



**MOUNT BARKER
DISTRICT COUNCIL**

NOTICE OF MEETING

Pursuant to Section 83 of the Local Government Act 1999 notice is hereby given that the following meeting will held in the Council Chambers, Mount Barker Homemaker Centre, 6 Dutton Road, Mount Barker on Monday 2 May 2022.

7.00 pm

Council Meeting

A handwritten signature in black ink, appearing to read 'A. Stuart', written in a cursive style.

**A. Stuart
CHIEF EXECUTIVE OFFICER**

28 April 2022

ORDER OF BUSINESS

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To provide Council, the community and other interested parties, a record of the budgeted financial activities and the financial position of the Council (including Wastewater and Recycled Water), compared to the budget review 2 budget for the year ending 30 June 2022; and to provide an update on the approved 2021/22 Capital Works Program at the end of Quarter 3 2021/22.	
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To seek approval of extension of the Kerbside Garbage, Recyclables, Organics, Street Litter & Event Bin Collection Services Contract (2014.001) with SOLO (Rico Enterprises Pty Ltd) for a further 12 months.	
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To recommend to Council to approve the partial conversion of an existing Cash Advance Debenture (CAD) facility, to convert \$7,300,000 of Council’s current borrowing capacity to a discount loan facility for a period of 3 years.	
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To gain Council’s support for a recommendation from the Chief Executive Officer’s Performance Review Advisory Panel to award contract 2021.142 to qualified independent consultant McArthur (SA) Pty Ltd (“Preferred Tenderer”) for a term of four (4) years commencing in 2022, consisting of a lump sum value of \$15,800 excluding GST over the term of the contract.	
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To allocate ward donation funds to individuals or organisations.	

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	To update Council on the Food Systems project that seeks to understand the ways and extent to which the current food system influences economic, social and environmental outcomes for the community and a local food systems mapping process that was undertaken in the district.	
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1. COUNCIL OPENING
EXPRESSION OF FAITH
ACKNOWLEDGEMENT OF COUNTRY

1.1 Leave of Absence

1.2 Apologies

2. QUESTIONS FROM THE GALLERY (15 MINUTES)

3. CONFIRMATION OF MINUTES

3.1 Recommendation

That the minutes of the meeting held on 4 April 2022 as circulated to members be confirmed as a true and accurate record of proceedings.

4. CONFLICT OF INTEREST DECLARATION

Council Members are reminded of the requirements for disclosure by Members of material, actual or perceived conflicts of interest in relation to items listed for consideration on the agenda.

5. DEPUTATIONS

5.1 Ms Marian McLucas – Save our Wildlife Foundation Inc

5.2 Mr Nathan Rogers – Friends of the Library, Mount Barker Inc

6. QUESTIONS WITH NOTICE - COUNCILLORS

NIL

7. QUESTIONS WITHOUT NOTICE - COUNCILLORS

8. MOTIONS ON NOTICE

NIL

9. MOTIONS WITHOUT NOTICE

For

- *requesting a report*
- *a simple matter with minor impact*
- *an urgent matter that without consideration by Council would result in a detriment to Council*

10. PETITIONS

NIL

11. RECOMMENDATION FROM COMMITTEES

11. REPORT TITLE: RECOMMENDATIONS FROM COMMUNITY GRANTS ASSESSMENT COMMITTEES 7 APRIL 2022

DATE OF MEETING: 2 MAY 2022

FILE NUMBER: DOC/22/46813

Key Contact Kylie Norris, Community Wellbeing Officer

Manager/Sponsor Nathan Franklin, Community Planning & Wellbeing

11.1 COMMUNITY GRANTS ASSESSMENT COMMITTEE – 7 APRIL 2022

The recommendations of the Community Grants Assessment Committee are provided below for consideration by Council:

11.1.1 REPORT TITLE: DISCRETIONARY REBATES
FILE NUMBER: DOC/22/44651

Recommendation

1. That the following applications, being land used by an organisation which, in the opinion of the Council, meet criteria under Section 166 of the *Local Government Act 1999*, it therefore approves rebate of the rates, tabled below, levied on the property (not including the service charges). The rebate will be granted for a three year period unless the entitlement to the rebate of rates ceases or no longer applies.

The following rebates will commence from 1 July 2022:

Applicant	Property Description	Amount of Rebate (\$)	%
Littlehampton Peace Memorial Hall	75 Princes Hwy Littlehampton	3,247.73	100
Nairne Institute Committee Inc.	82 Princes Hwy Nairne	1,125.88	100
Hahndorf Institute Management Committee Inc.	59 Mount Barker Road Hahndorf	2,646.10	100
Mount Barker Family House Inc (Brukunga Hall)	12B Pyrites Road Brukunga	1,039.27	100
Kanmantoo Grounds Committee Inc.	9 Princes Hwy Kanmantoo	812.60	100
Scout Association of Australia	1 Aldgate Strathalbyn Rd Echunga	796.20	100
Meadows Memorial Hall Inc.	53 Mawson Rd Meadows	1,450.65	100
Macclesfield Association Inc.	33 Venables Street Macclesfield	1,147.53	100
Prospect Hill War Memorial and Community Centre Inc.	Lot 5 Harvey Rd Prospect Hill	819.60	100
Adelaide Hills Motor Restorers Club Inc	Lot 82 Cameron Road Mount Barker	841.77	100

Nairne Soldiers Memorial Hall Inc.	50 Princes Hwy Nairne	1,537.26	100
TOTAL		15,464.59	

11.1.2 REPORT TITLE: COMMUNITY GRANTS 2021/2022 ROUND 2 AND ENVIRONMENTAL GRANTS 2021/2022
FILE NUMBER: DOC/22/34840

Recommendation

1. That the following community grants be allocated as determined below:

a. Successful Community Grant Applications

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for allocation	Amount Granted
CG00242	Mount Barker Family House Inc	Brukung Hall defibrillator	To provide funding for the purchase of a Defibrillator to be installed at Brukung Hall, and available at all times for Brukung community members. Easy access to a defibrillator is essential in case of any kind of heart failure and minimizing stress with whoever is using Brukung Hall. There is currently no defibrillator in Brukung. This defibrillator would be installed outside the building for community access.	\$2,930.00	\$2,930.00	Council to purchase the defibrillator on their behalf to get a better price.	\$2,500.00
CG00244	Mount Barker Family House Inc	Auslan Beginners Course	This program will be an opportunity for anyone in the community to attend a Beginners Auslan course, presented by local Auslan teacher Kirsten Mooney. She will present an 8-week program on Saturday afternoons at Mount Barker Community Centre in term 2, 2022. Mount Barker Community Centre has had feedback from the community that people are eager to learn Auslan. This program will also require the development of resources by an artist. This program aligns with Council's Disability Access and Inclusion Plan which aims to provide and promote inclusive programming and an inclusive community for all.	\$3,600.00	\$3,600.00	Support to max grant funding amount. Suggest fee for attendance charge.	\$2,500.00

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for allocation	Amount Granted
CG00246	Acacia Calisthenics Club Inc	New Dance Mirrors	Acacia has recently found a new premise for our studio at the Chapmans shopping complex. Our current studio is a shed with no adequate cooling or heating, adequate bathroom facilities, sound system or safe storage of our costumes. Due to our strict weather policy, it has been a result of many cancelled lessons in which the students have missed out on much needed practice in preparation for competitions. we would like to add dance mirrors into our our new studio as we are unable to remove the current ones we have without completely ruining the mirrors. Dance mirrors are an integral part of the learning and development of the girls skills and technique. Mirrors help the girls to see how they are completing moves, it gives the performers the ability to see the rest of their team members for synchronicity and managing their spacing in new team routines.	\$2,500.00	\$2,500.00	Supported	\$2,500.00
CG00248	Mount Barker Family House Inc	Bike Maintenance Workshops	Mount Barker Community Centre has been working with the local community to develop the "Mount Barker Bike Kitchen". The aim of the Bike Kitchen is to support the community to have fun, ride more, connect with others and build confidence to maintain their bike. To kick start this program and attract new and interested community members, we would like to offer three Bike Maintenance Workshops presented by experts from Mount Barker Bike Shop. These will be hosted at the Mount Barker Mens Shed, identified as the new home for the Mount	\$2,000.00	\$2,000.00	Supported	\$2,000.00

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for allocation	Amount Granted
			Barker Bike Kitchen. The development of the Bike Kitchen contributes towards Community Wellbeing through encouraging activity and movement, health and social connection. It also contributes to Ecological Sustainability through active transport and emissions reduction. This supports the Mount Barker District Council Community Play 2020 - 2035.				
CG00249	Adelaide Hills Vocational College - Mt Barker High School	Soil to Plate	Our students are learning horticultural skills aligned to SACE and are planning to develop a vegetable garden on the TAFESA site. The produce from the garden will then be used to provide healthy food for the young people enrolled at the college. This concept is important for our students as many young people live independently and struggle to budget and buy nutritional food on a weekly basis. This project will support many young people who regularly access foodbanks across the region to survive. All learning is related to SACE outcomes and those involved in the garden will gain significant vocational skills. The program will also help to improve what is often a forgotten area of the TAFE campus which is something our young people are passionate about.	\$2,500.00	\$13,500.00	Supported	\$2,500.00
CG00250	Echunga Football Club	Echunga Football Club Clubroom Upgrade	We are seeking funding to upgrade our club room. Our club rooms are utilised by our football club and many community services including; Echunga Cricket Club, Echunga Netball Club, Echunga Recreation, Bushfire Response Headquarters, Community Functions and Private Functions. Our dining chairs are aged and we need to update our current set of chairs. We would	\$3,000.00	\$7,140.00	Support to max grant funding amount.	\$2,500.00

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for allocation	Amount Granted
			like to have chairs that we can wipe down due to the current health restrictions. We also want to cater to mobility and access requirements with certain chairs being available for elderly and or physically impaired persons.				
CG00255	Echunga Community Association	Echunga Dirt Bike Track Fence	230 metres of Post, netting and wire perimeter fence along the busy Echunga Road adjacent the newly installed Dirt Bike Track in the new Echunga Community Park. 3 gates will be installed, two for pedestrian access and one for CFS truck entry. The fence will act as a visual barrier for children using this popular new park facility. It will complete fencing along the whole perimeter of the western side of the park.	\$3,500.00	\$4,136.61	Support to max grant funding amount.	\$2,500.00
CG00257	Callington Recreation Park Inc	Dirt Starting Track for Callington Playground	We propose to build a dirt Starting Track adjacent to the new Pump Track which is being installed this financial year in the Callington playground area as a joint initiative project between the RCMB & MBDC. The Starting Track will be 65 m long, with rollers & berms. It will complement the new Pump Track, so the Councils will be getting more leverage for their financial output. The main users of the dirt track will be children aged to about 15 years. It will encourage safe, active, outside play, thus improving their health & wellbeing. They will be taught how to maintain the track with supervision, so will develop a sense of responsibility, community & volunteering. The MBDC will not need to outlay more funds. The Centre will benefit by having more users. Connecting community is an	\$3,000.00	\$5,400.00	Support to max grant funding amount.	\$2,500.00

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			aim of both the CRPI and the MBDC Callington Township Plan.				
CG00258	Battunga Country Lions Club	Electricity to the Lions shed	Battunga Country Lions have a large, council owned, shed on Macclesfield oval to store donated furniture and household goods to be sold at monthly sales to raise money for charity or provided, free of charge, to those in need. The shed also serves as the base for the annual Lions Bike Show. The shed does not have a power supply so any work to prepare for sales cannot be done after dark, which reduces the time available. At the Lions Bike Show catering is covered by the Lions and town sporting and social clubs to keep funds in the town and a 15 amp supply is required at the shed to safely run the Lions coffee van. Both lighting for the shed and power for catering the Bike Show will be covered by this project.	\$1,446.50	\$1,446.50	Support	\$1446.50
CG00259	Returned & Services League Mt Barker	Purchase operational fire safety equipment and burns module	The Mt Barker RSL Sub-branch has purchased a new barbecue trailer for use at community functions and would like to equip it with fire safety equipment, eg fire extinguishers, fire blankets and a burns module. All the members of the Sub-branch, volunteers, community at large are beneficiaries of this project. In the unlikely event an accident should occur the safety	\$205.00	\$205.00	Supported – request they support local business.	\$205.00

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for allocation	Amount Granted
			equipment would prove invaluable assistance and is absolutely essential to have at close call for the safety of our members and general public. Three of the Sub-branch members are qualified firefighters and numerous members hold first aid certificates with all having the expertise and training to utilise this equipment. Members and volunteers standing around a barbecue and assisting with its running find a great deal of social inclusion and camaraderie which is extremely important for veterans' mental health and well-being.				
CG00263	Hahndorf Town Band	Performing Marquee	During the year we perform at a variety of locations including outdoor events at Churches, Halls. Anzac Day services, Festivals and local street performances. Often the weather can impact our ability to perform year round so we are seeking funding for an all weather, durable 5x8m marquee which will be used by the band and rented to other local community organisations; CFS, Lions etc for their use. This will allow the band to perform outside more, therefore providing increased access to live music for the community and opportunities for younger members of the community to be exposed to live brass band music and potentially join the band.	\$2,000.00	\$3,000.00	Supported provided it is available for wider community use. If being branded it is to include Council's logo.	\$2,000.00

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for allocation	Amount Granted
CG00264	Friends of the Library, Mount Barker Incorporated	Media Lab program	<p>Taking on elements of a Media Lab at public Libraries, this program sees people engage in a range of areas like film making, photography, audio recordings and music composition. Aimed at people of all ages, they will be able to use equipment to bring a new project to life. For this grant, the finance is sought for film making and music composition equipment. Other items will be sought from elsewhere, later. Partners include State Library of South Australia and Lofty Radio assisting with sound/audio projects. People will be encouraged to participate via targeted events such as an Adelaide Fringe film competition and history activities during the South Australian History Festival. Media Lab programs and facilities will be freely accessible, enabling people who cannot afford such items to participate - excellent for out of school projects and school holiday programs.</p> <p>A video about film making: https://www.facebook.com/yourcommunitylibrary/videos/2063204890653228</p> <p>Broader media Lab photos: https://www.facebook.com/yourcommunitylibrary/photos/pcb.1095883454586138/1095882691252881/</p>	\$2,000.00	\$2,345.25	Support with the Library being in control of the equipment. Applicant to work with the Manager Customer Experience to run the programs.	\$2,000.00
CG00266	Mt Barker Scout Group	Getting Scouts Hiking!	<p>Camping and hiking are integral parts of the scouting experience, helping to build independence, teamwork, an appreciation of nature, physical and mental fitness, and building overall psychological health through experiencing tasks of varying difficulties with fellow members, which in turn builds emotional stability through, trust,</p>	\$1,400.00	\$2,038.00	Support and request to support local businesses.	\$1,000.00

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for allocation	Amount Granted
			<p>empathy, and self-confidence. A need was identified in 2020 to replace some of the older camping equipment, and provide equipment for overnight hiking trips since currently Scouts and Venturers have to provide their own equipment to participate. We wanted to ensure that all youth members could participate in these activities. We have already fundraised for a number of the items we require, and are asking the Mount Barker District Council Community Grant Program for funding towards the final items on the list - the 2 person hiking tents and hiking stoves.</p>				
CG00268	FC Summit Inc	FC Summit establishment program	<p>In October 2021 FC Summit gained full membership with the Anembo Park Sport and Recreation Association (APSRA). To fully establish our presence at Anembo Park and to develop the club further we require a certain amount of equipment to enable this to take place successfully. As we are only recently incorporated (2021) we are unable to access funding through the Office for Recreation and Sport at present. With new teams being developed for the 2022 season in both senior men's and juniors, this has become a necessity. In particular we need the following items:</p> <ul style="list-style-type: none"> - Line marking machine - Corner flags - Goal nets - Storage racks (for our storage shed at Anembo Park) <p>This will also allow us to work with and support other local clubs who have expressed interest in accessing the playing surface at</p>	\$3,915.00	\$4,072.70	Support to max grant funding amount.	\$2,500.00

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for allocation	Amount Granted
			Anembo Park (as per APSRA EOI process for use of top playing field).				
CG00271	Hahndorf Winter Lantern Festival Inc.	Hahndorf Winter Lantern Festival community workshop program	The community workshop program will be held over a seven-week period in the lead-up to the Hahndorf Winter Lantern Festival and parade which, in 2022, will be held on 27 August. Workshops are offered to local schools and to the broader community during the July school holidays and Saturday afternoons in August. We propose to run lantern workshops at Mt Barker Community Centre, Hahndorf Institute and Hahndorf Primary School children. The 2021 HWLF workshops were attended by over 225 children and often their parents. They created produced over 180 lanterns, and 5 local artists were employed as tutors. The Covid-safe Festival was attended by around 1900 people. We expect more numbers to participate during 2022 as Covid restrictions relax. We seek funding to insure we can offer free and /or subsidised workshops to the more disadvantaged in our community and to employ local artists. We will also run a youth	\$2,500.00	\$17,100.00	Support for part funding.	\$1,000.00

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for allocation	Amount Granted
			percussion workshop for performance at the festival. The workshops and lanterns develop self esteem and pride in the participants. It is wonderful to see parents and children work together to create lanterns in our public workshops. And then widespread joy as the lanterns are lit at dusk on our Festival day.				
CG00272	Littlehampton Community Association	Table and Chairs for Willow Park Littlehampton	3 sets of tables and seats settings to be placed around this lovely grassed area to enhance the grounds around our Entrance Statement and give tourists a place for a coffee stop with beautiful surrounds that Council have supplied for the Entrance to our town. We would like to include a printed plaque to acknowledge the Peramangk people.	\$2,500.00	\$2,500.00	Supported - applicant to work with Planning staff and use environment-ally sustainable materials.	\$2,500.00
CG00276	Wistow Cricket Club Incorporated	Access improvement - car park surfacing	We would like to resurface the car parking area which provides accessibility to the oval and it facilities, ultimately improving local sport participation and community experience. The current area is unsurfaced soil which is uneven and undulating. The project aims to level out and expand the existing space which is approximately 40 square meters. The area will be levelled and compacted with rubble to create a flat weather proof surface to increase accessibility, allow more car parking space and prevent dust/mud accumulation during windy/wet weather. A grant application of \$2,500 will cover the cover the majority of the	\$2,500.00	\$5,250.00	Support to max grant funding amount.	\$2,500.00

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for allocation	Amount Granted
			materials and the club will supply volunteer labour to complete the project.				

TOTAL MONEY ALLOCATED = \$34,651.50

b. Unsuccessful Community Grant Applications

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for refusal
CG00239	Adelaide and Hills Koala Rescue - 1300KOALAZ Inc	Koala Rescue Equipment	1300KOALAZ are seeking to have funded 4 x Unilite SLR-3000 Portable Rechargeable LED Site Lights. These are put on the side of the road when we are conducting night time rescues in areas without much street lighting. Adequate lighting is important for the safety of our rescuers as we don't want our Rescuers getting hit by passing motorists. We need to be able to see the koala to rescue them. It is much better for the rescuers to be able to place strong lighting on the ground rather than trying to control a 10 metre pole plus hold a torch whilst trying to rescue a stressed koala that has been injured or is sick. We also would like funded 2 carry bags to transport the koalas in. We can't just carry them in our arms they have to be securely and comfortably looked after during transportation.	\$1,257.00	\$1,382.70	Wider than the Mount Barker District Council area and applicant received a grant in the last round.

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for refusal
CG00240	Mount Barker Business Group - Adelaide Hills Rugby Union Club	MBBG Growth and Support Business Initiative	As we emerge out of COVID, it is vital to offer opportunities and support on a variety of levels to our members as business leaders. MBBG celebrates the diversity in the group, and would like to provide more development opportunities to ensure that engagement, recovery, compliance and output from our business community is paramount. Ensuring members are knowledgeable on how to support our local economy, supporting each other, and are encouraged to provide more local employment opportunities is essential. MBBG would like to offer members free educational seminar's, providing the opportunity to connect with others, assist with COVID compliance, and grow from experiences and ideas. MBBG aim to attract more members by expanding the network of membership expertise, supporting the wider business community. MBBG aim to do this by introducing well known key speakers for free, offering an element of diversity that would otherwise be unreachable to a singular business.	\$5,000.00	\$11,500.00	Request applicant speak with Council's Economic Development Project Manager for advice/support.

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for refusal
CG0024 7	Hahndorf Community Association Inc	Technological Support for Community Communication	<p>1.To enable HCA to communicate effectively & efficiently with all stakeholders, the Association requires new technology to facilitate a broad spectrum of communication. This includes a dedicated computer with current software and security, an efficient printer, and laminator.</p> <p>2.HCA's financial records and banking transactions are now done electronically and require robust security.</p> <p>3. The HCA Secretary is currently using their personal equipment -computer and printer - at their personal expense, as the HCA equipment is old, not secure, and faulty, and there are no printing facilities.</p> <p>4.This equipment is required to produce Agendas and Minutes of monthly Meetings, for email communication, Community Notices, contributions to Village Voice Community newsletter, and administering Facebook.</p> <p>5. The HCA are planning a web site in the near future to broaden our communication capabilities, therefore it requires a functioning, dedicated computer with appropriate software and security.</p>	\$2,344.00	\$3,844.00	No current surplus Council IT equipment to provide.

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for refusal
CG0025 1	Hills Community Options	Peddling for people with a disability	HCO run Day Options programs in Mount Barker, accessible to people living with a disability. The Programs include woodwork, art & craft, dance, gardening, cooking, health & wellbeing and community access to name a few. These programs are designed to provide opportunities to learn new skills, improve mobility & health, broaden experiences, stimulate senses, encourage healthy choices and improve fitness. We believe there is a real need for exercise equipment to be added to the facility and believe some Trikes and Exercise Bikes would be very beneficial, improve fitness levels, strength, balance, confidence and weight. The Trikes will also provide opportunities for Clients to explore the local area and bike tracks. We envisage increasing the number of Trikes (HCO funded) and having them available for use outside of the Day Options programs to other Clients.	\$2,190.00	\$2,190.00	Application doesn't appear to be for wider community use.
CG0025 2	Echunga Returned and Service League Sub Branch	Public Address System	We require a new working Public Address System for use during our numerous services held at the Echunga Memorial Gardens. The system we currently have in use is unsuitable as the attendees are unable to hear the service due to the poor quality of this system. We would normally have in attendance in a pre-Covid world ANZAC Day Dawn Service approximately 300 to 400 attendees. . We would like to purchase a Micro MA-708 Portable Wireless P. A. System from Derringers Music at Forestville. This will help us to build "A Connected Community"	\$1,000.00	\$2,099.00	Suggest to borrow one of Council's PA systems.

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for refusal
CG00254	Littlehampton Primary School	Peramangk Pride - look and find animals Vinyl Sign	Peramangk Pride - look and find vinyl sign. The project involves erecting a "Peramangk Pride - look and find" vinyl sign for the Littlehampton Primary Nature Play Space to acknowledge the Peramangk People on whose traditional lands the Nature Play Space stands. The school shares this area with local community and amongst the special features in the play space there are beautiful carvings of Australian animals native to the Adelaide Hills. We wish to acknowledge the Peramangk people as original custodians of the land and present "look and find" pictures of the native animal carvings located in the Nature Playground. Students under teacher guidance would respectfully consult and collaborate with Aboriginal Elders and advisors to incorporate Peramangk culture, language and knowledge. This project connects with the Council's guiding theme - community wellbeing specifically activity and movement, social connection, heritage, cultural expression and celebration to promote understanding and learning for our students and the wider community.	\$350.00	\$700.00	Application can be supported through the Reconciliation budget.

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for refusal
CG00256	Littlehampton Peace Memorial Hall	LPMH Main Hall Lighting upgrade	Upgrade the existing Main Hall fluoro lights suspended from the ceiling to provide more effective and versatile lighting to compliment the wide range of activities staged in this hall. The plan is to retrofit existing fluoro lights with wide-angle and dimmable LED hi-bay lights. In addition, to mitigate the safety risk raised by a number of different user groups, due to the ceiling fans being lower than the light fittings. Stroboscopic effect may trigger epilepsy and has caused distress to hall users. The existing fans (upgraded by MBDC during Main Hall painting works in recent years and gratefully received by LPMH Committee) will be raised at the same time as the new lights are fitted. Specialised safe-access equipment is required both from the floor and in the ceiling due to the ceiling height. This has escalated the project cost well past budget expectation.	\$2,500.00	\$6,200.00	Applicant has received grant funding in the last three round.
CG00262	Callington A & H Society Inc	Traffic Management at Callington Show	To enable the safety to patrons and volunteers we require a team of suitably trained support for traffic management to comply with Council traffic control regulations on Show day. Without this Traffic Management Team we would not have the trained personnel and equipment to be able to safely monitor and direct patrons and traffic to designated locations on Show day. We run an annual country family-oriented Show, which showcases our rural heritage and promotes a multicultural and youthful flavour. We provide a day full of family friendly entertainment and	\$2,200.00	\$42,804.00	Council currently runs Work Zone Traffic Management training to create capacity within the community e.g. Service Clubs

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for refusal
			provide open competitions to encourage everyone to showcase their arts/craft/cookery/plants/literature and more. There is also a range expo stalls and trade-sites along with live animal and music throughout the day. All of the Callington district benefits financially by working together on a successful event and encouraging others to visit our historical town.			
CG0026 5	Mount Barker Branch of the National Trust of South Australia	Mount Barker History Links	This project will place post-mounted QR Codes around the Mt Barker district at sites of historical interest. The Codes, which can be scanned with a smart phone, will be linked to a dedicated historical data base. The project is intended to promote public awareness and engagement with the heritage of the Mount Barker district, embracing both indigenous and settler histories. QR Codes are much cheaper than traditional signage. They can easily be replaced if they deteriorate or are damaged. They are not intrusive in the landscape, and they can be linked to related historical websites and/or visual media. Because their content is "virtual", it can easily be corrected or extended over time. Once the website has been established, additional Links can be installed with minimal financial outlay. The associated website can itself be expanded in the future to provide an accessible and user-friendly repository for historical information about the district.	\$4,390.00	\$4,570.00	The concept of the project was supported however appears to be part of a much larger project across the district and beyond which will need to be coordinated adequately.

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for refusal
CG0026 7	C3 Church Adelaide Hills	Hahndorf Christkindlmarkt Storage	Since we started the Hahndorf Christkindlmarkt in 2013 we have had storage gifted to us by a local business. With circumstances changing at the end of 2021 we are now in a position where we need to find a new storage facility for our facades, lighting, sound equipment and more that we use to put on the annual community event. We have space to build a custom shed on location at C3 Church in Hahndorf and have a quote from Mt Barker Steel to do so. The Hahndorf Christkindlmarkt has proven over the last 9 years to be a huge success in bringing the community together, and also further tourism into the area. Having our own shed onsite to keep our belongings will greatly benefit our budget going forward, and also our volunteers as it will cut back their time in set up and pack down of the event.	\$5,000.00	\$14,000.00	Refer to Council's Economic Development Project Manager for advice/support .
CG0026 9	Community Living Australia	Literacy & Numeracy Pilot Program - For People Living with a Disability	At Community Living Australia we recognize there is a gap in adult education for people living with a disability, and we want to assist, and support, our clients and other members of the community to close this gap. The Community Living Australia Adelaide Hills Day Options is seeking funding to support a Literacy and Numeracy Pilot Program to run over a 6 weeks next school term. The funding will support resources for the program to be implemented. A qualified teacher has been sought, who has developed the program to the appropriate standards for people living with a disability. The program will be flexible, to suit our clients needs	\$2,400.00	\$5,000.00	Application doesn't appear to be for wider community use.

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for refusal
			<p>and fit around care appointments, whilst being delivered in a fun, real-world teaching style applicable to a variety of skill levels. The development of the pilot program has been funded through fundraising activities of our Adelaide Hills Team, who have been dedicated in identifying the needs of our clients and community and finding resourceful solutions to support people living with a disability to achieve their life goals.</p>			
CG00270	Mount Barker Family House Inc	Upgrade Garden Beds at Brukunga Hall	<p>In 2021 the garden beds surrounding Brukunga Hall were cleared out as the plants were old and the garden beds looked untidy. The Brukunga community is now ready to work with Mount Barker Community Centre to plant the beds with new plants, giving the Hall a new and improved facade. We are seeking funding to purchase plants for around Brukunga Hall as well as offer some gardening workshops for the Brukunga Community to participate, learn and contribute to the gardening project.</p> <p>Through participation in the gardening project, Community Wellbeing will benefit through improved health and social connection. Brukunga township will be greener though planting more plants making the township greener and more attractive.</p>	\$2,000.00	\$2,000.00	Council to provide in kind support.

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for refusal
CG00274	Adelaide Hills Farmers Market Inc	Art through the seasons	4 artists will be asked to make an installation at the market on a Saturday morning. It is proposed that each artist will display the themes of the season locally in some form of community art and engage the market goers. It will be a celebration of local artistry and seasons in the Hills. They will be asked to install and dismantle within 4-5 hrs. The artists will be encouraged to use natural materials.	\$1,000.00	\$1,200.00	Application to be clearer on the outcome of the project.

c. Successful Environmental Grant Applications

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for allocation	Amount Granted
EG00039	Save Our Wildlife Foundation Inc	Wildlife rescue and care in Mount Barker	Save Our Wildlife Foundation Inc (SOWFI) provides a wildlife rescue service for native animals and birds throughout South Australia, with rescues conducted by trained SOWFI volunteers with appropriate DEW permits. Mount Barker is in the top 10 rescue suburbs, and we have done 128 rescues in the Mount Barker area alone in the last 18 months. When required, animals/birds are taken into care and raised and/or rehabilitated by DEW permitted SOWFI wildlife carers until they can be safely released back to the wild. As well as continuing to provide the wildlife rescue/care service throughout Mount Barker, SOWFI would like to provide a wildlife rescue/care service within the Larating Wetlands,	\$6,000.00	\$11,000.00	Supported partial funding.	\$2,500.00

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for allocation	Amount Granted
			and assist with monitoring the safety of native animals in the area. This requires the purchase of specific safety, monitoring and rescue equipment, as well as wildlife care supplies.				
EG00040	Hills Biodiversity Inc	Hills Biodiversity Trailer Fitout	Hills Biodiversity has need of an equipment trailer to safely store and transport the tools, materials and safety equipment that is needed for its tree planting , bush-caring and nursery work. Currently this equipment is stored at a volunteer's shed and needs to be packed/unpacked for each event. Having mobile storage will lessen amount of manual lifting. A second-hand trailer has been sourced that would suit our needs. However it needs re-painting, livery added, and shelves/tubs fitted. The trailer will also act to increase the visibility of the organisation to further build our volunteer base, and promote our presence in the community.	\$2,400.00	\$4,400.00	Supported	\$2,400.00
EG00042	Adelaide Hills Farmers Market Inc	Waste management from vendor to bin	Each week we run a community event and we have waste from that event. This project is about waste management signage from vendor to bins that allows the consumer to sort better when they go to the bins. We would like to make it specific to our products we have at the market	\$2,000.00	\$2,000.00	Support as a prototype with a view to be manufactured by the Men's Shed in future and roll out across the district	\$2,000.00

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for allocation	Amount Granted
			and have a waste management audit.				
EG00043	Nairne Creek Restoration - Stage 1	Nairne Creek Restoration - Exotic Tree Management	The Nairne Landcare Group are seeking funds towards exotic tree removal as part of Stage 1 watercourse restoration work on Nairne Creek. This is part of the long term project we have proposed to council (staff & at a council meeting). We plan to get a qualified contractor to undertake selective exotic tree removal, Willow and Hawthorn. We will undertake regular working bees throughout the year as in kind, targeting Blackberry, Gorse and other exotic vegetation and replacing the weeds with locally indigenous native plants. We recently did a letter drop to residents along the creek (near the upstream part - North Rd) and got a good response with a few interested people who wanted to learn more about what we are doing/ our ambitions for the site. As part of the grant (in-kind) we'll run a workshop for landholders who live along the creek on watercourse restoration, what to do and where and how we can work together to achieve more, based on similar content to a course delivered by the H&F Landscape Board at the moment. (As in-kind).	\$5,000.00	\$5,000.00	Money allocated for the development of a plan of the works to be undertaken and a maintenance schedule.	\$700.00

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for allocation	Amount Granted
			We plan to involve the community and the council in every aspect of this project.				
EG00044	Friends of Mount Barker Summit Conservation Reserve	Nest-box and Wildlife Monitoring Project	Provide a hands-on educational community workshop about the installation and ongoing maintenance of nest-boxes and wildlife cameras. Collect valuable ecological data while creating greater community understanding of local wildlife and habitat requirements.	\$2,388.47	\$2,388.47	Supported and request applicant supports local business if/where required.	\$2,400.00

TOTAL MONEY ALLOCATED = \$10,000.00

d. Unsuccessful Environmental Grant Applications

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for refusal
EG00037	Macclesfield Bushcare Group	Weed control for biodiversity protection in Macclesfield's reserves	Macclesfield's reserves contain areas of significant native vegetation and fauna habitat. Funding is sought for control of invasive weeds in Macclesfield's reserves including control of blackberry, gorse, broom, briar rose, ivy, ash and watsonia. Follow up weed control will be undertaken by volunteers in the Macclesfield Bushcare Group who have been caring for these areas for many years. Monitoring of the outcomes is undertaken through photo points and mapping of weed fronts to record changes over time. This work contributes to the regeneration of the native vegetation and enhancement of habitat for local fauna. These reserves provide a sanctuary for	\$2,000.00	\$2,000.00	Can support application via the Bushcare budget.

App ID	Applicant	Project Title	Brief Project Description	Total Amount Req'd	Total Project Cost	Reason for refusal
			wildlife, contain walking trails and are a significant asset to the town and the region.			
EG00038	Flaxley Landcare Group	Weed control to protect biodiversity in Flaxley reserves	Funding is sought for control of invasive weeds in the Water Reserve on Quarry Road, and the Trees for Life site on the Echunga Road in Flaxley including control of gorse, broom, watsonia, euryops, blackberry and briar rose. Follow up weed control will be undertaken by the volunteers in the Flaxley Landcare Group. Monitoring of the outcomes is undertaken through photo points. This work contributes to the protection of the native vegetation and enhancement of fauna habitat.	\$1,500.00	\$1,500.00	Can support application via the Bushcare budget.
EG00041	Hills Community Options	Solar System and Installation	HCO are seeking financial support towards a Solar System and installation to reduce electricity usage and costs for some vulnerable people living in Mount Barker	\$5,000.00	\$7,660.00	Not supported as benefit not for wider community.

2. That the balance of community grant funding be used to purchase defibrillators for the community.
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11.2 Summit Sport and Recreation Park (SSRP) Board – 13 April 2022

The recommendations of the Summit Sport and Recreation Park (SSRP) Board are provided below for consideration by Council:

- 11.2.1 MOTION WITHOUT NOTICE: BAR RENOVATION CONCEPT, MOUNT BARKER FOOTBALL CLUB DEPUTATION**
ATTACHMENTS: 1. DOC/22/48660 BAR RENOVATION PROPOSAL - DEPUTATION BY MOUNT BARKER FOOTBALL CLUB

Key Contact Greg Parker, Executive Officer to the SSRP Board

Manager/Sponsor Andrew Stuart, Chief Executive Officer

Recommendation

The SSRP Board recommends to Council acceptance of the offer of bar renovations, as proposed by the Mount Barker Football Club (MBFC), subject to the Executive Officer consulting the Hills Football League (HFL).

****Please see Council Officer Comments in relation to this recommendation.****

Executive Officer to the SSRP Board Comment:

The Board resolved this way following a deputation/presentation at the Board's 13 April 2022 meeting by the President of the Mt Barker Football Club, Mr Scott Filmer.

Board members' comments were strongly supportive of the project given the Board's view of the shortcomings of the kitchen/canteen servery space on the opposite side of the venue (AFL/cricket building).

The Board were also satisfied the proposed renovation could be implemented in a way that was sympathetic to the proposed audio/visual technology project.

I have received confirmation that the Hills Football League support the Board recommendation providing "*...an appropriate term in the sub-licence regarding fit out provisions and the ownership of items at the end of the licence, in circumstances where the MBFC is financing the improvements.*"

This caveat will be addressed in the sub-licence.

The MBFC have indicated that this building improvement will be a donation to the community from Pfitzner Furniture.

Any naming of the bar would need to be signed off by the SSRP Board as per the SSRP Sponsorship Policy.

Greg Parker
Executive Officer to the SSRP Board

Council Officer Comment:

The following commentary has regard to the Board's Terms of Reference, available on Council's website.

It is noted that this recommendation, arising from a Motion without Notice, was moved and voted on following a deputation and presentation from the Mount Barker Football Club. Motions without Notice are for simple matters with minor impact, or an urgent matter, or to call for a report to consider a more substantive matter. R12(5).

The subject of the deputation was an offer from Pfitzner Furniture to "design and fit out the renovation of the bar." The SSRP Board and/or its delegate, the Executive Officer to the Board, will now need to undertake due diligence and scoping with relevant stakeholders.

It will also need to be confirmed that the offer from Pfitzner Furniture includes providing for all expenditure required to complete the "renovation of the bar" including, but not limited to, construction, services relocation (electrical, audio visual, water and waste), planning and development compliance, health requirements, and floor treatments, etc.

It is understood that this project is endorsed by the Mount Barker Football Club, that accesses the facilities under the licence between the SSRP Board and the Hills Football League.

It is noted that MBFC does not currently have a sublicense from the Hills Football League to utilise the facility.

The licensee (Hills Football League) per the licence is permitted to make alterations to the building within the licenced area subject to Licensor (Council) written consent. No formal request has been received at this time.

Before any works are to proceed, Council will need to consider the broader purpose for utilisation of the facility. The deletion of this administration space would mean that there would be no formal lockable administrative space within the building; the impact of this change on other licencees and users will need to be considered.

It is recognised that additional bar service space may assist in delivering a commercial return to the Mount Barker Football Club.

If approved the “Renovated Bar” will need to be made available for use by all other users such as: external hirers, HFL, other licensees such as the Alexandra and Eastern Hills Cricket Association, etc.

There are many matters that remain unresolved with respect to full utilisation of the Premier Oval throughout the year. Further works are required by the Board to determine the long term optimal utilisation of this facility.

Noting that a Summit Sport and Recreation Park Sales and Marketing Plan is being developed currently by Martin Radcliffe (A Way With Words Business Services) this report, when finalised, will also include recommendations that will need to be considered to maximise the use of the facilities.

It is recommended that instead of moving the motion as presented from the Board, the following recommendation be considered by Council:

**** COUNCIL OFFICER RECOMMENDATION**

A report be prepared by Council officers for the SSRP Board’s next meeting that will examine the offer presented by the Mount Barker Football Club to renovate the bar, which was the subject of a deputation made to the SSRP Board at its 13 April 2022 meeting by the Mount Barker Football Club’s representative, to ensure that all relevant considerations have been taken into account by the SSRP Board and that all licensees of the facility have been formally consulted.

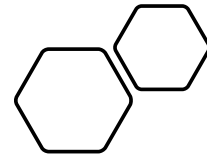
Alex Oulianoff
General Manager, Corporate Services

The intent of the improvement is supported from an asset/infrastructure perspective.

If approved by Council (as Licensor and landlord) this will be a Licensee/sub-licensee improvement project funded and managed by those parties. Council’s Infrastructure Department would provide a project oversight resource for design review, project milestone sign-off and approval and handover at end of project – under the terms of the licence agreement. The Development Assessment team would ensure building fire safety, etc. is maintained.

Phil Burton
General Manager, Infrastructure

Attachment 1 to item 11.2.1



We
create
community

MOUNT BARKER FOOTBALL CLUB
BARKEROOS
Community Football Club of Choice

SPARC Club Rooms' Bar Renovation

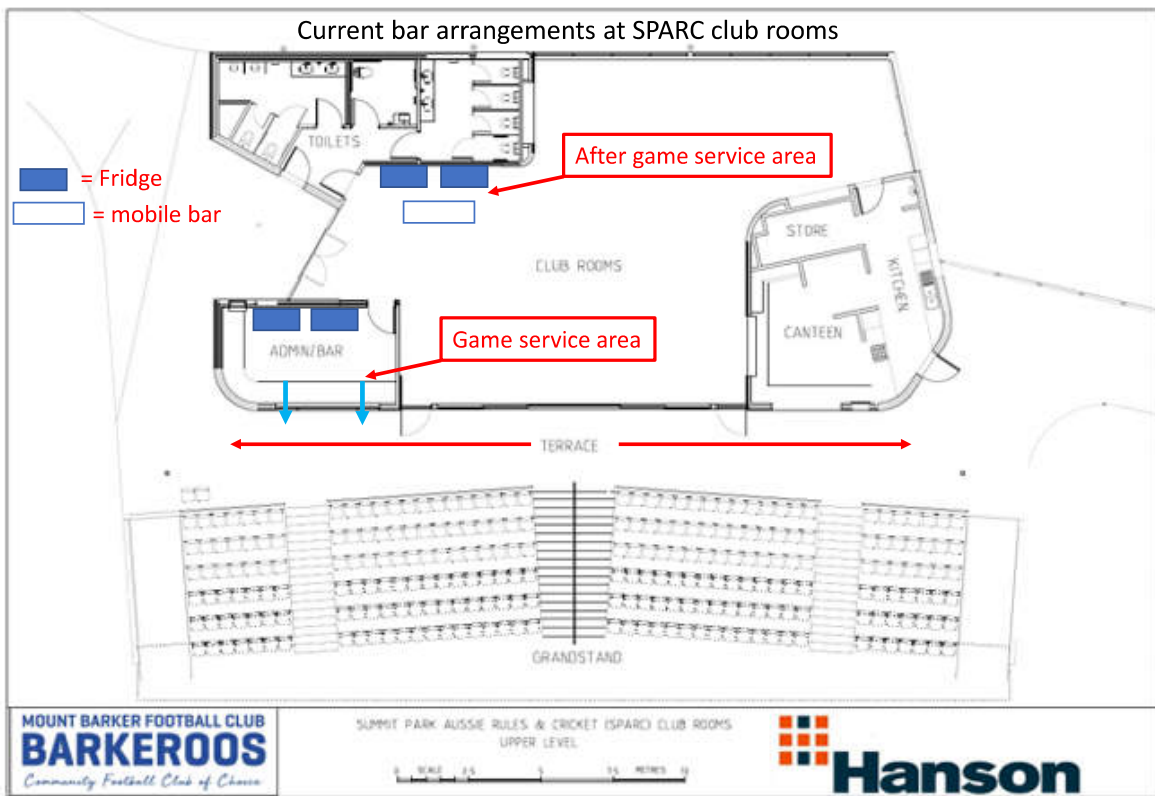
SPARC club rooms' design did not include a bar facility for alcohol sales.

Good Sports & MBFC policy is to not serve alcohol from canteen where minors purchase goods and volunteer.

MBFC has been utilising the unused officials' room as the Game Day bar.

Service during games has been from this room externally through small slide up windows to the terrace (blue arrows next slide).

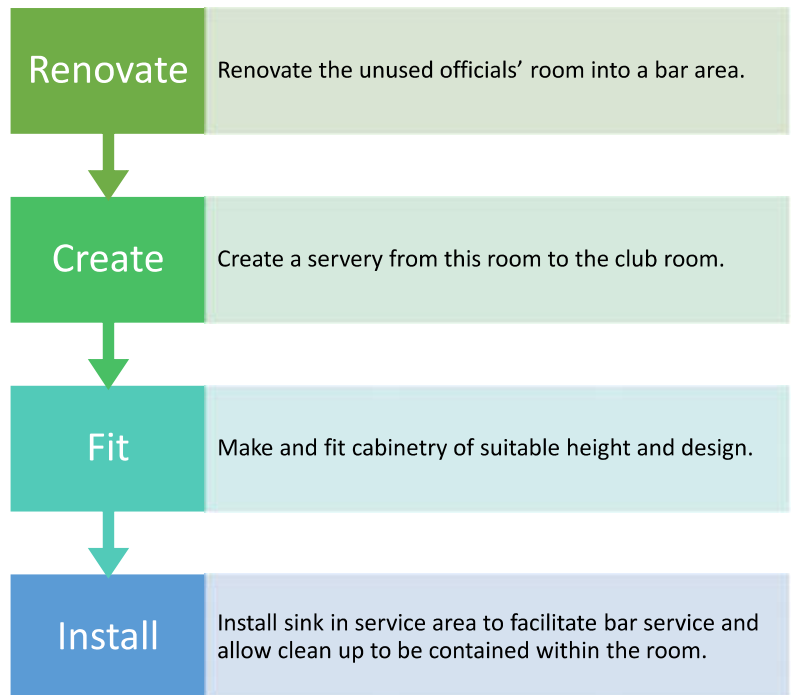
Service after games has been by moving fridges out of the room and setting up a temporary bar in the club rooms.

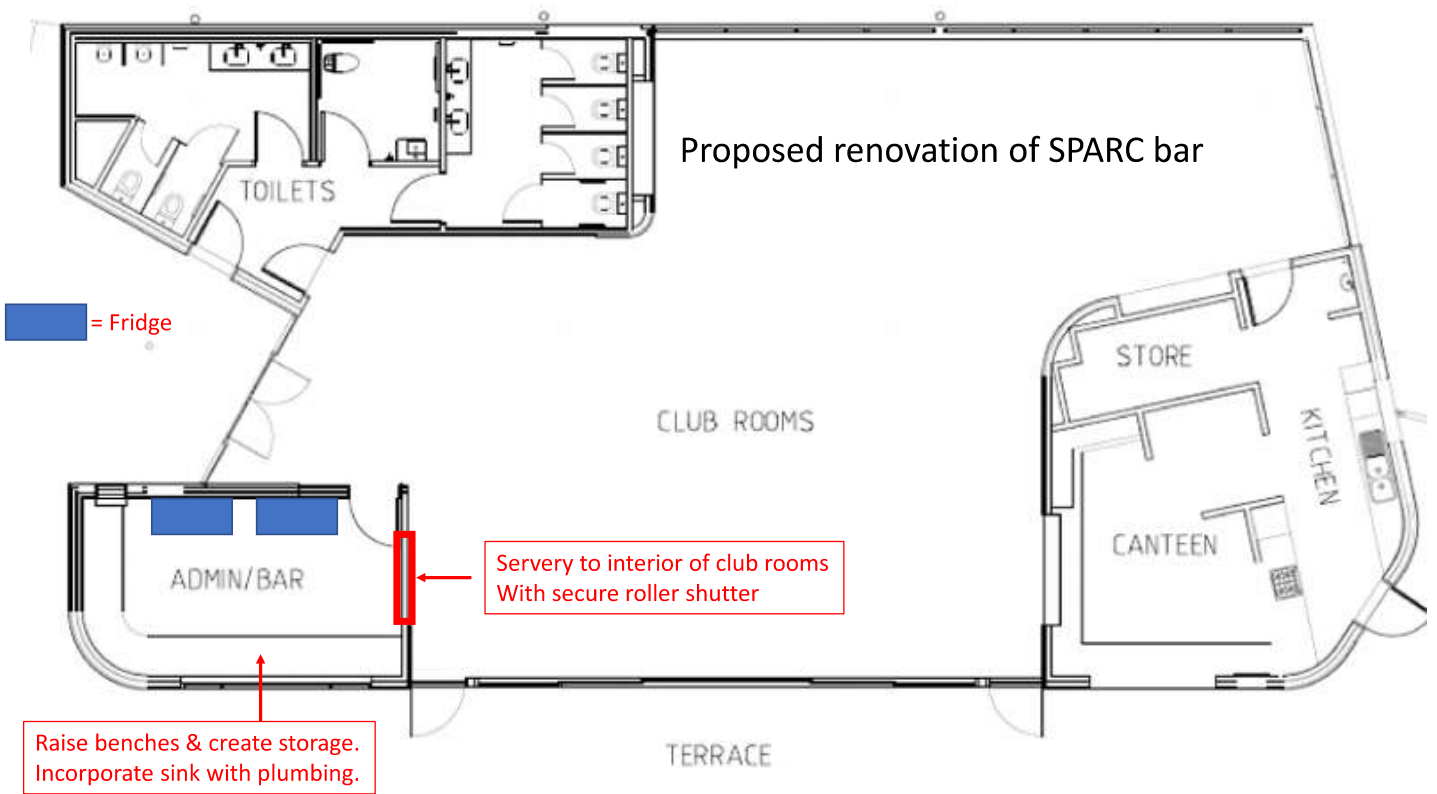


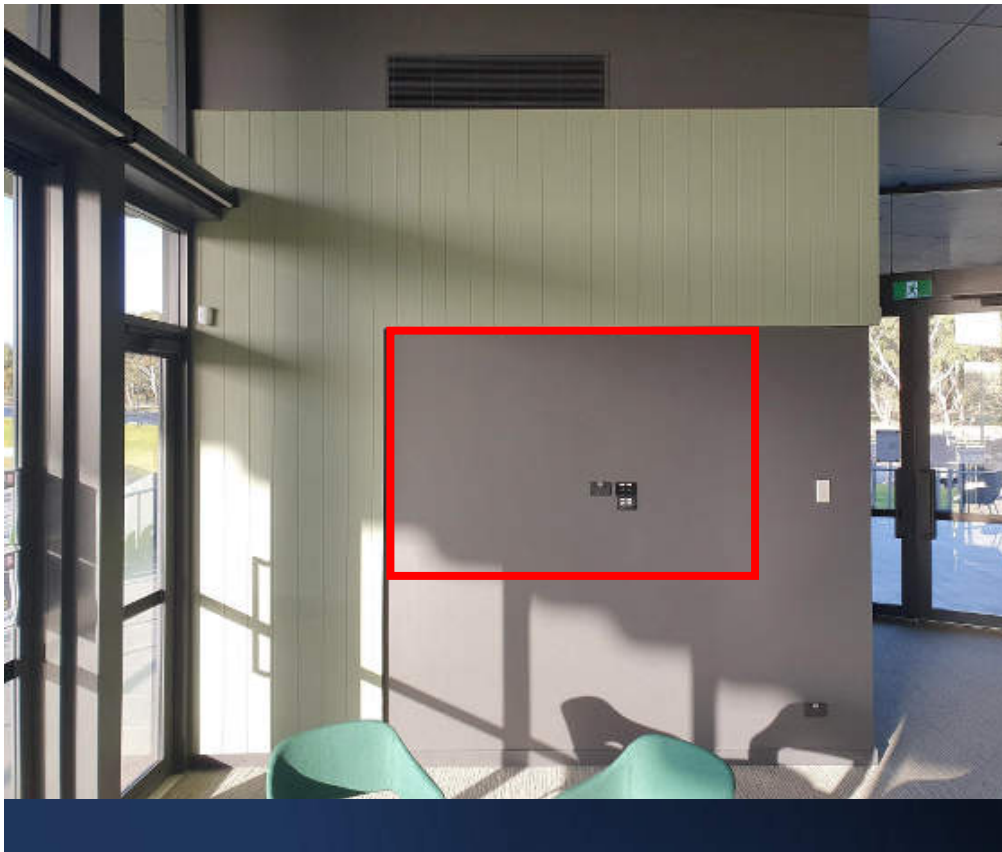
Proposed renovation

It is proposed that the current officials' room is renovated into a fit for purpose bar.

This would include...







Proposed servery from club room

- Servery created in wall.
- Security roller door to match that of canteen.
- Services to be relocated.
- AV design considered and this does not encroach.
- Looking to implement asap.



Proposed servery from bar

- Height and size dependent on secure roller door specs.
- Door configuration to be considered.
- Note current height of bench too low. This can be raised to window height.

Advantages

A more secure, more controlled bar area.

Safer for volunteers and users.

No requirement to move heavy fridges.

Enables access to interior and exterior service at the same time.

Creates a better patron experience.

Provides flexibility to the SPARC club rooms' catering.

Adds capacity to the SPARC club rooms' catering.

Room can be utilised for other customer service options

Opportunity

Andrew Pfitzner director of Pfitzner Furniture has offered to design and fit out the renovation of the bar.

A long established local business that represents quality and community participation.

This would be a gift to the community.

In return they would like to have the Pfitzner name given to the bar.

Andrew is a life member of the MBFC, his father was a president of the MBFC and he has a son that plays for the MBFC.

Andrew realises this is a gift to the whole community.

This is an opportunity to create private/public funding agreement for the improvement of community assets.

How can this proceed?

Can the DC of Mt Barker and SSRB allow this project to proceed?

Can details of how this project can progress be supplied so the MBFC can confidently go to Pfitzner Furniture and engage them for design and project details?

What timeline could be expected?

The completion of this project would provide an immediate ability for user groups to increase revenue to help meet usage costs of the SSRP charged by the DC of Mt Barker.

11.2.2 **REPORT TITLE:** **DRAFT 2022/23 SSRP ANNUAL BUSINESS PLAN**
FILE NUMBER: **DOC/22/36324**
ATTACHMENTS: **1. DOC/22/35499 DRAFT 2022/23 SSRP ANNUAL BUSINESS PLAN**

Key Contact Greg Parker, Executive Officer to the SSRP Board

Manager/Sponsor Andrew Stuart, Chief Executive Officer

Recommendations

That Council:

1. Note that the Summit Sport and Recreation Park Board endorsed the draft 2022/23 Summit Sport and Recreation Park Annual Business Plan (ABP) (Attachment 1).
2. Note the SSRP Board authorised the Executive Officer to make any amendments to the draft 2022/23 ABP as agreed at the meeting and forward those changes to Council for its approval.

Executive Officer to the SSRP Board Comment:

The Board arrived at the above recommendations following a Board workshop on its annual business plan on 17 March 2022.

The draft 2022/23 SSRP annual business plan can now be paired with the draft 2022/23 SSRP budget previously noted by Council at its 7 March 2022 meeting.

It should also be noted that the Board's recommendations emanating from the draft SSRP Sales and Marketing Plan (consultant's report) may further influence the draft 2022/23 ABP and budget for the SSRP. Those recommendations will be presented to the June Council meeting for consideration.

Greg Parker
Executive Officer to the SSRP Board

Council Officer Comment:

The ABP is consistent with the board endorsed draft budget that has revenue targets of \$40k for casual hirers and \$50k for events income. It could be enhanced by noting that there is a budgeted sponsorship revenue figure of \$10k included in the 2022/23 budget.

It is noted that a report to facilitate development of a Commercial Strategy (inclusive of a Sales and Marketing Plan) from A Way With Words (AWWW) Consulting is being finalised. This will assist the SSRP Board on achieving its operations budget.

The timing of acceptance and implementation of the recommendations may result in a need for changes to be adopted at Budget Reviews and may also mean that the impacts are not fully realised in 2022/23.

Alex Oulianoff
General Manager, Corporate Services

Attachment 1 to Item 11.2.2

Attachment 1 - DOC/22/35499

Summit Sport and Recreation Park Board - Draft Annual Business Plan 2022/23

Board Workshop 17 March 2022

Objectives	How will we measure? (KPI)	Target
To maximise participation of the facility in a sustainable manner.	Measure/capture baseline data on: <ul style="list-style-type: none"> Contracted (licencee/sub-licencee) hours – data from contracts Casual Hire Events Unused 	At least maintain Licensee/sub-licensee hours Increase casual/community hours Increase event hours Budget revenue targets \$40k target (casual) \$50k target (events)
To meet budget (as approved by Council) and to seek to minimise cost.	To meet the budget	+/- 5%
To set the strategic direction and govern the operational management of the SSRP facilities in order to meet the key objectives of the SSRP as set out by Council in the adopted Business Strategy and the Operating and Governance Model	3 year-rolling business plan developed Bi-monthly (or quarterly) Board meetings held.	To be developed post outcomes of recommendations of Sales and Marketing consultancy. As per meeting schedule.
To be responsible for the establishment and subsequent review of management and lease/licence agreements with SSRP users	Licences signed in 2021. Conduct annual review of licence (contract) performance, by 30 June each year.	EO to prepare a review summary to present to the Board for June meeting.
To develop a commercial approach for the SSRP to maximise returns including:-	To establish a baseline for commercial arrangements with a view to meeting budget. To employ/contract marketing resource to develop a sales and marketing plan; which includes an events strategy and hiring strategy.	Commercial Strategy approved. Consultant engaged February 2022. To endorse the 'Sales and Marketing Plan' (aka Commercial Strategy)
The Board will establish a User Sub-Committee to be known as the Regional Sports Hub User Sub-Committee (Sub-Committee).	Sub-Committee meetings held.	Quarterly
Functions and Responsibilities		
Direct the preparation of policies necessary to govern the RSH facilities for Council approval.	To develop and have approved a hiring policy.	By 30 April 2022

Present a draft annual business plan and budget, including proposed commercial undertakings and key performance indicators, by 30 March each year for Council approval.	To provide a draft ABP and budget to Council.	By 30 April 2022
Prepare and present a draft 3 year rolling business plan for Council approval.	To develop and provide 3 year rolling plan to Council.	By 30 April 2022
To develop a diversity/usage/participation profile.	Considered by Board	
Reporting		
The Board shall provide quarterly reports to Council summarising the financial and operational position against the annual business plan key performance indicators.	To report to Council.	Quarterly
The Board shall provide an annual report to Council by no later than 31 October each year which will also include whether the Board believes changes are required to the Terms of Reference.	To provide an Annual Report to Council.	By November Council meeting.

11.2.3	REPORT TITLE:	BOARD GOVERNANCE CALENDAR
	FILE NUMBER:	DOC/22/20777
	ATTACHMENTS:	1. DOC/22/34033 SSRP BOARD GOVERNANCE CALENDAR
	<u>Key Contact</u>	Matt Black, Administration Officer Community Services
	<u>Manager/Sponsor</u>	Greg Parker, Executive Officer to the SSRP Board

Recommendation

That Council note the SSRP Board's adoption of the governance calendar with the additions of the Council elections in November and minor formatting changes.

Executive Officer to the SSRP Board Comment:

The Board requested a means of following governance responsibilities and timeframes in the form of a governance calendar.

The Board's Terms of Reference was the key document used to develop the governance calendar.

Greg Parker
Executive Officer to the SSRP Board

Council Officer Comment:

The Risk and Governance Officer was consulted in the preparation of the SSRP Board's governance calendar.

Sue Miller
Risk & Governance Officer



SSRP Board Governance Calendar 2022/23

2022

Date	Meeting	Purpose
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FEBRUARY:

23 February	SSRP Board	Draft 22/23 Budget
		21/22 2 nd Quarter review

MARCH:

17 March	SSRP Board Workshop	Draft Annual Budget and Business Plan 2022/2023 <ul style="list-style-type: none"> - Fees and Charges discussion - Commercial undertakings and KPI - Budget and 3-year rolling business plan due to be considered by Council
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APRIL:

6 April	SSRP Sub-Committee	Meeting
13 April	SSRP Board	Draft Annual Business Plan 2022/2023
		Draft Fees and Charges 2022/2023
		Consider any recommendations from Sub-Committee (if any)

MAY:

25 May	SSRP Sub-Committee	Meeting
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JUNE:

6 June		Council approves Fees and Charges
8 June	SSRP Board	Board Meeting; 21/22 3rd Quarter Review

JULY:

4 July		Council Approves Budget
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AUGUST:

10 August	SSRP Board	Board Meeting
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SEPTEMBER:

1 September		Cricket Licensee Usage Report Due
14 September		Board Workshop - to discuss draft Annual Report and Terms of Reference Note: The EO recommends the Terms of Reference Clause 6.2 be amended to read "The Board shall prepare an annual report for Council consideration by no later than Council's November meeting....."

21 September	SSRP Sub-Committee	Meeting
30 September		Annual Report including proposed Board changes to ToR due

OCTOBER:

12 October	SSRP Board	Board Meeting - 21/22 Annual Report and Terms of Reference Review
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NOVEMBER:

Council Elections

7 November		Council Meeting - SSRP Annual Report and Terms of Reference; Independent Member Recruitment Process
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DECEMBER:

7 December	SSRP Sub-Committee	Meeting
14 December	SSRP Board	Board Meeting: 22/23 First Quarter Review

2023

Date	Meeting	Purpose
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FEBRUARY:

Iain Evans and Paul Brown appointed to February 2023.

8 February		Board ABP & Budget Workshop: include Fees and Charges discussion
22 February	SSRP Board	Board Meeting: draft 23/24 Budget; 22/23 2nd Quarter review

MARCH:

1 March		Football Licensee Usage reports due
22 March		Sub-Committee Meeting

APRIL:

12 April	SSRP Board	Board Meeting: Draft 23/24 Fees and Charges; draft 23/24 ABP & Budget;
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MAY:

25 May	SSRP Sub-Committee	Meeting
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JUNE:

5 June		Council approves Fees and Charges
24 May	SSRP Board	Board Meeting; 22/23 3rd Quarter Review

11.3 AUDIT AND RISK COMMITTEE – 21 APRIL 2022

The recommendations of the Audit and Risk Committee are provided below for consideration by Council:

11.3.1 **REPORT TITLE:** **NEW POLICY – DRAFT ANNUAL SERVICE CHARGES FOR WASTEWATER POLICY**
 FILE NUMBER: **DOC/22/24053**
 ATTACHMENTS: **DOC/22/7100 DRAFT ANNUAL SERVICE CHARGES FOR WASTEWATER POLICY**

Recommendation

That Council adopt the draft Annual Service Charges for Wastewater Policy (attached in the agenda).



TITLE: ANNUAL SERVICE CHARGES FOR WASTEWATER POLICY

1. PURPOSE

To provide the basis for the determination by Council of the Annual Service Charges for the Mount Barker District Council Wastewater Service, both sewer and community wastewater management systems (CWMS) .

2. SCOPE

This Policy is applicable to the owners/ratepayers of any property that has access to the Wastewater Service.

3. POLICY PRINCIPLES – OUR COMMITMENT

Annual Service Charges for the Wastewater Service:

- are administered in a fair, transparent and consistent manner to ensure there is adequate funding to maintain, operate and renew the Wastewater Service ;
- provides for the whole of life approach to the Wastewater Service which includes planned future operation and maintenance costs, capital renewal and upgrading (excluding for additional capacity), including the cost of capital and the assessment of risk;
- are the subject of community consultation via the Rating Policy within the Council Annual Business Plan process;
- are included on the Council rates notice issued to each property owner/ratepayer and
- have regard to the Essential Services Commission of SA (ESCOSA) price principles, the National Water Initiative (NWI), Costing Principles for Local Government) and the National Competition Policy.

4. DEFINITIONS

Community Wastewater Management Scheme (CWMS) means any septic tank effluent drainage system or scheme provided or made available by Council for the collection, treatment, storage, distribution and disposal (including by sale of recycled water) of effluent.

Mount Barker District Council Wastewater Service means the Council owned and operated Wastewater Service.

Operation and Maintenance means regular ongoing day-to-day maintenance work and operational activities necessary to keep a CWMS or Sewer Scheme

operating efficiently. Examples: pipe cleaning, treatment of wastewater including electricity and chemical charges.

Septic Tank refers to a concrete, brick or plastic tank located between the last wastewater fixture within a residential or commercial premises and the Council CWMS connection point and is used to provide sufficient time for the biological breakdown of solid materials.

Service Charges refers to a charge imposed by Council for the provision of a prescribed service under Section 155(1) of the Local Government Act 1999.

Sewer Scheme means any system or scheme provided or made available by Council for the collection, treatment storage, distribution and disposal (including by sale of recycled water) of sewage. A Sewer Scheme excludes a septic tank effluent drainage scheme but may include tankering services as an interim measure.

Wastewater Service means the collection, treatment, storage, distribution and disposal (including by sale of recycled water) of effluent or sewage respectively, via a Community Wastewater Management Scheme or Sewer Scheme.

5. ROLES & RESPONSIBILITIES

Council:

- Consider and adopt the Policy;
- Annually review and determine the amounts of the Wastewater Service Charges.

Chief Executive Officer:

- Ensure that there are appropriate resources and systems in place to implement this Policy;
- Consider any unique circumstances to vary the amount of the service charge and to report annually to Council if any are varied.

Head of Wastewater

- Implement this Policy;
- Determine the equivalent number of connections for land uses that are other than traditional residential;
- Ensure that the Wastewater Service Charges have regard to and are considered to be compliant with ESCOSA Pricing Principles, National Water Initiative Pricing Principles and National Competition Policy;
- Monitor the effectiveness of this Policy and recommend required changes to ensure the Policy remains effective;
- Regularly report to ESCOSA and other regulators as required;
- Consider any unique circumstances to vary the amount of the service charge and to report annually to Council if any are varied.

Manager Financial Services

- Ensure that the Wastewater Maintenance Reserve is adjusted as at 30 June each year in accordance with this policy;
- Meet all legislative requirements for the accounting for funds raised by the Wastewater Service Charges to the satisfaction of internal and external audit.

6. POLICY STATEMENT

The Mount Barker District Council Wastewater Service treats wastewater from septic tank effluent (CWMS) within various townships in addition to those areas that have a Sewer Scheme. Population growth within the District has increased the amount of sewage and effluent requiring treatment.

The wastewater treatment plants at Mount Barker and Meadows and the associated pipeline and pumping infrastructure require ongoing maintenance and upgrades as do the lagoons located at Echunga, Macclesfield and Nairne. Laratinga Wetlands also provides treatment (final polishing) of treated wastewater which will continue until the stage 1 upgrade of the Mount Barker wastewater treatment plant is completed.

The CWMS service includes the pump out of septic tanks which are connected to a Council system at each property on a 5 year interval.

The funding of the provision of the Wastewater Service is via an Annual Wastewater Service charge to each property owner, to recover the cost to Council of, operating, maintaining and replacing wastewater infrastructure.

The wastewater Service Charge is imposed on land owners where access to the Wastewater Service is available, whether the property is connected to the Wastewater Service or not.

The Annual Wastewater Service charge is calculated in proportion to the number of connections for specific land uses as follows:

- residential dwellings – being a single household occupancy whether a flat, unit, semi-detached, row cottage or separate dwelling occupied or vacant;
- other land uses – e.g. retirement village, aged care complex, school, church, commercial, industrial, motel (the demand on the Wastewater Service is the key consideration in these circumstances). For such land uses, Service Charges are based on considerations such as the number of employees, beds, students etc as per the Local Government Association of South Australia Code for Establishing and Applying Property Units as a Factor for the Imposition of Annual Service Charges for Community Wastewater Management Systems.

The amount of all Annual Service Charges are reviewed annually and included in the Rating Policy within Council's Annual Business Plan. The Wastewater Service Charges are informed by the long term financial modelling for wastewater undertaken and reviewed annually by Council to aid in achieving full cost recovery.

Any surplus revenue from Wastewater Service Charges raised for the specific purpose of establishing, operating, maintaining, improving and replacing (including any future capital works and depreciation of assets) as per section 155 of the Local Government Act 1999, LGA Costing Principles for Local Government and ESCOSA principles will be included in adjustments to the Wastewater Maintenance Reserve as at 30 June of each year.

Transition Arrangements for Brukunga Residents

Residents of Brukunga have had a Sewer Scheme since the mid 1950's but have paid the same amount as customers who had a CWMS service. In recent years a Sewer Scheme which currently has a higher service charge than the CWMS service, was introduced in the Mount Barker township, while residents in Brukunga were not subjected to this increased service charge through the introduction of a rebate.

This inequity will be managed by introducing a transitional period of a minimum of 10 years to allow for a slight increase in the wastewater Service Charge each year for Brukunga residents until equity in the sewer Service Charge with other ratepayers is achieved.

Compliance

The Annual Wastewater Service Charges comply with the relevant legislation, the Essential Services Commission of SA price determinations, the National Water Initiative and National Competition Policy.

Consultation

The Council's Annual Business Plan is available for community consultation with feedback considered by Council prior to adoption of the Annual Wastewater Service Charges which is normally in July.

7. TRAINING / EDUCATION

Staff involved in the application of this new Policy will be provided with training to ensure that the correct and consistent application of the Policy occurs.

8. REVIEW

This Policy will be reviewed:

- In 12 months and then every three years; or
- the frequency dictated in legislation, or
- earlier in the event of changes to legislation or related Policies and Procedures or ;
- if deemed necessary by the Head of Wastewater .

9. ACCESS TO THE POLICY

The Policy is available on the Council's website www.mountbarker.sa.gov.au.
A copy can be provided on payment of a fixed fee.

10. FURTHER INFORMATION

For further information on this Policy, please contact:

Title: Head of Wastewater

Address: PO Box 54, Mount Barker
South Australia, SA, 5251

Telephone: 83917200

Email: council@mountbarker.sa.gov.au

REFERENCE NUMBER	DOC/22/7100		
PREVIOUS DOCUMENT NUMBER:	N/A		
INTERNAL GOVERNANCE:			
Author	Ros McDougall	Risk & Governance Officer – Projects	4 January 2022
Responsible General Manager:	Brian Clancey	Deputy CEO/GM Governance, Strategic Projects and Wastewater/Recycled Water	February 2022 7 April 2022
Reviewed by CEO	Andrew Stuart		23 February 2022
REVIEWED BY CGG			23 February 2022
REVIEWED BY ARC			21 April 2022
APPROVED BY (DOCUMENT OWNER):	Council		
COUNCIL	[meeting minute #]		2 May 2022
APPLICABLE LEGISLATION AND RELATED DOCUMENTS:	Local Government Act 1999 and Regulations Water Industry Act 2012		
COMMUNITY PLAN 2020-2035 REFERENCE:	<p>Ecological Sustainability: Clean and abundant water 5.1: Continue to build on Council’s reputation as a leader in wastewater management and promote recycling and reuse</p> <p>Community Wellbeing Safety and Resilience 4.4 Provide wastewater treatment services to deliver public health, environmental and economic outcomes and climate change adaptation solutions.</p>		
REVIEW CYCLE	<p>As this is a new policy, a review will be undertaken within 12 months but no later than April 2023</p> <p>Review within 12 months of new Council term</p> <p>It is recognised that from time to time circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a State or Federal Department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of Council (if statutory) or the Chief Executive Officer (if administrative).</p>		

NEXT REVIEW DATE	April 2023		
DOCUMENT HISTORY:			
DOCUMENT VERSION	DATE	AUTHOR (PERSON TO WHOM CHANGES ARE TO BE RECOMMENDED)	NATURE OF CHANGE
VERSION 1.0	January 2022	Ros McDougall	New policy
VERSION 2.0	February 2022	Ros McDougall	Correction to a definition and correction to responsibility of Manager Finance
VERSION 3	March/April 2022	Ros McDougall	Additions provided by wastewater staff and CGG
DOCUMENT LOCATION:	Council website [publication date] Available for inspection, downloading or printing from our website www.mountbarker.sa.gov.au		
	A copy can be provided on payment of a fixed fee.		

11.3.2 **REPORT TITLE:** **APPOINTMENT OF EXTERNAL AUDITOR**
FILE NUMBER: **DOC/22/23097**
ATTACHMENTS: **NIL**

Recommendation

That Council:

- a) award contract 2020/102 as Council's External Auditor to Bentleys SA for the five year period Financial year 2022 – 2026 (inclusive) for the lump sum of \$ 136,768 ex GST; and
 - b) authorises the Chief Executive Officer to execute contract documents between Council and Bentleys SA .
-

12. REPORTS

12.1	REPORT TITLE:	BUDGET REVIEW AS AT 31 MARCH 2022 AND QUARTERLY REPORT 3 – CAPITAL WORKS PROGRAM 2021/22
	DATE OF MEETING:	2 MAY 2022
	FILE NUMBER:	DOC/22/45217
	ATTACHMENTS	DOC/22/47938 BUDGET REVIEW 3 STATEMENTS FOR THE YEAR ENDING 30 JUNE 2022 AS AT 31 MARCH 2022
	<u>Key Contact</u>	Steven Ireland, Manager Financial Services, Corporate Services Martin Waddington, Manager Infrastructure Delivery, Infrastructure
	<u>Manager/Sponsor</u>	Alexander Oulianoff, General Manager Corporate Services, Corporate Services Phil Burton, General Manager Infrastructure, Infrastructure

Mount Barker 2020-2035 – Community Plan:

Leadership and Good Governance

LGG Strategy 1.5 – Demonstrate accountability through clear, relevant and easily accessible policies, corporate reporting and legislative compliance.

LGG Strategy 1.8 – Maintain organisational and budget capacity for project delivery and effective and efficient programs and services.

Annual Business Plan 2021/2022:

Impact as included in report.

Purpose:

- **Budget Review** - The purpose of the budget review as at 31 March 2022 is to provide Council, the community and other interested parties, a record of the budgeted financial activities and the financial position of the Council (including Wastewater and Recycled Water), compared to the budget review 2 budget for the year ending 30 June 2022.
- **Capital Works Program Update** - To provide an update on the approved 2021/22 Capital Works Program at the end of Quarter 3 2021/22.

Summary – Key Issues:

The capital works program update is as follows:

- **Program Overview** – The original 2021 /2022 capital works program consists of 108 projects and programs with an approved budget of \$43,689k. Following Council adoption of Budget Review 2 in February 2022 this amount has decreased to \$29,482k.
- **Quarter 3** - \$10,511k has been spent year to date, against a year to date Budget Review 2 of \$17,942k.
- **Completed Projects** - 24 projects have been completed (practical completion) at the end of the third quarter of 2021/22.

Budget Review 3 reflects the following changes:

- **Operating Result** – The operating result at Budget Review 3 is a favourable variance of \$966k compared to Budget Review 2, following adjustments to reflect actual performance to date and the expected impact on the full year forecast.
- **Capital Works Program Review** – A \$6,044k decrease in budgeted capital expenditure to reflect the timing of key programs based on project requirements, procurement activities, partnerships, grant agreements, grant submission outcomes and other recommended changes.

Recommendation:

That Council adopts the attached revised budget for the year ending 30 June 2022 as at 31 March 2022 (Budget Review 3).

Background:

1. Following review of Council and Executive reporting the decision was taken to combine the Budget Review and Capital Works reports so that the information can be considered together to provide the following:
 - **Capital Works Program Update** – An update on the progress/status of the capital works program in terms of what has been completed, what has progressed and how this compares to target and the delivery status of capital works for the rest of the year. This will provide further insight into the changes made at the budget review.
 - **Budget Review** – Includes the financial changes that have made to operating and the capital works budgets (both expenditure and revenue).
2. **Budget** - The budget was adopted by Council in July 2021 and the capital works program budget was subsequently updated for capital carry forwards at the financial year-end at the Council meeting in September and further updated as at the end of September 2021 at the November Council meeting and as at the end of December 2021 at the February Council meeting (as detailed below):

\$'000	Adopted Budget	Capital Budget		
		Including Carry Forwards	Budget Review 1	Budget Review 2
Council Meeting	July 2021	September 2021	November 2021	February 2022
Operating Surplus before capital revenue	4,900	4,900	3,846	3,687
Capital revenue for new/upgraded assets	7,396	7,396	8,257	7,743
Capital expenditure	37,701	43,689	32,444	29,482
Net (borrowing)	(13,551)	(19,540)	(7,913)	(5,434)

3. **Capital Works Program** - The capital works program consists primarily of planned infrastructure works, both new and renewal, that deliver on the strategic objectives outlined in the Mount Barker 2020-2035 Community Plan.

Discussion:

1. **Year To Date Financial Performance** - The operating result as at 31 March 2022 before capital revenue is an operating surplus of \$4,653k, capital expenditure of \$23,437k and net cash on hand being \$1,577k.
2. **Budget Review 3** - This report reflects performance to the third quarter of the financial year and includes an update of operating revenue and expenditure, and changes to the budgeted capital revenue and expenditure for the financial year.

Draft Budget Review Statement of Uniform Presentation of Finances;

3. A summary of the draft budget for the end of the financial year as a result of Budget Review 3 is now forecast to be as follows;

\$'000	Budget Review 2	Budget Review 3	Variance
Operating Surplus before capital revenue	3,687	4,653	966
Capital revenue for new/upgraded assets	6,423	6,423	0
Capital expenditure	29,482	23,437	6,045
Net (borrowing)	(5,434)	1,577	7,011

4. **The major variances contributing to the movements are as follows:**

Operating Revenue – \$553k or 0.97% higher than Budget Review 2 (favourable variance) – Summarised as follows:

- **Rates Revenue \$120k higher than Budget Review 2 (favourable variance).**
Including the following significant variances:
 - i. General rate rebates lower than budgeted \$120k (favourable variance).
- **Statutory Charges \$20k lower than Budget Review 2 (unfavourable variance).** Including the following significant variances:
 - i. Reduction in Cat Registration fees of \$20k due to less than budgeted registrations.
- **User Charges \$312k higher than Budget Review 2 (favourable variance)** – Including the following significant variances:
 - i. Additional Tourist Park revenue of \$200k (favourable variance) due to increased visitation.

- ii. Additional Windmill Hill Transfer Station revenue of \$140k (favourable variance) due to increased community utilisation and mulch sales.
- iii. Reduced SSRP rental income of \$28k (unfavourable variance) due to less than anticipated utilisation.
- **Grants, Subsidies and Contributions (\$68k) higher than Budget Review 2 (favourable variance)** – Including the following significant variances:
 - i. Grant received from the LGA for a Risk Incentive Program \$39k (favourable variance)
 - ii. Black Summer Bushfire Grant funding for virtual reality mural \$20k. (favourable variance)
 - iii. Other minor grants \$9k (favourable variance).
- **Investment Income \$11k higher than Budget Review 2 (favourable variance).** This is due increased interest from higher cash on hand balance than budgeted.
- **Reimbursements \$31k higher than Budget Review 2 (favourable variance).** This is due to income to be received from SA Health to support operations of the RAT “Pop Up” (RAT distribution process).
- **Other Income \$31k higher than Budget Review 2 (favourable variance).** This is due to income to be received
 - i. Reduction in other operating income from the Summit Sport and Recreation Park \$39k (unfavourable variance).
 - ii. Contributions received for the Wallis/ Dumas precinct works \$60k (favourable variance).
 - iii. Contributions received for the Harrogate Sculpture “Reflections from Home” \$10k (favourable variance).

Operating Expenditure \$412k or 0.78% lower than Budget Review 2 (favourable variance) – Summarised as follows:

- **Employee Costs \$208k lower (favourable variance)** – due to savings achieved as a result of vacant positions throughout the year to date.
- **Materials, Contracts and Other Expenses (\$21k) higher (unfavourable variance)** – Including the following significant variances:
 - i. Waste and Recycled Water Operations operating costs \$260k greater than budget (unfavourable variance) due to increased maintenance works required, increased chemical costs (volume and per unit pricing) and other contractor costs (desludging).
 - ii. Waste Water Treatment Plan electricity cost reduction \$30k (favourable variance). This is due to the installation of solar panels.
 - iii. Flaxley Road and Rainbird Drive intersection contribution deferred to 2022/2023 \$430k saving in current financial year (favourable variance).
 - iv. Wallis/ Dumas precinct works costing \$60k than budget (unfavourable variance). Note that expense offset by additional income received.
 - v. Tourist Park operating costs \$50k higher than budget (unfavourable variance) due to increased visitation. Additional cost more than offset by additional revenue.

- vi. Windmill Hill Transfer Station operating costs \$50k higher than budget (unfavourable variance) due to increased community utilisation. Additional cost more than offset by additional revenue.
 - vii. RAT Pop Up operating costs \$31k costs higher than budget (unfavourable variance). Note that expense offset by additional revenue.
 - viii. Harrogate Sculpture “Reflections from Home” \$10k (unfavourable variance). Note that expense offset by additional income received.
 - ix. Computer fee license increases \$50k higher than budget (unfavourable variance).
 - x. Other general operating variances \$30k lower than budget (favourable variance).
- **Finance Costs \$225k lower (favourable variance)** – As a result of lower borrowings, mainly due to the timing of the capital works program.

Draft Capital Expenditure & Revenue:

Capital Expenditure \$6,045 lower than Budget Review 2 (favourable variance) -

The revised draft capital expenditure total of \$23,437 is \$6,045k lower than Budget Review 2 (as adopted on 7 February 2022) (favourable variance), and \$14,264k lower than the original (adopted) budget (favourable variance).

Asset Class	Adopted Budget \$'000	Approved Budget \$'000	Budget Review 1 \$'000	Budget Review 2 \$'000	Budget Review 3 \$'000	BR3 Movement 3 lower / (higher) \$'000
Bridges and Culverts	955	1,113	448	448	504	(56)
Buildings	548	657	427	437	271	166
Drainage	200	262	422	422	384	38
Footpaths	2,998	3,435	3,241	3,241	3,083	158
Information Technology	159	159	74	74	74	0
Land	120	157	162	372	386	(13)
Plant and Equipment	1,377	1,805	1,807	1,807	1,807	0
Recreation	3,245	5,196	4,789	4,411	3,205	1,206
Recycled Water	1,280	1,478	130	727	657	70
Roads	6,369	8,467	8,736	8,736	6,258	2,478
Unsealed Roads	1,500	1,667	1,504	1,504	1,504	0
Wastewater	18,949	19,294	10,704	7,302	5,304	1,998
Total	37,701	43,689	32,444	29,482	23,437	6,045

The key drivers for the \$6,045k reduction in this year’s capital works program (compared to Budget Review 2) are:

- i. **Partially Deferred Projects \$5,763k lower than budget review 2 (favourable variance)** – Includes rescheduled works across a range of projects for a range of reasons including contractor unavailability, building material unavailability (e.g. toilet building kits). Other reasons are for example the City Centre Catalyst and Aquatic centre are regarded as partially deferred due to them being multi-year projects where portions of the current year budget will carry over into 2022/23 as works in progress.
- ii. **Additional Costs/New Projects \$282k higher than budget review 2 (unfavourable variance)** – Including: Venables Street - streetscape, River Road - Culvert, Lord Robinson Park Amenity Upgrade (Crystal Lake Macclesfield), MB

WWTP Stage 1 upgrade - New WWTP Design, Nairne Wastewater Stage 1 - planning and scoping, Manhole Restoration Program.

Note: Continued pressure is being felt through cost escalation of capital projects as a result of the broader economic environment (lag indicator being increase in CPI).

Capital Revenue remains the same as Budget Review 2 at \$6,423k.

Draft Budget Review Financial Indicators

5. Compared to Budget Review 2, the key financial indicators which measure the financial sustainability and performance of Council are as follows: 1.6% higher for operations surplus, 12.4% lower for net financial liabilities and 3.4% lower for asset renewal funding.

NOTE: without the reduction in capital renewal for Wastewater asset class (due to in large part the timing of the construction of the Wastewater Treatment Plant and associated infrastructure (trunk mains)) – the asset renewal funding ratio would be 100%. In achieving the 100%, it is anticipated that some works may carry forward into FY23 to meet the Asset Renewal Plan target.

Financial Indicator	Budget Review 2	Budget Review 3	Target
Operating surplus ratio	6.5%	8.1%	0- 1%
Net financial liabilities ratio	17.2%	4.8%	0 - 80%
Asset renewal funding ratio	60.8%	57.4%	100% +

Draft Budget Loan Funded Borrowings:

6. The loan funded borrowings of \$6,888k forecast for the year-end at Budget Review 3 are \$16k higher than Budget Review 2 of \$16k. (Unfavourable variance).

The loan funded borrowings of \$6,888k forecast for the year-end at Budget Review 3 are \$14,321k lower than the adopted budget of \$21,209k. (favourable variance).

Note: The key contributor the decrease reliance of borrowings for the forecast Budget Review 3 amount compared to the adopted budget relates to the timing of cash payments required to fund the construction of the Stage 1 Upgrade of the Wastewater Treatment Plant and associated infrastructure (trunk mains). Circa \$14,000k.

Capital Works Program Performance:

7. Expenditure To Date - As at 31 March 2021, \$10,511k has been spent year to date against a year to date BR3 budget of \$17,943k.

Grants have been allocated to a number of projects as a result of various stimulus programs such as Local Roads and Community Infrastructure (LRCl). These have specific timeframes to be completed which are in many cases proving difficult to meet. There are a number of factors at play including lack of contractor availability in the market that are able to respond to tenders (some calls for tenders have not

received any response) or, where tenders are received, the prices are returning higher than initially expected.

8. Projects Completed in the third quarter (Q3) -

Five projects were completed in Q3 totalling 24 projects overall for the current financial year. They include;

- a. **Benjamin Gray Drive - channel and scour protection renewal** – this project reinforced channel bank stabilisation to provide protection to adjacent landowner
- b. **Childs Rd Trail- Freeway to Hallett Road** - was completed in March and provides a safe and convenient link between the South East Freeway pedestrian tunnel at Childs Road, along Childs Road to Hallett Road near the Littlehampton Brickworks. The next phase of the trail is currently being designed for future construction that will extend the trail to reach Anembo Park.
- c. **Springs Wetland Landscaping** – an outdoor grassed area and landscaping that compliments the Environmental Service Centre which is an important community asset with many functions being held at the facility including weddings.
- d. **Meadows Bore Water Supply Renewal** – this project was completed in January and provides extended life to the Meadows Bore Water supply scheme and involved the replacement of approximately 90 meters of the existing 25mm water delivery pipe with a new 63mm pipe
- e. **Manhole Restoration Program** – this annual program sees the renewal of Councils sewer manholes by relining the internal chambers with a special coating that protects the concrete from the decaying effects of fumes.

9. **Project Status** - At the end of the third quarter, a number of projects were either in the design or construction stage. Notable examples are:

- a. **Baker Street to Old Princes Highway Littlehampton Stormwater Drainage Upgrade** – Construction nearing completion, practical completion in April.
- b. **Harrogate Road** – Construction of the last section of Harrogate Road, from the Nairne approach was sealed in Q3. Remaining works include line marking, revegetation and the repair of defects.
- c. **Kerb renewal program** – mostly complete at the end of Q3
- d. **Footpath renewal program** - planning has concluded and works commenced in Q3 and to be concluded in Q4.
- e. **Bus stop upgrades to comply with Disability Discrimination Act requirements** – This is the second to last year of the program. Detailed design has concluded and construction is due to commence in May 2022.
- f. **Culvert renewals** - Kim Avenue and River Road culverts will undergo construction beginning in May with civil works to replace concrete headwalls and improve local stormwater and embankment stabilisation as well as relining the internal face of the River Road culvert to prolong its life. Work continued on the Hawthorn Road culvert, with the addition of new guard

railing and modifications to the inlet and outlet structures of the culvert which is expected to be completed in April 2022.

- g. **Littlehampton Greening** – Construction continued on both Miels Park and the Glebe land as well as the Littlehampton Main Street. Miels Park is well advanced including the construction of a new carpark at the rear of the Hall and landscaping. A new shed has been included to support the Littlehampton Netball club and the fence around the courts given a spruce up. Works began in earnest on the Main Street with locally sourced paving installed ahead of landscaping. The Glebe too was well under way with paths installed and preparations for the construction of a new play environment. All works are due to be completed in Q4.
- h. **Nairne Main Street** – Design of various components have mostly been complete in Q2 and first stage of construction being the footpath between Lower Nixon Street and Farquarhson Street on the North side also complete. The remaining sections of footpath between Farquarhson Street to Junction Street and the renewal of the retaining wall adjacent the footpath at the Nairne Soldiers Memorial Hall will be constructed in Q4.
- i. **Venables Street Macclesfield** – Design completed and tenders called for construction to begin in May 2022.
- j. **WWTP to Hampden Rd Trunk Main and Inlet Pump Station** – construction commenced concentrating on the section adjacent St Francis De Sales school.

Community Engagement:

Informing only	The budget is available on Council’s website The website remains a source of information for project updates as well as Facebook.
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Policy:

The Annual Business Plan assesses the financial requirements of the Council for the financial year and sets out a summary of its proposed operating expenditure, capital expenditure and sources of revenue and takes into account Council's long-term financial plan.

Long Term Financial Plan:

The Long Term Financial Plan 2020-2030 (LTFP) provides for borrowings to meet cash flow requirements.

Budget:

This is the third budget review for the 2021/22 financial year as at 31 March 2022.

The Net (Borrowing) will be decrease by \$7,011 to have a positive net position of \$1,577 compared to the adopted Budget Review 2 position of \$5,434 in net borrowings.

The forecast cash position has increased by \$7,026 to \$11,263 compared to the adopted Budget Review 2 position of \$4,237.

The loan funded borrowings of \$6,888 forecast for the year-end at Budget Review 3 are \$16k higher than Budget Review 2 position of \$6,872k (unfavourable variance).

Statutory/Legal:

The *Local Government Financial Regulations 2011* Part 2 Section 9 requires Council to reconsider its budget at least three times between 30 September and the 31 May.

Staff Resource Requirements:

As per budget/strategic plan – no comment applicable to this report.

Environmental:

As per budget/strategic plan – no comment applicable to this report.

Social:

As per budget/strategic plan – no comment applicable to this report.

Risk Assessment:

The *Local Government Act 1999* requires that Council assesses the financial requirements of the Council for the financial year and sets out a summary of its proposed operating expenditure, capital expenditure and sources of revenue and takes into account the Council's long-term financial plan and relevant issues relating to the management and development of infrastructure and major assets by the Council.

Asset Management:

Councils Asset Management Plans address issues relating to the management and development of infrastructure and major assets of Council. These include the renewal of Councils infrastructure assets.

Conclusion:

Budget Review 3 - It is a legislative requirement that Council reconsiders its budget at regular intervals during the year. The budget assesses the financial requirements of Council for the financial year, it provides stability and certainty of financial outcomes and ensures continuation of delivery of essential community services and the efficient operation of infrastructure while maintaining a sound financial position.

 Previous Decisions By/Information Reports to Council

Meeting Date	7 February 2022	HPRM Reference	DOC/21/196085
Title	BUDGET REVIEW AS AT 31 DECEMBER 2021 AND QUARTERLY REPORT 2 - CAPITAL WORKS PROGRAM 2021/22		
Purpose	<p>To provide Council, the community and other interested parties, a record of the budgeted financial activities and the financial position of the Council, compared to the adopted annual budget for the year ending 30 June 2022.</p> <p>To provide an update on the approved 2021/22 Capital Works Program at the end of Quarter 2 2021/22.</p>		

Meeting Date	1 November 2021	HPRM Reference	DOC/21/150951
Title	BUDGET REVIEW AS AT 30 SEPTEMBER 2021 AND QUARTERLY REPORT 1 - CAPITAL WORKS PROGRAM 2021/22		
Purpose	<p>To provide Council, the community and other interested parties, a record of the budgeted financial activities and the financial position of the Council, compared to the adopted annual budget for the year ending 30 June 2022.</p> <p>To provide an update on the approved 2021/22 Capital Works Program at the end of Quarter 1 2021/22.</p>		

Meeting Date	6 September 2021	HPRM Reference	DOC/21/120029
Title	CARRY FORWARD 2019/20 CAPITAL WORKS IN PROGRESS BUDGETS		
Purpose	To provide the Council with details of the capital works in progress for the financial year ending 30 June 2021 to be carried forward to the 2021/22 budget.		

Meeting Date	5 July 2021	HPRM Reference	DOC/21/92791
Title	Draft : 2021/22 Annual Business Plan, Budget and Rating Policy for Adoption		
Purpose	To provide the Council with the 2021/22 Draft Annual Business Plan, Budget and Rating Policy for adoption.		



MOUNT BARKER
DISTRICT COUNCIL

Budgeted Financial Statements

for the Period ended 31 March 2022

Mount Barker District Council

Statement of Comprehensive Income
for the Period ended 31 March 2022

2021	\$ '000	YTD 2022	Budget 2022	Budget Review One 2022	Budget Review Two 2022	DRAFT Budget Review Three 2022
Income						
43 842	Rates Revenues	34 896	46 187	46 187	46 423	46 543
2 102	Statutory Charges	1 294	1 695	1 695	1 707	1 687
2 324	User Charges	1 969	2 004	2 012	2 061	2 373
5 717	Grants, Subsidies and Contributions	3 053	5 725	5 621	5 671	5 740
44	Investment Income	45	50	25	35	46
321	Reimbursements	269	352	352	355	386
263	Other Income	270	475	475	469	500
612	Net Gain - Equity Accounted Council Businesses	-	57	57	57	57
55 225	Total Income	41 797	56 544	56 423	56 777	57 329
Expenses						
16 045	Employee Costs	12 311	16 901	16 983	17 164	16 956
20 954	Materials, Contracts & Other Expenses	15 792	22 294	22 836	23 177	23 198
12 133	Depreciation, Amortisation & Impairment	8 790	11 584	11 958	12 148	12 148
333	Finance Costs	210	865	800	600	375
49 465	Total Expenses	37 103	51 644	52 576	53 089	52 676
5 760	Operating Surplus / (Deficit)	4 694	4 900	3 846	3 687	4 653
(1 033)	Asset Disposal & Fair Value Adjustments	199	(4 097)	(4 097)	(4 097)	(4 097)
14 190	Amounts Received Specifically for New or Upgraded Assets	4 991	7 396	6 937	6 423	6 423
19 425	Physical Resources Received Free of Charge	6 176	10 228	10 228	10 228	10 228
38 342	Net Surplus / (Deficit)	16 061	18 426	16 914	16 241	17 207

Mount Barker District Council

Statement of Financial Position
for the Period ended 31 March 2022

2021	\$ '000	YTD 2022	Budget 2022	Budget Review One 2022	Budget Review Two 2022	DRAFT Budget Review Three 2022
ASSETS						
Current Assets						
2 762	Cash & Cash Equivalents	13 554	1 000	1 757	4 237	11 263
13 202	Trade & Other Receivables	16 726	4 034	4 034	4 034	4 034
8	Inventories	6	6	6	6	6
15 972	Subtotal	30 286	5 039	5 796	8 276	15 302
2 223	Non-Current Assets Held for Sale	2 223	2 223	2 223	2 223	2 223
18 195	Total Current Assets	32 509	7 262	8 019	10 499	17 525
Non-Current Assets						
1 650	Financial Assets	1 650	3 000	3 000	3 000	3 000
1 088	Equity Accounted Investments In Council Business	1 088	589	1 145	1 145	1 145
610 268	Infrastructure, Property, Plant & Equipment	608 889	628 125	629 160	626 007	619 963
5 142	Other Non-Current Assets	14 236	12 318	12 318	12 318	12 318
618 148	Total Non-Current Assets	625 863	644 032	645 622	642 470	636 425
636 343	TOTAL ASSETS	658 372	651 295	653 641	652 969	653 950
LIABILITIES						
Current Liabilities						
8 638	Trade & Other Payables	15 224	11 306	11 306	11 306	11 306
915	Borrowings	182	992	992	992	992
3 977	Provisions	4 076	2 472	2 472	2 472	2 472
13 530	Total Current Liabilities	19 482	14 769	14 769	14 769	14 769
Non-Current Liabilities						
6 866	Non Current Borrowings	6 882	20 217	5 880	5 880	5 896
269	Non Current Provisions	269	401	401	401	401
7 135	Total Non-Current Liabilities	7 152	20 618	6 281	6 281	6 297
20 665	TOTAL LIABILITIES	26 633	35 387	21 050	21 050	21 066
615 678	Net Assets	631 739	615 907	632 592	631 919	632 884
EQUITY						
285 440	Accumulated Surplus	301 501	296 697	302 354	301 682	302 647
307 025	Asset Revaluation Reserves	307 025	299 984	307 025	307 025	307 025
23 213	Other Reserves	23 213	19 227	23 213	23 213	23 213
615 678	Total Council Equity	631 739	615 907	632 592	631 919	632 884

Mount Barker District Council

Statement of Cash Flows
for the Period ended 31 March 2022

2021	\$ '000	YTD 2022	Budget 2022	Budget Review One 2022	Budget Review Two 2022	DRAFT Budget Review Three 2022
Cash Flows from Operating Activities						
Receipts						
46 677	Operating Receipts	51 324	61 994	64 186	64 530	65 072
44	Investment receipts	45	49	25	35	46
Payments						
(36 301)	Operating payment to suppliers & employees	(34 291)	(38 700)	(38 523)	(39 045)	(38 857)
(336)	Finance payment	(210)	(841)	(800)	(600)	(375)
10 084	Net Cash provided by (or used in) Operating Activities	16 868	22 502	24 889	24 920	25 886
Cash Flows from Investing Activities						
Receipts						
18 060	Amounts Received Specifically for New or Upgraded Assets	4 781	7 396	8 257	7 743	7 743
306	Proceeds from Sale of Replaced Assets	371	270	349	349	349
17	Proceeds from Sale of Surplus Assets	-	-	200	200	200
820	Proceeds from Sale of Assets "Held for Sale"	-	-	-	-	-
4	Repayment of Loans by Community Groups	-	4	4	4	4
Payments						
(7 488)	Expenditure on Renewal/Replacement of Assets	(3 969)	(14 676)	(8 922)	(8 922)	(8 420)
(20 543)	Expenditure on New/Upgraded Assets	(6 542)	(23 025)	(23 522)	(20 560)	(15 017)
	Loans Made to Community Groups	-	(1 350)	(1 350)	(1 350)	(1 350)
(8 824)	Net Cash provided by (or used in) Investing Activities	(5 359)	(31 381)	(24 984)	(22 536)	(16 491)
Cash Flows from Financing Activities						
Receipts						
-	Proceeds from Borrowings	16	9 794	5	5	21
13	Proceeds from Bonds & Deposits	-	-	-	-	-
Payments						
(1 748)	Repayment of Borrowings	(240)	(240)	(240)	(240)	(240)
(621)	Repayment of Lease Liabilities	(493)	(675)	(675)	(675)	(675)
(2 356)	Net Cash provided by (or used in) Financing Activities	(717)	8 879	(910)	(909)	(894)
(1 096)	Net Increase (Decrease) in Cash Held	10 792	-	(1 005)	1 475	8 501
3 858	Cash & Cash Equivalents at Beginning of Period	2 762	1 000	2 762	2 762	2 762
2 762	Cash & Cash Equivalents at end of period	13 554	1 000	1 757	4 237	11 263

Mount Barker District Council

Statement of Changes in Equity

DRAFT Budget Review Three
for the year ended 30 June 2022

\$ '000	Accumulated Surplus	Asset Revaluation Reserve	Other Reserves	Total Equity
Balance at end of previous reporting period	285 440	307 025	23 213	615 678
Net Surplus / (Deficit) for Year	17 207	-	-	17 207
Other Comprehensive Income - Gain (Loss) on revaluation of I,PP&E				
Other Comprehensive Income				
Total Comprehensive Income	17 207	-	-	17 207
Transfers between Reserves				
Balance at the end of period	302 646	307 025	23 213	632 884

Mount Barker District Council

Notes to and forming part of the Financial Statements

for the Period ended 31 March 2022

Financial Indicators

2021	\$ '000	DRAFT Budget Review Three 2022	Budget 2022	Budget Review One 2022	Budget Review Two 2022	DRAFT Budget Review Three 2022
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These Financial Indicators have been calculated in accordance with Information paper 9 - Local Government Financial Indicators prepared as part of the LGA Financial Sustainability Program for the Local Government Association of South Australia.

1. Operating Surplus Ratio						
10.4%	Operating Surplus	4 653	8.6%	6.8%	6.5%	8.1%
	Total Operating Revenue	57 329				

This ratio expresses the operating surplus as a percentage of total operating revenue

2. Net Financial Liabilities Ratio						
5.5%	Net Financial Liabilities	2 769	49.4%	21.7%	17.2%	4.8%
	Total Operating Revenue	57 329				

Net Financial Liabilities are defined as total liabilities less financial assets (excluding equity accounted investments in Council businesses). These are expressed as a percentage of total operating revenue.

3. Asset Renewal Funding Ratio						
56.2%	Net Asset Renewals	8 420	100.0%	60.8%	60.8%	57.4%
	Infrastructure & Asset Management Plan required expenditure	14 676				

Net asset renewals expenditure is defined as net capital expenditure on the renewal and replacement of existing assets and excludes new capital expenditure on the acquisition of additional assets

Mount Barker District Council

Notes to and forming part of the Financial Statements
for the Period ended 31 March 2022

Uniform Presentation of Finances

2021	\$ '000	YTD 2022	Budget 2022	Budget Review One 2022	Budget Review Two 2022	DRAFT Budget Review Three 2022
55 225	Income	41 797	56 566	56 423	56 777	57 329
(49 465)	less Expenses	(37 103)	(51 666)	(52 576)	(53 089)	(52 676)
5 760	Operating Surplus / (Deficit)	4 694	4 900	3 846	3 687	4 653
	less Net Outlays on Existing Assets					
	Capital Expenditure on Renewal and Replacement of					
(7 488)	Existing Assets	(3 969)	(14 676)	(8 922)	(8 922)	(8 420)
12 133	less Depreciation, Amortisation and Impairment	8 790	11 584	11 958	12 148	12 148
306	less Proceeds from Sale of Replaced Assets	371	270	270	270	270
4 951	Subtotal	5 192	(2 822)	3 306	3 496	3 998
	less Net Outlays on New and Upgraded Assets					
(20 543)	Capital Expenditure on New and Upgraded Assets	(6 542)	(23 025)	(23 522)	(20 560)	(15 017)
	less Amounts Received Specifically for New and					
18 060	Upgraded Assets	4 781	7 396	8 257	7 743	7 743
837	less Proceeds from Sale of Surplus Assets	-	-	200	200	200
(1 646)	Subtotal	(1 761)	(15 629)	(15 065)	(12 617)	(7 074)
9 065	Net Lending / (Borrowing) for Financial Year	8 125	(13 550)	(7 913)	(5 434)	1 577

Mount Barker District Council

Capital Expenditure

for the Period ended 31 March 2022

\$ '000	YTD 2022	Budget 2022	Budget	Budget	DRAFT Budget
			Review One 2022	Review Two 2022	Review Three 2022
Grand Total	10 511	37 701	32 444	29 482	23 437
Capital Renewal					
Bridges & Culverts	154	455	366	366	462
Buildings Asset	50	448	203	203	147
Drainage Asset	285	200	411	411	373
Footpaths	221	600	564	564	564
Plant & Equipment	975	1 359	1 690	1 690	1 690
Recreational Assets	108	387	393	393	293
Recycled Water	27	158	30	30	30
Roads	837	2 894	3 360	3 360	2 945
Unsealed Roads	1 240	1 500	1 504	1 504	1 504
Wastewater	72	6 676	400	400	412
Total Capital Renewal	3 969	14 676	8 922	8 922	8 420
New Capital					
Bridges & Culverts	12	500	82	82	42
Buildings Asset	114	100	224	234	124
Drainage Asset	1	-	11	11	11
Footpaths	382	2 398	2 677	2 677	2 519
Land Assets	206	120	162	372	386
Plant & Equipment	31	177	191	191	191
Recreational Assets	1 352	2 858	4 395	4 017	2 912
Recycled Water	131	1 093	100	697	627
Roads	2 516	3 475	5 376	5 376	3 313
Unsealed Roads	-	-	-	-	-
Wastewater	1 798	12 304	10 304	6 902	4 892
Total New Capital	6 542	23 025	23 522	20 560	15 017

12.2	REPORT TITLE:	KERBSIDE WASTE CONTRACT EXTENSION
	DATE OF MEETING:	2 MAY 2022
	FILE NUMBER:	DOC/22/48211
	ATTACHMENTS:	Nil
	<u>Key Contact</u>	Daniel Newson, Team Leader Technical Services, Infrastructure
	<u>Manager/Sponsor</u>	Phil Burton, General Manager, Infrastructure

Community Plan 2020-2035:

Ecological Sustainability

ES Goal 2 – Low Waste

Waste reduction is the priority objective followed by reuse, repurposing and recycling.

LGG Strategy 1.10 Adopt and apply a commercial approach to deliver projects, programs and services where enduring community value and benefit can be demonstrated.

Annual Business Plan:

Council provides waste management services to ratepayers and the cost of operating these services is included in the annual business plan and budget.

Purpose:

To seek approval of extension of the Kerbside Garbage, Recyclables, Organics, Street Litter & Event Bin Collection Services Contract (2014.001) with SOLO (Rico Enterprises Pty Ltd) for a further 12 months.

Summary – Key Issues:

1. The Kerbside Garbage, Recyclables, Organics, Street Litter & Event Bin Collection Services Contract (2014.001) with SOLO (Rico Enterprises Pty Ltd) expires on 1 October 2022.
2. The initial contract term is for seven (7) years with the option for a maximum of three (3) extension periods, each up to twelve (12) months.
3. There is a requirement to complete the services review as part of the Waste Management Policy review to inform the tender specifications before an approach to market is made and hence it is recommended to extend the contract for a further twelve (12) months.

Recommendation:

That Council:

1. Approves a twelve (12) month extension to contract 2014.001 Kerbside Garbage, Recyclables, Organics, Street Litter & Event Bin Collection Services with SOLO (Rico Enterprises Pty Ltd), and
 2. Authorises the Chief Executive Officer or his delegated officer being the General Manager Infrastructure to execute contract documents between Council and SOLO (Rico Enterprises Pty Ltd).
-

Background:

1. The current contract service commencement date was 1 October 2015 and is due to expire on 1 October 2022. The initial contract term is for seven (7) years with the option for a maximum of three (3) extension periods, each up to twelve (12) months.
2. The contract forms part of the overall provision of waste services to the community which, in the 2020/21 financial year, has a total budget of circa \$3.7 million.
3. One previous amendment has been made to the original contract as a result of the China National Sword Policy. This amendment modified the processing fee for recyclable materials per tonne (sub-contracted through Visy) and introduced the option to segregate the recyclables processing component from the kerbside waste collection contract.
4. The process of reviewing Council's current Waste Policy commenced with an elected members information workshop in October 2021.

Discussion:

5. Council is in the process of reviewing the Kerbside Waste Recycling & Green Organics Collections Service Policy. The outcomes of this review, will have an impact on the services that would be included in future kerbside waste collection contracts.
6. This contract extension will allow for the completion of this policy review which will inform an approach to market in the future for provision of services under a new kerbside waste contract.
7. Due to the departure of the Strategic Resource Recovery Coordinator from the Adelaide Hills Regional Waste Management Authority (AHRWMA), there has been a delay to the policy review meaning that this will not be completed before the current contract expires.

8. All terms of the current kerbside contract will remain for the duration of the proposed contract extension including the option for separation of recyclables processing that was agreed through a deed of variation to the Kerbside Waste Contract in July 2021.
9. Establishing benchmarking data for kerbside waste contracts across the sector is not readily available. However, advice from AHRWMA indicates that through the original joint tender process with the Rural City of Murray Bridge a highly competitive outcome was achieved with savings for Council at the time.
10. The current provider of this contract is performing well and meeting the contract requirements and so a further extension of the contract is considered low risk to Council’s delivery of services.
11. An option to re-tender these services has been considered but is not recommended at this time due to the waste policy review mentioned above and the implications of the caretaker period which impact on timely decision making.
12. Due to the factors outlined above it is recommended to extend the current contract for a further 12 months. This will ensure a continuation of services to the community and enable sufficient time to review relevant policy and prepare for a re-tendering of these services in the future.

Community Engagement:

Informing only	Nil
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Policy:

Consistent with Council’s Kerbside Waste, Recycling & Green Organics Collection Service Policy. This policy is currently under review and will inform the service provision of future kerbside waste collection contracts.

Long Term Financial Plan:

This service is included in the LTFP.

Budget:

This contract extension will have no adverse impact on Council’s current budget. Council provides waste management services to ratepayers and the cost of operating these services for the 2021/22 year is approximately \$3.7 million.

Statutory/Legal:

Requirement in current contract 2014.001 to give 6 months’ notice of intention.

Staff Resource Requirements:

The extension will allow appropriate resources to be established and allocated to the procurement process and in a sustainable manner without the need to compromise other operations and activities. The waste policy review and future procurement activities will require both internal and external resources. The Waste Officer role is currently vacant.

Environmental:

This contract supports Council's environmental objectives to divert waste from landfill and maximise recovery of resources.

Social:

The extension will allow for a better consideration of services to be offered as part of a future kerbside waste contract.

Risk Assessment:

There is a high risk that if this contract extension is not awarded then there will be insufficient time to approach the market to secure a new service provider leading to a cessation of kerbside waste services before a new contract is in place.

In addition to this without an extension there is a risk that new or altered services suggested as part of the waste policy review will not be accounted for as part of a newly established kerbside waste contract, and would require future amendment to contract. This could lead to higher costs for council.

There is relative low risk in extending the current contract with the current provider performing well against the current contract KPI's.

Asset Management:

N/A

Conclusion:

It is recommended to extend the current Kerbside Garbage, Recyclables, Organics, Street Litter & Event Bin Collection Services contract by a further 12 months to allow time for the completion of the waste policy review and consideration of a new kerbside waste collection contract.

Previous Decisions By/Information Reports to Council

Meeting Date	7 June 2021	CM Reference	DOC/21/80371
Title	Confidential report: Kerbside waste contract - processing of recyclables		
Purpose	To provide an update on costs associated with processing of recyclables in light of the China National Sword Policy.		

Meeting Date	4 May 2015	CM Reference	DOC/15/34519
Title	Regional tender for Waste, Recycling, Green Organics and Street Litter Bin collection services and for recycling/green organics processing services		
Purpose	To provide waste, recycling, green organics and street litter bin collection services and recycling and green organics processing services to residents within the District Council of Mount Barker, The Rural City of Murray Bridge and potentially the Adelaide Hills Council area. The Adelaide Hills Council participated in the Tender process as an optional participant.		

12.3	REPORT TITLE:	ADJUSTMENT TO TERMS OF EXISTING CASH ADVANCE DEBENTURE 202
	DATE OF MEETING:	2 MAY 2022
	FILE NUMBER:	DOC/22/50955
	ATTACHMENTS:	NIL
	<u>Key Contact</u>	Max Murawsky, Team Leader Financial Accounting, Corporate Services
	<u>Manager/Sponsor</u>	Alexander Oulianoff, General Manager Corporate Services

Community Plan 2020-2035:

Leadership and Good Governance

LGG Strategy 1.8 Maintain organisational and budget capacity for project delivery and effective and efficient programs and services.

Annual Business Plan:

Not applicable.

Purpose:

To recommend to Council to approve the partial conversion of an existing Cash Advance Debenture (CAD) facility, to convert \$7,300,000 of Council's current borrowing capacity to a discount loan facility for a period of 3 years.

Summary - Key Issues:

1. As a result of Council's successful grant application for the Regional Aquatic and Leisure Centre through the Local Government Infrastructure Partnership Program (LGIPP), the Local Government Finance Authority (LGFA) is offering a CAD facility with a discounted interest rate to assist in funding this project.
2. Council is able to transfer \$7,300,000 of existing borrowing capacity into a separate facility, at a lower interest rate, for a period of 3 years.
3. CAD 202 is an existing facility of \$20,000,000, approved by Council on 4 May 2020. It is recommended that the \$7,300,000 of this facility be transferred to secure this discounted rate.

Recommendation:

That Council:

1. authorises the variation to the existing Cash Advance Debenture 202, in order to convert \$7,300,000 to a discounted LGIPP facility for a period of 3 years, related to the Local Government Infrastructure Partnership Program;

2. authorises the Mayor and Chief Executive Officer to sign and affix Council's common seal to all appropriate documents.
-

Background:

1. Following an announcement by the State Government regarding Council's successful grant application for the Regional Aquatic and Leisure Facility through the Local Government Infrastructure Partnership Program (LGIPP), the Local Government Finance Authority (LGFA) announced it would offer a 3 year discounted Cash Advance Debenture (CAD) loan facility to assist in funding the project.
2. This provides Council with the opportunity to transfer up to \$7,300,000 to a borrowing facility with a variable interest rate that is 0.75% lower than the standard variable interest rate applicable to CADs.
3. Council currently has 6 cash advance facilities (CAD), and 1 fixed term debenture (DEB).
4. One of the current CAD facilities was varied to create a 3 year discounted facility, which was offered to Council as a result of COVID-19 support provided by the LGFA to all member Councils. This variation was approved by Council on 3 August 2020 and expires on 17 August 2023.
5. Council's Treasury Management Policy provides for both fixed and variable interest rate loans to optimally meet its policy objective of minimising net interest costs on average over the longer term, whilst at the same time managing interest rate movement risks within acceptable limits. Obtaining a facility with a lower interest rate would be beneficial to Council and reduce net interest costs for the next 3 years.
6. The LGFA is a specialist financial body which was established for the benefit of South Australian Councils and prescribed local government bodies. Over and above the competitive rates that are offered by the LGFA, they also provide a bonus payment to participating Councils based on average deposit and loan levels. This offer is an example of the LGFA operating for the benefit of Councils.

Discussion:

7. As Council has recently approved adequate cash advance facilities, it is recommended that a portion of an existing facility is transferred to take advantage of this favourable offer.
8. CAD 202 is a facility of \$20,000,000 expiring on 15/06/2030, and was approved by Council on 4 May 2020.
9. It is recommended that Council takes full advantage of this offer and transfers \$7,300,000 from CAD 202 into a new facility for 3 years, leaving CAD 202 with a facility limit of \$12,700,000. Note that this does not increase the total borrowing capacity of Council or extend the overall terms of any facility. At

the end of the period, the new facility will cease to exist and CAD 202 will revert to a \$20,000,000 facility at the standard interest rate.

10. As per the Treasury Management Policy, Council has historically made use of several CADs, which require interest payments only and enable any amount of principal to be repaid or drawn down as necessary (within the facility limits).
11. As with all CAD facilities currently available, the existing and annexed CAD will only be drawn down as and when required to meet Council's expenditure commitments.
12. The interest rate may vary from time to time (e.g. when there is a movement in official short term interest rates), and the principal outstanding is not payable until maturity.
13. The interest rate on the annexed facility will be 0.75% lower than the variable interest rate applicable to standard CADs for a period of 3 years. If the annexed portion of the CAD is fully drawn down for a full year at the discounted rate, this will result in a saving of \$54,750 in interest expense per annum.

Policy:

The Treasury Management Policy establishes a decision framework to ensure that funds are available as required to support approved outlays, and the net interest costs associated with borrowing are reasonably likely to be minimised on average over the long term.

Long Term Financial Plan:

The Long Term Financial Plan (LTFP) provides for borrowings and associated interest expense to meet cash flow requirements.

Budget:

Interest expenditure and borrowings are currently included in Budget Review 3 and the 2022/23 draft budget. A reduced interest rate facility will ultimately reduce interest expenditure in future years. Included within the Budget Review 3 report, which is a separate agenda item for this meeting, total forecast borrowings (excluding leases) as at 30 June 2022 are \$5.7 million, with associated forecast full year interest expenditure of \$350k.

Statutory/Legal:

Local Government Act 1999 Section 133 - Source of Funds & Section 134 - Borrowing and related financial arrangements.

Staff Resource Requirements:

No impact on staff resources.

Environmental:

Not applicable.

Social:

Not applicable.

Risk Assessment:

Not applicable. No increase to borrowings.

Asset Management:

Not applicable.

Conclusion:

This is an opportunity for Council to obtain a CAD facility with a lower interest rate than standard variable interest rate CAD facilities, by transferring a portion of an existing facility.

12.4	REPORT TITLE:	UPDATED CODE OF PRACTICE FOR ACCESS TO COUNCIL AND COMMITTEE MEETINGS AND DOCUMENTS
	DATE OF MEETING:	2 MAY 2022
	FILE NUMBER:	DOC/22/49136
	ATTACHMENTS:	1 – DOC/22/49129 – REVISED CODE OF PRACTICE FOR ACCESS TO COUNCIL AND COMMITTEE MEETINGS AND DOCUMENTS
	<u>Key Contact</u>	Sue Miller, Risk & Governance Officer
	<u>Manager/Sponsor</u>	Brian Clancey, Deputy Chief Executive Officer, General Manager Governance, Strategic Projects, Wastewater/Recycled Water

Community Plan 2020-2035

Leadership and Good Governance Strategy 1.5 - Demonstrate accountability through clear, relevant and easily accessible policies, corporate reporting and legislative compliance

Annual Business Plan 2021/2022:

NA

Purpose:

To advise Council that Council's Code of Practice Access to Council and Committee Meetings and Documents (The Code) has been amended to include reference to live streaming of council meetings and reflect changes imposed by commencement of Statutes Amendment (Local Government Review) Bill 2021 (the Review Act) as they relate to The Code.

Summary – Key Issues:

- Council resolved at 4 April 2022 council meeting to introduce live streaming of council meetings at the time the meeting is occurring.
- Statutes Amendment (Local Government Review) Bill 2021 (the Review Act) was gazetted in June 2021 and Council's Code of Practice Access to Council and Committee Meetings and Documents (The Code) had not been updated to reflect amendments imposed by the Review Act.
- The Code has now been updated (attached) as a consequence and is recommended for adoption.

Recommendation:

That Council:

1. adopts the updated Code of Practice for Access to Council and Committee Meetings and Documents (attached); and
 2. authorise the Chief Executive Officer or their delegate to make minor typographical and formatting changes consistent with Council's Policy and Code templates, and any further legislative changes imposed by the Statutes Amendment (Local Government Review) Bill 2021 (the Review Act).
-

Background:

1. At 4 April 2022 Council Meeting council resolved (OM20220404.02):

“that Council will implement live streaming of Mount Barker District Council meetings from the next Council meeting to allow for streaming as the meeting is occurring in accordance with the Council’s published document “Code of Practice (for Access to Council and Committee Meetings and Documents)” inclusive of references to Electronic Participation in Council Meetings Notice (No 1) 2020 noting that the live streaming will not extend to coverage of committee meetings, information or briefing sessions and will exclude any matters considered in confidence and if the administration deems that the Code of Practice requires amendment for this to occur, then the Chief Executive Officer (or their delegate) will prepare a report for the next Council meeting with any amendments.”

Additionally:

2. The Statutes Amendment (Local Government Review) Bill 2021 (the Review Act) amended the Local Government Act 1999 and the Informal Gatherings provisions introduced in March 2016 were removed as of 20 September 2021.
3. At 17 January 2022 Council revoked its Informal Gatherings Policy and endorsed the continued practice to publish on Council's website in advance details for information or briefing sessions, with the details published to be consistent with the Local Government Act 1999 and the Local Government (General) Regulations 2013 (the General Regulations).
4. Council's Code of Practice for Access to Council and Committee Meetings and Documents requires updating to reflect the above.

Discussion:

11. It is recommended that The Code be updated to reflect recent decisions of Council and amendments required arising from the commencement of sections of The Review Act.

12. The consequential changes recommended to The Code are shown with tracking and red font in the attachment.
13. The variations to The Code indicated by green font are only applicable whilst the COVID-19 public health emergency declaration is in place.
14. A review of Council’s Code of Practice for Council Meeting Procedures, due for review in July 2022, will be the subject of a report to the July Council meeting.

Community Engagement:

Informing only	Information will be provided on changes to Council meetings via Council’s website and other mechanisms including the use of social media
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Policy:

Code of Practice for Meeting Procedures
Code of Practice (for Access to Council and Committee Meetings and Documents)

Long Term Financial Plan:

Nil

Budget:

There isn’t any budget impact with updating The Code.

Statutory/Legal:

Local Government Act 1999
Statutes Amendment (Local Government Review) Bill 2021 (the Review Act)
Local Government (Public Health Emergency) Amendment Bill 2020
Electronic Participation in Council Meetings Notice (No. 1) 2020

Staff Resource Requirements:

The Code has been updated within existing staff resources.

Environmental:

Nil

Social:

Updating The Code will provide clarity for the community.

Risk Assessment:

If the attached updated code isn’t adopted it won’t be reflective of current arrangements and this may cause some confusion.

Asset Management:

NIL

Conclusion:

The Code has been updated to reflect consequential changes and is recommended for adoption.

Previous Decisions By/Information Reports to Council

Meeting Date	4 April 2022	HPRM Reference	DOC/22/42334
Title	Motion on Notice – Live Streaming Council Meetings		
Meeting Date	6 April 2020	HPRM Reference	DOC/20/37402
Title	Changes to Council Meetings Processes		
Purpose	To advise Council that the first Notice by the Minister of Local Government has been gazetted whereby he is exercising his new emergency powers under section 302B of the Local Government Act 1999 in response to the COVID-19 coronavirus which will allow Council meetings to be conducted by electronic means and to resolve the required process changes to enable this.		

Red text – Amended Text
Green text – Applicable only whilst a
public emergency declaration in place



MOUNT BARKER
DISTRICT COUNCIL

TITLE: CODE OF PRACTICE (FOR ACCESS TO COUNCIL AND COMMITTEE MEETINGS AND DOCUMENTS)

1. PURPOSE

In fulfilling the role of an effective Council that is responsive to the needs of the community and which operates within the legal framework prescribed by the *Local Government Act 1999*, the Mount Barker District Council is fully committed to the principle of open and accountable government. However, Council also recognises that on a limited number of occasions it may be necessary, in the broader community interest, to restrict public access to discussion/decision and/or documents.

The Code sets out the commitment of Council to provide public access to Council and Council committee meetings and documents and outlines the policies and procedures contained within the *Local Government Act 1999*, to restrict public access. The Code includes:

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

This Code sets out the policy of Council for access to meetings and documents and includes information relating to:

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

On 15 March 2020, the Chief Executive of the Department for Health and Wellbeing in the State of South Australia, pursuant to section 87 of the *South Australian Public Health Act 2011*, declared that an emergency which threatens to cause the death of, or injury or other damage to the health of any person is occurring or about to occur in relation to the transmission of COVID-19, and declared the emergency to be a public health emergency.

On 22 March 2020, the State Co-ordinator for the State of South Australia declared pursuant to section 23 of the *Emergency Management Act 2004*, that a Major Emergency is occurring in respect of the outbreak of the Human Disease named COVID-19 within South Australia.

On 30 March 2020 the Minister for Transport, Infrastructure and Local Government issued a notice pursuant to section 302B of the *Local Government Act 1999 (Notice No 1) (Notice No 1)* varying or suspending the operation of the specified provisions of the Local Government Act 1999 as set out in Schedule 1 to Notice No 1. Notice No 1 commenced operation on 31 March 2020.

The model code and this explanatory note have been amended to take into account Notice No. 1.

2. SCOPE

This Policy is applicable to all Council staff and Council Members.

3. DEFINITIONS

Clear days - means that the time between the giving of the notice and the day of the meeting, but excluding both the day on which the notice was given and the day of the meeting, eg notice is given on a Thursday for a following Monday meeting, the clear days are Friday, Saturday and Sunday.

Live Stream – means the transmission of the audio and video of council meetings at the time the meeting is occurring, and excludes any matters considered in confidence, and excludes committee meetings and information or briefing sessions.

4. ROLES & RESPONSIBILITIES

Council:

- To adopt a Code that explains public access to Council and Committee meetings and when and why Council or a Committee will consider a matter in confidence.

Chief Executive Officer

- To ensure staff consider whether a Council or Committee report can be accessed by the public and if not that the reason why is stated in the report;
- To ensure there is an annual review of all confidential reports.

Risk and Governance Officer

- To review confidential Council and Committee reports to ensure there is sufficient reason and explanation to exclude members of the public

All other staff

- As an author of a Council or Committee report to consider whether a report can be accessed by the public and if not to ensure that the reason why is stated in the report.

5. PUBLIC ACCESS TO THE AGENDA FOR MEETINGS

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

Section 82 of the Local Government Act 1999 allows for the calling of special meetings (that are in addition to ordinary meetings of Council). Special Meetings may be held at any time. The Chief Executive Officer must give each member of the Council 4 hours notice of the meeting before the commencement of the meeting.

- 5.2 The notice of meeting and agenda will be placed ~~on public display at the principal office of the Council Level 1, Mount Barker Home Maker Centre, 6 Dutton Road, Mount Barker and~~ on Council's website www.mountbarker.sa.gov.au and a link provided on Council's Facebook page.
- 5.3 Items listed on the agenda (that are not confidential items) will be described accurately and in reasonable detail. Confidential items will be listed with as much detail as practicable.
- 5.4 The Notice and Agenda will ~~be kept on public display and~~ continue to be published on the website ~~until the completion~~ of the relevant Council or Committee meeting and a link provided on Council's Facebook page.
- 5.5 ~~Three (3) printed~~ copies of the agenda documents and non-confidential reports that are to be considered at the meeting will be made available to members of the public in attendance. ~~A reasonable number of copies will also be available for public inspection as soon as practicable after they are supplied to the Members of Council.~~
- 5.6 Council minutes and agendas will be retained for 10 years on Council's website. Committee meeting agendas and minutes will be retained until the beginning of the previous year. ~~A minimum of 4 meetings of hard copies of agendas and minutes will be available at the customer service counter.~~ If not available on Council's website a copy can be requested via council@mountbarker.sa.gov.au.
- 5.7 Members of the public may obtain a copy of the agenda and any particular reports for a fee to cover the costs of photocopying, in accordance with Council's schedule of fees and charges.
- 5.8 Where the CEO of the Council (after consultation with the principal member (Mayor) of the Council, or in the case of a Committee - the presiding member) believes that a document or report on a particular matter should be considered in confidence with the public to be excluded, the basis under which the order could be made in accordance with section 90(3) of the Act will be specified. [see sections 83(5) (Council) and 87(10) (Committee) of the Act.]

6. PUBLIC ACCESS TO MEETINGS

- 6.1 Subject to the matters discussed below regarding Notice 1 Council and Council Committee meetings are open to the public and attendance is encouraged, except where the Council (or the Council committee) believes it is necessary in the broader community interest to exclude the public from the discussion (and, if necessary, decision) of a particular matter.
- 6.2 The audio and video of Council meetings (excludes committee meetings and information or briefing sessions) will be live streamed at the time the meeting is occurring, except where the Council determines it is necessary in the broader community interest to exclude the public from the discussion of a particular matter. Whilst the Chief Executive Officer or their nominee will take all reasonable steps to ensure the Live Stream of council meetings, in the event that the Live Stream is disconnected, the council meeting will continue uninterrupted.
- 6.3 The public will only be excluded when considered proper and necessary i.e. the need for confidentiality outweighs the principle of open decision-making.
- 6.4 Council encourages public attendance at meetings of the Council and Committees through public notification of meetings and by the sign on the Local Government Centre building.
- 6.5 In addition Council provides the Gallery in attendance an opportunity to ask any question at the beginning of the meeting for a maximum period of 15 minutes. It also provides the opportunity for questions for the Gallery in attendance regarding items discussed at the meeting.
- 6.6 In accordance with section 90 of the Act, it is not unlawful for Members of Council, Committee members and staff to participate in **informal gatherings information or briefing sessions** or discussion provided that a matter which would ordinarily form part of the agenda for a formal meeting is not dealt with in such a way as to obtain, or effectively obtain, a decision outside of a formally constituted meeting of Council or Committee. ~~The Council is not bound to hold an informal gathering information or briefing sessions open to the public in accordance with section 90(1) of the Act as openness to the public only applies to Council and Council Committee meetings. This means that section 90(2) to exclude the public has no role to play.~~

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

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

- 6.7 Section 90A(7)(b) requires the following information to be published on a website determined by the CEO as soon as practicable **after** the holding of an information or briefing session:
- a. the place, date and time of the session
 - b. the matter discussed at the session; and

c. whether or not the session was open to the public

however, Council will publish on Council's website **in advance** details required by Section 90A(7)(b) for information or briefing sessions.

Notice No 1

Notice No 1 provides that a Council meeting will be taken to be conducted in a place open to the public even if 1 or more Council members participate in the meeting by electronic means provided that -

- (a) the chief executive officer (or a person nominated in writing by the chief executive officer) makes available to the public a live stream of the meeting on a website determined by the chief executive officer and ensures that members of the public can hear the discussion between all Council members present at the meeting via the live stream; or
- (b) if the chief executive officer (or a person nominated in writing by the chief executive officer) has taken reasonable steps to make available a live stream of the meeting but is unable to make available a live stream of the meeting, the chief executive officer (or a person nominated in writing by the chief executive officer) makes available to the public a recording of the meeting as soon as practicable after the meeting on a website determined by the chief executive officer and ensures that members of the public can hear the discussion between all Council members present at the meeting via the recording.
- (c) If the chief executive officer (or a person nominated in writing by the chief executive officer) has taken reasonable steps to make available to the public a live stream of the meeting or, (if unable to make available a live stream of the meeting) a recording of the meeting but is unable to comply the chief executive officer (or a person nominated in writing by the chief executive officer) must publish on a website determined by the chief executive officer the steps taken to comply and the requirement will be suspended

7. PROCESS TO EXCLUDE THE PUBLIC FROM A MEETING

7.1 The practice of the Mount Barker District Council is as follows:

- other than if the matter is an adjourned matter – confidential items will be considered as the last item on the agenda for the convenience of the public
- should an adjourned matter be a confidential matter it will be considered as the first report as required under the Local Government (Procedures at Meetings) Regulations 2013.

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

- 7.3 Once Council, or a Council committee has made the order, it is an offence for a person, who knowing that an order is in force, enters or remains in a room in which such a meeting is being held. Although it is lawful for an employee of Council or a member of the police to use reasonable force to remove the person from the room if he or she fails to leave on request, it will be the practice of Council staff to call the police to undertake this action.
- 7.4 Once discussion on that particular matter is concluded, the public are then permitted to re-enter the meeting **or access the Live Stream**. If there is a further matter that needs to be considered in confidence it is necessary to again undertake the formal determination process and to resolve to exclude the public as above **in which case the Live Stream will cease**.
- 7.5 Please note that the Council, or the Council committee, can by inclusion within the resolution permit a particular person or persons to remain in the meeting. An example would be allowing a ratepayer who is suffering personal hardship to remain in the meeting when their circumstances concerning the payment of rates is being discussed¹.

8. MATTERS FROM WHICH THE PUBLIC CAN BE EXCLUDED

In accordance with the requirements of section 90(3) of the Act, Council, or a Council Committee, may order that the public be excluded in the following circumstances:

- (a) *information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);*
- (b) *information the disclosure of which—*
 - (i) *could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the Council; and*
 - (ii) *would, on balance, be contrary to the public interest;*
- (c) *information the disclosure of which would reveal a trade secret;*
- (d) *commercial information of a confidential nature (not being a trade secret) the disclosure of which—*
 - (i) *could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and*
 - (ii) *would, on balance, be contrary to the public interest;*
- (e) *matters affecting the security of the Council, members or employees of the Council, or Council property, or the safety of any person;*

¹ Attachment A of this document provides some examples.

- (f) *information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;*
- (g) *matters that must be considered in confidence in order to ensure that the Council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;*
- (h) *legal advice;*
- (i) *information relating to actual litigation, or litigation that the Council or Council committee believes on reasonable grounds will take place, involving the Council or an employee of the Council;*
- (j) *information the disclosure of which—*
 - (i) *would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Council, or a person engaged by the Council); and*
 - (ii) *would, on balance, be contrary to the public interest;*
- (k) *tenders for the supply of goods, the provision of services or the carrying out of works;*
- (m) *information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Development Plan Amendment proposal relating to the amendment is released for public consultation under that Act;*
- (n) *information relevant to the review of a determination of a Council under the Freedom of Information Act 1991.*
- (o) *information relating to a proposed award recipient before the presentation of the award.*

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

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

- (d) cause embarrassment to the Council or Committee concerned, or to members or employees of the Council; or
- (e) cause a loss of confidence in the Council or Committee. [s.90(4)]

If a decision to exclude the public is taken, the Council or the Council committee is required to make a note in the minutes of the making of the order and the grounds on which it was made. Sufficient detail of the grounds on which the order was made will be included in the minutes.

9. PUBLIC ACCESS TO MINUTES

Minutes of a meeting of Council or a Council committee will be publicly available, including on the internet, within 5 days after the meeting.

10. USE OF THE CONFIDENTIALITY PROVISIONS

Any consideration of the use of the confidentiality provisions to exclude the public from the discussion of a particular matter at a meeting will require the identification of one or more of the grounds listed within section 90(3) of the Act and the factual reasons for the relevance and application of the ground(s) in the circumstances. These are listed in paragraph 8 of this Code.

1. The principle of open and accountable government is strongly supported;
2. Information of the grounds on which an order to exclude the public is made will be conveyed to the public at the time of them being ordered to leave the meeting. The public will not be excluded until after a confidentiality motion has been debated and passed and sufficient reasons for the need to exclude the public given.
3. Once discussion of the matters is concluded the meeting will then consider if it is necessary to make an order that a document associated with this agenda item (including minutes) remain confidential. In determining this, the meeting will have regard to the provisions of section 91 and in particular section 91(8) which details when a council must not order that a document remain confidential.
4. If the meeting determines that it is proper and necessary to keep a document confidential, then a resolution for an order to this effect is required to be resolved by the meeting in accordance with section 91(7) of the Act.
5. Once discussion of the matter is concluded and the public have returned, the decision of the meeting in relation to this matter will be made publicly known unless the Council has resolved to order that some information remain confidential. Details relating to any order to keep information or a document confidential in accordance with section 91(7) are also to be made known. When making an order the meeting must specify the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed. If the section 91(7) order is to apply for a period exceeding 12 months, then this order must be reviewed every 12 months from the date it was made. This along with the making of the order pursuant to section 90(2) and the grounds pursuant to section 90(3) on which it was made are also to be recorded in the minutes.
6. In all cases the objective is that the information be made publicly available at the earliest possible opportunity and that the community is informed of any Council order and the associated implications; and
7. Where a person provides information to the Council and requests that it be kept confidential, Council is not able to even consider this request unless the matter is one that falls within section 90(3). If this is the case, Council will then be in a position to consider the request on its merits.

11. PUBLIC ACCESS TO DOCUMENTS

- 11.1** Various documents can be available for inspection and purchase (for a fee) by the public. Council will, as far as is reasonably practicable, also make a document available in electronic form and place it on the Internet within a reasonable time after they are available at the principle office of the Council for public access.

- 11.2 The Council or the Council committee will only order that a document associated with a discussion from which the public are excluded is to remain confidential if it is considered proper and necessary in the broader community interest.
- 11.3 The Council or the Council committee can only resolve to keep minutes and/or documents confidential under section 91(7) if they were considered in confidence pursuant to sections 90(2) and 90(3).
- 11.4 In accordance with section 91(8) the Council or the Council committee must not make an order to prevent:
- (a) the disclosure of the remuneration or conditions of service of an employee of the Council after the remuneration or conditions have been set or determined; or
 - (b) the disclosure of the identity of a successful tenderer for the supply of goods or the provision of services (including the carrying out of works), or of any reasons adopted by the Council as to why a successful tenderer has been selected; or
 - (ba) the disclosure of the amount or amounts payable by the Council under a contract for the supply of goods or the provision of services (including the carrying out of works) to, or for the benefit of, the Council after the contract has been entered into by all parties to the contract; or
 - (c) the disclosure of the identity of land that has been acquired or disposed of by the Council, or of any reasons adopted by the Council as to why land has been acquired or disposed of by the Council.

In accordance with section 91 (9) where keeping a document confidential is considered proper and necessary, a resolution to this effect is required which shall include:

- (a) the grounds for confidentiality; and
 - (b) the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed – if the order has a duration of more than 12 months, the order must be reviewed at least once in every year;
 - (c) (if applicable) whether the power to revoke the order will be delegated to an employee of the Council. [s.91(9)]
 - (d) in the case of an order specified duration, the duration of the order cannot be extended after the order has ceased to apply (as a result of the expiry of the period for which the order was specified to apply)
- 11.5 Requests to access Council and Council Committee documents can be made under the *Freedom of Information Act 1991*. Inquiries in relation to the process for seeking access to documents held by Council should be directed to Council's accredited Freedom of Information Officer on 8391 7200.

12. EXAMPLE CONFIDENTIALITY PROVISIONS

The Mount Barker District Council will record in the minutes of any Council and Council committee meetings the making of an order in accordance with sections 90(2) and (3) and section 91(7) – refer to Attachment A for some examples.

13. REVIEW OF CONFIDENTIALITY ORDERS

- 13.1 A confidentiality order made under section 91(7) of the Act must specify the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed. In any event, any order that operates for a period exceeding 12 months must be reviewed at least once in every year.
- 13.2 An order will lapse if the time or event specified has been reached or carried out. There is no need for the Council to resolve for the confidentiality order to be lifted. Once the order has lapsed, the minutes and/or documents automatically become public.
- 13.3 A review of the reports or documents that were considered under the provision of sections 90(3) and 91(7) of the Act will be conducted at least every 12 months at the first meeting in October to ensure that items are released in accordance with the resolution of Council, when the confidentiality provision no longer applies
- 13.4 Orders that exceed 12 months must be reviewed annually and the Council must assess whether the grounds for non-disclosure are still relevant and, if so, provide the relevant grounds and reasons for the minutes and/or documents remaining confidential. The conduct of the annual review can be delegated to the Chief Executive office and sub-delegated to an employee of the Council if appropriate. If there are any items that require a fresh confidentiality order because the original order is about to expire, then the reviewer will prepare a report to Council making recommendations with respect to each item to be retained in confidence. Each item must then be addressed separately and assessed against section 90(3) and section 91(7) of the Act. While a Council may delegate the power to undertake an annual review, the Council cannot delegate the power to apply sections 90(3) and 91(7) of the Act.
- 13.5 A Council may resolve to exclude the public from a meeting to discuss and undertake consideration of the recommendations arising from the annual review in confidence, subject to the application of the relevant ground under section 90(3) of the Act. Section 90(3) of the Act must be applied separately to each item and not en bloc.
- 13.6 If there is no longer any need for the confidentiality order then the Council or Council Committee may delegate to an employee of the Council the power to revoke an order made in accordance with section 91(7) of the Act. The Council or Council committee may also include in the resolution whether any delegation is given to an employee to revoke the order and if relevant, any conditions associated with the delegation.

Notice No 1

Notice No 1 provides that a Council or Council committee must disconnect any live stream or recording of a meeting for the period that the meeting is closed to the public pursuant to an order made under section 90(2).

14. ACCOUNTABILITY AND REPORTING TO THE COMMUNITY

A report on the use of sections 90(2) and 91(7) by the Council and Council committees must be included in the annual report of a Council as required by Schedule 4 of the Act. This

supports commitment to the principle of accountability to the community. The reporting should include the following information, separately identified for both Council and Council committees:

1. Total number of orders made under section (90(2) and 91(7)
2. The date and subject of each order within the ambit of section (90(2) and 91(7)
3. Number of occasions each of the provisions of sections 90(2) and 90(3) were utilised;
- ~~4. Number of occasions each of the provisions of sections 90(2) and 90(3) and section 91(7) were utilised, expressed as a percentage of total agenda items considered'~~
- ~~5. An indication of any particular issues that contributed to the use of confidentiality provisions on more than one occasion e.g. a proposal to acquire a parcel of land was considered on 3 separate occasions;~~
4. Number of occasions that information originally declared confidential has subsequently been made publicly available; and
5. ~~Number of occasions that information declared confidential has not been made publicly available and the reason for this in each case.~~ The number of orders that remained operative (not including any before 15 November 2010).

15. GRIEVANCE

Council has established procedures for the review of decisions under section 270 of the Act for:

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

Should a person be aggrieved about public access to either a meeting or a document then they can lodge an application for review of that decision under the procedures established by Council. The Procedures are available from Council's website: www.mountbarker.sa.gov.au.

16. REVIEW

This Code will be reviewed within 12 months after the conclusion of each periodic election or earlier in the event of changes to legislation or related Policies and Procedures or if deemed necessary by the Risk and Governance Officer.

Notice No 1

- (a) provides that a Council is not required to adopt any provision in a code of practice that would prevent or inhibit members from participating in Council meetings or Council committee meetings by electronic means;
- (b) provides that Council members may meet by electronic means to alter the code of practice of the Council, or substitute a new code of practice of the Council, even if the existing code of practice prevents or inhibits the Council members from meeting by electronic means;
- (c) suspends the requirement in section 92(5) that before a Council adopts, alters or substitutes a code of practice it make copies of the proposed code, alterations or substitute code (as the case may be) available for inspection and purchase at the

principal office of the Council and on a website determined by the Council and that the Council follow the steps set out in its public consultation policy.

17. ACCESS TO THE CODE

The Code is available for public inspection ~~at the Customer Service Centre, at the Local Government Centre, 6 Dutton Road, Mount Barker, South Australia and~~ on the Council’s website www.mountbarker.sa.gov.au and a copy may be obtained ~~a copy~~ for a fee fixed by Council.

18. FURTHER INFORMATION

For further information on this Code, please contact:

Title: ~~Res McDougall~~
Risk and Governance Officer
Address: PO Box 54, Mount Barker
South Australia, SA, 5251
Telephone: 8391 7200 ~~31~~
Email: rmcdougall@council.mountbarker.sa.gov.au

REFERENCE NUMBER:	Doc/22/49129
RESPONSIBLE OFFICER/ DEPARTMENT:	Risk and Governance Officer
APPLICABLE LEGISLATION:	Local Government Act 1999 Local Government Act (Procedures and Meetings) Regulations 2013 <i>Electronic Participation in Council Meetings Notice (No 1) 2020</i> Statutes Amendment (Local Government Review) Bill 2021
MOUNT BARKER 2035 — DISTRICT STRATEGIC PLAN: COMMUNITY PLAN 2020-2035	Governance and Leadership Leadership and Good Governance GL 1.3 LGG Strategy 1.3 : Provide opportunities for the community to access and participate in decision-making processes and fully integrate community engagement practices into Council activities LGG Strategy 1.5 : Demonstrate accountability through clear, relevant and easily accessible policies, corporate reporting and legislative compliance. GL 2.10 Ensure compliance with legislative requirements
RELATED POLICIES:	
SUPPORTING PROCEDURES:	

PREVIOUS REVIEW DATES:	2 December 2019 (to be updated)
ENDORSED BY COUNCIL:	6 April 2020 (to be updated)
MINUTE RESOLUTION NUMBER:	OM20200406.01 (to be updated)
NEXT REVIEW DATE:	October 2023

ATTACHMENT A**Some examples of confidentiality orders****1. Performance Matters of the Chief Executive Officer****Section 90(3)(a) Order**Pursuant to Section 90(3)(a)

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Joe Bloggs, Human Resource Consultant be excluded from attendance at the meeting for Agenda Item 3 (Performance Matters of the Chief Executive Officer).

The Council is satisfied that, pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of the Chief Executive Officer, in that details of her performance review will be discussed, which are sensitive and are details only known to those who have participated in the review process.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of details of the Chief Executive Officer's performance may prematurely be disclosed before the details of the review have been discussed with the Chief Executive Officer.

Section 91(7) OrderPursuant to Section 91(7)

That having considered Agenda Item 3 (Performance Matters of the Chief Executive Officer) in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council, pursuant to section 91(7)(b) of that Act orders that the documents and all minutes be retained in confidence until the Performance Review process has been completed by the provision of a final report to Council.

2. Consideration of a the terms for a waste resources contract

Section 90(3)(b) Order

Pursuant to Section 90(3)(b)

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Joe Bloggs, CEO of ABC Council and Ivana Citizen, lawyer, XYZ Lawyers, be excluded from attendance at the meeting for Agenda Item 10.1 (Terms of Waste Resources Contract).

The Council is satisfied that, pursuant to section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is:

- proposing to conduct business; and
- the information would prejudice the commercial position of the Council;

in that the Council is currently engaged in a post tender negotiation with a preferred tenderer to finalise the terms and conditions of engagement for this service – the information to be considered in relation to this Agenda Item include detailed costings for in-house provision of waste resources services and other specific financial information, the disclosure of which would prejudice the Council's commercial position during the current ongoing negotiations.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of Council's commercial position may severely prejudice Council's ability to be able to negotiate a cost-effective proposal for the benefit of the Council and the community in this matter and in relation to other contract negotiations.

(confidential recommendation here)

Section 91(7) Order

Pursuant to Section 91(7)

That having considered Agenda Item 10.1 (Terms of Waste Resources Contract) in confidence under section 90(2) and (3)(b) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the Tender documents and related Council reports and all minutes be retained in confidence for a period of 2 years, or until a contract has been finalised and that this order be reviewed every 12 months.

3. Joint Venture Arrangement – Proposed Health and Leisure Centre

Section 90(3)(d) Order

Pursuant to Section 90(3)(d)

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Joe Bloggs, CEO ABC Council, be excluded from attendance at the meeting for Agenda Item 6 (Joint Venture Arrangement – Proposed Health and Leisure Centre).

The Council is satisfied that, pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information in that the financial capability of the joint venture partner to secure finance, and the developer's capability to undertake the project will be discussed in detail, and that this information may prejudice the commercial position of the joint venture partner as financial details and the resources of the developer will be disclosed.

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

(Confidential recommendation here)

Section 91(7) Order

Pursuant to Section 91(7)

That having considered Agenda Item 6 (Joint Venture Arrangement – Proposed Health and Leisure Centre) in confidence under section 90(2) and (3)(d) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the Council report and all minutes be retained in confidence for a period of 2 years or such lesser period as may be determined by the Chief Executive Officer and that this be reviewed every 12 months.

4. Consideration of Update on State Sports Stadium

Section 90(3)(j) Order

Pursuant to Section 90(3)(j)

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public except, Joe Bloggs, CEO ABC Council, be excluded from attendance at the meeting for Agenda Item 10 (Update on State Sports Stadium).

The Council is satisfied that, pursuant to section 90(3)(j) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would divulge information provided on a confidential basis by or to The Recreation and Sport Minister in that information between the Council, Minister and relevant parties relating to the Sports Stadium is requested by the Minister to remain confidential until all contracts are signed.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the update provided will include discussion and consideration of material relevant to the project that the Minister has requested remain confidential.

(Confidential recommendation here)

Section 91(7) Order

Pursuant to Section 91(7)

That having considered Agenda Item 10 (Update on State Sports Stadium) in confidence under section 90(2) and (3)(j) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that all minutes and correspondence be retained in confidence for a period of 6 months.

12.5	REPORT TITLE:	CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW – APPOINTMENT OF QUALIFIED INDEPENDENT CONSULTANT
	DATE OF MEETING:	2 MAY 2022
	FILE NUMBER:	DOC/22/47729
	ATTACHMENTS:	NIL
	<u>Key Contact</u>	Sue Miller, Risk and Governance Officer/EA to Mayor
	<u>Manager/Sponsor</u>	Mayor Ann Ferguson OAM

Community Plan 2020-2035:

Leadership and Good Governance

LGG Strategy 1.6: Maintain a highly-skilled and effective workforce that applies a worth ethic of confident and responsive action.

Annual Business Plan 2021/2022:

NA

Purpose:

To gain Council's support for a recommendation from the Chief Executive Officer's Performance Review Advisory Panel to award contract 2021.142 to qualified independent consultant McArthur (SA) Pty Ltd ("Preferred Tenderer") for a term of four (4) years commencing in 2022, consisting of a lump sum value of \$15,800 excluding GST over the term of the contract.

Summary – Key Issues:

1. The current contract for the Chief Executive Officer's (CEO's) Performance Review has expired.
2. The CEO Performance Review Advisory Panel (the Advisory Panel) as endorsed by Council at its 7 March 2022 council meeting has undertaken a tender process and is recommending the appointment of the qualified independent consultant (preferred tenderer).

Recommendation:

That Council:

1. in accordance with the recommendation of the Chief Executive Officer's Performance Review Advisory Panel, authorise the award of the contract 2021.142 for the CEO Performance Review to independent qualified

consultant McArthur (SA) Pty Ltd (“Preferred Tenderer”) for a term of four (4) years commencing in 2022, consisting of a lump sum of \$15,800 exclusive of GST plus any pre-approved travel allowance if required, over the term of the contract.

2. Authorises the Deputy Chief Executive Officer/General Manager – Governance, Strategic Projects and Wastewater/Recycled Water to execute relevant contract documents between Council and the Preferred Tenderer.
-

Background:

1. New section 102A of the Local Government Act 1999 provides that a council must review the performance of its CEO at least once in each year. The council must obtain and consider the advice of a qualified independent person for the purposes of any review.
2. On 7 March 2022 Council endorsed the CEO’s Performance Review Process and Advisory Panel for 2022. The Panel comprises:
 - Mayor Ann Ferguson OAM
 - Deputy Mayor Councillor Narelle Hardingham
 - Councillor Bradley Orr
3. As advised in the 7 March 2022 report a tender process was to be conducted to secure a suitably qualified independent person (as defined in section 97(6) of the Local Government Act 1999) for a 4 year period 2022 – 2025. This report will conclude the tender process.
4. The Chief Executive Officer’s (CEO’s) annual performance review is to be concluded with a report to Council no later than 5 September 2022, given:
 - a. the CEO’s contract of employment stipulates the review process conclude no later than September each year; and
 - b. the employment or remuneration of the CEO is a Designated Decision under the Local Government (Elections) Act 1999, and such a decision is prohibited during the caretaker period of the Local Government elections.

Tender Strategy/Process

5. Pursuant to Council’s Procurement policy, a request for quotation process was undertaken to secure a suitably qualified independent person to undertake the annual review of the CEO’s performance in conjunction with the Advisory Panel.

6. A project brief was prepared by Council's Risk and Governance Officer, in conjunction with the Advisory Panel and the CEO.
7. The request for tender ("RFT") was issued via VendorPanel on 17 March 2022 and closed on 6 April 2022. A total of 5 Consultants, endorsed by the Advisory Panel, were invited to submit quotations. In their quotations, the Consultants were required to elaborate on the following:
 - a. the methodology to be undertaken and reports that would be provided to Council that demonstrate a 360 degree feedback option
 - b. an assessment against agreed performance evaluation criteria
 - c. the process they would undertake to review the CEO's performance over the previous 12 months; and
 - d. setting new performance objectives.
8. Four (4) quotations were received.

Evaluation Overview

9. The non-financial evaluation process comprised of assessment of the following criteria with pre-determined weightings (as shown below) applied to each:
 - a. Project Management and Experience (30%)
 - b. Methodology (50%)
 - c. Engagement (20%)
10. The tenders were evaluated individually by the Advisory Panel members on non-financial criteria online via VendorPanel between 7 April and 12 April 2022. The Advisory Panel met on 13 April 2022 to discuss the combined non-financial criteria scoring of the Advisory Panel after which the pricing of the tenders was overlaid and discussed to then arrive at a Preferred Tenderer.
11. The Advisory Panel was assisted with the tender assessment by Council's Procurement and Contracts Advisor. Ongoing administrative support is being provided by the Risk and Governance Officer.

Basis of Decision

12. Following the comprehensive evaluation process and consideration of the views of the Advisory Panel, the Preferred Tenderer has been recommended by the Advisory Panel on the basis of considerable previous Local Government sector experience undertaking CEO performance reviews by the Preferred Tenderer and nominated McArthur (SA) Pty Ltd consultant, Ms Rebecca Hunt, including, but not limited to:
 - Experience
 - Capability
 - Methodology
 - References

- Delivery within timeframe
- Price

13. Pricing was considered after evaluation of the non-financial criteria. The Advisory Panel confirms that the preferred tenderer's pricing is within budget for this Review and offers Council the best value for money when weighed against other submitted prices and the non-financial qualitative criteria.

Community Engagement:

Informing only	Information is provided on Council's website via this report and Council minutes.
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Policy:

The tender process has been undertaken in accordance with Council's Procurement Policy and associated procedures, Caretaker Policy and Guidelines.

Budget:

A past budget provision of up to \$10,000 indexed to CPI per year will be reviewed subject to Council appointing the preferred tenderer. The Preferred Tenderer's quote was \$3,950 ex GST, per year, and excluded any travel expenses, on which pre-approval will be sought.

Statutory/Legal:

Local Government Act 1999 – insertion of section 102A – Chief Executive Officer – Performance Review

The CEO's contract stipulates an annual performance review.

Staff Resource Requirements:

There is no impact on staff resources.

Environmental:

N/A

Social:

The CEO's performance objectives are released following the Council resolution.

Risk Assessment:

The Advisory Panel's recommendation to appoint a qualified independent consultant mitigates the risk of a late selection of a consultant and delayed review process.

Asset Management:

N/A

Conclusion:

The Preferred Tenderer, McArthur (SA) Pty Ltd, is recommended by the Advisory Panel on the basis that their nominated Consultant has extensive experience in performing similar reviews in local government.

Previous Decisions By/Information Reports to Council

Meeting Date	7 March 2022	CM Reference	DOC/22/20601
Title	Chief Executive Officer Performance Review Process		
Purpose	To inform the Council Members the process to appoint a new consultant to undertake the Chief Executive Officer's Performance Review has commenced.		

Meeting Date	3 April 2018	CM Reference	DOC/18/20401
Title	Tender Award for Chief Executive Officer's Performance Review		
Purpose	To gain Council's support for a recommendation from the Chief Executive Officer Performance Review Panel to award contract 2017.063 CEO Performance Review to Corpor8solutions ("Preferred Tenderer") for a term of four (4) years commencing in 2018, consisting of a lump sum of \$41,000 over the term of the contract.		

Meeting Date	15 January 2018	CM Reference	DOC/18/652
Title	CEO's Performance Review Process		
Purpose	To inform the Council Members of the process to appoint a new consultant to undertake the CEO's Performance Review and to consider appointing the Audit Committee Chairperson to the CEO's Performance Review Panel		

- 12.6 REPORT TITLE: WARD DONATIONS**
- DATE OF MEETING: 2 MAY 2022**
- FILE NUMBER: DOC/21/94956**
- ATTACHMENTS: NIL**
- Key Contact Ashleigh Norton, Executive Assistant to Chief Executive Officer**
- Manager/Sponsor Andrew Stuart, Chief Executive Officer**

Mount Barker 2035 – District Strategic Plan:

Governance and Leadership

Annual Business Plan:

Nil

Purpose

To allocate ward donation funds to individuals or organisations.

Summary – Key Issues

- Council has budgeted an amount for 2021/22 of \$16,417 which equates to \$1492 for each Council Member to allocate to individuals and/or groups at the Council Members’ discretion. This is known as a Ward Allowance.
- Council Members may nominate groups or individuals to receive a Ward donation from their allowance at each Council meeting.

Recommendation

That Council will make the following donations, given that each Member nominating the donation has given careful consideration to whether there is a conflict of interest:

Council Member	Amount	Group/Individual/Purpose
Councillor Leach	\$200	Save Our Wildlife Foundation Inc

Background

1. Council receives many requests for assistance from individuals, community members and community groups. Requests may be received by Council Members via telephone, letter or via email, or direct to Council.
2. Council has budgeted an amount for 2021/22 of \$16,417 which equates to \$1492 for each Council Member to allocate to individuals and groups at the Council Members' discretion. This is known as a Ward Allowance.
3. The Representation Review process (completed in September 2013) ensures equal representation (Council Member per elector) in each Ward. No change was made to the number of Councillors in each Ward. This process ensures the amount of Ward Allowance available to the community is equal between each of the Wards. The Minister for Local Government has specified (by way of notice published in the Government Gazette on 9 July 2020) that Council is required to undertake and complete a Representation Review during the period October 2020 to October 2021.
4. At the end of each financial year, a report of the expenditure of Ward Allowances will be reported to Council.

Ward Donation Procedures

5. Members receive a print-out indicating how much is still to be spent.
6. Individual members of the community or community groups may require small financial assistance for projects/initiatives of community interest and benefit from Council.
7. These requests should be made directly to the Mayor and/ or Council Members for their consideration / assessment.
8. Any requests received directly by Council will be acknowledged by the Executive Assistant to the Chief Executive Officer and Mayor, and advised that any such requests received will be provided to all Council Members who may choose to contribute some funds from their annual Ward Allowance.
9. When determining donations, Council Members should consider the community interest / benefit to be received and enjoyed by the community at large as a result of that donation.
10. As per section S73-75A of the Local Government Act 1999 Council Members should also consider and assess any material, actual or perceived conflict of interest as a result of making a particular donation or voting on the donations.

11. At each Council Meeting, Council Members may nominate members of the community or community groups to receive a donation from their Ward Allowance. These donations are reflected in the Council meeting minutes, available on Council's website www.mountbarker.sa.gov.au
12. Council Members are encouraged to advise the Executive Assistant to the Chief Executive Officer and Mayor as soon as possible of any requests for ward donations received in advance of Council meetings in order for such requests to be included in the Council meeting agenda. The form can be found on the extranet under Forms.
13. When making a donation in the Council Meeting, the Council Member should:
 - a. Declare who the donation is to be made to, the amount and the purpose of the donation; and
 - b. Complete and submit a Ward Donation Form to the Minute Secretary (Sue Miller).

Community Engagement

Informing only	Notification by way of Council minutes. Recipients will be notified of any donation.
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Policy

There are currently no Council Policies in relation to Ward Donations.

Long Term Financial Plan:

Nil

Budget

The budget allocation for Ward Donations is \$16,417 which equates to \$1492 recommended expenditure by each Council Member. Any unallocated ward allowance balance is not carried over to the next financial year.

Statutory/Legal

There are no statutory/legal implications or requirements in relation to Ward Donations.

Section 73-75A of the Local Government Act 1999:

However, Council Members should be mindful of material, actual or perceived conflict of interest that may arise as a result of making a ward donation.

Staff Resource Requirements

This is incorporated into the existing responsibilities of the finance staff.

Environmental

There are no environmental implications arising from this report or its recommendations.

Social

Ward donations enable individual members of the community and community groups to request small donations to assist with their endeavours.

Risk Assessment:

It is the responsibility of each Council Member to assess the risks association with the ward donations.

Asset Management:

There are no asset management implications arising from this report or its recommendations.

Conclusion

Council Members have the opportunity to make ward donations.

13. INFORMATION REPORTS**Recommendation:**

That the information report be noted.

13.1 REPORT TITLE: FOOD SYSTEMS MAPPING PROJECT - UPDATE

DATE OF MEETING: 2 MAY 2022

FILE NUMBER: DOC/22/42427

Key Contact Greg Sarre, Manager Sustainability and Corporate Planning

Manager/Sponsor Marc Voortman, GM Planning and Development

Purpose:

To update Council on the Food Systems project that seeks to understand the ways and extent to which the current food system influences economic, social and environmental outcomes for the community and a local food systems mapping process that was undertaken in the district.

Summary – Key Issues:

1. Council is a member of the Food Systems Working Group (FSWG) which includes 8 other local Councils, Green Adelaide, Wellbeing SA and the Heart Foundation.
2. The FSWG was successful in winning a Local Government Association Research and Development Grant to help better understand local food systems and prepare a guide for Councils to support and strengthen such systems.
3. A food mapping and engagement process involving 4 Councils was undertaken in 2021 which resulted in engagement materials and a toolbox guide for use by other Councils.

Background:

1. The project sought to understand the ways and extent to which the current food system influences economic, social and environmental outcomes for the community.
2. The term ‘food system’ describes the various elements that go into the growing, production, marketing, distribution, consumption and disposal of food.
3. The FSWG involves various South Australia governments, organisations and communities working to strengthen local food systems. Mount Barker District Council was invited to join the group in 2020 and was one of 4 Councils that participated in the food mapping project.
4. The Local Government Association Research and Development Grant, facilitated through the City of Holdfast Bay, enabled the FSWG to instigate an exploration of food systems in 4 Council districts, including Mount Barker, with the ultimate aim to increase knowledge and understanding and to guide actions to support and strengthen food systems.

5. Four engagement workshops were held, one in each Council, and engagement reports were produced. A toolbox guide to help other Councils go through similar processes was also produced.

Discussion:

6. Mount Barker was the second of four councils to host a 'Our Local Food Systems' workshop as part of the project. Workshops were also held at Onkaparinga, Alexandrina and Marion Councils.
7. The workshop was attended by 35 people from the community and supported by the project consultants and staff from participating Councils and Green Adelaide.
8. The workshop included 'visioning', 'back-casting' and 'rich picture' activities designed to inform strategies and actions to support the food systems of the district.
9. An engagement report was produced that reflected input from the workshop participants. The engagement report is available on Council's website: <https://www.mountbarker.sa.gov.au/community/food-safety/food-systems-project>
10. The workshop revealed 4 key priority areas for the district, namely:
 - Land use planning
 - Food Culture
 - Community education and engagement
 - Circular economy – reducing waste
11. The priority areas were interpreted in an artwork created by local artist Deb Twining, included in the engagement report. The art will be further refined and used to promote a sustainable and resilient food system in the district.
12. It was clear from the workshop that there is a role for everyone to play in building a healthy and sustainable food system in the Mount Barker region and there is strong interest and goodwill in working together to do this.
13. **Individual and Community role.** Individuals can become a food citizen where they consciously make decisions about what and where they eat and become active in food system activities. Community groups and organisations can help to create resilient local food systems by undertaking food system activities such as community gardens, cooking programs, food education and other opportunities mentioned in our key vision themes.
14. There are already many projects and actions that occur throughout the district and region that align with the visions, themes and actions discussed at the workshop. A key next step is to begin to raise awareness of these projects through further mapping and ongoing engagement.
15. **Council role.** While there is much for Council and others to do to support local food systems, there are a number of existing policies and actions of Council that already support the type of local food system that was envisaged through this workshop. These include:

- Support for the Adelaide Hills Farmers Market
- Community Gardens policy and support for community gardens
- Procurement policy that encourages local food purchasing
- Township planning and working with local communities to incorporate consideration of food, for example in main street improvements and development and management of open space.
- Planning policy aimed at supporting rural industries, food production and associated uses
- Reuse of wastewater for local food production
- Food safety regulation and enforcement
- Green and food waste programs, e.g. the green bin kerbside program, kitchen caddies and Gawler street food waste trial
- Support for local food initiatives for economic development

16. This project will inform future consideration of ways in which Council can support local food systems to progress its strategic objectives, including circular economy and waste reduction. Development of a food policy and engagement with regional partners to progress circular economy initiatives are initiatives that could be considered.

17. A key part of the project was the development of a toolbox guide to support Local Government to understand their role in enabling local food systems. The guide can be accessed here <https://www.saurbanfood.org/planners-toolbox>

Conclusion:

The Our Local Food Systems workshop series was designed as a first step to better understand the local food system, to start the process of mapping our food systems and to begin to develop potential strategies, actions and communities of interest that can help realise the vision of a more sustainable, resilient and health-supporting food system. The conversation therefore has really only just begun and the steering group will be working through potential further collaboration, new partnerships and learning through 2022.

Previous Decisions By/Information Reports to Council

Meeting Date	7 JUNE 2021	CM Reference	DOC/21/78464
Title	FOOD SYSTEMS MAPPING PROJECT		
Purpose	To inform Council of a project that seeks to understand the ways and extent to which the current food system influences economic, social and environmental outcomes for the community and a local food systems mapping process underway in the district.		

14. QUARTERLY REPORTS

NIL

15. MAYOR'S REPORT

16. MEMBERS' REPORTS

17. QUESTIONS ARISING FROM COUNCIL MEETING

18. CONFIDENTIAL REPORTS

**18.1 REPORT TITLE: CONFIDENTIAL REPORT : REGIONAL
AQUATIC AND LEISURE CENTRE PROJECT
UPDATE**

DATE OF MEETING: 2 MAY 2022

Recommendation:

That Council:

Section 90 (3) (k) Order

1. Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except the Chief Executive Officer, Deputy Chief Executive Officer, Acting General Manager Community Services, General Manager Infrastructure, General Manager Planning & Community, General Manager Corporate Services, Manager Strategic Projects and Economic Development, Risk and Governance Officer, and Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.1 Regional Aquatic and Leisure Centre Project Update.

The Council is satisfied that pursuant to Section 90(3)(k) of the Act, the information to be received, discussed or considered in relation to this Agenda item are tenders for the provision of services.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information to be disclosed and discussed has the potential to impact on each of the tenderers.

Section 91(7) Order**Pursuant to Section 91(7)**

2. That having considered Agenda Item 18.1 Regional Aquatic and Leisure Centre Project Update in confidence under 90(2) and 3(k) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that the agenda item, tender documents and all minutes be retained in confidence until 2 May 2023 save and except attachment 1 and that this order is subject to Section 91(8) of the Act which provides that the identity of the successful tenderer, the amount(s) payable by the Council under a contract for the provision of the specified services and the reason for the tender being awarded to the successful tenderer must be released once the contract has been entered into by all concerned parties.

18.2 REPORT TITLE: CONFIDENTIAL REPORT – APPOINTMENT OF ADELAIDE HILLS REGION WASTE MANAGEMENT AUTHORITY (AHRWMA) INDEPENDENT CHAIRPERSON AND COUNCIL BOARD MEMBER AND DEPUTY BOARD MEMBER

DATE OF MEETING: 2 MAY 2022

Recommendation:

That Council:
Section 90 (3) (a) Order

1. Pursuant to Section 90(3)(a)
Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except Chief Executive Officer; Deputy Chief Executive Officer General Manager – Governance, Strategic Projects and Wastewater/Recycled Water; General Manager Corporate Services; General Manager Infrastructure; General Manager Planning and Development; Acting General Manager Community Services; Risk and Governance Officer / Executive Assistant to the Mayor; and the Minute Secretary, be excluded from attendance at the meeting for Agenda Item 18.2 Confidential Report – Appointment of Adelaide Hills Region Waste Management Authority (AHRWMA) Independent Chairperson and Council Board Member and Deputy Board Member.

The Council is satisfied that pursuant to Section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of the applicants, in that details of the panel’s assessment of applicants will be discussed, which are sensitive.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of details of the appointment may be prematurely disclosed before being discussed with the applicants.

Section 91(7) Order

2. Pursuant to Section 91(7)
That having considered Agenda Item 18.2 Confidential Report – Appointment of Adelaide Hills Region Waste Management Authority (AHRWMA) Independent Chairperson and Council Board Member and Deputy Board Member, in confidence under 90(2) and 3(a) of the Local

Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that the Council report and minutes be retained in confidence (other than the identity of Council's appointments) until the Authority's public release of the name of the Independent Chairperson or gazettal notice of the Adelaide Hills Region Waste Management Authority Charter (whichever is the sooner).