NOTICE OF MEETING

Pursuant to Section 83 of the Local Government Act 1999 notice is hereby given that the following meeting will be held in the Council Chambers, Mount Barker Homemaker Centre, 6 Dutton Road, Mount Barker on Monday 6 August 2018.

7.00 pm                 Council Meeting

A. Stuart
CHIEF EXECUTIVE OFFICER

1 August 2018

Further information on Council’s meeting procedures can be found on Council’s website - www.mountbarker.sa.gov.au Council / Documents / Code of Practice for Meeting Procedures
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1. COUNCIL OPENING
   EXPRESSION OF FAITH
   ACKNOWLEDGEMENT OF LAND
   APOLOGIES OR LEAVE OF ABSENCE

1.1 Leave of Absence

1.2 Apologies
   Councillor Keen

2. QUESTIONS FROM THE GALLERY (15 MINUTES)

3. CONFIRMATION OF MINUTES
   3.1 Recommendation
   That the minutes of the meeting held on 2 July 2018 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
   NIL

6. QUESTIONS WITH NOTICE – COUNCILLORS
   NIL

7. QUESTIONS WITHOUT NOTICE – COUNCILLORS

Return to Order of Business
8. MOTIONS ON NOTICE

8.1 TITLE: CALLINGTON BREMER MINE SMELTING WORKS – COUNCILLOR SEAGER

DATE OF MEETING: 6 AUGUST 2018

FILE NUMBER: DOC/18/78055

ATTACHMENT: ATTACHMENT 1 - PRELIMINARY ADVICE DR NICHOLAS GRGURIC DOC/18/78083

Background

Callington was founded in 1847, two years after the Paringa Mine near Kanmantoo began mining copper ore. In 1848 Australia’s first commercial copper smelter commenced operation on the Bremer River at Callington to process ore from the growing operations at Kanmantoo in an effort to reduce transport costs. This smelter was established by Mauris Thomas, who had gained his smelting skills in welsh smelters in Chile. Welsh smelting technology was globally preeminent during this period, with Swansea (UK) the world’s largest market for ore.

Copper was discovered at Callington in this year leading to the opening of the Bremer Mine. Ore from this and other nearby mines were refined locally before being exported. The discovery of gold in Victoria led to a general exodus of most able bodied men from South Australia and almost every mining and associated activity ceased operation. By the mid 1850’s the Bremer Mine reopened, under new management. The original smelter was deemed to be obsolete but was used until 1860 when a new operation commenced operated by John and Mauris Thomas, sons of original Mauris Thomas.

This latter smelter, known as the Callington Bremer Mine Smelting Works, is relatively well documented in newspapers of the day and consisted of two calcining furnaces, for removing volatile contaminants from the ore, and two refining furnaces which produced regulus, a material containing around 50% copper. Later operations produced rough copper, which is around 95% copper. The various mining operations in the local area encouraged the building of a total of five smelters overall. There were two at Callington, at the Paringa Mine, at Scott’s Creek (Dawesley), at Wheal Ellen towards Strathalbyn and a later operation, using different technology, at the Aclare Mine near St Ives. This last is the one visible south of the freeway towards Callington.

The importance of the Callington Bremer Mine Smelting Works lies in two historically significant factors:

Return to Order of Business
Firstly this operation is directly associated with the very first such operation in Australia, with direct family connections to pivotal figures in Australian mining history. All three, father and sons, had an ongoing and important impact on Australian mining and smelting development, not just here but interstate. The efficiency of this operation in extracting maximum return for the available ore was renowned at the time and contributed markedly to the excellent reputation of the Bremer mine operations overall.

The second factor lies in the high degree of intactness of the smelter remains. These are quite substantial, and whilst not yet fully excavated include previously unknown structures. Unlike other better known or late mining sites the archaeological remains at Callington are clearly recognisable through having a greater degree of site integrity. This high degree of site integrity has allowed for recognition of features that conform to known textbook examples (or taxonomy) from the period. The better known mining sites of Burra, Kapunda or the copper triangle have nothing comparable in regards to smelter remains.

To ensure the adequate conservation of the remains uncovered thus far, as well as those awaiting excavation, a properly funded Conservation Management Plan is seen as a priority. This would build on and complement the existing initial site survey and the excavation reports being finalised for the State Heritage Branch of the Department of Environment and Heritage. The survey and excavation reports are requirements for the excavation permit for this site. The initial survey and subsequent excavations were directed by local Archaeologist Dr Nicholas Grguric, of Nairne.

The conservation of this site is significant at a State level as it is the earliest known surviving example of this type of mining technology in Colonial South Australia. These are the tangible remains from a colonial past when mining, and especially copper mining, provided the mainstay of the South Australian economy and Colonial Government coffers.

Properly treated this site has the potential to become the focus of, and a stepping off place for, a mining heritage trail in the Callington Kanmantoo area. Easily accessible from Adelaide, this area contains mining heritage that began in the first decade of colonisation and continues today, with the operations of the Hillgrove Resources Mine at Kanmantoo."

Councillor Harry Seager
23 July 2018

**Motion**

I move that Council:

1. Seek State Heritage Listing for the site of the 1860’s copper smelting works and associated structures located at Callington to the north of the Recreation Park Grounds.
2. Allocate funds to engage the appropriate professional to produce a Conservation Management Plan for this site in the first half of the 2019-2020 financial year.

**Officer Response**

In order to be listed as a State Heritage Place, any person (or organisation) can nominate a place as being of State Heritage Significance. While a member of the community could nominate the Callington Bremer Mine Smelting Works for State Heritage listing, Council's ownership of the land makes Council the appropriate entity to undertake the nomination.

Nominated places are assessed against seven criteria under section 16(1) of the Heritage Places Act 1993 (the Act);

(a) it demonstrates important aspects of the evolution or pattern of the State's history; or
(b) it has rare, uncommon or endangered qualities that are of cultural significance; or
(c) it may yield information that will contribute to an understanding of the State's history, including its natural history; or
(d) it is an outstanding representative of a particular class of places of cultural significance; or
(e) it demonstrates a high degree of creative, aesthetic or technical accomplishment or is an outstanding representative of particular construction techniques or design characteristics; or
(f) it has strong cultural or spiritual associations for the community or a group within it; or
(g) it has a special association with the life or work of a person or organisation or an event of historical importance. To become listed a place should fulfil more than one criteria under section 16(1) of the Act.

To become listed a place should fulfil more than one criteria under section 16(1) of the Act. It is considered that the Callington Bremer Mine Smelting Works could satisfy many of the criteria (above) for listing as a State Heritage Place. The background information and attachment provide sufficient information and warrant to commence a nomination process.

Should Council pursue the nomination it is assessed by the South Australian Heritage Council. The South Australian Heritage Council is an independent body whose main functions are to provide strategic advice to the Minister for Sustainability, Environment and Conservation, administer the Heritage Places Act 1993, provide strategic advice to the Minister for Planning on heritage-related matters in the administration of the Development Act 1993 and administer the South Australian Heritage Register.

Once the place has been considered to be of State Heritage Significance it is provisionally entered into the State Heritage Register and then is placed on public consultation for three months. This allows the public to make written representations on whether the provisional entry should be confirmed in the Register.
There are number of recommendations in the attachment with regard to the protection of the Smelting Works site and respective obligations under sections 26, 27 of the Heritage Places Act 1993 as well as conservation of the physical remains. In order to properly manage the site over the long period and meet legislative obligations a Conservation Management Plan is recommended. Interim measures for the protection of the site are recommended in the preliminary advice from Dr Nicholas Grguric (Directing Archaeologist Callington Smelting Works Archaeological Project).
Preliminary Advice – Archaeological Excavation of the Callington Smelting Works

Archaeological excavations at the 19th century Callington Smelting Works site were carried out intermittently over a period of 12 days between November 2016 and May 2018. The project was commissioned by the Callington Recreation Park Incorporated (CRPI), with the aim of developing the site’s potential as a cultural tourism attraction. The site of the Callington Smelting Works is located approximately 60km Southeast of Adelaide, in the grounds of the Callington Recreation Park and an adjacent Council-owned block of land (known as Funky Horse Paddock). The work was authorised under heritage permits 0005/15, and 0008/17 issued by the South Australian Heritage Council.

The Callington Smelting Works were established at the site in 1860 as a replacement for an earlier smelting works on the Bremer, and operated until 1875. Its purpose was to process copper ore from the nearby Bremer Mine.

The fieldwork was carried out primarily by a team of community volunteers coordinated by Harry Seager and under the direction of archaeologist Dr Nic Grguric. Two mechanical excavator operators were also employed at times as required.

A total of four previously identified structural features were archaeologically excavated, known as Feature’s 2 and 3 (smelting furnaces), Feature 7 (a calcining furnace) and Feature 11 (wall footings) (Figure 1). A further two non-structural features (Features 8 and 9; artefact scatters) were also archaeologically investigated by surface collection of artefacts. The results of the excavation of these four features are summarised below.

The excavation involved a combination of mechanical and hand excavation. Mechanical excavation was used to remove the substantial overburden and to define the general extent of the masonry features. These features were then excavated by hand. In general, displaced masonry related to the demolition phase of the structures was removed leaving substantially intact masonry. The aim of this approach was to reveal the structures to an extent that their design and function would be interpretable to the public as well as being structurally stable. The metal artefacts that were removed from the site were conserved against further deterioration under supervision of the project archaeologist, and the ceramic and glass artefacts recovered predominantly from the artefact scatters (Features 8 & 9) were collected for analysis.

Overall the excavation was highly productive, revealing the substantial remains of two smelting furnaces and associated hand tools, a calcining furnace of unusual design and the stone footings of a shed also likely to have been associated with the smelting works. The level of preservation of the structures excavated was higher than expected, and the results will certainly provide significant new...
information on the history of copper smelting in South Australia, as well as creating a cultural tourism attraction for Callington.

Feature 2 – Smelting Furnace ‘A’
Excavations revealed substantial structural remains of this copper smelting furnace, originally built in 1860, including the furnace itself, chimney, and firebox (Figure 1). Excavation of all but the firebox is complete, the latter still requiring excavation of its interior. The furnace is constructed on bluestone foundations with a hand-made red brick outer structure. Hand-made firebricks were used for those parts of the furnace which were exposed to high heat such as the interior of the furnace proper and the interior of the chimney and firebox. Extensive areas of firebrick paving were also revealed adjacent to the north eastern and north western sides of the furnace. These paved areas are associated with the use of the furnace and are contemporary with its period of operation. In addition, several in-situ structural iron components of the furnace are still present as well as timbers. Two iron rabble heads (hand-tools used during the smelting process) were also found in-situ. The remains of one of the hoppers was found close to the south eastern side of the furnace.

Feature 3 Smelting Furnace ‘B’
Like Feature 2, excavations revealed substantial structural remains of this copper smelting furnace, originally built in 1860, including the furnace itself, chimney, and firebox (Figure 2). Areas of firebrick paving were also found adjacent to the north western, north eastern and south eastern sides of the furnace which are associated with its use and contemporary with its period of operation. This furnace is constructed to the same design as the neighbouring ‘Furnace A’ except that the chimney is situated on the opposite side. Excavation of this structure is considered complete. Like Feature 2, the furnace is constructed on bluestone foundations with a hand-made red brick outer structure. Hand-made firebricks were used for those parts of the furnace which were exposed to high heat such as the interior of the furnace proper and the interior of the chimney and firebox. The internal portion of the furnace is somewhat more complete than that of Feature 2, with the oval shape of the furnace proper, constructed of firebricks, being clearly visible. Several artefacts directly associated with the smelting process were found adjacent to this smelter such as rabble heads and wedges, the latter being used to drive into the loops to tighten the iron reinforcing bars which surrounded the furnace. The firebox of this furnace has been excavated, revealing bluestone masonry and a bedrock base. A 19th century boot was found in the demolition deposit with which the firebox was filled, likely dating to shortly after the cessation of smelting operations.

Feature 7 – Calcining Furnace
These are the remains of a large structure which was almost entirely subsurface at the commencement of excavations. Constructed of predominantly of bluestone with hand-made brick elements, it is most likely to be one of the two calcining furnaces which were erected in 1861 and 1864 used as part of the pre-treatment process of the copper ore prior to it being smelted in furnaces ‘A’ and ‘B’. It is of an entirely different design to the smelting furnaces, consisting of two ‘cells’ separated by a paved corridor, with a square extension at the north eastern end which appears to have been a chimney or firebox. Substantial redbrick bases are situated at the ends and middle of both cells which may have been firebox and/or chimney bases. The design being unique and unexpected, its original appearance and how it functioned are as yet unclear and archival research is ongoing.

Feature 11 – Bluestone Wall Footings
This structure is located within ‘Funky Horse Paddock’ approximately 30m south west of Feature 3 (Furnace B). It consists of a linear bluestone and lime mortar wall footing with an L-shaped return at its eastern end. A small number of sub-surface artefacts were found in close proximity to the eastern end of the feature. These included the remains of two tools used for smelting, a shovel and a rabble.
It is likely that these footings supported a wall for a shed to store or stockpile materials associated with the smelting operations.

**Features 8 and 9 – Artefact Scatters**

These are two scatters of 19th century domestic artefacts. ‘Feature 8’ is located in the central portion of the site, near the mouth of the hollow in the slag heap. ‘Feature 9’ is located on the eastern side of ‘Feature 3’ (Furnace 8) and approximately 4m to the west of the other scatter (‘Feature 8’). The assemblage of both scatters consists predominantly of ceramic and glass fragments, as well as a men’s shirt/undergarment button in ‘Feature 9’. Several of the ceramic fragments come from tableware. Decoration present on the ceramic fragments includes sponge decorated, and underglaze transferware of types consistent with a mid to late 19th century date. The scatters are low density, but quite discrete, with a notable gap between the two. Given the domestic nature of these artefacts it is most likely that they represent civic rubbish dumping at the site after the cessation of smelting operations in 1875.

**Significance Assessment:**

- Of the six smelting works that existed in the Callington-Kanmantoo area, the Callington Smelting Works is the second earliest in the district (1860). It also produced the greatest volume of copper of all the smelters in the Callington-Kanmantoo area.
- The Thomas brothers who established the Callington Smelting Works subsequently played significant roles for another three decades in the Australian copper smelting industry in Queensland and New South Wales.
- The substantial structural remains of the smelting structures the excavations have revealed confirms that the site has the potential to offer a valuable cultural tourism benefit to the Callington-Kanmantoo community.

It is the opinion of the author that the Callington Smelting Works site satisfies at least four State heritage significance criteria as per Section 16 of the *Heritage Places Act 1993*. These are:

a) it demonstrates important aspects of the evolution or pattern of the State’s history; and  
b) it has rare, uncommon or endangered qualities that are of cultural significance; and  
c) it may yield information that will contribute to an understanding of the State’s history, including its natural history; and  
d) it is an outstanding representative of a particular class of places of cultural significance.

**Recommendations:**

The archaeological excavations carried out at the Callington Smelting Works site to date have established that this site is a place of archaeological significance, as per Section 26 of the *Heritage Places Act 1993*, and that it contains archaeological artefacts which are protected under Section 27 of the *Heritage Places Act 1993*. Therefore:

1. It is recommended that the CRPI and the District Council of Mount Barker be made aware of the findings of this Preliminary Advice, and of their obligations under the *Heritage Places Act 1993* (Secs 26 & 27) to avoid disturbing the land and/or artefacts within it.
2. It is recommended that the site be fenced in order to prevent inadvertent disturbance of the site by vehicles or people.
3. It is recommended that the structural remains revealed to date be conserved and prevented from further deteriorating through the following means:
   - Limited re-setting of displaced masonry elements using period appropriate lime mortar.
   - Partial filling of the Calciner (Feature 7) cells with gravel.

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**Return to Order of Business**
o Prevention of weeds and other vegetation from growing within the structures and paves areas.
o Maintaining grass in the areas between and surrounding the structures to prevent erosion and enhance the aesthetic appearance of the site.

4. It is recommended that the site be entered onto the South Australian Heritage Register.
5. It is recommended that archaeological excavations be continued at the site in order to more fully establish its contents and its interpretative potential.

I hope this brief summary of the archaeological findings to date has been informative. Detailed results will be presented in the forthcoming report.

Sincerely,

Nic Grguric
(Directing Archaeologist, Callington Smelting Works Archaeological Project)
Figure 1 Plan of the Callington Smelting Works site showing position of excavated Features 2, 3 and 7.
Figure 2 Feature 2 (Furnace A) as of July 2017. Excavation substantially complete with the exception of firebox interior (in foreground).

Figure 3 Feature 3 (Furnace B) as of July 2017, showing completed excavation.
Figure 4 Feature 7 (Calciner) as of July 2017 showing completed excavation.

Figure 5 Feature 11 (bluestone wall footings).
Figure 6  Sponge decorated tableware ceramic artefact (1840-1900) from Feature 8 (Artefact Scatter).

Figure 7  Undergarment/shirt button (ca1800-1870) from Feature 9 (Artefact Scatter).
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
PETITIONS

10.1 REPORT TITLE: RECEIVE PETITION: SAFE CROSSING FOR CHILDREN ON SPRINGS ROAD, MOUNT BARKER

DATE OF MEETING: 6 AUGUST 2018
FILE NUMBER: DOC/18/74960
ATTACHMENTS: ATTACHMENT NO. 1 DOC/18/74949

Key Contact
Manager/Sponsor
Sue Miller, Executive Assistant to CEO & Mayor
Andrew Stuart, Chief Executive Officer

Mount Barker 2035 – District Strategic Plan:
Governance and Leadership
GL2: Corporate capacity and leadership
GL2.1 Demonstrate accountability through clear, relevant and easily accessible policies and corporate reporting.

Purpose:
To present to Council a petition received from Master Hamish Robinson requesting a safe crossing for children on Springs Road, Mount Barker.

Summary – Key Issues:
1. A petition was received by Council from Master Hamish Robinson on 13 July 2018 on behalf of 57 signatories requesting a safe crossing for children on Springs Road, Mount Barker where the bus stops are, next to the Laratinga Wetlands entrance/Burnbank Way junction.
2. The petition is required to be received by Council at the next Council meeting following the date of receipt of the petition.

Recommendation:
That Council:
1. receives the petition; and
2. note that Council staff will respond to the petitioner, and if so determined by staff, a further report may be prepared for consideration at a future Council meeting.

Background:
1. A petition was received by Council from Master Hamish Robinson on 13 July 2018 on behalf of 57 signatories requesting a safe crossing for children on Springs Road, Mount Barker, where the bus stops are, next to the Laratinga Wetlands entrance/Burnbank Way junction.
2. The petition contains 57 signatories, with 55 residing in the district.
3. As per Council’s Code of Practice for Meeting Procedures, the first page of the petition is provided as Attachment 1. A copy of the full petition will be made

Background:
1. A petition was received by Council from Master Hamish Robinson on 13 July 2018 on behalf of 57 signatories requesting a safe crossing for children on Springs Road, Mount Barker, where the bus stops are, next to the Laratinga Wetlands entrance/Burnbank Way junction.
2. The petition contains 57 signatories, with 55 residing in the district.
3. As per Council’s Code of Practice for Meeting Procedures, the first page of the petition is provided as Attachment 1. A copy of the full petition will be made
available to all council members upon request, and will be provided at the Council meeting for perusal.

4. Master Hamish Robinson has been advised in writing that the petition will be presented to Council at the meeting to be held on 6 August 2018.

Discussion:

1. All petitions received by Council are placed on the agenda for the next ordinary meeting of the Council as per Local Government (Procedures at Meetings) Regulations under the Local Government Act 1999.

2. A copy of the first page of the petition, including a statement as to the nature of the request is provided as Attachment 1 to this report.

3. Normal practice is that a petition is simply received (not debated) to satisfy legal requirements. Council officers then assess the request and provide further information to Council at a later date, if required.

4. A letter advising what action will be taken (if any) will be provided to the head petitioner post the council meeting.

Policy:
There is no policy applicable.

Budget:
There is no budget impact associated with receiving the petition and assessing the request.

Statutory/Legal:
Petitions are received by Council as per Local Government (Procedures at Meetings) Regulations under the Local Government Act 1999.

Staff Resource Requirements:
Existing staff will assess the request.

Environmental:
N/A

Social:
A petition enables members of the community to draw Council’s attention to issues they believe require addressing.

Risk Assessment:
N/A

Asset Management:
N/A

Conclusion:
The petition is to be received to satisfy legal requirements.

Return to Order of Business
Attention: Ian Grosser  
Councillor, Central Ward  
Mt Barker District Council  
PO Box 54, Mount Barker 5251

8/7/18  
Dear Sir,  

Re: Safe crossing for children on Springs Rd, Mt Barker.

My name is Hamish Robinson, I am 10 years old and I have an older sister (13) and a younger brother (7), we live in the Martindale Estate, Mt Barker. We go to Mt Barker Waldorf School.

We, and my friends who live in our estate would like to request a safe crossing on Springs Road, Mt Barker where the bus stops are, next to the Laratinga Wetlands entrance- Burnbank way junction. This is because the traffic is very fast (80 km per hour), and cars turn left out of Burnbank way and it is not safe to cross.

Because of this we can’t ride to school, unless we travel all the way to the school crossing at St Francis De Sales College which is back tracking and adds about 3km to our ride.

A safe crossing would help the children who use the bus stop and many other children in our estate.

We want to be able to ride to school because it is fun and healthy.

Thank you.

Hamish Robinson  
8 Stokes Court  
Mt Barker SA 5251

Return to Order of Business
PETITION TO COUNCIL

PETITION COVER PAGE

First page of petition – attach additional pages as required

To the District Council of Mount Barker

We the undersigned, petition the Council to (define purpose)

install a safe pedestrian crossing
between the bus stops on Springs Road
opposite the Larahla Wetlands entrance,
adjacent to Burnbank Way entrance.

For the following reasons:

- the safety of children crossing the road who get off buses or who walk their bikes across,
- the current speed limit of 80 kph is too fast and endangers children who cross this road.

The contact person for this petition is:

Name: Hamish Robinson (c/- Sue Robinson, parent)

Office Use Only
Total Signatures
Total within District
Total outside District

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>SIGNATURE</th>
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<tbody>
<tr>
<td>Hamish Robinson</td>
<td>8 Stokes Ct mt Barker</td>
<td>Robinson</td>
</tr>
<tr>
<td>Zoe Robinson</td>
<td>&quot;</td>
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<tr>
<td>Jacinda Catts</td>
<td>7 Vienna ct mt Barker</td>
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<tr>
<td>Angus Robinson</td>
<td>8 Stokes Court mt Barker</td>
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<td>Sue Robinson</td>
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DOC/18/76221
11. RECOMMENDATIONS FROM ADVISORY COMMITTEES

11.1 STRATEGIC PLANNING DEVELOPMENT & POLICY COMMITTEE – 6 AUGUST 2018

Note: The recommendations printed below are yet to be considered by the Committee so they are subject to change.

Following the re-scheduled Committee meeting of 6 August 2018 the following recommendations will either be confirmed or Council will be advised of an alternative recommendation/s.

The recommendations of the Strategic Planning Development & Policy Committee are provided below for consideration by Council:

11.1.1 REPORT TITLE: TOTNESS EMPLOYMENT LANDS DPA
FILE NUMBER: FOL/17/3854

Recommendation

That Council:

1. Endorse the Totness Employment Lands DPA and forward it to the Minister for Planning seeking approval subject to the execution of the required Infrastructure Deeds and Land Management Agreements.

2. Authorise the Chief Executive Officer (CEO) to sign Schedule 4B of the Development Regulations 2008 stating that the Totness Employment Lands DPA is suitable for presentation to the Minister for Planning for approval.

3. Delegate the General Manager Planning and Development to finalise the Infrastructure Deeds and Land Management Agreements prior to the DPA being forwarded to the Minister.

4. Authorise the General Manager Planning and Development to undertake and authorise any administrative, or grammatical amendments to the Totness Employment lands DPA.
12. REPORTS

12.1 REPORT TITLE: ASSET MANAGEMENT PLANS

DATE OF MEETING: 6 AUGUST 2018

FILE NUMBER: DOC/18/78263

ATTACHMENTS: 1. DOC/18/45720 Strategic Asset Management Plan
2. DOC/18/80012 Strategic Asset Plan Feedback

Key Contact: Matthew Dawkins, Manager Infrastructure Planning, Infrastructure Services

Manager/Sponsor: Phil Burton, General Manager Infrastructure Services

Mount Barker 2035 – District Strategic Plan:

5. Governance and Leadership
GL4: Effective management and financial sustainability
GL4.1 manage assets liabilities through a planned, long term approach.

Annual Business Plan 2017/2018:

5. Governance and Leadership
5.3.6 Assets
Continue to develop and implement asset management plans for all asset classes.

Purpose:
This report summarises the outcome of community consultation on the draft Strategic Asset Management Plans (AMP) and seeks resolution to adopt the plan on which consultation was made.

Summary – Key Issues:
- Five asset management plans (stormwater, transport, buildings, recreation and wastewater) have been updated and consolidated into the Strategic Asset Management Plan
- The Strategic Asset Management Plan has been through a public consultation process which closed on 16 July 2018.
- Public consultation ran over a mandatory six (6) weeks with one feedback response received not requiring change to the plan.

Recommendation:

That Council:

1. Note the public consultation has been completed on the Strategic Asset Management Plan as presented to Council in June 2018.

Return to Order of Business
2. Adopt the Strategic Asset Management Plan presented in June without substantive change (see Attachment 1)

Background:
1. The preparation of infrastructure asset management plans is a statutory requirement under the Local Government Act 1999.

2. The AMPs were last adopted in 2011 and require this review process to comply with the Local Government Act. An undertaking has been given to the Minister that the plans will be updated and adopted by Council in July 2018.

3. AMPs are critical for describing the services that Council provides to the community from its infrastructure assets and how much it costs to provide these services. It also describes future demand requirements, lifecycle costs and risks and funding strategies for providing services. Importantly the plans also identify any actions that can be taken to improve asset management practices.

4. Council’s infrastructure staff have led the review and update of the infrastructure AMPs over the past 12 months and a summary of these plans was provided to Council at a briefing on 7 May 2018.

Discussion:
5. The review and update of the following infrastructure AMPs has now been undertaken:
   - Transport
   - Stormwater
   - Wastewater
   - Buildings
   - Open Space and Recreation.

6. The Wastewater AMP was produced by an external consultant, Infrastructure Solutions Australia.

7. The highly regarded International Infrastructure Management Manual (IIMM) ‘Core’ asset management plan template has been utilised for this review and update. Council is subscribed to the National Asset Management Framework and has utilised this body of knowledge to prepare these revised plans.

8. The draft AMPs were prepared with due consideration to the current endorsed Long Term Financial Plan (LTFP) and asset sustainability indicators. The principle applied to the draft AMPs was to present the current known position (including asset health, service levels where known, demands and risk) and provide a scenario where services are matched as close as possible to the endorsed LTFP position.

9. The Local Government Act 1999 stipulates that AMPs must go to public consultation in-line with Council’s public consultation policy. Council’s policy outlines a minimum six (6) week period for public consultation.

Return to Order of Business
10. The five infrastructure AMPs have been combined into a single summarised plan called the Strategic Asset Management Plan which has been used for effective public consultation.

11. Six (6) weeks of consultation was conducted from 5 June ending 16 July. Advertisements were run in local media and the Council website. A public meeting was held and aligned with the Annual Business Plan and Budget.

12. One feedback response was received during the consultation period. The queries raised in the response received, whilst triggered by the draft AMP document, did not necessitate any change to the document and has been responded to. See Attachment 2.

13. The Audit Committee received the updated Strategic Asset Management Plan on 21 June 2018 and resolved to note “the work undertaken to date to review and update the infrastructure asset management plans”.

14. The summarised plan brought to Council in June remains without substantive change. Some minor grammatical and formatting have been undertaken.

**Community Engagement:**

<table>
<thead>
<tr>
<th>Decision to be made</th>
<th>To endorse the infrastructure asset management plans for Council. These plans describe the level of service provided by infrastructure assets and the investment that is required over the next ten years to operate, maintain and renew infrastructure assets.</th>
</tr>
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</table>
| Key factors to be considered in decision (dot points) | • Community satisfaction with infrastructure services  
• Financial sustainability of providing infrastructure services to the community. |
| Area of community influence | Aspects that are fixed:  
• The long term financial plan is informed by asset management plans but is considered fixed for this consultation.  

Key areas for community input:  
• Satisfaction with levels of service for various infrastructure assets e.g. the condition of roads, the style of play grounds, the cleanliness of buildings, etc. |
| Method of consultation, informing community & cost | Adverts in local media, the website and a public meeting, aligned with the Annual Business Plan and Budget. |
| Feedback to stakeholders/Council | All feedback will be presented to Council in August 2018 when the asset management plans are adopted. |
Community input  
(post consultation only)  
One submission was received and a response provided by Council.

Recommendations  
(post consultation only)  
The five asset management plans (stormwater, transport, buildings, recreation and wastewater) consolidated into the Strategic Asset Management Plan be adopted.

<table>
<thead>
<tr>
<th>Policy:</th>
<th>The Asset Management Policy is relevant to the adoption of the Strategic Asset Management Plan.</th>
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</thead>
<tbody>
<tr>
<td>Budget:</td>
<td>The adopted plan will inform the Annual Business Plans year on year.</td>
</tr>
<tr>
<td>Statutory/Legal:</td>
<td>This is a requirement under the Local Government Act 1999.</td>
</tr>
<tr>
<td>Staff Resource Requirements:</td>
<td>Existing staff have been deployed to prepare the infrastructure asset management planning documentation. Annual review of the plans will utilise existing staff resource.</td>
</tr>
<tr>
<td>Environmental:</td>
<td>The Open Space and Recreation Asset Management Plan addresses some environmental strategies.</td>
</tr>
<tr>
<td>Social:</td>
<td>All asset management plans serve the purpose of affording the community access to services and facilities.</td>
</tr>
<tr>
<td>Risk Assessment:</td>
<td>Condition audits for each asset class have been undertaken and will be further reviewed together with greater definition of critical assets within asset classes.</td>
</tr>
<tr>
<td>Asset Management:</td>
<td>The asset management plans will ensure that infrastructure assets are sensibly managed over the long term and if adopted will ensure that adequate funding is provided to support the desired level of service.</td>
</tr>
<tr>
<td>Conclusion:</td>
<td>Asset Management Plans are a requirement under the Local Government Act 1999 and the adoption of the plan informs the Annual Business Plans year on year. Council now has a draft Strategic Asset Management Plan that has been to public consultation and is ready for Council adoption in accord with the expectations previously provided to the Minister for Local Government.</td>
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Previous Decisions By/Information Reports to Council

<table>
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<th>Meeting Date</th>
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<th>HPRM Reference</th>
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<td>4 June 2018</td>
<td></td>
<td>DOC/18/40944</td>
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Title: Asset Management Plans For Community Consultation

Purpose: This report provides an update on the preparation of updated Asset Management Plans (AMP) and next steps including public consultation and adoption by Council.
Strategic Asset Management Plan

Attachment 1 to Item 12.1

Return to Order of Business
Strategic Asset Management Plan

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Prepared by Adrian Stokes, Stokes Environmental and Editing, May 2018

Document Control

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<tr>
<th>Rev No</th>
<th>Date</th>
<th>Revision Details</th>
<th>Author</th>
<th>Reviewer</th>
<th>Approver</th>
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<td>23 May 2018</td>
<td>Initial Draft</td>
<td>Adrian Stokes</td>
<td>Council Infrastructure Planning</td>
<td>CGG</td>
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<tr>
<td>02</td>
<td>4 June 2018</td>
<td>Prepare Draft Strategic Asset Management Plan for Consultation</td>
<td>Group Manager Infrastructure</td>
<td>Council</td>
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<td>0.3</td>
<td>28 June 2018</td>
<td>Audit committee reviewed Draft Strategic Asset Management Plan</td>
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<td>0.4</td>
<td>24 July 2018</td>
<td>Amended after community consultation</td>
<td>Manager Assets &amp; Contracts</td>
<td>Manager Infrastructure Planning</td>
<td>Group Manager Infrastructure</td>
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Return to Order of Business
1. **Message from the CEO**

We are lucky to live in the beautiful Mount Barker district. The mix of urban and rural settings provides a truly diverse lifestyle for our community.

At Council, we provide a vast range of services to support this varied lifestyle. To provide these services, we manage a suite of assets with a replacement value of more than half a billion dollars. It is vital that we manage these assets with great care, while also planning for future demands as our population grows and our community changes.

This Strategic Asset Management Plan provides that careful planning, identifying the maintenance needs of our current assets, assessing future demands and our responses to those demands, and considering our budget allocations.

I am greatly encouraged by the finding that our ten-year budget allocations are generally sufficient to maintain our existing assets at the current levels of service. Knowing that we are in a position to maintain current services, we can confidently plan for the future.
2. **Introduction**

At Mount Barker District Council, we have a vision to be recognised as being highly liveable, prosperous and safe, built from a foundation of community spirit and energy, quality of lifestyle and unique heritage, environment and landscape.  

We provide a wide range of services to our community, in urban and rural areas. To deliver these services and enable us to strive towards our vision, we own and manage many assets. These assets are in five classes: buildings, stormwater, transport, recreation and open space, and wastewater. The total replacement value of these assets is approximately $500 million.

It is essential that we manage these assets responsibly, to maximise the value and services that we get from them. For this reason, we prepare ten-year asset management plans, following international best-practice, which assess the condition of our assets and determine the expenditure needed to operate, maintain, and renew or replace them. This also meets our obligations under the *Local Government Act 1999* to prepare infrastructure asset management plans.

Our asset management plans define the lifecycle costs of our assets, analyse risks associated with assets and their management, and establish funding strategies for providing the agreed services. Importantly, the plans identify any actions that can be taken to improve how we manage assets.

Our asset management plans also look ahead, analysing future demand and planning the new assets that will be required or those that we no longer need. This way we are confident that our current assets are well managed and that our budget is sufficient for their operations and maintenance, and that future budgets are also ready for the major changes that are occurring in our district.

This Strategic Asset Management Plan summarises the detailed asset management planning that has been undertaken for the five asset classes, and presents the overall investment plan for the next ten years.

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1. Mount Barker 2035 District Strategic Plan.

*Return to Order of Business*
3. What do we own?

The following is a snapshot of the assets that we own so that we can provide services to the community.

Buildings and other structures

We have 301 buildings and structures on our books, which provide the community with spaces to meet, socialise, play sport or do business, and to conduct Council’s business and provide other services.

Our buildings are diverse, and include 129 sports and recreation facilities, 46 parks and gardens buildings, 30 public conveniences, 26 council facilities, and 23 halls and institutes.

Stormwater

We have assets that provide stormwater drainage and flood mitigation services to the community. They include 142 km of stormwater pipes, 5,137 stormwater pits, 37 gross pollutant traps, 7.9 km of open drains, and 63 detention basins.

Transport

We have an extensive suite of assets that provide the community with safe and accessible transport. This includes 360 km of sealed roads, 456 km of unsealed roads, 159 km of footpaths, 320 km of kerb and channel, and 268 bridges, floodways and culverts.

Recreational and open space

We own a wide variety of assets that provide active and passive recreation and open space services to the community, including 126 playing fields (tennis / netball courts, cricket nets / pitches, ovals, etc), 35 playgrounds, 124 ha of parks and linear reserves, 166 ha of sports-related open space, and about 160 ha of natural area reserves. We also manage more than 20,000 street trees.
Wastewater

Council operates four schemes that provide wastewater services and provides non-potable water services to Meadows township and other areas for irrigation and commercial business. Assets used to provide these services include three treatment facilities, nearly 10,000 connections, over 250 km of gravity mains and over 20 km of rising mains, 21 pump stations, the award-winning Laratinga Wetlands and several lagoons.
4. How healthy are our assets?

To keep track of the health of our assets and effectively plan their management, we regularly assess their condition. Different techniques are used for the different types of assets—for example, sometimes a formal visual inspection is conducted, and sometimes it is simply based on the known age of the asset. We typically use a 1 to 5 condition rating:

1. Very good: only normal maintenance required
2. Good: planned to minor maintenance required
3. Fair: maintenance required to return to acceptable level of service
4. Poor: major maintenance required over next 3–5 years
5. Very poor: beyond maintenance and should be renewed or replaced in next 3 years

![Chart showing the condition of all classes of asset](image)

**Buildings and other structures**

98% of our building assets are in fair condition or better (Figure 1).

**Stormwater**

All of our stormwater assets are in fair condition or better (Figure 1). This is because they are long-lived assets and most were constructed in the 1960s and 1970s.

**Transport**

Transport assets are monitored every 4 years through a scheduled assessment program (Figure 1). More than 95% of our sealed roads, footpaths, bridges and culverts are in fair condition or better. However, the unsealed road assets are not performing as well: 43% are in poor or very poor condition.
Recreation and open space

The breakdown of the condition of recreation and open space assets is presented according to the replacement value of the assets (Figure 1). 12% (by value) needs to be replaced or requires significant renewal; most of this (9% of the assets by value) is the Mount Barker Mountain pool, which is classified as in very poor condition.

Wastewater

98% of our wastewater assets are in fair condition or better based on age (Figure 1). Condition monitoring for these assets is not systematic; a ten-year pipe maintenance program for wastewater pipes will soon be undertaken, which will update, and make more comprehensive, the asset condition and performance data.

Valuations

Table 1 provides the replacement cost and the depreciated replacement cost for all assets in each asset class. The depreciated replacement cost is the current replacement cost less accumulated depreciation. This is represented differently in Figure 6, which shows how much of each asset class has been consumed/depreciated.

<table>
<thead>
<tr>
<th>Asset Class</th>
<th>Replacement Cost $,000</th>
<th>Depreciated Replacement Cost $,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buildings</td>
<td>49,054</td>
<td>41,777</td>
</tr>
<tr>
<td>Recreation and Open space</td>
<td>19,856</td>
<td>12,970</td>
</tr>
<tr>
<td>Transport Assets</td>
<td>288,828</td>
<td>229,330</td>
</tr>
<tr>
<td>Stormwater</td>
<td>54,081</td>
<td>42,031</td>
</tr>
<tr>
<td>Wastewater</td>
<td>95,054</td>
<td>72,829</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>506,873</strong></td>
<td><strong>398,936</strong></td>
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</tbody>
</table>

Table 1: Replacement cost and depreciated replacement cost for all assets in each asset class as at 30/06/2017

Figure 6: Chart showing what percentage of each asset category has already consumed/depreciated.
5. Levels of service: what do we provide and how are we performing?

We manage our assets to deliver services to our community. It is important that we establish expectations and performance measures around these services. We do this in two ways: customer levels of service and technical levels of service.

Council also undertakes detailed planning to identify the needs of vulnerable people in our community. We have recently completed an Age Friendly Community Plan and an Access and Inclusion Plan to better understand the needs of those in our community who are ageing or living with a disability and their carers.

These plans reference the World Health Organisation’s criteria for Age Friendly Communities and the United Nations Convention on the rights of people with disabilities.

Customer levels of service seek to address the needs of these groups in our community, recognizing that improving access for people living with a disability also improves access for parents with young children and safety for all asset users.

Customer levels of service measure how the customer receives a service, and address quality (how good is the service?), function (is it the right service?), and capacity/use (do we need more or less of these assets?).

Technical levels of service are performance measures relating to how assets are managed to deliver customer services. They are linked to activities covering the operation, maintenance and renewal of assets, and to upgrading or acquiring new assets to deliver new services.

Technical levels of service are established using relevant technical specifications including the Disability Discrimination Act 1992 and the Building Code of Australia’s Access Code. There are also a number of Australian Standards that apply to transport assets, recreation and open space and buildings.

Where are we going well?

- Our buildings are generally fit for purpose and well utilised with respect to up-keep and their original intent. However, there are deficiencies in functionality and serviceability around female specific facilities in sports grounds, DDA compliance.
- We have met our target for at least 80% of our footpaths, sealed roads, bridges and culverts to be in fair condition or better.
- We have met our target for at least 80% of our recreation assets to be in fair condition or better.
- We have also met our target for our wastewater system to have less than 15 failure events per 100 km of mains (5.18 in 2015/16).
Where can we improve?

- Although we have a road safety record of less than one injury per year relating to road condition, we aim for this to be zero.
- We have not met our target for at least 80% of unsealed roads to be in fair condition or better.
- We did not meet our target for our non-potable water system to have less than 10 failure events per 100 km of mains (15 in 2015/16).
- Unsealed road condition is not performing well. We are currently revising the road hierarchy and establishing more detail around appropriate levels of service and intervention settings. Dust, ride quality and wash out issues are the primary cause for customer complaint. In this regard, we are looking at strategies around pavement stabilisation and durability of the running surface and drainage.
- There are deficiencies in functionality and serviceability in some buildings with respect to access for people living with a disability and in sports facilities for women participants. Council’s Access and Inclusion Plan recommends ‘a targeted audit of Council owned and operated buildings and facilities to assess their compliance with DDA standards’.
- Generally the condition of the stormwater systems in the district are good and indicative of an asset at its half-life however from time to time, a minority of drains have been found to be in worse condition than their age would suggest. Accordingly, we intend identifying the critical drainage systems and carrying out more detailed inspections of them.
6. Future demand: what are we planning for?

Because of our peaceful semi-rural environment, easy freeway access to Adelaide and relatively affordable housing, our district has seen significant population growth in recent years.

This growth is set to continue, with the district population expected to exceed 56,000 by 2036\(^4\), an increase of about 23,000 over 20 years. This will see the town of Mount Barker become the second biggest city in South Australia.

While Mount Barker’s growth has higher proportions of children under 14 and their parents aged 35-54, there are still significant proportions of people aged over 65 (15% in 2016) and people living with a disability requiring daily assistance (4.6% in 2016). Higher proportions of people will be living with a disability that limits their access to services and facilities. It is generally considered that 1 in 5 Australians are living with some form of disability. More than 11% of the Mount Barker population provide unpaid assistance to a person living with a disability, long-term illness and old age.

Table 2 provides some key statistics of this projected growth, and Figure 7 shows where much of it will occur:

<table>
<thead>
<tr>
<th>Mount Barker District Council</th>
<th>Forecast year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Summary</td>
<td>2016</td>
</tr>
<tr>
<td>Population</td>
<td>33,809</td>
</tr>
<tr>
<td>Change in population (5yrs)</td>
<td>4,714</td>
</tr>
<tr>
<td>Dwellings</td>
<td>13,723</td>
</tr>
</tbody>
</table>

Table 2: Key forecast population metrics for the Mount Barker District Council\(^3\)

\(^3\) https://forecast.id.com.au/mount-barker
Clearly, these changes have significant implications for the demand for services and the assets required to deliver those services, which is why we are planning for it now.

Some of the major drivers of demand are:

- Population growth and expansion of townships will place strain on existing assets (buildings, stormwater, roads etc) and will require new assets.
- Increasing proportions of the population who are living with a disability and remaining in our community as they age will require improved access to built assets.
Community expectations will influence service delivery, especially with new residents expecting similar services to metropolitan Adelaide (stormwater, wastewater, all-season road access, etc).

Most population growth will be in new developments, which will mean more gifted assets to Council, creating a new asset management burden.

Higher density developments may lead to more impervious areas which may place demands on stormwater drainage infrastructure.

There will be environmental impacts, such as more pollutants in run-off and removal of trees.

There will be an increased volume of wastewater, and increased sewer load from converting Mount Barker Town Centre to sewer, and higher treated wastewater quality standards (from both customer demands and regulatory standards).

We are well prepared to manage these demands, through a combination of managing existing assets, upgrading existing assets, and planning for new assets. We will also put in place demand management other than asset management: solutions such as managing community expectations and influencing peoples’ behaviour.

Some of the measures identified in our demand management planning are:

- Ensure that maintenance of existing Council buildings is up to date and seek to increase buildings' versatility during upgrades.
- Undertake flood mapping and stormwater management planning.
- Assess community expectations and management needs for the unsealed road network, especially with respect to condition, dust and winter access.
- Work with developers when planning new or upgraded assets, such as building facilities, footpaths and roads, and recreation and open space assets, to ensure that opportunities are maximised and appropriate infrastructure standards and development controls are met.
- Resource the new City Development team to work with developers during the planning phase.
- Develop infrastructure deeds with developers.
• Upgrade Mount Barker Wastewater Treatment Plant to increase capacity and quality of treated water, and design and construct new major reticulation trunk mains.
• Upgrade Mount Barker Town Centre to sewer.
• There are a number of roads that will require upgrade/intervention to meet the demands placed upon the network by higher volumes attributable to population growth. The funding of these interventions is not catered for fully in our LTFP yet there are “user-pays” mechanisms to collect the necessary funds such as separate rates or Deeds of Agreement with the land developers.
7. Lifecycle management plan: what does it cost us?

In planning and allocating resources for managing our assets, we consider four categories of activities:

- Operations: regular activities to provide services such as public health, safety and amenity (e.g. cleaning, street sweeping, stormwater pit cleaning); these have no direct effect on asset condition.
- Maintenance: regular ongoing work to keep assets operating at required service levels, including repairs when portions of an asset fail (e.g. road patching, scheduled plant servicing).
- Renewal/replacement: major work to restore, rehabilitate, replace or renew an existing asset to its required service level; renewal does not increase an asset’s design capacity.
- Upgrades/new works: works that create a new asset for providing services, or that improves an existing asset to have greater capacity to provide services. New and upgraded assets create a new requirement for operations and maintenance that must be planned and budgeted for, regardless of whether Council pays for the build or acquires it via some other means.

Figures 8 to 12 provide a chart for each of the five asset classes showing the estimated expenditure over the next ten years on operations, maintenance, renewal and upgrade/new. The charts also show the amounts that have been budgeted over the ten-year period in Council's Long Term Financial Plan.

Comparing the budgeted amount (solid line) with the anticipated expenditure (bars) in these charts informs discussions about the adequacy of funding and finding a balance between services, costs and risks to achieve the best value outcome.

**KEY FINDING**

Importantly, there is little divergence between the ten-year budgets and predicted expenditure needs for our current assets. This indicates that our ten-year budget allocations are sufficient to maintain our existing assets at appropriate levels of service.

Future reviews of this Plan will provide opportunities to consider finance strategies for upgrades and new assets and to respond to arising service needs from population growth.

Budgets will also need to be reviewed to accommodate the whole-of-life costs of new assets.
Buildings and other structures

![Figure 8: Estimated expenditure over the next ten years on management and upgrade/new works for building assets, and budgeted amounts in Long Term Financial Plan (LTFP).](image)

There are sufficient funds budgeted to maintain the building assets at their current reasonable level of service. A large amount of expenditure is planned in 2019 and 2020, including an Environmental centre depot and a regional level sporting hub. These are not currently fully budgeted. Both projects will produce assets that have substantial maintenance and operational needs over their life time. There is currently no new capital planned beyond 2021, however this is likely to change in future revisions of this document.

Stormwater

![Figure 9: Estimated expenditure over the next ten years on management and upgrade/new works for stormwater assets, and budgeted amounts in Long Term Financial Plan (LTFP).](image)

The spike in 2021 New/Upgrade is an outcome of the SMP and relates to flood mitigation works in Mount Barker.
Transport

Figure 10: Estimated expenditure over the next ten years on management and upgrade/new works for transport assets, and budgeted amounts in Long Term Financial Plan (LTFP)

The cost to maintain our current transport assets is sustainable over 5–10 years. Gifted assets will create additional operations and maintenance demands, which will be addressed in later versions of this plan. A review of the capital expenditure will be undertaken, to weigh up the costs and benefits of seeking increased allocation or rationalising the program to meet the budget.

Recreation and open space assets

Figure 11: Estimated expenditure over the next ten years on management and upgrade/new works for recreational and open space assets, and budgeted amounts in Long Term Financial Plan

There are sufficient funds to maintain current assets at a reasonable level of service. A large amount of expenditure is planned between 2019 and 2022, including a regional aquatic/indoor facility and regional level sporting hub. Note that not all of this expenditure is budgeted, therefore a funding strategy will be developed.
There are sufficient funds to maintain current wastewater assets at a reasonable level of service. Significant expenditure will be required to upgrade the Mount Barker Wastewater Treatment Plant; Figure 12 includes an eastern sector sewer trunk main and Nairne to Mount Barker sewer pipe and pump stations a funding strategy is being developed to accommodate these upgrade works.

**Disposals**

There are usually costs associated with disposing of assets when they reach their end of life and can no longer efficiently provide services. Major disposals proposed are:

- Field services depot
- Callington Oval clubroom
- Some components of the Mount Barker Wastewater Treatment Plant
- Pump stations that are redundant due to the new eastern sector trunk mains.
- Mountain pool

No significant disposals are proposed from the transport or stormwater asset classes.
8. Financial: how will we pay for these services?

This section contains the financial requirements resulting from all the information presented in the previous sections of this Plan. The financial projections will be improved as further information becomes available on desired levels of service and current and projected future asset performance.

Our annual budget and Long Term Financial Plan determine how much funding will be provided to asset management. This Strategic Asset Management Plan, informed by detailed asset management plans for different asset classes, communicates how and when this budget allocation will be spent, along with the service and risk consequences of differing options.

We have several other options for funding asset management, and we will actively pursue these to seek optimal services and value for money for our ratepayers. Options include developer contributions and gifting, grants, separate rates, partnerships, or commercial approaches.

Funding and the sustainability of service delivery

We use two key indicators for assessing the sustainability of service delivery. The asset renewal funding ratio is the most important indicator and measures the percentage of the funds required for the optimal renewal and replacement of assets that is available over the next 10 years under the Long Term Financial Plan. 100% means that the anticipated expenditure is fully budgeted. (Where level optimal renewal is not available, depreciation is used as a proxy)

The medium term budgeted expenditure/projected expenditure measures the percentage of the funds required for the projected operations, maintenance and capital renewal expenditures that is available over the next 10 years under the Long Term Financial Plan. 100% means that the anticipated expenditure is fully budgeted. This excludes upgrades and new assets.

These two indicators are provided for each asset class in Table 3.

<table>
<thead>
<tr>
<th>Asset Class</th>
<th>Asset renewal funding ratio</th>
<th>Budgeted and projected expenditure ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buildings</td>
<td>91%</td>
<td>100%</td>
</tr>
<tr>
<td>Recreation and Open space*</td>
<td>65%</td>
<td>99%</td>
</tr>
<tr>
<td>Transport</td>
<td>93%</td>
<td>100%</td>
</tr>
<tr>
<td>Stormwater *</td>
<td>23%</td>
<td>100%</td>
</tr>
<tr>
<td>Wastewater</td>
<td>65%</td>
<td>100%</td>
</tr>
</tbody>
</table>

Table 3: Asset renewal funding ratio and medium term budgeted expenditure/projected expenditure for the five asset classes

For some asset classes, the asset renewal ratio is well below 100%, generally indicating that there are ageing assets with increasing renewal demands. These will be addressed in the next version of this plan.

Stormwater condition is based on age with the majority been concrete with a useful life’s of 100 years, the asset renewal ratio will increase over time. Recreational asset include a number of playing fields funded by grants and the sporting clubs. This expenditure is not included in the renewal expenditure.
9. Risks: what do we need to closely manage?

It is important that we identify risks associated with delivering services from infrastructure and respond where needed. These risks can be in many forms, including risks related to operating the assets, risks to Council business, and risks associated with the failure of important assets.

One recurring risk that we are attentive to is the risk that funding will be inadequate to operate and maintain assets to provide required services. The processes followed in this Plan are essential to ensuring that we manage this risk, and accordingly we are confident that our budgets are sufficient for operating and maintaining our current assets to agreed service levels.

Council’s Risk Management Policy establishes a logical process for risk assessment that is based on international standards. Using this process, we identify credible risks, assess the likelihood of the risk event occurring and the consequences should the event occur, develop a risk rating, evaluate the risk, and develop a risk treatment plan for non-acceptable risks.

Critical risks

As part of the risk assessment, we identify critical risks that will result in significant loss, financial shock or a reduction in service. The critical risks are those assessed with ‘Very High’ (requiring immediate corrective action) and ‘High’ (requiring corrective action) risk ratings.

One critical risk has been identified:

- Proposed regional sports hub: affordability and the ability for Council to fund both the capital and ongoing operating costs. The risk will be addressed by a detailed funding strategy / business case assessment that includes funding options, long term financial planning and prudential review.

Although there have been no critical risks identified with our building, stormwater, transport or wastewater assets, there are inconsistencies in how rigorously this critical risk assessment has been done; we will improve our practices in this area to ensure that all critical risks are identified.

Critical assets

We also identify critical assets: those which have a high consequence of failure in terms of a significant loss or reduction of services. For each of these we identify their typical failure mode. We can then target our condition inspection programs and maintenance and capital expenditure plans at these critical areas.

Critical assets are:

- Field services depot
- Adelaide Hills Recreation Centre
- Library
- Local Government Centre
- Bushfire refuge areas.
- Gawler Street Bridge

A formal critical asset analysis has not yet been completed for our wastewater schemes; however, given the nature of the services provided, many components are deemed critical, including wastewater treatment plant pump stations, rising mains, connections, lagoons, switchboard and controller system.
10. Improvement Plan: how could we do better?

In every asset management plan, we include an improvement plan that identifies ways in which we will improve what we are doing.

The following improvement actions will apply across asset classes:

- Develop and implement improved condition assessment methodologies.
- Review levels of service in key areas, including surveys of community expectations and consultation with other stakeholders.
- Develop proactive maintenance programs and measure performance using Asset Maintenance Management System.
- Implement a mobile technology for works management, including maintenance inspections and defect recording.
- Review risk assessment and re-do for some asset classes if required, including a thorough assessment for critical risks.
- Additional specific improvement actions are:
  - Undertake a targeted audit of Council owned and operated buildings and facilities to assess their compliance with DDA Standards.
  - Develop a schedule of building and facility upgrades that meet or exceed DDA standards. Identify access and inclusion priorities and cost these for the next four years.
  - Adapt and use the Access Checklist for Public Spaces and Places for All when planning the design and delivery of new capital works projects, building and public realm upgrades and significant maintenance programs.
  - Develop a DDA (Disability Discrimination Act 1992) plan for buildings.
  - Develop conservation management plans for existing heritage stone buildings.
  - Commission a stormwater management plan for Hahndorf.
  - Prepare natural areas management plans and audit natural areas more systematically.
  - Continue to implement a tree audit to identify any public risks.
  - Upgrade reserves and review playing surfaces.
  - Integrate universal design and access guidelines into open space strategy.
  - Review and update design guidelines and standards to ensure access and inclusion outcomes for Main Street projects.
  - Develop a schedule of public realm upgrades and projects. Identify access and inclusion priorities and cost these for the next 4 years.
  - Initiate a review and upgrade schedule of playgrounds to increase access to children and families living with a disability.
  - Continue building linear trail network with universal guidelines in place.
  - Initiate a major projects review process that includes scrutiny from a Disability Access and Inclusion Panel (to be established by Council) during the planning phase.
  - Revalue some assets (including recreation and open space assets).
  - Update the operations and maintenance manual and corresponding schematics for wastewater assets.
11. Investment plan: how much are we planning to spend?

Table 4 provides the ten-year projected expenditures across all asset classes.

These expenditure are broken down into the following classifications as defined below:

**Operations** – the regular activities to provide services (e.g. sweeping streets, cleansing, inspections, etc.)

**Maintenance** – the activities necessary to retain an asset as near as practicable to an appropriate service condition. Maintenance activities enable an asset to provide service for its planned life (e.g. road patching, unsealed road grading, footpath repairs).

**Renewal** – the activities that return the service capability of an asset up to that which it had originally (e.g. road resurfacing and pavement reconstruction).

**Upgrade/New** – the activities to provide a higher level of service (e.g. widening a road, sealing an unsealed road, new footpath) or a new service that did not exist previously.

**Disposal** - includes any activity associated with the disposal of a decommissioned asset including sale, demolition or relocation.

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<th>Financial Year</th>
<th>Operations $,000</th>
<th>Maintenance $,000</th>
<th>Renewal $,000</th>
<th>Upgrade/ New $,000</th>
<th>Disposals $,000</th>
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<td><strong>Totals</strong></td>
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<td><strong>82,447</strong></td>
<td><strong>62,290</strong></td>
<td><strong>177,079</strong></td>
<td><strong>120</strong></td>
</tr>
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</table>

Table 4: Projected expenditures (in 2017/18 real values) across all asset classes for the ten-year period 2019–2028.
12. References

- Mount Barker Landscape Standards and Guidelines for New Developers.
- Mount Barker District Council, Access and Inclusion Plan (Draft 2018)
Dear Dianne,

Thank you for your feedback on our Asset Management Plans – we really do appreciate you taking the time.

I have provided an answer/comment to your feedback below.

Let us know if you require further info.

Kind Regards

Phil

Phil Burton
Group Manager Infrastructure
D 08 8393 6446

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From: Business Plan
Sent: Monday, 16 July 2018 4:53 PM
To: Paula Overy <poveryp@mountbarker.sa.gov.au>
Subject: FW: MBDRA Strategic Asset Plan feedback

Hello Anne,

Please find below the Mt Barker and District Residents’ Association comments/queries re the Strategic Asset Plan.

We found the report a thorough and succinct analysis of the current and future situation. The sections on ‘Where can we improve’ and ‘The Improvement Plan, Item 10’ were very helpful in understanding the weak points and areas of improvement.

Key points:

- Where is the asset renewal plan?

The asset plan is an investment plan over the next 10 years, recommending how much we need to spend on infrastructure assets to achieve a desired service level. Details of specific projects is included in Council’s annual business plan. Council typically plans four years in advance and we are looking to publish our future asset renewal programs on our website over the coming year.
- **Disposals**: this lists the Field Services depot, Callington Oval Clubroom and Mountain Pool. How can the Mountain Pool be listed as a disposal before a new one is built? We strongly object to the Mountain Pool being listed as a disposal until a replacement asset is confirmed. All of these assets are yet to have a replacement built. We have highlighted them to show that disposal is likely as the replacement assets come on line. It is not proposed to dispose of the Mountain Pool ahead of building a new facility.

- The Hydrotherapy Pool has been deleted from the plan for the new aquatic centre. This needs to be included - health and wellbeing (still in the title of the facility), rehab, physio - we need these in our community.

- Facility design is in progress and no decisions have yet been made about the viability of particular elements over others.

- Critical Assets – the Mountain Pool is not listed - yet this is the only respite for children and families in our increasingly hot summers.

  Noted. Good suggestion. We recognise the importance that a pool facility plays for the community and we will review this for inclusion in our critical asset register.

- The Reference list was also very helpful.

  Noted.

- The main issue for residents and ratepayers is the requirement for their rates to pay for long term infrastructure costs brought about by the MDPA 2010. We understand Council opposed this but the fact is that increased rates are not sustainable.

  Noted. The funding of infrastructure requirements is considered in Council’s long term financial plan. The asset plan shows that there is a large amount of infrastructure being gifted from developers and we are acutely aware of servicing the needs of both the new and existing parts of our district.

Thank you for the opportunity to comment on this plan.

Kind regards

Dianne van Eck
Chairperson
Cc Secretary

Mt Barker & District Residents’ Assoc Inc.

www.mtbarkeranddistrictresidents.org.au

for the people
Mount Barker 2035 – District Strategic Plan:
The Regional Sports Hub Stage 1 Project assists Council to deliver Community Wellbeing Objective 5. Recreation and physical activity development
For the community to have access to sport recreation and leisure opportunities
In particular, community wellbeing strategies:
5.1 Promote and support recreation and sport - High Priority: To significantly advance the establishment of new recreation and sport facilities
5.2 Provide facilities and space that encourages physical activity.

Annual Business Plan 2018/2019:
1.1 Capital Projects and Initiatives - Community and Sporting Facilities Development – Regional Sports Hub Stage 1.

Purpose:
To provide an update on the Mount Barker Regional Sports Hub Stage 1 project, including funding and cost/scope considerations, and seek delegation to the CEO to execute the Building Better Regions Fund deed.

Summary – Key Issues:
1. The project has been granted a further $4.4 million from the Federal Government via Building Better Regions Fund round 2.
2. The project timeline (with variables) and costings (with value management/scope options) have been updated with current information.
3. Phase 3 of the project – detailed design and documentation is underway, including lodgement of the development application on 7 June 2018.

Recommendation:
That Council:
1. Delegates authority to the CEO to execute the Australian Government Department of Industry, Innovation and Science Building Better Regions Fund (BBRF) grant funding deed for $4.4 million Mount Barker Regional Sports Hub Stage 1 (BBRF65725).
2. Notes that the Regional Sports Hub Stage 1 Project request for expression of interest for construction process has been completed and that, subject to statutory approvals, the next steps in the process include:
   a. completion of stage 1 design documentation;
   b. construction tender to be called;
c. business strategy, governance and management arrangements;
d. prudential report (to be presented to Council prior to making a decision on the construction tender); and
e. Council decision on final scope, budget and construction tender.

**Background:**

1. The last update report to Council on the project was provided to the 4 June 2018 meeting.

2. At the 15 January 2018 Council meeting the following was resolved:

   ![Moved Councillor Morrison that Council endorse Council seeking grant funding from the Federal Government via the Building Better Regions Fund for two projects being the Regional Sports Hub Stage 1 (a further $4.4 million) and the Regional Indoor Aquatic Facility ($10 million). Seconded Councillor Buchmann CARRIED ON20180215.10]

3. On 16 July 2018 Council staff received official notification that the Council’s application submitted under the Building Better Regions Fund for the Mount Barker Regional Sports Hub Stage 1 for $4.4 million has been successful.

**Discussion:**

4. Since the 4 June 2018 Council report on the Regional Sports Hub Stage 1 Project:
   a. The project has been granted a further $4.4 million from the Federal Government Building Better Regions Fund round 2. This brings the total Federal funding to $8.1 million.
   b. The project timeline has been updated. See ATTACHMENT 1.
   c. The project’s development application has been lodged (7 June 2018) and will proceed to Council’s Assessment Panel shortly.
   d. Key stakeholders and the broader community, via the project’s webpage and mailing list, have been provided with updated draft concept plans (subject to approvals and funding) and a project “frequently asked questions” (FAQs) document.
   e. A request for expressions of interest (non-price) in the construction of stage 1 has been completed.
   f. The request for quotes from suitably qualified consultants is to assist Council to prepare (1) a Business Strategy, (2) governance and management model, and (3) the first 4 year Business Plan for Stage 1 of the Regional Sports Hub has been completed with Brian Cunningham and Associates engaged to undertake the first two parts of this work with an option to extend the engagement to undertake part three.

5. Total external project partner funding (State and Federal Government grants and peak sporting body funding commitments) is now $12.1 million.

6. Work is continuing on refining the design, scope and cost estimate for stage 1. Site servicing and essential stage 1 works to establish the ‘greenfield’ site continue to place considerable constraints on the stage 1 scope and budget. Subject to
obtaining statutory approvals, it is intended that through value management processes, including scope options and competitive procurement processes, that a viable stage 1 within the Council’s long term financial plan provision to this project will be presented for Council decision early in 2019.

7. Possible scope options include deferral to a future stage of the project items that are required for the whole of the project but not essential to playing sport in stage 1, for example: tiered “grand-stand” seating.

8. Further project funding will continue to be pursued for stage 1 and related elements such as the Laratinga Trail connection to the Regional Sports Hub site.

9. Council also plans to promote a community fundraising program during construction which will provide the opportunity for business and individuals to have a personal connection with the new regional facilities, for example, picket fence around the oval.

10. To present a recommended stage 1 to Council for construction approval the following will be required:
    a. All statutory approvals
    b. Final funding deeds and project partner agreements
    c. 100% design documentation
    d. Prudential Report (Business Strategy required)
    e. Market price for construction of all of stage 1 as a single package following a competitive select tender

Community Engagement:

| Informing only | Extensive community consultation has occurred over several years on the Regional Sports Hub and the stage 1 project. The community was informed about the Building Better Regions Fund round 2 application via the project website since the time of the application in December 2017 and in the January 2018 Council agenda. |

Policy: Prudential Management Policy.

Budget: Commencement of construction of the Regional Sports Hub Stage 1 project is provisioned in the 2018/19 Annual Business Plan - 1.1 Capital Projects and Initiatives - Community and Sporting Facilities Development – Regional Sports Hub Stage 1. The budget forecasts $7,930,000 expenditure and ($3,188,000) income (subject to funding, statutory approvals and Council approval of scope and project budget). Project budget projections are consistent with the LTFP provision for stage 1 of the RSH. This project will be a work in progress (WIP) project over 2 years.

Statutory/Legal:
- Prior to Council committing funds to the construction of stage 1 of the Regional Sports Hub the Council will need to receive a prudential report in accordance with section 48 of the Local Government Act 1999.
- Development Approval under the Development Act 1993.
- State Government approval under the Land Management Agreement.
**Staff Resource Requirements:** No change – full-time project leader with input from numerous other staff across a range of disciplines.

**Environmental:** Approval is being sought through the Development Application process for removal of 4 significant trees in stage 1. During detailed design and documentation landscaping, storm water and energy efficiency aspects will be designed.

**Social:** The Regional Sports Hub Project Business Case includes an assessment of the significant positive social impact of the proposed Regional Sports Hub facilities on the community.

**Risk Assessment:**

**Financial.** The stage 1 project’s strategic “affordability” risk (relating to both capital and operating costs) was assessed as high risk. Entering into the Building Better Regions Fund reduces this risk to medium risk. Ongoing risk management of this risk includes: value management, competitive tendering for construction, and the development of the Business Strategy and governance and management model.

**Governance.** The risk of entering into the funding deed is assessed as low risk. The deed requires agreement of milestones, with detailed reporting required at each milestone, and pays in arrears. The Council will be provided with a recommended stage 1 scope and budget based on an updated cost estimate, a prudential report and confirmation of statutory approvals prior to the request to approve a construction contract.

**Asset Management:**
The Business Case considers the whole of life costs and long term financial implication of creating new community sporting infrastructure and should assist Council with future Regional Sports Hub project decisions including governance and management arrangements.

**Conclusion:**
The Regional Sports Hub Stage 1 is currently in the detailed design and documentation phase which continues to be progressed while the development application assessment is in progress (noting that development application approval is a project “hold-point”).

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There have been a total of 15 reports to Council relating to the Regional Sports Hub project prior to this report. The most recent report to Council on this project was:

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<tr>
<th>Meeting Date</th>
<th>4 June 2018</th>
<th>HPRM Reference</th>
<th>DOC/18/52609</th>
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<td><strong>Title</strong></td>
<td>Regional Sports hub – stage 1 project update</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Purpose</strong></td>
<td>To provide an update on the Mount Barker Regional Sports Hub Stage 1 project.</td>
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## Regional Sports Hub - Stage 1 Phases

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<th>PHASE</th>
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<th>STATUS</th>
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<tbody>
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<td>2014-Sep 2015</td>
<td>completed</td>
</tr>
<tr>
<td>2. Project preparation</td>
<td>Aug 2017 – Feb 2018</td>
<td>completed</td>
</tr>
<tr>
<td>3. Detailed design and tendering</td>
<td>Mar 2018 – Feb 2019</td>
<td>IN PROGRESS</td>
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<tr>
<td>5. Project Completion</td>
<td>May – Jun 2020</td>
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**Attachment 1 to Item 12.2**

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*Return to Order of Business*
12.3 REPORT TITLE: MOUNT BARKER COMMUNITY CENTRE RELOCATION

DATE OF MEETING: 6 AUGUST 2018

FILE NUMBER: DOC/18/78993

ATTACHMENTS: Attachment 1 TAFE Dumas Street Site Layout DOC/18/79715
Attachment 2 Letter from Mount Barker Community Centre DOC/18/82777

Key Contact
Nick Day, Manager, Community Wellbeing

Manager/Sponsor
Greg Parker, General Manager, Community Services

Mount Barker 2035 – District Strategic Plan:
Community Wellbeing
CW 1.2 Prioritise facilities and programs that support families and young people
CW 2.1 Build a community that works in partnership with government and non-government organisations to achieve real and long lasting improvements in safety and wellbeing
CW 3.1 Support a long term approach to the development, upgrade and improvements to community facilities and infrastructure such as library, sports grounds, community halls and venues and play spaces

Annual Business Plan 2018/2019:
Mount Barker Community Centre Relocation $100,000
Library Refurbishment & TAFE Customer Service Hub $414,000

Purpose:
To seek Council endorsement for the Chief Executive Officer or delegate to negotiate and enter into a lease for a portion of the TAFE Dumas Street, Mt Barker precinct for the relocation of the Mount Barker Community Centre (MBCC).

Summary – Key Issues:
1. The MBCC will need to be relocated from Charles Street Mount Barker due to the sale of the property to the Department for Education in 2017.
2. Council’s Community Facilities Study and Delivery Strategy (December 2016) recommend a community hub model.
3. Council staff have explored and presented to Elected Members several options for relocation of the Mount Barker Community Centre (MBCC).
4. An opportunity exists presented here to secure space from TAFE to facilitate the library refurbishment and to offer space to the Mount Barker Community Centre and possibly other much needed community outcomes that will activate the TAFE/Library precinct.

Return to Order of Business
Recommendations:

That Council

1. Authorise the Chief Executive Officer (or nominee) to negotiate a peppercorn lease for a portion of the TAFE precinct for a minimum of 5 years for the relocation of the Mount Barker Community Centre.

2. Note the Chief Executive Officer and staff have commenced preparation and detailed planning for the relocation of the Mt Barker Community Centre from Charles Street, Mount Barker South to Dumas Street, TAFE, C Block by April 2019, or as early as possible thereafter.

3. Note the Chief Executive Officer and staff continue to explore the merits of co-location of a co-working innovation/collaboration hub within the TAFE precinct.

Background:

1. At its meeting of 4 April 2016, Council resolved:

   ‘That Council authorise:

   - The Chief Executive Officer or nominee to negotiate with the Minister for Education and Child Development for:
     - a contract for the sale of 1 Charles St, Mount Barker (CT 3924/12) adjacent to Mount Barker South Primary School, the sale price to be consistent with the valuation obtained by Council;
     - a lease to Council for the Mount Barker Community Centre building and surrounding land area, for an agreed period, not less than 2 years;
     - ongoing public access to the children’s playground.
   - Communication to the Mount Barker Community Centre Board regarding the decision, the proposed lease period and Council’s intent to find a new location for the service; and
   - The Chief Executive Officer to investigate and secure, in consultation with the Mount Barker Community Centre board, a suitable alternative facility with minimal net financial impact on Council.’

2. The net sale proceeds of the sale of 1 Charles Street was $787,880 and the lease was signed by parties on 8 March 2017.

3. Council staff explored and evaluated available relocation options for the MBCC in 2017 and presented these options to Elected Members in an informal briefing on 6 March 2017.
4. Council has approved the construction of a Volunteer Hub adjacent to the Springs Wetland which is currently under construction (the new Men’s Shed component approximately 320m² compared to existing and rented space 257m²). The MBCC’s Men’s Shed will be relocating to the Volunteer Hub from a privately owned leased premises on McFarlane Terrace.

5. Council staff have been liaising with Flinders University New Venture Institute in exploring business and location options for an innovation/collaboration hub including the TAFE precinct. The MBCC have recently written expressing concern with sharing space within C Block with a “co-working hub” (Attachment 2 letter 17 July 2018). The location of a co-working innovation/collaboration hub has merit. Staff will seek from MBCC further detail about concerns expressed in the letter (attachment 2) with a view to seeking a satisfactory way forward to accommodate two important opportunities for the TAFE precinct.

Discussion

TAFE Dumas Street Precinct (see layout in Attachment 1)

6. Several suitable site re-location options for the MBCC have been explored by Council staff and summarised at an Informal Briefing for Elected Members on 6 March 2017 and the ‘C’ Block of the Mount Barker TAFE Campus was identified as a potential suitable and ideally centrally located site.

7. The Chief Executive Officer and General Manager Community Services have been in ongoing discussions with TAFE SA and recently (14 May 2018) met with the ‘interim’ TAFE Chief Executive Officer, Alex Reid and other senior TAFE staff.

8. The outcome of those discussions was positive and the Chief Executive Officer has written to the TAFE Chief Executive Officer confirming an agreed action plan (via a Memorandum of Understanding (MOU)) going forward.

9. The following objectives and principles were agreed within the MOU:-

   a) Council to lease C Block (at peppercorn) from TAFE
   b) Commitment to the joint redevelopment of D Block (TAFE/Council Library) including capital funding provision
   c) Commitment to working together towards accommodating the TAFE Customer Service Hub within the revamped/redeveloped Library footprint
   d) A and B blocks to be retained by TAFE for TAFE business purposes
   e) A commitment to negotiating and agreeing a new Joint Use Agreement which will include
      - TAFE/Council customer service arrangements and
      - documented financial arrangements and responsibilities for site management and maintenance.

10. The consolidation of TAFE staff into D Block and the relocation of the MBCC to the TAFE site provides an excellent opportunity to create a community hub, reactivate the site and to have multiple learning and community wellbeing outcomes in the precinct.
11. Senior TAFE personnel have reiterated TAFE's commitment to the site and the revitalization program. They commend the joint initiative in that:-
   - The consolidation of TAFE SA staff into the (soon to be) renovated D Block space will support a refreshed and improved customer experience with TAFE SA.
   - The activation of the TAFE SA precinct through the location of the Mt Barker Community Centre in the current C Block will provide the community with increased access to TAFE SA, information about TAFE SA courses and training and development opportunities available.
   - TAFE SA is committed to increasing uptake of training across the Mt Barker community to meet the current, growing and anticipated skill needs resulting from the growth in and around Mt Barker.

12. TAFE will be promoting the $1.1m upgrade (includes Council $414k in 2018/19 ABP) of D Block as a community/education building project.

**Mount Barker Community Centre**

13. Mount Barker Community Centre’s current business model offers a number of services which include:-
   - Adult Community Education
   - Low Income Support
   - Recreation and leisure Programs
   - Programs supporting people with a disability
   - Seniors Fitness
   - Men’s Shed
   - Community Garden
   - Occasional Child Care

14. The Community Facilities Study and Delivery Strategy endorsed by Council on 16 March 2017 states “As the MBDC population increases from 2016 to 2036 and then beyond, the demand for district community centre space will increase from 660 square metres to 1044 in 2036 and then 1291 beyond 2036”. A district multipurpose community centre allows for the provision of larger and higher order spaces in a centrally accessible location that is available to all residents of the Mount Barker district.

15. The MBCC current facility 1 Charles Street has a floor area of 150m² and the TAFE (C Block) area considered in the report is 806m².

16. The MBCC have stated that an increase space will allow them to increase the social enterprise part of their business, for example, sales of Men’s Sheds products and centralized fee paying activities in the pursuit of further financial sustainability.

17. Council has an imperative to relocate the MBCC by April 2019.
18. The ‘Family House’ Occasional Care service operates 4 days a week, and offers 2 hour sessions and 4 hour sessions, 40 weeks a year from the Charles Street site. Children from 5 months to 6 years of age are cared for. Currently the Centre averages around 10 children a day. The premises are licensed for 14 places (4 under 2yo and 10 over 2yo).

19. The MBCC have a business plan which includes a goal for the Child Care operation to expand into a Long Day Care operation. The MBCC have been successful in securing seed funding from the federal Department of Education and Training to recruit a project officer to assist in transitioning to a long day child care facility taking into account the regulatory requirements.

20. The MBCC’s business case for the transition shows an operating surplus (for this business unit alone) in year 2 onward based on moving from a maximum of 14 children (current arrangement) to 40-60 children, 5 days a week, 8 hours a day, 50 weeks a year. It is envisaged enrollment numbers will grow over time.

**Willow Close Preschool Centre**

21. The Willow Close Preschool Centre is located at 3 Willow Close, Mount Barker.

22. Willow Close is currently being used for a kindergarten which is planned to be moved by the Department for Education to the Mt Barker South Primary School precinct redevelopment.

23. In 1976 Council resolved to transfer Lot 100 Willow Close Mt Barker to Mt Barker Kindergarten Incorporated for the purposes of early childhood learning.

24. An Indenture was also prepared in 1976 ensuring that when the land is no longer required for a ‘kindergarten or pre-school centre’ then the property will, for all intents and purposes, be returned to Council.

25. The MBCC has expressed interested in the Willow Close site to deliver their proposed Long Day Care service.

26. The future of the Willow Close property will be the subject of Council separate consideration and a Council report will be prepared in relation to the future of this site.

**Next Steps**

27. The following table provides an indicative action plan as a guide to next steps for the relocation of Mount Barker Community Centre:
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<thead>
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<th>Item</th>
<th>Action</th>
<th>Timeline</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Joint participation in a project plan and schedule.</td>
<td>August 2018</td>
</tr>
<tr>
<td>2.</td>
<td>Finalise lease arrangements</td>
<td>September 2018</td>
</tr>
<tr>
<td>3.</td>
<td>Communication Plan and implemented with stakeholders</td>
<td>September 2018</td>
</tr>
<tr>
<td>4.</td>
<td>Fit out and relocation plans finalised</td>
<td>November 2018</td>
</tr>
<tr>
<td>5.</td>
<td>MBCC Fit out and relocation complete</td>
<td>March 2019</td>
</tr>
</tbody>
</table>

Consultation

28. A joint communication plan will be developed with stakeholders (TAFE/MBCC/Council staff).

29. General Manager, Community Services provided an update to the MBCC Board on 4 June 2018. Further consultation will be essential in the coming months.

30. TAFE and Council staff have established a project steering group for the D Block redevelopment.

Community Engagement:

<table>
<thead>
<tr>
<th>Action</th>
<th>Advisory notification through local media and website.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inforning only</td>
<td></td>
</tr>
</tbody>
</table>

Policy:

Not applicable

Budget:

Annual Business Plan 2018/2019:

- Library Refurbishment & TAFE Customer Service Hub $414,000 (Council capital contribution) (note this amount will need to be revised in line with an agreed new design layout)
- Community Centre operating increase $100,000 (inc $50,000 C block fit out plus $50,000 allowance for increased operating costs – this figure is currently under review)
- MBCC Council Funding Contribution 2019/20 ongoing - operating increase $50,000 (under review)
- The increased space contemplated in the proposed new lease agreement with TAFE will mean significantly increased outgoings e.g. power, security, building and grounds maintenance and these items are items for further negotiation to determine a fair recovery from the occupation of that facility.

Statutory/Legal:

Nil.
**Staff Resource Requirements:**
Library Refurbishment Project is being project managed by State Government.

Once vacated by TAFE – C Block fit-out will be project managed by Council’s Infrastructure Department.

Change management to be undertaken within existing staff resources.

TAFE site maintenance arrangements to be determined and outgoings to be charged to tenants on leased area basis.

**Environmental:**
No impact.

**Social:**
The relocation of the MBCC ensures their programs can continue to provide community wellbeing outcomes for the MBDC community.

**Risk Assessment:**

<table>
<thead>
<tr>
<th>Risk</th>
<th>Likelihood</th>
<th>Consequence</th>
<th>Risk Rating</th>
<th>Mitigation Strategy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Relocation Project is delayed or falls through</td>
<td>L</td>
<td>H</td>
<td>M</td>
<td>Ensure overall project success through consultation and communication with all stakeholders. Lease extension in Charles Street may be required.</td>
</tr>
</tbody>
</table>

**Asset Management:**
Capital redevelopment of Council owned portion of D Block will be part of the Community Infrastructure asset management plan.

Note - C Block is wholly owned by State Government so fit-out costs to Council are operating costs.

**Conclusion:**
This report seeks Council endorsement for the Chief Executive Officer or nominee to negotiate and enter into a lease for a portion of the TAFE precinct for the relocation of the MBCC and informs Council of the ownership status of 3 Willow Close, Mt Barker.

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**Previous Decisions By/Information Reports to Council**

<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>HPRM Reference</th>
<th>DOC/18/56913</th>
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</thead>
<tbody>
<tr>
<td>4 June 2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Title</td>
<td>Mount Barker Community Centre Relocation</td>
<td></td>
</tr>
<tr>
<td>Purpose</td>
<td>Response to Question on Notice for update on TAFE negotiations.</td>
<td></td>
</tr>
<tr>
<td>Meeting Date</td>
<td>4 April 2016</td>
<td></td>
</tr>
<tr>
<td>--------------</td>
<td>--------------</td>
<td></td>
</tr>
<tr>
<td>Title</td>
<td>Partnering Opportunity – Proposed Sale of Land for Children’s Centre</td>
<td></td>
</tr>
<tr>
<td>Purpose</td>
<td>Recommendation to sell Community centre land to Department of Education and Child Development to construct a Children’s Centre.</td>
<td></td>
</tr>
</tbody>
</table>
17th July 2018

Greg Parker
Mount Barker District Council
Mount Barker SA 5251

Dear Greg

On behalf of the board of management of the Mount Barker Community Centre we would like to offer more detailed insight of our views regarding the suggested relocation site of the centre. In recent weeks we have been provided updates on the Block C option at TAFE which has consisted of a walkthrough of the block and some proposals for a co-working hub plan for the use of the site.

We are very aware that Council is working hard to develop infrastructure to make Mount Barker able to deal with the ongoing growth in the district, and that we are just one small component in a much bigger picture. However the community centre plays a pivotal role in supporting members of this growing community in ways that other organisations, including Council, do not.

We were taken aback recently when provided a co-working hub plan for Block C which had us positioned at the very back of the site, which we immediately responded to as being totally inappropriate for our needs. A follow up plan has since been made available to us which we used as a guide for our recent walkthrough. Although a substantial improvement on the initial co-working hub plan, we still believe that it does not go anywhere near far enough in ensuring the community centre is able to meet the growing needs of a growing community, as well as supporting other small community groups who require a community facility for their own purposes.

We think it is also fair to say that we should have been consulted thoroughly on the nature of the co-working hub, in particular the partner organisation chosen. We have no general objection to a co-working hub plan but believe that with proper consultation a better matching of services could have been developed. We have also identified some reasons why more access to the relevant space in Block C will have significant benefits to both us and the wider community as outlined below:

- Greater use of the space within Block C will allow us to support a greater number of community groups, particularly smaller groups who need free space to run their important programs. We get around a dozen calls a week from groups needing space to run support groups, meetings and programs for a variety of groups in our community that cannot find appropriate space.
- More space will allow the community centre to set up a comprehensive social enterprise model to support the centre and become far less reliant on external funding. We can see an opportunity for a recycling / upcycling centre with a shopfront that can
support our existing groups such as Men’s Shed and Revamp, as well other groups through consignment. Funds raised from such social enterprise can be used to support the community centres operating budget as well as support our planned ‘low income support’ initiatives that include a food cooperative and financial counselling services.

- It will allow the centre to run more of our core services in our community centre site. Due to current space restrictions the centre has to run a number of programs elsewhere in Mount Barker at considerable cost. These programs include our over 50’s exercise classes, which at present cost us around $800 a month to run in other facilities.
- Free ‘hot office’ space for smaller community groups to run their services or for meetings. Also free space for groups such as University of the Third Age (U3A) who are always in need of venues to run important courses for our community. We would provide free wi-fi for all such groups as well as all other necessary requirements such as whiteboards, data projectors and furniture.
- Front of house reception provided by the community centre can support other community groups and can also work alongside the co-working hub set up for groups partnering with the centre for this purpose.

Over-all we have been very appreciative of the work carried out by council staff in supporting us with this relocation, and we are aware that this has included a new Men’s Shed and Child Care Centre. However, we believe that consultation with us should be less retrospective and more consultative in all stages of planning for the relocation. For example, when we were provided a plan of our use of the space that had us situated at the very rear of Block C we were not previously provided an opportunity for discussion about this. Likewise, with the development of a co-working hub it would have been more appropriate for us to have been told the co-working hub would be with Flinders University and their New Venture Institute concept. To us this is not necessarily a great fit or matching of services and this could have been identified if we had been consulted from the beginning as we were promised at the beginning of this process.

To conclude we would like to highlight to you that our board and staff are working hard to develop services that are relevant to our community, and we see the relocation as a wonderful opportunity for us to do this. We are currently looking at developing our service to be a true ‘community services’ set up for Mount Barker that will be far better placed to support the community, an important part of which will be a Community Centre. We would like to suggest that a planning session with our relocation sub-committee and your staff in the near future would be a good move forward.

Yours Sincerely

Sean Hames

Yours Sincerely

Gunnhild Jonsson

Board members: Mick Jenner, Mick Stapleton, Kathy Hutchinson, Theresa Little, Errol Crouch, Eliza Tucker.
Mount Barker 2035 – District Strategic Plan:
Governance and Leadership.
GL:4 – Effective management and financial sustainability.

Annual Business Plan 2018/2019:
Nil

Purpose:
For Council to endorse a position in relation to the Local Government (Rates Oversight) Amendment Bill 2018.

Summary – Key Issues:
1. The State Government introduced the Local Government (Rates Oversight) Amendment Bill 2018 (the Bill) in the House of Assembly on 20 June 2018, the Bill has subsequently been passed and is now in the Legislative Council.
2. The LGA has requested Council to endorse a position in relation to the Local Government (Rates Oversight) Amendment Bill 2018 to enable the LGA Board to finalise a sector wide position and advise political parties of the sector’s response in preparation for the spring session of Parliament.
3. The Bill has specific implications for Mount Barker and other growth Councils and if the Bill does progress, it will be important to seek to have these implications recognised and addressed.

Recommendation:
That:
1) Council advises the Local Government Association that it opposes the Local Government (Rate Oversight) Amendment Bill 2018; and
2) Given the Bill is now before the Legislative Council, and if the Bill progresses to the Committee Stage, Council authorises the Chief Executive Officer or nominee to make representations to the LGA and other stakeholders in relation to:
   a. the implications of the Bill for Councils like Mount Barker that are experiencing substantial and sustained growth; and
b. pursuing amendments to the Bill in order to seek to minimise or eliminate such implications.

---

**Background:**

1. The State Government introduced the Local Government (Rates Oversight) Amendment Bill 2018 (the Bill) in the House of Assembly on 20 June 2018 following a Liberal Party election commitment to introduce rate capping legislation in the Parliament within their first 100 days of government.

2. The Bill establishes a framework for a rate cap policy that gives the Essential Services Commission of South Australia (ESCOSA) responsibility for setting an annual rate cap, assessing applications from councils for variations to the rate cap, and monitoring and reporting on council compliance with the rate cap.

3. The LGA held a Special General Meeting on the 13th July 2018 to discuss the State Government’s proposed rate capping legislation. At the meeting a motion was unanimously passed that each council should review the legislation and advise the LGA by Friday the 3rd August 2018 that it either supports or opposes the Local Government (Rates Oversight) Amendment Bill 2018.

4. Given this timing, the LGA has been advised of the recommendation that is to be considered at the Council meeting on 6 August 2018 and that the resolution of the Council meeting will be communicated to the LGA on 7 August 2018 in advance of the LGA Board meeting that is to be held on 10 August 2018.

5. At the Council meeting held on the 3rd April 2017 it was resolved that Council:
   a. Notes the unanimous decision from South Australian Councils at the 2016 LGA Ordinary General Meeting to reject rate capping.
   b. Opposes rate capping as it is currently being proposed in the Local Government (Rate Increases) Amendment Bill 2016.

6. The Local Government (Rate Increases) Amendment Bill 2016 as presented by the Liberal Party in opposition as a private members Bill failed to gain support in the House of Assembly.

**Discussion:**

7. **Rate Capping Research**
   a. Rate capping was first proposed by the Liberal Party prior to the 2014 State Election. On the basis of evidence that rate capping results in negative impacts on communities, and the absence of any evidence that it results in more efficient councils, the LGA and the majority of South Australian councils have consistently voted to oppose the introduction of rate capping in South Australia.

   b. The LGA has undertaken a range of advocacy, policy and reform activities to highlight the risks and implications of rate capping while developing alternative local government reforms that will deliver benefits and value for communities. A summary of the extensive research the LGA has undertaken on council rate capping policies and their impacts in other jurisdictions was presented in the report to the LGA Special General Meeting held on 13 July 2018. The agenda for this meeting is included as an attachment to this report.
c. As reported by Professor Roberta Ryan from the University of Technology Sydney at the LGA Special General Meeting, there is little Australian empirical evidence available to back up the claims about the purported advantages on rate capping. The research that is available provides evidence that rate capping is associated with:
   i. Higher levels of debt;
   ii. Lower level of infrastructure maintenance; and
   iii. Lower levels of inter-jurisdictional revenue effort equity (creating inequity in an individual council’s ability to raise revenue).

d. The research does not provide evidence of higher levels of efficiency being associated with rate capping.

8. **Summary of the Local Government (Rates Oversight) Amendment Bill 2018**

a. The rate capping system outlined in the State Government’s proposed legislation comprises the key elements summarised below.

b. The Essential Services Commission of South Australia (ESCOSA) will be responsible for making rate cap determinations, assessing applications from councils for variations to the rate cap, and reporting on the outcomes of the system.

c. ESCOSA will determine the basis of the rate cap; for example, whether it will relate to a price or particular index (Consumer Price Index, Local Government Price Index etc) and whether the cap will include any efficiency or productivity component. The details of how the rate cap will be determined will be subject to ESCOSA guidelines that are yet to be developed.

d. A cap may be determined for councils generally, a class of councils or individual councils. There is currently no definition provided for a ‘class’ of councils.

e. The cap will be applied to a ‘base standard rate’, which is a nominal rate that is arrived at by dividing the total annualised general rate revenue for a council area by the number of rateable properties in that area at the end of a base year (30 June). This proposed change will result in growth being measured by only the increase in the total number of rateable properties and will not include growth/increase in valuation due to developments such as new homes being built on vacant land in the growth areas (approximately 400 per annum currently).

f. A council may apply to ESCOSA for a variation from the rate cap for a maximum period of up to five years. In applying for a variation, councils will need to provide the reasons for the variation application, evidence of community consultation, and an assessment of the likely impact on ratepayers.

g. Councils will be expected to make efficiencies across their operations before applying for a variation from the rate cap, and will need to demonstrate they have considered funding priorities and alternative sources of revenue and the willingness and capacity of their ratepayers to pay higher rates.

h. Consistency with long term financial plans and infrastructure and asset management plans will be a critical component of an application for a variation.

i. ESCOSA may charge councils a fee to recover the costs of assessing a variation application and applications will need to be lodged by 31 March. It is not clear when ESCOSA will advise a council of the outcome which is a consideration relative to statutory obligations like community consultation pre the adoption of the annual business plan and declaration of rates.
j. Further details of the variation process will be provided through ESCOSA guidelines that are yet to be developed.

k. Separate rates and service rates and charges are excluded from the rate cap calculation, but a council must inform ESCOSA if they propose to introduce a new separate rate or service rate or charge as this will be taken into consideration when they set the primary rate cap for that council.

l. ESCOSA must monitor and review councils’ compliance with the system and prepare reports on the effects of rate capping on councils and any trends that may arise as a result of the rate capping scheme.

m. The Minister may take action in relation to a council under Section 273 of the Local Government Act on the basis of a report by ESCOSA. Currently this provision includes ICAC, the Auditor-General and/or the Ombudsman.

n. A review of the legislation will be required before 31 December 2023 (five years from the proposed commencement).

9. Impacts of Rate Capping

a. The LGA’s research confirms that there is overwhelming evidence that shows rate capping is not an effective public policy. The New South Wales and Victorian experience show that rate capping:
   
   i. undermines local democracy, centralises decision making about council rate revenue and shifts accountability from community representatives to an unelected bureaucracy;
   
   ii. limits councils’ ability to provide local services – putting discretionary services at risk;
   
   iii. leads to higher user pays fees, charges and fines;
   
   iv. creates asset renewal and infrastructure backlogs; and
   
   v. does not make councils more efficient or financially sustainable – in fact council debt increases as councils struggle to meet community expectations.

b. The lack of detail in the Local Government (Rate Oversight) Amendment Bill 2018 means that it is challenging to forecast and model the specific impacts on council services and the long-term financial sustainability of the local government sector and Mount Barker District Council.

c. When Council rates properties it adopts the capital value determined by the Valuer General as the basis for valuing land, calculating total rate revenue and the distribution or apportionment of rates to individual properties. Council then applies differential rates based on varying land use and zones as per the annual business plan.

d. When raising rates consideration is made for Growth which has occurred throughout the year. Council currently calculates this growth as the change in valuations (as provided by the Valuer General in their valuation list) from the previous year derived from Revisits, Objections, Corrections and new assessments (including cancelled assessments).

e. Although the Bill lacks sufficient details to forecast the full impact, it is clear adverse impact will be particularly acute for growth councils that are greenfields sites (e.g. Mount Barker District Council) where new infrastructure is generally required in advance of the area being fully developed. As the Bill is currently drafted growth will
only be measured by the increased number of rateable properties within a Council area. This calculation method excludes the conversion of land use from vacant to Residential or the major development of a commercial site on an existing rateable property. This will in turn result in Council incurring increased expenditure related to the development and increased population it will need to provide services to, despite not being able to recover additional rate revenue from these rateable properties.

f. In 2017/18 growth contributed $862K towards Council’s General Rate revenue, whilst if Council had adopted only the increase in rateable properties (as per the Local Government (Rate Oversight) amendment Bill) the increase in growth related revenue would have only been $753K, resulting in a loss of General Rate Revenue of circa $109K. This equates to the equivalent of 0.4% in general rates for one year.

g. LGA modelling that assumes a rate cap aligned with LGPI for the previous year, shows the potential loss of rates revenue across the local government sector would have been:
   i. $65.2 million and 2014-15;
   ii. $42.7 million in 2015-16; and
   iii. $15.8 million in 2016-17

h. Modelling conducted by Council staff based on similar assumptions to that used by the LGA shows the potential loss of revenue from general rates for Mount Barker District Council over the last 3 years would have been $3.85M in total.

i. This loss of revenue will have a significant impact on Council’s financial sustainability with Council general rates contributing up to 51% of Council’s budgeted revenue for 2018/19.

j. As the Bill is yet to be debated in the Legislative Council and if progressed is likely to be the subject of considerable amendments, the full impact of this proposed legislation is unknown. Further, if the proposed role of ESCOSA proceeds it will need to provide more details as to how they will determine the Primary rate cap.

k. Rate Capping will not control or limit the yearly variation of an individual ratepayers rates as this is determined by changes in property value.

**10. Process to resolve a sector position**

a. At the LGA Special General Meeting, members voted that South Australian councils should review the Local Government (Rate Oversight) Amendment Bill 2018 and advise the LGA by Friday 3 August 2018 of the council’s endorsed position based on the following options:
   i. Council supports the Local Government (Rate Oversight) Amendment Bill 2018; or
   ii. Council opposes the Local Government (Rate Oversight) Amendment Bill 2018.

b. Following the receipt of responses from councils a special meeting of the LGA Board will be held on the 10th August 2018 to consider the endorsed positions of member councils. As rate capping would impact on councils differently depending on size, services, budget and rate base, the LGA Board will consider the endorsed positions of member councils on the basis of both a ‘one vote, one value’ counting method and a weighted voting method (using the same weighting system as applied at LGA
General Meetings ie Councils with <10,000 population = 1 vote; 10,001 – 50,000 = 2 votes; >50,001 = 3 votes).

c. The Board will also use the following criteria to inform and resolve a position:
   i. A merits-based assessment of the proposed legislation;
   ii. The best interests of the communities of South Australia and their confidence in the local government sector;
   iii. Current LGA policy positions and whether there is a mandate from members for an amended policy to be adopted;
   iv. Potential impacts on the long-term financial sustainability of the local government sector, and how any negative impacts could be mitigated;
   v. Potential amendments and concessions that are in the best interest of councils and the community they serve;
   vi. Positions of political parties in the Legislative Council and the impact this would have on the outcomes that can feasibly be achieved through the parliamentary process; and
   vii. The number of responses received and the number of councils that did not participate in the current LGA process.

d. The LGA has requested that Council provides advice on an endorsed position by Friday 3 August to enable the LGA Board to finalise a position and advise political parties of the sector’s response in preparation for the spring session of Parliament which resumes on 4 September 2018 when the State Budget will be delivered.

e. It is critical for the LGA Board’s decision making process that councils indicate whether they support or oppose the Bill irrespective of potential amendments and/or concessions that may be achieved.

f. Once the Board has resolved a position on behalf of the sector, the LGA will use best endeavours in the Parliament to secure an outcome reflective of the sector’s position and in the interests of the communities they serve.

11. Parliamentary Process

a. The Local Government (Rate Oversight) Amendment Bill has been introduced in the House of Assembly by the Minister for Transport, Infrastructure and Local Government, Hon Stephan Knoll MP.

b. The Bill has been passed in the House of Assembly.

c. However the Bill must pass in both Houses of Parliament to become law and the Government does not hold a majority in the Legislative Council.

d. If the Labor Party (ALP) honours its pre-election commitment to oppose rate capping, the government must secure support from three out of five crossbench Legislative Council members in order for the Bill to pass. The crossbench currently comprises two members from SA-BEST, two members from the Greens, and one member from Advance SA.

e. The ALP is considering the detail of the Bill and is yet to confirm a position. However, the Shadow Minister for Local Government, Hon Tony Piccolo MP told the LGA’s Special Meeting that he has a number of concerns about rate capping and is reluctant to recommend it to the Shadow Cabinet. SA-BEST and Greens are both on record post-election opposing rate capping based on the detrimental impacts it has
had interstate and its lack of policy merit. Therefore, the possibility of successfully opposing the Bill in the Legislative Council remains available if this is ultimately the decision of councils.

f. The Government has indicated that the Bill will be scheduled for debate in the Legislative Council in the first or second sitting week of Parliament, following the winter recess.

Community Engagement:

| Informing only | The community is informed via this report which is available on Council’s website. |

Policy:
Funding Policy – DOC/12/105644

Budget:
Rate Capping will restrict the amount of revenue Council will be able to collect from rate revenue and will have an impact on its Financial sustainability.

Statutory/Legal:
Local Government Act 1999 – Section 153
Local Government (Rate Oversight) Amendment Bill 2018

Staff Resource Requirements:
Initially if rate capping is legislated Council will need to deploy resources to manage and implement a new process for budgeting, rating and public consultation. Post implementation there will be an increased staff resource requirement to ensure Council is rating in accordance with the cap.
It is currently unknown what the additional cost and staffing requirements will be if Council is required to make an application for a Rate Cap variation.

Environmental:
As determined in Mount Barker 2035 District Strategic Plan.

Social:
As determined in Mount Barker 2035 District Strategic Plan.

Risk Assessment:
Rate Capping poses a risk to Councils financially sustainable over the long term.

Asset Management:
Rate Capping legislation in other states has been known to have an impact on Councils’ ability to fund the maintenance and renewal of assets in addition to the reduction of community services.
Conclusion:
This report provides an overview of the proposed legislation, research conducted by the LGA and Council (implications for growth Councils being an example), and issues identified with the proposed legislation.
Modelling conducted by Council staff indicate that the proposed legislation will have a material impact on Councils financial sustainability in the short to long term.
The Local Government Association is seeking advice from Council as to whether Mount Barker District Council either supports or opposes the Local Government (Rate Oversight) amendment Bill 2018.

Previous Decisions By/Information Reports to the Council

<table>
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<th>Meeting Date</th>
<th>Purpose</th>
<th>Title</th>
<th>HPRM Reference</th>
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<tbody>
<tr>
<td>3 APRIL 2017</td>
<td>To seek Council support from the LGA’s implementation for a Public Awareness campaign due to concerns over proposals for the introduction of rate capping provisions.</td>
<td>LGA RATE CAPPING CAMPAIGN</td>
<td>DOC/17/22634</td>
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</table>
Advance

South Australia

Local Government (Rate Oversight) Amendment Bill 2018

A BILL FOR
An Act to amend the Local Government Act 1999.
Local Government (Rate Oversight) Amendment Bill 2018

Contents

Part 1—Preliminary
1 Short title
2 Commencement
3 Amendment provisions

Part 2—Amendment of Local Government Act 1999
4 Amendment of section 3—Objects
5 Amendment of section 123—Annual business plans and budgets
6 Insertion of Chapter 10 Part 1A
   Part 1A—Rate oversight
   187C Objects of Part
   187D Interpretation
   187E Primary rate cap determinations
   187F Rate cap variation determinations
   187G Rate cap variation determination applications
   187H Publication of Ministerial requests and directions
   187I Council must notify ESCOSA of certain matters
   187J Compliance with rate cap determinations
   187K Administration
7 Amendment of section 273—Action on report
8 Amendment of section 303—Regulations
9 Review

The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the Local Government (Rate Oversight) Amendment Act 2018.

2—Commencement

This Act will come into operation on a day to be fixed by proclamation.

3—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of Local Government Act 1999

4—Amendment of section 3—Objects

Section 3(f)—after "communities" insert:

and to provide for appropriate financial contributions by ratepayers to those services and facilities

Return to Order of Business
5—Amendment of section 123—Annual business plans and budgets

Section 123—after subsection (2) insert:

(2a) A council must ensure that, if relevant, an annual business plan also contains a statement—

(a) that the council intends to apply for a rate cap variation determination to increase the primary rate cap determination applying to the council for the financial year under Chapter 10 Part 1A; or

(b) that the council has made an application to ESCOSA for a rate cap variation determination but that a determination has not been made in relation to the application; or

(c) that a rate cap variation determination made by ESCOSA for the financial year applies to the council.

6—Insertion of Chapter 10 Part 1A

Chapter 10—after Part 1 insert:

Part 1A—Rate oversight

187C—Objects of Part

The objects of this Part are to ensure—

(a) that the financial contribution of ratepayers to the provision of services and infrastructure by local government to meet the present and future needs of local communities is subject to appropriate oversight; and

(b) that a council has the financial capacity to perform its duties and functions and exercise its powers.

187D—Interpretation

(1) In this Part—

base standard rate—see subsection (2);

base year means the financial year before the capped year;

capped standard rate see subsection (3);

capped year means the financial year specified in a primary rate cap determination;

ESCOSA means the Essential Services Commission established under the Essential Services Commission Act 2002;

primary rate cap means the primary rate cap (expressed as a percentage) specified by ESCOSA in a primary rate cap determination;

primary rate cap determination—see section 187E(1);

rate cap variation determination—see section 187F(1);
varied rate cap means the varied rate cap (expressed as a percentage) specified by ESCOSA in a rate cap variation determination.

(2) The base standard rate, in relation to a council, means the rate calculated in accordance with the following formula:

$$BSR = \frac{R_b}{N}$$

Where—

$BSR$ is the base standard rate;

$R_b$ is the total annualised revenue recoverable from general rates on rateable properties within the area of the council as at 30 June in the base year;

$N$ is the number of rateable properties within the area of the council as at 30 June in the base year.

(3) The capped standard rate, in relation to a council, means the rate calculated in accordance with the following formula:

$$CSR = \frac{R_c}{N}$$

Where—

$CSR$ is the capped standard rate;

$R_c$ is the total annualised revenue recoverable from general rates on rateable properties within the area of the council as at 1 July in the capped year;

$N$ is the number of rateable properties within the area of the council as at 1 July in the capped year.

187E—Primary rate cap determinations

(1) ESCOSA may, on its own initiative or at the request of the Minister, by notice in the Gazette, determine that the capped standard rate for a specified financial year must not exceed the base standard rate by more than the primary rate cap specified in the notice (a primary rate cap determination).

(2) A primary rate cap determination may apply to—

(a) councils generally; or

(b) a class of councils; or

(c) a particular council.

(3) Before making a primary rate cap determination that is to apply to councils generally or a class of councils, ESCOSA must consider the following:

(a) the basis of the primary rate cap (for example, a relevant price or cost index);
(b) whether the primary rate cap should include an efficiency or productivity component;
(c) the amount of the primary rate cap (including, if relevant, any efficiency or productivity component);
(d) any matter that the Minister directs ESCOSA to consider;
(e) any other matter considered relevant by ESCOSA.

(4) The following provisions apply to the making of a primary rate cap determination that is to apply to a particular council:

(a) ESCOSA may only make a primary rate cap determination that is to apply to a particular council if ESCOSA considers it appropriate to do so taking into account—

(i) the council's record of compliance with 1 or more previous primary rate cap determinations or rate cap variation determinations; or

(ii) a proposal by the council to—

(A) change the basis on which rates are assessed against land under section 148; or

(B) declare a separate rate under section 154 or impose a service rate or an annual service charge under section 155 in relation to a financial year; or

(iii) the level of other fees or charges imposed or proposed to be imposed by the council other than under Part 1; or

(iv) any other matter that ESCOSA thinks fit;

(b) before making a primary rate cap determination that is to apply to a particular council, ESCOSA must—

(i) consider the following:

(A) the matter or matters set out in subsection (4)(a)(i) to (iv) based on which ESCOSA considers it appropriate to make the determination;

(B) if ESCOSA proposes to make a primary rate cap determination that is to apply to councils generally for the relevant financial year, the amount of the primary rate cap (including, if relevant, any efficiency or productivity component);

(C) any matter that the Minister directs ESCOSA to consider;

(D) any other matter considered relevant by ESCOSA; and
(ii) give the council a reasonable opportunity to make submissions in relation to the proposed determination.

A primary rate cap determination does not have effect in relation to a capped year unless it is published in the Gazette—

(a) on or before 31 December in the financial year before the capped year; or

(b) on or before another date specified by ESCOSA by notice in the Gazette in the financial year before the capped year.

A primary rate cap under a primary rate cap determination may be a positive or negative amount.

187F—Rate cap variation determinations

(1) ESCOSA may, on application by a council the subject of a primary rate cap determination applying to councils generally or a class of councils, make a determination specifying a varied rate cap (being a cap that is different from the primary rate cap applying to the council under the primary rate cap determination) for 1 or more specified financial years (up to a maximum of 5 years) (a rate cap variation determination).

(2) ESCOSA may only make a rate cap variation determination on an application under this section if satisfied that the varied rate cap is appropriate, having regard to—

(a) the matters set out in section 187G(2); and

(b) the council’s record of compliance with any previous primary rate cap determination or rate cap variation determination; and

(c) whether requirements given by ESCOSA under section 29 of the Essential Services Commission Act 2002 relating to the council giving information relevant to the application (if any) have been complied with; and

(d) any matter that the Minister directs ESCOSA to consider; and

(e) any other matter determined by ESCOSA.

(3) If ESCOSA makes a rate cap variation determination under this section, ESCOSA must publish a notice in the Gazette specifying—

(a) the fact that a rate cap variation determination has been made; and

(b) the council to which the rate cap variation determination applies; and

(c) the varied rate cap applying under the rate cap variation determination (which may be the varied rate cap proposed by the council or another cap set by ESCOSA); and
Local Government (Rate Oversight) Amendment Bill 2018
Amendment of Local Government Act 1999—Part 2

(d) each financial year to which the varied rate cap applies.

(4) A varied rate cap under a rate cap variation determination may be a positive or negative amount.

187G—Rate cap variation determination applications

(1) An application by a council for a rate cap variation determination must—

(a) be made by—

(i) 31 March before the first capped year to which the application relates; or

(ii) by such other date fixed by ESCOSA by notice in the Gazette; and

(b) be made in the form and manner determined by ESCOSA; and

(c) be accompanied by the fee determined by ESCOSA, which must not exceed the reasonable costs of determining the application.

(2) The application must specify—

(a) the number of financial years (up to a maximum of 5 years) that the council proposes that it be subject to a rate cap variation determination; and

(b) the proposed varied rate cap for each specified financial year; and

(c) the reasons the council seeks a varied rate cap; and

(d) the community engagement process that has been undertaken by the council on the proposed varied rate cap; and

(e) the likely impact of the proposed varied rate cap on ratepayers, including their capacity and willingness to pay rates in accordance with the proposed varied rate cap; and

(f) whether consideration has been given to reprioritising proposed spending measures and alternative funding options and, if so, why those options are not adequate; and

(g) how the varied rate cap represents value for money for the council and its ratepayers and promotes the efficient use of council resources; and

(h) how the proposal is consistent with the council's long term financial plan and infrastructure and asset management plan under Chapter 8 Part 1; and

(i) any other information required by ESCOSA.
(3) A council must, as soon as is reasonably practicable after making an application for a rate cap variation determination, publish a copy of the application (including any accompanying information and documents) on its website.

187H—Publication of Ministerial requests and directions

(1) If the Minister makes a request under section 187E(1), ESCOSA must publish a copy of the request on its website as soon as is reasonably practicable after its receipt.

(2) If the Minister gives—
   (a) a direction under section 187E(3)(d) or (4)(b)(i)(C); or
   (b) a direction under section 187F(2)(d),
ESCOSA must publish a copy of the direction on its website as soon as is reasonably practicable after its receipt.

187I—Council must notify ESCOSA of certain matters

(1) A council must not—
   (a) change the basis on which rates are assessed against land under section 148; or
   (b) declare a separate rate under section 154 or impose a service rate or an annual service charge under section 155,
unless the council notifies ESCOSA, in the manner and form determined by ESCOSA, of the proposal before 31 October of the year before the first financial year in which the change, rate or charge (as the case may be) is to apply.

(2) If a council notifies ESCOSA under subsection (1) of a—
   (a) proposed change of a kind referred to in subsection (1)(a); or
   (b) proposed rate or charge of a kind referred to in subsection (1)(b),
the council must provide ESCOSA with any information or document required by ESCOSA in relation to the change, rate or charge (as the case requires).

(3) A failure to comply with this section does not affect the validity of any of the following rates or charges recoverable under this Chapter (or any fine or interest relating to such rates or charges):
   (a) a rate or charge assessed against land on a changed basis of a kind referred to in subsection (1)(a); or
   (b) a separate rate, service rate or annual service charge of a kind referred to in subsection (1)(b).

187J—Compliance with rate cap determinations

(1) A council must comply with a primary rate cap determination.
(2) If a rate cap variation determination is made in respect of a council—
   (a) the rate cap variation determination applies to the council for the financial year or years specified in the determination (instead of the primary rate cap determination applying during that year or those years); and
   (b) the council must comply with the rate cap variation determination.

(3) A failure to comply with a primary rate cap determination or a rate cap variation determination does not affect the validity of any rate, charge, interest or fine recoverable under this Chapter in respect of the financial year in relation to which the failure occurred.

187K—Administration

(1) ESCOSA has such functions and powers as are necessary or expedient to give effect to this Part, including the following functions:
   (a) to monitor and review councils' compliance with this Part and, in particular, to monitor and review compliance with primary rate cap determinations and rate cap variation determinations;
   (b) to assess the effect of primary rate cap determinations and rate cap variation determinations on the provision of services and infrastructure by councils and the sustainability of the financial performance and position of councils;
   (c) to identify trends across the local government sector arising from the operation of primary rate cap determinations and rate cap variation determinations, and any other impacts arising from the operation of this Part.

(2) ESCOSA must, in relation to each financial year, give an annual report to the Minister on the compliance of councils with any primary rate cap determination and rate cap variation determination applying in that year.

(3) ESCOSA must prepare a biennial report on—
   (a) the matters referred to in subsection (1)(b) and (c); and
   (b) any other matter relating to the operation of this Part that ESCOSA considers appropriate.

(4) A report under subsection (3) must be given to the Minister within 3 months after the end of the second financial year to which the report relates.

(5) The Minister must cause a copy of a report given to the Minister under this section to be laid before both Houses of Parliament within 12 sitting days after receiving the report.
(6) ESCOSA may, as soon as is reasonably practicable after giving a report under this section to the Minister, publish a copy of the report on its website.

7—Amendment of section 273—Action on report

Section 273(1)—after paragraph (c) insert:

; or

(d) a report of ESCOSA under Chapter 10 Part 1A,

8—Amendment of section 303—Regulations

(1) Section 303(8a)—delete "additional"

(2) Section 303(8a)—delete "enactment of the Statutes Amendment (Boards and Committees—Abolition and Reform) Act 2015" and substitute:

amendment of this Act by another Act

9—Review

(1) The Minister responsible for the administration of the Local Government Act 1999 must cause a review of the operation of Chapter 10 Part 1A of that Act (as to be inserted into the Local Government Act 1999 by section 6 of this Act) to be conducted and a report on the results of the review to be prepared and submitted to the Minister.

(2) The review and report must be completed by 31 December 2023.

(3) The Minister must cause a copy of the report to be laid before both Houses of Parliament within 6 sitting days after receiving the report.
Notice of Meeting

Notice is hereby given that a LGA Special General Meeting will be held on

Friday 13 July 2018 at 12.30pm

In the Adelaide Town Hall
128 King William Street, Adelaide

Matt Pinnegar
Chief Executive Officer

5 July 2018
Agenda

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4.1 Local Government (Rate Oversight) Amendment Bill 2018

Discussion Reports from the LGA Board

From: Matt Pinnegar, Chief Executive Officer
Key Initiative: K.I 1 Leadership and advocacy
Strategy: 1B Contribute to state-wide and local policy
Meeting: Special General Meeting 13 July 2018
ECM: 662513 Attachment: 661596, 659207, 662329

Recommendation

That the Special General Meeting

1. notes the report;
2. notes the policy position unanimously adopted by LGA Members at the 2016 Ordinary General Meeting that decisions concerning council rates are better informed, and the impacts better understood, when made by the respective councils in consultation with their communities;
3. requests that all South Australian councils carefully review the Local Government (Rate Oversight) Amendment Bill 2018 and advise the Local Government Association by Friday 3 August 2018 of the council’s endorsed position based on the following options:
   a. Council supports the Local Government (Rate Oversight) Amendment Bill 2018; or
   b. Council opposes the Local Government (Rate Oversight) Amendment Bill 2018.
4. supports the LGA using best endeavours to secure the best possible outcome for local government and the communities they serve and requests that councils provide to the LGA a list of the priority issues, amendments and concessions they would seek to address in the LGA’s discussions with political parties about this rate capping legislation;
5. notes that the Local Government Association Board will hold a special meeting to consider the endorsed positions of member councils; and
6. notes that the LGA Board will consider the matter on the basis of both a ‘one vote, one value’ counting method and a weighted voting method (using the same weighting system applied at LGA General Meetings). The Board will also use identified criteria to inform and resolve a position.

Discussion

The state government introduced the Local Government (Rates Oversight) Amendment Bill 2018 in the House of Assembly on 20 June 2018 following a Liberal Party election commitment to introduce rate capping legislation in the Parliament within their first 100 days of government.
Rate capping became a policy of the Liberal Party (SA Branch) in 2014. The LGA has undertaken extensive research on council rate capping policies and their impacts in other jurisdictions. On the basis of the evidence that rate capping results in negative impacts on communities, a majority of LGA member councils have consistently voted to oppose the introduction of rate capping in South Australia.

As a result of this sector-wide policy position, the LGA has undertaken a range of advocacy, policy and reform activities to highlight the problems with rate capping while developing alternative reforms that will deliver benefits and value for communities. These activities are summarised within this report.

This report also provides analysis of the Local Government (Rates Oversight) Amendment Bill 2018 and identifies some of the key issues that councils are encouraged to consider in developing a position on this proposed legislation.

It is not intended that councils will make a decision at this Special General Meeting about their position on the proposed legislation. Rather, the intent of this meeting is to discuss a suite of options that can be formally considered by members at their council meetings to make an informed decision about whether to accept or reject this rate capping legislation.

Background

The following commentary provides an overview of key events and issues in recent years.

- Rate capping was first proposed by the Liberal Party prior to the 2014 State Election. On the basis of a long standing existing LGA policy that ‘State Governments must not interfere with the autonomy of Local Government by imposing limits on rating’, the LGA publicly opposed this policy and has been consistent in opposing rate capping.
- In May 2015, there was a Parliament of South Australia Economic and Finance Committee Inquiry into Rate Capping. The LGA, and a number of councils, made submissions and gave evidence to the inquiry highlighting the negative impacts that rate capping has had on communities and councils interstate.
- The South Australian Economic and Finance Committee handed down its final report in July 2016 and its recommendation was that councils should continue to set rates after full consultation with their communities and that rate capping should not be introduced in South Australia. The Liberal Party members of the Committee handed down a minority report in support of their pre-election commitment to introduce rate capping.
- The former Shadow Minister for Local Government, Steven Griffiths MP introduced a Private Members Bill into the Parliament in March 2016 for a rate capping system in South Australia. The Bill was defeated in the House of Assembly after being opposed by the Labor Government on the basis that rate capping is poor public policy and the Bill lacked merit.
- In 2017, the Liberal Party again tried to introduce a rate capping scheme by proposing amendments to the Local Government (Boundary Adjustment) Amendment Bill. The proposed amendments were not allowed to be introduced on the basis that they did not relate to the primary subject of the Bill.
- The Liberal Party formed a majority government following the March 2018 State Election and has followed through on their commitment to introduce rate capping legislation in the Parliament within their first 100 days of Government.
- Legislation that is not supported by the Opposition will require the support of 3 out of 5 crossbench members in the Legislative Council. Labor, SA-BEST and the Greens took an anti-rate capping policy to the 2018 state election.
LGA Advocacy

With support from the majority of members, the LGA launched a three-phase, sector-wide campaign in December 2016 to raise awareness of the services provided by councils, how they contribute to the everyday life of South Australians, and the risks to local services and local decision making from rate capping. This campaign followed the unanimous vote of the LGA members present at the Ordinary General Meeting held in April 2016 to oppose rate capping and a formal resolution by some 50 councils to support an LGA-led public campaign against rate capping.

Policy and Reform

As reported to members at the Ordinary General Meeting in November, the LGA has undertaken extensive research to provide an evidence base to policy positions and reform options relating to rate capping. This work has informed the development of advocacy through submissions, correspondence and media. The numerous actions undertaken by the LGA are summarised as follows:

- LGA submission to the South Australian Parliament’s Economic and Finance Committee Inquiry into Rate Capping (2015);
- Collecting evidence into the impact of rate capping in New South Wales and Victoria, including reports of the Parliament of Victoria’s Environment and Planning Committee Inquiry into the Rate Capping Policy;
- Research and third-party reports such as the *Empirical Assessment of the Impact of Rate-Pegging on South Australian Local Government* (Dollery) report. This report found that SA local government (without rate-capping) has performed much better than NSW (with rate-capping) and concluded that there is no practical basis for introducing rate-capping into SA local government;
- A comparative study of fees and charges applied by councils in Victoria and New South Wales with those applied by South Australian councils;
- A 10-year data study of council rates in South Australia. This data shows that while on average the increase in council rates was higher than CPI or LGPI, the average rate per property was well below price index trends prior to 2010. This suggests that some councils were conservatively rating between 2005 and 2010;
- Scoping, consulting on and promoting a local government reform package as part of the LGA’s state election campaign, to provide a sensible alternative to rate capping;
- Analysis of the SA Liberal Party’s rate capping policy and failed 2016 Bill to amend the Local Government Act 1999, including third-party analysis by local government academic, Dr Joseph Drew from the University of Technology Sydney;
- Creation of a rate capping information page on the LGA website to provide a one-stop-shop for information relating to policy;
- Presentation by Municipal Association of Victoria (MAV) Vice President Cr David Clark at the 2017 LGA Conference on rate capping in Victoria and its impact on councils;
- Panel session at the 2017 LGA Conference with party leaders and cross-bench members all confirming their opposition to rate capping;
- Multiple briefings to all political parties on the negative impacts of rate capping in communities;
- Correspondence to party leaders and candidates in the 2018 State Election on rate capping and cost shifting, including an informative and evidence-based rate capping information pack;
Correspondence to all political parties seeking commitments on the future of discretionary council services under a future rate capping regime. These letters also highlight the impact of cost shifting on councils and rate payers; Correspondence to the Federal government to highlight the additional pressure that state government imposed rate capping policies place on federal resources; A motion developed with the City of Maribyrnong (Victoria) to condemn rate capping policies passed by the ALGA National General Assembly including a photo opportunity with councils from around Australia uniting to oppose council rate capping with the ‘don’t cap our communities’ message; Briefing papers on local government rate setting provided to every electorate office in South Australia in 2017 with the offer for electorate staff to meet with LGA staff for further information; and Correspondence, meetings and discussions with key stakeholder groups that would be impacted by the introduction of rate capping in South Australia.

South Australia Economic and Finance Committee Inquiry
As outlined previously in this report, the Parliament of South Australia’s Economic and Finance Committee initiated an inquiry into Local Government Rate Capping policies in 2015. Submissions were made by 11 South Australian councils and the Local Government Association. A copy of the LGA’s submission can be downloaded here.

Local Government Submissions
Some of the key issues raised by local government in submissions and evidence to the Inquiry included the following:

Local democracy means local decision making
- Council members are elected by the community to make local decisions, and the community holds them to account through the democratic council elections process.
- Setting rates in consultation with the community is the most important local decision made by councils each year.
- Councils work with their communities to strike a balance between expenditure, revenue and service standards.
- Any externally imposed rate cap will reduce a Council’s capacity to get this balance right.
- Handing decision making to an un-elected state-wide regulator diminishes local democracy and local decision making.

Rate capping risks declining service standards and intergenerational cost shifting
- Councils raise sufficient revenue to pay for the services and facilities expected by (and used by) the current generation; and comply with State and Federal Government legislation, policy and other requirements.
- Without access to sufficient revenue to meet community needs and preferences for services, councils would have to either:
  - Reduce or cut funding for community services, including maintenance of infrastructure; e.g. lower-quality roads; and/or
  - defer part-payment to future generations;
- Some pressures are totally outside councils’ control. Legislation continually imposes either greater costs on councils, and/or restrains councils’ power to charge fees to effect cost recovery for mandated legislated activities.
Rate capping increases red tape and does not improve cost of living

- In NSW (and now Victoria also) rate capping comes at a significant cost to councils and involves complexity, costs and constraints at both council and State level to administer.
- The Independent Local Government Review Panel (NSW) reported that as a result of rate capping the financial sustainability of many Councils and their capacity to deliver community services had declined, and a significant number were near crisis point.
- In an environment of increasing cost pressures and community demand, councils interstate have increased rate-cap exempt fees and charges to cope with the impacts of the rate cap. This does not improve the cost of living for communities.

Final report

The Committee handed down its final report in July 2016, which included the following four (4) recommendations:

1. Local Councils retain full authority to set their own rates and that no rate cap be introduced;
2. Local Councils continue to set rates after full consultation with their communities;
3. Councils be subject to a thorough auditing process under the auspices of the Auditor-General, consistent with section 36 of the Public Finance and Audit Act 1987; and
4. Councils be required to publish, on an annual basis, these audits.

Appended to the report was a contrasting minority report authored by David Speirs MP, Stephan Knoll MP, and Vincent Tarzia MP. The minority report featured only a single recommendation:

1. That a local government rate capping regime be introduced in South Australia to reduce cost pressures on households and property owners.

The minority report dismissed the evidence of numerous witnesses about the negative effect of rate-capping in New South Wales, and the financial sustainability of local government in South Australia.

In supporting their case, the minority report assigned more contemporary weight to three reports:

- a report prepared by Price Waterhouse Coopers (PWC) in November 2006: “National Financial Sustainability Study of Local Government”; and
- the (2005) report of South Australia’s Financial Sustainability Review Board (FSRB) “Rising to the Challenge”

These reports all pre-dated financial sustainability reforms introduced in South Australia in 2006-07, and subsequently in other States, to address what was, at the time, the relatively inconsistent financial sustainability of local government.

Both the Financial Sustainability Review Board and Price Waterhouse Coopers reports effectively laid the groundwork for what became a significant reform and enhancement of local government financial and asset management across Australia.
Further Research- Impacts in Victoria and NSW

Since the 2015 Economic and Finance Committee submission was made, the LGA has continued to research the impacts of rate capping in Victoria and NSW to understand what a rate capping policy would mean for South Australian communities.

A summary of this research is attached to this report (ECM 661596), and includes information regarding:

- the caps that have been applied interstate and how they are calculated
- the cost of administering rate capping interstate
- services and programs that have been cut or reduced by Victorian councils as a result of rate capping
- considerations of the Parliament of Victoria’s Inquiry into Rate Capping Policy
- the 2017 report by Professor Brian Dollery, ‘An Empirical Assessment of the Impact of Rate-Pegging on South Australian Local Government’, which concluded that:
  1. There is no evidence to suggest that rate-capping will increase efficiency at councils
  2. Rate-capping leads to a decline in financial sustainability of councils
  3. SA councils perform better than NSW local government on three key issues:
     - Reliance on rate revenue as income
     - Financial sustainability
     - Efficiency

This research has been used by the LGA to inform discussions with political parties and stakeholders about the lack of public policy merit and potential risks of rate capping being introduced in South Australia.

Local Government Reform- Alternative Options

While the LGA’s policy position has consistently been to oppose rate capping, this should not be mistaken as opposition to reform in local government. The LGA has worked with member councils to identify opportunities to address community expectations about strengthening and enhancing transparency, accountability and engagement.

The LGA advocated during the state election campaign for sensible local government reforms that will have a positive impact on communities. These reforms include:

- Implementing a state-wide benchmarking program
- Ensuring high standards from elected members through a stronger code of conduct
- Giving broader responsibilities to more independent, skills-based audit committees
- Implementing measures to ensure that council’s external audits are undertaken in a consistent manner and to a consistent standard
- Introducing a revenue policy to build community awareness of how council will raise the revenue required to fund community services and facilities
- Implementing a best practice service review process for councils to regularly review the costs and standards of the services provided to communities
- Implementing a sector-wide industrial relations framework to reduce duplicated costs and effort
- Supporting new processes for considering councils boundary changes and reviewing how representation reviews are undertaken
- Changes to local government elections, including a move towards electronic voting.
A copy of the LGA’s local government reform agenda is provided as an attachment to this report (ECM 659207).

Analysis of the Bill

The LGA’s preliminary analysis of the Bill is attached to this report (ECM 662329). This analysis provides an outline of the key elements of the Bill, as well as detailed commentary on potential issues and areas where further detail is required from the Government. The LGA appreciates that member councils are also carefully looking at the Bill and we will update our analysis further as more details and issues emerge.

Key elements of the Bill include:

- The Essential Services Commission of South Australia (ESCOSA) will be responsible for making rate cap determinations, assessing applications from councils for variations to the rate cap and reporting on the outcomes of the system.
- The details of how the rate cap will be determined will be subject to ESCOSA guidelines that are yet to be developed. The Bill gives ESCOSA flexibility to determine a formula that may, or may not, include a particular index (CPI, LGPI) and whether the cap will include any efficiency or productivity component.
- The cap will be applied to a ‘base standard rate’, which is a nominal rate that is arrived at by dividing the total annualized general rate revenue for a council area by the number of rateable properties in that area at the end of a base year (30 June).
- While this model intends to account for growth in the number of rateable properties over the course of a year, some councils have indicated that this will require a closer look to ensure that growth in different types of land use are properly accounted for relevant to their council areas.
- A council may apply to ESCOSA for a variation from the rate cap for a maximum period of up to 5 years. In applying for a variation, councils will need to provide the reasons for the variation application, evidence of community consultation, an assessment of the likely impact on ratepayers.
- Councils will be expected to make efficiencies across their operations and undertake service reviews before applying for a rate cap and will need to demonstrate they have considered funding priorities and alternative sources of revenue.
- Further details of the variation process will be provided through ESCOSA guidelines that are yet to be developed.

Parliamentary Process

The Local Government (Rate Oversight) Amendment Bill has been introduced in the House of Assembly by the Minister for Local Government, Hon Stephan Knoll MP.

The Government holds the majority in the House of Assembly (lower house), so it is likely the Bill will progress to the Legislative Council (upper house) despite independent MPs in the lower house - Frances Bedford MP, Geoff Brock MP and Troy Bell MP - all publicly stating that they will vote against the legislation.

However, the Bill must pass in both Houses of Parliament to become law and the Government does not hold a majority in the Legislative Council.

If the Labor Party honours its pre-election commitment to oppose rate capping, the government must secure support from 3 out of 5 crossbench members in order for the Bill to pass. The crossbench currently comprises 2 members from SA-BEST, 2 members from the Greens, and 1 member from Advance SA.
SA-BEST and Greens are both on record post-election opposing rate capping based on the detrimental impacts it has had interstate and its lack of policy merit. Therefore, the option of successfully opposing rate capping in the upper house remains available if this is ultimately the decision of the membership.

**Council Decision Making**

As outlined in the recommendation, all councils are requested to carefully review the Local Government (Rate Oversight) Amendment Bill 2018 and advise the LGA of their position by Friday 3 August 2018.

The LGA will provide councils with a model council report and proposed resolutions around the options of supporting or opposing the Bill. Councils will also be asked to clearly specify the priority amendments and concessions they would ask the LGA to use best endeavours to achieve in any negotiations with political parties about the legislation.

In seeking any amendments or concessions, councils must bear in mind that they will be subject to negotiations through the parliamentary process and that ultimately the Parliament will make the decision about whether the legislation is passed, and in what form.

Councils should also bear in mind that the State Government is yet to commit to any relief from the pressures of cost shifting, with significant rises to the Solid Waste Levy going ahead in 2018/19 despite strong advocacy from the LGA and councils.

Advice from councils about their endorsed position is requested by Friday 3 August to enable the LGA Board to finalise a position and advise political parties of the sector’s response in preparation for the spring session of Parliament.

**LGA Board Decision Making Process**

Following the receipt of responses from councils by 3 August, a special meeting of the LGA Board will be called to consider the endorsed positions of member councils. As rate capping would impact on councils differently depending on size, services, budget and rate base; the LGA Board will consider the endorsed positions of member councils on the basis of both a ‘one vote, one value’ counting method and a weighted voting method (using the same weighting system applied at LGA General Meetings). The Board will also use the following criteria to inform and resolve a position:

- A merits-based assessment of the proposed legislation;
- The best interests of the communities of South Australia and their confidence in the local government sector;
- Current LGA policy positions and whether there is a mandate from members for an amended policy to be adopted;
- Potential impacts on the long-term financial sustainability of the local government sector, and how any negative impacts could be mitigated;
- Potential amendments and concessions that are in the best interest of councils and the community they serve;
- Positions of political parties in the Legislative Council and the impact this would have on the outcomes that can feasibly be achieved through the parliamentary process; and
- The number of responses received and the number of councils that did not participate in the voting process.
Financial and Resource Implications

Advocacy on key issues for the sector, such as rate capping, cost shifting and progressing positive local government reforms has been anticipated in the LGA’s 2018/19 Annual Business Plan and Budget and resources are available to progress this work.
Impact of rate capping on South Australian councils – evidence from Victoria and NSW

Increases in South Australian council rates

- In 2016-17 (the last full year), the percentage increase in general rate revenue for across all councils in South Australia was 3.68 percent\(^1\).
- The percentage increase in the average rate per property was 2.9 percent.
- This includes upwards pressure from the Consumer Price Index (CPI) of 1.5% and the Local Government Price Index (LGPI) of 1.8% in 2016-17.
- The revenue from general rates also accounts for mandatory and discretionary rebates, write offs and remissions.

Rate-capping is an externally imposed maximum percentage council rates revenue may increase from one financial year to the next. In this form, it has been in place since 1977 in New South Wales and was re-introduced in Victoria in 2016.

The LGA SA has carefully studied the impacts of rate capping in New South Wales and Victoria and the evidence is clear:

1. **Rate capping undermines local democracy, centralises decision making about council rate revenue and shifts accountability from community representatives to an unelected bureaucracy.**

   Should rate capping be introduced, it would impose an extra layer of bureaucracy and two extra decision makers – the Essential Services Commission of SA (ESCOSA) and the Minister for Local Government on top of what is already a legislative requirement for councils to consult with their communities. However, unlike Councils, neither ESCOSA nor the Minister would be directly accountable to the affected ratepayers.

   The role of councils to work with communities to develop an annual business plan and budget would be duplicated at the state level, where a rate cap will be determined with no community input.

   In Victoria, each year the Essential Services Commission provides advice to the Minister for Local Government on what the average rate cap should be. Each year, the Minister has ignored this advice and set the rate cap lower than the recommendation, equal to CPI as per an election commitment.

2. **Rate capping limits councils’ ability to provide local services – putting discretionary services at risk**

   Rate-capping interstate has resulted in more red tape and bureaucracy and has increased administration costs for councils and state government, diverting funds away from core services.

   The level of council services currently provided would be less likely to be offered if rate-capping was introduced.

   Many of the services councils provide are discretionary. They are provided at the request of the community and require income, through rates, fees, charges and grants to deliver.

\(^1\) This includes residential and business rates. The methodology is General Rates (Gross) plus Penalties for late payment minus Discretionary Rebates, Remissions and Write-Offs minus Mandatory Rebates as provided from Councils to the Commission. Note this data includes growth in rateable properties and excludes Other rates/service charges (e.g. NRM Levy, Waste Collection, Water Supply, CWMS, Separate & Special, Electricity Supply).
For example, there is no legal requirement for councils to have a library, provide recreation and sporting facilities, maintain the local jetty, parks, gardens, open spaces or public toilets. They don’t have to plant or maintain street trees, or facilitate community events and festivals. These services deliver great benefits to the community, but would be at risk under rate capping if councils are unable to generate the revenue required to maintain them.

3. **Rate capping leads to higher user pays fees, charges and fines**

Rate-capping decreases rates revenue to councils, but serves to increase revenue from other sources, such as fees and charges. It is often the case that councils do not set the level of fees and charges on services (these are usually prescribed in State legislation and set below cost), there are examples of councils increasing fees and charges in user pays services such as parking and additional waste collections.

4. **Rate capping creates infrastructure backlogs**

Rate-capping shifts costs to future generations as many councils will not be able to raise the revenue required for the maintenance and renewal of assets forecast in long term management plans.

5. **Rate-capping does not make councils more efficient or financially sustainable – in fact council debt increases as councils struggle to meet community expectations**

Rate capping does nothing to address the shifting of costs and responsibilities between state and local government and the pressure this creates on local government rates.

**Rate capping in Victoria**

Council rates are capped according to the cap that is set each year by the Minister for Local Government. This cap limits the maximum amount that councils may increase rates in a year unless councils seek approval from the commission for a higher cap.

The Essential Services Commission undertakes a role to

- provide advice to the Minister for Local Government on what the average rate cap should be;
- consider, approve or reject applications from councils for exemptions to the rate cap; and
- monitor council compliance with the cap

**Levels of rate cap in Victoria**

**2016/17**

- ESC recommendation – 2.8%
- Ministerial cap applied – 2.5% at Consumer Price Index
- Exemptions – 9 applications, of which 6 approved. Note one council put the cost of preparing and submitting their application for a rate cap variation at $250,000. Another spent over $10,000 putting together an application, by contrast their population is only 6822.

**2017-18**

- ESC recommendation – 2.15%
- Ministerial cap applied – 2% at CPI
- Exemptions – 5 applications, of which 4 were approved

**2018-19**

- ESC recommendation – 2.35% (based on CPI and Wage Price Index forecasts)
Ministerial cap applied – 2.25% at CPI
Exemptions – 1 application, outcome yet to be determined by ESC

Cost to ESC to administer rate cap system
- 2014-15 = $0.83 million
- 2015-16 = $2.53 million
- 2016-17 = $2.94 million

**Impact of rate capping on Victorian councils**

In 2017 many Victorian councils have begun cutting services to their communities, or putting off costs to future generations, in response to the new rate-capping regime in Victoria.

In the first year of rate-capping (2016/17), some councils have managed to make efficiencies and find savings, including by re-negotiating enterprise bargaining agreements, a hiring freeze, but not all have been able to do so. Those that have managed the impact in the first year may be unable to do the same, year after year.

The table in Appendix A outlines the examples of reduction in spending and future measures identified by councils in Victoria in 2017, as submitted to the Parliament of Victoria’s Inquiry into the Rate Capping Policy.

**Summary of issues considered in the fourth report from Parliament of Victoria’s Inquiry into Rate Capping Policy**

*Quote (from Chair’s forward, page vii)*

“The process remains cumbersome and costly for councils and the variation process is unwieldy….There are a number of emerging issues impacting on the sustainability of rural and regional councils that the Committee will follow in the next six months. These include waste levies and the impact of changes to valuation policy.”

Note; the Committee will produce one final report by 30 September 2018.

**Comment on setting of rate cap**

The Minister set a rate cap for the 2017-18 financial year of 2 per cent. This cap is not in line with the advice provided by the Essential Services Commission (ESC) which recommended 2.15 per cent utilising both Consumer Price Index (CPI) and the Wage Price Index (WPI). The Minister set the rate at 2 per cent to fulfil an election commitment to keep rate rises in line with the forecast CPI.

*Note that under the SA proposal ESCOSA would set the final cap, not the Minister*

**Evidence received to the Inquiry regarding impacts of first year (2016-17) of rate capping.**

The Municipal Association of Victoria (MAV) consulted with councils to determine the impacts of the first year of rate capping. During this consultation it was indicated that “some councils were beginning to experience financial pressure as a result of rate capping and that some councils were considering a reduction in the services they provide” (page 15).

The Inquiry also heard that some small rural and regional councils and some growing interface councils were experiencing financial challenges that were heightened by the rate capping policy (page 15).

As a result of rate capping, some councils in Victoria were beginning to consider service reduction in:
• road maintenance and construction
• the school crossings program
• the State Emergency Service (SES)
• home and community care
• maternal and child health, and
• roadside weeds and pests.

Note that there are some differences in the services provided by councils in Victoria and South Australia.

MAV advised that already there are emerging risks to the financial sustainability of small rural and regional councils. The Auditor General has reiterated these concerns stating in the Local Government: 2015-16 Audit Snapshot report that:

Overall, small shire councils are facing additional pressures due to smaller year-on-year revenue increases, and steady increases in expenditure. This has a direct impact on the level of funds these councils have available for capital infrastructure that councils are able to offer to their communities.

The Auditor General specifically noted that some councils under financial pressure were postponing renewal and maintenance of existing infrastructure assets.

The ESC echoed these concerns and acknowledged the risks to financial sustainability faced by small rural and regional councils. They further acknowledged that metropolitan councils have a greater flexibility in finding alternative sources of revenue in comparison. Rural councils are also subject to huge infrastructure such as large road networks that need to be maintained. These issues are further exacerbated by the fact that these councils have “a rate base that is either small or shrinking” (page 17).

Inquiry comments regarding Road Maintenance

Councils in Victoria are responsible for approximately 85 per cent of Victoria’s roads. The poor quality and shortfall in maintenance of state owned roads has resulted in higher traffic use of local roads which is resulting in their rapid deterioration. In the May state budget, $75 million was announced for restoration and road surface replacement of VicRoads. It is hoped that “this will go some way to reducing the amount of traffic diverted to municipal roads” (page 20).

While the Committee notes recent increases in roads to recovery funding from the Commonwealth as well as re-indexation of Commonwealth financial assistance grants, they are aware that the long-term effect or rate-capping on Victoria’s municipal roads is yet to be seen. The experience from New South Wales has “produced the unintended consequence of councils not having the ability to maintain the local government road network” (page 20).
Rate pegging (capping) in New South Wales

The Independent Pricing and Regulatory Tribunal (IPART) sets the maximum amount NSW councils can collect in general revenue through an annual ‘rate peg’ and considers council requests to set higher charges with special variations.

Rates are pegged giving consideration to a Local Government Cost Index (calculated annually), which measures price changes over the previous year for the goods and labour an average council will use. However, IPART also have regard for productivity changes.

2018-19

- Rate peg set at 2.3%
- IPART calculated the rate peg for 2018-19 by taking the increase in the LGCI for the year to September 2017 of 2.3%, and setting the productivity factor to 0.0%.
- Exemptions; 13 council applications considered for special variation and three minimum rate applications. To date 13 applications have been approved, with other determinations pending.

2017-18

- IPART pegged rates at 1.5% for 2017/18. This was calculated taking the increase in the LGCI for the year to September 2016 of 1.47% and deducting a productivity factor of 0.001%. This results in a figure of 1.47%, which was rounded to 1.5%.
- Exemptions; 8 council applications considered for special variations:
  - 4 – approved in full ranging between 5.39% and 7.5%
  - 2 – approved in part at 4.9% and 13.2%
  - 2 – not approved

Impact of Rate Capping on NSW councils

In September 2017, a report from University of New England Professor Brian Dollery confirmed that almost four decades of rate capping has failed NSW councils and their communities.

Overview

The “An Empirical Assessment of the Impact of Rate-Pegging on South Australian Local Government” report presented a comparative analysis between SA and NSW local government to determine whether almost four decades of municipal tax limits in NSW had produced any measurable differences in equity, sustainability or efficiency relative to SA.

Professor Dollery’s study is a comparative analysis between NSW and South Australian councils looking at whether rate capping in NSW has produced measurable differences in equity, sustainability or efficiency relative to South Australia.

This research showed that there is no evidence in NSW of rate capping improving efficiency in local government. It shows that rate capping leads to a decline in the financial sustainability of councils, and particularly smaller councils.

NSW councils with capped rates have higher levels of debt and larger infrastructure backlogs than those in SA (without rate-capping) and also have higher fees and charges that they pass on to their communities.
Key findings of the report

1. It is difficult to determine an effective limit on rate rises
   "since rate-pegging targets the ‘tax-price’ of a basket of local public services, many of which possess the properties of public goods or quasi-public goods, which are mostly unpriced, it is hard to determine the optimal rate increases limit in practice." Page 4.

2. There are 4 broad areas of criticism of rate-pegging
   According to the regulatory agency Independent Pricing and Regulation Tribunal (IPART)
   "(a) Rate-capping has generated severe local infrastructure backlogs in NSW local government.
   (b) Rate-pegging has induced local authorities levy ‘higher user pays charges’ to recover revenue foregone.
   (c) Rate-capping has restricted councils’ ability to provide local services.
   (d) Rate-pegging has contravened ‘local democracy’.” Page 5.

3. Councils do not seek special variation to rate-pegging due to political pressure of community expectations
   "The NSW Local Government and Shires Association states, “Rate-capping has shaped ‘public expectations about maximum rate increases, placing political pressure on councils to stay within the limit and not seek special variations’. " Page 5.

Evidence comparing NSW (with rate-pegging) to Victorian councils (prior to rate capping) has found that:

4. Rate-capping decreases rates revenue to councils, but serves to increase revenue from other sources, such as fees and charges.
   "Limitations on property taxes can cause councils to increase income from revenue sources other than rates.” Page 8

5. Rate-capping impacts more on smaller councils
   "the effects of rate-pegging depend on the characteristics of local councils. For example,
   Brown (2000) established that in the Colorado local government system the impact of these limitations were contingent on council size and were more marked in small councils.” Page 8

6. Councils with capped rates have higher levels of debt and larger infrastructure backlogs than those without rate-capping
   "NSW had much higher levels of council debt per household. They also examined the average infrastructure renewal ratio in NSW and Victoria as a measure of the infrastructure backlog and established that NSW had by far a much larger backlog.” Page 9
7. Rate revenue represents large revenue for councils, but a small proportion of local resident income.

“For the typical council rate revenue often exceeds 50% of total revenue, and can be as high as 96% of total revenue, yet for a typical resident rate revenue effort represents only between 3% and 8% of income.” Page 12

8. Revenue from rates is just as important to SA councils as NSW councils

“It is evident that revenue effort and relative importance of rates are fairly similar in the NSW and SA local government systems.” Page 12

9. Despite rate-pegging in NSW, councils in NSW have significantly more debt than SA councils

10. Rate-capping is an ineffective tool to reduce council debt and may lead to increased debt

“At the least, this result suggests that rate-capping is ineffective as a means of reducing municipal debt and it may possibly be a contributing factor to the relatively higher debt held by NSW councils.” Page 14

11. Rate-capping does not make councils become more efficient.

“In each of the four years under analysis the efficiency of NSW councils was well below that of their SA counterparts. While the expenditure per capita of NSW councils fell between 2013 and 2016 - indicating an increase in efficiency for these municipalities on average - this trend was also evident in SA local government. Moreover, average expenditure per household was appreciably higher in NSW. It follows that rate-capping has not been successful in creating superior performance in terms of the efficiency of NSW councils as measured by average expenditure per household.” Page 15

Conclusions of NSW experience relevant to rate capping in South Australia

1. There is no evidence to suggest that rate-capping will increase efficiency at councils
2. Rate-capping leads to a decline in financial sustainability of councils
3. SA councils perform better than NSW local government, notwithstanding rate-pegging in NSW on three key issues:
   - Reliance on rate revenue as income
   - Financial sustainability
   - Efficiency
Among the serious consequences experienced in the first year of rate capping, is a reported deterioration in optimal infrastructure maintenance (and hence reduced service levels) at:

- Baw Baw
- Buloke
- Golden Plains
- Kingston
- Towong
- West Wimmera

A host of other Councils have deferred or cancelled new capital works or previously-planned infrastructure improvements. These councils include:

- Frankston,
- Gannawarra,
- Hobson’s Bay
- Manningham
- Maroondah
- Mildura
- Moira
- Nillumbik
- South Gippsland
- West Wimmera
- Whittlesea
- Wodonga
- Yarra

Cuts to services include:

- Bass: Visitor information
- Brimbank: Community events and tree planting
- Central Goldfields: Reduced expenditure in areas of assistance to community organisations, events and activities
- Corangamite: Reduced contribution to the local SES
- Manningham: aged care services
- Mitchell: reduced operating hours for customer service/library and pool facilities, removal of community, tourism and environmental grants program
- Monash: community grants frozen
- Moyne: reduction in maternal & child health hours; closure or decrease in operating hours of waste transfer stations
- Northern Grampians: No longer subsidising children’s crossings, no direct provision of visitor information in Halls Gap, Stawell and St Arnaud
- Swan Hill: Phased reduction in council funded Home care for the aged
- Towong: End of mobile library, council kindergartens, cuts to hours of maternal and child health, swimming pool hours, toilet cleaning, end to SES contributions, school crossing supervisors
- West Wimmera: closed a public hall and likely to divest more
- Yarriambiack: closure of a council office

Some Councils have increased (or intend to increase) fees and charges to make up for a shortfall in revenue. These Councils include:

- Central Goldfields
- Moreland
- Port Phillip
- Queenscliff (waste services now a separate charge)
<table>
<thead>
<tr>
<th>Council</th>
<th>Reduction in spending examples</th>
<th>Future measures to reduce spending</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alpine</td>
<td>• Organisational restructure and simplifications of processes&lt;br&gt;• Relinquish HACC to state government&lt;br&gt;• Demand reduction (utilities and materials)&lt;br&gt;• Review of memberships and subscriptions</td>
<td>• Council directed the CEO to save $600,000 in employee costs by negotiating a three year wage freeze for staff to demonstrate restraint.&lt;br&gt;• Market test savings of $2,000,000 by outsourcing or restricting major parts of the organisation.&lt;br&gt;• Dissolved the High Country Library Corporation and brought it in house&lt;br&gt;• Demand reduction</td>
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<tr>
<td>Ararat</td>
<td>• No conscious decisions have been made to reduce services that will directly affect service delivery to the public.</td>
<td>• Service reviews to be undertaken but no decisions have been made as the council elections were in October 2016. However, by 2019/20 there will be a $6.828 million deficit from, what is currently, a balanced budget.</td>
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<tr>
<td>Ballarat</td>
<td>• No answer</td>
<td>• No answer</td>
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<td>Banyule</td>
<td>• Minimal opportunity to reduce staff&lt;br&gt;• Strategic property sales&lt;br&gt;• Efficiencies through lighting, water and solar installations&lt;br&gt;• Renegotiation of tenders for water, property insurance and library contributions&lt;br&gt;• Increase building permit fee income</td>
<td>• Consolidating staff into one headquarters which will improve efficiencies.</td>
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<td>Bass</td>
<td>• Reduced staff and outsourcing municipal valuations.&lt;br&gt;• Restructure local laws and emergency management</td>
<td>• Undertake service review&lt;br&gt;• Reduce the visitor information services&lt;br&gt;• Reduce fleet vehicles&lt;br&gt;• Reduce staff and service management&lt;br&gt;• Delay major projects including shared pathways</td>
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<tr>
<td>Baw Baw</td>
<td>• Organisational restructure and reduction of 18.8 FTEs</td>
<td>• The rate cap will place restrictions on future capital works programs including reducing the current infrastructure backlog.</td>
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<tr>
<td>Bayside</td>
<td>• Service reviews but there is no deferral or cancelation of infrastructure</td>
<td>• They will need to find $2 million in recurrent savings to ensure ongoing financial sustainability. Councils' capacity to identify these savings without impacting</td>
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<tr>
<td>LGA</td>
<td>Key Actions</td>
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<tr>
<td>Benalla</td>
<td>- Nine positions made redundant and new EBA reduced from 3.8 to 2% increase</td>
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<td></td>
<td>- Organisational review</td>
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<td>Boroondara</td>
<td>- Created one EBA</td>
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<td></td>
<td>- Paid off debt quicker to reduce interest costs</td>
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<td>- Budget review to remove discretionary funds not directly aligned to a specific service provision</td>
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<td>- Moving to a digital environment to streamline customer experience, ensure increased accessibility and</td>
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<td></td>
<td>minimise red tape in the provision of council services.</td>
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<td>Brimbank</td>
<td>- $24 million will need to be saved from the budget over the next four years.</td>
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<td></td>
<td>- Will manage material and environmental efficiencies</td>
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<td>- Will maintain current levels of service but reduce operational costs and reviewing the way events are</td>
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<td></td>
<td>provided.</td>
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<td>- Extra plants and mulch for some main road tree planting have been scrapped.</td>
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<td>- Some community events and programs were scaled back.</td>
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<td>- Looking at shared services models</td>
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<tr>
<td>Buloke</td>
<td>- Reduce operating expenditure by $4 million per year but needed to still raise rates by 6% to get to</td>
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<td>a financially sustainable position.</td>
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<td>- Have reduced services to the community and a widening of the renewal gap</td>
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<td>- Reviewing all services over three years.</td>
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<td>- Will maintain and renew assets rather than creating new ones.</td>
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<td>Campaspe</td>
<td>- Productivity and efficiency gains through implementation of modern ICT system and improved processes.</td>
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<td>- Continue to improve productivity and efficiency. Review of halls and other infrastructure including</td>
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<td>aquatic centre. Looking at energy efficiencies, consolidation of the office accommodation and continuing</td>
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<td>sale of identified land assets that are surplus to requirements.</td>
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<td>Cardinia</td>
<td>- Reviewed the 12,000 lines of expenditure. Non-essential services were not given CPI increases.</td>
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<td>- Supplier contracts were renegotiated. Staffing freeze was put in place and senior management roles</td>
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<td></td>
<td>were reduced.</td>
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<td></td>
<td>- Unknown. A lot will depend on the introduction of the Growth area's interface fund as to what cuts</td>
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<td></td>
<td>will be required.</td>
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<td>Casey</td>
<td>- Review grass cutting contracts and service levels.</td>
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<td>- Review of vehicle/plant trade-in periods and investment in energy efficient lamp conversion.</td>
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<td></td>
<td>- Achieved efficiency</td>
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<tr>
<td>LGA</td>
<td>Measures</td>
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<tr>
<td>Central Goldfields</td>
<td>• Council adopted a larger rate increase the year prior to rate capping. Made adjustments to loan repayments which in effect reduces council’s capacity to borrow and therefore reduces infrastructure works</td>
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<td>• Council increased significantly a range of fees and charges although in all cases the new figures were within industry standards and comparable with other municipalities</td>
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<td></td>
<td>• Reduced expenditure in areas of assistance to community organisations, events and activities</td>
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<td></td>
<td>• Undertook some staff restructuring which will result in service cuts</td>
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<td>Colac</td>
<td>• Business improvement initiatives such as reducing fuel consumption, savings in utility costs, streamlining postal services</td>
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<td>• Hired a business improvement coordinator to find ways to reduce costs</td>
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<td>Corangamite</td>
<td>• No prep undertaken</td>
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<td>• Must find a recurrent $500,000 to fund gap. SES contributions will reduce. Increase fees and charges</td>
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<tr>
<td>Darebin</td>
<td>• Council will draw down on cash reserves</td>
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<tr>
<td></td>
<td>• Council will draw down on cash reserves</td>
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<tr>
<td>East Gippsland</td>
<td>• Shared services agreement with neighbouring councils</td>
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<td></td>
<td>• Installation of solar systems and changes of street lighting</td>
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<td></td>
<td>• Looking at further shared services opportunities.</td>
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<tr>
<td>Frankston</td>
<td>• Had to cut $2.6m</td>
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<td></td>
<td>• Savings made through cutting employee costs by negotiating a new EB with lower increases in raises</td>
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<td></td>
<td>• Reduce capital expenditure</td>
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<tr>
<td>Gannawarra</td>
<td>• Restructure</td>
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<td></td>
<td>• Service review to identify efficiencies</td>
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<td></td>
<td>• Greater reliance on grant funding for capital works</td>
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<td></td>
<td>• Some deferral of capital projects</td>
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<td></td>
<td>• Staffing hire freeze</td>
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<td>• Reduce staff wage increase (will be 1/3 of current increase)</td>
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<td>Glen Eira</td>
<td>• None</td>
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<td></td>
<td>• Business efficiencies review</td>
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<td>Glenelg</td>
<td>• None</td>
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<td></td>
<td>• None</td>
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<tr>
<td>Golden Plains</td>
<td>• Held maintenance expenditure at 2013/14 levels</td>
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<td></td>
<td>• No increase in staff</td>
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<td></td>
<td>• Reduced capital expenditure</td>
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<td>• One year freeze on staff numbers, IT equipment replacement, fleet vehicle replacement.</td>
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<td>• Held maintenance at 2013/14 levels in dollar terms</td>
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<tr>
<td>Greater Bendigo</td>
<td>• None</td>
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<td></td>
<td>• None</td>
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<tr>
<td>Greater</td>
<td>• Reduction in EBA awarded wage increases</td>
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<td></td>
<td>• None</td>
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<td>Location</td>
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<tr>
<td>Dandenong</td>
<td>Had received higher level forecast rates in previous years</td>
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<tr>
<td>Greater Geelong</td>
<td>$0.9m in operational efficiencies were identified</td>
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<tr>
<td>Greater Shepparton</td>
<td>No changes as a result of rate capping as work was already being done.</td>
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<td>Operational improvements in road maintenance.</td>
<td></td>
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<tr>
<td></td>
<td>Review of filing positions</td>
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<tr>
<td>Greater Shepparton</td>
<td>Increased user fees</td>
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<td></td>
<td>Increased contributions from project stakeholders</td>
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<td></td>
<td>Reduction in consultants</td>
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<tr>
<td></td>
<td>Lower EBA</td>
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<tr>
<td></td>
<td>Utilisation of borrowings for capital projects</td>
<td></td>
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<tr>
<td>Hepburn</td>
<td>Made efficiency savings through contracts, reduction in interest/legal fees etc</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Service reviews</td>
<td></td>
</tr>
<tr>
<td>Hindmarsh</td>
<td>Budget was insulated from the impact of rate capping and the reduction in the Local Roads and Bridges funding removal due to an increase in roads funding through the Roads to Recovery</td>
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<tr>
<td></td>
<td>Unknown but will be undertaking review</td>
<td></td>
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<tr>
<td>Hobsons Bay</td>
<td>Efficiencies and cost saving program in 2014-15 resulted in $3 million in underspend</td>
<td></td>
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<tr>
<td></td>
<td>Savings identified both of an operational and capital nature, are being quarantined in an infrastructure reserve to fund future capital works and reduce any funding shortfalls identified in council’s long term financial plan</td>
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<tr>
<td></td>
<td>$13.8 million capital works will need to be deferred between 2019-2020 and 2025-26. There is significant increase in unfunded capital works in the last three years of their LTFP</td>
<td></td>
</tr>
<tr>
<td>Horsham</td>
<td>Hire freeze; have delayed appointments for replacement staff and tried to reduce staff numbers through natural attrition if possible. Have discontinued software contracts and some sub-contractor payments.</td>
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<tr>
<td></td>
<td>Hiring freeze. Have set maximum increase of 2% increase on all non-salary operational costs but have managed to save around 1%. Will review all fee for service charges. Seeking more sources for grant income.</td>
<td></td>
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<tr>
<td>Hume</td>
<td>They have contained the level of staff growth</td>
<td></td>
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<td></td>
<td>Pay-out interest bearing debt</td>
<td></td>
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<tr>
<td></td>
<td>Review of organisational memberships</td>
<td></td>
</tr>
<tr>
<td>Indigo</td>
<td>Council consistently ensures costs only increase no greater than 2% year on year</td>
<td>Looking to either remove or reduce costs related to services affected by cost shifting</td>
</tr>
<tr>
<td>Kingston</td>
<td>Employee cost reductions</td>
<td></td>
</tr>
<tr>
<td></td>
<td>No CPI increases in any goods and services except for</td>
<td></td>
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<tr>
<td></td>
<td>No &quot;CPI&quot; increases in any Goods and Services except for contractual obligations. $1.2M saving against</td>
<td></td>
</tr>
<tr>
<td>LGA</td>
<td>Contractual Obligations</td>
<td>2015/16 LTFS</td>
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<tr>
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<td>----------------------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Knox</td>
<td>Undertaking service delivery review</td>
<td>Reduce workcover premium</td>
</tr>
<tr>
<td>Latrobe</td>
<td>Completed a restructure in the lead up to the rate capping being introduced</td>
<td>Labour productivity 2% equates to $1M saving</td>
</tr>
<tr>
<td>Loddon</td>
<td>Organisation restructure</td>
<td>Workcover Premium – no change from prior year at $950K</td>
</tr>
<tr>
<td></td>
<td>Lean Thinking</td>
<td>Saved $200K by centralising overall printing, design, advertising costs within Communications</td>
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<td></td>
<td></td>
<td>2.85 EFT reductions in Infrastructure, Family Youth and Children saving $210K</td>
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<tr>
<td></td>
<td></td>
<td>Civil Maintenance spend ↓ $200K</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ongoing productivity improvement focus</td>
</tr>
<tr>
<td>Macedon</td>
<td>Council has restricted its growth in operational expenses to about 1% per annum and reduced its expenditure to new initiatives by about 50% over the last three years. This has enabled council to increase its contributions to infrastructure spending by 14%</td>
<td>Capital funding reduced by $202,000 resulting in parts of the capital program being deferred to future periods.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Operational funding reduced by $404,000 in 2016/17.</td>
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<tr>
<td></td>
<td></td>
<td>The primary operational measure was to reduce rate funding to Aged Care Services (HACC) funding. This was completed through service redesign, improved efficiencies and council reducing service hours in a process of working towards achieving funded service target hours only (Council is providing more hours than it is funded for).</td>
</tr>
<tr>
<td>Manningham</td>
<td>Council has had an ongoing focus on restricting the level of growth in operating costs each year. This has been achieved through setting strong budget targets at the start of the year, collaborative tendering with adjoining councils, delayed recruitment of vacancies and reviewing (and where possible reducing) the banding level of advertised positions.</td>
<td>Will look at other revenue sources other than rates to maximise total available revenue opportunities</td>
</tr>
<tr>
<td>Mansfield</td>
<td>Reduced wage increases</td>
<td>Capping wage growth through the EBA</td>
</tr>
<tr>
<td></td>
<td>Only solution into the future is service reductions and staff layoffs. Both actions will impact significantly in Mansfield and other rural communities</td>
<td></td>
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<tr>
<td>Area</td>
<td>Actions and Measures</td>
<td></td>
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<tr>
<td>------------</td>
<td>---------------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Maribyrnong</td>
<td>- Service level reviews&lt;br&gt;- Hiring freeze&lt;br&gt;- Infrastructure renewal levy of 2% of rates was removed</td>
<td></td>
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<tr>
<td>Maroondah</td>
<td>- Undertook a review&lt;br&gt;- Reducing drainage infrastructure planned for future years</td>
<td></td>
</tr>
<tr>
<td>Melbourne</td>
<td>- Long term financial planning and reviews process&lt;br&gt;- Council sets an efficiency target of approximately 1% of operating costs annually compounding</td>
<td></td>
</tr>
<tr>
<td>Melton</td>
<td>- Exited Disability Respite Service and Early Intervention Program&lt;br&gt;- Council has focussed on non-rate income generation</td>
<td></td>
</tr>
<tr>
<td>Mildura</td>
<td>- Have been undertaking a sustainability review since 2012 and have systematically reviewed council services&lt;br&gt;- Not refilling jobs when people leave. Procurement contracts have been renegotiated. Plant and fleet items have had their replacement life extended if suitable. Changes to project management to better incorporate whole of life costs. A number of projects proposed for 2016/17 including drainage spur line expansion, sporting ground lighting upgrades and reserve car park renewals were not approved.</td>
<td></td>
</tr>
<tr>
<td>Mitchell</td>
<td>- Was already in a process of identifying savings. Service reviews with potential for fee increases. Vacancies were left unfilled to undertake staff restructure.&lt;br&gt;- To be achieved by way of reduced operating hours for customer service/library and pool facilities, removal of community, tourism and environmental grants program for 2016/17, a reduction in strategic planning, external condition audits, and other minor reductions.</td>
<td></td>
</tr>
<tr>
<td>Moira</td>
<td>- Some road projects deferred&lt;br&gt;- Contain wage growth through new EBA, defer road projects, no increase in any budget items.</td>
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</tr>
<tr>
<td>Monash</td>
<td>- Service and efficiency reviews for three years. They withdrew from Aged Residential Care (not rate cap related). Community grants frozen. Review of contracts. Catering budgets reduced. Freeze on staffing levels.&lt;br&gt;- Reviewing legal services; streamlining payroll systems; audit of mobile phone usage; community grants frozen; review consultancy use.</td>
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<tr>
<td>Moonee</td>
<td>- No reductions used&lt;br&gt;- No new initiatives.</td>
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<tr>
<td>Moorabool</td>
<td>- Service reviews, service planning, business excellence program, implementing stringent budget controls.</td>
<td></td>
</tr>
<tr>
<td>Moreland</td>
<td>- Focusing on cost reduction and increasing revenue in the short-medium term.&lt;br&gt;- Service and efficiency review&lt;br&gt;- Continued review of all fees and charges with view to</td>
<td></td>
</tr>
</tbody>
</table>
- Reduced wage increases in EBA. All fees and charges have been reviewed with the aim to reach cost recovery. Intent is not to defer any works.

**Mornington Peninsula**
- Council restructure in the lead up to this year. Now developing a long term financial plan to analyse the impact of rate capping on services and develop a strategy to minimise its impact.
- Centralisation of procurement

**Mount Alexander**
- Reduction in insurance premiums, number of photocopiers, electricity savings and full review of the Aged and Disability Services. No CPI increases for projects. Any increases must be found in operational budgets.
- Service review

**Moyne**
- Service review
- Decrease in gravel road sheeting by $80,000 per annum;
- Closure of Waste Transfer stations and decrease in operating hours of Waste Transfer Stations;
- Increase in HACC full cost recovery charge;
- Decrease in sponsorship budget $20,000;
- Reduction in Maternal & Child Health hours.

**Murrindindi**
- Service review continuation which has been occurring for four years.
- No new initiatives for the community and 84% of all capital expenditure is to be allocated to renewal of existing infrastructure.
- Applied for and received a special rates variation.
- Reduced allocation to seed funding for new business development initiatives within the council but $20,000.

**Nilumbik**
- Council has made significant changes to prioritising of projects which has resulted in delaying works to future financial years. Delayed replacement of staff vacancies.
- Operational savings across the organisation including IT costs, publications, reductions in materials. Savings from collaborative procurement and tender processes. Projects previously planned for 2015-16 and 2016-17 were re-scheduled to future financial years. Council borrowings for capital projects have been reduced to zero for future years in the long term financial plan.

**Northern Grampians**
- Cessation of the provision of children’s services in Stawell.
- Withdrawing from subsidising children’s crossings in the Shire.
- Reduced operating hours St Arnaud Customer Service Centre.
- Realisation of savings from solar panel installation on many Council buildings.
Cessation of the direct provision of visitor information services in Halls Gap, Stawell and St Arnaud.

Shared Services for GIS, EHO, Engineering.

Moved to Activity Based Working, reducing office space and rental costs.

Reformed rostering to reduce wage costs in Leisure Services.

Renegotiate and rationalise photocopiers to save significant cost.

Moved to reduce paper based offices through the use of electronic document processes and software.

Mercury Vapour streets lights changed to LED.

Hand the responsibility for Standpipes in St Arnaud back to GWM Water.

11. Ongoing building rationalisation, dispersal or demolition.

Further shared services planned, ie further health, planning and building.

Continued building rationalisation, dispersal or demolition.

Port Phillip

Operating efficiencies of $1.35m through competitive tendering, decommissioning unused or superseded technology, reviewing costs, minor reorganisation of staff and efficiencies review.

Competitive tendering, reduction in IT contracts, removal of management positions.

Should rates capping continue the cumulative rates cap challenge over the period of 2016/17 to 2019/20 at $6.8 million. To meet and close the rates gap over the remaining years of the Strategic Resource Plan, savings will be achieved by identifying:

• efficiencies identified through improvements in processes, procurement and project planning and delivery user fees and charges that reflect the benefit that individual community members receive

Pyrenees

Savings have been found through service review efficiencies, improved procurement practices, shared services and a continuous improvement program.

Rate cap and freezing of FAGS has been absorbed by council through operation savings and capital reprioritising.

Savings have been achieved in management of council fleet, reduction in staff and consultant costs, utilisation and efficiency of plant, shared services, improved procurement processes.
<table>
<thead>
<tr>
<th>LGA</th>
<th>Measures Taken</th>
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<tbody>
<tr>
<td>Queenscliff</td>
<td>Reprioritise operational project initiatives and identified other operation efficiencies. Full cost recovery on waste management through separating the waste management charges from general rates. Renegotiate the EBA under rate capping regime.</td>
</tr>
<tr>
<td>South Gippsland</td>
<td>Council’s Safer intersections program has been deferred indefinitely. Bridge replacement has been deferred in favour of undertaking major maintenance to extend bridge lives. The paths and trails program has also been deferred indefinitely. Due to increase in Roads to Recovery grant funding no additional work has been deferred. However, assuming that funding is reduced there will be impacts on work due to rate capping.</td>
</tr>
<tr>
<td>Southern Grampians</td>
<td>Service review. New revenue sources to be identified where possible. Salaries and wages to be maintained in line with average weekly earnings. Contractors limited. Service review.</td>
</tr>
<tr>
<td>Stonnington</td>
<td>Reduce one general manager position. Borrowings will increase to part-finance the capital works program, thereby increasing debt for future ratepayers.</td>
</tr>
<tr>
<td>Strathbogie</td>
<td>Resources of depots to save operating and wage costs. Resources of corporate services to save wage costs.</td>
</tr>
<tr>
<td>Surf Coast</td>
<td>Business improvement program including service reviews, investigating opportunities for business efficiency. Continue the business improvement program. Focus on longer term financial planning to better understand future challenges.</td>
</tr>
<tr>
<td>Swan Hill</td>
<td>Phased reduction in council funded Home care, energy efficiency measures, non-replacement of some staff positions. Phased reduction in council funded Home care, energy efficiency measures, non-replacement of some staff positions. Utilise MAV Local Government Funding Vehicle to obtain lower interest rates. Utilise MAV Local Government Funding Vehicle to obtain lower interest rates. Staged redevelopment of Pioneer Settlement to increase revenue from tourist facility.</td>
</tr>
<tr>
<td>Towong</td>
<td>Swimming pool season reduced by one week. SES contribution ceased.</td>
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Return to Order of Business
<table>
<thead>
<tr>
<th>Location</th>
<th>Impact</th>
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<tbody>
<tr>
<td>Wangaratta</td>
<td>Roads maintenance workforce reduced</td>
</tr>
<tr>
<td></td>
<td>Mobile library services discontinued</td>
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<tr>
<td></td>
<td>Health Alliance partnership position terminated</td>
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<td></td>
<td>Library and council office hours reduced</td>
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<td></td>
<td>Public toilet cleaning suspended on weekends</td>
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<tr>
<td></td>
<td>Change telecommunications provider</td>
</tr>
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<td></td>
<td>Reduction in fleet</td>
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<td></td>
<td>Street lights changed to LED</td>
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<tr>
<td>Wellington</td>
<td>Maternal and Child Health ceased contribution reducing hours from 3280 to 2193 per year</td>
</tr>
<tr>
<td></td>
<td>School Crossing supervisors contribution ceased</td>
</tr>
<tr>
<td></td>
<td>Ceased Kindergartens</td>
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<tr>
<td></td>
<td>Swimming pools reduced hours</td>
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<tr>
<td></td>
<td>Eskdale community pool contributions ceased which means it will likely close</td>
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<tr>
<td></td>
<td>State-wide community satisfaction survey participation ceased</td>
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<tr>
<td></td>
<td>School leaver scholarship ceased</td>
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<td></td>
<td>Reduced youth workshops</td>
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<td></td>
<td>Ceased Seniors events</td>
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<tr>
<td></td>
<td>Ceased memberships with Timber Towns and Murray Darling Association</td>
</tr>
<tr>
<td></td>
<td>Reduction in staff training</td>
</tr>
<tr>
<td>West Wimmera</td>
<td>Maternal and Child Health ceased contribution reducing hours from 3280 to 2193 per year</td>
</tr>
<tr>
<td></td>
<td>School Crossing supervisors contribution ceased</td>
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<tr>
<td></td>
<td>Reduction in staff training</td>
</tr>
<tr>
<td>Location</td>
<td>Initiatives</td>
</tr>
<tr>
<td>-------------------</td>
<td>----------------------------------------------------------------------------</td>
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</tbody>
</table>
| Wodonga           | - Internal restructure  
                    - Service reviews  
                    - Reduced contractor costs through negotiation and efficiencies  
                    - Service reviews  
                    - Put in application for rate variation but if unsuccessful they will defer capital works projects |
| Wyndham           | - Continuous improvement through process reviews and improving operations  
                    - Implementation of e-services and apps to improve customer experience, access to information  
                    - Productivity and efficiency gains of around $1.4m.  
                    - Reduction in new staff and a reduction in insurance premiums  
                    - Restructure |
| Yarra             | - Deferred infrastructure  
                    - Brunswick street bike path  
                    - Brunswick street drainage project  
                    - Cecil street drainage project  
                    - Saved employee expenses (doesn’t say how)  
                    - Materials and services (doesn’t say how) |
| Yarra Ranges      | - Efficiency reviews  
                    - FTE savings, restructures and EBA negotiation savings  
                    - Regional collaboration  
                    - Surplus asset disposal  
                    - Initiatives continued |
| Yanwambiack       | - Reduction in duplication  
                    - Council closed a council office and leased the premises to the community for $1 per annum. |

About how though) from $3m to $500,000

Service review

Efficiency reviews

FTE savings, restructures and EBA negotiation savings

Regional collaboration

Surplus asset disposal

Council closed a council office and leased the premises to the community for $1 per annum.
Delivering the LGA 2018 State Election Agenda: Local Government Reform

February 2018
Delivering the LGA 2018 State Election Agenda: Local Government Reform

Introduction

The Local Government Association’s 2018 State Election agenda—South Australia. Uncapped Potential—identifies local government reform as a priority for the next state government. This document outlines a plan for sensible change that state and local government can work together to start delivering in the first 100 days of government and beyond.

The local government sector is ready for change and is preparing to build on our history of driving our own reform agenda.

The comprehensive Local Government Financial Sustainability Program, which commenced in 2005, encompassed legislative and practice reform that has resulted in over a decade of sustained improvement in local government finances and asset management.

The ‘Council of the Future’ report released by the Local Excellence Expert Panel in December 2013 has provided a further road map for structural and practice reform in local government to address the challenges facing South Australia over coming decades, including further globalisation, population trends, emerging technologies, climate change, and communities expecting to be more effectively engaged in decision making.

Since the report’s release, the LGA has consulted extensively with member councils and has pursued, supported and achieved initiatives such as a State/Local Government Infrastructure Partnership to bring forward investment in public assets, streamlining of local boundary reform processes to improve the independence and transparency of decision making, regionalisation and shared services projects to integrate planning across councils and drive efficiencies, new planning and development legislation to include the option of regionalised planning functions, considered the role of the Auditor General in auditing councils, commenced a council benchmarking program, provided resources to encourage deliberative engagement methods, produced a public lighting business case to reduce costs to councils, developed a new Code of Conduct proposal and carried out an LGA governance review and a review of the LGA Schemes.

The next chapter of local government reform will concentrate on the many things the sector can achieve through continuous improvement programs that strive to meet an always evolving community standards and understanding of best practice.

There are a number of areas of local government operations that can be strengthened without the need for legislative intervention. A prescriptive, legislated approach to reform can often tie the sector to a ‘one size fits all’ outcome that doesn’t suit the circumstances of every council and community, creates additional red tape, quickly becomes outdated and doesn’t deliver value for money.

There is however a critical role for the state parliament to ensure that the legal framework within which local government operates remains contemporary and empowers councils with the regulatory tools and resources needed to successfully serve communities.

The Local Government Association and member councils look forward to working with all members of the next state parliament to deliver sensible local government reforms that will benefit South Australian communities.
Local Government Today

Any sensible discussion about local government reform must begin with a thorough understanding of the current framework within which councils operate. Almost all aspects of local government are regulated by the *Local Government Act 1999* or the numerous other State Acts that reference councils. A high degree of oversight, transparency and accountability is to be expected as councils are responsible for $22 billion worth of public assets and infrastructure and have a combined annual budget of $2 billion to provide local services and facilities that are part of everyday life. This is an enormous responsibility- and not one that can be taken lightly.

The current local government framework requires each council to have an audit committee, appoint an external auditor and adopt procedures for decisions to be reviewed. It also allows for investigations by the State Ombudsman, Independent Commissioner against Corruption (ICAC) and the Auditor General. In extreme cases the Minister can exercise powers to dismiss a council and appoint an administrator.

Recommendations from the State Ombudsman, ICAC or the Auditor General are often the catalyst for legislative change. Parliamentary Committees can also undertake inquiries into local government matters and make recommendations for legislative and operational reform.

Ultimately, councils are accountable to the communities they serve. Council elections are held once every four years and approximately 30% of eligible voters participate in the postal voting process, which is consistent with voter turnout for voluntary elections in other states. Once elected, council members must undertake mandatory training and uphold standards of behaviour that are outlined in a Code of Conduct. A Register of Interests, a Gifts Register and an Allowances and Benefits Register must be maintained by each council.

As the sphere of government that is closest to communities, there is a high degree of public interest in local government. Communities are seeking more information about how their council is operating and how their rates dollars are being spent.

The *Local Government Act 1999* provides a detailed list of the documents that must be made publicly available by councils. This includes registers and returns, codes, meeting papers and numerous policy and administrative documents.

Every council is required to adopt Strategic Management Plans (SMPs) to outline the council’s objectives for a period of at least four years. SMPs must include a Long Term Financial Plan and Infrastructure and Asset Management Plan, each covering a period of at least 10 years.

The council’s long term objectives are required to be summarised each year in an Annual Business Plan, which must outline the measures that will be used to assess performance against those objectives throughout the financial year. There are a number of factors that must be considered by a council in setting an annual plan, budget and rates structure, including the impact on the community.

Performance against the measures outlined in these plans are publicly reported each year through each council’s Annual Report. The material that must be included and the numerous matters that must be reported on in the Annual Report are prescribed in Schedule 4 of the Local Government Act, and in other Acts under which councils operate.

The community is invited to participate in all annual and long term planning and budgeting processes. Councils are required to adopt a policy that outlines how the community will be consulted. Representation reviews are required to be carried out at regularly (usually about every 8 years) to...
Local Government Tomorrow

The *Local Government Act 1999* currently sets out sound structures in relation to accountability, transparency and engagement, and provides for independent oversight to ensure that councils are meeting their compliance obligations.

However, that does not mean that things can’t be improved.

After consulting with member councils, the LGA has developed a sector-driven local government reform agenda that is focussed on these principles:

- Sustainability
- Efficiency
- Local decision making
- Sector consistency
- Simpler regulation

Ultimately change within local government needs to benefit communities and create public value for South Australia. Quick fixes and populist ‘solutions’ need to be avoided as they will end up costing communities more in the long run. That’s why rate capping and forced amalgamations will not be supported by local government.

However, we welcome the opportunity to work with all parties that want to be a part of a sensible continuous improvement program that will deliver long term benefits to communities.

We are pleased to outline our plan for sensible change.

Our Plan for Sensible Change

**Sector wide benchmarking program**

While there is a considerable amount of information already available to communities about what their council is doing; this information is often spread across multiple documents and platforms, can be difficult to find and is not easy to compare with other councils.

The LGA is working towards developing a more sophisticated performance measurement and reporting framework as a consistent way to promote transparency and accountability. Gathering information about councils and how they are operating is beneficial for a number of reasons, including:

- determining if councils are performing well, being fiscally responsible and are financially sustainable;
- assessing the relative efficiency of the sector and the value for money being delivered to communities;
- measuring and evaluating the outcomes that are being achieved and whether the community is satisfied with what councils are delivering; and
- identifying opportunities for continuous improvement and reform programs to strengthen the sector.

return to order of business
In developing a benchmarking framework, care needs to be taken to reflect that councils are as diverse as the communities they serve. Not all measures will be comparable across all councils and financial information will tell only one side of the story. It is important that this work focusses on a contained suite of meaningful performance measures that build a more complete picture of the financial and governance health of the sector and the public value of the services and programs delivered by councils.

The LGA’s State Election Agenda - South Australia. Uncapped Potential - calls for the state government to provide $3 million in 2018/19, and $1 million a year for the following 3 years, towards the establishment of a sophisticated database of performance measures to support council planning and community consultation to enable local government to continually improve. Early commitment to this funding support would allow this work to be expedited.

**Strengthening the Council Members Code of Conduct**

Communities have the right to expect high standards of behaviour from the people they elect to represent them- at all levels of government.

The local government sector has acknowledged that the current Code of Conduct system for council members is not working as it should. Local government is keen to see comprehensive reforms introduced for the Code and the LGA has worked with councils to develop a framework of new ideas to achieve meaningful change.

Local government, like all sectors, should be free of bullying and harassment, and further work needs to be done to ensure there are appropriate measures to deal with any isolated examples of serious behavioural issues.

To strengthen the Code and give communities confidence that complaints will be dealt with effectively, the following elements need to come together in a new framework:

- Local government should be trusted to set its own expectations in regards to acceptable behaviour that aligns with community expectations.
- High level matters of misconduct including examples of bullying and harassment should be referred to and dealt with by a body outside of local government. Further work needs to be done to define such a body.
- The majority of lower-level behavioural issues should be dealt with at the local government level, either by council or a local government appointed panel.
- There need to be adequate sanctions for bad behaviour. This should include financial penalties and expulsion from a meeting.
- Mayors require expanded powers to manage behaviour in their chambers to ensure that meetings are not disrupted. This is not intended to be a measure that would stifle robust and respectful debate.

While local government needs to be responsible for its own behaviour, we can’t deliver effective change on our own. We will need the support of the next State Parliament to amend legislation and empower councils to quickly and effectively deal with bad behaviour when it arises.
Best practice audit committees

Each council is required to establish an Audit Committee to, among other things, review the financial statements of the council, provide advice on council’s Strategic Management Plan and Annual Business Plan and review the adequacy of council’s internal controls and financial management systems.

Since 2007, when an audit committee for each council became required, these committees have become embedded as an important part of local government’s financial and governance performance measurement framework.

Many councils have voluntarily expanded the role of their audit committee beyond what is legally required. Each audit committee must have at least one independent member and it is widely acknowledged within the sector that having more than one independent member, including an independent Chair is best practice.

The way in which many councils have established their audit committees demonstrates that a heavy-handed legislative response is not always required to achieve positive change within local government.

The LGA proposes to use a best practice approach to encourage councils to make the best use of their audit committees. A best practice model would include:

- Diversifying the skill sets and knowledge of audit committee members;
- Appointing an independent chair;
- Additional responsibilities such as reviewing draft strategic management plans, rating practices; performance monitoring, the quality of financial management, and the council’s use of public resources; and
- Empowering the chair to make public statements on the audit committee’s work and findings.

Part of the LGA’s work will be to review the availability and costs of attracting qualified and skilled members to council audit committees, particularly in country areas, and to propose solutions that assist all councils to achieve best practice standards. This might include the option of a regional or ‘shared service’ approach to establishing audit committees in regional areas.

It would need to be acknowledged that there might be barriers in some councils to fulfilling all best practice recommendations, and appropriate exemptions would need to apply.

Standardising external audits

All councils must appoint an external auditor to review and provide an opinion on the council’s financial statements and a separate opinion on the adequacy of internal controls to provide reasonable assurance that the financial transactions of the council have been conducted properly and in accordance with law.

In some other states, the external auditing of councils falls within the remit of the state’s Auditor General. The LGA has commissioned research and consulted with councils about the option of adopting this model in South Australia. We have found that while it may lead to some greater degree of consistency, the benefits would not outweigh the considerable additional costs to ratepayers.

An alternative approach to achieving greater standardisation would be allowing or requiring the Auditor-General to issue binding interpretations of auditing standards applicable to local government. This would ensure consistency between private sector auditors.
The LGA provides interpretation of accounting standards to the sector through the Model Financial Statements the use of which is mandated in Regulations. However these standards apply to local governments, not to auditors, who have their own professional standards to observe. However in some areas of practice auditors have had varying interpretations of their own standards. Therefore, further work is required by the LGA, in consultation with the SA Local Government Auditors Group and Local Government Financial Management Group to identify opportunities for further improvement, without duplicating existing measures or creating greater uncertainty.

The LGA will confirm its position on this reform option and any action that would be required by the next state government, within the state government’s first 100 days.

**Introduce a revenue policy**

Current legislation requires councils to publicly report broadly on where their revenue comes from. Each council’s annual financial statements distinguish revenue from:

- rates;
- statutory fees and charges;
- user charges;
- investments;
- grants;
- reimbursements; and
- “other”.

However, councils are not required to adopt a revenue policy describing what mix, of this suite of revenue options, it proposes to adopt for each of its services and why it has made such choices. Such a policy primarily would focus on to what extent (for any given service) the council believes it would be appropriate for the costs of that service to be borne by users of the service, or spread across the broader community.

Such a policy would create a single point of reference to enable the community to understand how a council proposes to pay for each of its services and infrastructure over a period of time, taking into account rates, grants, fees and charges and commercial activities. This would help communities and stakeholders understand the revenue mix in local government and how constraints on one revenue source create pressure for revenue to be generated in other, often less equitable, ways.

Although such a policy would require revision from time to time, it is important that this must not create yet another compliance obligation for councils, as they are already committing considerable resources to preparing all of the plans, policies and documents required by legislation. Introducing a new revenue policy should be accompanied by a review of existing requirements for other policies and reporting requirements to achieve the principle of simpler regulation.

A commitment is sought from the next government that a review will be undertaken to find opportunities to streamline and consolidate existing council obligations to prepare multiple policies and reports.

**Diversifying local government revenue**

Adopting a revenue policy will not of itself address the issues that councils face in generating the revenue required to maintain and improve standards of services and infrastructure. Local government is always under pressure to reduce reliance on rating revenue to fund community services and infrastructure. While councils must continuously review expenditure to make sure it is as efficient as possible, the settings on revenue side of the equation also need to be addressed, such as the fact that
local government in South Australia historically receive less state government grant funding per capita than local government in other states.

Additional capacity for councils to diversify revenue streams would be assisted by the following actions being undertaken as a priority:

- Conduct a comprehensive review of local government fees and charges regulated by the state government to establish modern price setting principles which promote efficiency, flexibility and fairness in service delivery;
- Review the mandatory rate rebates that councils are compelled to provide;
- Establish service level agreements for the delivery of state services by local government including agreed responsibilities, cost sharing and funding arrangements;
- Joint advocacy between state and local government for South Australia to receive a fair share of federal government funding;
- Review levels of state government grant funding provided to local government and ensure that this level is at or above the national average; and
- Reviewing the legislative settings around council participation in commercial activities, particularly when regional subsidiaries are formed, to ensure they are not unreasonably restricting opportunities for councils and communities.

Best practice service reviews

To build trust, communities require certainty that councils are delivering the right services at the right cost. A best practice program of services reviews with strong community engagement will assist in building community confidence and demonstrating efficiencies.

Councils already undertake regular reviews of key services to ensure they are meeting community needs, being delivered in an efficient manner and not impacting on the long-term financial sustainability of the council. Sometimes difficult and unpopular decisions need to be made about reducing or consolidating services for the sake of greater efficiency and sustainability. It is important that these decisions about the range and level of local services provided remain in the hands of councils and their communities.

While the legislative framework should set our clear expectations regarding continuous improvement and service efficiency, it should not limit the sector to one prescribed approach to, or frequency of service reviews.

It is proposed that the LGA develop a best practice guide to undertaking service reviews. Service reviews should consider service levels, unit costs, community demand, community satisfaction, alternative providers and links to financial sustainability. Standardising the approach to measuring and reporting these factors will assist councils and communities to understand the value of the financial and community value of the services delivered.

A prescriptive approach to undertaking service reviews must be avoided to ensure that efficiency gains are not eroded by additional red tape and compliance costs. There is an opportunity for the joint State-Local Government Simpler Regulation Taskforce established between the LGA and Department of Premier and Cabinet to advise on opportunities to streamline processes.
Supporting new boundary reform processes

The Local Government (Boundary Adjustment) Amendment Act 2017 was passed by the Parliament in August 2017. While the LGA will not support any push for forced council amalgamations, we supported the passage of this legislation as it will give councils and communities that want to review their boundaries the benefit of a more transparent, rigorous and independent assessment and decision making process.

The new provisions are not scheduled to come into effect until 1 January 2019. However, there is a considerable amount of work required to develop guidelines, procedures and templates to implement these changes.

The next state government must commit adequate resources for the Local Government Grants Commission to progress this work, as a priority, in consultation with councils and communities.

Industry-wide industrial relations framework

The LGA has started looking at opportunities to streamline processes within local government through an industry-wide industrial relations framework which enables a culture of meaningful, open and respectful engagement between employees, management and unions.

Our work to date demonstrates there is an opportunity to align the sector workforce through a modernised industrial relations framework. An aligned workforce will provide individual councils with continued success and simultaneously deliver wellbeing to employees through shared values and commitments; support individual council’s strategic and business plans; secure a multi-skilled and engaged workforce; foster flexibility and continuous improvement in the local government sector; enhance productivity and significantly reduce duplicated costs and effort.

The LGA has established a working group to progress this objective and will confirm its position on industrial relations and any support required from the state government within the first 100 days of government.

Review representation reviews

The Local Government Act 1999 requires councils to carry out “representation reviews” as scheduled by the Minister under the regulations (approximately every 8 years). During these reviews councils must consider options relating to:

- The composition of the council, including the number of council members
- Whether or not the council should be divided into wards
- The size and boundary areas of wards, if they exist

A council may also use this process to change its name, change the name of a ward or change the area of the council.

Based on advice from the Electoral Commission of South Australia (ECSA), the LGA understands that some councils have experienced difficulty obtaining the services of appropriately qualified consultants to assist them with the workload. Some councils have had to undertake multiple public consultation processes as a result of community feedback and changing options. Council members also face the challenge of having to make controversial decisions on potential changes to the composition of a council that might affect their own positions.
Most councils required assistance from ECSA to comply with the extensive technical requirements set out in section 12 of the Local Government Act in order to enable them to achieve certification by the deadline date.

Representation reviews are an important feature of local democracy. Given that ECSA has indicated that it is reviewing the efficacy of current processes and its role in supporting councils to undertake representation reviews, the LGA considers that it is timely and appropriate for a broad review to be undertaken.

The LGA is calling on the next state government to work with ECSA, the LGA and councils to review the technical and process issues and decision-making structures for representation reviews.

**Local Government Elections Reform**

Local government has participated in a lengthy review of the *Local Government (Elections) Act 1999*, which is yet to result in legislative change being achieved. The LGA and councils have made a number of submissions in relation to technical issues that need to be addressed, as well as more substantive policy matters. As a priority, the Local Government Association is calling on the next state government to introduce amendments to the Local Government Elections Act that achieve, among other things, the following policy outcomes:

- Establish a framework which would enable electronic voting to be used for future elections, should a viable and cost effective system become available;
- Create a ‘level playing field’ for disclosure of information. In other words, where existing council members are required to disclose information publicly, all candidates for election should be required to disclose the same information during the election process.
- Enable all candidates to have access to electronic copies of the voters roll; and
- Voters should be made aware of whether or not a candidate for election resides in the area of the council for which he or she is standing. This can be achieved by inclusion of ‘tick box’ to reveal whether or not the candidate resides in the area;

The LGA can supply further details of the raft of more technical matters that also need to be addressed.

A delayed commencement would be required for any reforms that could not feasibly be implemented in time for the council elections in November 2018.

In relation to state elections, the LGA supports and calls for reform that would require council members seeking election to the State Parliament to stand down from their position on council with their allowance suspended throughout the election campaign period.

**Delivering Change**

Delivering this change agenda would be shared responsibility between the Parliament, state government, LGA and councils.

We believe that local government reform has been held back in recent years by the limited resources allocated to the Office of Local Government. The LGA reinforces the call made through previous budget submissions for expanded capacity within the Office of Local Government to expedite and deliver significant reforms. Consideration should also be given to the potential expansion of the role of the Local Government Grants Commission, as an independent body with a deep understanding of local government, to assist with the implementation of local government reform.
While the full implementation of this program will extend beyond the first 100 days of government, the priority actions that can be achieved with the right level of resourcing are summarised below.

First 100 days Agenda

In their first 100 days, the next Government of South Australia should prioritise the following actions to achieve sensible local government reform:

- Hold a joint ‘Leaders’ Summit’ with the LGA to shared understanding of the challenges and opportunities facing local government over the next four years.
- Commit resources to a sophisticated local government benchmarking framework to be delivered by local government, for communities.
- Work with the local government sector to further develop a proposal for a strengthened Code of Conduct framework and commence consultation with councils on the legislative changes required to implement change.
- Receive and consider the LGA’s position on standardising external audits.
- Maintain the State-Local Government Simpler Regulation Taskforce and task it with finding opportunities to reduce red tape associated with compliance processes and the multiple policies and reports required under the Local Government Act 1999.
- Conduct a comprehensive review of local government fees and charges regulated by the state government to establish a cross-government modern price setting principles which promote efficiency, flexibility and fairness in service delivery.
- Review the mandatory rate rebates that councils are compelled to provide.
- Review levels of state government grant funding provided to local government and ensure that this level is at or above the national per capita average.
- Commence a review of the legislative settings around council participation in commercial activities, particularly when regional subsidiaries are formed, to ensure they are not unreasonably restricting opportunities for councils and communities.
- Commit sufficient resources to the Local Government Grants Commission to commence preparations for the operation of new boundary reform processes.
- Receive and consider the LGA’s position on a sector-wide industrial relations framework.
- Commence a review of the ‘representation review’ processes outlined in the Local Government Act and consult with local government and ECSA on options for positive change.
The Bill was provided to councils on 18 June 2018. The key elements of Bill were highlighted in the LGA President Newsletter, 19 June 2018, as follows:

- The Essential Services Commission of South Australia (ESCOSA) will be responsible for making rate cap determinations, assessing applications from councils for variations to the rate cap and reporting on the outcomes of the system.

- ESCOSA will determine the basis of the rate cap. For example, whether it will relate to a price or particular index (CPI, LGPI etc) and whether the cap will include any efficiency or productivity component. The details of how the rate cap will be determined will be subject to ESCOSA guidelines that are yet to be developed.

- A cap may be determined for councils generally, a class of councils or individual councils. There is no definition provided of a ‘class’ of councils.

- The cap will be applied to a ‘base standard rate’, which is a nominal rate that is arrived at by dividing the total annualized general rate revenue for a council area by the number of rateable properties in that area at the end of a base year (30 June). This model accounts for growth in the number of rateable properties over the course of a year.

- A council may apply to ESCOSA for a variation from the rate cap for a maximum period of up to 5 years. In applying for a variation, councils will need to provide the reasons for the variation application, evidence of community consultation, an assessment of the likely impact on ratepayers. Councils will be expected to make efficiencies across their operations before applying for a rate cap and will need to demonstrate they have considered funding priorities and alternative sources of revenue.

- Consistency with long term financial plans and infrastructure and asset management plans will be a critical component of an application for a variation.

- ESCOSA may charge councils a fee for assessing a variation application and applications will need to be lodged by 31 March.

- Further details of the variation process will be provided through ESCOSA guidelines that are yet to be developed.

- Separate rates and service rates and charges are excluded from the rate cap calculation, but a council must inform ESCOSA if they proposed to introduce a separate rate or service rate or charge as this will be taken into consideration when they set the primary rate cap for that council.

- ESCOSA must monitor and review councils’ compliance with the system and prepare reports on the effects of rate capping on councils and any trends that may arise as a result of the rate capping scheme.

- The Minister may take action in relation to a council under Section 273 on the basis of a report by ESCOSA. Currently this provision includes ICAC, the Auditor-General and/or the Ombudsman.

- A review of the legislation will be required before 31 December 2023 (five years from the proposed commencement).
**Summary of the provisions of the Bill as outlined in Explanatory Paper**

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<td>The Bill amends section 3(f) of the Act to clarify that the objects of the Act are to encourage local government to provide appropriate services and facilities to meet the present and future needs of local communities while also ensuring that these are supported by appropriate financial contributions by ratepayers.</td>
<td>There is no further definition or interpretation of what 'appropriate services' or 'appropriate financial contributions' may mean. This is a subjective issue, one which SA councils currently attempt to balance through public consultation policies that set out the steps councils will take to ensure interested community members are consulted where the act requires.</td>
<td>Councils already consult extensively to seek community views through engagement on annual business plans and budgets, and strategic management plans (long term financial and asset management plans), plus other matters identified in the Act or their public consultation policy. In Section 187(G) the process may require councils to undertake additional community engagement when seeking to apply for a rate cap variation and demonstrate their willingness and capacity to pay rates in accordance with the proposed varied rate cap. This may prove to be difficult for councils to achieve, noting the existing challenges councils face in receiving responses from the community when feedback/input is sought via consultations.</td>
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| Clause 5—Amendment of section 123—Annual business plans and budgets | Timing will be a challenge as ESCOSA will publish rate cap by 31 December (or later if it chooses). Councils will need to submit variation requests to ESCOSA by 31 March which includes evidence of the community engagement process that has been undertaken by the council on the proposed varied rate cap. | This means that Council will need to consult on next year’s Annual Business Plan prior to 31 March. However, councils generally consult on these plans in May/June. Moving this timing will means that Councils are developing Annual Business Plan projects up to 6 months before the completion of this year’s projects. |

| Clause 6—Insertion of Chapter 10 Part 1A—Rate Oversight | There is no reference in the Bill to any provisions of an automatic review (at any level) of this chapter if there is other legislation / government policy decision that may affect these inclusions or require changes to the legislation. Such a provision would be expected for an issue that has the potential to be affected by a number of policy areas. | Councils need to consider the impact that future state legislation and other policies may have on councils’ ability to perform their functions if rate capping is introduced. Any change in legislation or policy that increases costs for councils could have a greater impact in the future if councils cannot generate additional revenue to adequately fund new responsibilities. |
Summary of the provisions of the Bill as outlined in Explanatory Paper

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<td>Sections 187C–187K of the Bill are outlined below:</td>
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<td><strong>187C – Objects of Part</strong>&lt;br&gt;This section states that the objects are:&lt;br&gt;a) to ensure that there is appropriate oversight of the financial contribution of ratepayers for the provision of council services and infrastructure meet the current and future needs of local communities; and&lt;br&gt;b) to ensure that a council has the financial capacity to perform its duties and exercise its powers.</td>
<td>As elected bodies, councils are accountable to their local communities.&lt;br&gt;Having robust processes and legislative requirements for public consultation on council Annual Business Plans and Budgets means that local government already subject to community oversight and is arguably the most transparent sphere of government.&lt;br&gt;The same oversight is not given to state and commonwealth budgets, as their considerations are subject to cabinet-in-confidence.&lt;br&gt;The experience of rate capping systems in both NSW and Victoria is that council debt increases and they have less capacity to deliver services. This has occurred despite the availability of a rate cap variation process being available in both interstate rate capping models.&lt;br&gt;Placing oversight of financial matters in the hands of ESCOSA and the State Government will ultimately diminish the local decision-making of Councils. Decisions about service levels and funding priorities will be referred to an unelected body that is not accountable to ratepayers and the democratic process.&lt;br&gt;It can be inferred that ‘perform its duties and exercise its powers’ is a reference to the statutory responsibilities of local government. Many of the service provided by councils are discretionary and are provided - following public consultation - to meet the needs of and enhance communities. In some circumstances services are provided by councils because there is no alternative provider within the local community, or other government funding/support has been withdrawn. Some of these services may not meet an independent ‘essential service’ or ‘value for money’ test, but they are responding to community need.&lt;br&gt;Through setting a rate cap and determining variation applications, ESCOSA council have more influence than local communities about the services they will receive.</td>
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<td><strong>187D – Interpretation</strong>&lt;br&gt;This section sets out definitions for the various terms and phrases used throughout the Bill, with particular reference to the definition and formula of ‘base standard rate’ and ‘capped standard rate’&lt;br&gt;Base Standard Rate is the total annual revenue recoverable from general rates as at 30 June in the base year, divided by the number of rateable properties in any given year. As such, the rate capping model gives appropriate consideration to residential and business growth within the area of the council.&lt;br&gt;The LGA considers the methodology for revenue recoverable from general rates to be revenue from General Rates (Gross) plus Penalties for late payment minus Discretionary</td>
<td>These formulas take into account the number of rateable properties in any given year. As such, the rate capping model gives appropriate consideration to residential and business growth within the area of the council.&lt;br&gt;The relevance of the Base and Capped Standard rates for councils is explained in the following sections.</td>
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### Properties in the Base Year

Capped Standard Rate is the total annual revenue from general rates as at 1 July in the capped year, divided by the number of ratable properties in the capped year.

### Rebates, Remissions and Write-Offs, and Mandatory Rebates

The Bill states that ESCOSA must set a primary rate cap by 31 December before the next capped year, or by another date set by ESCOSA. This means that ESCOSA could potentially specify a date at any point up to 30 June (being the day before the capped year), which would severely limit councils ability to consult on and set an annual business plan and budget.

ESCOSA may consider including an efficiency or productivity component when determining the primary rate cap. Note that the formula used by the Victorian Essential Services Commissioner has a 0.05 per cent efficiency factor for 2017-18 and 0.1 per cent for 2018-19.

As there is not detail available about the calculation of an annual cap, it is not currently clear whether there will be a requirement for ESCOSA to consider 'asset renewal gaps' as

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<td>187E - Primary rate cap determination</td>
<td>The Bill states that ESCOSA must set a primary rate cap by 31 December before the next capped year, or by another date set by ESCOSA. This means that ESCOSA could potentially specify a date at any point up 30 June (being the day before the capped year), which would severely limit councils ability to consult on and set an annual business plan and budget.</td>
<td>Noting the wording of the legislation states that ESCOSA ‘may’ apply a rate cap determination to councils (generally/class/individual). Given this does not say ESCOSA ‘must’ apply a rate cap determination, councils may wish to test whether there is scope for no rate cap to be applied based on their previous performance and rate increases. Setting a primary rate cap that recognises growth in ratable properties over the year is a positive intention. However, more relevant for councils will be the index (CPI/LGPI) or other matters ESCOSA takes into consideration when setting a rate cap. This is entirely open to interpretation and the discretion of ESCOSA (subject to any directions provided by the Minister). There is no information available on the criteria to be used by ESCOSA in making these determinations (which could potentially change year-to-year) or the information available to ESCOSA to inform their decisions. This creates a potential risk of significant red tape and duplication of reporting requirements on councils. The conditions that may trigger a primary rate cap to be determined for any particular council may be viewed as a punitive response. There is potentially only five month gap between declaration of current year’s budget (July/August) and then having an advanced plan for next financial year (in December of same year when ESCOSA declares rate). This will place pressure on council resources and may result in increased administrative costs. This also</td>
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<td>part of their determination. While a primary rate cap determination may apply to councils generally, a class of councils, or a particular council, the Bill outlines that ESCOSA will only make a determination to apply a rate cap to a particular council if there is cause, such as non-compliance with the previous rate caps, or if there is a proposal to change the basis on which rates are assessed against land, if a separate rate is declared or taking into account the level of fees or charges imposed by the council.</td>
<td>reduces ability of CEO to shift/adjust for unexpected circumstances (project overruns or delays/new funding availability/asset failures/force majeure events).</td>
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187F – Rate cap variation determinations
The Explanatory Paper confirms that "Along with the setting of a primary rate cap, an ability for councils to apply for a variation on a primary rate cap is critical to achieving the objectives of the rate oversight system."

This section enables ESCOSA to receive and assess council applications for a variation of a primary rate cap from councils. Applications must be received by 31 March of the year before the capped year. Councils may apply for a rate cap variation for 1 or more years up to a maximum of 5 years. Councils subject to an individually determined primary rate cap (see punitive comment above) will not be able to seek a rate cap variation (noting that in these circumstances the relevant council will be consulted before a cap is set).

Although a primary rate cap may apply generally to all councils or to a class of councils (class is not defined) applications for rate cap variations can only be made by an individual council. There is no specification on how long ESCOSA will take to consider applications to vary the rate cap or if the application is denied whether the council has any right of review or appeal.

187G – Rate cap variations determination applications
ESCOSA can set a fee for an application, not in excess of the reasonable costs of determining. While it is not clear, councils would be significantly impacted if they are expected to cover the costs of administering the overall rate.
The Bill is specific in the detail required in applications, which are also set out in the Explanatory Paper. In summary, councils must specify:

- Number of financial years
- Reasons for variation
- Proposed varied rate cap for each specified year (could be different over more than one year)
- Community engagement process
- Likely impact on ratepayers, their capacity and willingness to pay
- Considerations of reprioritising spending measures and alternative funding options – plus explanation of why these are not suitable
- How varied rate cap represents value for money
- Consistency with council’s long term financial management plan.

The Bill does not outline a process for councils to seek a review or appeal ESCOSA decisions on variations. This is a significant issue/omission, insofar as other individuals, industries and requirements set out in the functions of ESCOSA has the legislative right to capping system. If they are, this would be a further example of cost shifting.

It is uncertain if councils will have the ability to apply for any changes to previously approved variations – for example if there is a change in circumstances, events or an unforeseen impact on the council’s long term financial management plan. Councils will be disadvantaged by the lack of review and appeal provisions in the Bill.

There is no information on when ESCOSA’s guidelines for applications to vary a primary rate cap and the community consultation required will be available.

There is no indication of what weighting/ importance ESCOSA will place on any criteria when assessing applications for variations. The current criteria appears to place emphasis on ‘value for money’ however there are some services/infrastructure that Councils provide which it may be hard to justify are ‘value for money’. Council’s provide them essentially as a community service obligation (ie. local government does it because the private sector doesn’t). Consideration should be given to expanding the criteria regarding ‘How varied rate cap represents value for money’ to include a reference to ‘and/or achieves increased/enhanced community/social outcomes’.

There is no further detail on this point, or on the broader issue of how ESCOSA will be funded to administer the rate capping system. In Victoria, these costs were nearly $3 million in 2016/17.

There is no information on when ESCOSA will be funded to administer the rate capping system. It would be a further example of cost shifting.
### Summary of the provisions of the Bill as outlined in Explanatory Paper

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<td>review and appeal under Part 6 – Reviews and Appeals in the Essential Services Commission Act 2002.</td>
<td>While transparency of Ministerial direction may be maintained through Section 187H, the Bill provides Ministerial powers that seem to contradict the independent nature of ESCOSA. Councils and local government will need to be mindful that given the ability for broad ranging Ministerial direction, the determinations of ESCOSA may be more aligned to recommendations to the Minister. This may allow for politically motivated decision making.</td>
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### 187H – Ministerial requests and directions

The Bill states that the Minister can direct ESCOSA to consider matters relating to:
- A primary rate cap determinations, including a cap that may apply to a particular council
- Applications for a rate cap variation determination

While the Bill enables the Minister to request or direct ESCOSA to consider matters, the Explanatory Paper suggests that ESCOSA will maintain its discretion as to whether to act. Section 187H requires ESCOSA to publish copies of any Ministerial request direction on its website, to ensure the appropriate level of transparency.

This section restricts council ability to change the basis on which rates are assessed against land, declaring separate rates or imposing a service rate or annual service charge. It requires councils to notify ESCOSA so that they can consider applying an individual primary rate cap to that council. Failure to inform ESCOSA will not affect the validity of rates or changes, but will likely trigger an individual primary rate cap in the following financial year.

As they do now, councils will need to ensure that any review of separate rates, fees and charges are done in a transparent way, in consultation with their community.

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<td>This section requires councils' compliance with any rate cap determination made by ESCOSA.</td>
<td>The Bill states that failure to comply with a rate cap determination does not affect the validity of any income in the financial year in which the failure occurred.</td>
<td>Councils need to be mindful that in the case of non-compliance with a rate cap, the validity of general rate income is only guaranteed for the same financial year. There is the possibility for ESCOSA or the Minister to make a retrospective adjustment the following year through a primary rate cap that applies to that individual council. It is important to note Section 187E (6), which states a primary rate cap determination may be a positive or negative amount. This means a council could technically be required to ensure the general rates revenue for one financial year is actually less than the previous year.</td>
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<th>Potential issues for councils/local government</th>
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</thead>
<tbody>
<tr>
<td>This section provides ESCOSA with powers to perform the functions of the rate oversight system. Additionally, ESCOSA will be required to:</td>
<td>Noting that councils are directly accountable to their communities, there is no comment on how will ESCOSA be accountable for the decisions they make that impact local government? Beyond a report tabled in Parliament, who is ESCOSA accountable to? ESCOSA has been given a function to assess the effect of primary rate cap determinations on the provision of services and infrastructure by councils, and the financial sustainability of councils. However, there is no detail on what support or change in approach there would be if these are affected in any significant way or if ESCOSA has serious concerns. Also, there is no detail on how the Government would support ESCOSA to develop a thorough and practical knowledge of local government before they start making decisions on the parameters of the rate capping model and</td>
<td>Councils should note that there is no detail on how much the rate capping system will cost to administer each year or how will this will be funded. There is a potential for further cost shifting from the State Government.</td>
</tr>
<tr>
<td>Summary of the provisions of the Bill as outlined in Explanatory Paper</td>
<td>LGA of SA Secretariat comments</td>
<td>Potential issues for councils/local government</td>
</tr>
<tr>
<td>---</td>
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</tr>
<tr>
<td></td>
<td>determinations of a preliminary rate cap. Note that the Victorian ESC develops resources for councils and undertakes inquiries, studies and reviews as required.</td>
<td></td>
</tr>
<tr>
<td>Clause 7 – Amendment of Section 273</td>
<td>Refer to comments on section 187J</td>
<td></td>
</tr>
<tr>
<td>Clause 8 – Amendment of Section 383</td>
<td>LGA comments will depend on future regulations.</td>
<td></td>
</tr>
<tr>
<td>Amends the Local Government Act to enable regulations to be made to deal with saving or transitional arrangements of the Bill</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clause 9 – Review</td>
<td>There is no detail beyond a requirement to review the legislation, which does not appear to be linked to the outcomes of the rate capping system.</td>
<td>There is no sunset clause to the legislation. It is likely to remain in place once passed.</td>
</tr>
<tr>
<td>Requires that the Minister review the legislation before 31 December 2023 (after 5 years operation)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Some key questions - Local Government (Rate Oversight) Amendment Bill 2018

Primary rate cap determinations

- Has the State Government undertaken a Regulatory Impact Assessment, including consultation with relevant stakeholders about any unintended outcomes that may result, any implementation issues, and suggestions on how to monitor the effectiveness of the proposed rate capping model?
- What information would ESCOSA have to make a rate cap determination by December for the following financial year? Will this include up-to-date valuation data?
- What financial modelling has been undertaken to assess the impact of a rate cap on councils, in particular growth councils, smaller and/or regional councils? The LGA and SA councils will not be able to assess the impact of the proposed rate capping system on services and operations until we have specific detail and modelling.
- Will the State Government fund a comprehensive benchmarking program as advocated by the LGA?
- What role would the South Australian Local Government Grants Commission (LGGC) have, noting they are a trusted source of data and have a well-developed understanding of the local government sector?
- How would ESCOSA develop a thorough and practical knowledge of local government over the coming months before they start making decisions that have a significant impact on local government operations?

Variation applications

- When will ESCOSA guidelines be available and what assurances and processes would there be to ensure adequate and timely consultation with councils and the LGA on the guidelines?
- How much additional red tape and administrative costs would be generated by the processes required under the Bill, and are these processes practical and achievable for councils? Has any modelling been done on the costs to ratepayers of administering the system?
- What weighting/importance would ESCOSA give to criteria when assessing applications for variations? How would they treat unique community services that are being provided by councils because there is no one else filling an important need within their community – would these examples meet the test of ‘appropriate services’?
- Would councils have the ability to apply for any changes to previously approved variations?
- Would there be a process for councils to seek a review or appeal ESCOSA decisions on variations?

Monitoring and reporting

- How much would the rate capping system cost to administer each year? How will this be funded?
- Councils are accountable to their communities for the decision they make through democratic election processes. How would an independent regulator be held accountable by the community for the decisions they make that impact on local services, infrastructure and facilities?
- How would the State Government report publically on the outcomes of a rate capping system and what opportunity will there be for communities to provide their feedback on these outcomes?
12.5 REPORT TITLE: NOMINATION FOR LGA PRESIDENT

DATE OF MEETING: 6 AUGUST 2018

FILE NUMBER: DOC/18/82411

ATTACHMENTS: NIL

Key Contact Ros McDougall, Risk & Governance Officer, Infrastructure and Projects

Manager/Sponsor Brian Clancy, Deputy CEO / General Manager Infrastructure and Projects

Mount Barker 2035 – District Strategic Plan:
Governance and Leadership
GL1: Active Democracy and Effective Representation
GL1.6 Enable community leadership

Annual Business Plan 2017/2018:
Nil

Purpose:
To advise of the call for Nominations for LGA President and to seek endorsement for the nomination by Council of Mayor Ann Ferguson.

Summary – Key Issues:
- As a country Council (for the purposes of LGA membership), Mount Barker has an opportunity to nominate a Council Member to the position of LGA President.
- Mayor Ann Ferguson has served as a Member of the LGA Board and is now seeking endorsement by Council for her to be nominated for the position of LGA President.

Recommendation:
That Council endorse the nomination of Mayor Ann Ferguson for the position of LGA President.

Background:
1. Under the LGA’s Constitution the LGA President representation is a 2 year appointment that alternates from a metropolitan representative to a country representative.
2. A new Constitution was adopted at the Ordinary General Meeting (OGM) of the LGA earlier this year which will take effect after the 2018 LGA AGM. In the meantime transitional provisions adopted at the OGM stipulated that the 2018 LGA elections will be run in accordance with provisions of the new LGA constitution.
3. This year country Councils are able to nominate for the position of LGA President.
4. Nominations for the position of LGA President close on Friday 24 August 2018.

Discussion:
5. The position of LGA President will commence from the conclusion of the 2018 LGA Annual General Meeting (AGM) and remain in office until the conclusion of the 2020 LGA AGM.
6. For this LGA election only, the transitional provisions do not require a nominee to have served on the LGA Board or SAROC for at least the last 12 months.
7. The nominee can be nominated by a member council (not necessarily the council that they are a member of).
8. Membership to South Australian Region of Council (SAROC) is also available and is co-ordinated by SHLGA. It is intended that to develop strong linkages between SHLGA, SAROC and LGA that any member nominated will be a Council representative on SHLGA. The Mayor is Council’s representative and does not wish to nominate.
9. The Mayor has served on the LGA Board for 6 years and on the SHLGA as President from 2011-2014.
10. The Mayor is seeking Council’s endorsement of her nomination as President of the LGA.
11. Should more than one nomination be received for the position of LGA President an election is to be held with each member Council having a voting entitlement.
12. It is understood that the position of LGA President has never previously been filled by a member of the Mount Barker District Council (including its predecessors).
13. If Mayor Ann Ferguson was successful it would provide increased opportunity for promotion of Council and the region and would not see any change to her responsibilities as Mayor of Mount Barker District Council.
14. The position of LGA President is held in high regard across all three spheres of Government and in the not for profit and private sectors.

Community Engagement:

| Informing only | Information is provided to the community via this report which is available on Council’s website. |

Policy:
N/A

Budget:
N/A

Statutory/Legal:
The LGA has transitional provisions while it transitions from one Constitution to another.

Staff Resource Requirements:
If the nomination is successful there may be some impact on administrative assistance to the Mayor.

Environmental:
N/A
**Social:**
If the nomination is successful there will be a positive impact for the Council.

**Risk Assessment:**
There is a risk that the nomination will be unsuccessful.

**Asset Management:**
N/A

**Conclusion:**
Council is able to nominate a Council Member for the position of LGA President for a 2 year period commencing after the Annual General Meeting on 26 October 2018.

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**Previous Decisions By/Information Reports to Council**

<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>NIL</th>
<th>HPRM Reference</th>
<th>DOC/</th>
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<td></td>
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<tr>
<td>Purpose</td>
<td></td>
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</table>
12.6 REPORT TITLE: REVIEW OF POLICIES:
- COMMUNITY GARDENS POLICY;
- ABORIGINAL CULTURAL HERITAGE POLICY;
- HERITAGE PLAQUES POLICY;
- PRIVATELY FUNDED DEVELOPMENT PLAN AMENDMENT POLICY;
- TOWN ENTRANCE STATEMENT AND WALL POLICY;
- BUILDING AND SWIMMING POOL INSPECTION POLICY;
- CAR PARK CONTRIBUTION FUND POLICY;

DATE OF MEETING: 6 AUGUST 2018

FILE NUMBER: FOL/16/2539

ATTACHMENTS: 1 – DOC/18/52133 – COMMUNITY GARDENS POLICY
2 – DOC/18/74244 – ABORIGINAL CULTURAL HERITAGE POLICY
3 – DOC/18/74408 – HERITAGE PLAQUES POLICY
4 – DOC/18/74194 – PRIVATELY FUNDED DEVELOPMENT PLAN AMENDMENT POLICY
5 – DOC/18/52132 – TOWN ENTRANCE STATEMENT AND WALL POLICY
6 – DOC/18/74675 – BUILDING AND SWIMMING POOL POLICY
7 – DOC/18/47519 – CAR PARKING CONTRIBUTION FUND POLICY

Key Contact
Marc Voortman, Acting General Manager Planning and Development

Manager/Sponsor
Andrew Stuart, Chief Executive Officer

Mount Barker 2035 – District Strategic Plan:
5. Governance and Leadership
GL2: Corporate capacity and leadership
GL2.1 Demonstrate accountability through clear, relevant and easily accessible policies and corporate reporting

Annual Business Plan 2017/2018:
Nil

Purpose:
To provide revised policies related to the Community Gardens, Aboriginal Cultural Heritage, Heritage Plaques, Privately Funded DPA, Town Entrance Statement and Wall, Building and Swimming Pool Inspection and Car Parking Fund.

Return to Order of Business
Summary – Key Issues:
1. Council is continually reviewing its policies to ensure they remain effective and current and are creating the desired outcome in the community.
2. Seven policies from the Planning and Development Department have been revised and updated.
3. Much of the change in the policies are administrative in nature and involve minor amendments to reflect legislation changes, Council’s name change, Formatting updates, contact name changes and date changes.

Recommendation:

That Council:

1. Adopt en bloc the following revised Policies:
   - Community Gardens Policy;
   - Aboriginal Cultural Heritage policy;
   - Heritage Plaques Policy;
   - Privately Funded Development Plan Amendment Policy;
   - Town Entrance Statement and Wall Policy;
   - Building and Swimming Pool Inspection Policy;
   - Car Park Contribution Fund Policy.

2. Increase the Car Parking contribution for 2018/19 to $25,666 inc GST (an increase of $2,416 per car park) and index annually by the latest Adelaide CPI as part of Council’s annual review of Fees and Charges each July.

Background:

1. Council is continually reviewing its policies to ensure they remain effective and are creating the desired outcome in the community.
2. Many policies are required to be updated within requisite timeframes
3. Legislative change will often require Council to update policies to be accurate and reflect these changes.
4. This Report seeks to summarise the key changes made to the followings policies:
   - Community Gardens Policy;
   - Aboriginal Cultural Heritage policy;
   - Heritage Plaques Policy;
   - Privately Funded Development Plan Amendment Policy;
   - Town Entrance Statement and Wall Policy;
   - Building and Swimming Pool Inspection Policy;
   - Car Park Contribution Fund Policy;
5. Copies of all of the above policies can be found as attachments to this report.
Discussion:

6. Council has in place a policy framework that encourages regular review of policies.

7. Below is a list of policies reviewed and revised, relevant to the Planning and Development Department. The table lists a summary of changes proposed to the policies. Further commentary is provide on the specific content change where required in points 9-11 below.

<table>
<thead>
<tr>
<th>Policy Name</th>
<th>Summary of Changes Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Gardens Policy</td>
<td>Update of contacts, some minor editorial changes. Guideline created and referenced.</td>
</tr>
<tr>
<td>Aboriginal Cultural Heritage Policy</td>
<td>Formatting updates, Council name change, update of Strategic Plan reference, review timeframe changed.</td>
</tr>
<tr>
<td>Heritage Plaques Policy</td>
<td>Formatting updates, Council name change, update of Strategic Plan reference, Review timeframe changed, department name change.</td>
</tr>
<tr>
<td>Privately Funded Development Plan Amendment Policy</td>
<td>Formatting updates, Council name change, update of Strategic Plan reference, legislation (Development Regulations 2008) added.</td>
</tr>
<tr>
<td>Town Entrance Statement and Wall Policy</td>
<td>Formatting updates, Council name change, contact name change, update of Strategic Plan reference, legislation (Development Regulations 2008) added. footer and page number added</td>
</tr>
<tr>
<td>Building and Swimming Pool Inspection Policy</td>
<td>Formatting updates, Council name change, contact name change, removal / addition / update of inspection types in accordance with current legislation, changes to inspections so as to comply with aluminium composite panel requirements, date changes</td>
</tr>
<tr>
<td>Car Park Contribution Fund Policy</td>
<td>Formatting updates, Council name change, contact name change, update of Strategic Plan reference, footer and page number added, designated area updated, contribution amount updated.</td>
</tr>
</tbody>
</table>

8. The revisions and changes are highlighted in attachments (1-7) and are noted as track changes.

9. The Car Parking Fund is proposed to increase by $2,416 per car park (or 10.4% increase). This increase is based on CPI increases of the last 5 years and 1 quarter since Council last adopted the policy. The increase represents an average annual inflation ration of 1.9% and represents 75% of the total cost of actual land and construction of new car parking in Mount Barker.

10. The Community Gardens Guideline Policy was developed in response to interest in creating community gardens and its associated Procedure provides the mechanism for Council to assess and approve applications from the community.
11. The building and swimming pool inspection policy has been updated to reflect legislative changes including the requirement for inspections to be undertaken where the installation of aluminium composite panels in buildings of 3 or more storeys is proposed. These changes were developed in response to the nationally recognised need to strengthen the regulatory framework around the use of composite panels on high-rise buildings, given that the non-compliant use of these products could pose an unacceptable risk to public safety. The commencement of the Regulations coincided with the adoption of Amendment 1 to Volume One of the National Construction Code (the Code) which introduced a range of requirements relating to fire safety in high rise buildings. The policy has also been updated to reflect observations and trends in building practices throughout the District.

**Community Engagement:**
Informing only
Information is provided via this report which is publicly available on Council’s website. Updated policies will be loaded to the website

**Policy:**
There is existing:
- Community Gardens Policy;
- Aboriginal Cultural Heritage policy;
- Heritage Plaques Policy;
- Privately Funded Development Plan Amendment Policy;
- Town Entrance Statement and Wall Policy;
- Building and Swimming Pool Inspection Policy;
- Car Park Contribution Fund Policy;

**Budget:**
The Car Parking Fund is proposed to increase by $2,416 per car park (or 10.4% increase) and represents 75% of the total cost of actual land and construction of new car parking in Mount Barker.

**Statutory/Legal:**
- The Car Parking Contribution Fund Policy is required by the Development Act 1993.
- The building and swimming pool inspection policy is required by the Development Act 1993 and Development Regulations 2008

**Staff Resource Requirements:**
There is no impact on staff resources

**Environmental:**
N/A

**Social:**
The revised policies will assist the community in understanding Council's requirements

**Risk Assessment:**
There is a risk that policies that are not revised may no longer be relevant.
**Asset Management:**
N/A

**Conclusion:**
The revised policies are presented to Council for adoption. The amendments are required to reflect legislative change and administrational alterations to ensure the policies remain relevant and effective.

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**Previous Decisions By/Information Reports to Council**

<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>Title</th>
<th>Purpose</th>
<th>HPRM Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 July 2013</td>
<td>Community Gardens Policy</td>
<td>Finalise and endorse a Community Gardens Policy</td>
<td>13/060734</td>
</tr>
<tr>
<td>22 July 2014</td>
<td>Building Inspection Policy</td>
<td>To provide a revised Building Inspection Policy</td>
<td>14/023991</td>
</tr>
<tr>
<td>17 March 2014</td>
<td>Aboriginal Cultural Heritage Policy</td>
<td>Adopt the Aboriginal Cultural Heritage Policy</td>
<td>14/015950</td>
</tr>
<tr>
<td>17 March 2014</td>
<td>Privately Funded DPA Policy</td>
<td>Adopt the Privately Funded DPA Policy</td>
<td>14/015951</td>
</tr>
<tr>
<td>21 September 2015</td>
<td>Heritage Plaques Policy</td>
<td>To provide a revised Heritage Plaques Policy</td>
<td>DOC/15/54467</td>
</tr>
<tr>
<td>6 July 2015</td>
<td>Town Entrance Statement and Wall Policy</td>
<td>To provide a revised Town Entrance Statement and Wall Policy</td>
<td>DOC/15/5267</td>
</tr>
<tr>
<td>17 December 2012</td>
<td>Car Parking Fund Policy</td>
<td>To provide a revised Car Parking Fund Policy</td>
<td>12/102707</td>
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Return to Order of Business
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<th>DOC/18/52133</th>
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<tbody>
<tr>
<td>RESPONSIBLE DEPARTMENT:</td>
<td>Planning &amp; Development</td>
</tr>
</tbody>
</table>
| APPLICABLE LEGISLATION: | Local Government Act 1999  
Disability Discrimination Act 1992  
Crown Land Management Act 2009  
South Australian Public Health Act 2011  
Local Government Land By-Law 2010 |
| MOUNT BARKER 2035 – DISTRICT STRATEGIC PLAN: | Outcome 10 – Community facilities and programs to meet community need  
Objective 10.2 Conduct feasibility studies and facility planning for establishing key community facilities, precincts and programs.  
Outcome 13 – The District's communities are welcoming and connected and new residents are integrated into the community.  
Objective 13.2 Design and implement new community development initiatives and partnerships to assist new residents to make effective connections with each other and with existing communities. |
| RELATED POLICIES: | Community Consultation Policy  
Volunteering Policy  
Public Art Policy  
Infrastructure Asset Management Policy |
| SUPPORTING PROCEDURES: | Nil |
| PREVIOUS REVIEW DATES: | <<Insert Date>> |
| ENDORSED BY COUNCIL: | Insert |
1. **PURPOSE**
   The purpose of this Policy is to:
   
   - Promote the development and maintenance of community gardens where people can meet, work together, build stronger community relationships and learn about sustainable living
   - Promote diversity of recreation and cultural activity in the District and manage competing interests for Local Government land
   - Enhance the use and enjoyment of the District’s public open space by the community
   - Promote positive health and wellbeing outcomes for the District’s residents, such as community capacity development, social inclusion and healthy lifestyles
   - Assisting in the appropriate management of public resources, including Local Government Land, through due diligence and through transparent and accountable processes,
   - Contribute to attractive, sustainable and viable community facilities
   - Demonstrate environmentally sustainable practices through local food projects
   - Encourage efficient and effective management processes for Community Gardens established on Local Government land
   - Facilitate environments that promote and protect public health and safety.

2. **SCOPE**
   This Policy is applicable to Council Staff and the Community.
3. DEFINITIONS

**Community Garden** shall mean a parcel of private land or Local Government land which is formally managed by community organisations or volunteers and where the site is used for:

1. the production of produce for the personal use of participants through allotments or shared plots; and
2. demonstration gardening or where other environmental activities are undertaken to bring together people from diverse backgrounds and different abilities, ages, and cultures.

Community gardens shall be organised as not-for-profit community facilities, where individuals do not derive a private financial gain or profit from the garden. Any commercial activity in a community garden (eg sale of produce and seedlings) will be solely for promotion and fundraising for the benefit of re-investment in community gardens, unless otherwise agreed by Council.

School based kitchen garden projects will be defined as a community garden when local residents outside of the school community can join the garden and manage the garden in partnership with the school.

**Contractors** shall mean a company or person(s) engaged by Council to provide assets, goods, works or services.

**Employee:** shall mean any person engaged by Council under an employment contract.

**Neighbourhood garden:** shall mean a parcel of Local Government land used for public gardening which is informally managed by volunteers, but where Council retains the formal management of the site. This may include orchards in public parks, productive street trees plantings and verge gardens.

**Local Government land:** shall include all Council owned land and Crown Land under Council’s care control and management.

**Urban Agriculture:** shall mean the growing of plants and the raising of animals within and around urban areas. This includes commercial agriculture, backyard, roof-top and balcony gardening, community gardening in vacant lots and parks, verge gardens, roadside urban fringe agriculture and livestock grazing in open space.

**Verge garden:** shall mean a nature strip area in a road reserve transformed from “left over space” into a useful and productive garden maintained by local residents.
Volunteers and Work Experience Persons: shall mean individuals assisting Council in clearly defined, approved activities and who operate under Council supervision.

4. ROLES & RESPONSIBILITIES

Council:

Council will demonstrate leadership and apply best practice in regard to facilitating environments that promote and protect human health.

The Council will adopt a community development approach to community gardens where gardening groups manage the gardens themselves with the support of the Council and other partnering organisations.

Council will respond to the emerging interest in community gardening in balance with other demands on Local Government land.

The Council will support the development of community gardens. This could take the form of:
- encouragement and assistance from Council employees
- information provision
- licenses and permission for the use of Local Government land
- in-kind contributions (eg materials such as mulch)
- grants programs, sponsorships and budget allocations

Any direct financial contributions by Council to community and neighbourhood gardens will be made through Council’s budget and community grant processes.

General Manager, Planning & Development:

The General Manager, Planning & Development (or equivalent) will ensure there is an identified Council employee who provides a point of contact and coordinates Council support for community and neighbourhood gardens on Local Government land.

Council Officers:

Council employees and contractors will apply a community development approach to the development of public gardening projects, and will appropriately support the initiative of community members.

Council employees and contractors will develop and provide appropriate information, guidelines and licence agreements to assist community members and groups who wish to participate in community and neighbourhood gardens on Local Government land.
The relevant Community Garden Guideline is located as HPE file reference DOC/18/45678 (Community Gardens Guidelines).

Council employees will conduct public consultation to ensure that other interests in public land have been considered in the development of community garden initiatives.

5. POLICY STATEMENT

The Mount Barker District Council supports the development of community gardens. Community gardening is a recreational activity that requires shared space and is growing in popularity. As the main manager of the open space resources in the District, Council has an important role to play in facilitating this activity.

Council recognises that community gardens are a valuable community based activity through which community members can learn, recreate and socialise. Community gardens can contribute to improved health and well-being, an increase in positive social interaction, an appreciation of environmental and sustainability principles and the greater use and protection of public open space.

Council will facilitate the establishment and maintenance of community gardens across the District, provided there is demonstrated demand, available land and resources.

Whilst the Mount Barker District Council is supportive of community gardens it is essential that these gardens are based on a strong community commitment and are appropriately located and managed in order to be viable, sustainable and successful.

This policy does not apply to commercial forms of urban agriculture.

6. POLICY PRINCIPLES

The Mount Barker District Council Community Gardens Policy is guided by the following key principles:

Community Participation and Commitment:

The Council values participation and will seek to engage the community and other stakeholders in community and neighbourhood garden activity. Demand and demonstrated commitment from the community or stakeholders will be essential for a community or neighbourhood garden to be established on Local Government land.

Inclusion, Access and Equity:
The Council values diversity and seeks to reflect and engage all sectors of the community in community and neighbourhood gardening.

The Council requires that any community garden that Council supports is accessible to the wider community. The Council values equity and will seek an equitable approach in its support of community activity within a community garden.

**Collaboration:**

The Council values collaboration and considers partnership as key to the development of resilient community gardens. Council will seek a partnership approach with community groups, Government agencies, businesses and other organisations to add value to community life through community garden activity.

**Sustainability:**

The Council values environmental sustainability and requires all community and neighbourhood gardens to conserve resources and protect the natural environment.

**Distribution and Location Criteria:**

Council seeks to promote an equitable distribution of community gardens across the District, but the distribution will principally be driven by the level of community interest, availability of suitable sites and other demands on Local Government land.

Council seeks to ensure community and neighbourhood gardens are well located to promote their viability and long term success. Site selection should give consideration to the criteria endorsed by Council. A community or neighbourhood garden should not have a detrimental effect on other existing site uses, infrastructure or assets.
Links to other facilities and infrastructure:

Council seeks to maximise asset utilisation, both directly in terms of land use, and indirectly through doing the work of building, educating and enhancing community. Council will seek to enhance existing assets by linking community gardens to other community facilities and infrastructure such as toilets and meeting spaces, to achieve vibrant and viable ‘community hubs’. Links to assets and infrastructure provided by other organisations will also be promoted – eg education facilities and retirement villages.

Open Space Hierarchy:

Council seeks to ensure the development and maintenance of public open space is responsive to the community’s needs, is ‘fit for purpose’ and is consistent across the District.

Council applies a hierarchy approach, and consideration will be given to the hierarchy and categorisation of public open space when developing proposals for community and neighbourhood gardens on Local Government Land.

7. MANAGEMENT FRAMEWORK

Council seeks good governance and management of public resources.

Community and neighbourhood gardens on Local Government land will be managed through the following mechanisms:

Community Land Management Plans:

Areas of Local Government Land developed as community gardens will be identified in Community Land Management Plans if applicable.

Public consultation will be undertaken by Council regarding incorporation of community gardens into Community Land Management Plans.

Plans of Management:

A Plan of Management primarily focuses on how a community garden will be organised and managed, rather than the physical design and layout of the garden.

A Plan of Management will be required for any community garden project that involves a licence over Local Government land in the District.

Licence Agreements:
A not-for-profit Incorporated Association (or similar legal entity) will be required to manage a community garden and enter into legal agreements with Council for management of Local Government land.

Council will prepare a Licence Agreement for community garden sites on Local Government land.

The Licence Agreement will set out the conditions of Council's licensing the use of a site by an Incorporated Association for the purpose of developing and operating a community garden.

**Practice Guidelines:**

Council has prepared guideline document to assist groups wishing to establish community or neighbourhood gardens on Local Government land. The relevant Community Garden Guideline is located as HPE file reference DOC/18/45678 (Community Gardens Guidelines).

Any guidelines relevant to this policy will be adhered to.

8. **REVIEW**

   This Policy will be reviewed every three (3) years or earlier in the event of changes to legislation or related Policies and Procedures or if deemed necessary by the General Manager, Planning & Development.

9. **ACCESS TO THE POLICY**

   The Policy 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](http://www.mountbarker.sa.gov.au).

10. **FURTHER INFORMATION**

    For further information on this Policy, please contact:

    **Title:** Manager Open Space and Environment,  
    **Address:** PO Box 54, Mount Barker  
    South Australia, SA, 5251  
    **Telephone:** 8391 7244  
    **Email:** dcooney@mountbarker.sa.gov.au

**References:**

The Mount Barker District Council acknowledges the following documents used to develop this policy.


City of Marion, 2012. *Community Garden Policy*
City of Marion, 2012. *Community Garden Framework*

<table>
<thead>
<tr>
<th>REFERENCE NUMBER:</th>
<th>DOC/18/74244</th>
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<tr>
<td>RESPONSIBLE DEPARTMENT:</td>
<td>Planning and Development</td>
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</table>
| APPLICABLE LEGISLATION: | Development Act 1993  
Development Regulations 2008  
Aboriginal Heritage Act 1988  
Native Title Act 1993 (Commonwealth)  
Native Title (South Australia) Act 1994 |
| MOUNT BARKER DISTRICT 2035 STRATEGIC PLAN: |  
GL 1.3 Provide opportunities for the community to access and participate in the decision making process.  
GL 2.10 Ensure compliance with legislative requirements.  
GL4.4 Identify strategic and operational risks and manage accordingly. |
| RELATED POLICIES: | • Nil |
| SUPPORTING PROCEDURES: | • Aboriginal Cultural Heritage and Capital Works Procedure.  
• Aboriginal Cultural Heritage and Development Assessment Procedure.  
• Council’s Culturally Significant Trees Assessment & Management Guidelines. |
| PREVIOUS REVIEW DATES: | Nil |
| ENDORSED BY COUNCIL: | 17 March 2014 |
| MINUTE RESOLUTION NUMBER: | <<Insert Date>> |
| NEXT REVIEW DATE: | |
1. PURPOSE
The primary policy objectives of this Policy are to direct:
- The Mount Barker District Council is committed to the protection of Aboriginal cultural heritage
- Risk management and awareness of Aboriginal Cultural Heritage in the planning of projects and development assessment.
- The development assessment process to incorporate procedures considering Aboriginal cultural heritage.
- The capital works process to incorporate procedures considering Aboriginal cultural heritage.
- Council’s urban forest / tree guidelines in the management and protection of culturally modified trees.

2. SCOPE
This Policy is applicable to Council staff, Council contractors, developers and land owners.

3. DEFINITIONS
- Contractors: Shall mean a company or person(s) engaged by Council to provide assets, goods, works or services.
- Development: Shall mean development as defined by the Development Act 1993 and Development Regulations 2008.
- Employee: Shall mean any person engaged by Council under an employment contract.
- Greenfield: Shall mean land that is undeveloped land in an Urban Footprint that has been identified as being potentially suitable for future urban development. It is generally found on the fringes of existing urban areas.
- Urban Growth: shall mean land rezoned as part of the Mount Barker Urban Growth MDPA, 2010.

4. ROLES & RESPONSIBILITIES
- Council: Approve and adopt policy and ensure adequate funding
- Chief Executive Officer: Monitor application of policies
- General Managers: Monitor application of policies
- Capital Works Project Managers: Monitor and incorporate policy into project management procedures where appropriate

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5. SPECIFIC POLICY INFORMATION

5.1 Council Policy

Aboriginal cultural heritage comprises physical and spiritual sites, places, objects, stories, oral histories, flora, fauna and documents relating to Aboriginal occupation prior to, and since European contact.

Aboriginal communities place spiritual and cultural value on certain locations because they are integral to dreaming stories or because they are linked to historic events and cultural traditions linked to the land, such as initiation or even warfare sites.

The Mount Barker District is home to the Peramangk peoples. Additionally it has locations, sites and areas of significance to the Ngarrindjeri such as Mt Barker Summit. Part of the western area of the district is also subject to a Native Title claim by the Kaurna.

With regard to Aboriginal heritage, the Mount Barker District Council (Council) with its many roles and responsibilities, both statutory and operational, has the obligation to take “due diligence” in the context of protecting Aboriginal heritage. As such Council is required, as a minimum, to take all reasonable and practicable measures to determine whether actions will harm an Aboriginal object or place, and to ensure that Aboriginal heritage is conserved.

Policies for the management of Aboriginal Cultural Heritage have been developed to assist the Mount Barker District Council exercise due diligence when both undertaking or approving acts and activities that have the potential to either harm or destroy items and places of Aboriginal provenance or significance.

In order to effectively identify and manage Aboriginal cultural heritage, the Mount Barker District Council will seek to:

- Communicate effectively with Aboriginal community representatives.
- Ensure that, where there is potential of any impact on Aboriginal cultural heritage, Council’s communication and consultation strategies and policies consider and respond to the needs and attitudes of Aboriginal people.
- Ensure that proposed capital works address the potential for Aboriginal cultural heritage areas/sites as part of a risk management process.
- Ensure that capital works projects address Aboriginal cultural heritage requirements as part of the project management process.
- Ensure that the pre-lodgement planning process considers the potential for Aboriginal cultural heritage areas/sites and raise this issue with relevant stakeholders.
• Make available both staffing and financial resources to address Aboriginal cultural heritage responsibilities.

• Ensure that employees or contractors whose work may impact on Aboriginal cultural heritage are trained appropriately.

• Respect confidentiality relating to the location and details of aboriginal sites and cultural knowledge shared by Aboriginal communities.

• Refer inquiries from third parties on cultural heritage or sites to local Aboriginal community members/representatives and Aboriginal Affairs and Reconciliation Division (AARD), Department of State Development.

• Update and refine Council’s Culturally Significant Trees Assessment & Management Guidelines to include procedures to identify, manage and protect culturally modified trees.

• Ensure that, where appropriate, and in accordance with statutory obligations under the Development Act 1993, measures will be taken by applicants to provide sufficient information to ensure that Aboriginal cultural heritage is conserved.

6. REVIEW

This Policy will be reviewed on a 3 yearly basis or earlier in the event of changes to legislation or related Policies and Procedures or if deemed necessary by the Policy Planner or Manager Planning Policy and Strategy.

7. ACCESS TO THE POLICY

The Policy 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.

FURTHER INFORMATION

For further information on this Policy, please contact:

Title: Policy Planner
Address: PO Box 54, Mount Barker
South Australia, SA, 5251
Telephone: 83917291
Email: scoote@mountbarker.sa.gov.au
1. PURPOSE
   The Council values its heritage and enables eligible properties to be provided with a heritage plaque.

   The primary policy objectives of this Policy are to:
   - Confirm which properties are eligible for heritage plaques;
   - Provide the priorities for plaque placement; and
   - Determine the responsibility for the wording for plaques

2. SCOPE
   The Policy applies to Council’s internal staff, National Trust and property owners of heritage listed buildings.

3. DEFINITIONS
   Nil
4. **ROLES & RESPONSIBILITIES**
   **Council:**
   - Provide a policy that assists in determining sites for plaque placement

   **Policy Planner**
   - Assist with wording on the plaques and determination of eligibility and priority

5. **ELIGIBILITY FOR A PLAQUE**
   Eligibility for heritage plaques is based on:
   - Properties that are listed in the *Mount Barker (DC) Development Plan* as a Local Heritage Place – top eligibility;
   - ’Contributory’ properties within any Historic Conservation Zone or Heritage Policy Area.

6. **PRIORITIES FOR PLAQUE PLACEMENT**
   Subject to properties being eligible for a plaque, plaques will be prioritised for properties that:
   - are identified within one of Council’s ‘Heritage Walks’;
   - have a high visibility and experience a high level of pedestrian traffic;
   - have provided a financial contribution;
   - are celebrating a milestone.

7. **WORDING FOR PLAQUES**
   Wording on the plaques will be determined by a sub group of the relevant National Trust in consultation with Council’s Policy Planner and the relevant heritage assessment sheet information provided as part of the District Wide Heritage Survey.

8. **Funding**
   Funding for the design and installation of heritage plaques shall be negotiated between the National Trust, Council and the subject land owner. Funding from Council will be determined on a case by case example and will be subject to available funds.

9. **REVIEW**
   This Policy will be reviewed every 3 years or earlier in the event of changes to legislation or related Policies and Procedures or if deemed necessary by the Manager Planning, Policy and Strategy.

10. **ACCESS TO THE POLICY**
    The Policy 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](http://www.mountbarker.sa.gov.au).
11.

FURTHER INFORMATION
For further information on this Policy, please contact:

Title: Policy Planner
Address: PO Box 54, Mount Barker
         South Australia, SA, 5251
Telephone: 8391 7291
Email: scoote@mountbarker.sa.gov.au
TITLE: Privately Funded Development Plan Amendment Policy

REFERENCE NUMBER: DOC/18/74194
RESPONSIBLE DEPARTMENT: Planning Policy and Strategy
APPLICABLE LEGISLATION: Development Act 1993, Development Regulations 1993

MOUNT BARKER DISTRICT 2035 STRATEGIC PLAN:
EP:1 Employment growth – To be an active and enthusiastic partner with government and the private sector driving regional investment and employment growth.
EP:2 District investment and export growth – To increase investment and business growth for community benefit.
GL:2 For the community to have confidence and trust in the Council that it can deliver services and progress the needs and ambitions of the District.
Outcomes 14: Good governance structures, supporting Council focus on strategic areas.

RELATED POLICIES: Nil
SUPPORTING PROCEDURES: Nil
PREVIOUS REVIEW DATES: 17 March 2015
ENDORSED BY COUNCIL: 17 March 2015
MINUTE RESOLUTION NUMBER: <<Insert Date>>
NEXT REVIEW DATE: <<Insert Date>>

1. PURPOSE
This policy has the following purpose;

- To ensure an open and transparent process for accepting private funds for investigations into potential planning policies and/or the preparation of...
amendments to the Mount Barker (DC) Development Plan, including addressing any potential conflicts of interest.

2. To ensure adherence to the legislated requirements outlined in the Development Act (1993) for the rationale and processing of Development Plan Amendments (DPA), and

- To mitigate any risks to Council associated with receiving private funds associated with the preparation of a Statement of Intent (SOI) and DPA.

2. SCOPE

This Policy is applicable to Elected Members, Council's Internal Staff, Developers and Land Owners.

3. POLICY OBJECTIVES AND PRINCIPLES

This policy has the following objectives:

- To ensure an open and transparent process for accepting private funds for investigations into potential planning policies and/or the preparation of amendments to the Mount Barker (DC) Development Plan,
- To ensure adherence to the legislated requirements outlined in the Development Act (1993) for the rationale and processing of Development Plan Amendments (DPA), and
- To mitigate any risks to Council associated with receiving private funds associated with the preparation of a Statement of Intent (SOI) and DPA.

This policy adheres to the following principles:

1. Payment of private funds to Council for investigations into planning policies should be separated from the DPA process,

2. The private financier should cover all costs in the initiation, preparing and authorisation of the SOI, DPA, peer review and any court costs associated with legal challenges,

3. The legal agreement between the Council and private financier should state that a private financier is funding an open and transparent process which provides no guarantee that the financier will receive any advantage from the DPA,

4. At all stages the DPA should declare the private funding through the public release of the legal agreement via inclusion in the Statement of Intent and DPA,

5. Council will maintain control, independence and planning professionalism in the DPA process, and ensure DPA investigations are impartial and conducted by professional and qualified persons,

6. Council can at any time withdraw the DPA, and
7. Only DPAs with a strategic context should be pursued.

4. DEFINITIONS

Consultants shall mean a company or person(s) engaged by Council to provide assets, goods, works or services.

DPA – shall mean a Development Plan Amendment as defined by the Development Act 1993

SOI – shall mean a Statement of Intent as defined by the Development Act 1993

Third Party shall mean the party funding the preparation of the DPA (other than Council or the Minister for Planning)

5. ROLES & RESPONSIBILITIES

Council:
- Approve and adopt/update policy

Manager Planning Policy and Strategy:
- Update Policy as required in accordance with legislative changes

6. POLICY STATEMENT

To outline an open and transparent process for the private funding for preparation of amendments to the Mount Barker (DC) Development Plan that mitigates risks to Council and the community, and addresses potential conflicts of interest.

6. SPECIFIC POLICY INFORMATION

6.1 STATEMENT OF STRATEGIC CONTEXT

Prior to pursuing a private funded DPA a private financier must submit a Statement of Strategic Context to enable Council to determine whether to proceed with the venture. These statements should be forwarded to the General Manager of Council’s Planning and Development Department.

This Statement must be prepared by a qualified professional who meets the requirements of Section 86 of the Development Regulations.

The statement of strategic context must include:

1. An outline of the issue needing to be addressed,
2. An outline of the proposed amendment to the Development Plan,
3. A statement of how the proposed amendment relates to Council’s last Strategic Directions Report,
(4) A statement of how the proposed amendment relates to social, economic and environmental issues,
(5) A statement of how the proposed amendment relates to the State Government's 30 Year Plan for Greater Adelaide and Planning Strategy,
(6) Any other matters determined by Council as relevant.

6.2 ASSESSMENT OF STATEMENT OF STRATEGIC CONTEXT

A Statement of Strategic Context will be assessed by Council's Planning staff on its merits against the six criteria outlined within procedure 5.1, and presented to Council's Strategic Planning and Development Policy Committee for determination as to whether the request should follow Process A, Process B or be Refused (see attachment 1 – Privately Funded DPA Process).

6.3 LEGAL AGREEMENT AND PROJECT COST ESTIMATES

Should Process A or B be determined, prior to pursuing a private funded DPA a private financier must sign a legal agreement drafted by Council. The agreement will include details of the following:

(1) The nature of the arrangements and agreed figure on the cost of preparing the DPA and peer review, and the time when payment is to be made;
(2) Defines in detail the nature of the DPA including the area to be covered, the purpose of the DPA and what the DPA investigations will encompass (the DPA principles);
(3) An acknowledgement by the party funding the DPA that the DPA will be prepared at the direction of Council and that the party funding the DPA will have no right to control or direct the progress or form of the DPA apart from making written submissions to the Council as a part of the consultation process;
(4) An acknowledgement by the Council that it will use its best endeavours and strive to achieve authorisation of the DPA which incorporates the agreed DPA principles, cognisant of the timing of other Council policy priorities;
(5) An acknowledgement by the third party and the Council that while the Council may initiate a DPA, ultimately the decision on its authorisation is a decision by the Minister for Planning and not the Council, and that the Council has no control over this process;
(6) Details of what happens if the DPA is either not authorised by the Minister or authorised with amendments that do not suit the interest of the third party;
(7) Agreement that the third part will fund any legal costs associated with the preparation of the DPA, including legal review, legal proceedings or judicial review proceedings in relation to the DPA process;
(8) Acknowledgment that the deed shall not in any way affect Council’s standing as the relevant authority to assess application for development approval in respect of land affected by a Privately Funded DPA.
6.4 PROJECT MANAGEMENT AND THE PROCUREMENT PROCESS

(1) A privately funded DPA will require a Peer Review.
(2) The cost of the Peer Review will be borne by the third party funding the DPA, and paid into a fund as directed by Council.
(3) If Council agrees to proceed with a Privately Funded DPA, the third party will engage a suitably qualified consultant who meets the requirements of the Development Act and Regulations to prepare the draft DPA.
(4) Council will engage a suitably qualified and independent consultant who meets the requirements of the Development Act and Regulations to undertake a Peer Review of the draft DPA.
(5) The Peer Review will:
   (a) Review the draft DPA against the Statement of Intent agreed by the Minister for Planning; and
   (b) Review Government Agency consultation responses to the draft DPA and policy changes as a result of the Consultation; and
   (c) Review the Public Consultation responses to the draft DPA and policy changes as a result of the consultation.
(6) Selection of a consultant to undertake the peer review will be undertaken by the Council in accordance with Council’s Procurement Policy. In selecting a consultant, the Council will enquire as to any current or prior relationship with the funding party which could affect, or be perceived to affect the consultant’s independence.
(7) The capacity for Council to process a Privately Funded DPA will be influenced by Council’s other policy priorities, and projected timing will be estimated accordingly.
(8) The consultant undertaking the peer review shall report directly to qualified Council Staff as required by Section 86 of the Development Regulations.
(9) Council maintains ultimate control of the DPA, and key stages will be presented to Council for consideration, prior to it being submitted to the Minister for Planning for agreement or endorsement.
(10) At all stages the DPA will declare the private funding through the public release of the legal agreement via inclusion in the Statement of Intent and DPA.
(11) Council reserves the right to cease proceeding with a Privately Funded DPA at any stage.

7. REVIEW
This Policy will be reviewed every three (3) years or earlier in the event of changes to legislation or related Policies and Procedures or if deemed necessary by the Manager Planning Policy and Strategy.

8. ACCESS TO THE POLICY
The Policy 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.

9. **FURTHER INFORMATION**
   For further information on this Policy, please contact:

   Manager Planning Policy and Strategy
   PO Box 54, Mount Barker
   South Australia, SA, 5251
   Telephone: 08 8391 7269
   Email: lgray@mountbarker.sa.gov.au
Attachment 1 - Process for Privately Funded DPAs

1. Private financier approaches Council with DPA issue and provides a Statement of Strategic Context (Procedure 5.1)

2. Council assess Statement of Strategic Context to determine Process ‘A’, ‘B’ or Refusal (Procedure 5.2)

   - Process A
     (DPA issue an emerging social, environmental or economic issue)

   - Process B
     (DPA issue can be related to a Strategic Directions Report (Section 30) identified DPA)

   - Refusal
     (DPA refused if no strategic context)

3. Legal Agreement and Project Cost Estimated (Procedure 5.3)

   - Planning Consultant engaged by Proponent to prepare SOI and DPA

4. Draft SOI presented Council for support to send to Minister for Planning

5. DPA prepared and presented Council for support to proceed to consultation

   - Amendments made in response to consultation

6. Consultation occurs and amendments occur as a result of community and agency feedback

   - Amendments made in response to Council feedback

7. Council contracts Consultant to undertake peer review of draft DPA (Procedure 5.4)

   - Amendments made in response to peer review

8. DPA proceeds in accordance with requirements of Development Act (1992) and presented to Minister for approval

   - Amendments made in response to peer review

   - SOI not supported by Council
     DPA ceases to proceed

   - DPA not supported by Council
     DPA ceases to proceed

   - DPA not supported by Council or Minister
     DPA ceases to proceed
1. PURPOSE

Town Entrance Statement and Wall Policy
To provide guidance for acceptable design, location and development standards for town entrance statements and walls within the District of Mount Barker.

To ensure that town entrance and wall statements provide a sense of identity, place and belonging for the community of a town or settlement within the District of Mount Barker.

To encourage the use of public art and local themes in the design and to utilise materials that reflect both the locality and have historical precedence.

2. SCOPE

This Policy is applicable to Elected Members, Council staff, Council contractors, community and business organisations.

3. DEFINITIONS

Town Entry Wall and Statement: A structure constructed of either, or a combination of masonry, metal and timber located at the entrance to a town or settlement for the purposes of identification.

4. ROLES & RESPONSIBILITIES

Council: Approve and adopt policy and ensure adequate funding for agreed maintenance

Chief Executive Officer: Monitor application of policy

General Managers: Monitor application of policy

Manager Field Services: Monitor and incorporate policy into maintenance management procedures

Manager Open Space and Environment: Monitor and administer policy

Policy Planner: Monitor, and review policy as directed by Manager Open Space and Environment.

5. POLICY STATEMENT

The Town Entrance and Wall Policy seeks to provide guidance for acceptable design, location and development standards for town entrance statements and walls within the District of Mount Barker.

6. SPECIFIC POLICY INFORMATION

Communities and towns often work towards identifying and promoting characteristics that define and differentiate their township. One strategy employed is the installation of entry statements, located either on the road verge or public reserve adjacent to the major thoroughfare at or near the ‘town boundary’.

As Entry Statements and Walls are often located within the public realm Council has specific requirements that need to be met in order for them to be granted a permit or licence to occupy Council Land.

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These structures can help define the character of a region, and as such must be of a design and scale approved by Council. They must not create a hazard to motorists, cyclists or pedestrians, or create a maintenance liability for Council.

**56.1 Council Contribution**

Council will not contribute to the cost of the design and construction of the Community initiated Entry Statement and Walling. The cost of design and construction of the Entry Statement and Walling shall be borne by the proponent(s).

- Council will contribute “in kind” through the on-going maintenance of the structure, walling and associated plantings (following formal agreement with the proponent).
- Council will not contribute to the costs of illumination of community or business initiated entrance statements.
- Council may, where Development Approval is required, contribute through the reduction of fees associated with the Development Application.
- Should Council itself wish to develop an entry statement it would bear all associated costs.

**56.2 Location**

- The location of an Entrance Statement and Wall should be located as close as possible to the town boundary taking into consideration the following:
  - Topography,
  - Line of sight (road)
  - Roadside vegetation
  - Existing infrastructure (including Department of Planning, Transport and Infrastructure (DPTI) signage)
  - Speed limits
  - Access for maintenance (safety)
  - Located away from traffic zone

- Any Structure associated with an entrance statement shall be located within land that the District Council of Mount Barker will ultimately have care, control and management of, which could include a road reserve, public open space, leased/licensed or gifted land. This shall include the footings, capping, attachments and the like for any proposed structure and include any associated area given over to associated plantings.
- The structure or wall shall be located and designed to ensure that vehicular and pedestrian sightlines are not compromised.

**56.3 Design and Materials**
Town Entrance Statement and Wall Policy

Entrance structures are usually in quite prominent locations and as such are often prone to vandalism, in particular, graffiti. Accordingly, the type of structure proposed and the materials used in the construction thereof should take these factors into account.

- Where possible the design should reflect and be compatible with Council’s corporate logo, colours, branding or identification.

- Walls, if masonry, should be constructed in dark brick or stone as this tends to discourage graffiti attack.

- Walls comprising reasonably large smooth uninterrupted surfaces are discouraged as these tend to be graffiti prone.

- Any lettering or emblem forming part of a structure or wall shall be cast or incorporated into and form an integral part of the structure.

- The structure or wall shall be designed to be sympathetic with the surrounds and respond to the historic setting where appropriate.

- All materials used should be low maintenance.

- All structures should be constructed in a professional and workmanlike manner to the reasonable satisfaction of the Council to ensure their long term integrity meeting all required standards and codes.

- All structure and wall designs as well as the layout of associated planting should consider the ability of Council to undertake long-term effective maintenance and be designed to minimise this need.

- Lighting should consider the use of solar powered and low energy lighting systems.

65.4 Vegetation and Plantings

- Landscaping associated with an entrance statement shall be comprised of native plants of South Australian origin and preferably those native species endemic to the area, unless linked to a specific historic theme.

- Non local or exotic plant species may be considered where a specific theme is being proposed, or where community or heritage values would be better reflected through their use.

- Plants should be chosen because of their general hardiness and low water requirements.

6.5 Council and Other Approvals

- Council must authorise any design in accordance with associated procedures.
Development Approval is required for all masonry walls greater than 1.0 metre in height.

Plans and specifications must be provided to Council which comply with the structural requirements of the Building Code of Australia, to the reasonable satisfaction of Council where the entranceway wall is less than 1.0 metres in height and proposed to be constructed on Council owned land or land proposed to convert to Council ownership as road reserve.

Development Approval is required for all fencing over 2.0 metres in height.

As the structures are usually located on Council owned land or future Council land (i.e. road reserve), approval from Council as landowner is required.

If located on verge of DPTI controlled road, consultation and concurrence by that agency will be required.

For a community, service or business initiated entrance statement or wall located on privately owned land, an on going lease/licence ceding care and control of that area to Council must be established. The establishment and ongoing costs of the lease will be the responsibility of the community or business group.

5.6.6. Renewals and upgrades

An existing entry statement or wall may need to be modified or upgraded for a variety of reasons, such as changed traffic movement or road alignment, difficulty or unsafe maintenance requirements, or because the theme of the structure is no longer relevant or reflective of the community.

Alterations may be made by either the community or Council and do not specifically have to be “like for like” (e.g. if maintenance or access issues are being addressed changes to the original specification and design may be required).

Any modifications which are not “like for like” would need approval from relevant Council staff.

6. REVIEW

This Policy will be reviewed on a 3 years or earlier in the event of changes to legislation or related Policies and Procedures or if deemed necessary by the Policy Planner or Manager Open Space and Environment.

7. ACCESS TO THE POLICY

The Policy 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.

8. FURTHER INFORMATION

For further information on this Policy, please contact:

Title: Manager Open Space and Environment

Return to Order of Business
TITLE: BUILDING AND SWIMMING POOL INSPECTION POLICY

1. PURPOSE

Section 71A (1) & Section 71AA (7) of the Development Act requires Council to prepare and adopt a Building Inspection & Swimming pool inspection Policy which specifies:

- the level of audit inspections to be carried out within the Council area including buildings that have been privately certified for building rules consent; and
- The criteria that applies with respect to selecting development under the policy.
- The requirements council must comply with as prescribed by the regulations.

Development Regulation (80AB) requires that this policy is applied in respect of Class 1 and 2 Buildings. However, Council’s policy also encompasses Classes 3-10.
In preparing its Building Inspection Policy, Council has used a risk assessment approach, taking account of the following:

- the financial and human resources of the Council;
- the impact that failure to inspect a certain number of buildings of the relevant classes over a period of time may have on its local community;
- past practices of the Council with regards to inspections;
- whether particular parts of the Council area are known to be subject to poor building conditions;
- information in the possession of Council on poor building standards within its area; and
- the public interest in monitoring the standard of building work within the community and in taking steps to provide for the safety and health of people who use the buildings.

2. SCOPE
This Policy is applicable to all Residents and builders within the Mount Barker District Council.

3. DEFINITIONS

Audit Inspection* - An inspection which determines (within the scope of the inspection and only insofar as the inspection is able to do so) whether or to what degree the inspected building work complies with:
- the relevant development approval or any applicable exemption
- If applicable, any other relevant documents (for example a required checklist).

An audit inspection does not involve any assessment of building work against the Building Rules, nor any assessment of the structural or functional adequacy of any building work.

Inspection* - A comparison by an inspector (with or without assistants) of (a) visual observations of that building work, and (b) measurements of selected parts of that building work, with:
- the plans and details (if any) which form part of a development approval (or exemption) which relates to that building work.
- if applicable, any other relevant documents (for example a required checklist)¹ and may include the interview of any person associated with the building work.

¹ At present a supervisor’s checklist is prescribed in relation to roof framing under Regulation 74(5), and the Minister’s Schedule 5 roof framing checklist is prescribed under Regulation 74A in relation to the provision of truss information by a truss manufacturer.
* Except within the above definitions, where this Policy refers to an inspection, that is a reference to an audit inspection as defined above. Where this Policy uses the word “inspect”, that means “undertake an audit inspection”.

Building – a building or structure or a portion of a building or structure (including any fixtures or fittings which are subject to the provisions of the Building Code of Australia), whether temporary or permanent, moveable or immovable, and includes a boat or pontoon permanently moored or fixed to land, or a caravan permanently fixed to land.

Building Owner – the of land on or in relation to which building work is or is to be performed the Building Rules – any codes or regulations under the Act (or adopted under the Act) that regulate the performance, standard or form of building work and includes any standard or document adopted by or under those codes or regulations, or referred to in those codes or regulations

Building Rules Consent – a consent granted under section 33(1)(b)

Swimming Pool – an excavation or structure that is capable of being filled with water and is used primarily for swimming, wading, paddling or the like and includes a bathing or wading pool or spa (but not a spa bath)

Swimming Pool Safety Features – a fence, barrier or other structure or equipment prescribed by regulation, namely, (insofar as are relevant to the particular circumstances taking into account the provisions of the Building Code): (a) fences; (b) barriers; (c) water recirculation systems; (d) secondary outlets from a swimming pool; and (e) warning notices.

4. ROLES AND RESPONSIBILITIES

Council:
- Adopt a policy that clarifies responsibilities and ensure an appropriate budget allocation is provided

Chief Executive Officer:
- To ensure that sufficient Council resources are provided to undertake the inspections;

General Manager
- To ensure that staff can appropriately assess applications in a consistent manner
Manager Development

- To ensure that the inspection timeframes are complied with.

5. POLICY STATEMENT

This policy sets out The District Council of Mount Barker’s policy on the inspection of buildings and structures associated with development assessment activities in accordance with the Development Act 1993 and the Building Code of Australia.

6. NOTIFICATIONS

Pursuant to section 59 of the Development Act 1993 and regulation 74(1) of the Development Regulations, a person undertaking building work must give Council notification during the following stages of work:

- one business day’s notice of the commencement of building work on the site;
- one business day’s notice prior to the commencement of the pouring of footings and other reinforcing steel works;
- one business day’s notice after the completion of wall and roof framing;
- One business day’s notice of the completion of the installation of boundary, party and/or separating wall(s) required to be fire rated, prior to concealment (if applicable);
- One business day’s notice of the installation of aluminium composite panels in buildings of 3 or more storeys;
- one business day’s notice after the completion of building works; and
- in the case of swimming pools,
  - one business day’s notice of completion of a swimming pool (prior to the pool being filled with water).
  - completion of the construction of a safety fence or barrier for a swimming pool; and
  - in relation to other building work where swimming safety features are relevant, the completion of building work in relation to those safety features.

All applicants will be advised of the relevant notifications in writing at the time of issuing the Development Approval.

7. INSPECTION POLICY

Council will undertake inspections, as a minimum, of building work as follows:

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2 Council may accept a certificate from an Engineer confirming compliance of the footing design.
Dwellings and verandahs – new and additions

- 66% of all dwelling approvals and verandahs supported by existing roof framing, which are carried out by a licensed builder where Council receives notification, including buildings where the Building Rules Consent has been issued by a Private Certifier.
- 90% where the work is carried out by an owner builder.
- 10% of all approvals for Class 1 and 2 buildings for which the Council receives notification including buildings where the Building Rules Consent has been issued by a Private Certifier.

Commercial Development

10% of all approvals for Class 3 to 9 buildings for which the Council receives notification including buildings where the Building Rules Consent has been issued by a Private Certifier.

Verandas/Carports/Sheds – Not attached to roof frame

- 10% of all approvals for Class 10a buildings

Other structures, including swimming pools

- 100% of all approvals for Class 10b applications for swimming pools;
  - At least 80% of all swimming pools constructed over the course of a year must be inspected within two weeks of the council being notified of the completion of;
    - The construction of a swimming pool
    - Where a safety fence or barrier was required as part of the development, the construction of that fence or barrier.
  - The remaining 20% of swimming pools must be inspected (in accordance with the regulations above) within two months.
- 10% of all approvals for Class 10b approvals for retaining walls, fences, towers etc

Roof Trusses for all classes of buildings, including carports and verandahs where attached to a roof frame.

Buildings excepted from this requirement include Class 10 buildings (other than where attached to a roof frame), portal frame buildings (eg industrial sheds) and transportable buildings.

- for all Building Rules Consents falling into the above category the required inspection rates will be 66% where the work is carried out by a licensed builder and 90% where the work is carried out by an owner builder.

Building Rules Compliance

- all Essential Safety Provision inspections prior to occupancy.
8. CRITERIA FOR SELECTION OF BUILDINGS TO BE INSPECTED

Inspections of development where the policy requires less than 100% of approvals will be determined by the relevant officer at the time of notification and will be based on the following criteria:

- distributed between owner builders and registered builders.
- reputation of registered builder and previous experience with Council.
- local environmental factors in the area in which the building work is being undertaken (e.g., wind speeds, flooding, poor soil conditions).
- whether the building work was approved subject to conditions.
- any other reason determined by the relevant professional officer.

9. MONITORING AND REPORTING

Records will be kept of inspections and collated on a quarterly basis to account for the performance of Council in meeting the requirements of this policy.

10. REVIEW

This Policy will be reviewed every 3 years or earlier in the event of changes to legislation or related Policies and Procedures or if deemed necessary by the Manager Development Services City Development.

11. ACCESS TO THE POLICY

The Policy 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.

12. FURTHER INFORMATION

For further information on this Policy, please contact:

Title: Manager City Development
Address: PO Box 54, Mount Barker
South Australia, SA, 5251
Telephone: 8393 6416
Email: mvoortman@mountbarker.sa.gov.au
TITLE: CAR PARKING CONTRIBUTION FUND POLICY

REFERENCE NUMBER: DOC/18/47519
RESPONSIBLE OFFICER/DEPARTMENT: Planning Policy and Strategy
APPLICABLE LEGISLATION: Development Act 1993

MOUNT BARKER 2035 – DISTRICT STRATEGIC PLAN:
- EP 1.3 Collaborate on new infrastructure investment to underpin economic development
- UE 2.1 Provide and advocate for transport options that promotes and enables accessibility and connectivity
- UE 4.2 Encourage retail, hospitality and commercial office activities

RELATED POLICIES:
- Nil

SUPPORTING PROCEDURES:
- Nil

PREVIOUS REVIEW DATES: December 2013

ENDORSED BY COUNCIL: <<Insert Date>>

MINUTE RESOLUTION NUMBER: <<Insert Date>>

NEXT REVIEW DATE: <<Insert Date>>

1. PURPOSE
Mount Barker District Council has established a Car Parking Contribution Fund which makes it possible for applicants to make a financial contribution in lieu of providing on-site car parking spaces.
Money contained in the Fund is used by Council to improve, increase or maintain car parking facilities or enhance transport facilities to reduce the need or demand for car parking within the designated area.

The primary policy objectives of this Policy is to provide alternative means for the provision of car parking within the Designated Area on a collective basis.

2. SCOPE
This Policy is applicable to all developers in the Regional Town Centre Zone as described below.

The Policy applies in the whole of the Regional Town Centre Zone of the Mount Barker Council Development Plan. Proposed developments in this area may satisfy car parking requirements as set out in the Council’s Development Plan by making a financial contribution to the Car Parking Fund in lieu of providing on-site car parking spaces.

3. DEFINITIONS
Designated area shall mean the whole of the area within the Regional Town Centre Zone of the Mount Barker Council Development Plan.

4. ROLES & RESPONSIBILITIES
Council:
- Approve and adopt/update policy.

Chief Executive Officer:
- Monitor balance of funds and expenditure.

General Managers:
- Monitor balance of funds and expenditure.

Planning Policy and Strategy Manager
- Update policy as required.

5. POLICY STATEMENT
SPECIFIC POLICY INFORMATION

Designated Area
This Policy applies in Policy Areas 8, 15 and the whole of the Regional Town Centre Zone of the Mount Barker Council Development Plan.

Establishment of the Fund
The Fund commenced on Thursday 13 January 2005 with the publishing of a notice in the Government Gazette. The Fund was established in accordance with Section 50A of the Development Act, 1993.

Commented [MD1]: Currently, the Policy applies only to certain Policy Areas in the Regional Town Centre Zone. Given money raised from the fund can only be used within the designated area, it is considered appropriate to expand the designated area to the whole of the Regional Town Centre to expand the area in which contributions can be made and money spent.
How the Fund Operates
The car parking requirements for development are based upon the rates listed in Table MtB/3 of the Mount Barker (DC) Development Plan.

The option is discretionary for both Council and the applicant, with both parties being required to agree that this is the appropriate action. Council will invoice the applicant the required contribution to the Fund. Payment to the Fund will be required prior to Council issuing final Development Approval.

Contributions to the Fund
The cash contribution per car park space is $23,250 inc GST. The contribution will be indexed annually by the latest Adelaide CPI as part of Council’s annual review of Fees and Charges each July. This represents 75% of actual land and construction costs of new car parking in Mount Barker District Council. Contributors should be aware that:

- The contributor does not retain fee simple ownership of the car parking space(s) and therefore cannot trade them as an asset.
- The occupants, clients and employees of the development cannot have reserved or guaranteed use of the spaces for which a contribution is made.
- The contribution funded car parking spaces will be located Mount Barker Regional Town Centre Zone.

Contributions to the Fund
The Car Parking Fund can be used to:

- Provide new car parking facilities in the designated areas.
- Pay for the maintenance of existing car parking facilities in the designated area.
- Establish, maintain or improve transport facilities where this would reduce the demand for car parking facilities, such as bike facilities and promoting public transport.

6. REVIEW
This Policy will be reviewed every threefour (34) years or earlier in the event of changes to legislation or related Policies and Procedures or if deemed necessary by Planning Policy and Strategy.

7. ACCESS TO THE POLICY
The Policy 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.

8. FURTHER INFORMATION
For further information on this Policy, please contact:
Title: Planning Policy and Strategy
Address: PO Box 54, Mount Barker
South Australia, SA, 5251

Commented [MD2]: The additional $2,416 (or 10.4% increase) is based on CPI increase over the 5 years and 1 quarter since Council last adopted the policy. The increase represents an average annual inflation rate of 1.9% and represents 75% of the cost of actual land and construction costs of new car parking in Mount Barker.
12.7 REPORT TITLE: RECREATION SPORT AND COMMUNITY INFRASTRUCTURE: IN KIND CONTRIBUTIONS POLICY

DATE OF MEETING: 6TH AUGUST 2018

FILE NUMBER: 18/76006

ATTACHMENTS: Attachment 1: Recreation Sport Community Infrastructure: In Kind Contributions Policy (DOC/18/76021)

Key Contact Luke Gray, Manager Planning Policy and Strategy

Manager/Sponsor Brian Clancy, Deputy CEO/General Manager Infrastructure and Projects

Mount Barker 2035 – District Strategic Plan:
5. Governance and Leadership
   GL2: Corporate capacity and leadership
   GL2.1 Demonstrate accountability through clear, relevant and easily accessible policies and corporate reporting

   1. Community Wellbeing
      CW: 3 Quality community facilities and infrastructure
      CW: 3.1 Support a long term approach to the development, upgrade and improvements to community facilities and infrastructure such as the library, sports grounds, community halls and venues and place spaces.

Purpose:
To inform on and enable the updating of the Recreation, Sport and Community Infrastructure: In Kind Contributions Policy.

Summary – Key Issues:

1. In 2014, Council developed and endorsed an In-Kind Contributions Policy for Recreation, Sport and Community Infrastructure for land covered by the 2010 Ministerial Development Plan Amendment, in Nairne and Mount Barker.
2. Given the evolving nature of facility needs and provision, it is timely that the Policy is reviewed, as is the list of ‘required’ and ‘optional’ infrastructure, relevant to the Policy.
3. The infrastructure referred to in this policy only relates to that which is proposed within land covered by the Ministerial Development Plan Amendment and doesn’t reflect a total list of new recreation, sport and community infrastructure for Mount Barker.

Return to Order of Business
**Recommendation:**

That Council:

1. Adopts the updated In-Kind Contributions Policy for Recreation, Sport and Community Infrastructure, including Annexures A and B.

**Background:**

1. On 16 December 2010, the Mount Barker Urban Growth Development Plan Amendment (MDPA) was gazetted by the Minister.

2. The MDPA rezoned approximately 1300 hectares of land in Mount Barker and Nairne that was previously included in rural zones into the Council’s area for urban development (MDPA Area).

3. The MDPA included a very broad brush structure plan for the proposed zone that offers little guidance for the provision of infrastructure.

4. Council’s powers under the Development Act 1993 provide limited scope and only enable Council to require developers to provide certain infrastructure within (and in some cases immediately adjacent) the developer’s land when a development application is lodged/assessed.

5. The statutory power at section 154 of the Local Government Act supports the declaration of a separate rate on rateable land within a part of the Council area in respect of an activity that is, or is intended to be, of particular benefit to the land or occupiers of the land or to visitors to the part of the area to which the rate applies.

6. The separate rate will be imposed, but not become payable, until development of the subject land occurs (i.e. payable by the developer of the land) by subdivision and the attribution of a valuation assessment to each of the created allotments.

7. Having followed the required process as stipulated in the Local Government Act (including community consultation), in 2013/14 Council introduced the declaration of separate rates for Recreation, Sport and Community Infrastructure for Mount Barker MDPA area and in 2014/15 for the Nairne MDPA area.

8. At that time it was acknowledged that revenue from developers via these two separate rates would contribute to but not fully fund the required infrastructure. This was on the basis that there was a deficit in such infrastructure pre the MDPA.

9. The amounts payable by developers per new allotment in 2018/19 for these separate rates are:
   - Mount Barker MPDA area $1,743
   - Nairne MDPA area $1,471
10. In 2014, Council adopted an In-kind contributions Policy for Recreation, Sport and Community Infrastructure.

11. The purpose of this policy is to provide the framework for the provision of In Kind Contributions in satisfaction of a developer’s obligations to pay Recreation, Sport and Community (RSCI) Separate Rates.

12. The Policy itself outlines the mechanics of how the in-kind proposal would be lodged and assessed and now also includes the consolidated list of infrastructure items, eligible for funding and delivery under this scheme. Previously this list was included on the Mount Barker Growth Plan as adopted and later updated by Council meeting resolution.

13. With considerable population growth now occurring in the MDPA Growth Areas and Community Facilities planning now more progressed, there exists the opportunity and need to review the Policy and to update the list of required and optional items associated with it.

Discussion:

14. The list of Recreation, Sport and Community Infrastructure reflects the known needs of the community, based on industry benchmarking and continued auditing of current usage patterns and trends.

15. The list of Recreation, Sport and Community Infrastructure was last updated in October of 2016. Since this update, the following has occurred:
   a. Detailed Concept Plans for Mount Barker South (Polo Grounds) and Mount Barker West (former Herbig Land) Playing fields have been completed
   b. Further refinement of the Regional Sports Hub Design and staging
   c. Design and creation of open space areas by developers within the Growth Area
   d. Funding committed and preferred site chosen for Regional Indoor Aquatic and Leisure Facility
   e. Better understanding of location, scale and included community infrastructure of new schools.

16. As a result of the above, the infrastructure list has been updated to reflect the greater detail and clarity that is now held by Council.

17. The key changes include:
   a. Recognition that one of the three ovals in the Eastern Sector will be delivered by a school and not Council
   b. The inclusion of a skate/scooter facility as required as oppose to optional
   c. The inclusion of a regional adventure playground within the list of required infrastructure
   d. Better definition of where the proposed regional aquatic facility will likely be located

Return to Order of Business
e. Minor reduction in total tennis courts within the Easter Sector given the now known capacity and function of the Regional Sports Hub

18. The above changes reflect the constant review and evolution of community demands and ensures the community infrastructure being planned and delivered represents the present and future needs of the community.

19. The preliminary costs associated with the previous and proposed community infrastructure list for the MDPA are consistent and do not provide additional financial burden for Council.

20. Council’s Draft Long Term Financial Plan 2018-2028 includes a provision for the delivery of Recreation and Open space outcomes forecast to be delivered within the next 10 years. The delivery of these projects will be subject to Council approval through the Annual Business Plan and Budget process in each year and subject to the required Grant and partner funding being committed/received prior to construction.

21. The In-Kind Policy itself has had no material changes from the 2014 addition, with only minor amendments including:
   a. Minor grammatical/name changes
   b. Minor clarifications to reduce ambiguity
   c. Changes as part of ensuring consistency with new Council Policies template

22. To date no applications from developers for an in kind contribution for recreation, sport and community infrastructure have been approved. One application has been received and further information is currently awaited from the developer. The amount of this application exceeds the officer level delegation so this will require consideration at a future council meeting.

**Community Engagement:**

| Informing only | All Developers within the affected area will be provided with an updated policy. |

**Policy:**

Updating existing policy as referred above.

**Budget:**

The 2018/19 budget includes estimated revenue of $428,500 from developers for Open Space and Recreation. If an in-kind proposal is accepted by Council during the year, the budgeted revenue will be reduced by the equivalent value of the physical asset received in lieu of cash as per policy.
Statutory/Legal:
Local Government Act regulates the use of the Separate Rate mechanism relevant to this Policy.

Staff Resource Requirements:
N/A

Environmental:
The policy creates opportunity for the development of open space, which in itself creates opportunities for environmental outcomes to be achieved.

Social:
The development of community infrastructure is fundamental to a vibrant, safe, healthy and functional community.

Risk Assessment:
Risk associated with this policy are adequately managed with sound internal processes and governance.

Asset Management:
New infrastructure as proposed will be captured within Council’s asset management plans.

Conclusion:
The RCSI Policy has been updated and now reflects a more accurate list of infrastructure eligible for delivery or investment into by developers within the MDPA Area.
TITLE: Recreation Sport and Community Infrastructure: In Kind Contributions Policy

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<thead>
<tr>
<th>Reference Number:</th>
<th>DOC/18/76021</th>
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<tr>
<td>Responsible Department:</td>
<td>Infrastructure &amp; Projects</td>
</tr>
<tr>
<td>Applicable Legislation:</td>
<td>Local Government Act 1999</td>
</tr>
<tr>
<td>Mount Barker 2035 - District Strategic Plan:</td>
<td>Community Wellbeing</td>
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<td>Related Policies:</td>
<td>Infrastructure Contributions - Separate Rate Relief Policy</td>
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<tr>
<td>Supporting Procedures:</td>
<td>In draft</td>
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<td>Previous Review Dates:</td>
<td>15 September 2014</td>
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<td>Endorsed By Council:</td>
<td></td>
</tr>
<tr>
<td>Minute Resolution Number:</td>
<td></td>
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<tr>
<td>Next Review Date:</td>
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</tbody>
</table>

1. **Purpose**

This policy establishes the framework for the provision of In Kind Contributions in satisfaction of a developer’s obligations to pay Recreation, Sport and Community Infrastructure (RSCI) Separate Rates. This policy applies to infrastructure that Council seeks, and/or that a developer agrees to provide, in exchange for a ‘credit’ or offset against all or portion of its RSCI Separate Rates liability.

The objectives of this Policy are to ensure:

- provision of good quality, fit-for-purpose facilities that are responsive to demonstrated community needs
- value for money and sustainability in facility design, development and maintenance
transparency, fairness, equity and certainty for developers regarding in-kind contributions to community infrastructure

• a balance of provision of facilities that provide social and cultural opportunities, and those that provide physical recreation and sporting opportunities in new neighbourhoods

• consistency in approach to community infrastructure negotiations and provision over an extended development period (potentially more than 30 years)

2. SCOPE
This Policy is applicable to the assessment of all applications for in-kind contributions for infrastructure within the lands covered by the Ministerial Development Plan Amendment, 2010.

3. DEFINITIONS

Community Infrastructure means all of the sporting facilities, recreation facilities and social or community facilities to be partially funded by the Separate Rates for Recreation, Sport and Community Facilities Infrastructure declared under the Local Government Act 1999 by The Mount Barker District Council.

Recreation, Sport and Community Infrastructure Separate Rates (RSCI Separate Rates) refers to both the Mount Barker and Nairne Separate Rates for Recreation, Sport and Community Facilities Infrastructure, unless otherwise indicated.

In Kind Agreements refers to agreements or deeds regarding the provision of land (also see Exclusions below) or structures, or improvements to land or structures, by developers in exchange for a ‘credit’ or offset against RSCI Separate Rates liabilities.

4. ROLES & RESPONSIBILITIES

Council:
• Endorse policy and monitor its application
• Make decisions on items outside of the delegated authority of Officers

Chief Executive Officer:
• Finalise and execute In Kind Agreements with developers that are consistent with this policy up to the maximum value of financial delegations authorised by Council
Deputy Chief Executive Officer/General Manager Infrastructure & Projects

General Manager, Infrastructure and Projects:
- Monitor application of policy and related procedures
- Ensure rigorous assessment of proposals
- Finalise and execute In Kind Agreements with developers that are consistent with this policy to maximum value of financial delegations authorised by Council

Manager, Planning Policy and Strategy:
- Apply policy and related procedures
- Provide appropriate information to developers
- Conduct rigorous assessment of proposals
- Prepare In Kind Agreements for execution by Council and developers

5. POLICY STATEMENT

Community infrastructure is the land, structures and facilities which help communities and neighbourhoods function effectively. This includes public facilities such as sporting and recreational facilities, community centres, meeting halls, libraries and cultural facilities. These are highly valued by their communities and add greatly to the overall quality of life by providing the settings for active citizenship, cultural expression, social interaction, physical activity and access to services.

The Mount Barker District Council is committed to ensuring community infrastructure meets the needs of its growing community, and that new urban development contributes to liveability, social cohesion, health and wellbeing in the District’s neighbourhoods.

Council will proactively seek to facilitate required community infrastructure through negotiations and agreement with developers of land where Separate Rates for Recreation, Sport and Community Infrastructure apply.

6. SEPARATE RATES

6.1 Separate Rates

Council has adopted two separate rates under the Local Government Act 1999 (Section 154) that will support the provision of new community infrastructure for the growth areas declared by the 2010 Mount Barker Urban Growth DPA:

a) the Mount Barker Separate Rate for Recreation, Sport and Community Facilities Infrastructure, provides for a once only rate per new allotment created in the Mount Barker urban growth area.
b) the Nairne Separate Rate for Recreation, Sport and Community Infrastructure provides for a once only rate per new allotment created in the Nairne urban growth area.

(together the RSCI Separate Rates).

Each developer of land in the 2010 urban growth areas will pay these separate rates to Council after they are triggered by the issuing of a Valuer General’s valuation assessment following land division.

The RSCI Separate Rates are subject to annual indexation. Council has endorsed a policy regarding the payment, rebate, remission and postponement of the RSCI Separate Rates.

6.2 Separate rate credits

Council’s Separate Rates – MDPA Infrastructure: Payment, Rebate, Remission, Postponement-Infrastructure Contributions – Separate Rate Relief Policy provides the opportunity for Council and developers to reach agreement on the provision by the developer of an ‘in kind’ proposal in lieu of the financial contribution (or portion thereof) required by the RSCI Separate Rates. An adjustment of the rates liability payable to Council will apply when a developer has entered into an agreement with Council to make an in kind contribution to the provision of Community Infrastructure, and can demonstrate that the developer’s obligations under the agreement have been met to Council’s satisfaction.

In many cases, developers will see a benefit to their development from providing Community Infrastructure items within or in proximity to the development site, to offset their RSCI Separate Rates liability. This allows for opportunities that may arise within, or near to, a development site for:

- provision of Community Infrastructure within an existing structure or structures, that can be adapted for community use
- provision of land (also see Exclusions below) in an appropriate location for the future construction of Community Infrastructure
- provision for innovative Community Infrastructure that responds to an emerging community need.

Council recognises that over time the community’s characteristics and needs may change. There will also be changes and trends in recreation, sports and community facility provision that cannot be fully anticipated. Negotiated In Kind Agreements will enable a suitably flexible response from both Council and developers.

Council will proactively seek In Kind Agreements, but is not obligated to accept in kind contribution proposals that are offered by developers. Assessment criteria have been established to enable Council to make a determination regarding
proposed in kind contributions. The assessment criteria are set out in this policy and will ensure public benefits are achieved through in kind contributions.

### 6.3 Minimum requirements

To be eligible for credit or offset against RSCI Separate Rates the in kind contribution must generally be:

- Listed in the schedule of Community Infrastructure items prepared by Council (RSCI Schedule), or agreed by Council as consistent with its strategic plans and suitable as a variation;
- Procured through a process that will deliver value for money;
- In compliance with Council specifications and any relevant Australian Standards;
- Of benefit to the occupants of the areas that the RSCI Separate Rates apply to;
- Provided with an agreed timeframe; and
- Vested in Council to be operated and maintained as public facilities.

In limited circumstances investment in non-public facilities may be considered. In general this will be limited to situations such as joint use of facilities located on land owned by not-for-profit entities such as schools, and where it can be demonstrated that Council has entered into a management arrangement that protects public access to, and long term community benefits from, the proposed Community Infrastructure.

Variations to the RSCI Schedule will be considered at Council’s discretion. The acceptance of an offer for in kind contributions will be at the sole discretion of Council.

The RSCI Schedule has been adopted by Council and describes the facilities Council seeks to establish for the benefit of the occupants of the urban growth areas where the RSCI Separate Rates apply. The RSCI Schedule is available via Council’s website.

In the case of Mount Barker, these items are also expressed in the attached schedule, “Recreation, Community and Sporting Infrastructure Master Plan for Mount Barker Growth Area”. These are based on extensive research by Council, and application of principles and good practice in social infrastructure and recreation planning. The proposed projects were also the subject of community consultation when the RSCI Separate Rates were proposed in 2013 and 2014.

### 6.4 Exclusions

The following infrastructure is excluded from this policy and the RSCI Separate Rates, as it is considered to be part of the normal development contribution requirements as set out in the Development Act 1993 and Development Regulations.
2008, and an investment typically made by developers to assist in marketing and sales of residential land:

- Roads, public transport infrastructure, street-scaping, stormwater drainage and management areas, water quality infrastructure (including Water Sensitive Urban Design);
- Open space provision or payments to the State Government's open space funds or to Council in lieu of open space provision (i.e. the 12.5% open space contribution as required by the Development Act 1993);
- Common open space embellishments (within a development) such as trails, playgrounds, park furniture (e.g. seating, shelters, BBQs), exercise stations, entrance statements and general landscaping.

There may be circumstances in which an open space proposal may merit consideration as an in kind contribution. The developer will need to demonstrate how the proposal meets the Assessment Criteria outlined below, and show that the proposal is above and beyond common open space embellishments and will provide tangible, broader community benefits i.e. not predominantly to only the development within which it is located.

In such cases Council will be obliged to give consideration to the proposal from the developer but decision making on any such proposal shall be solely at the discretion of Council.

6.5 In Kind Agreements

Council will seek early engagement with developers to encourage and agree on in kind contributions. A voluntary and legally binding agreement (in the form of a deed or agreement) between Council and another party (in this case a developer) will be used to give effect to any alternatives to payment of the RSCI Separate Rates.

In Kind Agreements regarding in kind contributions will be binding upon the owner and all subsequent owners of the land that the agreement affects. Where the infrastructure is of significant scale and/or it is agreed that the timing is such that construction is not required to be completed in the immediate/short term, this may be achieved through a land management agreement binding the In Kind Agreement to the land or some other suitable security mechanism as may be agreed between Council and the developer.

In Kind Agreements regarding in kind contributions to community infrastructure may provide for:

- a description of the infrastructure
- the financial value and standard of the infrastructure provision
- the location and timing of the provision of the infrastructure
- security for the provision of the infrastructure
- the parties' obligation to provide the infrastructure

Return to Order of Business
6.6 Assessment Criteria for in kind contribution proposals

Council will seek and consider proposals for in kind contributions having regard to the following criteria (where applicable to the proposal):

1. The proposal is consistent with the RSCI Schedule and other relevant strategic planning documents.
2. The proposal is consistent with good practice principles and models of recreation and community facility planning and design.
3. The proposal represents value for money for the community.
4. The proposal will not impose on Council an unreasonable burden in terms of maintenance and renewal costs.
5. The proposal will enable earlier provision of community infrastructure than would be expected using the payment of RSCI Rates.
6. The proposal is innovative and offers a valuable diversity of community infrastructure that is not expected to be available otherwise to the occupiers of the urban growth area,

The Assessment Criteria may be given different weights depending on the circumstances and are not listed in any particular order of importance.

More detail regarding the Assessment Criteria is provided in Attachment 1 to this policy.

6.7 Determination of proposals

The administration of this policy and the determination of proposals for RSCI Separate Rates credit or offset will be made at the officer level save and except that any proposal above the amount delegated to the Chief Executive Officer will automatically be subject of consideration and determination at a Council meeting.

Council will prepare a procedure for internal use for the determining of in kind contribution proposals made under this policy, and information for developers seeking In Kind Agreements.

Acceptance of a proposal (in full or in part) is ultimately at Council’s discretion.
7. **REVIEW**

This policy will be reviewed after one year of operation and then every three (34) years or earlier in the event of changes to legislation or related policies and procedures or if deemed necessary by the Manager, Planning Policy and Strategy.

8. **ACCESS TO THE POLICY**

The policy 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](http://www.mountbarker.sa.gov.au).

9. **FURTHER INFORMATION**

For further information on this Policy, please contact:

- **Title:** Manager Planning Policy and Strategy
- **Address:** PO Box 54, Mount Barker South Australia, SA, 5251
- **Telephone:** 08 83917200
- **Email:** lgray@mountbarker.sa.gov.au

Attachments:

1. Assessment Criteria for Community Infrastructure 'In Kind Contribution' proposals
2. "Recreation, Community and Sporting Infrastructure for Mount Barker"
## Attachment 1

### Assessment Criteria for Community Infrastructure ‘In Kind Contribution’ proposals

Council will have regard to the following criteria to assess the merit of in kind contributions. Not all criteria will be relevant to each proposal and may be weighted differently depending on the proposal.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Description</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. The proposal is consistent with the Councils’ RSCI Schedule and/or relevant strategic planning documents.</td>
<td>Where a proposal deviates from the items Council requires to provide for the growth areas, the proponent will be required to demonstrate the need for the proposal, and if of significant value, provide a social impact report, prepared by a person with relevant qualifications. Consideration will be given by Council to the effect on other infrastructure items that Council seeks to deliver i.e. opportunity cost.</td>
<td>To ensure that in kind contribution proposals meet real community needs as identified by Council, or as justified by an appropriate level of research.</td>
</tr>
</tbody>
</table>
| 2. The proposal is consistent with good practice principles and models of recreation, sport and community facility planning and design. | These principles include:  
- Centrally located for catchment  
- Accessible by public transport, pedestrian and cycling connections  
- Designed to contribute positively to public domain and sense of place  
- Well located in regard to activity centres, open space, or clustered with like facilities into ‘Community Hubs’  
- Multi-use and able to be adapted and expanded as community needs change over time  
- Providing safety and security for facility users  
- Maximising financial sustainability  
In the case of facilities for active sport and recreation, the following will also be considered | To ensure facilities meet community expectations and needs and maximise the benefits to users. |
- Capable of accommodating competitive sport
- Located in proximity to appropriate amenities and shade/seating areas
- Maximise hours of use (day and night) through provision of lighting and appropriate surfacing.

3. The in kind contribution proposal represents value for money.

| The proponent will need to demonstrate that the in kind contribution proposal represents at least an equivalent investment to the RSCI Separate Rates that are being proposed for offset / credit and that are payable for subject land. The value of the proposal will need to be independently estimated, at the cost of the proponent. This enables developers to benefit from providing an equivalent facility using their capacity to construct at a lower cost than Council. Council will accept the estimate of final value rather than the construct costs. Land value (if appropriate) assessment will be undertaken by a valuer as agreed by both parties. |

To ensure that in kind contributions do not reduce the benefit to the community through reducing the value of the infrastructure delivered.

4. The proposal will not impose on Council an unreasonable burden in terms of operation and maintenance costs.

| The extent to which the in kind contribution proposal demonstrates sustainable and efficient design. |

To ensure Council resources are used effectively, and that existing ratepayers are not unfairly bearing the cost of operating and maintaining facilities in new urban growth areas.

5. The proposal demonstrates that it will enable earlier provision of community infrastructure than would be expected by Council using the cash payment mechanism of RSCI Separate Rates.

| This criterion recognises the value to both developers and community to bringing forward community infrastructure investments, thus enabling improved community use and access to facilities than would be otherwise be expected based on typical provision rates, population thresholds and staging plans. Favourable consideration will be given by Council to proposals that bring forward expenditure and this can be factored into |

Early provision of community infrastructure such as meeting spaces and active recreation facilities can assist in the development of social capital and contribute to healthy lifestyle choices.

Return to Order of Business
| the assessed value of the in kind contribution. |
| 6. The proposal is innovative and offers a valuable diversity of community infrastructure that is not expected to be available otherwise to the occupiers of the urban growth area. |
| This criterion recognises that developers may seek to provide something special in their site, and may be prepared to invest in that provision. This criterion does not negate the requirement to meet a real need. It does provide an opportunity for interesting and innovative proposals to be considered, such as |
| • combinations of sport, recreational and community infrastructure that have been successful in other locations for similar communities; |
| • meeting the needs of a particular section of the community in an innovative way. |
| Council will give consideration to the proposal with regard to its identified priorities. |
| To foster innovation and diversity in community infrastructure provision over time. |

Return to Order of Business
Attachment 2:

“Recreation, Community and Sporting Infrastructure for Mount Barker

Western Sector
• Western Community Hub (R)*:
  • Playing Fields (equiv. to 1 senior and 1 junior oval)
  • Integrated local clubroom/community hub
• Other:
  • 4 Sports Courts (O)

Central Sector
• Southern Community Hub (R)*:
  • Integrated neighbourhood clubroom/community hub
  • Playing Fields (equivalent to 2 senior ovals)
  • 6 Sports courts
• Other:
  • 2 Sports Courts (O)
  • Local Skate/Scooter Facility (R)

Eastern Sector
• Regional Sports Hub (R)*:
  • 2 clubroom/community hubs
  • 4 Senior Soccer Pitches
  • 2 Senior Ovals
  • 14 tennis/netball courts
• Regional Aquatic, Indoor Leisure and Wellness Facility (R)
• Neighbourhood Community Centre (R)

• Other:
  • 2 Sports Courts (netball/tennis/futsal) (O)
  • Regional Adventure Playground (R)

(R) Required (O) Optional
*refer approved detailed concept as guide
12.8 REPORT TITLE: SPEED LIMIT CHANGES

DATE OF MEETING: 6 AUGUST 2018

FILE NUMBER: DOC/18/76672

ATTACHMENTS: 1. LIST OF PROPOSED SPEED LIMIT CHANGES

Key Contact
Matthew Dawkins, Manager Infrastructure Planning, Infrastructure Services

Manager/Sponsor
Phil Burton, General Manager, Infrastructure Services

Mount Barker 2035 – District Strategic Plan:

4. The Urban Environment

UE:1 Integrated Spaces and Movement

UE 2.5 Apply a strategic, planned and consistent approach to the provision, development and maintenance of roads

Purpose:
To seek Council endorsement of speed limit changes on identified parts of the road network for which Department for Planning Transport and Infrastructure (DPTI) have given their in-principle agreement.

Summary – Key Issues:
1. DPTI assess requests for speed limit change against the guiding document titled Speed Limit Guideline for South Australia (DPTI, 2017)

2. A range of potential changes to speed zones have been discussed with DPTI. The sites identified are close to areas where growth has occurred or where there has been community request for speed limit change.

3. DPTI agree there are a number of sites for which a change is warranted.

Recommendation:

That Council:

1. Endorse the following proposed speed limit changes:
   a. All Mount Barker town centre roads inside of (and excluding) Adelaide Road, Druids Avenue, Cameron Road and Mann Street be reduced from 50kph to 40kph;
   b. Hawthorn Road speed limit reduced from 70kph to 50kph between the end of the current 50kph zone to just west of the Southern Cross Care retirement village main access (currently under construction).
   c. Paech Road speed limit reduced from 80kph to 60kph from Sims Road to just south of Heysen Boulevard.

2. Authorise the General Manager Infrastructure Services or his delegate to formally request the above speed limit changes of DPTI and commence advising the community of the proposed speed limit changes.

Return to Order of Business
Background:
1. Speed limits in South Australia are determined and applied by the Department for Transport Planning and Infrastructure (DPTI) in accordance with the requirements and criteria set out in the Speed Limit Guideline for South Australia (the Guideline).

2. Speed limits are set by DPTI having regard to factors such as road function, abutting roadside development and road and traffic characteristics. Roadside development is a most important aspect to be considered in the determination of speed zones.

3. Proactive speed limit changes are not generally supported until development built form has been constructed.

Discussion:
4. Mount Barker urban growth has led to a number of locations coming into question with respect to the potential lowering of the speed limits to reflect the increased extent of urban growth.

5. A group of road segments have been identified that are close to areas where urban growth has recently occurred and where development is generating higher traffic volumes. Some sites also are identified through community request for speed limit change.

6. The group of roads have been discussed with the DPTI assessor to gauge DPTI’s view with respect to the warrant/suitability for a lower speed limit in accordance with the Speed Limit Guideline for South Australia.

7. The list of road segments informally discussed are provided at attachment 1, together with DPTI’s officers comment.

8. Roads supported by DPTI for the proposed change are:
   - All Mount Barker town centre roads inside of (and excluding) Adelaide Road, Druids Avenue, Cameron Road and Mann Street reduced from 50kph to 40kph
   - Hawthorn Road speed limit reduced from 70kph to 50kph between the end of the current 50kph zone to just west of the Southern Cross Care retirement village main access (currently under construction).
   - Paech Road speed limit reduced from 80kph to 60kph from Sims Road to just south of Heysen Boulevard.

9. A formal resolution from Council endorsing these speed limit changes is an important step in seeking DPTI’s support for gazetting these changes.

10. Those roads currently not supported for a speed limit change will be resubmitted by Council to DPTI for reconsideration as urban development and built form progresses.

Community Engagement:

| Informing only | Via website, front counter poster and advertisement in local press |

Return to Order of Business
**Policy:**
There is no existing need for a Council policy around speed limits since DPTI are the authority tasked to assess and prescribe speed zones.

**Budget:**
Negligible impact on budget with respect to consultation advertising cost, erection of signs etc. These costs can be accommodated within the existing operating budget.

**Statutory/Legal:**
The Road Traffic Act 1961 requires that the Minister for Transport and Infrastructure grant approval to install, maintain, alter, operate or remove traffic control devices including speed limits. There is no delegated authority provided to Council for the setting of speed limits.

**Staff Resource Requirements:**
Minor Infrastructure Services Maintenance and Operations resourcing to remove and erect signs once DPTI approval is formally granted.

**Environmental:**
No significant positive or negative environment benefit.

**Social:**
The lowering of speed limits in the areas proposed will have a positive road safety benefit to the community.

In the town centre environment the change will promote better and safer interaction between vehicles, pedestrians and cyclists and hence is good for social inclusion and access.

**Risk Assessment:**
Proposed lower speed limits assists in managing road safety in urban growth areas and will reduce the likelihood of collisions and serious accidents.

**Asset Management:**
Lower speed limits mean lower design speeds. As such when upgrading junctions and roads, the design requirements are less onerous and hence lower in cost to construct.

**Conclusion:**
The proposed reduction in speed limits will have a positive impact on creating a safer road network. The areas for which DPTI are in agreement with Council are areas where development has already progressed and hence the road safety improvements once speed limits are lowered will be immediate.

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**Previous Decisions By/Information Reports to Council**

<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>HPRM Reference</th>
<th>DOC/</th>
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<tr>
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<tr>
<td>Purpose</td>
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Return to Order of Business
<table>
<thead>
<tr>
<th>Road</th>
<th>From</th>
<th>To</th>
<th>Current Speed</th>
<th>Proposed Speed</th>
<th>DPTI comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flaxley Road, Mt Barker</td>
<td>Existing 60kph zone</td>
<td>Martin Road</td>
<td>80kph</td>
<td>60kph</td>
<td>Current speed limits are considered appropriate at this time.</td>
</tr>
<tr>
<td>Mt Barker Road, Totness</td>
<td>Existing 60kph zone</td>
<td>Milne Road</td>
<td>80kph</td>
<td>60kph</td>
<td>Current speed limits are considered appropriate at this time.</td>
</tr>
<tr>
<td>Hawthorn Road, Mt Barker</td>
<td>Existing 50kph zone</td>
<td>New retirement village access (under construction)</td>
<td>70kph</td>
<td>50kph</td>
<td>In principle support subject to timing of the development built form.</td>
</tr>
<tr>
<td>Springs Road, Mt Barker</td>
<td>Existing 50kph zone adjacent the cemetery</td>
<td>Burnbank way</td>
<td>80kph</td>
<td>60kph</td>
<td>Current speed limits are considered appropriate at this time.</td>
</tr>
<tr>
<td>Springs Road, Mt Barker Springs</td>
<td>Bald Hills Road roundabout</td>
<td>Future Heysen Boulevard connection just west of William Road</td>
<td>80kph</td>
<td>60kph</td>
<td>Current speed limits are considered appropriate at this time.</td>
</tr>
<tr>
<td>Paech Road, Mt Barker</td>
<td>Sims Road</td>
<td>Just south of Heysen Boulevard</td>
<td>80kph</td>
<td>60kph</td>
<td>Supported and to include Heysen Boulevard junction.</td>
</tr>
<tr>
<td>Mt Barker CBD</td>
<td>Bounded by Adelaide Road, Druids Ave, Cameron Road and Mann St</td>
<td></td>
<td>50kph</td>
<td>40kph</td>
<td>Supported (Bounding roads to remain 50kph except where 40kph already posted).</td>
</tr>
</tbody>
</table>
Mount Barker 2035 – District Strategic Plan:
2. Economic Prosperity
EP4 The District as a destination
EP4.1 Actively promote and sponsor significant events and activities

Annual Business Plan 2017/2018:
2.1 Tourism and Events - $5000 support for Rally HQ only

Purpose:
To seek Council’s approval for the closure of roads within the Mount Barker District Council area for the conduct of the 2018 Bott Adelaide Hills Rally between Thursday 20th September to Sunday 23rd September 2018.

Summary – Key Issues:
1. To gain Council endorsement of the proposed road closures to facilitate the running of the 2018 Bott Adelaide Hills Rally.
2. The 2018 Bott Adelaide Hills Rally will host round 5 of the CAMS Australian Rally Championship (ARC) and the final round of the South Australian Rally Championship.
3. Members are advised that Ultimate Motorsport Events have fully embraced Council’s Procedure for Application of Motor Sport Rallies in the District, and Council Officers are satisfied that they have met their obligations to this point under that procedure.

Recommendation:
That Council:
1. Pursuant to the powers conferred upon this Council, by virtue of Section 17 of the Road Traffic Act and Clause G of the Minister’s Notice to Council to order road closures for roads under Council’s care and control for road events, Council authorises an Order to Regulate Traffic on the following roads for the 2018 Bott Adelaide Hills Rally between Thursday 20th September and Sunday 23rd September 2018, as follows:-

Temporary Road Closures

Return to Order of Business
Thursday 20th of September 2018: From 5:00pm to 10:30pm
Launch and Scrutineering
Gawler St Mount Barker
Between Walker Street and Hutchinson Street

Saturday 22nd of September 2018: From 7:20am to 12:50pm
The Glen Stage
1421 Military Road to Jones Rd
Jones Rd, from Military Road to Wooley Rd
Wooley Rd from Jones Road to The Glen Rd
The Glen Rd from Wooley Rd to 225 The Glen Road

Saturday 22nd of September 2018: From 7:57am to 1:27pm
Back Callington Stage
Back Callington Road from Mine Road/Eclair Mine Road Junction
to 191 Back Callington Road.

Sunday 23rd of September 2018: From 8:10am to 2.40pm
Mt Torrens Stage
Warmington Run - from Black Heath Rd to Hollows Rd (from Council boundary)
Hollows Rd - from Black Heath Rd to Bloomingdale Rd
Bloomingdale Rd - from Hollows Rd to School Bus Rd
School Bus Rd - from Bloomingdale Rd to Gladigau Rd
Gladigau Rd - from School Bus Road to Charcoal Pit Rd/Main Rd

2. Authorise that persons taking part in the event be exempted, in relation to the
specified roads, from the duty to observe an enactment, regulation or by-law
prescribing a rule to be observed on roads by pedestrians or drivers of vehicles.

3. Approve that detours will be placed to divert traffic around the affected areas,
supervised by SA Police personnel, authorised traffic management personnel and
Rally Marshalls.

Background:
1. The Bott Adelaide Hills Rally was formerly conducted within the Mount Barker
District in 2014, under the name of Scouts Rally SA
2. The event is managed by Ultimate Motorsport Events, who have lodged the
application for road closures.
3. The event will be run under the jurisdiction of the Confederation of Motor Sport
(CAMS). The Mount Barker District Council area involvement takes place over all four
days, with rally stages active on Saturday 22nd September and Sunday 23rd
September.
4. There have not been any major incidents that have occurred in MBDC region from
this event in the past. Organisers have been professional in their considerations and
risk processes over many years.
Discussion:
5. Mount Barker Showgrounds will host the event headquarters providing maximum opportunity for the public to engage with the event over three days. This is the first time MBDC have hosted the HQ.
6. Youth driver education initiatives will be a component of the HQ setup, and Council Officers will make youth driver education initiatives a condition of future motorsport applications.
7. CAMS Junior development program co-ordinators will be on site to engage with youth and provide education around road and driving awareness. Both SAPOL and MAC education units have been asked to attend but are not confirmed at this time.
8. The event launch and vehicle scrutineering is proposed to be held in Gawler Street, Mount Barker on Thursday 20th September subject to road closure approval. This will provide additional public engagement and interest.
9. Based on previous rounds of the Australian Rally Championships, an economic benefit in the order of 2300 bed nights plus $160K general spending is expected from the teams and organisers.
10. Adelaide Hills Council, the Rural City of Murray Bridge and Mid Murray Councils have all approved the request for road closures in their regions.
11. To ensure utmost public safety, all roads for the competition sections of the rally will need to be closed with the approval and co-operation of Council and South Australian Police.
12. Rally cars are subject to normal road rules when not driving on the closed sections. Crews are allowed to drive the roads twice ahead of the event under normal road and speed conditions to carry out reconnaissance. Reconnaissance is monitored by Adelaide Hills Rally event officials, and is limited to three hours on a predetermined date, with heavy penalties imposed for any breach of the road rules. The date has not been set at this time pending road closure approvals.
13. SAPOL have been advised of this event and asked to monitor roads during reconnaissance periods.
14. The period each road may be closed is up to six and a half hours, however will be opened earlier if possible.
15. Workzone Traffic Management will be engaged to prepare and execute all traffic management plans and closures for this event at no cost to Council.
16. Detailed emergency response plans, traffic management plans and risk management plans shall be tailored to each location subject to Council road closure approvals.
17. Organisers have provided Council with an environmental impact statement in relation to the event. Council officers have reviewed the document and will liaise with organisers to ensure desired outcomes are achieved.
18. A public consultation process has been completed to the satisfaction of Council officers. Refer to consultation section.
19. Community feedback was generally aimed at Councils rural road maintenance standards, and comments have been forwarded to appropriate staff.
20. Advance road closure warning signs will be in place one month before the event takes place.
21. Notice of Road Closures will be placed in The Advertiser and The Courier newspapers two weeks prior to the event by Rally organisers.
22. The event is covered by a $100,000,000 Insurance Policy by CAMS and in the event of any property damaged by the Rally, such damage will be promptly repaired by a rally crew which follows the cars to make such repairs.
23. The organisers will also repair any damage to roads and property following the event, caused by the conduct of the Rally. Pre and post rally inspections will be undertaken.

**Community Engagement:**

<table>
<thead>
<tr>
<th>Informing only</th>
<th>Public Notice of closures and traffic management arrangements will be advertised in the Courier and Advertiser ahead of the event at the organisers cost.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rally organisers have fully adhered to Council’s procedure for application of motor sport rallies in the district.</td>
</tr>
<tr>
<td></td>
<td>Rally organisers and Council have written to all property owners, on all road closure sections, along with those in nearby vicinity in June 2018, with details seeking their endorsement of the event and inviting comments and questions. This liaison will continue until the completion of the Rally.</td>
</tr>
<tr>
<td></td>
<td>At the time of writing this report eight communications have been received from ratepayers. One objecting to car rallies in general. Most providing comments in relation to maintenance standards. All have been responded to. 212 letters were originally sent out.</td>
</tr>
<tr>
<td></td>
<td>At Council’s request event organisers held a public meeting on 25th June 2018. There was no attendance from affected ratepayers.</td>
</tr>
<tr>
<td></td>
<td>A further letter in line with Council’s procedure for application of motor sport rallies in the district will be sent to all property owners, on road closure sections and those in nearby vicinity, once road closures are approved with</td>
</tr>
<tr>
<td></td>
<td>• details of the event</td>
</tr>
<tr>
<td></td>
<td>• confirmation of Council’s road closure endorsement</td>
</tr>
<tr>
<td></td>
<td>• safety information</td>
</tr>
<tr>
<td></td>
<td>• spectator and social opportunities and requirements</td>
</tr>
<tr>
<td></td>
<td>• procedure for residents to arrange controlled access/egress from their property during the road closure and in the case of emergency</td>
</tr>
<tr>
<td></td>
<td>• key event staff contact details</td>
</tr>
<tr>
<td></td>
<td>Property owners will also be provided with Emergency contact numbers in the event of any emergency arising which may require access to and from any affected property during the rally proper.</td>
</tr>
</tbody>
</table>
**Policy:**
There is a delegation to the Chief Executive Officer under Clause G of the Minister’s Notice to Council to order road closures for roads under Council’s care and control for road events.

**Budget:**
2.1 Tourism and Events
Event organisers have been granted $5000 event support funding in relation to the Rally Headquarters at the Mount Barker Showgrounds.
There is no other direct external cost to Council associated with this event, including the cost of public notices, which will be met by event organisers.

**Statutory/Legal:**
Risk Management, public health and safety issues are key components in the planning and staging of events, involving the public, participants and volunteers. The organisers have a $100 Million Insurance Cover via CAMS which also covers Council for any property or road damage arising as a result of the event.

**Staff Resource Requirements:**
Limited Council resources are required to support this event, e.g. liaison with Rally Organisers, attendance and inspections at the Rally Headquarters and Launch in Gawler Street

**Environmental:**
Organisers have provided Council with an environmental impact statement in relation to the event. Council officers are reviewing the document and will liaise with organisers to achieve desired outcomes, if any are identified. Rally organisers are keen to meet Council needs.

**Social:**
Car Rallies have wide public appeal from a spectator point of view and this event will provide additional opportunities for attracting visitors and locals to the area. The launch and rally headquarter initiatives shall provide a significant social aspect.

There is generally some anti motorsport sentiment among certain elements of the community, however there has been nothing of significance raised during public consultation.

**Risk Assessment:**
Risk Management, public health and safety issues are key components in the planning and staging of events, involving the public, participants and volunteers. The organisers have a $100,000,000 Insurance Cover which also covers Council for any property or road damage arising as a result of the event.

A comprehensive preliminary Risk Assessment has been received. The risk plan will be tailored to individual stages once road closures are approved. Councils Tourism Development Manager is satisfied that the risk plan is appropriate for this event.

**Asset Management:**
Pre and post road inspections will be arranged with event organisers meeting the costs of any repairs identified.
Conclusion:
Through the endorsement of this recommendation Council will be enabling a significant motor sport event that provides social and tourism benefit to the district. These events attract significant media coverage and are seen as components of the delivery of a wider tourism and economic development strategy.

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<table>
<thead>
<tr>
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<th>Purpose</th>
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<tr>
<td>19 May 2014</td>
<td>DOC/64/100/095-3</td>
<td>SCOUTS RALLY SA 2014 ROAD CLOSURES</td>
<td>To seek Council’s approval for the closure of roads within the District Council of Mount Barker area for the conduct of the 2014 Scouts Rally SA on Sunday 3 August 2014.</td>
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</table>
APPLICATION TO THE MOUNT BARKER DISTRICT COUNCIL
ROAD CLOSURES IN RELATION TO:
THE 2018 BOTT ADELAIDE HILLS RALLY
THURSDAY 20TH SEPTEMBER 2018 TO SUNDAY 23RD SEPTEMBER 2018
Mount Barker District Council
6 Dutton Road
Mt Barker SA 5051

Dear Council

Application to the Mount Barker District Council Road Closures in relation to:
THE 2018 BOTT ADELAIDE HILLS RALLY
Thursday 20th September 2018 to Sunday 23rd September 2018

The 2018 Adelaide Hills Rally will be in Mount Barker from September 21st to 23rd. The event headquarters will be based at the Showgrounds and will be traversing the greater Adelaide Hills Region.

The 2018 Adelaide Hills Rally will host round 5 of the CAMS Australian Rally Championship (ARC) and the final round of the South Australian Rally Championship.

The 2018 Adelaide Hills Rally (AHR) will also present opportunities for those that wish to take part in the AHR Introductory Rally competition, and in the AHR Tour experience.

Day 1 of the event’s competition will commence with a Super Special Stage (SSS) at the new Bend Motorsport Park in the evening of Friday 21st. Once the SSS is complete, all competitors will transport back to the Adelaide Hills Rally Service Park and Headquarters at the Mount Barker Showgrounds. This is where the public can take further part in the event.

Day 2 of competition on Saturday will see competitors taking part in stages throughout the Adelaide Hills eastern regions. The teams will compete from Callington to Kersbrook; with several returns to the Adelaide Hills Rally Service Park.

Day 3 on Sunday will find the crews heading out to the southern areas of the Adelaide Hills, again returning to the Adelaide Hills Rally Service Park. The event will conclude with a podium presentation on Sunday afternoon.

We are very excited at the opportunity for Mount Barker District Council to align with UME at 2018 Adelaide Hills Rally and future events.

Yours sincerely

Andrew Admiraal
Director
andrew@ume.cool
0403 116 400

Michael Clements
Director
michael@ume.cool
0418 804 105
THE TEAM AT ULTIMATE MOTORSPORT EVENTS (UME) ARE A PROFESSIONAL, DYNAMIC AND DIVERSE GROUP COMMITTED TO DELIVERING A QUALITY SERVICE IN THE PROVISION OF CLOSED ROAD AND CIRCUIT RALLYING AND RACING FIXTURES. THE UME TEAM HAVE WON MANY AWARDS FOR THE OVERALL EVENTS THAT WE’VE RUN, AND PERSONALLY WON AWARDS AS MEMBERS OF THE ORGANISING TEAM, IT IS A TRIED AND TESTED, SUCCESSFUL MANAGEMENT GROUP.

ORGANISATION CONTACT:
Andrew Admiraal  Michael Clements
Director   Director
andrew@ume.cool  michael@ume.cool
0403 116 400   0418 804 105

ORGANISATION MAILING ADDRESS:
Ultimate Motorsport Events
PO Box 10213
Adelaide BC, SA, 5000

ORGANISATION WEBSITE:
www.ume.cool

NAME OF THE MOTORSPORT EVENT:
2018 BOTT Adelaide Hills Rally

DATES OF EVENT TO BE UNDERTAKEN:
Thursday 20th September 2018 to Sunday 23rd September 2018
ORGANISATIONAL STRUCTURE: OFFICIALS OF THE 2018 BOTT ADELAIDE HILLS RALLY

CAMS Australian Rally Championship Personnel:

- CAMS Stewards: Peter Markovich, Bob Whyatt, Steve Lisk
- ARC Technical Manager: Barry Habgood
- ARC Sporting Director: Peter Macneall
- Event Checker: Jason Lange
- ARC Competitor Relations Officer: Sarah Bell
- Event Chaplain: David Vaughan

Event Sporting Committee:

- Event Director: Andrew Admiraal
- Clerk of the Course: Michael Clements
- Deputy Clerk of the Course: Adam Tillett
- Deputy Clerk of the Course/Course: Daniel Claridge
- Event Secretary: Gerry Geue
- Competitor Relations Officer: TBA
- Competitor Relations Officer: TBA
- Chief Medical Officer: TBA
- Officials Coordinator: Greta Nason
- Chief Scrutineer: Ben Afford
- Chief Spectator Marshall: TBA
- Results Manager: Garry Searle
- SARC/Clubman Results Manager: Cass Gray
- Media Coordinator: John Lemm
RELATIONSHIP TO CAMS: THE 2018 BOTT ADELAIDE HILLS RALLY

As Round 5 of the CAMS Australian Rally Championship, the 2018 BOTT Adelaide Hills Rally is contracted as a round of said championship. It is therefore fully supported by CAMS and adheres to all CAMS Safety, Administrative and Competition requirements.

EMERGENCY RESPONSE PLAN

The Emergency Response Plan, known as the Event Safety Plan, is being completed. As it is based on and tailored to the event, with timelines and protocols put in place relative to the event, it can only be supplied when all stages and timelines have been confirmed. Once all event stages, itineraries and safety checks relative to the Event Safety Plan have been completed, it will be supplied.

Please note that as per CAMS regulations, an event will not commence unless this plan has been checked and approved by a CAMS authorised person.

TRAFFIC MANAGEMENT PLAN

Subject to road closure permission, we will advise Workzone Traffic Control Pty Ltd to create all the plans and implement the traffic management solution. These tasks will be developed and performed in association with SA Police and Mount Barker District Council officers.
AN ECONOMIC IMPACT STATEMENT RELEVANT TO THE EVENT:

Please note the below list of the key deliverables that are indicative of what we would bring with a round of the 2018 CAMS Australian Rally Championship (ARC).

These figures are consistent with what was achieved at the 2017 ARC round in Ballarat.

We would expect to achieve similar in Mt Barker for competitors, though the numbers for officials would not be so high due to most residing within or close to the area/region;

A round of the ARC would consist of 53 teams;

- 21 Teams consist of a team of 12 people
- 32 Teams consist of a team of 7 people

Each team stays 5 nights

This equates to **2380 Bed Nights**

On average, each Team would spend $3000 of food and beverage totaling **$160,000** in revenue in

20 Senior Officials require accommodation for 4 nights totaling an additional **80 Bed Nights**

Rallycorp will provide (via its own media team) media messaging through all media channels [digital, social, print, daily VNR’s);

ARC Facebook – 13,640 Followers

CAMS Facebook – 17,000 Followers

ARC Twitter – 1,615 Followers

CAMS Twitter – 6,887 Followers

These media numbers would be supplemented by the Adelaide Hills Rally events’ social media channels as well as the Ultimate Motorsport Events (and subsidiaries) media channel and the SA Rally social media channel.

The numbers stated below have genuine follower base with high ongoing engagement that has grown organically as UME events mature. As the Adelaide Hills Rally is a wholly new event, these numbers will grow dramatically, as will the engagement.

Adelaide Hills Rally Facebook - 387 Followers (new site)

Ultimate Motorsport Events (and subsidiaries) Facebook – 10,654 Followers

SA Rally Facebook – 1,298 Followers (currently SA centric)
We would like to apply for the following roads to be closed by the Event.

The roads, the day & date and the times are:

**Thursday 20th of September 2018:**

**Gawler St (Mount Barker District Council)**
5:00pm to 10:30pm

From Walker Street to Hutchinson Street

This is to allow the 2018 BOTT Adelaide Hills Rally to have an event launch as well as pre-event scrutineering in the centre of the Mount Barker township. This will showcase the competitors and vehicles and allow interaction between the public and the “Stars” of the event. It would include poster signing by competitors and facilitate last chance ticket purchases for the Friday night Super Special Stages and the corporate lunches at the Andersons Hill Winery and Pike and Joyce Winery on the Sunday. The event would be broadcast live from Hills 88.9FM with interviews from competitors and the event organisers to raise awareness in the community of where the event will be running over the weekend.
Saturday 22nd of September 2018:

The Glen Stage (Mount Barker District Council)
7:20am to 12:50pm

1421 Military Road, Brukunga
To 100 Jones Road, Harrogate, SA 5244
To 251 Wooley Road, Harrogate, SA 5244
To The Glen Road, Harrogate, SA 5244
Saturday 22nd of September 2018:

**Back Callington Stage (Mount Barker District Council)**
7:57am to 1:27pm

Back Callington Road from Mine Road/Eclair Mine Road Junction to 191 Back Callington Road.
Sunday 23rd of September 2018:

Mt Torrens Stage (Adelaide Hills Council, Mount Barker District Council & Mid Murray Council)
8:10am to 2.40pm

Boundary Farm Rd - from Terlinga Rd to Black Heath Rd (AHC)
Black Heath Rd - from Boundary Rd to Warmington Run (AHC)
Warmington Run - from Black Heath Rd to Hollows Rd (AHC & MBDC – boundary road)
Hollows Rd - from Black Heath Rd to Bloomingdale Rd (MBDC)
Bloomingdale Rd - from Hollows Rd to School Bus Rd (MBDC)
School Bus Rd - from Bloomingdale Rd to Gladigau Rd (MBDC)
Gladigau Rd - from School Bus Road to Charcoal Pit Rd/Main Rd (MBDC)
To ensure the safety of the competitors and the general public we request a short-term closure under Section 33 of the Road Traffic Act, of the roads, which we would like to add to the competitive part of the route.

If Council approves our request, we will make every effort to run the rally with minimum inconvenience to residents.

Additionally, we will:

- Notify adjoining landowners in writing at least 3 months beforehand
- Compile a Traffic Management Plan
- Employ a Traffic Management company to undertake the Traffic Management Plan
- Convene a residents meeting at least 2 months prior to the event
- Leave all control areas in a clean and tidy state
- Notify the police of the running of the event and obtain permission to close the roads under Section 33 of the Road Traffic Act
- Notify the emergency services in the area
- Affect a public risk insurance policy through the Confederation of Australian Motor Sport (CAMS) which includes $100 million public liability insurance. (A copy of the permit and insurance cover can be supplied if required).
- Place advice signs along all roads 4 weeks before the event to forewarn road users of impending road closure
- Advertise the road closures in the local papers the week before the event
- During the event, man the access points to these roads to advise users of the temporary restrictions

We run our events to Australia’s best standards and have medical vehicles at the start of each competitive stage. If a land owner has an emergency during the road closure period, upon receiving notification we will stop the event and send in our medical vehicles which have trained Paramedics and a Fire Marshal. If an emergency worker lives on one of the roads we are using, and is called for duty, we will stop the event to let them attend the emergency.

We appreciate the consideration extended to us in our efforts to organise this event.

I have forwarded to you a current copy of the Confederation of Australian Motorsport Public Liability Cover if we receive permission to run the event.
CERTIFICATION:
We, Andrew Admiraal and Michael Clements, on behalf of Ultimate Motorsports Events do hereby certify the following:

☐ that the information contained in this application is true and correct
☐ that the District Council of Mount Barker is fully indemnified from any potential claims associated with this event (including personal and property);
☐ that $100,000,000 cover is both adequate and reliable to cover an event of this nature;
☐ that rally organisers will reinstate any or all damage caused as a result of the event including repairs to road surfaces, fences and other property damage;
☐ that rally organisers will participate in pre and post event road inspections with a nominated Council staff member;
☐ that rally organisers have personally corresponded with all property owners on the proposed closed road sections and complied with District Council of Mount Barker Procedure for Application of Motor Sport Rallies in the District;
☐ that copies of any correspondence received with regard to the event from residents of the District Council of Mount Barker have been forwarded to Council staff;
☐ that rally organisers will place at their cost the appropriate advertisements regarding pending road closures within the “Courier” and “Advertiser” newspapers two weeks before the event.
☐ That rally organisers will erect advance notice warning signs on affected roads one month before that event takes place.
☐ that rally organisers have sought and have the permission to use those roads under the control of DTEI, that are included in this application.
☐ That rally organisers will attend debrief sessions on request of Council staff and provide an event evaluation and economic impact statement in relation to this years event as soon as practicable following the conduct of the event.

Signature
Andrew Admiraal
Michael Clements
On behalf of Ultimate Motorsports Events
**Mount Barker District Council**

**6 August 2018**

**12.10 REPORT TITLE: WARD DONATIONS**

**DATE OF MEETING: 6 AUGUST 2018**

**FILE NUMBER: DOC/18/55441**

**ATTACHMENTS: NIL**

**Mount Barker 2035 – District Strategic Plan:**

**Governance and Leadership**

**Purpose**

To allocate ward donation funds to individuals or organisations.

**Summary – Key Issues**

1. Council has allocated an amount for 2018/19 of $15,620. This is known as a Ward Allowance.
2. At each Council Meeting, Council Members may nominate individuals or groups to which a donation from their Ward Allowance will be made.
3. Due to the Council Elections Caretaker Period and the Caretaker Policy each current Council Member has a pro-rata amount of $619 to allocate to recipients between July and 3 September 2018 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:

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Amount</th>
<th>Group/ Individual</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>Councillor Buchmann</td>
<td>$100.00</td>
<td>Campbell Paech</td>
<td>Representing SAPSASA Primary School Sport 12 and Under Boys Rugby League Team participating at School Sport Australia Championship Adelaide, August 11th – August 18th, 2018.</td>
</tr>
</tbody>
</table>

**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 allocated an amount for 2018/19 of $15,620 to allocate to individuals and groups at the Council Members’ discretion. This is known as a Ward Allowance.

3. This Ward Donation practice has been in place for over 18 years.

4. 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. A further representation review will be undertaken in October 2020.

5. At the end of each financial year, a report of the expenditure of Ward Allowances will be reported to Council.

6. There was an error in the allocation of ward allowances in 2017/18 resulting in an additional $308 remaining unallocated. This amount will be added to the amount available to the current Council to use prior to the caretaker period on 18 September. Each current Council Member has a pro-rata amount of $619 to allocate to recipients between 2 July and 3 September 2018 Council meeting.

**Ward Donation Procedures**

7. Members receive a print-out indicating how much is still to be spent.

8. Individual members of the community or community groups may require small financial assistance for projects/initiatives of community interest and benefit from Council.

9. These requests should be made directly to the Mayor and/or Council Members for their consideration/assessment.

10. 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.

11. 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.

12. 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.

13. 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
14. 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.

15. When making a donation in the Council Meeting, the Elected 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**

<table>
<thead>
<tr>
<th>Informing only</th>
<th>Notification by way of Council minutes.</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Recipients will be notified of any donation.</td>
</tr>
</tbody>
</table>

**Policy**

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

**Budget**

The budget allocation for Ward Donations is $15,620 plus $308 (due to an error in calculation from 2017/18) which equates to $619 to be allocated by each Council Member before the caretaker period (i.e. 18 September) and members of the new Council will have a corresponding amount of $828 for the period mid November 2018 until 30 June 2019.

**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, Elected 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.

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**Key Contact**
Sue Miller, Executive Assistant to Chief Executive Officer & Mayor

**Manager or Sponsor of Project**
Andrew Stuart, Chief Executive Officer
13. INFORMATION REPORTS

**Recommendation**
That the following information reports be noted en bloc.

13.1 REPORT TITLE: STATE GOVERNMENT REGIONAL GROWTH FUND

**DATE OF MEETING:** 6 AUGUST 2018

**FILE NUMBER:** DOC/18/77925

**ATTACHMENTS:** 1. ASSESSMENT CRITERIA

**Key Contact**
Brian Clancey  
Deputy Chief Executive Officer/General Manager, Infrastructure & Projects

**Sponsor**
Andrew Stuart  
Chief Executive Officer

**Purpose:**
To make known the proposed Council approach to submitting projects to the State Government Regional Growth Fund.

**Summary – Key Issues:**
- The State Government has announced a Regional Growth Fund with two components being the Competitive Pool and the Strategic Pool.
- Council is proposing to lodge at least one application for the Competitive Pool which closes on 31 August 2018.
- Council is also proposing to lodge applications in the future for the Strategic Pool which is open all year round.

**Background:**
The State Government has recently launched a Regional Growth Fund (RGF).

The RGF in summary:
- Is a 10 year program that comprises a Competitive Pool of $5 million annually and a Strategic Pool of $10 million annually.
- Applications for the Competitive Pool close on 31 August 2018 whereas applications for the Strategic Pool can be lodged at any time.
- Successful projects are expected to commence within 3 months of being approved and be completed within 24 months of commencement.
• For the Competitive Pool preference is given where the applicant makes at least a $1 for $1 matching contribution with the maximum grant amount for any one project being $2 million.

• Projects will be assessed against specified criteria (refer attachment 1).

Discussion:
1. A number of possible Council projects have been considered against the assessment criteria and it is proposed that at least one application be submitted for the RGF Competitive Pool which closes on 31 August 2018.

2. Some of the possible projects for the Competitive Pool involve third parties and would require partnering approaches. Discussions with these third parties are taking place.

3. For the Strategic Pool there are some possible Council projects that could be submitted in the future being:
   - Recycled Water Infrastructure Expansion
   - Regional Indoor Aquatic & Leisure Facility
   - Hahndorf Main Street Streetscape Upgrade stage 1 – incorporating Smart Cities initiatives

4. The timing of these being ready to be submitted is not yet known and will be influenced by various factors. The intent would be to lodge an application as soon as the required information is available.

5. At this point in time it is likely that the recycled Water Infrastructure Expansion could be the first to be ready pending the outcome of the current market demand study being jointly undertaken by Council and SA Water using Hudson Howells (Strategic Management Consultants).

6. Council will also continue to liaise with Regional Development Australia, Adelaide Hills, Fleurieu and Kanagaroo Island when submitting any applications for grant funding and the Member for Kavel, Mr Dan Cregan MP.

7. A further agenda item will be prepared for the September 2018 Council meeting in relation to the Competitive Pool.

Conclusion:

Council is pursuing applications to both the Competitive Pool and Strategic Pool of the State Government Regional Growth Fund and a further agenda item will be presented to the September 2018 Council meeting.
Regional Growth Fund
GUIDELINES AND ASSESSMENT CRITERIA
JULY 2018

ASSESSMENT CRITERIA
Applications to the RGF are assessed and prioritised based on how well the project meets the following criteria:

**Essential**
- Support for new economic activity that would not occur otherwise
- The activity can be sustained without further intervention by government after the funding is provided
- The activity creates broader economic benefits for the community and multiple entities, including entities not directly associated with the application
- The activity contributes to the scale of an industry or sector
- The application has a connection to, and has vested interest in a specific regional community
- The activity creates sustainable economic benefits to the State or region (e.g. new long-term jobs, investment, higher incomes, etc.)
- The activity reduces the cost of doing business.

**Desirable**
Project proposals focussed on enhancing the productive infrastructure to support economic development that drive regions to be long term strong economic contributors, will be considered favourably.
Also considered favourable are project proposals:
- that leverage funds from non-State Government sources and/or foster collaboration; and
- that demonstrate a commitment to employing locally, local investment and local supplier inputs wherever possible will also be considered favourably.
Purpose:
To clarify the community land status of the Mountain Pool site.

Summary – Key Issues:
- Land which includes the Mountain Pool site is classified as community land pursuant to the Local Government Act 1999.
- This classification is reflected in Council’s Register of Community Land.

Background:

1. At the Council meeting held on 2 July 2018 Councillor Grosser asked a question without notice regard the current status of the Mountain pool site in relation to classification as community land and the associated process. It was subsequently resolved that an update report be provided to the Council meeting on 6 August 2018.

2. The Local Government Act 1999 (“the 1999 Act”) came into operation on 1 January 2000 and included some transitional provisions (see below).

3. The 1999 Act introduced the classification as community land of all Council owned land (excluding roads) and land under Council’s care and control unless the land has been excluded from such classification (certain restrictions apply – see below).

4. When land is purchased by a Council, it is automatically classified as community land unless there is a Council meeting resolution to exclude the land from classification.

5. The effect of this classification (in summary) is:
   - Such land cannot be sold unless the classification as community land is first revoked.
   - Revocation of community land classification requires Council meeting resolutions, community consultation and Ministerial approval.
   - Such land is to be managed in accordance with the adopted management plan for the land.
6. Council has successfully undertaken the revocation of classification as community land of a number of land parcels, the most recent being land on Fulford Terrace in Littlehampton.

7. There are some mis-conceptions regarding community land classification that require clarification as follows.
   - It does not have any direct relationship to the zoning of the land pursuant to the Development Plan.
   - It does not mean that the community has full access to the land e.g. Windmill Hill Transfer Station is classified as community land.

8. A transitional provision was that all Councils had until the end of 2002 to complete the assessment and subsequent exclusion of any Council land from classification as community land.

9. At the Council meeting held on 2 December 2002 it was resolved to exclude a significant number of land parcels from classification as community land including the land containing the Mountain Pool site (see attachment 1).

10. Each Council is required by the 1999 Act to maintain a register of land that is classified as community land and the register is to be publicly available.

11. In April 1995 Council received legal advice from Mr Michael Kelledy then of Norman Waterhouse regarding the Mount Barker Caravan Park and associated matters.

12. In February 2014 Council received further (to the 1995 advice) legal advice from Mr Kelledy now of Kelledy Jones. In this advice Mr Kelledy stated:

   12.1. “… because the Land was subject to a trust that restricted its alienation as community land and, as such, was not legally capable of being excluded from its community land classification.”

   12.2. “In my view the Land in both CT’s is and always has been since 1 January 2000 community land under section 193 of the Act.”

13. The 1999 Act specifies that land cannot be excluded from classification as community land if it is affected by a trust that would prevent or restrict its alienation.

14. The advice from Mr Kelledy is that the land has been the subject of “an implied public trust” and hence the Council meeting resolution of 2002 was not valid. This stems from the transfer of land to Council in 1898 by Mr Leonard Watkins Bickle.

15. Some six years earlier in 1892 adjacent land was transferred to Council by Mr John Dunn.

16. Both transfers specified that the land parcels were for use as a recreation ground.
Discussion:

17. The Council register of community land is regularly updated by Council staff (as a guide usually every three or so months), predominantly to reflect the addition of land parcels that vest in Council from developers as open space and to also reflect any revocation of community land classification. The latter of course occurs following resolutions at Council meetings whereas the former does not i.e. updates to the register occur as a matter of course.

18. In addition a substantive review of the register generally occurs from time to time (as a guide this might occur every 12 to 18 months) which is somewhat like an audit to seek to detect any errors.

19. Following the legal advice to Council in February 2014 the register was updated to reflect this. It is not clear exactly when this occurred but the presumption is that it was within a few months of the receipt of the legal advice.

20. There have been some Council staff changes since that time but it appears that updating the register to correct an error (from 2002) occurred as an administrative action as there was no need to seek a Council meeting resolution given the legal advice of 2014 from Mr Kelly.

21. In hindsight it is reasonable to conclude that this corrective administrative action did warrant communication to Council Members given the circumstances.

22. The applicable Community Land Management Plan is “Community, Recreation & Sporting Facilities” this being one of three generic plans that are applicable to various land parcels that are classified as community land.

Conclusion:

Land which includes the Mountain Pool site is classified as community land pursuant to the Local Government Act 1999 and is included in the Council register of community land.

Previous Decisions By/Information Reports to Council

<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>Title</th>
<th>HPRM Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 December 2002</td>
<td>Community Land</td>
<td>10/130/044</td>
</tr>
</tbody>
</table>

Purpose: To determine what Council land would be excluded from classification as community land.

Return to Order of Business
Return to Order of Business
13.3 REPORT TITLE: INCORPORATED BODIES REPRESENTATION / COMMUNICATION

DATE OF MEETING: 6 AUGUST 2018

FILE NUMBER: DOC/18/75465

ATTACHMENTS: NIL

Key Contact Ros McDougall, Risk and Governance Officer, Deputy CEO/General Manager Infrastructure and Projects

Manager/Sponsor Brian Clancy, Deputy CEO/General Manager Infrastructure and Projects

Purpose:
To improve the current process of communication between Council Members and incorporated bodies that manage Council facilities.

Summary – Key Issues:
- Incorporated bodies should determine their own executive/management body membership
- Greater flexibility should result for Council Members
- Maintaining contact with Council Members via other means is encouraged

Background:
1. Under the Local Government Act 1934 Council had in place a considerable number of semi-autonomous Committees to manage Council owned facilities – eg hall committees and oval committees.
2. A similar provision was not included in the Local Government Act 1999.
3. In June 2000 Council began the process to incorporate those Committees and after each election Council appointed Council Members to these Committees as a transitional mechanism to adjust to the then ‘new’ Local Government Act requirements.
4. By 2005 Management Agreements with the Incorporated Bodies were in place and have been updated since that time.
5. More recently Council Members’ appointment to attend meetings of the executive/management body of those Incorporated Bodies has been as an observer.
6. Council staff have regular contact with incorporated bodies to discuss aspects of their management agreement and budget requirements.
7. A workshop was held on this topic on 9 July 2018.

Discussion:
8. Incorporated bodies are a separate legal entity established pursuant to the Associations Incorporation Act and Council should not be determining an appointment to these bodies.
9. It is intended that following the election the Incorporated Bodies will each determine how to best communicate with Council Members and if, and who it invites to attend executive/management body meetings as an observer.
10. An incorporated body may for example determine to forward the agenda and minutes for all of their meetings to one or more Council Members and/or issue a standing invitation to one or more Council Members to attend meetings of their executive/management body.

11. There is a significant time commitment for Council Member representation on these Incorporated Bodies and it is hoped that this proposed arrangement will provide greater flexibility for the Council Member.

12. This flexibility may allow for a broader opportunity to connect with other Incorporated Bodies.

13. This proposed arrangement may also ‘spread the load’ within each ward.

14. Council Members role in endorsing Management Agreements with Incorporated Bodies and considering budget requests will remain.

15. Each Incorporated Body will be provided with the list of Council Members following the election so that they may contact any of the Council Members if they choose to do so.

16. If Council Members do get invited to attend executive/management body meetings of an Incorporated Body and choose to accept the invitation they should in doing so make clear that attendance will be as an observer. It is important to note that if a Council Member was to hold office on an Incorporated Body e.g. an executive/management body member then an exemption from the Conflict of Interest provisions would no longer be applicable at Council meetings.

17. To ensure that Council Members can stay connected with any of these Incorporated Bodies they will be encouraged to seek access to agendas and minutes, local newsletters, websites or facebook pages, or via email or phone.

**Conclusion:**
Following the Council election Council Members will not be appointed as observers to incorporated bodies that manage Council facilities, however they may be invited to be an observer at meetings of the executive/management body of an incorporated body.

**Previous Decisions By/Information Reports to Council**

<table>
<thead>
<tr>
<th>Meeting Date</th>
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<tbody>
<tr>
<td>HPRM Reference</td>
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<tr>
<th>Title</th>
<th>Purpose</th>
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Return to Order of Business
13.4 REPORT TITLE: INTER-REGIONAL CYCLE TOURISM TRAIL PROJECT

DATE OF MEETING: 6 AUGUST 2018

FILE NUMBER: FOL/16/2150

ATTACHMENTS: 1 - New Zealand Cycle Trail Network DOC/2018/047950
2 - Inter-regional trail network map DOC/2018/047959

Key Contact
David Cooney
Manager, Open Space and Environment

Manager/Sponsor
Greg Waller
General Manager, Planning and Development

Purpose:
To provide elected members with information about the Inter-Regional Cycle Tourism Trail Project.

Summary – Key Issues:
1. An inter-regional cycle trail network project has been entered into by a number of Councils and other stakeholders.
2. The project will consider inter-regional connections to Hahndorf and further into the Mount Barker District a logical extension of this project.
3. The project looks at identifying potential funding sources to assist with project implementation.

Background:
1. The bike economy is growing with more than 3 million visitors to Australia choosing to cycle, generating $254m in economic benefit for Australian communities. In addition to this the health benefits for Australians are estimated at over $150m with the bike economy growing at a rate of 5.3 per cent per annum.

2. South Australia has over 120 bike-related businesses and is home to five of the top nine cycle tourism destinations in Australia. Each year approximately 35,000 people travel to the Tour Down Under generating almost $50m to the South Australian economy. Smaller rural economies such as Melrose in the Southern Flinders Ranges also benefit economically from mountain biking tourism which is assessed at $2.1m per annum.

3. The South Australian Government recognises the increasing relevance of cycling across a variety of industry and community sectors. This led to the South Australian Bike Summit and subsequent industry workshops held by the Department of State Development in 2017 and 2018. The summit identified the opportunity of South Australia’s cycling economy to add value to existing world class products, services and experiences such as the food and wine tourism sector. It also identified that many cycling assets and trail networks exist, but more could be done to link, improve and expand the network, and to provide better information on cycle tourism opportunities which in turn can activate investment in cycling infrastructure.
4. This situation has created an opportunity to improve community health and regional economic development through cycle tourism and has led to the development of the Inter-Regional Cycle Tourism Project.

Discussion:
5. The Inter-Regional Cycle Tourism Project aims to create a world-renowned cycle tourism pilgrimage in South Australia linking the food and wine tourism regions of Clare, Barossa and the Adelaide Hills and Mount Barker in the first instance. Similar to Spain’s famous trail – the ‘Camino de Santiago,’ the project seeks to capitalise on existing trail network infrastructure and to expand that network to strategically link tourism businesses and to support the development of new tourism experiences. The trail links will extend in the first instance to Hahndorf, then further into the district.

6. The strength of the project is its potential to increase the destination appeal for a variety of cycle tourism markets and to increase the dispersal of visitors to lesser known areas within our food and wine tourism regions. The project also seeks to link many small rural and peri-urban communities with a safe cycling and walking network to improve community health through providing safe and affordable leisure options.

7. The project will add value to the South Australian Tourism Commission initiative – The Epicurean Way and the Australian Government’s interest in building regional cycling networks. Attachment 1 contains a recent evaluation of the New Zealand Cycle Trail network for a point of reference about the economic and social benefits of cycle tourism.

8. A partnership and project group has been formed to position a inter-regional collaboration between the Mount Barker District Council, Adelaide Hills Council, The Barossa Council, Light Regional Council, the Clare and Gilbert Valley Council, The Seppeltsfield Road Business Alliance (SRBA) and RDA Barossa. The purpose of the partnership is to charter the progress of the Regional Cycling Project, optimise the network of relationships with industry, government and community and jointly collaborate to secure funding rather than compete at a local level. Council’s Manager Open Space and Environment, David Cooney is a member of the project group.

9. The Project is also positioned to deliver strategic objectives of the State and Australian Government, and as such will seek grant funding from relevant programs. Opportunities for direct funding approaches will also be explored. The project aims to recognise key infrastructure objectives identified in each partner’s strategic plans and long-term financial plans.

10. All partners including Council have contributed $12,525 ex gst to fund initial investigations which will inform and provide direction for the project.

The Proposed Route
11. Attachment 2 shows the Inter-regional Trail Network Map. The Clare to Mount Barker segments are the subject of the current Business Case. There is further potential to expand the network to connect other wine tourism regions and regional networks linking Adelaide.
12. The initial intent of the proposed route is to identify a series of trail head destination points between Clare and Mount Barker that have potential to provide a level of tourism service and infrastructure support for an inter-regional trail network to support tourism. The project will also consider potential trail linkages to other regional cycling features such as the Adelaide Mt Lofty Ranges International Mountain Bike Destination Project and the Laratinga Trail Network.

13. Further briefings and information will be provided to Council as work progresses on a detailed project plan and business case to determine funding opportunities that may be available. It is intended that further reporting will occur before the end of the calendar year. It is recognised that Council will need to fully understand potential opportunities, impacts and costs of any final proposed initiative arising from this development work, prior to any formal commitment to proceed to future funding applications are made.

Conclusion:
This document provides an initial overview to Council regarding a proposed Inter-Regional Cycle Trail project. Further updates will be provided to Council as the project and its recommendations are further developed.
Purpose:
To provide an update to Council on developments in the world heritage bid project

Summary – Key Issues:
1. An annual report on bid progress has been produced.
2. The progress of the bid is being reviewed in the context of expiration of the Memorandum of Understanding between project partners.
3. The bid is at an important junction and it’s appropriate to update Council.

Background:
1. Since 2012 Council has been collaborating with regional Councils, the University of Adelaide and RDA Barossa to explore the feasibility of World Heritage (WH) listing for the Mount Lofty Ranges for its working agricultural landscapes and historic townships on the basis of the unique history of settlement and continuing culture and practice.
2. Council has been committing funds to the project each year since then along with Adelaide Hills Council, the Barossa Council, the City of Onkaparinga and Alexandrina Council. More recently Clare & Gilbert Valleys Council, Light Regional Council, Mid Murray Council have also provided some financial support.
3. This report provides a copy of the project’s Annual Report for 2017-18 and an update on the progress of activities and plans to advance the World Heritage (WH) listing of the Mount Lofty Ranges including a critical review of the project progress.

Discussion:
4. The existing Memorandum of Understanding (MOU) between partnering councils technically expired on the completion of Stage 1 although the Councils continue working together. The contractual arrangement with the current Project Consultant also expired on 30 June 2018. Based on this and the fact that the
Feasibility Study (2012) did not envisage requiring council funding beyond Stage 1, it is considered an ideal time to review the current status of the WH project to determine and inform the next steps.

5. It is recognised that the development of both National Heritage and World Heritage listing nominations is a long iterative and complex process of debate, research and refinement, and with input and guidance from heritage experts. However, the project has been funded on the basis that there is a WH case, and after seven years of research and discussion, it is time to critically and independently assess the strength of that case.

6. As such the project will fund an external expert to review and prepare a report that clearly communicates the rationale for the Mount Lofty Ranges World Heritage proposal and outlines the work required to progress the Bid from this point. This will greatly assist in informing both the next steps and inform future project stakeholders, including other levels of Government.

7. The ultimate objective of Stage 1 (to nominate for NH Listing) was achieved in February 2017 and, not including the large amount of in-kind support provided by project partners, funding to date has totalled $479,056. This funding has contributed to numerous activities including promotional events, presentations, information sheets, conference papers and expert workshops. A list of activities undertaken throughout Stage 1 has been included in Appendix 1, the Annual Report for 2017-18 has been included as Appendix 2 and the 2017-18 Budget Summary and forecasted 2018-19 Budget has been included in Appendix 3.

8. While the operational arrangements resourced and funded over the last seven years successfully delivered the NH listing nomination, several limitations and opportunities to improve the current arrangements have been identified along the way, namely:

   - Day to day management of the project (and project consultant) is very resource intensive for the responsible council (currently Adelaide Hills Council)
   - Expertise and experience in managing, priority setting and progressing NH and WH projects is currently lacking in the day to day management
   - The practical difficulties of the current contractor arrangements including, but not limited to, record keeping and information sharing
   - PSG/PMG not being a legal entity in its own right making any contractual arrangements and fund raising difficult and ambiguous, and the sole responsibility of one council on behalf of the other funding councils
   - Alignment between the partner councils and the University of Adelaide’s project priorities
   - Alignment between the project and State and Federal Government priorities

9. Discussions conducted over the last few months with the federal agency (Department of Environment and Energy) and State Government Ministerial and agency staff have confirmed clear and consistent message that:
There is a lack of clarity and agreement on the Mount Lofty Ranges Heritage proposition and narrative, making it difficult to support, communicate and promote the project for National and World Heritage nomination.

10. It is also very clear that a collaborative working relationship with the State Government is a crucial element for the future success of our nominations for both NH and WH listing as the relevant State Minister for the Environment must present the nomination to the Meeting of Environment Ministers (MEM) for support and endorsement to the Tentative List, considered the first step in the process to WH listing.

11. More recently the Project Management Group (PMG) has worked on improving the working relationship with DEW and a representative now regularly attends the PMG meetings to provide guidance with regard to the bid formulation process. However, there is still more work to do in this regard, particularly with a new Government and senior agency staff in place.

12. It should also be noted that following nomination to the Tentative List, the nomination will still need to be written, lodged with the Federal Government via the State Government, reviewed by the Federal Government and then lodged with the World Heritage Centre. It is then the subject of an independent assessment with a resultant report before it is scheduled for a meeting of the World Heritage Committee for a vote on inscription. This largely linear process is summarised in the figure below. With some unavoidable timeframes, it is very unlikely that the Mount Lofty proposal will be in a position to be considered by the World Heritage Committee before 2021.
13. While this process and project review continues the PMG are progressing aspects of the project including the development of a Digital Knowledge Bank.

14. The Digital Knowledge Bank (DKB) will be an essential resource that will take the existing project website and expand it into a regional information management, strategic planning, consultation and development tool to help progress the Mount Lofty Ranges World Heritage Listing Bid. The Bid successfully secured $40,000 in the first round of the Commonwealth’s Building Better Regions Fund (BBRF) - Community Investments Stream for this project.

15. The purpose of the DKB is to engage community, business and industry groups in understanding the character values and assets and the regional economic development opportunities of the UNESCO bid, and to participate in the ongoing development of the bid through a purpose built web portal. Tenders to develop this resource were being assessed at the time of writing.

**Conclusion:**

16. The National Heritage and World Heritage nomination processes are long and complex. The project is at a point where a critical review is required in order to ensure it has the best chance of success including gaining effective and enduring support of State and Federal governments. The proposed review will inform future project direction as well as management, governance and funding arrangements.
### Previous Decisions By/Information Reports to Council

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<td>Mount Lofty Ranges World Heritage Bid Annual Report</td>
<td></td>
<td></td>
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<td>Purpose</td>
<td>To provide the annual report and project update to Council</td>
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Stage 1 Activities

Completion of Stage 1 was achieved in February 2017 with the lodgement of the nomination for National Heritage listing. Many activities contributed to this milestone including:

- Establishing and operating six Advisory Groups to provide specialist advice and undertake relevant portions of the work: Community, Economic, Heritage, Indigenous, and Management.
- Presentations at Tasting Australia, AMLRNRNM Board, the Australian Garden History Society conference, the ICOMOS Australian National Conference complete with regional Field Trip, Intangible Heritage Seminar at Hahndorf, RDA Adelaide Hills, Fleurieu and Kangaroo Island, UniSA tourism students and to the Langhorne Creek Grape and Wine group and others.
- Promotional Events with International Experts:
  - Professor Amarendra Galla – Executive Director, International Institute for the Inclusive Museum
  - James Rebanks – Consultant on Economic Development benefits of World Heritage listing
  - Dr Jane Lennon, expert Australian voting member on ICOMOS's International Scientific Committee on Cultural Landscapes, sits on the World Rural Landscape Group
  - Dr Valeria Paul, University of Western Australia
  - Professor (Emeritus) Malcolm Cooper, Tourism Management & Environmental Law, Graduate School of Asia Pacific Studies, Ritsumeikan Asia Pacific University, Beppu, Japan. Ex-resident in the region.
  - Professor Jean-Alain Heraud, Professor of Economics at Université de Strasbourg (UdS), France. A world expert on regional economies, regional development and innovation
  - PMG Chair Marc Salver presented a paper on the bid to the Planning Institute of Australia rural and regional conference in Stanthorpe, Queensland in October 2016.
  - Landscape Quality Assessment Project – by Dr. Andrew Lothian.
  - Meetings with State Politicians, including John Rau, Leon Bignell, Ian Hunter, etc. and support from Mark Parnell (Greens) and Adelaide City Council (who’s Parklands National Heritage Bid has synergy with this Bid).
  - Preparation of Engagement and Marketing Strategies, Project Flyer, two Fact Sheets: #1 Benefits, Processes and Planning Impacts and #2 for Primary Producers, seasonal e-newsletters and a Planning Statement to support the Bid process.
  - Mount Lofty Ranges Boundary Workshop: A workshop to discuss the methodology for defining the boundary and in support of fulfilling the requirements of the National Heritage Nomination was held on 27 May 2016 and involved the Project Management Group, chairs of the Landscape and Community Advisory Group, University of Adelaide staff and two interstate guest speakers (Jane Lennon and Jane Ambrose) who advised on the work of the Australian Heritage Council.
  - Targeted stakeholder workshops: Three targeted stakeholder workshops were held on 8 September 2016 (Northern region), 15 September 2016 (Southern region) and 10 October 2016 (Central region) with the goal of building support and understanding about the National Heritage listing bid, values, attributes and boundaries; and to analyse and test the values and boundary options from their local perspective and request suggestions on key attributes under each value.
Mount Lofty Ranges World Heritage Stage 1 Activities

- Community Information Sessions: In addition to the targeted workshops, four community information sessions were held throughout the region on 3 November 2016 (Adelaide Hills region), 10 November 2016 (Southern region), 17 November 2016 (Mount Barker region) and 21 November 2016 (Northern region). Collectively the three workshops and four community information sessions were attended by over 155 people.

- Promotional event at Parliament House, Canberra: On 22 March 2017 an event was held in Canberra with the support of Rebekha Sharkie’s office. The event was attended by various South Australian Federal Senators and Members of Parliament and the Minister for Environment and Energy. The event was supported by Jurlique, Pernod Ricard, Peter Lehmann Wines, Maggie Beer Products, Beerenberg, Woodside Cheesewrights, Bird in Hand, The Lane Vineyard and Coriole Winery, whose products were on display at the event.

- Advocacy Meetings with the following key stakeholder individuals and groups:
  - Parawa Agricultural Bureau; SA Wine Industry Association; Agricultural Bureau of SA; Primary Producers SA Board (which included representatives from Livestock SA, SA Dairy Association, Wine Grape Council SA, Grain Producers SA, Horticulture Coalition SA, Pistachio Growers Association);
  - Farmers Markets representatives including Adelaide Hills Farmers Market Group, Adelaide Showgrounds Farmers Market, Mount Pleasant Farmers Market and Willunga Farmers Market;
  - Apple and Pear Growers Association of South Australia Board; Cherry Growers Association of SA; Board members South Australian Wine Industry Association; Liberal/Opposition government members: Stephen Griffiths, Vicki Chapman, Stephan Knoll Michelle Lensink and Dr Duncan McFetridge; McLaren Vale Grape and Wine Association Tourism Association; Jason Irving, Manager Protected Areas, Department of Environment, Water and Natural Resources (DEWNR); Rebekha Sharkie, Member for Mayo and Gemma Palazzo, Senior Constituent Advisor; Chris Daniels, Presiding Member, Adelaide and Mount Lofty Ranges Natural Resources Management Board and Brenton Grear, Regional Director, Adelaide and Mount Lofty Ranges

- A series of Expert Workshops in August and November 2017, involving DEWNR’s Heritage advisor, the Project Team, and a series of nationally notable experts, to address the State Government’s concern regarding sufficient academic work to back the Bid.

- Adelaide and Mount Lofty Ranges NRM Board workshop: a workshop on 23 February 2017. Alignments between the bid area and bid objectives and the NRM boundaries and the NRM Plan objectives were explored.

- Advisory Group/Volunteer recognition: May 25, 2017 - The national heritage nomination has involved an enormous number of volunteer hours from highly qualified experts and members of the project’s six advisory groups over the past three years since the establishment of those advisory groups. A special event was held to thank and celebrate the milestone of National Heritage nomination submission.

- DEWNR funded Adelaide University technical report: “The roles of Agricultural Biodiversity in the McLaren Vale Landscape” was also supported by the City of Onkaparinga. The technical report was submitted as supporting research to the National Heritage nomination submission.

- PIRSA funded economic study: “Framework for Quantitative Measures of Economic Impact for WHS Bid” (March 2017) compiled baseline economic data for the Mount Lofty Ranges World Heritage Bid, was undertaken by Dr. Julian Morison of Econsearch in consultation with the Economic Advisory Group (EAG).
ANNUAL REPORT
May 2017 to April 2018
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ABOUT THE BID.................................................................................................................................1

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PARTICIPATING COUNCILS

PROJECT SPONSORS

Photos are courtesy Mid-Murray Council, Mount Barker District Council and from internet sources.

www.mountloftyranges.org
The key focus of the Mount Lofty Ranges World Heritage bid in the year May 2017 – April 2018 has been evaluating feedback on the National Heritage listing nomination dossier, commencing preparation of a World Heritage nomination and ongoing advocacy of the project to state and federal government and industry stakeholders. This work continues with a core ambition to promote collaboration between all tiers of government and the private sector to deliver real and lasting economic, cultural and environmental benefits to the region.

Our evolving narrative for national and the United Nations Educational, Scientific and Cultural Organisation (UNESCO) World Heritage recognition continues to build the case that the rural landscapes of the Mount Lofty Ranges are a continuing and outstanding expression of our Aboriginal culture, our globally significant colonial history and our exceptional ability to adapt, innovate and evolve with changing nature over time. A workshop held at White Hill Estate, McLaren Vale attracted an impressive group of over 30 national and global experts to help with the development of that case.

Political advocacy in 2017-18 saw further meetings and correspondence between bid representatives and government ministers, ministerial advisors and agency staff in the environment, planning, primary industry and tourism portfolios at both the state and federal level and resulted in the involvement of Jason Irving, Manager, Protected Areas, Department of Environment, Water and Natural Resources to the Project Management Group.

Forty letters of support for the national and world nominations were provided by key wine and tourism organisations, individuals and corporate bodies, including the umbrella body for the wine industry, the South Australian Wine Industry Association, Maggie Beer, Margaret Lehmann, Pernod Ricard/Jacob’s Creek, Seppeltsfield, Jurlique, Beerenberg, Mount Lofty House, d’Arenberg and Paris Creek. We also signed our first formal sponsorship agreement with Pernod Ricard in late 2017, and were successful in securing our first federal grant from the Australian Government’s Building Better Region’s fund.

Public and stakeholder engagement was limited given the pending status of the National Heritage listing nomination, however a significant milestone was achieved in late 2017 when three key Kaurna groups signed a formal Statement of Support for the bid.

The six advisory groups had reduced responsibilities however several valued members of the groups continued to assist with advocacy, academic workshops and delivering key aspects of the project plan, and their ongoing willingness to contribute their skills and knowledge pro bono is acknowledged and appreciated. Additionally, a PIRSA funded economic study undertaken by Dr Julian Morison at Econsearch in consultation with the Economic Advisory Group compiled baseline economic data for the Mount Lofty Ranges World Heritage Bid.

In conclusion I acknowledge the combined efforts of the Project Steering Group, Project Management Group and Project Consultant, Stephanie Johnston. As always, ongoing advocacy at Federal and State governments, and with the corporate sector, will be necessary to ensure momentum is not lost during the National Heritage nomination assessment process and to ensure we have a good foundation in place for a future World Heritage nomination.

Mayor Bill Spragg
Chair - Project Steering Group
ABOUT THE BID

INTRODUCTION

The Mount Lofty Ranges World Heritage Bid spans the world-renowned food, wine and tourism regions of the Barossa Valley, the Adelaide Hills, McLaren Vale, the Clare Valley, and the Fleurieu Peninsula. The Adelaide Hills, Alexandrina, Barossa, Mount Barker, Onkaparinga, Yankalilla, Clare and Gilbert Valleys, Light Regional, Mid Murray and Mitcham councils are collaborating with Regional Development Australia Barossa and Global Food Studies at the University of Adelaide to pursue National Heritage listing of the region’s agricultural landscapes. Following submission of the National Heritage nomination in early 2017 the councils involved are considering how to work with the State and Federal Governments to achieve National Heritage listing and to pursue World Heritage listing with UNESCO.

The process for this Bid comprises two stages: firstly, inclusion on Australia’s National Heritage list followed by a bid for World Heritage listing, however these processes may also overlap.

We are pursuing listing for the heritage values associated with a ground-breaking 19th century model of colonisation. South Australia was the first place in Australia to be planned and developed by free settlers without the use of convict labour, and the first place in the world to apply the ‘systematic colonisation’ model developed by Edward Gibbon Wakefield, John Stuart Mill, Jeremy Bentham and members of the British-based ‘National Colonisation Society’.

According to Wakefield, it was ‘the first attempt since the time of the ancient Greeks to colonise systematically’. The region’s links to this unique philosophical movement of universal significance, and the continuing reflection of those utopian ideals in the contemporary landscape form the basis of the World Heritage bid.

The potential World Heritage area is yet to be defined but could encompass a series of landscapes stretching from the Fleurieu Peninsula in the south to the Clare Valley in the north.

A feasibility report provided evidence that strongly supports the proposition of it being worthy of World Heritage status for the values that are encapsulated within the region and through its evolution to the present day.

An Economic Impact Study undertaken by EconSearch (Julian Morison) detailed the potential benefits to agriculture, wine and food production and tourism for the region as a result of World Heritage Listing.

The feasibility report and economic impact study presenting the argument and rationale for WHS listing can be accessed at the project website.
GOVERNANCE

The participating councils have adopted a specific project orientated governance structure. The activities undertaken by each tier of the governance framework are briefly mentioned below.

PROJECT STEERING GROUP

The Project Steering Group (PSG) which comprises Mayors and CEOs of the participating Councils met in April 2017, September 2017 and February 2018. During the year the PSG discussed the following matters:

- National Heritage Listing nomination update including response from the Australian Heritage Council
- Post Project evaluation of stage 1
- Project Scope for Transition Phase from Stage 1 to 2
- Transfer of Project Steering Group Chair and associated responsibilities from City of Onkaparinga back to Adelaide Hills Council for 24 months, or until the establishment of a new governance structure, whichever is earlier
- Heritage Research Component Report
- Future Governance Structure - Aims and Options
- Update on Corporate Sponsorship Opportunities
- Expert Workshop 6-7 November summary
- Aboriginal Engagement and Story Update
- Building Better Regions Funding for Digital Knowledge Bank project

PROJECT MANAGEMENT GROUP

The Project Management Group (PMG) is responsible for governance, management and progression of the project bids, as well as employing and managing the Project Manager.

At present, this group comprises nominated staff representatives of each council, a representative of RDA Barossa, Adelaide University and the Project Manager.

The PMG generally meets monthly to progress the project. Meetings were held as follows:

- 18 May 2017
- 19 June 2017
- 17 July 2017
- 21 August 2017
- 18 September 2017
- 23 October 2017
- 20 November 2017
- 18 December 2017
- 8 February 2018
- 19 February 2018
- 9 April 2018

An outcome of the Post Project Evaluation of Stage 1 – National Heritage Listing Nomination was a new approach to the functioning of the Project Management Group in the form of a self-managed team. Under this approach each PMG member is responsible for providing lead support for a key function.
GOVERNANCE

The following are the key functional areas identified by the PMG to effectively progress the bid process:

1. Project management (planning, budgeting and performance monitoring)
2. Regional economic development (marketing & promotion, economic indicators, website, knowledge management)
3. Grants and Fundraising
4. Advocacy, Engagement & Communication
5. Governance (existing and future models)

In addition to investigating potential future governance arrangements, the PMG also investigated ways to capitalise on economic development and regional branding opportunities arising from the work achieved to date - i.e. applying the ‘no regrets’ concept that regional benefits can apply whether or not National Heritage or World Heritage listing is ultimately achieved.

PROJECT MANAGER/CONSULTANT

Another outcome of the Post Project Evaluation of Stage 1 – National Heritage Listing Nomination was transition of the Project Manager to a ‘project consultant’ role with Stephanie Johnston engaged on an as-needs basis for a maximum of two days per week for 12 months. Through the self-managed team explained above the PMG has taken on the project management responsibilities with Stephanie undertaking specialist research and providing advice and support to Project Management Group members as directed and supervised by the PMG Chair (currently Marc Salver of Adelaide Hills Council).

ADVISORY GROUPS

The six advisory groups established in April 2014 played a limited role during the year given the pending nature of the National Heritage listing nomination, however members of the Aboriginal Advisory Group, Community Advisory Group, Heritage Advisory Group and Landscape Advisory Group contributed to the conduct of the August, October and November 2017 workshops, and to the signing of the Kaurna Statement of Support. The Economic Advisory Group secured grant funding from PIRSA to commission Julian Morison at Econsearch to establish economic indicators and to survey businesses in the region to determine baseline figures for those indicators, and the MLR WH Economic Indicators Report was delivered to the EAG in late 2017. Advisory Group Members also participated in the National Heritage Nomination post project evaluation survey. The future role and function of the groups will be reviewed through the future governance structure review.
ENGAGEMENT, COMMUNICATIONS AND ADVOCACY

EVENTS AND WORKSHOPS

Advisory Groups

Acknowledgement lunch at Uraidla, May 2017

- The national heritage nomination benefited from an enormous number of hours of pro bono contribution from highly qualified members of the project’s six expert advisory groups over the past three years. Their contribution was acknowledged at a lunch at the Uraidla Hotel in May.

University of Adelaide Expert Workshop, August 2017

- In line with the Premier’s suggestion in his 13 July 2017 letter of response, the PMG worked with the State Department of Environment, Water and Natural Resources (DEWNR) to conduct this Expert Workshop and another in November.

- A key outcome of the workshop was to enable the project team to better address the State Government’s academic and research concerns with the World Heritage Listing Bid.

Warrparinga Workshop, October 2017

- On the advice of the consortium’s Aboriginal Advisory Group, an open invitation was extended to Aboriginal groups and individuals within the Mount Lofty Ranges bid region to attend a workshop at Warrparinga Living Kaurna Cultural Centre in October.

- A talk by Professor Randy on his experiences of discovering cultural traditions of the Caddo, Osage and Quapaw peoples and presentation on the National and World Heritage nomination timelines led members of the group to make the decision to draft a Kaurna Statement of Support for the national and world heritage nominations.

- The Kaurna Statement of Support was subsequently signed by three Kaurna groups at a meeting in Adelaide on November 30th.

Sponsorship of Australia ICOMOS Cultural Landscapes & Cultural Routes National Scientific Committee Meeting and workshop at Jacob’s Creek and associated promotional event at Seppeltsfield, November 2017

- The bid consortium and event sponsors Jacob’s Creek hosted the Australia ICOMOS (International Council on Monuments and Sites) Cultural Landscapes & Cultural Routes National Scientific Committee Meeting and workshop at Jacob’s Creek Heritage Vineyard in early November. ICOMOS is a non-government, not-for-profit organisation of cultural heritage professionals, and the cultural heritage advisory body to the World Heritage Committee.

- The workshop explored the challenges and complexities of managing change and conflict across large cultural landscapes under threat.

- Presentation by project consultant and group discussion of potential boundaries and values.

Return to Order of Business
ENGAGEMENT, COMMUNICATIONS AND ADVOCACY

World Heritage Nomination Expert Workshop at White Hill Estate, McLaren Vale, November 2017

- Australia ICOMOS cultural landscape experts were joined by Australian and New Zealand migration history specialists and Adelaide University academics to start developing the potential case for World Heritage listing, at a two day workshop held at White Hill Estate in McLaren Vale. The workshop was funded by the University of Adelaide's Centre for Global Food and Resources, and guided by a methodology developed by the DEWNR.

- The White Hill workshop resulted in the drafting of a refined narrative addressing both the national and world heritage criteria which was submitted as an update to the Federal Department of Environment in February, and subsequently circulated to advisory group members and workshop participants.

PRESENTATIONS

No formal presentations were given at conferences, seminars or the like.

ADVOCACY MEETINGS

Meetings

The Chair of the Project Steering Group Mayor Bill Spragg continued to advocate the project during informal discussions with members of various stakeholder groups but no formal meetings were held during the year.

Letters

- Letters seeking support, commitment or to provide updates were also sent through the year to:
- Chair of the Australian Heritage Council suggesting that we work with the Council and Department of Environment and Energy to find innovative ways to provide capacity to support the assessment process, should the Council determine that the National Heritage nomination has potential national value
- Supporting councils (i.e. Clare and Gilbert Valleys, Light Regional, Mitcham, Mid-Murray and Yankalilla) to consider a contribution towards the project as part of their 2017-18 budget process
- Supporting councils to consider a contribution towards the Digital Knowledge Bank project
- Letter to Hon Josh Frydenberg MP, Minister for the Environment and Energy
**ENGAGEMENT, COMMUNICATIONS AND ADVOCACY**

**Aboriginal Peoples Agreement**
Engagement with the Aboriginal peoples and nations within the project region is very important for the progression of the bid and is one of the requirements of the UNESCO World Heritage Convention. It also presents an opportunity for these Aboriginal groups to tell their side of the colonisation story and move towards reconciliation and healing for these groups. As a result of outcomes of an Aboriginal group workshop held in October 2017 a significant milestone was achieved on 30 November 2017 with the signing of a Statement of Support by the three Kaurna groups (the Kaurna Nations Cultural Heritage Association Inc., the Kaurna Yerta Aboriginal Corporation and the Kaurna Warra Karrpanthi Aboriginal Corporation). The Project Management Group (PMG) will now work with the other Aboriginal groups within the project region to hopefully achieve the same outcome and to help secure benefits from the project for these groups.

**Corporate Sponsorship**
A sponsorship agreement was prepared to enable appropriate transparency and governance in the event of corporate sponsorship being offered, and an agreement to provide in kind support of $10,000 over the 2017/2018 financial year was signed with Pernod Ricard Winemakers. This was recently extended through to the end of the 2018 calendar year.

**PROMOTIONAL MATERIAL**
Consortium councils have updated flyers to improve messaging about the project following feedback from targeted stakeholders. In addition, the councils have developed a compendium of promotional material including factsheets and planning impact statements. The fact sheets and planning impact statements are tailored to stakeholders identified in the project’s Engagement, Advocacy and Communications Plan.

The councils are continually improving the messaging about the project and appreciate any feedback on the promotional material.

**Quarterly Newsletter**
A Winter newsletter and Summer newsletter were distributed to the project’s database in July 2017 and December 2017 respectively.

**MEDIA**
The project continued to attract media publicity through articles in the Advertiser and regional newspapers covering the National Heritage Nomination submission and associated promotional event at Parliament House, Canberra, and in an illustrated story covering the signing of the Kaurna Statement of Support in the Advertiser in October 2017 also attracted an editorial in support of the project.
ENGAGEMENT, COMMUNICATIONS AND ADVOCACY & CONCLUSION

PROJECTS

"The roles of Agricultural Biodiversity in the McLaren Vale Landscape" technical report:

- This DEWNR-funded University of Adelaide research project, supported by the City of Onkaparinga was submitted as supporting research to the National Heritage nomination.

"Mount Lofty Ranges World Heritage Economic Indicators" report:

- This PIRSA funded economic study compiled baseline economic data for the Mount Lofty Ranges World Heritage Bid and was undertaken by Dr Julian Morison at Econsearch in consultation with the Economic Advisory Group.

University College London Bentham Project:

- Dr Tim Causer from University College London (UCL) will visit Adelaide in July 2018 and give a public talk at the State Library covering the relevance of the university’s Bentham Project to the MLR bid.

- UCL will publish Jeremy Bentham’s writings on the Wakefield Plan ("The Colonization Society Proposal") for the first time ever in 2019, a project which will provide critical evidence regarding South Australia’s association with the UK’s Philosophical Radicals and Systematic Colonisation movement, a core component of the bid’s World Heritage case.

Literature Review:

- Dr David Llewellyn was engaged in July 2017 to undertake literature review for the World Heritage Listing nomination. Dr Llewellyn presented an interim report at the August expert workshop and delivered his final report in September 2017.

Building Better Regions Funding for the development of a Digital Knowledge Bank:

- The project team successfully applied for a $40,000 Building Better Regions Fund (BBRF) grant to establish a digital knowledge platform (website) for strategic planning and knowledge sharing of the WHL Project. The project is yet to commence.

CONCLUSION

Stakeholder engagement has progressed through various events presentations and meetings with strategic stakeholders at national, regional and state level.

The bid process is at a critical point in terms of state and federal government advocacy, planning for Stage 2, investigating governance arrangements, seeking external funding and establishing new alliances and partnerships.

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### World Heritage Budget Summary 2017-18

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### Budget projections for 2018-19 financial year

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Purpose:
Response to a motion without notice requesting a report be provided to the next Council meeting regarding 94 Mount Barker Road Hahndorf.

Summary – Key Issues:
1. At the Council Meeting of 2 July 2018, Councillor Bettcher moved a motion without notice requesting a report be provided to the next Council Meeting regarding the approval of a modification to 94 Mount Barker Road, Hahndorf.
2. Council must process applications in accordance with the Development Act and Regulations 1993.
3. The Development Plan stipulates that the development proposed is a category 1 form of development which does not provide for public notification of the application.
4. The application was referred to the Heritage South Australia Branch of the Department for Environment and Water and supported.

Background:
1. An application (580/241/17) was received by Council on 9 March 2017 for a change in use to Café and Alterations/Additions to Existing Stone Building and the Construction of Kitchen, Toilets and Deck.
2. The proposed development consists of an addition to the rear of a barn in the main street of Hahndorf and two new door openings to the façade to permit suitable access to the premises.
3. As required by the Development Act and Regulations 2008 the application was assessed against the relevant Development Plan at that time (consolidated 8 December 2016).
4. The barn in question is not listed as a State or Local Heritage Item in the Mount Barker District Council Development Plan. The application was referred to the Heritage South Australia Branch of the Department for Environment and Water as the development is proposed in the Hahndorf State Heritage Area.
5. Council Staff reviewed the Mount Barker District Heritage Survey (2004) to ascertain why the barn was not heritage listed. Importantly, Council notes that the purpose of the original Heritage Survey was not to identify additional local and contributory items within the State Heritage Area, but rather to identify State Heritage Places only. This is because controls over a State Heritage Area are relatively absolute. This is largely on the basis that, stringent controls (mandatory referral to Heritage SA)
apply in the Hahndorf State Heritage Area, unlike all other zones where, for example, demolition is a complying form of development.

Discussion:
Development Categorisation
6. Consistent with Section 38(2)a,(i) of the Development Act and the Mount Barker District Council Development Plan Consolidated 8 December 2016 (pg. 300), the proposed development is a Category 1 form of development on the basis it is a ‘shop’ located in Hufendorf Policy Area 20. Note a ‘shop’ is described in the Development Regulations 2008 as including a café, which is consistent with this application.

7. The application was not publicly notified as section 38(3),a of the Development Act states that “Where a person applies for a consent in respect of the Development Plan for a Category 1 development—
(a) the relevant authority must not, on its own initiative, seek the views of the owners or occupiers of adjacent or other land in relation to the granting or refusal of development plan consent”

Comments on the merit of the Development Application
8. Advice was provided on site by Senior Heritage South Australia Conservation Architects (Staff of Heritage SA) which was incorporated into the final approved design. Furthermore, the State Heritage Branch supported the application acknowledging that the form, scale, materiality and the colour selections are entirely consistent with the historic character of the immediate environs. The State Heritage Branch also acknowledged the development involves the partial removal of the front façade to create two new door openings, this is balanced by the sensitive restrained design of the new insertions and the balance of the development and is considered necessary to provide an appropriate access to the building.

9. There were several changes made to the proposal during the assessment process which were driven by the Senior Conservation Architect from the Heritage South Australia branch of the Department for Environment and Water.

10. Council Staff have since requested Heritage South Australia provide further details of how they reached their final position on the merits of the proposal. They have stated that:

“The design for the development was the subject of several amendments and revisions of the concept and the detail in consultation with our agency and the applicants. The historic barn, whilst generally original, has some major structural deficiencies which have developed over a long time and are being rectified in the proposed works.
The proposed new use entails the addition of a new rear ‘annexe’ for modern amenities; kitchen, toilets, a secure back entrance and decking to connect to the street. A new use is often encouraged as it allows the ongoing use and long term retention of the building. The ‘annexe’ roof design in particular was amended a few times to better match the form if not the materials of the original barn in accord with best adaptive re-use practice. The external walls and roof will be rectified in a negotiated manner to enable the building to be used rather than be left to dilapidate further.
Often the only opportunity to restore a building is when an appropriate development is afoot. The two new steel framed openings to the street front façade are potentially reversible in the future, well detailed and should assist with structural integrity. They also in a design sense, bring attention to the new use of a genuinely historic building. New rainwater collection and disposal provisions will mitigate against further site and building deterioration and the barn will have the potential to become re-vitalised and re-appreciated.

Although the project is not complete we believe the well documented plans will result in a new use for the historic barn and ensure its ongoing appreciation and preservation in line with best heritage practice. Importantly, placing two doors in the front facade provides symmetry and ensures the retention of the centre loft (an integral heritage feature of the barn) whilst providing much needed structural support.”

11. In addition to the commentary provided above, Council Staff arranged for Council’s heritage advisor (Douglas Alexander – Flightpath Architects) to review the proposal to provide an additional independent perspective on the proposal. It is important to note that this commentary cannot form a part of the statutory assessment process. His opinion is summarised as follows:

“The proposal achieves a balance between the need for conservation work and minimising change to the original fabric to accommodate a new compatible use that will serve to activate the main street frontage. Ultimately conservation is the winner.

I concur with the advice provided by the State Heritage Unit which has brought about the following significant improvements to the initial proposal including:

- Minimising the loss of original fabric through encouraging smaller door openings rather than having one central double opening; this has also ensured a degree of structural integrity;
- Encouraging a review of the detail to ensure the distinction between old and new is carefully executed;
- Advising on a matching roof pitch to the addition and ensuring the addition does not replicate;
- Retention of the loft door and gable vent.
- I am also pleased to see the proposal for internal flooring, which offers a perimeter infill area.”

12. Having assessed the application against relevant Development Plan criteria the application was issued Development Plan consent by Council Staff on 26 October 2017.

Conclusion:
Development Application no. 580/241/17, the barn at 94 Mount Barker Road Hahndorf, underwent a detailed planning assessment.
Council staff confirm the Development was correctly processed as a Category 1 form of Development in accordance with the Development Act 1993 and the Development Regulations 2008.

The Development Application was granted Development Plan Consent in October 2017.
Purpose:
To provide an update on the proposed upgrading by the State Government of the Woodside Road/Old Princes Highway junction.

Summary – Key Issues:
- Upgrading of the Woodside Road/Old Princes Highway junction is required to address significant community concern at the congestion and associated safety implications;
- The member for Kavel Mr Dan Cregan MP has confirmed the commitment of the ‘new’ State Government to the upgrade;
- Further information is awaited by Council as to the proposed nature and design of the upgrading and intended timing of construction.

Background:
1. At the Council meeting held on 2 July 2018 Cr Bettcher asked a question without notice on this matter and it was subsequently resolved that an update report be provided to the Council meeting on 6 August 2018.

2. Back in 2009 significant upgrading was undertaken in this location to improve pedestrian safety and reduce traffic congestion.

3. That upgrading comprised numerous components including:
   - Relocation and upgrading of the pedestrian crossing on the Old Princes Highway;
   - Upgrading of a section of Woodside Road;
   - Widening and upgrading of the Saleyard Road/Old Princes Highway junction;
   - Footpath upgrades;
   - New off-road path connection to the Nairne Primary School.

4. The 2009 upgrading was a partnership approach from all three spheres of Government with each contributing $325,000 making a total project budget of $975,000.
5. Council’s contribution was part funded via the developer of the Fox Hill estate on Matthew Road Nairne as a consequence of an Infrastructure Agreement that was executed by Council in 2008 in conjunction with the rezoning of this land.

6. Woodside Road and the Old Princes Highway are both designated as arterial roads and hence are a State Government responsibility.

7. Saleyard Road is a local road and is a Council responsibility.

8. Whilst the Federal Government doesn’t have direct responsibility for any of these roads its support and financial contribution came about via the then Member of Mayo the Hon Alexander Downer.

**Discussion:**

9. The 2009 upgrade was seen as a significant improvement as distinct from what could be described as the ultimate solution.

10. In 2017 the then Liberal candidate for the seat of Kavel Mr Dan Cregan convened a public meeting in the Nairne Soldiers Memorial Hall.

11. This was attended by over 70 members of the Nairne community and senior Council staff.

12. As anticipated with the passage of time and increases in traffic volumes, there was significant concern expressed at the increased congestion at the junction of Woodside Road/Old Princes Highway and safety issues arising from this such as the queueing of vehicles on Woodside Road extending beyond the railway line crossing.

13. Mr Cregan strongly advocated for the need for a further upgrade to address the significant community concern and safety issues.

14. As the now Member for Kavel since the 2018 State election, Mr Cregan MP has continued this advocacy directly with the Minister for Transport, Infrastructure and Local Government the Hon Stephan Knoll MP.

15. Mr Cregan has recently advised Council that the office of the Minister for Transport has indicated: “DPTI is undertaking planning and development work on this matter. Stakeholder engagement is important and, where required, will be undertaken in accordance with existing practices and processes.”

16. Council is yet to view any initial concept designs so it is not yet known what the actual upgrading would entail. This will no doubt occur in due course.
Conclusion:

The new State Government is committed to the upgrade and further information is awaited in relation to the proposed extent and timing of construction of this.

Previous Decisions By/Information Reports to Council – Nil on the proposed new upgrading
**Purpose:**
To provide a response to a question without notice regarding the potential to establish an electric car industry in Mount Barker

**Summary – Key Issues:**
1. Recent or pending enquiries explore the potential for the use and manufacture of electric cars in Australia
2. Barriers exist for the large scale take-up of electric vehicles
3. The potential to establish an electric car industry in Mount Barker is remote.

**Background:**
1. At the meeting on 2 July 2018 Councillor Bailey asked about the feasibility of establishing an electric car manufacturing industry in the Mount Barker district.
2. Electric cars are becoming more common worldwide with 1.1 million produced in 2017. Over half of these were produced in China (Macquarie Research January 2018).
3. It is predicted that by 2040 more than 50% of the vehicle market will be electric (Bloomberg - Electric Vehicle Outlook 2018)
4. In Australia only 0.1% of new cars bought in 2016 were either plug in hybrids or fully electric.
5. With the closure of Mitsubishi and Holden plants in Adelaide and Ford and Toyota plants in Victoria, both the South Australian and Victorian governments are interested in the viability of repurposing these sites to manufacture electric vehicles for the Australian and export market.
6. Local electric vehicle manufacturing opportunities seem to be limited.

**Discussion:**
7. Electric vehicles may provide a number of benefits including reduced greenhouse gas emissions, better air quality in urban areas and reduced fuel insecurity.
8. However a number of barriers exist to the large scale take-up of electric cars, namely cost, limited driving range and impact on the electricity grid. For example it's
estimated that electric vehicles could double the electricity demand of a small household. That said, it’s likely that with technology advancements these barriers will be overcome in the medium term.

9. A Victorian Parliamentary enquiry in May 2018 identified barriers to the potential manufacturing of electric vehicles:

   **FINDING 21:** The establishment of a large-scale electric passenger vehicle manufacturing industry would require significant government investment and may not be economically competitive for the same reasons that led to closure of Victoria’s conventional automotive manufacturing industry.

10. Notwithstanding points 7 and 8, there has been plenty of discussion and analysis in the media about the potential for electric vehicles to be made in Australia. For example, businessman Sanjeev Gupta, the owner of Whyalla Steelworks, has indicated his interest in establishing an electric vehicle manufacturing hub either in Adelaide or Melbourne.

11. In late June a Senate Select Committee on Electric Vehicles was announced. The committee will be chaired by South Australian Senator Tim Storer and is tasked with inquiring into ‘the economic, environment and social benefits of widespread electric vehicle uptake in Australia; the opportunity for the development of electric vehicle manufacturing, supply and value chain activities; and how the Federal, State and Territory Governments can work together to support these goals’. The outcomes of this enquiry will help all levels of government better understand the opportunities and viability of the electric vehicle industry.

12. In terms of suitability for an electric vehicle manufacturing industry to be established in Mount Barker, it is suggested that sites where vehicles have been made in the past (for example in Adelaide and Melbourne) would be much better placed to achieve this objective.

13. Also, there are significant constraints to such an industry working in Mount Barker including the lack of suitable land and the necessary zoning (heavy industry). Therefore, in light of the evolving and somewhat uncertain future of the electric vehicle industry and the suitability of the hills environment relative to other established sites in Adelaide and Melbourne, it is suggested there would be little value in pursuing this further.

14. Council staff will monitor developments in the industry and the upcoming Senate enquiry and if necessary report back to Council on future developments or opportunities.

**Conclusion:**

The electric vehicle industry is in its infancy and although there is interest from Governments and investors in local development opportunities it is unlikely that such opportunities exist in the Mount Barker district. However, Council staff will continue to observe and monitor developments within the industry and will respond to local opportunities when/if they arise.
13.9 REPORT TITLE: HAHNDORF TRAFFIC STUDY – FEDERAL GOVERNMENT FUNDING

DATE OF MEETING: 6 AUGUST 2018

FILE NUMBER: DOC/18/77564

ATTACHMENTS: 1: MEDIA STATEMENT: HAHNDORF – STRATEGIC TRAFFIC PLANNING STUDY DOC/18/77676

2: JOINT COUNCIL LETTER TO MINISTER KNOLL MP DOC/18/79892

Key Contact
Madeleine Dobbin, Senior Strategic Planner, Planning Policy and Strategy

Manager/Sponsor
Marc Voortman, Acting General Manager Planning, Planning and Development

Purpose:
To inform Council that the Federal Government has committed up to $1 million (to the Department for Planning, Transport and Infrastructure) for a strategic traffic planning study in and around Hahndorf.

Summary – Key Issues:
1. The Federal Government has committed up to $1 million (to the Department of Planning, Transport and Infrastructure) for a strategic traffic planning study in and around Hahndorf;
2. The study aims to address congestion, connectivity, freight efficiency and safety; and
3. The study will be led by the South Australian Department of Planning, Transport and Infrastructure (DPTI).

Background:
1. In 2009, a Council commissioned Transport Master Plan highlighted the issue recording that the high daily traffic volumes on Hahndorf’s Main Street were “compromising the amenity of the street and the safety of local residents and tourists”; 
2. This Plan also highlighted that the upgrading of the Verdun freeway interchange with the provision of additional ‘on’ and ‘off’ ramps should be pursued and would deliver benefits;
3. Council’s 2018 Hahndorf Township Plan includes a priority action to address car parking and traffic concerns;
4. Regional Development Australia has also prepared an Infrastructure Prioritisation Report, finalised in 2018, which prioritised the Southern off and on ramps at Verdun;
5. Council is also part of Southern and Hills LGA Roads Working party that has an ongoing regional transport planning role;
6. Council has continued to advocate for the need to address transport issues in and around Hahndorf.
Discussion:

7. On Friday 13 July 2018, The Hon Michael McCormack MP, Deputy Prime Minister and
Minister for Infrastructure and Transport in conjunction with South Australian
Minister for Transport, Infrastructure and Local Government, Stephan Knoll MP
announced funding for a strategic planning study in and around Hahndorf;
8. The Federal Government made comment that the study would also “look at busting
congestion and improving freight efficiency including movement of livestock to
Lobethal Abattoir”;
9. The study will be led by DPTI;
10. The committed money will be received by DPTI not by Council and is therefore not
included in Council’s budget as revenue;
11. The work and advocacy Council has undertaken to date (i.e. the Transport Master
Plan 2009, Hahndorf Township Plan 2018, and MRCagney Strategic Transport Plan
for Hahndorf 2018) has substantiated and highlighted the warrant for this
investment; Staff anticipate work completed to date in and around Hahndorf will be
invaluable in reflecting the concerns of local residents and the business community
of Hahndorf and the 1 million visitors that it attracts every year (local and overseas);
12. Council, in conjunction with Adelaide Hills Council, has sent a letter to Minister Knoll
MP, highlighting our collaboration as well as joint work on traffic issues done
around this issue to date;
13. Council staff will be working with DPTI over the coming weeks to gain a greater
understanding of the timing, scope, and how DPTI plan to engage with Council and
the broader community on the study.

Conclusion:
The Federal Government has committed up to $1 million (to the Department of
Planning, Transport and Infrastructure) for strategic traffic planning study in and
around Hahndorf.

Council staff will be working with DPTI over the coming weeks to gain a greater
understanding of the timing, scope and level of consultation of the study. Council work
done to date will be invaluable in reflecting the concerns of the local community.

Previous Decisions By/Information Reports to Council

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<th>Meeting Date</th>
<th>HPRM Reference</th>
<th>DOC/18/42664</th>
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<tr>
<td>Title</td>
<td>MRCagney Strategic Transport Plan Hahndorf</td>
<td></td>
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<tr>
<td>Purpose</td>
<td>To provide the Elected Members with a summary of the analysis and recommendations from the Hahndorf Traffic and Car Parking Strategy report, prepared by MRCagney.</td>
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<td>Title</td>
<td>Hahndorf Township Plan</td>
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<tr>
<td>Purpose</td>
<td>To present the analysis/amendments following consultation on the draft Hahndorf Township Plan. To endorse the final Hahndorf Township Plan.</td>
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<tr>
<td>Title</td>
<td>Transport Master Plan</td>
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<tr>
<td>Purpose</td>
<td>To provide Council with a revised Transport Master Plan (TMP)</td>
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Return to Order of Business
The Australian Government has today committed up to $1 million for strategic traffic planning study to address congestion, connectivity, freight efficiency and safety in and around Hahndorf.

Deputy Prime Minister and Minister for Infrastructure and Transport Michael McCormack said the study was another example of the Federal and State Government working cooperatively to deliver for communities.

“The Australian Government has committed over $75 billion over the next ten year on critical infrastructure including on traffic solutions which will get people home sooner and safer,” Mr McCormack said.

“This study will also look at busting congestion and improving freight efficiency including movement of livestock to Lobethal abattoir.

“The $1 million commitment made today will complement the Australian Government’s existing $14 million commitment towards the Lobethal Freight Access Upgrade project which will improve safety, productivity and efficiency in the transport of goods to and from the Lobethal area”.

The study will commence shortly and be led by the South Australian Department of Planning, Transport and Infrastructure. It will develop options for resolving current and future issues, including access and pinch points, and include stakeholder and community consultation.

South Australian Minister for Transport, Infrastructure and Local Government Stephan Knoll said Hahndorf and the region were growing rapidly but the infrastructure had not kept up.

“Over one million people visit Hahndorf each year and when freight transport is added it creates real challenges for local residents trying to go about their day-to-day business,” Mr Knoll said.
23 July 2018

Hon Stephan Knoll MP
Minister for Transport, Infrastructure and Local Government
Level 12
136 North Terrace
ADELAIDE SA 5000

Dear Minister

RE: Hahndorf Township – Strategic Traffic Planning Study

We very much welcome the recent announcement of the above Study made by the Deputy Prime Minister, Hon Michael McCormack MP and yourself.

Both of our communities look forward to the progression of the Study to address very long standing congestion and safety issues.

Our Councils work closely together on a range of initiatives that are not defined by Council boundaries, such as the provision of tourist information services from Hahndorf for the benefit of the entire Adelaide Hills Region.

We note that the joint media release referenced that, “The study will commence shortly and be led by the South Australian Department of Planning, Transport and Infrastructure.”

Mount Barker District Council has previously commissioned a study by Transport Planning Consultants, and we would be pleased to make this available to the Study as background information. This includes upgrading of the freeway interchange at Verdun.

We look forward to the Study commencing and assisting the process with input from our Councils and communities.

Yours sincerely

Jan-Claire Wisdom
ACTING MAYOR
Adelaide Hills Council

Ann Ferguson OAM, FAICD, JP
MAYOR
Mount Barker District Council
**13.10 REPORT TITLE:** 2018 HAHNDORF WINTER LANTERN FESTIVAL ROAD CLOSURES

**DATE OF MEETING:** 6 AUGUST 2018

**FILE NUMBER:** DOC/18/77461

**ATTACHMENTS:** NIL

**Key Contact**
Andy Glen, Tourism Development Manager, Planning and Development

**Manager/Sponsor**
Greg Sarre, Manager Economic Development and Sustainable Futures

**Purpose:**
To inform Council of the approval of the closure of roads, traffic and parking control for the conduct of the 2018 Hahndorf Winter Lantern Festival on Saturday 25 August 2018 under the Chief Executive Officer’s delegation.

**Summary – Key Issues:**
1. Road closures, traffic and parking control measures are required to facilitate the running of the 2018 Hahndorf Winter Lantern Festival.
2. Road closures are approved under delegation from the Minister for Transport to the Chief Executive Officer (again under delegation from Council).

**Background:**
1. The Hahndorf Winter Lantern Festival was established in 2016
2. The event has seen increased popularity since its inception

**Discussion:**
3. Mount Barker District Council supports this event under its Community Event Support program
4. The event has attracted significant numbers of attendees and participants and it is anticipated that the 2018 event will attract even more.
5. In order to provide additional space for activity and amenities a road closure and parking control on Balhannah Rd is warranted.
6. In order to facilitate the safe passage of pedestrians during a parade between Alec Johnston Park and the Hahndorf Academy further short term traffic control is warranted on Mount Barker road.
7. Altus Traffic Management and Mount Barker District Council personnel shall establish detours around the affected area and perform such traffic management requirements as detailed above.
8. The following has been approved under the Chief Executive Officer’s delegations

Road Closure - Balhannah Road, Hahndorf
Between Mount Barker Road and the Zebra Early Learning Centre
From 12 noon to 10pm on Saturday 25th August 2018
No Parking - Balhannah Road, Hahndorf
Between Mount Barker Road and the Zebra Early Learning Centre
From 6am to 10pm on Saturday 25th August 2018

Traffic Control - Mount Barker Rd, Hahndorf
Between Balhannah Road and Alec Johnston Park
For a period of no greater than ten minutes
Between 6pm and 6.30pm on Saturday 25th August 2018

9. The closure of Balhannah Rd is a regular occurrence for festivals and events, is easily
detoured and poses little impact on residents of the village. Advance warning
signage will be placed ahead of the event. The temporary traffic control on Mount
Barker Road will be timed between regular bus services and minimised in duration,
but is considered necessary for pedestrian safety.

10. A road closure notice will be placed in The Weekender ahead of the event.

11. All businesses in the immediate vicinity of the closure will be advised leading up to
the event and any issues addressed.

12. Hahndorf Business and Tourism Association are aware of this event and support
road closure requirements.

Conclusion:
Through the approval of road closures, provision of sponsorship and support, Council
and it’s staff enable a significant up and coming event that provides tourism, economic
and social benefit to the district.

These events are seen as components of the delivery of a wider tourism strategy and
consistent with Council’s Strategic Plan.
14. QUARTERLY REPORTS

Recommendation

That the following report be noted.

14.1 REPORT TITLE: QUARTERLY REPORT – CAPITAL WORKS PROGRAM 2017/18

DATE OF MEETING: 6 AUGUST 2018

FILE NUMBER: DOC/18/79163

ATTACHMENTS: ATTACHMENT A: PHOTOS OF PROJECTS COMPLETED OR UNDERWAY

Key Contact Martin Waddington Manager Infrastructure Delivery, Infrastructure Services

Manager/Sponsor Phillip Burton, General Manager Infrastructure Services

Purpose:
To provide an update on the approved 2017/18 Capital Works Program at the end of Quarter 4.

Summary – Key Issues:
1. The forecast 2017/18 Capital Works Program consists of 136 projects totalling a revised budget of $21.6 million (excluding payments for land).
2. At the end of Quarter 4, $17 million has been spent year to date against a year to date forecast budget of $21.6 million. Commitments are a further $0.7 million year to date which totals $17.7 million spent and committed. This is 82% of the end of year forecast budget.
3. 81 projects have been completed year to date, with only two safety incidents occurring across all projects reflecting a good safety record.

Background:
1. The forecast 2017/18 Capital Works Program consists of 136 projects totalling $21.6 million budget (excluding payments for land).
2. The original budget was $18.9 million but another $2.3 million of carry forward projects from 2016/17 was added to the program at the first budget review.
3. The capital works program consists primarily of planned infrastructure works, both renewal and new, that deliver on the strategic objectives outlined in the Mount Barker 2035 District Strategic Plan.
4. This works program is the largest ever undertaken by Council and comprises some significant works including:
5. The capital works program is predominantly delivered by Infrastructure Services and is mostly governed by an internal Project Control Group that has representation from staff across the organisation.

Discussion:

6. At the end of Quarter 4, $17 million has been spent against a year to date forecast budget of $21.6 million. Commitments are a further $0.7 million year to date which totals $17.7 million spent and committed or 82% of the year to date forecast budget. This level of expenditure has surpassed the past expenditure totals for the past two financial years. See chart below.

7. Capital works expenditure at the end of 2017/18 is $24,838,304 (preliminary) against an end of year forecast of $28,474,997, leaving a $3,636,695 end of year variance, or 13% underspent. This compares favourably with 2016/17 where the end of year capital works expenditure was $9,930,665 against an end of year forecast of $12,552,480 leaving a $2,621,816 variance, or 21% underspent. The 2017/18 capital works program was a far larger program than 2016/17 but was delivered with a smaller underspend (percentage wise) over what was forecasted to be spent.

8. The fourth quarter of this year has predominantly seen the completion of many projects. These include
   1. Mount Barker Tourist Park Upgrades ($205k)
   2. Birchwood Estate Outfall Drain Renewal ($103k)
   3. North Tce Clegget to Junction- Footpath Renewals ($215k)
   4. Sealed Roads Renewal Program ($1.9m)
   5. Central Sector - Design and CIC Wistow Park Extension & Trunk Main ($180k)
   6. Western Sector Trunk Main ($3.5m) and
   7. Callington Pipeline Replacement ($250k).
9. However a number of projects were not completed as first envisioned and will continue construction into 2018/19. These include:

1. Gawler St / Adelaide Road intersection, entrance statement and lighting upgrade – Infrastructure works are due to be completed in August and the sculpture towards the end of the year with delays due to seeking approvals and ensuring a safe structure is built.
2. PLEC Meadows – Managed by SAPN, this is due to commence after winter.
4. Springs Road Stage 1 – Underway with completion expected in August.
5. Littlehampton Gravity Main – Well progressed with completion expected in August after delays incurred from finding hard rock and asbestos.

10. Photographs of the projects either underway or completed are included in Attachment A. This shows the benefits that the community are receiving from this year’s capital works program. Whilst construction always causes some level of disruption and inconvenience, every attempt is made to minimise this and the outcomes are generally welcomed by the majority of the community.

11. Post project reviews have been undertaken on many projects to date and lessons learned captured for future reference. This is part of a continuous improvement program.

12. A review of the capital works program has been undertaken to identify all projects that need to be carried forward into 2018/19 and the impact on project resourcing has been quantified.

**Conclusion:**

The 2017/18 Capital Works Program is the largest program of works ever undertaken by Council and the fourth quarter has seen many projects completed with a significant reduction in the variance to budget from the previous quarter. A number of projects however were not completed in full and will now be delivered alongside new projects approved in the 2018/19 capital works program.

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### Previous Decisions By/Information Reports to Council

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<tr>
<td>7 May 2018</td>
<td>DOC/18/40990</td>
<td>QUARTERLY REPORT - CAPITAL WORKS PROGRAM 2017/18</td>
<td>To provide an update on the approved 2017/18 Capital Works Program at the end of Quarter 3.</td>
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<td>5 February 2018</td>
<td>DOC/18/4560</td>
<td>QUARTERLY REPORT - CAPITAL WORKS PROGRAM 2017/18</td>
<td>To provide an update on the approved 2017/18 Capital Works Program at the end of Quarter 2.</td>
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<tr>
<td>6 November 2017</td>
<td>DOC/17/104584</td>
<td>QUARTERLY REPORT - CAPITAL WORKS PROGRAM 2017/18</td>
<td>To provide an update on the approved 2017/18 Capital Works Program at the end of Quarter 1</td>
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ATTACHMENT A – PROJECTS IN CONSTRUCTION OR COMPLETED

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<thead>
<tr>
<th>Sydney Road shoulder works</th>
<th>Meadows Bore Water Supply Upgrade</th>
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<td><img src="image1.png" alt="Sydney Road shoulder works" /></td>
<td><img src="image2.png" alt="Meadows Bore Water Supply Upgrade" /></td>
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<th>Callington Pipeline Replacement</th>
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<th>Keith Stephenson Park Toilet Renewal</th>
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<tr>
<td><img src="image5.png" alt="Littlehampton Gravity Main Upgrade" /></td>
<td><img src="image6.png" alt="Keith Stephenson Park Toilet Renewal" /></td>
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15. MAYOR’S REPORT

16. MEMBERS’ REPORTS

17. QUESTIONS ARISING FROM COUNCIL MEETING

18. CONFIDENTIAL REPORTS
   NIL