscription Costs	Transfer From - expenditure (negative amount)	(25,894)
Corporate Services	371 - Compliance, Monitoring & Enforcement-Development	878 - Legal Fees	Transfer required to increase funds for legal fees associated with planning	Transfer From - expenditure (negative amount)	(20,000)
Information Technology	139 - Info Tech - Soft/Hardware Agreements	700 - Software - Annual Licence Fees	Centralisation of Communications Software Expenses in ICT Software Budget - Bang the Table Subscription Costs	Transfer To - expenditure (Positive amount)	25,894
Planning	385 - Assessment and Advice- Planning	878 - Legal Fees	Transfer required to increase funds for legal fees associated with planning	Transfer To - expenditure (Positive amount)	20,000
Environmental Services	399 - Land, Water and Biodiversity	735 - Direct Purchases - Other	Arborgreen Invoice was paid from NRC Budget but needs to be paid from Kim Thompson's budget	Transfer To - expenditure (Positive amount)	270
Environmental Services	307 - Environmental Education and Awareness	735 - Direct Purchases - Other	Arborgreen Invoice was paid from NRC Budget but needs to be paid from Kim Thompson's budget	Transfer From - expenditure (negative amount)	(270)
Offices and Community Facilities	206 - Rec Park - Curdnatta (Sandy Creek)	630 - Caretakers/Co-ordinators Payments	Reallocation of caretakers fees to building maintenance as site maintenance is now being done in house	Transfer From - expenditure (negative amount)	(17,499)
Offices and Community Facilities	182 - Mt Pleasant Caravan Park (Talunga)	659 - Contract Management Fees	Reallocation of funding for Talunga Caravan Park Contract Management fee as per new agreement for site maintenance	Transfer From - expenditure (negative amount)	(67,677)
Offices and Community Facilities	037 - Barossa Aquatic & Fitness Centre 'The Rex'	659 - Contract Management Fees	Reallocation of funds to apply to inside workers for open space work to the gardens we have brough in house as approved by Jo Moen	Transfer From - expenditure (negative amount)	(15,000)
Offices and Community Facilities	210 - Rec Park - Talunga (Mt Pleasant)	699 - Contractors - Tagging & Testing	Transfer To - expenditure (Positive amount)	Transfer To - expenditure (Positive amount)	584
Works Ovals and Open Space	298 - Ovals & Open Space-RecreationParks (PR)	735 - Direct Purchases - Other	Angaston second oval - $15,944 (chemical and irrigation) Tanunda second oval - $15,944 (chemical and irrigation) Tanunda main oval - $6000 to cover additional fert required following upgrade	Addition to expenditure (positive amount)	37,888

Department	Description	Income/Expenditure Account	Reason for Budget Adjustment	Type of Adjustment	2023/24 Adjustment Quarter 2
Operating Adjustments					
Offices and Community Facilities	182 - Mt Pleasant Caravan Park (Talunga)	659 - Contract Management Fees	Transfer From - expenditure (negative amount)	Transfer From - expenditure (negative amount)	(33,839)
Offices and Community Facilities	210 - Rec Park - Talunga (Mt Pleasant)	657 - Contractors - Works Contract Labour Staff	Transfer To - expenditure (Positive amount)	Transfer To - expenditure (Positive amount)	11,774
Offices and Community Facilities	210 - Rec Park - Talunga (Mt Pleasant)	657 - Contractors - Works Contract Labour Staff	Transfer To - expenditure (Positive amount)	Transfer To - expenditure (Positive amount)	1,471
Works Operating	638 - Parks & Gardens Services	735 - Direct Purchases - Other	Transfer To - expenditure (Positive amount)	Transfer To - expenditure (Positive amount)	3,402
Offices and Community Facilities	210 - Rec Park - Talunga (Mt Pleasant)	654 - Contractors - Other Services	Transfer To - expenditure (Positive amount)	Transfer To - expenditure (Positive amount)	2,500
Offices and Community Facilities	210 - Rec Park - Talunga (Mt Pleasant)	654 - Contractors - Other Services	Transfer To - expenditure (Positive amount)	Transfer To - expenditure (Positive amount)	3,389
Offices and Community Facilities	210 - Rec Park - Talunga (Mt Pleasant)	638 - Contractors - Bldg Maintenance Services	Transfer To - expenditure (Positive amount)	Transfer To - expenditure (Positive amount)	5,000
Offices and Community Facilities	210 - Rec Park - Talunga (Mt Pleasant)	640 - Contractors - Hygiene Services	Transfer To - expenditure (Positive amount)	Transfer To - expenditure (Positive amount)	360
Offices and Community Facilities	210 - Rec Park - Talunga (Mt Pleasant)	634 - Contractors - Cleaning Services	Transfer To - expenditure (Positive amount)	Transfer To - expenditure (Positive amount)	2,375
Offices and Community Facilities	210 - Rec Park - Talunga (Mt Pleasant)	670 - Contractors - Airconditioning Services	Transfer To - expenditure (Positive amount)	Transfer To - expenditure (Positive amount)	1,471
Office of the Mayor and CEO	Q100 - Concordia Township Development	654 - Contractors - Other Services	Setting Up Concordia Township Development support budget	Increase to expenditure	67,500
Office of the Mayor and CEO	Q100 - Concordia Township Development	668 - Consultants - Other	Setting Up Concordia Township Development support budget	Increase to expenditure	67,500
Office of the Mayor and CEO	Q100 - Concordia Township Development	735 - Direct Purchases - Other	Setting Up Concordia Township Development support budget	Increase to expenditure	2,000
Office of the Mayor and CEO	Q100 - Concordia Township Development	820 - Advertising	Setting Up Concordia Township Development support budget	Increase to expenditure	1,000
Office of the Mayor and CEO	Q100 - Concordia Township Development	821 - Printing	Setting Up Concordia Township Development support budget	Increase to expenditure	1,000
Office of the Mayor and CEO	Q100 - Concordia Township Development	878 - Legal Fees	Setting Up Concordia Township Development support budget	Increase to expenditure	5,000
Office of the Mayor and CEO	Q100 - Concordia Township Development	884 - Other Misc. Expenses - Sundry	Setting Up Concordia Township Development support budget	Increase to expenditure	1,000
Elected Members	E330 - Other Benefits - Mayor Lange	842 - Elected Members - Mayor Allowance	Annual elected member increase above budget estimate.	Increase to expenditure	1,503
Elected Members	E310 - Other Benefits - Cr Hurn	843 - Elected Members - Councillor Allowances	Annual elected member increase above budget estimate.	Increase to expenditure	376
Elected Members	E307 - Other Benefits - Cr De Vries	843 - Elected Members - Councillor Allowances	Annual elected member increase above budget estimate.	Decrease to expenditure	(2,733)
Elected Members	E334 - Other Benefits - Cr Schilling	843 - Elected Members - Councillor Allowances	Annual elected member increase above budget estimate.	Increase to expenditure	3,578
Elected Members	E331 - Other Benefits - Cr Barrett	843 - Elected Members - Councillor Allowances	Annual elected member increase above budget estimate.	Increase to expenditure	376
Elected Members	E314 - Other Benefits - Cr Angas	843 - Elected Members - Councillor Allowances	Annual elected member increase above budget estimate.	Increase to expenditure	376
Elected Members	E335 - Other Benefits - Cr Troup	843 - Elected Members - Councillor Allowances	Annual elected member increase above budget estimate.	Increase to expenditure	376
Elected Members	E341 - Other Benefits - Cr Preece	843 - Elected Members - Councillor Allowances	Annual elected member increase above budget estimate.	Increase to expenditure	376
Elected Members	E339 - Other Benefits - Cr Thompson	843 - Elected Members - Councillor Allowances	Annual elected member increase above budget estimate.	Increase to expenditure	376
Elected Members	E337 - Other Benefits - Cr Greatwich	843 - Elected Members - Councillor Allowances	Annual elected member increase above budget estimate.	Increase to expenditure	376
Elected Members	E340 - Other Benefits - Cr Evans	843 - Elected Members - Councillor Allowances	Annual elected member increase above budget estimate.	Increase to expenditure	376
Elected Members	E338 - Other Benefits - Cr Lane	843 - Elected Members - Councillor Allowances	Annual elected member increase above budget estimate.	Increase to expenditure	376
Materials, Contract and Other Expenses				***Note 9***	***142,426***
Depreciation, Amortisation and Impairment				***Note 10***	***0***
Finance Costs				***Note 11***	***0***
NET TOTAL - Operating Expense Adjustments					***236,596***
NET TOTAL - Operating Adjustments					***(299,760)***

Department	Asset	Description	Income/Expenditure Account	Type of Adjustment	2023/24 Adjustment Quarter 2	Favourable/ Unfavourable
Capital Expenditure on Renewal and Replacement of existing assets						
Works Administration	601755 - Office Vehicle - Contingency	801 - Capital Exp-Admin Vehicles	975 - Capital Expenditure Equip - Materials	Transfer From - expenditure (negative amount)	(5,350)	Favourable
Works Administration	601619 - Office Vehicle - Manager Works & Operations	801 - Capital Exp-Admin Vehicles	975 - Capital Expenditure Equip - Materials	Transfer To - expenditure (positive amount)	5,350	Unfavourable
Capital Expenditure on Renewal and Replacement of Existing Assets				***Note 12***	**0**	
NET TOTAL - Asset Renewal/Replacement Adjustments					**0**	
Department	**Asset**	**Description**	**Income/Expenditure Account**	**Type of Adjustment**	**2023/24 Adjustment Quarter 2**	**Favourable/ Unfavourable**
Capital Expenditure on New and Upgraded assets						
Sec 41 Committees - Gallery	601461 - Barossa Regional Gallery Air Conditioning	824 - Capital Exp-Barossa Regional Gallery	961 - Capital Expenditure Bldgs - Contractors	Reduction in expenses	(88,745)	Favourable
Offices and Community Facilities	601539 - Show Hall Upgrade - Tanunda Recreation Park	834 - Capital Exp-Tanunda Rec Park	969 - Capital Expenditure Structures - Contrac	Reduction in expenses	(22,981)	Favourable
Offices and Community Facilities	601571 - Tanunda Recreation Park - Oval	834 - Capital Exp-Tanunda Rec Park	969 - Capital Expenditure Structures - Contrac	Reduction in expenses	(20,479)	Favourable
Offices and Community Facilities	601633 - Nuriootpa Office Led Lighting Replacement	844 - Capital Exp-Misc properties	989 - Capital Exp - Salaries	Reduction in expenses	(52,270)	Favourable
Nuriootpa Centennial Park	601740 - Nuriootpa Soccer Clubrooms	837 - Capital Exp-Nuriootpa Recreation Park	969 - Capital Expenditure Structures - Contrac	Carry forward to 24-25	(859,411)	Favourable
Works Capital Stormwater	601585 - Calton Road to Hameister Court Drainage Kalbeeba	848 - Capital Exp-S/W Drainage	969 - Capital Expenditure Structures - Contrac	Carry forward to 24-25	(367,901)	Favourable
Works Capital	601799 - Signage Track System in townships	812 - Capital Exp-Nuriootpa Caravan Park	969 - Capital Expenditure Structures - Contrac	Addition to expenditure (positive amount)	30,000	Unfavourable
Information Technology	601727 - Asset Management System	806 - Capital Exp-Computer Equipment and system improvements	975 - Capital Expenditure Equip - Materials	Transfer From - expenditure (negative amount)	(4,820)	Favourable
Works Capital	601632 - Barossa Visitor Centre Carpark Sealing	864 - Capital Exp-Kerbs	969 - Capital Expenditure Structures - Contrac	Transfer From - expenditure (negative amount)	(21,326)	Favourable
Works Capital - Road Seal	313247 - ROAD SEAL,JULIUS ST,TANUNDA	870 - Capital Exp - Road resealing	969 - Capital Expenditure Structures - Contrac	Transfer To - expenditure (positive amount)	21,326	Unfavourable
Works Capital Stormwater	312690 - Road Drain - Elizabeth Street Tanunda	848 - Capital Exp-S/W Drainage	969 - Capital Expenditure Structures - Contrac	Addition to expenditure (positive amount)	9,000	Unfavourable
Capital Expenditure on New and Upgraded Assets				***Note 14***	**(1,377,607)**	Favourable
NET TOTAL - Asset New/Upgrade Adjustments					**(1,377,607)**	
NET TOTAL - Capital Adjustments			***Note: for reconciliation purposes the report includes Approved Carried Forw***		**(1,377,607)**	

Statement of Comprehensive Income

for the year ending 30 June 2024

	Budget Adjustment Notes	Original Full Year Budget ($'000)	Actuals as at 31 Dec ($'000)	*Full year Revised Budget in Last Update ($'000)	Correction Budget Adjustments Quarter 1 ($'000)	Budget Adjustments Quarter 2 ($'000)	Proposed Full Year Revised Budget ($'000)
Income							
Rates	1	37,892	37,877	37,892			37,892
Statutory Charges	2	828	477	828		2	830
User Charges	3	3,837	1,717	3,837	0	239	4,076
Grants, Subsidies and Contributions	4	1,471	1,143	1,848	0	291	2,139
Investment Income	5	152	94	175			175
Reimbursements	6	62	31	62			62
Other Income	7	772	888	838	0	5	843
Net Gain – Joint Ventures and Associations		0		0			0
Total Revenues		45,014	42,227	45,480	0	537	46,017
Expenses							
Employee Costs	8	17,478	8,466	17,478	0	94	17,572
Materials, Contracts and Other Expenses	9	18,426	9,113	18,611	0	142	18,753
Depreciation, Amortisation and Impairment	10	10,170	5,085	10,170			10,170
Finance Costs	11	1,285	244	1,285			1,285
Net Loss – Joint Ventures and Associations		0		0			0
Total Expenses		47,359	22,908	47,544	0	236	47,780
Operating Surplus / (Deficit)		(2,345)	19,319	(2,064)	0	301	(1,763)
Physical Resources Received Free of Charge		0		0		1,371	1,371
Asset Disposal and Fair Value	16	(854)		(854)			(854)
Amounts Received Specifically for New or Upgraded Assets	15	2,838	1,732	2,281		0	2,281
Net Surplus / (Deficit)		(361)	21,051	(637)	0	1,672	1,035
Changes in revaluation surplus - infrastructure, property, plant and equipment		0	0	0	0	7,565	7,565
Infrastructure, property, plant and equipment Impairment (Expense)/Recoupments offset to Asset Revaluation Reserve		0	0	0	0	0	0
Total Other Comprehensive Income		0	0	0	0	7,565	7,565
Total Comprehensive Income		(361)	21,051	(637)	0	9,237	8,600

Statement of Financial Position

as at 30 June 2024

	Variance Report Notes	Original Full Year Budget	*Full year Revised Budget in Last Update	Budget Adjustments Quarter 2	Proposed Full Year Revised Budget
		($'000)	($'000)	($'000)	($'000)
Assets					
Current Assets					
Cash and Cash Equivalents		902	(1,347)	1,679	332
Trade and Other Receivables		2,703	2,951		2,951
Other Financial Assets		0	0		0
Inventories		391	245		245
Subtotal		3,996		1,679	3,528
Non-Current Assets Held for Sale		0			0
Total Current Assets	35	3,996		1,679	3,528
Non-current Assets					
Financial Assets		1,212	1,114		1,114
Equity Accounted Investments in Council Businesses		2,281	2,263		2,263
Infrastructure, Property, Plant and Equipment		439,067	434,404	(1,378)	433,026
Other Non-Current Assets		0	0		0
Total Non-current Assets	36	442,560		(1,378)	436,403
Total Assets		446,556		301	439,931
Liabilities					
Current Liabilities					
Trade and Other payables		5,429	5,074	0	5,074
Borrowings		22,644	16,694		16,694
Provisions		3,035	3,001		3,001
Total Current Liabilities		31,108		0	24,769
Non-Current Liabilities					
Borrowings		2,380	2,375		2,375
Provisions		1,073	682		682
Total Non-current Liabilities		3,453		0	3,057
Total Liabilities	37	34,561		0	27,826
Net Assets		411,995		301	412,105
Equity					
Accumulated Surplus		105,899	107,241	301	107,542
Asset Revaluation Reserve		293,089	290,470		290,470
Other Reserves	38	13,007	14,093	0	14,093
Total Equity	39	411,995		301	412,105

Statement of Changes in Equity

as at 30 June 2024

	Accumulated Surplus ($'000)	Asset Revaluation Reserve ($'000)	Other Reserves ($'000)	Total Equity ($'000)
Original Budget				
Balance at end of previous reporting period 30 June 2023 (Original Budget 2022/23)	104,602	297,205	10,969	412,776
Restated opening balance (Revised Budget)	104,781	287,623	14,486	406,890
Net Surplus / (Deficit) for year	(361)			(361)
Other Comprehensive Income	0	0	0	0
Gain on revaluation of infrastructure, property, plant and equipment	0	5,466	0	5,466
Transfer between reserves	1,479	0	(1,479)	0
Balance at the End of Period	105,899	293,089	13,007	411,995

For actual results for the Statement of Changes in Equity please refer to the General Purpose Financial Statements for the year ended 30 June 2023

Proposed Full Year Revised Budget				
Balance at end of previous reporting period	104,602	297,205	10,969	412,776
Restated opening balance (2022/23 Financial Statements)	105,026	282,905	15,572	403,503
Net Surplus / (Deficit) for year	1,035			1,035
Other Comprehensive Income	0	0	0	0
Gain on revaluation of infrastructure, property, plant and equipment	0	7,567	0	7,567
Transfer between reserves	1,479	0	(1,479)	0
Balance at the End of Period	107,540	290,472	14,093	412,105

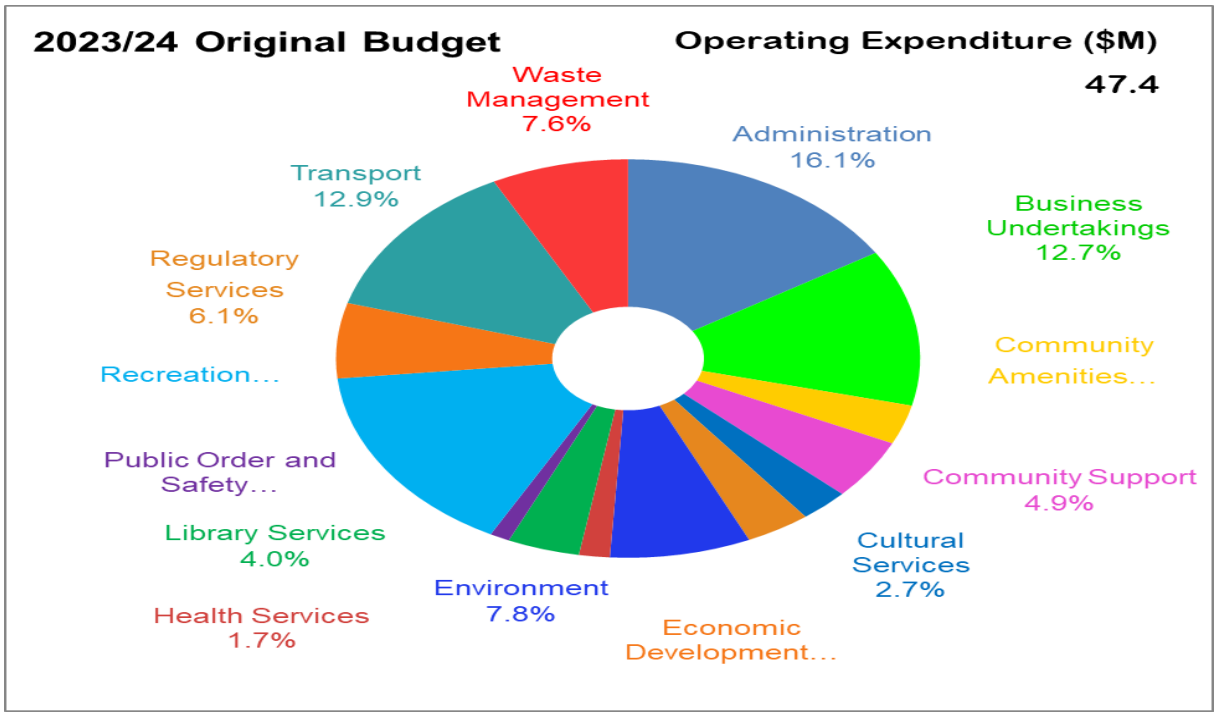
Statement of Cash Flows

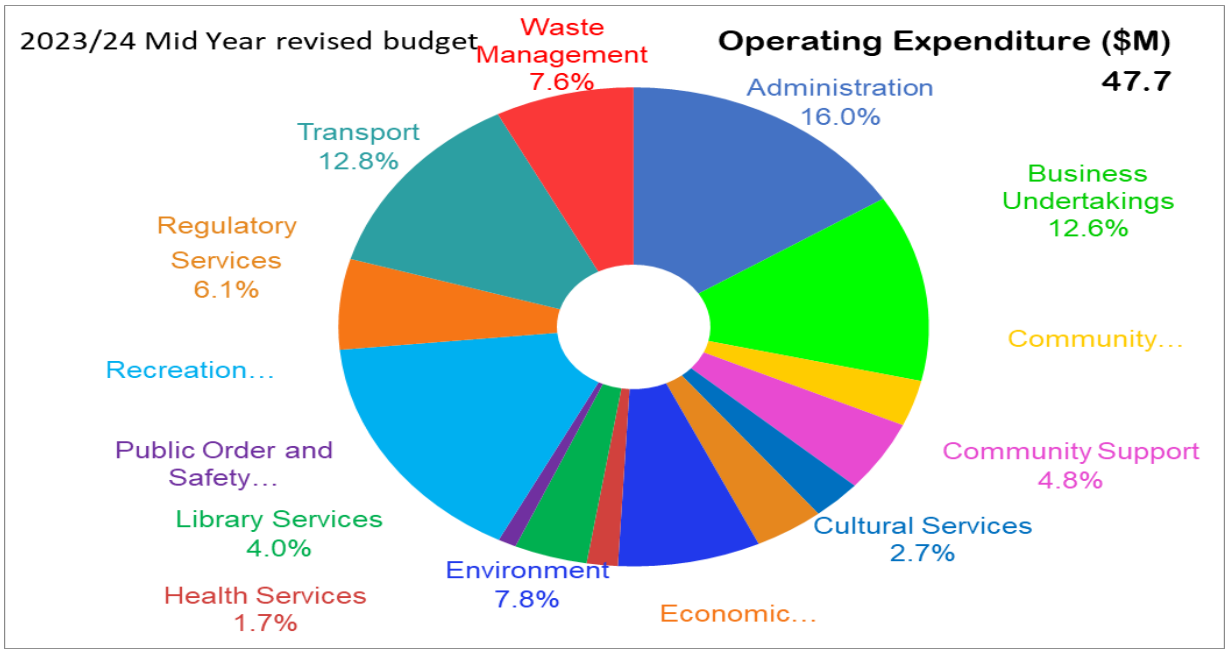
as at 30 June 2024

	Original Full Year Budget	*Full year Revised Budget in Last Update	Budget Adjustments Quarter 2	Proposed Full Year Revised Budget
	($'000)	($'000)	($'000)	($'000)
Cash Flows from Operating Activities				
Receipts				
Operating Receipts	44,861	45,304	537	45,841
Investment Receipts	152	175	0	175
Payments				
Operating payments to Suppliers and Employees	(35,899)	(36,084)	(236)	(36,320)
LandFill rehabilitation expense	(362)	0		0
Finance Payments	(1,286)	(1,286)	0	(1,286)
Net Cash Provided by (or Used in) Operating Activities	7,466	8,109	301	8,410
Cash Flows from Investing Activities				
Receipts				
Amounts Specifically for New or Upgraded Assets	2,796	2,281	0	2,281
Sale of Replaced Assets	224	206	0	206
Sale of Surplus Assets	0	0	0	0
Net Purchase of Investment Securities	0	0		0
Repayments of Loans by Community Groups	101	101		101
Payments				
Expenditure on Renewal / Replacement of Assets	(8,031)	(10,678)	0	(10,678)
Expenditure on New / Upgraded Assets	(14,822)	(15,828)	1,378	(14,450)
Net Purchase of Investment Securities	0	0		0
Loans made to Community Groups	0	0	0	0
Net Cash Provided by (or Used in) Investing Activities	(19,732)	(23,918)	1,378	(22,540)
Cash Flows from Financing Activities				
Receipts				
Loans Received	14,000	10,850		10,850
Proceeds from Bonds and Deposits	0	0		0
Finance Lease Funds	0	0		0
Proceeds from Internal Borrowings	600	600		600
Payments				
Repayments of Borrowings	(977)	(977)	0	(977)
Repayment of Bonds and Deposits	0	0		0
Repayment of Lease Liabilities	(49)	(49)		(49)
Repayment of Internal Borrowings	(600)	(600)		(600)
Net Cash Provided by (or Used in) Financing Activities	12,974	9,824	0	9,824
Net Increase / (Decrease) in Cash Held	708	(5,985)	1,679	(4,306)
Cash and Cash Equivalents at Beginning of Period	194	4,638		4,638
Cash and Cash Equivalents at End of Period	902	(1,347)	1,679	332

Functional Reporting Operating Expenditure

The following graphs show Budget operating expenditure for the 2023/24 year by the following functions: Administration, Business Undertakings, Community Amenities, Community Support, Cultural Services, Economic Development, Environment, Health Services, Library Services, Public Order and Safety, Recreation, Regulatory Services, Transport, Waste Management.





Capital Program 2023/24					
Description	**2023/24 Budget**	**Actuals as at 31 Dec**	**Full Year Revised Budget in Last Update**	**Budget Adjustments Quarter 2**	**Proposed Full Year Revised Budget**
CORPORATE AND COMMUNITY SERVICES	**11,453,582**	**6,336,685**	**16,006,588**	**(991,616)**	**15,014,972**
Community Services - Community Transport	**65,000**	**94,344**	**99,000**	**0**	**99,000**
Community Transport Vehicles	65,000	94,344	99,000	—	99,000
Library Services	**90,470**	**3,819**	**90,470**	**0**	**90,470**
Library Books	90,470	3,819	90,470	—	90,470
Barossa Regional Gallery	**0**	**0**	**88,745**	**(88,745)**	**0**
Barossa Regional Gallery Air Conditioning	0	—	88,745	(88,745)	—
Corporate Services and Business Innovation	**518,000**	**64,912**	**667,404**		**667,404**
ICT Software/Hardware - (part carried forward)	518,000	64,912	667,404		667,404
Offices and Community Facilities	**10,780,112**	**6,173,609**	**2,364,568**	**0**	**2,364,568**
The Big Project - Salary, design and preparation	200,000	138,527	332,568	—	332,568
Soccer Development Contribution ($200k consolidated)	200,000	—	200,000		200,000
Aquatic Swimming Pool, Kokoda Road - Swimming Championships	42,000	42,568	42,000		42,000
Talunga Pak Light Replacement	200,000	2,876	200,000		200,000
Tanunda Oval Renovation	1,190,000	1,151,244	1,590,000		1,590,000
Angas Recreation Park Cricket Nets and Ancillary Works	0	420			—
Angas Recreation Park Clubrooms Canopy	0	1,079			—
Angas Recreation Park Multi Functional Clubrooms	0	655			
Angas Recreation Park Tennis/Netball Courts	0	1,124			
Barossa Culture Hub - The Big Project	250,000	2,465	250,000		250,000
Barossa Rugby Park - The Big Project (Infrastructure Projects Grant Programs) (part carried forward)	2,444,473	2,445,263	4,057,022		4,057,022
Irrigation Equipment Tanunda Rec Park	0	448			
Library & Branch Office, Mount Pleasant	0	5,670	10,150		10,150
Library & Branch Office, Nuriootpa	0	—	44,550		44,550
Lyndoch Land purchase	0	10,638	1,549,716		1,549,716
Nuriootpa Office Minor Building Improvements	0	1,125			
Nuriootpa Soldiers Memorial Hall	0	29,027			
Lyndoch Rec Park Change/Clubrooms	3,841,504	18,514	1,250,000		1,250,000
Nuriootpa Soccer Clubrooms (carried forward)	1,300,000	98,863	2,400,990	(859,411)	1,541,579
Nuriootpa Soccer Civil Infrastructure	0	7,651	153,223		153,223
Nuriootpa Soccer Infrastructure Pitches	0	8,936			
Rex Water Heaters	165,150	19,786	340,000		340,000
Rex Aquatic Fitness building	0	132			
Stockwell Park Civil Works/Signage/Landscaping	0	635			
Talunga Caravan Park Facilities (carried forward)	0	899,797	938,234		938,234
Tanunda Recreation Park Junior Sports Field (part carried forward - Infrastructure Projects Grant Programs)	0	25,334			
Tanunda Recreation Park - Oval Widening	0	8,582	20,479	(20,479)	(0)
Tanunda Recreation Park Playground (Open Space and Places for People Grant Funding) (carried forward)	0	2,529			
Tanunda Recreation Park Cricket Nets (Infrastructure Projects Grant Programs)	0	26,143			
Tanunda Rec Park Change/Club Rooms	946,985	1,223,198	1,659,056		1,659,056
Tanunda Recreation Park - Electrical Capacity Upgrade Retention (carried forward)	0	—	22,981	(22,981)	(0)
New Public Toilet - Tanunda Recreational Park	0	—	63,000		63,000
Williamstown Hall Floor Resurfacing	0	—	49,715		49,715
Samuel Road Stand Alone Solar	0	—	7,000		7,000
Audio Visual System Council Chamber	0	379			
Barossa Gallery Gutter Works	0	—	18,500		18,500
DEVELOPMENT AND ENVIRONMENTAL SERVICES	**0**	**0**	**0**	**0**	**0**
Barossa Bushgardens	**0**	**0**	**0**	**0**	**0**
Bushgardens Stormwater Recovery System	0	—			
EXECUTIVE SERVICES	**0**	**67,359**	**132,775**	**(4,820)**	**127,955**
Office and Community Facilities	**0**	**—**	**—**	**—**	**—**
Asset Management System	0	67,359	132,775	(4,820)	127,955

Capital Program 2023/24 (Continued)					
Description	**2023/24 Budget**	**Actuals as at 31 Dec**	**Full Year Revised Budget in Last Update**	**Budget Adjustments Quarter 2**	**Proposed Full Year Revised Budget**
NURIOOTPA CENTENNIAL PARK AUTHORITY	**200,000**	**44,980**	**519,770**	**0**	**519,770**
Finance Budgeting Software (carried forward)	0	—	40,653		40,653
Intranet	0	—	84,160		84,160
Mobile Phone Fleet	0	40,379	50,000		50,000
Pathway System	0	2,776	84,957		84,957
Switching Technology	0	—	40,000		40,000
TechOne System	0	496			
Website Development Project	0	—	20,000		20,000
NCPA - Adventure Playground	0	1,328			
NCPA - Amenities Facilities - 'C' Block amenities upgrade	180,000	—	180,000		180,000
NCPA - 'Internal Roadworks	20,000	—	20,000		20,000
WORKS AND ENGINEERING	**11,199,564**	**3,553,162**	**11,862,905**	**(381,171)**	**11,481,734**
Bridges	**503,500**	**15,415**	**150,000**	**0**	**150,000**
Lyndoch Valley road, Lyndoch Footbridge Replacement	150,000	14,160	150,000		150,000
Moss Smith Brodge - Design Only	103,500	506	103,500		103,500
Footbridge, King Street North	0	126			
Mangler Hill Road Angaston Safety Guardrails	0	100			
Moculta Road Bridge - Design only	0	397			
Smyth Road Tanunda Bridge (part carried forward)	250,000	126			
Buildings	**330,000**	**242,222**	**439,861**	**0**	**439,861**
Community Buildings and Office/ Depot Works	330,000	231,636	439,861	—	439,861
Access and inclusion works - Nuriootpa Oval	0	186			
Nuriootpa Office - LED Lighting Replacement	0	4,150	52,270	(52,270)	0
The Rex Barossa Aquatic and Fitness Centre - LED Lighting Replacement	0	6,250	21,007		21,007
Cemeteries	**0**	**0**	**0**	**0**	**0**
	0				
Footpaths/Kerbs	**490,641**	**263,669**	**490,641**	**0**	**490,641**
Northern Side Kalimna Road	100,000	98,667	100,000		100,000
Atze Park upgrade	0	6,285			
College Street, Tanunda, footpath upgrade (NI)	0	213			
Barossa Trail extension to Gawler	0	2,153			
Barossa Trail Shared Path - renewal	0	420			
Footpath Renewal Budget - Salaries	390,641	155,932	390,641		390,641
Motor Vehicles, Plant and Equipment	**775,000**	**409,067**	**725,000**	**(5,350)**	**719,650**
General Inspector, Office and Other Vehicles (part carried forward)	325,000	36,194	325,000	(5,350)	319,650
Motor Vehicles Renewal - including Depot Utes	400,000	—	400,000	—	400,000
Minor Plant	50,000	14,257	50,000		50,000
Motor Vehicles Renewal	0	59,919	54,917	5,350	60,267
Plant and Equipment	0	298,697	290,000		290,000
Motor Vehicle, Plant & Equipment		—			
Parks and Gardens	**161,784**	**17,195**	**59,384**	**0**	**59,384**
Recreation assets- including internal roads	59,384	—	59,384		59,384
Krieg Park BMX Track	0	15,000			
Playground Equipment Renewal	30,000	256	30,000		30,000
Playground	72,400	51	72,400		72,400
Play Equipment Tolley Reserve	0	—			
Tanunda Recreation Park Oval Renewal	0	1,888			
Road Resheeting	**1,064,848**	**613,818**	**1,064,848**	**0**	**1,064,848**
Resheeting Budget Contingency	1,064,848	471,300	1,064,848	—	1,064,848
E Lorkes Road Springton	0	—			
Resheet Program	0	136,583	231,734		231,734
Seven Steps Road Flaxman Valley	0	886			
Middleton Road Cockatoo Valley	0	(883)			
Research Road, Nuriootpa	0	—			
Road Reseal Program Budget (Spray and Asphalt)	0	3,981			
R Rogers Road, Eden Valley	0	1,950			
Barossa Visitor Centre Carpark Upgrade	0	—	21,323	(21,323)	—

Capital Program 2023/24 (Continued)					
Description	**2023/24 Budget**	**Actuals as at 31 Dec**	**Full Year Revised Budget in Last Update**	**Budget Adjustments Quarter 2**	**Proposed Full Year Revised Budget**
Road Sealing	**120,000**	**14,290**	**145,000**	**30,000**	**175,000**
Fife Street sealing- design	30,000	886	30000	—	30000
Road Seal - Basedow Road Tanunda	0	121			
Gawler Recreation Park	0	—			
Road Seal,Valley Road,Angaston	0	156			
MacDonnell Street (Basedow Road to Bushman Street) Tanunda	0	51			
Short Row Angaston	0	886			
South Terrace Angaston	0	443			
Springton Road Williamstown	0	443			
Staehr Street Nuriootpa	0	443			
Tolley Road Nuriootpa	0	443			
Trial Hill Road Altona	0	—			
Goldfields Rd, Cockatoo Valley	0	1,231			
Moculta Road Moculta	0	6,791	25,000		25,000
Research Road, Tanunda	0	754			
Yaldara Drive, Lyndoch	0	1,641			
Signage track system in townships	90,000	—	90000	30000	120000
Road Construction, Resealing	**3,953,801**	**1,369,092**	**3,953,801**	**21,323**	**3,975,124**
Craneford Road, Flaxman Valley	410,000	2,865	410,000		410,000
Julius Street, Tanunda Reconstruction (part carried forward)	520,000	258,950	520,000	21,323	541,323
Keyneton Road Moculta	220,000	4,016	220,000	—	220,000
Road Pavements (formed)	0	60,418			
Meadow Road, Kalbeeba	120,000	1,813	120,000		120,000
Road Reseal Program Budget (Spray and Asphalt)	1,763,801	1,028,501	1,763,801	—	1,763,801
Melrose Street Mt Pleasant	920,000	12,529	920,000	—	920,000
Road Shoulders	**127,082**	**2,729**	**127,082**	**0**	**127,082**
Road Shoulders Program	127,082	2,729	127,082	—	127,082
Stormwater	**945,153**	**157,399**	**1,052,381**	**(358,901)**	**693,480**
Baird Street, drainage upgrade	500,000	21,622	500,000	—	500,000
Calton Road to Hameister Court Drainage, Kalbeeba	368,740	839	368,740	(367,901)	839
Project Management Salaries	76,413	90,268	76,413	—	76,413
Elizabeth Street Tanunda - Road Drain	0	1,976	45,400	9,000	54,400
Kalimna Road Nuriootpa	0	—	—		
Kerb and Gutter Upgrades - critical K&G works to be completed as part of road re-seal programme	0	326	—		
Maria Street Tanunda Drainage Swale	0	40,861	61,828		61,828
Murray Street, Nuriootpa	0	254	—		
Old Talunga Park - Tennis Court / Men's Shed drainage	0	118	—		
Roendfeldt Street / Third Avenue / Homburg Street / Langmeil Road - Design Only	0	—	—		
Road Drain - Memorial Avenue Mt Pleasant	0	—	—		
Road Drain - Stockwell Road Stockwell	0	—	—		
Yettie Road Williamstown	0	1,134	—		
Community Wastewater Management System (CWMS)	**2,727,755**	**448,266**	**2,550,055**	**0**	**2,550,055**
Gravity Mains Operation Emergency IP and Manhole Repairs/Replacement	0	—			
Ford Pk Ranger XI, S056Ago, 4*4 Single Chassis	0	—			
Lyndoch Bevalaqua pump Station Emergency Storage	0	3,450			
CWMS Pipeline Radio Link Upgrade/Control Change (carried forward)	92,100	—	92,100	—	92,100
Nuriootpa Waste Water Treatment Plant - upgrades/improvements	1,600,000	223,696	1,600,000	—	1,600,000
CWMS - Irrigation Stockwell Recreation Park	0	—			
Nuriootpa Township Stormwater Management Plan	0	—			
Springton WWTP upgrade and renewal	300,000	—	300,000		300,000
Lyndoch Raising Main/ Pump Replacement	200,000	88,850	200,000		200,000
Vehicle Replacements Coordinator	42,000	—	42,000	—	42,000
Williamstown Lagoon and Infrastructure (carried forward)	350,000	—	350,000	—	350,000
Vehicle New Operators Technical Support	58,055	31,226	58,055	—	58,055
Streetscaping	**85,600**	**101,045**	**85,600**	**0**	**85,600**
Streetscaping - townships- unallocated	85,600	76,786	85,600	—	85,600
Streetscaping Budget Renew/ Replace	0	171			
Mt Pleasant Main Street	0	21,896	—		
Murray Street Angaston Streetscaping	0	2,191			
Grand Total (Notes 12 and 14)	**22,853,146**	**10,002,185**	**28,660,253**	**(1,377,607)**	**27,282,646**

Grants, Contributions and Asset Sales 2023/24						
Description	**2023/24 Budget**	**Proposed Full Year Revised Budget**	**Actuals as at 31 Dec**	**Full Year Revised Budget in Last Update**	**Budget Adjustments Quarter 2**	**Proposed Full Year Revised Budget**
CORPORATE AND COMMUNITY SERVICES	**2,380,381**	**1,823,000**	**1,220,240**	**1,823,000**	**—**	**1,823,000**
Lyndoch Recreation Park Change/Clubrooms (carried forward)	890,381	0	0	0	—	—
Lyndoch Recreation Park - LRCIP R4	565,000	565,000	0	565,000	—	565,000
Lyndoch Recreation Park - Sport and Rec Grant	500,000	500,000	498,336	500,000	—	500,000
Angas Recreation Park Junior Oval	—	313,000	313,261	313,000	—	313,000
Talunga Caravan Park - Cabins and Amenities Buildings		0	408,643	0	—	—
Tanunda Recreation Park - Club contribution to changerooms	300,000	300,000	0	300,000	—	300,000
Tanunda Recreation Park Public Toilet		20,000		20,000		20,000
Barossa Culture Hub - Creative Industries Centre	125,000	125,000	0	125,000	—	125,000
NURIOOTPA CENTENNIAL PARK AUTHORITY	**15,000**	**15,000**	**0**	**15,000**	**—**	**15,000**
Soccer Club contribution towards Soccer TBP	15,000	15,000	0	15,000	—	15,000
INFRASTRUCTURE AND ENVIRONMENTAL SERVICES	**665,236**	**648,736**	**458,377**	**648,736**	**—**	**648,736**
LRCIP R4 Roads Only Funding	250,000	250,000	0	250,000	—	250,000
CWMS Developer Contributions	50,000	50,000	202,514	50,000	—	50,000
Open Space Developer Contributions	142,736	142,736	0	142,736	—	142,736
Vehicle and Equipment Trade-in Sales - Motor Vehicles and Plant	222,500	206,000	255,863	206,000	—	206,000
Grand Total (Notes 13 and 15)	**3,060,617**	**2,486,736**	**1,678,617**	**2,486,736**	**—**	**2,486,736**

DEBATE REPORT

7.2 Corporate Services and Business Innovation

7.2.4 LONG TERM FINANCIAL PLAN - QUARTER 2 REVIEW UPDATE

Author: Chief Executive Officer
24/23678

PURPOSE

To consider and approve an update to the Long-Term Financial Plan arising from realignment with the Quarter 2 budget update.

RECOMMENDATION

That Council having reviewed the 2023-2024 Quarter 2 Budget review an assessed its application to the Long-Term Financial Plan as outlined at Attachment 1, approve the revision of the Long-Term Financial Plan.

REPORT

Introduction
In addition to the normal Quarter 2 Budget and Business Plan review, which Council has not considered a full review of the Long-Term Financial Plan has now been undertaken. This was done to align the Long-Term Financial Plan to new revisions of the budget and new asset management modelling and to set the foundation for the 2024-25 update to the plan.

Discussion
A review of the Long-Term Financial Plan is not required by legislation however can be reviewed whenever necessary. It has been considered necessary to undertake this work for the following reasons:

1. With the implementation of the new asset management system, updated data and new modelling, the alignment of the asset management data to the Long-Term Financial Plan was necessary to ensure investments in renewal of assets were aligned and affordable.
2. The administration is implementing a new Long-Term Financial Plan system and this revised base will better inform the update that is required as part of the 2024-2025 financial year budget and Business Plan development.
3. The Council periodically updates the Prudential Management report related to The Big Project. That work is near completion and will come to Council shortly, but to inform that review the Long-Term Financial Plan is required.
4. It is sound practice to review the Long-Term Financial Plan administratively also, at the end of each financial year, and this was more so warranted at this time as the financial results from 2022-2023 had some significant variations to the plan namely better operating outcome and much lower borrowings than originally anticipated.

The updated Long-Term Financial Plan, which is a set of financial statements in effect has been provided at Attachment 1. The tables and following notes summarises the key changes from the plan adopted in July 2023.

Table of Key Assumption Changes

Financial parameters - Indexation	2023/24 Budget	2024/25 LTFP	2025/26 LTFP	2026/27 LTFP	2027/28 LTFP	2028/29 LTFP	2029/30 LTFP	2030/31 LTFP	2031/32 LTFP	2032/33 LTFP
RATE REVENUE INCREASES	Not relevant already embedded in budget									
General - Rate Revenue Net Increase (excl growth)		0.00%	0.00%	0.00%	-0.50%	0.00%	0.00%	-0.50%	-0.50%	-0.50%
Growth -Development - General rates		0.25%	0.25%	0.25%	0.25%	0.25%	0.25%	0.25%	0.25%	0.25%
CWMS - Service Charge & Rates Increase (+ growth 0.5-1.5%)		No Change								
Refuse, Recycling and Green Organic Services Charge Net Increase (excl growth)		No Change								
OPERATING REVENUE										
Operating Grants		0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%
Statutory Charges		1.0%	1.0%	1.0%	1.0%	0.0%	0.0%	0.0%	0.0%	0.0%
User Charges		1.0%	1.0%	1.0%	1.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Investment Income		0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Reimbursements		1.0%	1.0%	1.0%	1.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Other Revenue		1.0%	1.0%	1.0%	1.0%	0.0%	0.0%	0.0%	0.0%	0.0%
OPERATING EXPENDITURE										
Service Cost Natural Growth** (Waste, CWMS, NCPA growth is 1% all years)		0.0%	0.0%	0.0%	-0.5%	-0.5%	-0.5%	0.0%	0.0%	0.0%
Employee Costs		0.9%	0.6%	0.0%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%
Contracts, Materials & Other		-0.5%	-0.5%	-0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%
Energy Costs		-1.0%	-1.0%	-1.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Water Costs		-1.0%	-1.0%	-1.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Debenture & Cash Advance Loan interest rate		0.7%	0.2%	0.5%	0.5%	0.5%	0.0%	0.0%	0.0%	0.0%
Insurance		1.5%	1.5%	1.5%	1.5%	1.5%	1.5%	1.5%	1.5%	1.5%
Asset Revaluation Increments										
Land Assets		No Change								
Building Assets										
Recreation Assets										
Infrastructure Assets										
#REF!										
Stormwater Assets										
Asset Renewal Expenditure Increments										
Infrastructure renewal increments		No Change								
Office fleet vehicles										

Table of Key Performance Indicators for Revised Plan

Consolidated Results: Key Performance Indicators and Financial Parameters		2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33
Draft Bud - next years draft; LTFP = Long Term Financial Plan		**Q2 Revised**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**
		$'000 or %	**$'000 or %**	**$'000 or %**	**$'000 or %**	**$'000 or %**	**$'000 or %**	**$'000 or %**	**$'000 or %**	**$'000 or %**	**$'000 or %**
Key Performance Indicators (KPI's) - Summary	Adopted target										
KPI 1 - Operating Surplus cumulative forward 10 year period*	**Surplus year 10**	(1,763)	(2,892)	(3,861)	(3,484)	(2,660)	(1,415)	578	2,099	3,823	5,661
KPI 2 - Operating Surplus Ratio - Rolling 3 year - retrospective avera	**(2%) to 10%**	1.5%	(1.4%)	(2.7%)	(1.2%)	0.1%	1.4%	2.3%	2.7%	2.8%	2.7%
KPI 2 - Operating Surplus Ratio - Annual		(3.8%)	(2.3%)	(1.9%)	0.7%	1.5%	2.2%	3.3%	2.5%	2.7%	2.8%
KPI 3 - Net Financial Liabilities ratio	**0-100%**	50.9%	72.0%	70.4%	61.5%	51.5%	41.9%	31.2%	22.0%	15.4%	7.2%
KPI 4 - Asset Renewal Funding Ratio - Annual	**80% to 110%**	119.8%	133.3%	131.0%	106.5%	95.9%	95.7%	98.9%	100.5%	100.0%	100.2%

Table of Key Performance Indicator Changes

Consolidated Results: Key Performance Indicators and Financial Parameters	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33
	Q2 Revised	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**
	$'000 or %	**$'000 or %**	**$'000 or %**	**$'000 or %**	**$'000 or %**	**$'000 or %**	**$'000 or %**	**$'000 or %**	**$'000 or %**	**$'000 or %**
Key Performance Indicators (KPI's) - Summary										
KPI 1 - Operating Surplus cumulative forward 10 year period*	582	712	907	1,732	2,427	2,975	3,546	3,708	3,214	2,166
KPI 2 - Operating Surplus Ratio - Rolling 3 year - retrospective average	0.50%	0.56%	0.74%	0.75%	1.10%	1.24%	1.02%	0.66%	0.05%	-0.82%
KPI 2 - Operating Surplus Ratio - Annual	1.37%	0.32%	0.43%	1.60%	1.27%	0.95%	0.84%	0.18%	-0.88%	-1.78%
KPI 3 - Net Financial Liabilities ratio	15.19%	4.78%	4.71%	9.25%	11.14%	15.59%	17.29%	17.99%	16.07%	13.78%
KPI 4 - Asset Renewal Funding Ratio - Annual	2.97%	24.52%	33.98%	16.19%	3.23%	-6.59%	-6.13%	-4.20%	1.05%	2.06%

Summary

The summarised outcome of the revised Long-Term Financial Plan based on the assumptions and currently approved and understood service levels and capital investments follows.

Key Assumptions:

- General rate changes are unchanged for the next three years with reductions following in the out years.
- Property growth will average 1% per annum up from 0.75%.
- Increases have been made to user charges and other revenue streams due to high inflationary environment.
- Grants income has been increased at 2.5% instead of 2% due to the higher inflationary period.
- General and salary and wage expenditure indexes have been increased slighted in totality across the plan to reflect the higher inflationary period.
- Energy costs being experienced are not growing at the budgeted rate these have been reduced to 3.5%.
- Insurance costs have been significantly increased due to the costs being experienced, growth in assets values requiring insurance, and the building of new assets.

Operating Statement (Statement of Comprehensive Income):

- The operating position of Council over the 10-year financial plan is a surplus of $5.661M and a return to surplus operating conditions in the 2026/27 financial year, a year earlier than the currently approved plan.
- Deficits for the next two years are related to investment in new infrastructure and funding needs.
- The deficit for the current year is reflective of an early payment of grants totalling $2.085m which were recognised in last year's financial statements. The effect underlying position of the current year's budget is a surplus of $322K and has improved $522K since the commencement of the financial year.
- One cautionary note needs to be applied in the calculation of depreciation, due to the nature of costs there is a real risk depreciation will be higher than anticipated. Officers have commenced a detailed review of depreciation calculations and useful lives of assets which have the largest impact on the depreciation figures and that they truly and accurately reflect the using up of assets.

Statement of Financial Position:

- There is little movement within the balance sheet.
- Debt peaks in the 2025-2026 financial year at $31.365M against revenue of $51.828M that year, a moderate financial liability ratio of 70.4%.
- Debt at the end of the current plan is $3.599M against revenue of $65.073M that year, a very low financial liability ratio of 7.2%.
- All borrowings in this plan are using cash advance debentures so that they can be quickly repaid, this incurs slightly high interest rates, but the current plan demonstrates the debt can be paid off practically by the end of the plan. Conversion to traditional funding loans can be put in place if necessary to limit the operating impact of interest should Council wish to borrow for further investment.

Statement of Cash Flow, Uniform Presentation of Finance and Equity Statement:

- There is little of note changing with these financial statements and basically reflect the above details outlined above.

Key Performance Indicators:

- All indicators have improved and for the out years are within the performance standards except for the cumulative operating surplus over the rolling 3-year measure for the 2025-2026 financial year at -2.7% which is 0.7% lower than the indicator. This is not considered problematic as it is temporary, and the operating position of Council is well within the operating surplus target over the 10-year plan.

Summary and Conclusion
That with the review of the Long-Term Financial Plan now completed it is presented for review and adoption of Council.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Long Term Financial Plan - Revised

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Corporate Plan

BS6 Finance - Transparency and accountability regarding Council activity and expenditure. Provision of organisational performance report (outcomes), activity report (outputs), a range of statutory reporting (e.g. public health, tax, superannuation), financial reporting

Legislative Requirements
Section 122 (1a) of the Local Government Act

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

The Long-Term Financial Plan outlines the financial estimates for Council for the current plus 9 years and is based on an array of assumptions, service level positions and known or predicted investments in capital projects. The risk are the assumptions are either over or understated.

COMMUNITY ENGAGEMENT

No required or recommended for an updated plan, the 2024-2025 update will be consulted upon as part of the budget and business plan consultation requirements.


TheBarossaCouncil
LONG TERM FINANCIAL PLAN 2023/24 - 2031/32
Quarter 2 Revision 2023/24

ASSUMPTIONS AND FINANCIAL INDICATORS

Under the *Local Government Act 1999*, Councils are required to have a **Long Term Financial Plan (LTFP)** (for a minimum period of 10 years). This Long Term Financial Plan (LTFP) has been declared by The Barossa Council as a Strategic Management Plan pursuant to Section 122(8) of the *Local Government Act 1999*. This document subsequently reflects a review of Council's Long Term Financial Plan based upon the review of Council budget and business plan as at 31 December 2023.

The Long Term Financial Plan is designed as a 'high-level' document that summarises the future planning of Council's financial operations – particularly in relation to key components such as rate movements, service levels to our community, major infrastructure asset replacement/renewal, loan indebtedness and internal cash reserves.

On this basis and given the 'high-level' nature of the document, the Plan has been developed based on a number of key assumptions previously discussed and endorsed by Council. Further, Council has also previously endorsed a number of strategic financial policies which have also driven the formulation of the Plan.

Section 122 of the *Local Government Act 1999* also prescribes that Councils must have a Long Term Infrastructure and Asset Management Plan to guide the future replacement, renewal and maintenance of our significant fixed asset base. Council's Infrastructure and Asset Management Plan (IAMP) was adopted by Council in February 2023, with an ongoing review process to provide improved asset data and information.

Consequently, in recognition of this, it is appropriate that a cautious and conservative approach be undertaken with financial modelling as part of the update to the Long Term Financial Plan.

With a significant fixed asset base being predominantly comprised of major community infrastructure such as roads, footpaths, stormwater drainage and community wastewater management systems, it is imperative that there is an appropriate link and consistency between the Infrastructure and Asset Management Plan and the Long Term Financial Plan, towards ensuring that the Long Term Financial Plan provides for the necessary capital outlays (as identified in the Infrastructure and Asset Management Plan) for the renewal and replacement of existing community assets – herein referred to as 'non-discretionary' capital expenditure.

GENERAL ASSUMPTIONS

- Long term financial plans have been prepared to measure and check financial sustainability for all components of Council business and operations and provides a consolidated set of financial estimates and that the 31 December 2023 budget and business plan revision will be approved by Council.
- The LTFP reflects existing recurrent service levels to our community being maintained. Council's budget process considers on-going service delivery and commitments and new expenditure items or initiatives.
- The plan does not include impact associated with the Concordia growth area development.

OPERATIONS

- General Rate Revenue and Service Charges increments have been reviewed to ensure funding and service level provision is maintained in line with sustainability requirements.
- Operating Costs for Employee, Contractors and Materials have been based on a zero based method for this budget year.
- Selected costs have been isolated from general expenditure, eg. energy use for electricity, water costs, insurance premiums and waste collection and disposal service costs.
- Depreciation has been calculated on existing asset classes, structures, valuation, and condition rating; asset componentisation has been included as appropriate to selected asset types. A review of useful lives of all assets and components is an ongoing task refining the data.
- The Federal Government continues to allocate Supplementary Road Funding to South Australia.

- The Federal Government, as announced, will continue the Roads to Recovery (RTR) grant funded program and increase allocation to 2027/2028.

CAPITAL

- Asset Renewal and/or Replacement expenditure is provided for on buildings, recreation, transport, stormwater, bridge, CWMS (community wastewater management systems) and plant & equipment assets and aligned to current updated asset management modelling.
- The Big Project capital expenditure program has been included as approved by Council at the time of competing this revision.

LOAN PRINCIPAL AND INTEREST REPAYMENTS

- The internal loan from Council to Nuriootpa Centennial Park Authority (NCPA) is included in the LTFP and is to be repaid at $130k in 2023/24.
- Council's loan debt is predicted to peak at $31.365m in 2025/26. The net loan balance outstanding as at 30 June 2024 will be $19.069m and a projected balance of $3.599m by 30 June 2033.
- There is a scheduled balloon payment for $2.9m on an existing loan in the year 2024/25 at which time Council will assess its loan requirements and re-finance if/as needed.

FINANCIAL SUSTAINABILITY PERFORMANCE CHIEF EXECUTIVE OFFICER REPORT

- KPI 1: Operating Surplus - a deficit for years 2023/24 to 2025/26; accumulative surplus by year 2032/33. The general rate increases for years for 2023/24 was 3.3% and for 2024/25 and 2025/26 at 4%, 3.5% for 2026/27, 2.5% from 2027/28 to 2029/30 and the remaining years in the LTFP are 2.0% plus growth in assessments.
- KPI 2: Operating surplus ratios average 3 years. Council's forecast retrospective results range from (2.7%) to 2.8%; Annual ranges from (3.8%) to 3.3%. Due to the Federal Government paying $2.085m from the 2023/24 financial assistance grants early on 29 June 2023 the 2023/24 operating result is now showing a deficit of $1.763m. Although an early payment improves Councils cash position it impacts the operating position and financial indicators for 2023-24 and the 10 year long term financial plan. The underlying operating position of Council for the 2023-24 year if grants where paid in the year they were due is a surplus of $322K.
- KPI 3: Net Financial Liabilities. The forecast peaks at 72.0% or $30.025m in the 2024/5 financial year and by year 2032/33 is projected to be at 7.2% or $3.599m based on Council continuing to use cash advance debenture funding.
- KPI 4: The target is being met over the ten year period, the average being 108.2%.
- In line with Council Policy a regular review of Council's treasury management will be required to ensure a positive cash position is maintained.

FINANCIAL SUSTAINABILITY

The Barossa Council is committed to the principles of financial sustainability. The importance of this is to ensure that each generation 'pays their way', rather than any generation 'living off their assets' and leaving it to future generations to address the issue of repairing worn out infrastructure. Such issues are frequently referred to as 'intergenerational equity'.

With community infrastructure such as roads, footpaths and stormwater drainage comprising a major proportion of Council's balance sheet, it is important that Council implement appropriate strategies towards the effective maintenance and renewal of such assets to ensure it is fairly and equitably funded from current ratepayers (general rate income) and future ratepayers (long term loan borrowings).

Given the importance of ensuring financial sustainability of operations in the longer term, it is a legislative requirement that Council adopt Long Term Financial Management and Infrastructure and Asset Management Plans (minimum 10 years) as part of future planning.

The Long Term Financial Plan is designed as a 'high-level' summarised document towards the future planning of Council's financial operations; particularly in relation to key components such as rate movements, service levels to our community, major infrastructure asset replacement/renewal, loan financing and internal cash reserves. Council conducts an annual review of its Long Term Financial Plan each year.

The financial sustainability of Council is measured by the surplus/deficit (before capital revenues) disclosed in the Income Statement; with a consistent breakeven or operating surplus result indicative of a Council that is financially sustainable in the long term. Other financial sustainability indicators are separately included within this report.

FUNDING PLAN

Council uses a mix of service, user and statutory charges, grants, commercial, other income and loan financing as a means of funding both operating and capital expenditure. Refer to the appendix for funding the long term indexation, financial assumptions and estimates and the review of financial indicators.

To assist in keeping rates affordable, Council is limiting general rates income to an increase per annum to provide required service levels to the community over the life of this Plan, the general rate increases for years for 2023/24 is 3.3% and for 2024/25 and 2025/26 at 4%, 3.5% for 2026/27, 3% for 2027/28 and the remaining years in the LTFP are 2.5% plus growth in assessments. Selected services areas use services charges and service rates to recover the cost, including - Waste services for Refuse, Recycling and Green Organic with 2023/24 at 9.7% and future years ranging from 2.5% to 3.75%; and CWMS with 2023/24 at 6.63% and future years ranging from 2.25% to 2.75%.

Council is planning to spend an average of $14.858m per annum (including indexation and The Big Project) on capital projects and an average of $43.858m per annum on day to day essential services (operational expenditure, excluding interest and depreciation but including indexation) over the next 10 years.

OUR FINANCIAL PRINCIPLES

As part of its commitment to financial sustainability, Council operates under the following key financial principles in preparing the Annual Business Plan:

- Ongoing education and training such that all Council Members and Staff understand and fulfil their financial governance responsibilities.
- Policies and practices that support decision making and assessment of performance.
- Budget and financial information is presented at a strategic level, succinct and easy to follow.

- Budget and financial information is based on the Long Term Financial Plan.
- The Asset Management Plans are maintained and reflect whole of life costs.
- The Rating strategy is equitable and generates sufficient revenue to meet financial needs.
- Financial performance is managed using suitable financial indicators and targets.
- A robust audit and internal control process is in place to ensure effective financial and governance compliance.
- Information provided to the community is open, transparent and relevant.


TheBarossaCouncil
APPENDIX

APPENDIX 1: KEY PERFORMANCE INDICATORS AND FINANCIAL PARAMETERS

Consolidated Results: Key Performance Indicators and Financial Parameters		2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33
Draft Bud - next years draft; LTFP = Long Term Financial Plan		**Q2 Revised**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**
		$'000 or %	**$'000 or %**	**$'000 or %**	**$'000 or %**	**$'000 or %**	**$'000 or %**	**$'000 or %**	**$'000 or %**	**$'000 or %**	**$'000 or %**
Key Performance Indicators (KPI's) - Summary	Adopted target										
KPI 1 - Operating Surplus cumulative forward 10 year period*	**Surplus year 10**	(1,763)	(2,892)	(3,861)	(3,484)	(2,660)	(1,415)	578	2,099	3,823	5,661
KPI 2 - Operating Surplus Ratio - Rolling 3 year - retrospective avera	**(2%) to 10%**	1.5%	(1.4%)	(2.7%)	(1.2%)	0.1%	1.4%	2.3%	2.7%	2.8%	2.7%
KPI 2 - Operating Surplus Ratio - Annual		(3.8%)	(2.3%)	(1.9%)	0.7%	1.5%	2.2%	3.3%	2.5%	2.7%	2.8%
KPI 3 - Net Financial Liabilities ratio	**0-100%**	50.9%	72.0%	70.4%	61.5%	51.5%	41.9%	31.2%	22.0%	15.4%	7.2%
KPI 4 - Asset Renewal Funding Ratio - Annual	**80% to 110%**	119.8%	133.3%	131.0%	106.5%	95.9%	95.7%	98.9%	100.5%	100.0%	100.2%
Financial parameters - Indexation											
RATE REVENUE INCREASES											
General - Rate Revenue Net Increase (excl growth)			4.00%	4.00%	3.50%	2.50%	2.50%	2.50%	2.00%	2.00%	2.00%
Growth -Development - General rates			1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%
CWMS - Service Charge & Rates Increase (+ growth 0.5-1.5%)			2.50%	2.50%	2.75%	2.75%	2.50%	2.50%	2.25%	2.25%	2.25%
Refuse, Recycling and Green Organic Services Charge Net Increase (excl growth)			3.75%	3.75%	3.75%	3.75%	2.75%	2.50%	2.50%	2.50%	2.50%
OPERATING REVENUE											
Operating Grants			2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
Statutory Charges			3.0%	3.0%	3.0%	3.0%	2.0%	2.0%	2.0%	2.0%	2.0%
User Charges			3.0%	3.0%	3.0%	3.0%	2.0%	2.0%	2.0%	2.0%	2.0%
Investment Income			1.8%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
Reimbursements			3.0%	3.0%	3.0%	3.0%	2.0%	2.0%	2.0%	2.0%	2.0%
Other Revenue			3.0%	3.0%	3.0%	3.0%	2.0%	2.0%	2.0%	2.0%	2.0%
OPERATING EXPENDITURE											
Service Cost Natural Growth** (Waste, CWMS, NCPA growth is 1% all years)			0.0%	0.0%	0.0%	0.5%	0.5%	0.5%	1.0%	1.0%	1.0%
Employee Costs			3.4%	3.1%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
Contracts, Materials & Other			3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
Energy Costs			3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%
Water Costs			3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%
Debenture & Cash Advance Loan interest rate			6.5%	6.0%	5.0%	5.0%	5.0%	4.5%	4.5%	4.5%	4.5%
Insurance			4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%	4.0%
Asset Revaluation Increments											
Land Assets			3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%
Building Assets			0.0%	0.0%	6.0%	0.0%	0.0%	6.0%	0.0%	0.0%	0.0%
Recreation Assets			0.0%	0.0%	6.0%	0.0%	0.0%	6.0%	0.0%	0.0%	0.0%
Infrastructure Assets			6.0%	0.0%	0.0%	6.0%	0.0%	0.0%	6.0%	6.0%	0.0%
CWMS			0.0%	0.0%	7.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Stormwater Assets			0.0%	6.0%	0.0%	0.0%	6.0%	0.0%	0.0%	0.0%	6.0%
Asset Renewal Expenditure Increments											
Infrastructure renewal increments			3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
Office fleet vehicles			3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%

APPENDIX 2: LONG TERM PLAN FINANCIAL STATEMENTS 2023/24 TO 2032/33

Added for rounding										
A2-1 Consolidated Results: Budgeted Statement of Comprehensive Income	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33
	Q2 Revised	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**
	$'000	**$'000**	**$'000**	**$'000**	**$'000**	**$'000**	**$'000**	**$'000**	**$'000**	**$'000**
REVENUES										
Rates	37,892	39,715	41,627	43,472	45,046	46,632	48,264	49,747	51,276	52,853
Statutory Charges	830	854	878	904	930	948	967	987	1,007	1,027
User Charges	4,076	4,114	4,236	4,362	4,492	4,613	4,737	4,865	4,997	5,132
Grants, subsidies and contributions	2,139	3,772	3,950	4,131	4,315	4,403	4,494	4,587	4,683	4,781
Investment Income	175	186	190	194	198	201	206	210	215	219
Reimbursements	62	58	52	47	41	36	31	26	21	16
Other Income	843	868	894	920	947	966	985	1,005	1,025	1,045
Net Gain - Joint Venture	0	0	0	0	0	0	0	0	0	0
TOTAL INCOME	46,017	49,567	51,827	54,030	55,969	57,799	59,684	61,427	63,224	65,073
EXPENSES										
Employee Costs	17,572	18,489	19,083	19,514	20,098	20,701	21,321	22,055	22,814	23,600
Materials, Contracts & Other expenses	18,753	19,415	20,482	21,017	21,553	22,406	23,193	24,277	25,109	26,097
Depreciation, Amortisation & Impairment	10,170	10,772	11,363	11,650	12,187	12,317	12,390	12,996	13,162	13,371
Finance Costs	1,285	2,020	1,868	1,472	1,307	1,130	787	578	415	167
Net Gain - Joint Venture	0	0	0	0	0	0	0	0	0	0
TOTAL EXPENSES	47,780	50,696	52,796	53,653	55,145	56,554	57,691	59,906	61,500	63,235
OPERATING SURPLUS / (DEFICIT)	(1,763)	(1,129)	(969)	377	824	1,245	1,993	1,521	1,724	1,838
Asset disposal & fair value adjustments	(854)	(706)	(791)	(828)	(1,039)	(1,033)	(1,101)	(1,136)	(1,148)	(1,204)
Amounts specifically for new or upgraded assets	2,281	4,449	3,327	70	70	70	343	711	70	70
Physical Resources received free of charge	1,371	2,234	2,381	2,438	2,499	2,556	2,588	2,626	2,686	2,728
Operating result from discontinued operations										
NET SURPLUS / (DEFICIT)	1,035	4,848	3,948	2,057	2,354	2,838	3,823	3,722	3,332	3,432
Transfer to Equity Statement										
Other Comprehensive Income	-	-	-	-	-	-	-	-	-	-
Changes in revaluation surplus - infrastructure, property, plant & equipment	7,565	-	-	-	-	-	-	-	-	-
Total Other Comprehensive Income	7,565	-	-	-	-	-	-	-	-	-

APPENDIX 2: LONG TERM PLAN FINANCIAL STATEMENTS 2023/24 TO 2032/33 (CONTINUED)

A2-2 Consolidated Results: Budgeted Statement of Financial Position	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33
	Q2 Revised	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**
	$'000	**$'000**	**$'000**	**$'000**	**$'000**	**$'000**	**$'000**	**$'000**	**$'000**	**$'000**
ASSETS										
Current Assets										
Cash and cash equivalents	333	139	692	2,074	3,082	4,111	4,509	5,027	5,213	4,875
Trade & other receivables	2,951	2,956	2,962	2,957	2,941	2,940	2,938	2,943	2,929	2,845
Other financial assets	0	0	0	0	0	0	0	0	0	0
Inventories	245	245	245	245	245	245	245	245	245	245
	3,529	3,340	3,899	5,276	6,268	7,296	7,692	8,215	8,387	7,965
Non-Current Assets held for Sale	-	-	-	-	-	-	-	-	-	-
Total Current Assets	3,529	3,340	3,899	5,276	6,268	7,296	7,692	8,215	8,387	7,965
Non-Current Assets										
Financial Assets	1,114	1,003	887	776	680	586	493	395	311	311
Equity accounted investments in Council businesses	2,263	2,263	2,263	2,263	2,263	2,263	2,263	2,263	2,263	2,263
Infrastructure, Property, Plant & Equipment	433,026	461,325	471,631	480,146	490,271	495,442	501,795	512,389	519,297	525,066
Other Non-Current Assets	0	0	0	0	0	0	0	0	0	0
Total Non-Current Assets	436,403	464,591	474,781	483,185	493,214	498,291	504,551	515,047	521,871	527,640
TOTAL ASSETS	439,932	467,931	478,680	488,461	499,482	505,587	512,243	523,262	530,258	535,605
LIABILITIES										
Current Liabilities										
Trade & Other Payables	5,074	5,074	5,074	5,074	5,074	5,074	5,074	5,074	5,074	5,074
Borrowings	16,694	28,260	30,013	28,517	25,406	22,054	16,943	12,448	8,934	3,518
Provisions	3,001	3,011	3,018	3,024	3,030	3,036	3,043	3,049	3,056	3,064
Total Current Liabilities	24,769	36,345	38,105	36,615	33,510	30,164	25,060	20,571	17,064	11,656
Non-Current Liabilities										
Borrowings (External)	2,375	1,765	1,352	934	629	425	332	234	150	81
Provisions	682	682	682	682	682	682	682	682	682	682
Total Non-Current Liabilities	3,057	2,447	2,034	1,616	1,311	1,107	1,014	916	832	763
TOTAL LIABILITIES	27,826	38,792	40,139	38,231	34,821	31,271	26,074	21,487	17,896	12,419
NET ASSETS	412,106	429,139	438,541	450,230	464,661	474,316	486,169	501,775	512,362	523,186
EQUITY										
Accumulated Surplus	107,543	111,076	114,314	115,605	117,710	120,410	123,929	127,410	130,348	133,272
Asset Revaluation Reserve	290,470	304,872	310,932	320,718	332,474	338,908	346,603	358,058	364,886	372,033
Other Reserves	14,093	13,191	13,295	13,907	14,477	14,998	15,637	16,307	17,128	17,881
TOTAL EQUITY	412,106	429,139	438,541	450,230	464,661	474,316	486,169	501,775	512,362	523,186

APPENDIX 2: LONG TERM PLAN FINANCIAL STATEMENTS 2023/24 TO 2032/33 (CONTINUED)

A2-3 Consolidated Results: Budgeted Statement of Cash Flows	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33
	Q2 Revised	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**
	$ '000	**$ '000**	**$ '000**	**$ '000**	**$ '000**	**$ '000**	**$ '000**	**$ '000**	**$ '000**	**$ '000**
CASH FLOWS FROM OPERATING ACTIVITIES										
Receipts:										
Operating receipts	45,841	49,380	51,638	53,836	55,770	57,598	59,479	61,217	63,008	64,853
Investment receipts	175	186	190	194	198	201	206	210	215	219
Payments:										
LandFill rehabilitation expense	0	0	0	0	0	0	0	0	0	0
Operating payments to suppliers & employees	(36,320)	(37,895)	(39,558)	(40,525)	(41,645)	(43,101)	(44,507)	(46,325)	(47,916)	(49,689)
Finance payments	(1,286)	(2,021)	(1,868)	(1,472)	(1,307)	(1,130)	(787)	(578)	(415)	(167)
Net cash provided by (or used in) Operating Activities	8,410	9,650	10,402	12,033	13,016	13,568	14,391	14,524	14,892	15,216
CASH FLOW FROM INVESTING ACTIVITIES										
Receipts:										
Amounts specifically for new or upgraded assets	2,281	4,449	3,327	70	70	70	343	711	70	70
Sale of replaced assets	206	479	367	376	385	514	404	413	423	433
Repayment of loans by community groups	101	106	111	117	111	95	94	93	98	84
Payments:										
Expenditure on renewal/replacement of assets	(10,678)	(10,616)	(8,924)	(7,687)	(8,736)	(9,330)	(9,291)	(9,974)	(9,841)	(10,168)
Expenditure on new/upgraded assets	(14,450)	(15,219)	(6,067)	(1,615)	(421)	(334)	(338)	(659)	(1,856)	(487)
Net Purchases of Investment securities	0	0	0	0	0	0	0	0	0	0
Loans made to community groups	0	0	0	0	0	0	0	0	0	0
Net cash provided by (or used in) Investment Activities	(22,540)	(20,801)	(11,186)	(8,739)	(8,591)	(8,985)	(8,788)	(9,416)	(11,106)	(10,068)
CASH FLOWS FROM FINANCING ACTIVITIES										
Receipts:										
Proceeds from borrowings	10,850	14,500	1,950	(1,500)	(3,000)	(3,250)	(5,000)	(4,500)	(3,500)	(5,400)
Proceeds from internal borrowings (CWMS)	600	1,000	1,200	1,730	2,060	700	0	0	0	0
Payments:										
Repayment of borrowings	(977)	(3,530)	(604)	(413)	(417)	(306)	(204)	(93)	(98)	(84)
Repayment of Lease	(49)	(14)	(7)	0	0	0	0	0	0	0
Repayment of internal borrowings (CWMS)	(600)	(1,000)	(1,200)	(1,730)	(2,060)	(700)	0	0	0	0
Net cash provided by (or used in) Financing Activities	9,824	10,956	1,339	(1,913)	(3,417)	(3,556)	(5,204)	(4,593)	(3,598)	(5,484)
Net Increase/(Decrease) in Cash held	(4,306)	(195)	555	1,381	1,008	1,027	399	515	188	(336)
Cash at beginning of period	4,638	332	137	692	2,073	3,081	4,108	4,507	5,022	5,210
CASH AT END OF PERIOD	332	137	692	2,073	3,081	4,108	4,507	5,022	5,210	4,874

APPENDIX 2: LONG TERM PLAN FINANCIAL STATEMENTS 2023/24 TO 2032/33 (CONTINUED)

A2-4 Consolidated Results: Budgeted Uniform Presentation of Finances	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33
	Q2 Revised	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**
	$ '000	**$ '000**	**$ '000**	**$ '000**	**$ '000**	**$ '000**	**$ '000**	**$ '000**	**$ '000**	**$ '000**
Operating Revenues	46,017	49,567	51,827	54,030	55,969	57,799	59,684	61,427	63,224	65,073
less Operating Expenses	(47,780)	(50,696)	(52,796)	(53,653)	(55,145)	(56,554)	(57,691)	(59,906)	(61,500)	(63,235)
Operating Surplus / (Deficit)	(1,763)	(1,129)	(969)	377	824	1,245	1,993	1,521	1,724	1,838
***less* Net outlays on existing Assets**										
Capital expenditure on renewal and replacement of existing assets	(10,678)	(10,616)	(8,924)	(7,687)	(8,736)	(9,330)	(9,291)	(9,974)	(9,841)	(10,168)
less Depreciation, Amortisation and Impairment	10,170	10,772	11,363	11,650	12,187	12,317	12,390	12,996	13,162	13,371
less Proceeds from Sale of Replaced Assets	206	479	367	376	385	514	404	413	423	433
	(302)	635	2,806	4,339	3,836	3,501	3,503	3,435	3,744	3,636
***less* Net outlays on New and Upgraded Assets**										
Capital expenditure on New and Upgraded Assets	(14,450)	(15,219)	(6,067)	(1,615)	(421)	(334)	(338)	(659)	(1,856)	(487)
less Amounts received specifically for New and Upgraded Assets	2,281	4,449	3,327	70	70	70	343	711	70	70
less Proceeds from Sale of Surplus Assets	0	0	0	0	0	0	0	0	0	0
	(12,169)	(10,770)	(2,740)	(1,545)	(351)	(264)	5	52	(1,786)	(417)
Net Lending / (Borrowing) for Financial Year	(14,234)	(11,264)	(903)	3,171	4,309	4,482	5,501	5,008	3,682	5,057

APPENDIX 3: CAPITAL EXPENDITURE

A3 Consolidated Results: Budgeted Capital Expenditure	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33
	Budget	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**	**LTFP**
	$' 000	**$' 000**	**$' 000**	**$' 000**	**$' 000**	**$' 000**	**$' 000**	**$' 000**	**$' 000**	**$' 000**
Renewal/Replacement Capital summary: Non-Discretionary										
Land	0	0	0	0	0	0	0	0	0	0
Buildings	2,579	3,291	2,415	765	969	974	979	1,475	1,139	1,144
Recreation	1,754	981	94	302	398	411	424	438	452	467
Transport - Roads & Footpaths	5,278	3,939	4,089	4,636	5,311	5,492	5,677	5,870	6,069	6,276
Stormwater, Bridges & Floodplain	349	306	312	318	325	331	338	345	351	359
CWMS	58	844	879	543	760	843	751	758	641	746
Equipment - Plant & Vehicles	1,219	1,094	871	892	913	1,174	957	979	1,002	1,025
Other Assets	369	156	117	124	151	157	162	168	174	180
	11,606	10,611	8,777	7,580	8,827	9,382	9,288	10,033	9,828	10,197
New/Upgrade Capital summary: Discretionary										
Land	1,554	0	0	0	0	0	0	0	0	0
Buildings (includes TBP program)	6,759	8,279	4,210	187	0	0	0	341	0	0
Recreation (includes TBP program)	2,657	5,116	78	192	83	86	89	92	1,699	99
Transport - Roads & Footpaths	1,203	591	594	597	98	101	105	109	112	116
Stormwater, Bridges & Floodplain	597	701	337	341	345	349	353	358	362	367
CWMS	2,100	671	271	131	34	33	35	31	31	31
Equipment - Plant & Vehicles	0	0	0	0	0	0	0	0	0	0
Other	836	225	85	87	89	91	94	96	98	101
	15,706	15,583	5,575	1,535	649	660	676	1,027	2,302	714
Total Capital Expenditure	27,312	26,194	14,352	9,115	9,476	10,042	9,964	11,060	12,130	10,911

DEBATE REPORT

7.3 Infrastructure and Environment Services

7.3.1 MT PLEASANT FARMERS MARKET KITCHEN SHED RENEWAL

Author: Director Infrastructure and Environmental Services
24/23519

PURPOSE

To determine if the renewal of the Farmers Market Kitchen shed is supported and still in line with the vision for the site.

RECOMMENDATION

That Council:

(1) Approve the renewal of the existing Farmers Market Kitchen to meet Environmental Health Standards.

(2) Approve project funding of $175,000 including a 10% contingency to renew the existing shed to meet Health and Food Preparation standards to be funded from the buildings renew asset allocation.

REPORT

Background
The Mt Pleasant Farmers Market has an agreement over a commercial kitchen in the shed connected to the Atrium. The current lease has been in place since 2015.

Introduction
The Farmers Market uses the commercial kitchen to produce a vast menu that is available to attendees to the markets. The food being prepared has evolved over time from sandwiches to a large menu including eggs, bacon and other on site cooked options.

Discussion
An inspection by Council's Environmental Health Team has identified a number of issues with the facility in terms of meeting food preparation and safety requirements. The facility previously met the required standards and the kitchen was used simply for serving of pre-prepared food selections. As the Farmer's market has evolved and grown so to has the food selections, requiring the preparation and cooking to occur on site. As a result the facility is no longer meeting the necessary food standards.

Officers have looked at a number of options to retrofit and upgrade the existing facility, however the age and current construction style, along with significant damage from pests requires the current facility to be demolished and a modern equivalent built in its place at a cost of approximately $175,000 which includes

demolition of the existing structure, erection of the new structure and reinstatement of the existing commercial kitchen.
Officers have met with representatives from the Show Society and Farmers Market to seek feedback on an appropriate layout for the new structure and determine suitable times to undertake the construction. Officers have ensured they have rationalised the requirements as best they can to ensure costs are appropriate along with the facility being fit for purpose.

Summary and Conclusion
The existing Farmer's Market kitchen is a significant part of the Mt Pleasant Farmers Market and the current facility housing the commercial kitchen no longer meets the environmental health requirements for food safety and given the current condition of the facility cannot be retrofitted to meet the standards. As a result the renewal of the facility is required to allow the Farmers Market kitchen to continue to operate.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Infrastructure

Goal
6. The Barossa maintains and develops infrastructure that meets the needs of the region and is efficient.
7. Community infrastructure planning is aligned to both current and the future needs of the community

Strategies
6.2 Continue to ensure that infrastructure considers place-making is inclusive and accessible for all.
7.2. Ensure both current and future infrastructure needs are met in a proactive rather than reactive way.

Legislative Requirements

Food Act 2001
Australia New Zealand Food Standards Code

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Budget will be required for this project. It is proposed that the funds will be transferred from available funds in the Asset Misc Building renewal which is a provision to support building renewal work such as this proposal, to a new asset number to be created. Therefore there is no impact on the budget in terms of the operating, net financial

liabilities or asset renewal performance outcomes. The building assets renewal budget has $408,000 unallocated.

COMMUNITY ENGAGEMENT

Officers have engaged with the Farmers Market and Show Society about requirements of the facility and the kitchen layout requirements to ensure services are located appropriately. Officers will work with the user groups to ensure construction occurs at a suitable time to try and minimise disruption.

DEBATE REPORT

7.3 Infrastructure and Environment Services

7.3.2 AUSTRALIAN COUNTRY CRICKET CHAMPIONSHIPS

Author: Director Infrastructure and Environmental Services
24/23573

PURPOSE

To seek support for hosting the 2025 Australian Country Cricket Championships.

RECOMMENDATION

That Council:

(1) Supports the Australian Country Cricket Championships and approves the following:
   a. The inclusion of $20,000 in the 2024/2025 base budget as a cash contribution to the hosting of the Championships in the Barossa;
   b. Provision of in kind support for oval preparation;
   c. Provision of in kind support for distribution/marketing of the event in the region; and

(2) Authorises the CEO to enter into a formal agreement with the South Australian Cricket Association (SACA) for the hosting of the 2025 Australian Country Cricket Championships.

REPORT

Background
The Barossa Council has been approached to be the host Council for the 2025 Australian Country Cricket Championships that will see male and female representative teams from across Australia come together in the Barossa from the 3rd to 11th of January 2025.

Discussion
South Australia is set to host the Australian Country Cricket Championships in January 2025. The event will be live-streamed via an online platform which is generally in significant demand, particularly across the East Coast.

The Barossa Council has been approached to be the host Council for the championships based on our proven history of hosting major regional sporting events including the AFL Inclusion Carnival and SANFL Country Championships and ability to provide facilities that meet the required levels of service.

Hosting of the Championships within the Barossa will see the teams staying locally at both the Vine Inn and Nuriootpa Caravan Park and games being played at local venues including Nuriootpa, Angaston, Tanunda and Stockwell. With subsequent

venues being identified should they be required. SACA intends to hold both a welcome and presentation event involving The Barossa Council community at a suitable facility.

The economic benefits to the local community will be significant, with SACA noting that wherever possible they will seek to use local businesses for catering, physio and other medical services. SACA will also be working directly with each of the local host clubs to help them to prepare for and cater to maximise the benefit each of the clubs can receive by being involved with the Championships.

SACA have requested a cash contribution of $20,000 to assist with the hosting of the Championships as well as in kind contributions towards ground preparation and marketing support.

Council's ability to offer support for ground preparation has greatly increased as a result of bringing the mowing program in house. The ground preparation requirements can be accommodated within the current maintenance program and we have the ability to be flexible to provide adequate support. SACA have also noted that our grounds are in excellent condition and will provide highly regarded venues for the Championships.

Summary and Conclusion
Council has been approached to be the host Council for the 2025 Australian Country Cricket Championships and SACA have requested financial support with a $20,000 cash contribution as well as in kind support for ground preparation and marketing support. Based on an alignment of the proposed activity with Council's commitment to attracting regional sporting events and potential benefits to local clubs and the broader community, it is recommended that Council support the Championship as per the proposed recommendation.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 SACA Heads of Agreement - Australian Country Championships DRAFT ⇩

Supporting references
NIL

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Business and Employment

Community and Culture

Goal

12. We are a visitor destination of choice
4. The Barossa fosters community resilience, connection and wellbeing through its social planning, recreation, safety, education, preventative health and social strategies especially for our youth and vulnerable people.

Strategies

12.2. Support economic development and destination awareness through events, festivals, creative enterprise and attractions.

12.3. Provide experiences and infrastructure that continue to support the needs of the tourism market.

4.2. Continue creating strong and sustainable community networks, and support young people to actively participate in the community and develop the leaders of the future.

Legislative Requirements

Nil

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Existing resources can be directed to managing the event and stakeholders. Should Council support the event proposal, funds will be allocated in the 2024/25 draft budget.

COMMUNITY ENGAGEMENT

If approved, Council together with SACA will engage with the relevant host clubs to ensure they maximise the benefit of hosting the events.

SOUTH AUSTRALIAN CRICKET ASSOCIATION LTD.
ABN 44 623 135 393
ADELAIDE OVAL
PO BOX 545, NORTH ADELAIDE, SA 5006
ADMINISTRATION
P: 08 8300 3800 | F: 08 8231 4346 | E: sacareception@saca.com.au
MEMBERSHIP
P: 08 8300 3232 | E: membership@saca.com.au

Heads of Agreement

South Australian Cricket Association ABN 44 623 135 393
Barossa Council 43-51 Tanunda Road, Nuriootpa SA 5355

Background

(A) The South Australian Cricket Association (SACA) is working towards hosting the Australian Country Cricket Championships in January 2025.
(B) Proposed dates for the Championships are January 3 – 11 2025.
(C) The competitions consist of six (6) State and Territory sides competing in Men's and Woman's divisions.
(D) This draft agreement sets out the principles and terms to host the Championships in the Barossa Valley, with support from the Barossa Council.

Terms

1. Barossa council will make a financial contribution of $20,000 to the SACA.
2. Barossa Council will provide in kind support for oval preparation.
3. Barossa Council will provide in kind support for distribution/marketing of the event in the region.
4. The SACA will provide curation and oval support and advice to Council.
5. SACA will play games within the Barossa Council at Tanunda Oval, Angaston Oval, Nurioopta Oval and Stockwell, with additional ovals used outside of this where necessary and determined by SACA.
6. SACA will hold a welcome function and presentation function within the Barossa Council.
7. SACA will, where possible, locate sides within the Barossa Council.

Steve Kavanagh

Manager – Clubs and Competitions
South Australian Cricket Association

DRAFT

WEST END MAJOR SPONSOR OF CRICKET IN SOUTH AUSTRALIA www.saca.com.au

DEBATE REPORT

7.3 Infrastructure and Environment Services

7.3.3 SUBMISSION TO THE DEPARTMENT OF INFRASTRUCTURE & TRANSPORT - ADELAIDE NORTH TRANSPORT STUDY

Author: Director Infrastructure and Environmental Services
24/23796

PURPOSE

To seek Council endorsement of the draft submission prepared in relation to the Northern Adelaide Transport Study.

RECOMMENDATION

That Council endorse the draft Northern Adelaide Transport Study feedback submission, contained within Attachment 2.

REPORT

Background
The Department of Infrastructure and Transport released the Northern Adelaide Transport Study (Attachment 1) on the 25 January 2024 with the aim of informing future transport planning and investment in the region along with being used to inform the Greater Adelaide Regional Plan.

Discussion
The transport study has been split into two (2) components within the northern region as shown in Figure 1.



Figure 1 - Northern Adelaide Transport Study Area

The Northern area was selected due to the strong projected growth in the outer northern suburbs which includes but is not limited to the Concordia Growth Area.

The aim of the study is to build on and consolidate all of the projects and planning studies underway in the region and be used to inform the Greater Adelaide Regional Plan.

There are a number of key consideration that the study is aiming to factor in, these include:

- Population growth
- Population and aging
- Supporting population growth
- Supporting economic and employment growth
- How people travel
- Public transport
- Active transport
- Freight
- Key local places and destinations
- Existing road network
- Environment
- Net zero emissions

Council is preparing to deal with unprecedented growth from the Concordia development along with managing changes and increases to the size and frequency of freight using our existing network.

Officers in preparation of the draft submission as shown in *Attachment 2* aims to highlight the importance of the Barossa region from a tourism and freight perspective but also to communicate the local insights officers have gained from both community feedback and technical experience and how these insights can help to inform the study outcomes.

Summary and Conclusion
The Northern Adelaide transport study is a key document that is going to be used to inform the investment and planning for transport in the northern region into the future. Council's submission reflects the key priorities that will directly impact the Barossa Community and highlights opportunities to work closely to achieve positive tourism, freight and community transport outcomes.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Project overview - Northern Adelaide Transport Study ⇩
Attachment 2 Response - Adelaide North Transport Study - Reference 21136459 ⇩

Supporting references

The transport study can be viewed via the following link:

https://www.dit.sa.gov.au/infrastructure/road_projects/adelaide-north-transport-study

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Infrastructure

Goal

6. The Barossa maintains and develops infrastructure that meets the needs of the region and is efficient.
7. Community infrastructure planning is aligned to both current and the future needs of the community

Strategies

6.1. Advocate for and identify funding opportunities that support the development of community, cultural, health and other facilities and infrastructure to meet personal and commercial needs of residents and businesses.
7.2. Ensure both current and future infrastructure needs are met in a proactive rather than reactive way.

Legislative Requirements

Nil

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

There are no financial or resource implications.

COMMUNITY ENGAGEMENT

This was a state-led consultation and was open to everyone in the community. Therefore, the consultation did not trigger Council's Public Consultation Policy.

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Northern Adelaide Transport Study

Project overview - January 2024

We are undertaking a transport study for the Northern Adelaide inner and outer suburbs to inform future transport planning and investment in the region.

The South Australian and Australian governments are investing in improving the transport network, now and in the future. We are committed to improving accessibility, connectivity, and safety as the population grows and demand rises.

This document outlines some key information we already know about the study area and how you can share your insights about transport in the region. Feedback we receive will be used to help inform the study.

What is the transport study?

We are undertaking a transport study to look at the northern area holistically (in addition to already funded projects) to identify and inform potential transport improvements in the region.

The study will consider key issues and opportunities to support population growth, economic growth, liveability, public transport, active transport, and the safety, reliability and resilience of our strategic road corridors.

The study area is shown in Figure 1.

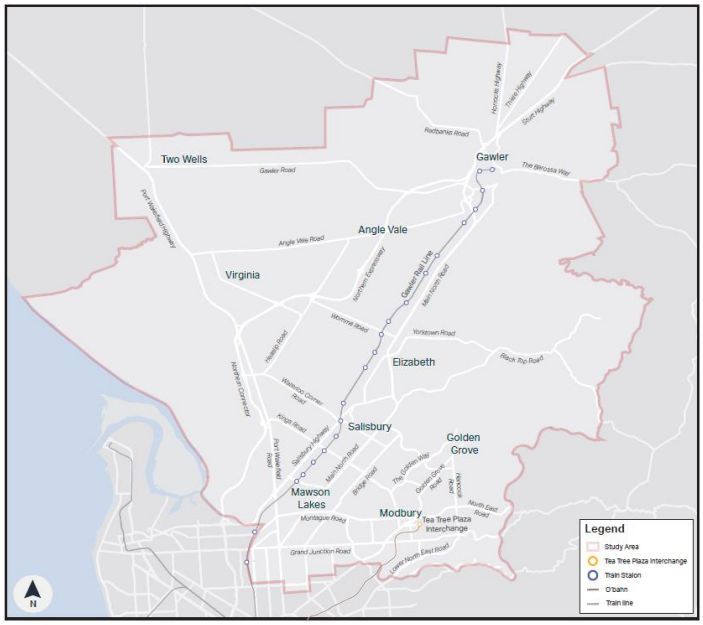


Figure 1 Study area

Government of South Australia
Department for Infrastructure and Transport

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Why is the study needed?

There is strong current and projected population growth in the inner and outer northern suburbs of Adelaide, as shown in figure 2.

An effective and efficient transport network within Northern Adelaide plays an important role in the State's economy and supply chain. The region is home to major logistic hubs, defence precincts and employment hubs.

The transport study will also inform the South Australian government's Greater Adelaide Regional Plan currently being developed.

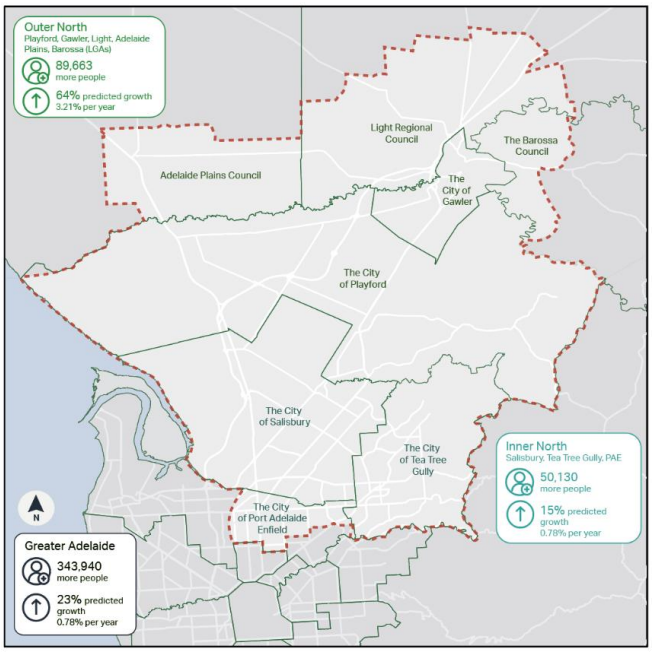


Figure 2 Population Projections for South Australia and Regions – 2021 to 2041

Transport Infrastructure investment in the Adelaide northern suburbs

This study will build on and consolidate projects and current planning studies underway by the Government in the region. The study will also inform the Greater Adelaide Regional Plan. Current projects are shown in figure 3.

1. Wynn Vale Drive Upgrades
2. Wynn Vale Drive and Bridge Road Junction Upgrade
3. Curtis and Dalkeith Roads Planning Study
4. Main North Road and Regency Road Intersection Planning Study
5. Nelson Road Road Management Plan
6. Northern Suburbs Local Roads Upgrades
7. John Rice Avenue and Haydown Road junction Upgrade
8. Yorktown Road and Adams Road roundabout
9. Mawson Lakes Road Management Plan
10. Heaslip Road and Curtis Road Intersection Upgrade
11. High Productivity Vehicle Network Project - Sturt Highway to the Victorian border
12. Cormack Road Level Crossing Removal Planning Program
13. Kings Road Level Crossing Removal Planning Program
14. Kings Road Corridor Study
15. Park Terrace Level Crossing Removal Planning Program
16. Elder Smith Road widening
17. Angle Vale Infrastructure Deed
18. Virginia Infrastructure Deed
19. Playford Infrastructure Deed
20. Two Wells Infrastructure Deed

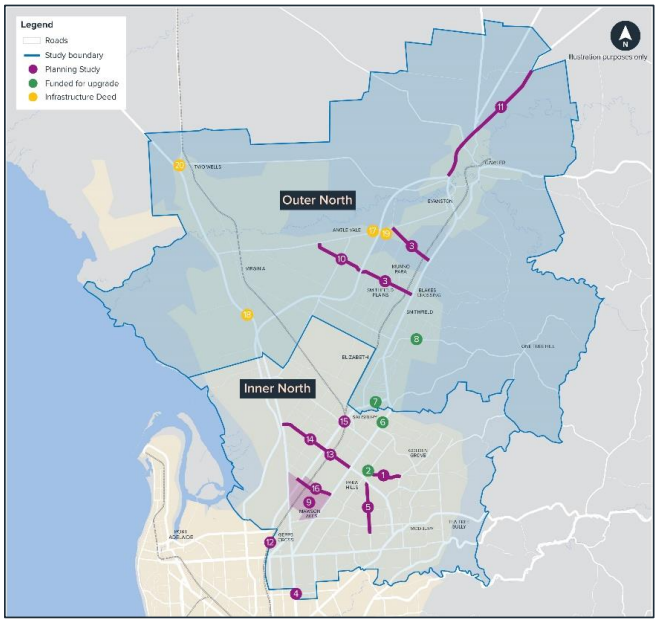


Figure 3 Currently funded projects, planning studies and infrastructure deed locations in the study area

Government of South Australia
Department for Infrastructure and Transport

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Key considerations and what we already know about the region

The study will seek to build on what we already know about the region from previous studies and data sources. Key considerations of the study and an overview of what we already know about the region are summarised below.



Population growth

In 2021, the outer north region had a population of 139,452. It increased by 10% over the five years prior, with an additional 13,000 people. In 2021, the inner north region had a population of 321,850. It increased by 5% over the five years prior, with an additional 18,000 people.

The region has the highest projected population increase in South Australia from 2021-2041, with 89,663 additional people projected in the outer north and 50,130 additional people in the inner north.

> 40% of Greater Adelaide's projected population growth by 2041 will take place in Northern Adelaide.



Population and aging

The northern region has a lower median age of 37.2 years compared to that of Greater Adelaide, which is 39 years. The proportion of people aged over 60 years is growing in the area, increasing from 19% in 2011 to 21.8% in 2021. This is consistent with the overall trend of an increasing aging population in Greater Adelaide.

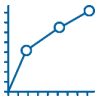
The increase in the ageing population is a consideration for transport planning in the region. It is important the transport network can support minority groups and those with physical impairments and mobility challenges.



Supporting population growth

Numerous residential developments within the region, including Riverlea, Playford North Expansion, Angle Vale, Blakeview and Roseworthy, along with future developments in Dry Creek, Concordia and Virgina will support population growth in the region. There is also potential for new housing infill within areas including Kilburn, Blair Athol, Enfield, Modbury, Salisbury, Elizabeth and Munno Para.

The high proportion of available land in the region will support future growth, both residential and employment growth. Over 22,000 dwellings can be accommodated at Riverlea and Concordia.



Supporting economic and employment growth

Northern Adelaide plays an important role in the State's supply chain, supporting both interstate and intrastate transport connections. Major logistic hubs are located within the area, as well as major national defence and employment precincts in Mawson Lakes and Edinburgh. The high proportion of land supply in the region highlights the substantial room to accommodate employment growth.

The number of businesses in the northern area has been steadily increasing. They increased from 22,331 businesses in 2018 to 27,629 in 2022.

The eight Council areas in the region are estimated to have a combined Gross Regional Product that contributes 27% of the state's Gross State Product and 25% of the State's employment with 230,634 jobs.

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How people travel

Car ownership per household is on average slightly higher at 93% in the region compared to that of Greater Adelaide at 92.4%.

A slightly higher proportion of people in the region travel to work in a car, compared to Greater Adelaide. Slightly less people use public transport, walk only, or work from home.



Public transport

Areas near fast, frequent and reliable public transport facilities (i.e., the O-Bahn, and Go Zones) recorded a higher proportion of people using public transport to travel to work.

5.7% of people in the Adelaide North catch public transport to work, slightly less than the Greater Adelaide average of 6.4%



Active transport

Across the region, there is very low uptake of people cycling to work. Cycling to work is more common (but still a low overall uptake) in Highbury – Dernancourt (0.5%) and Salisbury North (0.7%).

Increasing the amount of people walking, cycling and using personal mobility devices has many benefits. Benefits to the individual and the wider community can include reduced road traffic congestion, reduced vehicle running costs, reduced emissions, and increased physical and mental wellbeing.



Freight

Northern Adelaide's relatively flat topography, proximity to logistic hubs, and well-connected transport network supports the efficient movement of freight. The region contains strategic major routes which services Greater Adelaide including Main North Road, Port Wakefield Road, Northern Connector, Northern Expressway, the Sturt Highway, Grand Junction Road, Angle Vale Road, Curtis Road. As demand for freight grows, greater pressure will be placed on these key roads.



Key local places and destinations

The area has significant retail and commercial centres (Elizabeth, Munno Para, Gawler, Tea Tree Plaza); health precincts (Lyell McEwin, Modbury and Gawler Hospitals); industrial employment zones (Elizabeth, Edinburgh); Defence (RAAF base at Edinburgh); and is a rich agricultural region (Virginia, Roseworthy). There are five higher education campuses within the study area; two university campuses and three TAFE SA campuses. The northern Adelaide is also the gateway to the adjacent wine region of the Barossa Valley.



Existing road network

The region is well connected for north-south movements including the Northern Connector/ Northern Expressway / Sturt Highway, Main North Road, North East Road, Salisbury Highway and Port Wakefield Road. These movements are supported by east-west corridors including Grand Junction Road, Montague Road, Kings Road / McIntyre Road, Curtis Road, Womma Road, Angle Vale Road and Gawler Road).

Previous community feedback has raised opportunities for improvement on the east-west corridors.

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Environment

Environmental factors such as Aboriginal heritage, topography, tree canopy cover, waterways, parks and wildlife need to be considered alongside social and economic needs of a region to provide a balanced transport network.

The region is at risk of both bushfires and flooding.

The study area is located within the lands of the Kaurna and Ngadjuri people and is known to contain a number of Aboriginal heritage sites, objects, and remains.

Net zero emissions

The South Australian Government has targets to reduce net greenhouse gas emissions by more than 50% by 2030, and to achieve net zero emissions by 2050. These targets will be embedded in transport planning and investment frameworks to ensure decision making considers emissions reduction goals.

The transport study will consider how transport infrastructure could contribute to reducing the impacts of transport on greenhouse gas emissions, for example by supporting electric vehicle usage.

Community and stakeholder feedback

Stakeholder and community feedback is important to ensure the transport study is informed by local insights from those who know the region best – those that live, work, and travel in the region.

From previous engagement in the northern area, we understand the key opportunities for improvement at a local level within the area include addressing congestion, travel time delay/reliability, user safety and east/west movements.

We are undertaking consultation with the community and other key stakeholders to further understand local insights and key issues across the broader area to inform the study.

We invite you to share your insights by Sunday 3 March via an online survey or face-to-face at one of the local listening posts.

Please scan the QR code or visit the project website to complete the survey and find out the dates and locations of the listening posts.

If you have any questions or would like to register to receive project updates, please:

- visit the website https://dit.sa.gov.au/adelaide-north-transport-study
- email DIT.Engagement@sa.gov.au
- telephone 1300 794 880

Reference: B13453 – 24/23794

14 February 2024

Ms Nicki Johnson
Nicki.johnson@sa.gov.au

RE: Adelaide North Transport Study – Response - #21136459

It is acknowledged that representatives from The Barossa Council met with DIT representatives at The Barossa Council Nuriootpa office on Wednesday 17 January 2024 regarding the Adelaide North Transport Study.

The Adelaide North Transport Study area extends into The Barossa Council area at the north-east reach, incorporating the localities and townships of Kalbeeba, Sandy Creek, Cockatoo Valley and, importantly, the Concordia Growth Area. Consideration of freight, tourism and community access connectivity to the Barossa region is of utmost importance. The region has a high value mix of wine, viticulture, agriculture and extractive industries, premium tourism, and important community transport needs. The related industries and tourism are critical economic drivers for the Barossa Region and South Australia. This diverse mix of vehicle users and destination priority compounds the road safety issues and risk profile currently experienced on the region's roads.

Of considerable importance is safe and convenient connectivity from Barossa Valley Way to Sturt Highway, not currently experienced, linking the southern Barossa and further afield eastern transport routes to important destination nodes in and around Adelaide and its suburbs. As an example, commuter and freight traffic from the Williamstown catchment currently can only pass through the centre of Gawler and Willaston to reach the Sturt Highway / Northern Expressway. The throated bottleneck at the Murray Street, Lyndoch Road, in the heart of the Gawler Township, is a significant safety issue for the mix of vehicle types and numbers being experienced, with long travel times. A connector road, linking Barossa Valley Way to Sturt Highway is required to address this significant short fall in the regions transport system.

The Concordia Growth Area is soon to be developed as a new substantial township with an expected additional 10,000 homes over the next 25 years, accommodating about 20-25,000 new residents. This near-term need reinforces the urgency for a safer and more convenient link from Barossa Valley Way to Sturt highway, connecting the new Concordia Township to the north of Adelaide. Connectivity to the Springwood residential development within the Town of Gawler area adds much user potential and justification for this new initiative. There is also opportunity for a new interchange at Sturt Highway to serve both Concordia and Roseworthy. It is envisaged that the connector road will be planned as a road under DIT care and control, due to the expected high traffic count, regional township connectivity and State transport route importance. We envisage that the designated Over Size, Over Mass (OSOM) freight route serving the Southern Barossa would still be via Gomersal Road.

The Concordia Growth Area is already well underway by DIT in terms of rezoning and planning work. Integration of this work with the Northern Area Study is imperative, to ensure cohesive planning outcomes and timely delivery of the Concordia Growth Area, noting this study is under pressure for a timely completion. The Barossa Council is committed to working with DIT to this end.

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This connector road will include a new bridge over the North Para River. It is assumed that discussions around the proposed raising of the height of the Bruce Eastick detention dam wall for increased flood protection to the Northern Adelaide region will consider the efficacy or otherwise of incorporating the connector road crossing over the top as part of these works, or the need for a separate infrastructure nearby.

The Barossa region is well known for its passive and long-distance bicycle activity with the Barossa being a key destination node. The Stuart O'Grady Bike Path links to the important Barossa Trail through the Town of Gawler, making a significant and continuous cycling route for active communities and tourists. The connectivity through the Town of Gawler is being worked on by the Town of Gawler, but an overall strategic approach to future connections to other regional centres warrants serious exploration.

Rail links to the Barossa have been discussed with various degrees of interest by numerous peak industry and government groups over the past few years. It is acknowledged that the Northern Expressway offers convenient and time efficient car transport connectivity to Adelaide and northern suburbs. The planned Concordia Growth Area, however, warrants serious investigation into extension of the Gawler rail network via Kalbeeba, with a new Concordia transport hub, for regular, time efficient rail services to Adelaide and northern suburbs that will compete with and win out over the current car road transport experience.

Whilst the Adelaide North Transport Study appears to be focussing on the traditional Adelaide Suburban Area boundary, the inclusion of the Southern Barossa Region within the scope is considered important to more holistically inform future transport planning and investment in the region.

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DEBATE REPORT

7.4 Development and Community Services

7.4.1 HERITAGE SITE PHOTOGRAPHY PROPOSAL

Author: Manager Library Services
23/116412

PURPOSE

To determine support for a heritage photography project proposed by the Regional Heritage Network.

RECOMMENDATION

That Council:

(1) Provides funds of $7200 for the Regional Heritage Network to undertake the heritage photography project.

(2) Provides in-kind support to administer the project and associated funds.

REPORT

Background
The Regional Heritage Network represents many heritage organisations in The Barossa Council area and seeks to ensure the rich heritage of the region is identified, preserved, promoted and made accessible. The Network meets at least four times per year to share information, knowledge and experience of heritage and local history in the Barossa, Gawler, Light and Mid-Murrary council areas. Recent meetings have included workshops on best practice in digitisation, and the promotion of heritage experiences in the region to local educators. Significant and ongoing projects arising from the network are the Barossa Heritage Trail App and The Barossa History Fair.

Introduction
In May 2023 an application for a Community Grant from the Mount Pleasant Community Association Inc was declined by the Community Assistance Scheme Committee (CASC). The Committee recommended the Network take a more holistic approach to Council that included photography of many townships and surrounds rather than separate applicants for each town. The cost for this holistic approach exceeds the maximum project funding allocated though CASC.

Discussion
The Heritage Network has identified the need for high quality, professional photographs of heritage sites, and people enjoying them, in the Barossa region.

The photographs will be made available to the Regional Heritage Network members, and The Barossa Council (including the Library and Visitor Information Centre). Use of

the photographs includes, but is not limited to, print media advertisements and editorials, social media posts, town brochures, posters and fliers promoting events (e.g. Barossa History Fair, SA History Festival program offerings), and the Barossa Heritage Trails app.

The three-day schedule (see below) will enable photographs to be taken in twelve towns in the region, with time spent at each dependent on town size and need for photographs. The schedule will be completed twice (Autumn and Spring 2024) to capture the change of seasons. The Manager, Library Services, will coordinate the project. Each Heritage group will be able to be involved in selecting the photograph sites in their town and arranging community members to participate in some of the photographs.

[Please note Tanunda is not included as is obtaining heritage photographs separately in the lead up to the Barossa History Fair 2024.]

Proposed schedule

Day 1	Day 2	Day 3
9.00 – Stockwell (1.5hr) *15min drive* 10.45 - Nuriootpa (2.5hrs) *45min break for lunch* *15min drive* 2.15 – Light Pass (2hrs) 4.15 – finish	9.00 - Lyndoch (1.5hrs) *20min drive* 11.00 - Bethany (1.5hrs) *15min drive* *12.45 – lunch break at Angaston* 1.30 – Angaston (1.5hs) *15 min drive* 3.15 – Moculta (1.25hr) 4.30 – finish	8.45 - Williamstown (1hr) *15min drive* 10.00 – Cromer (30min) *5min drive* 10.45 – Mt Pleasant (2hrs) *45mins break for lunch* *10min drive* 1.45 - Springton including Friedensberg (2 stops, 2hrs total) *10min drive* 4.00 – Eden Valley (1hr) 5.00 – finish

Quotes were obtained from two photographers. The quote provided by John Kruger was selected as he has previously taken promotional photographs for The Barossa Council and the quote was most competitively priced. The quote includes travel to the sites and photo editing.

Council officers have assessed the request and consider the investment of $7200 ($1200 inc. GST per day) to be reasonable and commensurate with the importance of the Heritage Network in promoting and preserving local heritage in the Barossa region.

Summary and Conclusion

Based on the information contained in this report it is recommended that Council provides $7200 to enable the photography project to proceed in full.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil

Supporting references
Nil

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Community and Culture

Goal

4. The Barossa fosters community resilience, connection and wellbeing through its social planning, recreation, safety, education, preventative health and social strategies especially for our youth and vulnerable people.
5. We are a strong community that is welcoming, safe and enjoys a quality lifestyle that celebrates our local identities, diversities, cultures and histories including our Aboriginal heritage.

Strategies

4.1. Build on a strong sense of community pride with active community groups and individuals participating in local decision making and community building activities.
5.1. Support the development of activities that celebrate the history, art and culture of the Barossa and its people.

Corporate Plan

CS14 Heritage - Support of the heritage network (museums, historical societies), including running events for these and access to historical records and archives. The heritage of the Barossa is internally and externally recorded and provides access to historical records is made available to the community

Legislative Requirements
Heritage Places Act 1983; Libraries Act 1982; History Trust of South Australia Act 1981

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Risk Management – storage and use of photographs including members of the public

All participants (or their legal guardian if under 18 years) will be required to sign The Barossa Council Photograph Permission and Release form.

Photographs will be stored on The Barossa Council's electronic document management system (Content Manager). The Manager Library Services, Director Development and Community Services, Manager Tourism Services and members of Council's Communications and Engagement Team will have access to the container.

Access to the photographs will be provided to members of the Heritage Network for the purpose of Heritage and History promotion. This includes, but is not limited to, using the photographs to promote events, sites, programs, education, and activities online and in print.

COMMUNITY ENGAGEMENT

Community consultation is not required under Legislation or Council Policy.

DEBATE REPORT

7.4 Development and Community Services

7.4.2 WELLBEING PLAN PARTNERSHIP WITH WELLBEING SA - GRANT AGREEMENT

Author: Manager Community Services
24/23332

PURPOSE

To seek Council endorsement of the Grant Agreement from Wellbeing SA for the design and implementation of a Community Wellbeing Plan (refer Attachment 1).

RECOMMENDATION

That Council endorse the Grant Agreement between the Minister for Health and Wellbeing (as represented by Wellbeing SA) and The Barossa Council (as contained within Attachment 1), confirming seed funding for project planning support, consultation and engagement, assisting the development of a Wellbeing Program concept for the Barossa.

REPORT

Background and Introduction:
Council, in collaboration with Wellbeing SA, are proposing to design a Community Wellbeing Plan, with the aim to:

- Refine Council's considered direction for community development with a targeted data-driven approach will give a basis for asset-based community development with bottom-up and top-down approaches to implementing community well-being.
- Provide a best practice framework for well-being with the creation of a measurable well-being indicators/ index for both current and new developments,
- Be innovative in our approach to a well-designed system capable of addressing specific and focused actions over time, targeting the impact of changing conditions and creating an evidence base for future decision-making. **Reference-** CPD-Redefining-Progress-FINAL.pdf

By involving the community in shaping well-being indicators:

- Create a plan that reflects their needs and aspirations.
- Creatively activating community and assets to bring tangible benefits through informed resource allocation.

This initiative is not an isolated plan and will work to deliver existing strategies. It aims to:

- Give the Community Development Team a redefined strategy and action plan.

- Provide clear outcomes for both the Community (across 6 key goals) and Corporate Plan (13 key strategies) by providing realistic, actionable items based on the needs of our community.
- Drive multiple priorities and strategies simultaneously – *Corporate and Community Plan, Concordia (influencing best practice), Regional Public Health Plan, Disability Access and Inclusion and Reconciliation*
- Underscore a pragmatic commitment to implementing Council-led, community-led, and external services.
- Work with already existing programs and projects of Council such as Libraries, Bush Gardens, Gallery, Community Transport and Home Assist, and Volunteering to amplify existing well-being initiatives and measure success.
- Take recommendations from the Social Inclusion Mapping Report for a social inclusion campaign. The well-being plan will deliver such reinvented initiatives as Social Inclusion Programming and Social Inclusion planning and evaluation tools.

(Throughout the document, the word 'Hub' will be used. There is no expectation that Council will provide a 'hub'; we plan to creatively adapt to the unique geographical layout of the Barossa, looking at 'hubs of well-being' instead. Places where people already connect and strengthen the assets of our community)

Discussion
See Attachment 2 – Wellbeing Plan (Infographic) for overview.

Advantages of partnering with Wellbeing SA:

- $30,000 seed funding (Attachment 1- Grant Agreement)
- 8-month design and development with Community/ External Stakeholders and Wellbeing SA
- Mentoring in facilitation and design
- Providing tools in evidence-based best practices in project design, implementation, and measurement for wellbeing:

Wellbeing SA's support in the project:

Providing Local Government Area Data:
Giving Council South Australian Population Health Survey- Support identification of Wellbeing Plans priority population groups and focus areas for a basis on consultation

Public Health Expertise:
Sharing expertise in evidence-based health and wellbeing initiatives- Facilitating community engagement opportunities.

Government Liaison:
Supporting liaison and connections with other state government agencies- Collaboration with Public Health Partner Authorities.

Evaluation Framework:
Providing resources and expertise related to the Wellbeing Evaluation Framework - Assisting in measuring quantitative and qualitative impacts of initiatives.

Wellbeing Index Access:

Access to the Wellbeing Index for South Australia- Enables monitoring of indicators for physical, mental, social/community, and Aboriginal cultural wellbeing outcomes.

Campaigns and Grant Opportunities:

Linkages to Wellbeing SA campaigns and facilitating access to grant opportunities.

Wellbeing Hubs Network Coordination:

Coordinating and facilitating the Wellbeing Hubs Network- Provides an avenue for Councils to share resources, celebrate successes, and collaboratively address challenges in implementing the Wellbeing model.

Benefits for our Council and residents:

A redefined Community Development Strategy

- The proposed collaboration aligns with a community development and strengths-based approach, emphasising collaboration, co-design, and co-investment.
- Reinventing how we deliver Community Development by aligning with proven well-being initiatives and introducing data-driven decision-making into our operations with a practical tool for strategic planning.

Activating spaces and leveraging

- Activating our internal resources, such as halls, libraries, open spaces, recreational facilities, gallery, and bush gardens as hubs of wellbeing.
- Incorporating measurement indicators into community-led initiatives to track impact and success.
- Applying co-location and partnership approaches, leveraging external resources within the community, and bringing in new services

Establishing a Transparent Role in Community Well-being

- Establishing a clear understanding of Council's role in areas of well-being i.e. Mental, Physical and Social
- Collaboration between state government, local government, and local communities, supporting partnership development, enhancing communication, and enabling leveraging existing resources and knowledge.

Information Sharing / Targeted Data Collection

- Aim to improve communities' physical, social and mental well-being by actioning and informing future plans, policies and initiatives targeted at priority population groups.
- The systems and processes used in the Wellbeing Hub model enable the sharing of consistent information with partners about population health data and community needs and support the rapid response to addressing these needs and the trialling of new ideas.

- Wellbeing SA will provide support with resourcing, data/evidence, linkages across state government, expertise, and experience in community-based health and wellbeing initiatives and training.

Benchmarking: Wellbeing Plans in Councils (Wellbeing Hub Implementation Resource Guide)

Naracoorte Lucindale:

- **Total Initiatives:** 17 initiatives in 2022-23
- **Community Engagement:** Over 523 community members attended
- **Partnerships:** Involved 34 local partners
- **Wellbeing Impact:** Participants reported an average score of 4.45 out of 5 for the immediate impact on their wellbeing.
- **Positive Outcomes**: Participants experienced positive impacts on mental well-being, reduced isolation, increased community connectedness, and gained new knowledge and skills for informed health decisions.
- **Recognition:** Won the Excellence in Public Health Awards Regional category at the Minister for Health and Wellbeing Excellence in Public Health Awards in October 2022.

Murray Bridge Council:

- **Total Initiatives:** 11 initiatives between March – June 2023
- **Community Engagement:** 464 attendances by 216 participants
- **Partnerships**: Involved 17 local delivery partners
- **Wellbeing Impact**: Participants reported an average score of 4.8 out of 5 for the immediate impact on their wellbeing.
- **Positive Outcomes**: Participants noted greater connections within family and the broader community, highlighting the Wellbeing Hub as safe, welcoming, and accessible.

Initiatives from other well-being plans/programs as a guide:

The initiatives are not demanding with a major impact on health, reducing social isolation and skill development:

- eight-week wellbeing program
- school holiday activities,
- a range of come-and-try activities,
- mental wellbeing resources
- family-friendly community events
- art projects
- community garden activities
- music playgroup
- physical activity classes for older adults
- a community wellbeing calendar to promote local activities and events.
- active and creative school holiday classes,
- pickleball
- community food education initiatives

Wellbeing SA info continued:

Past and Current Partnerships:

- Over the past 3 years, Wellbeing SA has partnered with local councils to establish Wellbeing Hubs with the City of Playford, Naracoorte Lucindale Council, Rural City of Murray Bridge and Port Adelaide Enfield.
- Wellbeing SA is also working with the City of Tea Tree Gully, City of West Torrens, City of Holdfast Bay and the District Council of Streaky Bay on community and stakeholder engagement to inform the establishment of new Wellbeing Hub sites.

Summary and Conclusion

In summary, by November 2024, Council will have an actionable Plan to support the Barossa Community's well-being through localised data (with priority groups based on identified needs), community engagement, and identifying and activating spaces, organisations, businesses, and community groups.

The Wellbeing Plan will be a platform to deliver actions from multiple strategies such as Disability Access and Inclusion, Reconciliation, Regional Public Health Plan, and Corporate and Community Plans. It will look at three domains of Physical, Mental and Social well-being and will have a tool to measure well-being in programs, projects and future initiatives.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Attachment 1 - Barossa Wellbeing - seed funding - Grant Agreement ⇩

Attachment 2 Community Wellbeing Plan Infographic ⇩

Supporting references

Wellbeing SA - Wellbeing Hubs • Wellbeing SA

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan

Community and Culture

Infrastructure

Health and Wellbeing

Goal

4. The Barossa fosters community resilience, connection and wellbeing through its social planning, recreation, safety, education, preventative health and social strategies especially for our youth and vulnerable people.
5. We are a strong community that is welcoming, safe and enjoys a quality lifestyle that celebrates our local identities, diversities, cultures and histories including our Aboriginal heritage.
6. The Barossa maintains and develops infrastructure that meets the needs of the region and is efficient.
7. Community infrastructure planning is aligned to both current and the future needs of the community

9. Our community has fair and equitable access to the resources and services they need to lead a safe, healthy, inclusive and connected lifestyle
10. Our region enjoys the benefits of sustainable community groups, networks and facilities that encourage everybody to participate in the community.

Strategies

4.1. Build on a strong sense of community pride with active community groups and individuals participating in local decision making and community building activities.
4.3. Embrace place-making principles when developing community infrastructure and regulate planning and development in public spaces and active recreation.
5.2. Create places where people want to live and plan for the future in a coordinated, affordable, appropriate and proactive way.
5.3. Create vibrant public spaces that provide places for creative development, cultural interaction and social connections.
5.4. Recognising and celebrating the community successes and learning from opportunities.
6.1. Advocate for and identify funding opportunities that support the development of community, cultural, health and other facilities and infrastructure to meet personal and commercial needs of residents and businesses.
6.2 Continue to ensure that infrastructure considers place-making is inclusive and accessible for all.
7.2. Ensure both current and future infrastructure needs are met in a proactive rather than reactive way.
9.1. Work towards combating loneliness and social isolation and ensuring that people enjoy a sense of inclusion and feel connected.
9.2. Promote a healthy community through a planned approach to public health, and sustainable access to allied, primary and mental healthcare services and facilities.
10.1. Children and young people are supported to feel safe and to engage, thrive and feel empowered within the community.
10.2. Advocate for and encourage services that ensure equity and support inclusion and at risk members of the community.
10.3. Build on the capacity of community members to participate in cultural, creative, recreational, sporting and learning opportunities.

Legislative Requirements

Local Government Act 1999.

FINANCIAL, RESOURCE AND RISK MANAGEMENT CONSIDERATIONS

Seed funding of $30,000 from Wellbeing SA has been approved, and no additional financial contribution will be required.

COMMUNITY ENGAGEMENT

Over the next year, Council will engage in various forms of community consultation to inform its strategies and plans. To prevent community engagement fatigue and provide a multi-strategy approach using diverse data collection platforms overall enhancing accessibility, the Wellbeing Communication and Engagement plan will be tailored to draw insights/ share platforms on existing initiatives and consultation

initiatives, such as the Community Plan and embedded consultation and engagement approaches through:

- Conducting discrete surveys during ongoing events and activities.
- Capitalising on both internal and external large-scale community events.
- Integrating surveys within Council programs, library, bush gardens, gallery, CTHA service reviews, and Council volunteer programs.
- Gathering insights from existing community groups, including Council-led,
- Seeking input and insights from local community organisations and services, for example, Youth Barossa and Lutheran Care.
- Conducting thorough desktop research by reviewing existing internal and external consultations.

Wellbeing Plan Milestones/ Timelines:

1. Consultation and Engagement Plan/ Project Development– **March- June**
2. Engagement/ Consultation Phase – **June- August**
3. Plan Development – **August – Oct**
4. Implementation – **November**

Incorporating Elected Members into the Communication and Engagement Plan for ongoing updates and progress.

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Attachment 1 - Grant Agreement

Item 1	**Government Party**	Minister for Health and Wellbeing (as represented by Wellbeing SA) ABN 92 815 941 329 PO Box 388 Rundle Mall Adelaide SA 5000
Item 2	**Recipient**	The Barossa Council PO Box 867 Nuriootpa SA 5355
Item 3	**Commencement Date**	On acceptance
Item 4	**Expiry Date**	31 October 2024
Item 5	**Extension Period(s)**	Not Applicable
Item 6	**Recipient's ABN**	ABN: 47 749 871 215 Registered for GST: Yes
Item 7	**Contact Persons**	**Government Party:** Wellbeing SA Lisa Atwell Associate Director Strategy Lisa.atwell@sa.gov.au **Recipient:** The Barossa Council Martin McCarthy Chief Executive Officer mmcarthy@barossa.sa.gov.au
Item 8	**Purpose**	The purpose of this Grant is to provide seed funding to support project planning, consultation and engagement, for the development of a Wellbeing Program concept for the Barossa. The Wellbeing Program concept, which will support physical, social and mental wellbeing, will be developed as a collaborative project between Wellbeing SA and the Barossa Council involving co-design and co-investment to support community wellbeing, especially for priority population groups. The partnership between Wellbeing SA and the Barossa Council will also involve the sharing of expertise and advice on the development of broader wellbeing and evaluation approaches for Council.
Item 9	**Outcomes/Deliverables and Co-investment**	Deliverables to be achieved by the Grant Recipient include: • Allocation of project resources to undertake project scoping and planning.

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		• Local community and stakeholder consultation and engagement to develop a Wellbeing Program model for the Barossa, including the development of a consultation plan. • Delivery of a Wellbeing Program Concept Plan outlining the purpose, priorities/areas of focus, operating model and target population groups for the Program. • Delivery of a high level Implementation Plan, outlining key initiatives and timeframes against the priorities/areas of focus outlined in the Concept Plan. The co-investment of the Grant Recipient for this project is estimated at $45,000 and includes: • Support and leadership from senior staff at the Barossa Council to oversee project planning and concept development. • Approximately 2 days per week of Project Officer time (Level 5) to assist during the project phase. • Community engagement leadership and expertise including advice regarding local context, stakeholders and approach. • Council building hire (if required). • Council administrative support (including photocopying and office equipment use, if required). • Advertising of consultation activities. • Grant administration, governance and general administration functions. • Communications (including surveys and other consultative activities). Both parties are committed to working in partnership to explore any opportunities for collaboration and co-investment in the future. A Barossa Council Wellbeing Program Operational Governance Group will be established to provide oversight for planning, engagement and consultation. This group will include senior officers from Barossa Council and Wellbeing SA.

Item 10	**Reports and Meetings**	Reporting requirements of the Grant Recipient include:
		
		• Provision of verbal progress reports to Wellbeing SA via project governance meeting (or by negotiation of the parties).
		• Provision of Consultation and Engagement Plan, outlining proposed community consultation and engagement approach, by 17 May 2024.
		• A final project report and grant acquittal (Attachment 4) due by 31 October 2024.
		  ○ The final report will include, but is not limited to, outlining the proposed Wellbeing Program concept plan including the purpose, priorities/areas of focus, operating model and target population groups.
		  ○ The final report will also include outcomes from community engagement and consultation and a high level Implementation Plan outlining key initiatives and timeframes against the priorities/areas of focus outlined in the Concept Plan.

Item 11	**Grant Amount**	$30,000 ☐ GST inclusive ☐ GST exclusive ☒ GST Exempt
Item 12	**Payment Details**	Schedule of Payments: $15,000 GST exempt upon execution. $15,000 GST exempt upon receipt of Consultation and Engagement Plan. Manner of payment: Payment will be made on receipt of a valid tax invoice within 30 days by Electronic Funds Transfer in accordance with the payment schedule. A valid tax invoice should be made out to: Wellbeing SA Strategy and Operations Strategy and Reporting Team PO Box 388 Rundle Mall ADELAIDE SA 5000
Item 13	**Tax Invoice Issuing Party**	☐ Government Party ☒ Recipient
Item 14	**Grant Reconciliation Date(s)**	31 July 2024
Item 15	**Additional Recipient Financial Information**	☐ Yes ☒ No
Item 16	**Government Party IP Licence**	☒ Yes ☐ No
Item 17	**Insurances** **Public Liability Insurance**	Not less than $1,000,000
Item 18	**Liability Limit**	1 x Total Grant Amount
Item 19	**Notice Period for Termination for Convenience**	30 days
Item 20	**Form of Funding Acknowledgement**	Funding source to be acknowledged in documentation and reports, including the Wellbeing SA and the Barossa Council logos and the following statement: *'This is a joint project between the Barossa Council and Wellbeing SA'*

		The placement of the Wellbeing SA logo on all project materials must be approved by Wellbeing SA before final production and publishing. Please email to WellbeingSAStrategy@sa.gov.au for final approval.

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Attachment 2 - Standard Terms & Conditions

AGREED TERMS

1. FUNDING PERIOD

1.1 This Agreement commences on the Commencement Date and continues until the Expiry Date, unless terminated earlier or extended under clause 1.2.

1.2 This Agreement may be extended by the Government Party for the Extension Period(s) by giving reasonable notice in writing prior to the Expiry Date.

2. CONTACT PERSONS

The persons named in Attachment 1 as the Contact Persons are the first point of contact between the Parties and are responsible for overseeing the effective administration of the Agreement including variations and extensions.

3. PURPOSE

The Recipient must use the Grant solely for the Purpose to achieve the Outcomes.

4. FUNDING AND INVOICING

4.1 If the Tax Invoice Issuing Party is the Government Party:

(a) the Parties agree that this Agreement satisfies the requirement for a written agreement specifying the supplies to which the Recipient Created Tax Invoice ("**RCTI**") relates;

(b) the Government Party must provide a copy of the Tax Invoice to the Recipient within 30 days of the making, or determining of the value, of the Taxable Supply; and

(c) The Recipient must not issue a Tax Invoice in respect of a Taxable Supply the subject of the RCTI.

4.2 If the Tax Invoice Issuing Party is the Recipient, the Recipient may invoice the Government Party for payment in respect of the Grant after the Commencement Date.

4.3 The Government Party will pay the Grant in the amounts and at the times specified in Attachment 1 upon receipt of a Tax Invoice.

4.4 For agreements greater than 12 months, on each anniversary of the Commencement Date during the period of the Agreement:

(a) the amount of the unpaid Grant will be indexed by the NFP Indexation Rate for that Financial Year; and

(b) the Government Party must issue a revised Schedule of Payments (including past amounts paid and indexed instalments payable for the remaining Grant period).

4.5 Clause 4.4 does not apply if the Government Party advises the NFP that the Grant payable for each year of the Agreement has already been indexed by the NFP Sector Indexation Rate.

4.6 The Recipient must ensure that it can properly account for the Grant received under the Agreement.

5. GST

5.1 Subject to clause 5.2 and 5.3 the Recipient represents that:

(a) the ABN shown in Attachment 1 is the Recipient's ABN; and

(b) it is registered under the *A New Tax System (Australian Business Number) Act 1999* (Cth).

5.2 If the Recipient is not registered for GST, then GST must not be charged on supplies made under this Agreement.

5.3 If the Recipient does not have an ABN it must submit an ATO *Statement by a Supplier* to the Government Party otherwise the Government Party may be obliged under the *Taxation Administration Act 1953* to deduct a withholding from the Grant and will not be obliged to gross up the Grant or provide any other compensation to the Recipient.

6. REPAYMENT OF UNALLOCATED FUNDS

6.1 At the end of the Funding Period, if the Recipient has not expended all of the Grant, it must notify the Government Party of the unexpended amount and may submit a written request for retention or carryover of unexpended amounts specifying:

(a) the amount to be retained or carried over; and

(b) the purpose for which the unexpended amount will be used.

6.2 The Government Party must consider the Recipient's request and notify the Recipient in writing whether it:

(a) agrees that the Recipient may retain or carry over all or part of the unexpended amount; or

(b) requires the Recipient to repay all or part of that amount as notified by the Government Party, to the Government Party within 30 days of receipt of the notice from the Government Party.

7. PROVISION OF INFORMATION

7.1 The Recipient must provide those reports and other documents and must attend meetings, as specified in Attachment 1.

7.2 If the Government Party reasonably suspects that the Grant is not being used for the Purpose, it may request additional information from the Recipient.

7.3 The Recipient must immediately inform the Government Party of any significant changes to the nature and/or scope of the activities conducted by the Recipient which would impact on the Purposes or the Outcomes under this Agreement.

8. FINANCIAL REPORTING AND AUDITING

8.1 The Recipient must provide an acquittal in relation to the expenditure of all funds under this Agreement using the form in Attachment 4:

(a) certifying that the Grant has been properly spent, in accordance with the requirements of the Agreement

(b) signed by two persons authorised by the Recipient's board of management (or equivalent); and

(c) within three months of the end of each Financial Year during the Term or other dates as may be specified in Attachment 1 ("**Grant Reconciliation Date(s)**").

8.2 If the Recipient is required by law to prepare audited financial statements, the Recipient must provide the Government Party with copies of such audited financial statements, within six months of the end of each Financial Year during the Term.

8.3 If the Recipient is not required by law to prepare audited financial statements, and only if specified in Attachment 1, the Recipient must provide the Government Party with the following financial statements, within six months of the end of each Financial Year during the Term:

(a) A balance sheet;

(b) An income and expenditure statement; and

(c) A statement of changes in equity for the Financial Year,

(together "**Additional Recipient Information**").

8.4 The Recipient agrees the Government Party may direct that the financial accounts of the Recipient be audited at the Government Party's cost, and the Government Party may specify the minimum qualifications that must be held by the person appointed to conduct the audit.

8.5 If the audit discloses that the Recipient has applied the Grant for a purpose other than the Purpose then the Recipient will be required to reimburse the Government Party the costs of the audit and clause 17.1 will apply.

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9. INSPECTION

9.1 The Recipient must allow any officer or person authorised by the Government Party on the giving of reasonable notice, to enter the premises of and to inspect the operations of the Recipient (including equipment, premises, accounting records, documents and information) and interview the Recipient's Personnel on matters pertaining to the operations and reporting obligations of the Recipient under this Agreement.

10. INTELLECTUAL PROPERTY RIGHTS

10.1 Nothing in this Agreement affects the ownership of Intellectual Property Rights created before the Commencement Date.

10.2 If specified in Attachment 1, the Recipient grants the Government Party and the State of South Australia a non-exclusive, perpetual, royalty free licence to use any intellectual property created as part of the Purpose.

11. CONFIDENTIAL INFORMATION

11.1 Subject to this clause 11, neither Party may disclose any Confidential Information belonging to the other Party except as genuinely and necessarily required for the purpose of this Agreement.

11.2 A Party may disclose Confidential Information belonging to the other Party:

(a) to an employee, agent or adviser of that Party, on a "need to know" and confidential basis;

(b) as required by law or a court order;

(c) in accordance with any Parliamentary or constitutional convention;

(d) for the purposes of prosecuting or defending proceedings.

11.3 The Parties may mutually agree to disclose Confidential Information.

12. PRIVACY

12.1 The Recipient must comply with the *Privacy Act 1988* (Cth) ("**Privacy Act**") and the Australian Privacy Principles established under that Act in undertaking its obligations under this Agreement including in relation to all Personal Information received created or held by it for the purposes of this Agreement.

12.2 The Recipient must promptly notify the Government Party if it fails to comply with this clause or if it becomes aware of any actual or threatened disclosure of or unauthorised access to Personal Information.

12.3 For the purposes of this special condition, "Personal Information" has the same meaning as in the Privacy Act.

13. PUBLICITY

13.1 The Recipient will acknowledge the Grant by the Government Party in any advertising, publicity or promotional material relating to this Agreement in the manner specified in Attachment 1.

13.2 The Recipient will participate in promotional or publicity activity in relation to this Agreement as is reasonably required by the Government Party.

13.3 The Recipient and the Government Party must use their best endeavour to mutually agree on the content of any public announcements or media releases about this Agreement.

13.4 If due to urgent circumstances or due to the nature and timing of the media request, it is not possible to provide prior notice of an announcement or media release to the other Party, then the Party making the announcement or media release must notify the other Party and provide a summary of the announcement or a copy of the media release as soon as possible after making the announcement or media release.

13.5 Nothing in this clause derogates from the operation of the *Not-for-Profit Sector Freedom to Advocate Act 2013*.

14. INSURANCE

14.1 The Recipient must effect and maintain the insurance specified in Attachment 1 for not less than the amount specified in Attachment 1 during the Funding Period.

15. LIABILITY LIMIT

15.1 The Recipient's liability to the Government Party under this Agreement is limited to the amount specified in Attachment 1.

16. DISPUTE RESOLUTION

16.1 Subject to clause 16.4 a Party may not commence legal proceedings without first referring the dispute to the other Party under this clause.

16.2 Either Party may give the other a notice in writing ("**dispute notice**") setting out the details of the dispute.

16.3 Within seven days or such other period as may be agreed by the Parties, the Contact Persons must meet and use reasonable endeavours to resolve the dispute.

16.4 A Party may seek immediate interlocutory relief or other interim remedy in case of genuine urgency.

17. DEFAULT AND TERMINATION

17.1 If the Recipient does not apply any part of the Grant for the Purpose or if the Recipient materially fails to comply with this Agreement at any time, the Government Party may upon giving written notice to the Recipient:

(a) require the Recipient to repay either the whole or a portion of the Grant (whether expended or not) within 30 days of a written demand from the Government Party;

(b) withhold funds not already paid;

(c) withhold future funding from the Recipient; and/or

(d) terminate this Agreement.

17.2 Either Party may terminate this Agreement without cause by giving the other Party the period of notice specified in Attachment 1 ("**Notice Period for Termination for Convenience**").

18. EFFECT OF ENDING THIS AGREEMENT

18.1 Any termination of this Agreement does not affect any accrued right of either Party.

18.2 Despite termination or expiry of this Agreement, this clause 18 and clauses 6, 7, 8, 9, 10, 11, 12, 15 and those Special Conditions that by their nature remain in force, will survive.

19. CONTRACT DISCLOSURE

19.1 The Government Party may disclose this Agreement and/or information in relation to this Agreement in either printed or electronic form, and either generally to the public or to a particular person as a result of a specific request.

19.2 Nothing in this clause derogates from:

(a) the Recipient's obligations under any provisions of this Agreement; or

(b) the provisions of the *Freedom of Information Act 1991* (SA).

20. COMPLIANCE WITH LAWS AND POLICIES

20.1 The Recipient must comply with the laws in force in the State of South Australia in performing its obligations under this Agreement.

20.2 The Recipient must comply with any policies notified by the Government Party in writing at the Commencement Date.

21. GOVERNING LAW AND JURISDICTION

21.1 This Agreement is governed by the laws in the State of South Australia.

21.2 The courts of the State of South Australia have exclusive jurisdiction in connection with this Agreement.

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22. ENTIRE AGREEMENT

The Agreement constitutes the entire agreement between the Parties in respect of the matters dealt with in this Agreement and supersedes all prior agreements, understanding and negotiations in respect of the matters dealt with in this Agreement.

23. NO ASSIGNMENT

23.1 The Recipient must not assign, encumber or otherwise transfer any of its rights or obligations under this Agreement without the written approval of the Government Party which approval shall not be unreasonably withheld.

23.2 Subject to any contrary legislative intention, the Parties agree that if there is any Machinery of Government Change, this Agreement is deemed to refer to the new entity succeeding or replacing the Government Party and all of the Government Party's rights and obligations under this Agreement will continue and will become rights and obligations of that new entity.

24. MODIFICATION

No addition to or modification of any provision of this Agreement will be binding upon the Parties unless agreed by the Parties in writing.

25. SEVERANCE

25.1 Each word, phrase, sentence, paragraph and clause of this Agreement is severable.

25.2 Severance of any part of this Agreement will not affect any other part of this Agreement.

26. COUNTERPARTS

This Agreement may be executed in any number of counterparts each of which is taken to be an original. All of those counterparts taken together constitute one instrument. An executed counterpart may be delivered by email.

27. NO FURTHER OBLIGATION

27.1 The Recipient acknowledges that the Grant represents a one-off contribution by the Government Party towards the Purpose, and the Recipient agrees any request for subsequent funding will require a new application to the Government Party. The Government Party is under no obligation to agree to pay any subsequent funding to the Recipient.

27.2 The Recipient acknowledges the Government Party will not be liable to reimburse the Recipient for any losses or cost over runs that may result from the operation of this Agreement or the carrying out of the Purpose.

28. INTERPRETATION

28.1 In this Agreement (unless the context requires otherwise):

(a) a reference to any legislation includes:

(i) all legislation, regulations and other forms of statutory instrument issued under that legislation; and

(ii) any modification, consolidation, amendment, re-enactment or substitution of that legislation;

(b) a word in the singular includes the plural and a word in the plural includes the singular;

(c) a reference to two or more persons is a reference to those persons jointly and severally;

(d) a reference to dollars is to Australian dollars;

(e) a reference to a Party includes that party's administrators, successors and permitted assigns.

29. DEFINITIONS

In this Agreement:

(a) "**Confidential Information**" means information which is identified as confidential information by a Party, but does not include this Agreement;

(b) "**Extension Period(s)**" means the period(s) specified in Attachment 1;

(c) "**Financial Year**" means a year commencing on 1 July and ending on 30 June;

(d) "**Funding Period**" means the period specified in Attachment 1 including any Extension Periods;

(e) "**Grant**" means the funds payable under this Agreement specified in Attachment 1 and includes previous indexation amounts applied and notified under clause 4;

(f) "**GST**" means the tax imposed by the GST Law;

(g) "**Intellectual Property Rights**" means all intellectual property rights, including but not limited to:

(i) patents, copyright, registered designs, trademarks, know-how and any right to have Confidential Information kept confidential; and

(ii) any application or right to apply for registration of any of the rights referred to in paragraph (a),

but for the avoidance of doubt excludes moral rights and performers' rights;

(h) "**NFP**" means a not for profit organisation;

(i) "**NFP Sector Indexation Rate**" is the annual rate as published on the Department of Treasury and Finance www.treasury.sa.gov.au;

(j) "**Party**" means a party to this Agreement;

(k) "**Special Conditions**" means the conditions specified in Attachment 3; and

(l) "**Total Grant Amount**" means the total value of the funding provided under this Agreement including where relevant any NFP Sector Indexation.

30. SPECIAL CONDITIONS

The special conditions (if any) in Attachment 3 form part of this Agreement.

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Attachment 3 – Special Conditions

1. **PRIVACY POLICY**

1.1 The Supplier must, and must ensure that the Supplier's personnel:

1.1.1 comply with the SA Health Privacy Policy Directive or any other information privacy obligations determined by SA Health, and as amended from time to time;

1.1.2 implement as far as practicable the Privacy Policy Directive, related policies, principles and guidelines or such directions as reasonably requested by the Government Party; and

1.1.3 use reasonable measure to prevent a breach of the Privacy Policy Directive to the satisfaction of the Government Party, as the Privacy Policy Directive relates to personal information held or acquired under this Agreement.

1.2 The Supplier must allow the Government Party to undertake, and cooperate with any audit or investigation which the Government Party deems necessary to verify that the Supplier is complying with the Privacy Policy Directive.

1.3 The Supplier must promptly notify the Government Party if it fails to comply with this clause or if it becomes aware of any actual or threatened disclosure or unauthorised access to Personal Information.

2. **RESPECTFUL BEHAVIOURS**

2.1 The Supplier acknowledges the Government Party's zero tolerance towards men's violence against women in the workplace and the broader community.

2.2 The Supplier agrees that, in performing the Services, the Supplier's Personnel will at all times:

2.2.1 act in a manner that is non-threatening, courteous and respectful; and

2.2.2 comply with any instructions, policies, procedures or guidelines issued by the Government Party regarding acceptable workplace behaviour.

2.3 If the Government Party believes that the Supplier's Personnel are failing to comply with the behavioural standards specified in this clause, then the Government Party may in its absolute discretion:

2.3.1 prohibit access by the relevant Supplier's Personnel to the Government Party's premises; and

2.3.2 direct the Supplier to withdraw the relevant Supplier's Personnel from providing the Services.

3. **SMOKE FREE ENVIRONMENT**

3.1 The Recipient must use its best endeavours to ensure all events funded by the Grant or as part of the Purpose are completely smoke-free, including any stage performance and outdoor events.

3.2 The Recipient must use its best endeavours not to enter into any arrangement (whether commercial or otherwise) in connection with the Grant or the Purpose with any persons or bodies who encourage or support the use of tobacco products in any way.

3.3 The Recipient must not sell, and must use its best endeavours not to permit the sale of, any tobacco products at events held using the Grant or as part of the Purpose.

3.4 The Recipient must use its best endeavours to ensure any employees, contractors, agents, officials, volunteers, participants and spectators in any way connected with the Grant or the Purpose comply with these conditions.

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4. FORCE MAJEURE

4.1 **Definition**

"**Force Majeure**" means the following events or circumstances:

4.1.1 fire, flood, earthquake, elements of nature, acts of God, malicious damage, epidemic, explosion, sabotage, riot, civil disorder, rebellion or revolution;
4.1.2 any change of law executive or administrative order or act of either general or particular application of any government, or of any official acting under the authority of that government, prohibition or restriction by domestic or foreign laws, regulations or policies, quarantine or customs restrictions, which that party:
4.1.3 did not cause; and
4.1.4 cannot prevent, control or influence, and

the effect of which prevents that party from complying with any of its material obligations under this Agreement.

4.2 The affected party's obligations directly affected by a Force Majeure and any corresponding entitlement of the other party will be suspended to the extent and for so long as the performance of the affected party's obligations are prevented by the Force Majeure.

4.3 The affected party must as soon as it becomes aware of the Force Majeure notify the other party in writing providing details of:

4.3.1 the nature and extent of the obligations affected;
4.3.2 if known, the expected effect of the Force Majeure on the other party;
4.3.3 action that the affected party has taken or will take to avoid or mitigate the expected effect of the Force Majeure; and
4.3.4 details of insurance policies on which the party may be able to rely to compensate or mitigate the financial effect of the Force Majeure.

4.4 The affected party must:

4.4.1 use its best endeavours to prevent, avoid, remedy, work around or overcome the effect of the Force Majeure as quickly as possible through prudent management processes, policies and precautions, including the use of alternative resources, the procuring of goods or services from another source, and work around plans;
4.4.2 keep the other party informed of the continuation and expected duration of the Force Majeure and of measures taken to comply with this clause; and
4.4.3 recommence performance of its obligations as soon as possible without delay after the Force Majeure ceases to affect the affected party's performance under this Agreement.

4.5 If a Force Majeure causes the affected party to allocate limited resources between or among its other customers, the affected party must not place the other party lower in priority to any other similarly effected customer of the affected party.

4.6 During any period in which the affected party is not performing obligations because of a claimed Force Majeure, the other party may (but need not) make alternative arrangements for the performance, whether by another person or otherwise, of any obligation which the affected party is not performing without incurring any liability to the affected party.

4.7 If the affected party is materially unable to perform its obligations under this Agreement by reason of a Force Majeure for a continuous period of three months or a cumulative period of four months, then the other party may terminate this Agreement by written notice without prejudice to the terminating party.

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Attachment 4 – Acquittal Form

Income	Grant amount	Funding period (as per Grant Agreement)
Wellbeing SA	$30,000 (GST Exempt)	

Expenses	Approved budget	Actual expenditure
Total		
Grants funds remaining*		

**Funds remaining are to be repaid to Wellbeing SA unless explicit approval is provided by the Chief Executive, Wellbeing SA for funds to be retained by the recipient body.*

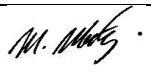
Co-investment amount/s

Co-investment item	Commitment	Actual expenditure
Total		

Certification

Note: the financial acquittal requires signatures from two authorised people in your organisation such as the CEO/Chairperson and Financial Officer/Treasurer.

I hereby certify that the grant was used for the purpose for which the grant was provided:

Authorised person (name): Martin McCarthy	**Authorised person (name):**
Position: Chief Executive Officer	**Position:**
Signature: 	**Signature:**
Date: 9/2/2024	**Date:**

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Community Wellbeing Plan - Overview

Community Engagement / Data Collection

Consultation/ Planning

Data-driven approach to understand key demographics and priority need areas. Wellbeing SA providing resources and expertise with Wellbeing Evaluation Framework and indexes.

- Clear role of council, community-led, and external services in wellbeing initiatives
- Council creates the plan based on resourcing
- Wellbeing Index for data collection and evaluation

Strategic Alignment

Bringing it all together

Designed to effectively address specific actions over time, targeting changing conditions and establishing a solid evidence base for future decision-making. If structured correctly the plan can address and progresses multiple priorities and strategies simultaneously

- Community Development Strategy
- Event Coordination (high level events)
- Corporate and Community Plan
- Disability Access and Inclusion Plan
- Reconciliation Roadmap
- Social Inclusion Mapping Report
- Regional Public Health Plan
- Lease and Licence Policy

Community impact

Activating Spaces

Activating halls, libraries, open spaces, recreational facilities, gallery, and bush gardens as hubs of wellbeing - supporting events and programs driven by community needs but guided by the Council.

Applying co-location and partnership approaches, leveraging external resources

- Clear resource allocation
- A focused approach to support the utilisition of council assets in alignment with any contractual obligations/ agreements
- Bring attention to areas that have potential, but are not currently being utilised effectively
- Engaging events and programs uniquely crafted for the space, fostering physical, social, and health well-being elements

The Barossa Council

COVER SHEET

CONFIDENTIAL REPORT

20 February 2024

Council Meeting

8.1 Office of the Mayor and CEO Confidential Report

8.1.1 ANGAS RECREATION PARK - CANOPY COLLAPSE - LEGAL AND INSURANCE MATTERS

There is strong public interest in enabling members of the public to observe Council's transparent and informed decision-making. This helps to ensure accountability, maintain transparency of public expenditure, facilitate public participation, assist public awareness and allow for the scrutiny of information. Attendance at a Council meeting is one means of satisfying this interest. The public will only be excluded from a Council meeting when the need for confidentiality pursuant to Section 90(2) of the Act outweighs the public interest of open decision-making.

In this matter, the reasons that receipt, consideration or discussion of the information or matter in a meeting open to the public would be contrary to the public interest are that there is a need to protect Councils legal and negotiating positions related to the claim for damages being pursued by Council.

On balance, the above reason which supports the need for confidentiality pursuant to Section 90(2) of the Act outweighs the factors in favour of the public interest of open decision-making.

RECOMMENDATION
That Council:

(1) Under the provisions of Section 90(2) of the *Local Government Act 1999*, make an order that the public be excluded from the meeting with the exception of the Chief Executive Officer, Director Corporate Services and Business Innovation, Director Development and Community Services, Director Infrastructure and Environmental Service and the Minute Secretary, in order to consider in confidence a report relating to being information that must be considered in confidence pursuant to:

Section 90(3)(b) of the *Local Government Act 1999*:

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

(2) Accordingly, on this basis, Council is satisfied that public interest in conducting meetings in a place open to the public has been outweighed by the need to keep the information and discussion confidential in order that there is a need to protect Councils legal and negotiating positions related to the claim for damages being pursued by Council.