



**MOUNT BARKER
DISTRICT COUNCIL**

NOTICE OF MEETING

Pursuant to Section 83 of the Local Government Act 1999 notice is hereby given that the following meeting will be held in the Laratinga Pavilion, Environmental Services Centre, 100 Springs Road, Mount Barker on Monday 2 August 2021.

IMPORTANT: As per SA Health advice for indoor public places at the time of publication of this agenda, density requirements 1 person per 4 sqm must be adhered to. Members of the public will be required to provide their name and contact details upon entering the meeting venue. The wearing of masks in all communal indoor areas is considered an appropriate control measure during this period of heightened risk – if you can wear a mask, wear a mask. Masks will be available.

7.00 pm

Council Meeting

A. Stuart
CHIEF EXECUTIVE OFFICER

29 July 2021

ORDER OF BUSINESS

1.	COUNCIL OPENING	
	- Expression of Faith	
	- Acknowledgement of Country	
	- Apologies or Leave of Absence	
2.	QUESTIONS FROM THE GALLERY.....	7
3.	CONFIRMATION OF MINUTES.....	7
	3.1 5 July 2021	7
4.	CONFLICT OF INTEREST DECLARATION	7
5.	DEPUTATIONS	7
	5.1 Dr Paul Szuster – Concept for an infrastructure project	7
	5.2 Mr Roger Gamble – Streetscapes and parklands in Mount Barker	7
6.	QUESTIONS WITH NOTICE	8
	6.1 Councillor Grosser - Shared Trail Linkage	8
	6.2 Councillor Grosser – Employment Diversity	10
7.	QUESTIONS WITHOUT NOTICE.....	15
8.	MOTIONS ON NOTICE	15
9.	MOTIONS WITHOUT NOTICE	15
10.	PETITIONS	15
11.	RECOMMENDATIONS FROM COMMITTEES	16
	11.1 Audit and Risk Committee – 15 July 2021.....	16
	11.1.1 Policy and Procedure Framework – Update – Policy Reviews and Proposed Changes to Templates.....	16
	11.1.2 Wastewater Service Delivery Report	23

12.	REPORTS	24
12.1	Windmill Hill Waste Transfer Station Fees and Charges Update	24
	To adopt amendments to the Windmill Hill Waste Transfer Station Fees and Charges for 2021/2022.	
12.2	Recycled Water – Direction and Interim Strategy	29
	To seek endorsement of the Recycled Water Direction and Interim Strategy (attachment 1).	
12.3	Road Speed Limit Changes	39
	To seek Council endorsement of speed limit changes on identified parts of the road network for which have been discussed and agreed with the Department for Infrastructure and Transport (DIT).	
12.4	Grant Funding Submissions.....	45
	To seek endorsement for a range of projects submitted/to be submitted to various grant funding programs.	
12.5	Tree Management Policy.....	52
	To seek adoption of the Tree Management Policy which replaces the previous Urban Forest Policy.	
12.6	Council Members’ Media and Electronic Communications Policy	68
	To provide the draft new Council Members’ Media and Electronic Communications Policy (attachment 1) for endorsement and commencement.	
12.7	Proposed Unmade Road Closure to Settle a Council Encroachment - Wooley Road Harrogate	92
	To seek Council approval to make a Road Closure Order for a portion of unmade road at the rear and adjacent to 251 Wooley Road Harrogate, Lot 10 FP160287 CT 6115/921 to enable it to be utilised as compensation to the property owner to rectify a Council road encroachment.	

12.8	Periodical Elector Representation Review – Submissions Received and Next Steps.....	99
	To provide to Council the submission received and the independent consultant's report in response the prescribed consultation on the Periodical Elector Representation Review In Principle Preferred Structure and Composition Draft Report; and to seek determination of the proposed future composition and structure of the Mount Barker District Council and authorisation for the Chief Executive Officer to prepare and finalise the necessary report for forwarding to the Electoral Commissioner.	
12.9	Ward Donations	122
	To allocate ward donation funds to individuals or organisations.	
13.	INFORMATION REPORTS.....	126
13.1	Ward Donation Expenditure – Period 1 July 2020 to 30 June 2021.....	126
	To provide a summary of ward donations made to individuals or groups for the period 1 July 2020 to 30 June 2021.	
13.2	Keith Stephenson Park Playspace Upgrade.....	130
	To provide an update on previous nature play planning for Keith Stephenson Park (KSP) and to summarise the proposed implementation of nature play as an integral part of the renewal and improvement of the playspace.	
13.3	Summary of Youth Initiatives – 2020-21.....	133
	To highlight key activities and partnerships for the benefit of young people in the district during financial year 2020/21.	
14.	QUARTERLY REPORTS	137
14.1	Regional Development Australia Quarterly Project Report April – June 2021	137
	To provide the Regional Development Australia – Adelaide Hills, Fleurieu and Kangaroo Island quarterly update on its projects to its member Councils.	
14.2	Adelaide Hills Region Waste Management Authority Quarterly Report	142
	To provide Council with a quarterly report from its regional subsidiary, the Adelaide Hills Region Waste Management Authority (AHRWMA).	

15.	MAYOR'S REPORT	150
16.	MEMBERS' REPORTS	150
17.	QUESTIONS ARISING FROM COUNCIL MEETING	150
18.	CONFIDENTIAL REPORTS	151
	18.1. Wastewater Service Delivery Report	151
	18.2. Aquatic and Leisure Centre	159
	18.3. Public Lighting Tariffs Legal Action	253
	18.4. Internal Review of a Council Decision – Engagement of Reviewer	287

1. COUNCIL OPENING**EXPRESSION OF FAITH****ACKNOWLEDGEMENT OF COUNTRY****1.1 Leave of Absence****1.2 Apologies****2. QUESTIONS FROM THE GALLERY (15 MINUTES)****3. CONFIRMATION OF MINUTES****3.1 Recommendation**

That the minutes of the meeting held on 5 July 2021 as circulated to members be confirmed as a true and accurate record of proceedings.

4. CONFLICT OF INTEREST DECLARATION

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

5. DEPUTATIONS**5.1 Mr Paul Szuster – Concept for an infrastructure project****5.2 Mr Roger Gamble – Streetscapes and parklands in Mount Barker**

6. QUESTIONS WITH NOTICE

6.1 TITLE: SHARED TRAIL LINKAGE
DATE: 2 AUGUST 2021
FILE NUMBER: DOC/21/119069

Background provided by Councillor Grosser

Pedestrian and cycle trails are a priority for Council and produce positive outcomes in health and wellbeing, decrease traffic congestion, increase independence and equity for non-car owners, facilitate social connection and decrease pollution and carbon emissions. Connecting trailheads and destinations is a key principle and objective of Council's Trails Masterplan.

In early 2020, I emailed Council planning staff with the suggestion that Council should negotiate with Lanser Developments to make allowance, in their subdivision planning, for extension of the Laratinga Trail beyond the Summit Sport and Recreation Park to Williams Road. Extension of the trail through this small section of the Lanser development would enable walkers and cyclists to transit all the way from the town to Mount Barker Summit without using a busy road. Without this short connecting link, the alternative will be a relatively dangerous and traffic dominated section along Springs Rd. to Williams Road.

Council staff responded positively to my email, noting that land division consent had not yet been granted over the land in question. Since early 2020, civil works for subdivision have proceeded on this land.

Question asked by Councillor Grosser:

- 1) Has land division approval been granted on the land south of the Heysen Boulevard through to the Williams Road junction with Springs Road?
- 2) If so, does the development application include a corridor to enable trail connection?
- 3) If approval has not yet been granted, have staff negotiated with Lanser Developments to include a trail corridor?

Councillor Grosser
2 August 2021

Officer Response:

- 1) Has land division approval been granted on the land south of the Heysen Boulevard through to the Williams Road junction with Springs Road?

Land division consent has been approved for Q3023 Heysen Blvd however no land division approval has been issued for A1500 Springs Road (see image below). An application for A1500 is currently under assessment.



- 2) If so, does the development application include a corridor to enable trail connection?

Yes there will be a footpath and cycle lane either side of Heysen Blvd from Summit Sports and Recreation Park (SSRP) to the Springs Road junction with Heysen Blvd.

Through discussions with the developer a 2.5m trail is then proposed to connect from this junction through to Williams Road via A1500 Springs Road (subject to future approval).

- 3) If approval has not yet been granted, have staff negotiated with Lanser Developments to include a trail corridor?

Yes, as above.

Marc Voortman
General Manager Planning and Development

6.2 **TITLE: EMPLOYMENT DIVERSITY**
DATE: 2 AUGUST 2021
FILE NUMBER: DOC/21/121067

Note: This Question on Notice was tabled at the 7 June 2021 Council meeting.

Background provided by Councillor Grosser

I had a Question on Notice in July 2018 on Council's employment diversity. The staff response provided an age and gender profile of council staff and outlined council policies and actions to achieve a diverse workforce.

Employment diversity is a key component of Council's Community Plan. Under Action: "Implementing the Plan", in Mount Barker District Council's Community Plan 2020-35, Delivery Guideline One is "Leadership and good governance". The first indicator of this guideline is Diversity and Representation, with its measure being "Greater age, gender and cultural diversity of council staff and elected representatives."

Numerous studies have found that a diverse workforce leads to greater productivity, creativity and innovation, improved job satisfaction and employee retention, better community engagement, inclusion and reputation and better, more balanced decision making through provision of different perspectives and values. Panel discussion sessions at the recent Ozwater 21 Conference in Adelaide, involving representatives of world leading consultancies like Jacobs and the winner of Australasia's Most Innovative Company award, Aurecon, discussed how high performance teams need diversity and the innovations and cultural changes required to achieve it, beyond just policy change.

The Local Government Association from July 1st 2021 will offer a new service, the Human Resources Shared Services Centre. Services offered to councils will include employment diversity policy and frameworks, strategic recruitment, succession planning, unconscious biased training and leadership programs.

Question asked by Councillor Grosser:

- 1) Please provide an update on employment diversity, including a comparison with the 2018 gender and age profile of Council's workforce and further data on the age and gender of senior and middle management, including appointments made since 2018. Please also provide data on mobility compromised, cultural and ethnic diversity, including indigenous people, if available.

- 2) What initiatives has Council undertaken since 2018 to implement the aspirations of the Community Plan and improve employment diversity?
- 3) How many women are currently being mentored for middle or senior management roles within Council?
- 4) Please provide a comparison on employment diversity and diversity key performance indicators with regional peri-urban councils with similar demographics, including Adelaide Hills, Victor Harbor, Alexandrina and Barossa Councils.
- 5) Do staff intend to investigate the services of the new LGA Human Resources Shared Services Centre to determine if appropriate to council's needs?

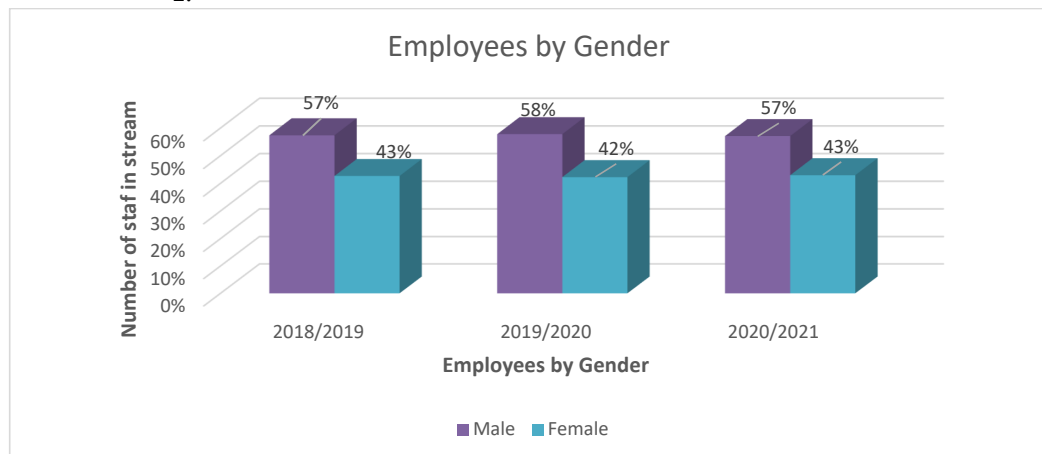
Councillor Ian Grosser

1 June 2021

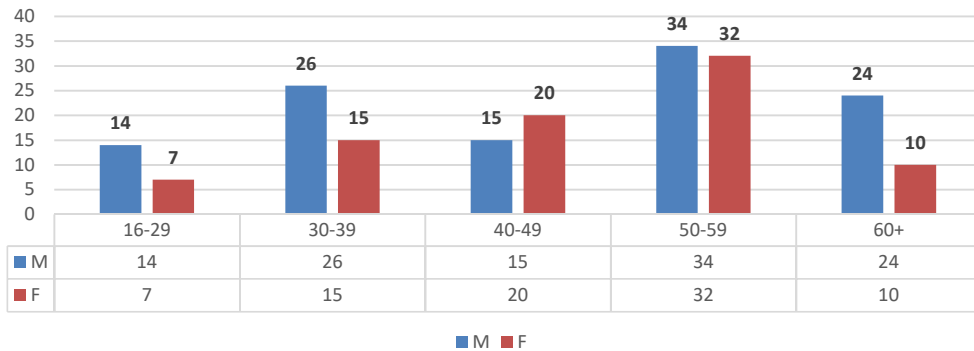
Officer Response:

Question asked by Councillor Grosser:

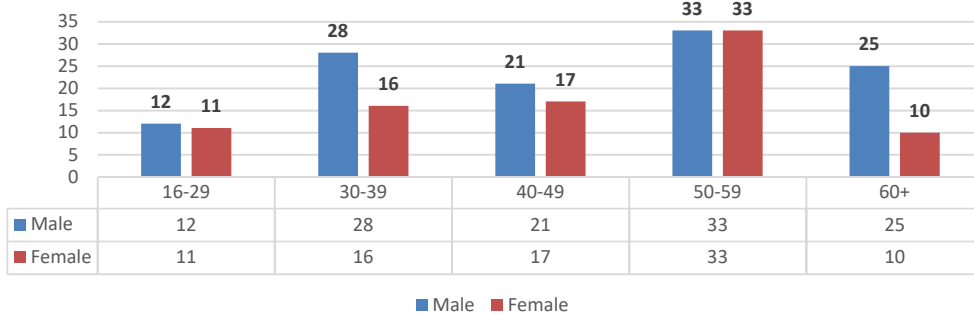
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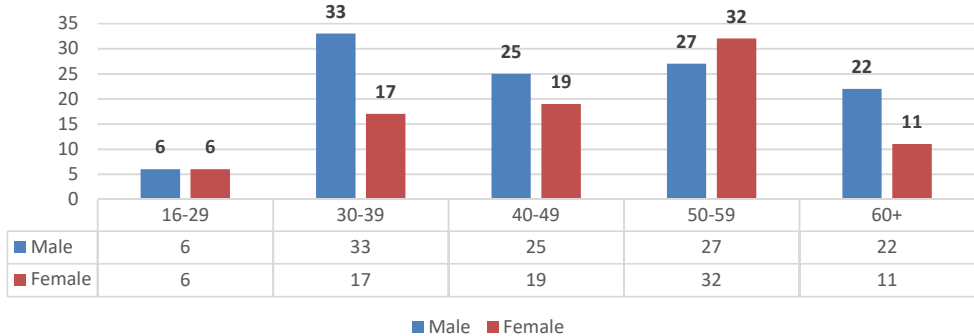
Gender by Age 2018/2019

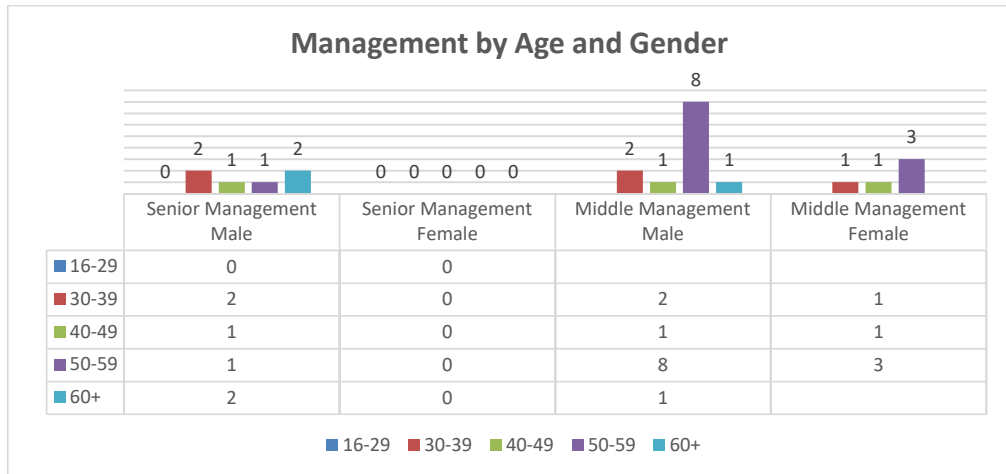


Gender by Age 2019/2020



Gender by Age 2020/2021





Management Appointments from 1/2/2018

Council has a Recruitment and Selection Policy and Procedure and Clause 5.2 of the Policy states “Recruitment and selection must be fair and equitable, made only on the basis of merit and be consistent with the principles of human resource management outlined in Section 107 of the Local Government Act 1999 and the Equal Opportunity Act 1984”.

Selection panels are required to have a diverse range of skills, be gender inclusive and have either external or other Departmental representation.

Management Appointments From 1/1/2018		
Gender	Title	Appointment Date
Female	Manager Library and Customer Services	29/01/2018
Male	Chief Financial Officer	7/05/2018
Male	Manager Infrastructure Delivery	4/06/2018
Male	Manager Infrastructure Planning	4/06/2018
Female	Manager Financial Services	5/11/2018
Male	Manager, Strategic Projects Policy and Planning	15/04/2019
Male	General Manager Planning and Development	9/12/2019
Male	Commercial Manager - Wastewater	5/02/2020
Male	Manager City Development	2/03/2020
Male	Manager Procurement Property & Contracts Management	22/03/2021
Female	Manager Strategic and Community Planning	15/04/2021
Male	Manager Infrastructure Maintenance and Operations	7/06/2021

Council has two employees who are mobility compromised.

All other diversity data will be obtained through the development of Council's Diversity Program due to commence in July 2021.

2) The development of a Diversity and Inclusion Plan was scheduled for 20/21 and is now scheduled to commence in July 2021. Council designed and distributed a diversity survey to staff, however completion rates were low.

3) There are 6 female employees who People and Culture understand are being formally supported through development opportunities or mentored for middle or senior management roles.

4)

Category	Alexandrina	Adelaide Hills	Barossa	Mount Barker
Male Employees	47%	50%	45%	57%
Female Employees	53%	50%	55%	43%
Females in Senior roles *	42%	37%	37%	28%

* Senior roles – CEO, General Manager, Manager

Note: Mount Barker District Council's significant growth phase and wastewater business places a higher current emphasis on infrastructure and project management roles.

5) The Manager People & Culture attended a LG HR forum recently where the LGA shared their initial thinking on this service and asked for feedback. Once the shared services centre is established, Council will assess if it meets our needs.

Greg Parker
General Manager, Community Services

7. QUESTIONS WITHOUT NOTICE – COUNCILLORS

8. MOTIONS ON NOTICE

NIL

9. MOTIONS WITHOUT NOTICE

For

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

10. PETITIONS

NIL

11. RECOMMENDATIONS FROM COMMITTEES**11.1 Audit and Risk Committee – 15 July 2021**

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

11.1.1 REPORT TITLE:	POLICY AND PROCEDURE FRAMEWORK – UPDATE – POLICY REVIEWS AND PROPOSED CHANGES TO TEMPLATES
FILE NUMBER:	DOC/21/107558
ATTACHMENTS:	1. DOC/20/3944 – CURRENT COUNCIL POLICY TEMPLATE 2. DOC/21/107603 - UPDATED COUNCIL POLICY TEMPLATE

Recommendation

That Council:

1. note the Policy Framework Update and policy review in progress;
2. endorse the revised Council Policy Template however consider including an overview that is targeted to the audience e.g. community (attachment 2);
3. note the changes to the Council Policy template will also be replicated in Corporate Policy, and Council and Corporate Procedures and Guidelines templates as the documents are reviewed; and
4. note that the templates may undergo further minor formatting or content changes as the policy review progresses.

Attachment 1 to Item 11.1.1

**TITLE: << COUNCIL POLICY - NAME>>**

REFERENCE NUMBER:	<Trim Document Number>
RESPONSIBLE OFFICER/ DEPARTMENT:	<<Insert>>
APPLICABLE LEGISLATION:	<<Local Government Act 1999>>
MOUNT BARKER 2035 – DISTRICT STRATEGIC PLAN:	Theme Goal
RELATED POLICIES:	<ul style="list-style-type: none"> <<Policy A>> <<Policy B>>
SUPPORTING PROCEDURES:	<ul style="list-style-type: none"> <<SOP Name>> <<SOP Name>>
PREVIOUS REVIEW DATES:	<<Insert>>
ENDORSED BY COUNCIL:	<<Insert>>
MINUTE RESOLUTION NUMBER:	<<Insert Date>>
NEXT REVIEW DATE:	<Insert Date>>

1. PURPOSE**2. SCOPE**

This Policy is applicable to (to be completed)

3. DEFINITIONS**4. ROLES & RESPONSIBILITIES****Council:**

- TBA

Chief Executive Officer:

- TBA

General Managers:

- TBA

Others:

- TBA

5. POLICY STATEMENT

<<Document Owner to determine>>

6. TRAINING / EDUCATION

<<Consider what training or education is required and how it will be delivered/implemented. >>

7. REVIEW

This Policy will be reviewed:

- (if a new Policy in 6 or 12 months and then)every three years; or
- the frequency dictated in legislation, or
- earlier in the event of changes to legislation or related Policies and Procedures or ;
- if deemed necessary by the <<Document Owner Title>>.

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:

Title: <<Document Owner Title>>

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

Telephone: <<Document Owner Phone Number>>

Email: <<Document Owner Email Address>>

COUNCIL POLICY INSTRUCTIONS & TEMPLATE**** Please delete instructions once Policy has been drafted ****

Purpose:	<p>Sets out the elected Council's position, objectives, roles and responsibilities and is used to make decisions when enacting Council's strategies.</p> <p>Policies that are required to be presented to Council are those required by legislation, reflect a strategic direction, and any that have a direct impact or involve Council Members.</p>
Focus:	External / Community
Detail:	High level statements of directions, relatively short and concise and do not include the detail of information that is normally found in a procedure. A maximum of 2-3 pages.
Consultation:	<p>Undertaken with the Council, stakeholders and relevant staff. . Risk and Governance Officer to review.</p> <p>The community will also be consulted where required by legislation or as provided for in the Consultation Policy.</p>
Initial Approval and Review:	New Policies to CGG for approval prior to formally present to Audit and Risk Committee or Council for Council Resolution. New Policies reviewed in 6 or 12 months (as determined or Council)
Review:	<p>Is the responsibility of the Document Owner.</p> <p>Policies required by legislation will be reviewed as required by legislation and all others will be reviewed every 3 years.</p> <p>An email generated from Magiq will provide documents owners with a reminder of overdue Policies. .</p>
Ongoing Approval	Following the review of a Council Policy by CGG the Policy must be presented to either the Audit and Risk Committee (if within its Terms of Reference) or direct to Council for adoption.
Access:	<p>Council Policies are available:</p> <ul style="list-style-type: none"> • On the Council website; • On the Council's Intranet site (Insite); and • At the Customer Service Centre for inspection and purchase by the public.
Template:	Doc/20/3944

Attachment 2 to Item 11.1.1

TITLE: << COUNCIL POLICY - NAME>>



- 1. PURPOSE**
- 2. SCOPE**
- 3. DEFINITIONS**
- 4. ROLES & RESPONSIBILITIES**

Council

Chief Executive Officer

General Managers

Others

- 5. POLICY PRINCIPLES**
- 6. POLICY STATEMENT**
- 7. TRAINING / EDUCATION**
- 8. DOCUMENT REVIEW**
- 9. FURTHER INFORMATION**

For further information on this Policy, please contact:

Title: <<Document Owner>>
Address: PO Box 54, Mount Barker
South Australia, SA, 5251
Telephone: 8391 7200
Email: council@mountbarker.sa.gov.au

DOCUMENT CONTROL

REFERENCE NUMBER:	<< HPCM Document Number Insert >>
PREVIOUS DOCUMENT NUMBER:	<< HPCM Document Number Insert >>
RESPONSIBLE OFFICER/ DEPARTMENT:	<<Document Owner>> <<General Manager>>
APPLICABLE LEGISLATION:	<i>Local Government Act 1999 (SA)</i> <i>Local Government (General Regulations) 2013 – Schedule 2A</i> << Insert >>
MOUNT BARKER <u>DISTRICT COUNCIL</u> <u>COMMUNITY PLAN 2020 - 2035</u> – DISTRICT <u>STRATEGIC PLAN:</u>	<< Insert >>
RELATED DOCUMENTS:	<ul style="list-style-type: none"> • <<Policy A>> • << Procedure A >> • << Insert >>
PREVIOUS REVIEW DATES:	<< Insert >>
REVIEWED BY:	[NAME] [POSITION] [DATE]
REVIEW CYCLE: (SUBJECT TO STATUTORY REQUIREMENTS)	<p>6-12 months year (if new Policy)</p> <p>3 years (reviewed Policy); or</p> <p>the frequency dictated in legislation, or</p> <p>earlier in the event of changes to legislation or related Policies and Procedures; or</p> <p>if deemed necessary by the <<Document Owner Title>>.</p> <p>It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively.</p> <p>Examples include a change to the name of a Council department, a change to the name of a State or Federal Department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of Council <u>(if statutory)</u> or the <u>Chief Executive Officer (if administrative)</u>.</p>
NEXT REVIEW DATE:	<< Insert >>
APPROVED BY:	<< Council >> (if statutory) OR << Chief Executive Officer >> (if administrative)
DOCUMENT AVAILABILITY	Council intranet and Council website

COUNCIL POLICY INSTRUCTIONS & TEMPLATE**** Please delete instructions once Policy has been drafted ****

Purpose:	<p>Sets out the elected Council's position, objectives, roles and responsibilities and is used to make decisions when enacting Council's strategies.</p> <p>Policies that are required to be presented to Council are those required by legislation, reflect a strategic direction, and any that have a direct impact or involve Council Members.</p>
Focus:	External / Community
Detail:	High level statements of directions, relatively short and concise and do not include the detail of information that is normally found in a procedure. A maximum of 2-3 pages.
Consultation:	<p>Undertaken with the Council, stakeholders and relevant staff. . Risk and Governance Officer to review.</p> <p>The community will also be consulted where required by legislation or as provided for in the Public Consultation Policy.</p>
Initial Approval and Review:	New Policies to CGG for approval prior to formally present to Audit and Risk Committee or Council for Council Resolution. New Policies reviewed in 6 or 12 months (or as determined by Council)
Review:	<p>Is the responsibility of the Document Owner.</p> <p>Policies required by legislation will be reviewed as required by legislation and all others will be reviewed every 3 years.</p> <p>An email generated from Magiq will provide documents owners with a reminder of overdue Policies. .</p>
Ongoing Approval	Following the review of a Council Policy by CGG the Policy must be presented to either the Audit and Risk Committee (if within its Terms of Reference) or direct to Council for adoption.
Access:	<p>Council Policies are available:</p> <ul style="list-style-type: none"> • On the Council website; • On the Council's Intranet site (Insite); and • At the Customer Service Centre for inspection and purchase by the public.
Template:	Doc/

11.1.2 CONFIDENTIAL ITEM 12.1 WASTEWATER SERVICE DELIVERY REPORT

This item was considered by the Audit and Risk Committee (ARC) in confidence and is the subject of a confidentiality order by the ARC.

The ARC recommendations arising from this item are contained in the confidential agenda item 18.1 Wastewater Service Delivery Report and will be considered in confidence when that item is discussed.

12. REPORTS

**12.1 REPORT TITLE: WINDMILL HILL WASTE TRANSFER STATION
FEES AND CHARGES UPDATE**

DATE OF MEETING: 2 AUGUST 2021

FILE NUMBER: DOC/21/116756

**ATTACHMENTS: ATTACHMENT 1 – DOC/21/116757 - 2021/22
FINAL FEES AND CHARGES WINDMILL HILL
WASTE TRANSFER STATION**

Key Contact Daniel Newson, Acting Technical Coordinator,
Maintenance and Operations

Manager/Sponsor Phil Burton, General Manager, Infrastructure

Community Plan 2020-2035:

Ecological sustainability – Low Waste

ES Objective 2.2 Lead and support circular economy development, best practice waste minimisation, procurement of recycled and upcycled materials and engagement of systems and programs that significantly increase recycling rates.

Annual Business Plan:

LGG 5 Demonstrate accountability through clear, relevant and easily accessible policies, corporate reporting and legislative compliance.

Purpose:

To adopt amendments to the Windmill Hill Waste Transfer Station Fees and Charges for 2021/2022.

Summary – Key Issues:

1. Updated fees and charges for the Windmill Hill Transfer Station were adopted in June 2021.
2. A review of fees and charges by newly appointed management has identified some minor discrepancies that need to be corrected before implementing the new fees.
3. The changes are aligned with current operational practices and will provide greater clarity for the community in interpreting the fees leading to improved customer satisfaction with negligible impact on the adopted budget.

Recommendation:

That Council adopt the revised fees and charges schedule for the Windmill Hill Transfer Station for 2021/22 as shown in attachment 1 of this report.

Background:

1. The current Fees and Charges 2021/22 for the Windmill Hill Waste Transfer Station were adopted by Council on the 7 June 2021.
2. A review of the operations at the site in June 2021 identified some inconsistencies in how loads are described on the fees schedule, which has led to confusion amongst the community.
3. The review also identified changed practices that have been in place for some time had not been reflected in the Fees and Charges schedule.

Discussion:

4. The proposed changes to the Fees and Charges schedule from those previously adopted are detailed below:
 - Metal will continue to be free in 2021/22
 - Waste Oil/Coolant will continue to be free in 2021/22
 - Naming conventions have been changed in several categories to provide greater clarity in response to feedback from staff and community users of the site
 - Duplicated categories have been removed
 - The sale of recycled rubble has been removed from the schedule due to a change in practice where material is being utilised to its full extent on internal projects
 - The addition of a new category for recycled mulch

Community Engagement:

Informing only	Information available on website, social media and on-site signage.
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Policy:

N/A

Long Term Financial Plan:

There is no anticipated impact on the adopted LTFP.

Budget:

There is no anticipated impact on the 2021/22 budget.

Statutory/Legal:

N/A

Staff Resource Requirements:

Changes will be implemented using internal resources.

Environmental:

These changes will improve the recycling of materials and the correct disposal of waste.

Social:

Greater clarity for community as to charges when utilising the Windmill Hill Transfer Station.

Risk Assessment:

N/A

Asset Management:

N/A

Conclusion:

There is a need to make some minor amendments to the adopted Fees and Charges for the Windmill Hill Waste Transfer Station for 2021/2022 to correct some errors and improve clarity.

Previous Decisions By/Information Reports to Council

Meeting Date	7 June 2021	CM Reference	DOC/21/71191
Title	ADOPTION OF 2021/22 FEES AND CHARGES REGISTER		
Purpose	Adoption of draft Register of Fees and Charges 2021/22		

Attachment 1 to Item 12.1

WINDMILL HILL WASTE TRANSFER STATION FEES & CHARGES 2021/2022

WASTE TRANSFER STATION	GST	PROP	COMMENT
Clean Green Waste #			
Less than Car Boot	Yes	\$2.00	added in line with current practice for clarity
Car Boot - Full	Yes	\$4.00	added in line with current practice for clarity
Cars	Yes	\$8.00	remove small wagon as causing confusion
Wagons & SUVs	Yes	\$12.00	added in line with current practice for clarity
Utilities & small trailers (up to 6x4) flat	Yes	\$12.00	
Utilities & small trailers (up to 6x4) raised	Yes	\$17.00	
Utilities & trailers (up to 6x4) caged	Yes	\$22.00	
Utilities & trailers (up to 7x5) flat	Yes	\$17.00	added in line with current practice for clarity
Utilities & trailers (up to 7x5) raised	Yes	\$23.00	added in line with current practice for clarity
Utilities & trailers (up to 7x5) caged	Yes	\$26.50	added in line with current practice for clarity
Utilities & trailers (up to 8x5) flat	Yes	\$23.00	
Utilities & trailers (up to 8x5) raised	Yes	\$26.50	
Utilities & trailers (up to 8x5) caged	Yes	\$33.50	
Utilities & trailers (exceeding 8x5) flat	Yes	\$35.50	
Utilities & trailers (exceeding 8x5) raised	Yes	\$36.50	
Utilities & trailers (exceeding 8x5) caged	Yes	\$49.50	
Trucks or trailers exceeding 10x5 <i>per m3 (cubic metre)</i>	Yes	\$23.00	renamed for clarity and meet current practice
General Waste & Green Weeds #			
Less than Car Boot	Yes	\$12.00	
Car Boot - Full	Yes	\$20.50	
Cars	Yes	\$27.50	remove small wagon as causing confusion
Wagons & SUVs	Yes	\$49.00	added in line with current practice for clarity
Utilities & small trailers (up to 6x4) flat	Yes	\$49.00	
Utilities & small trailers (up to 6x4) raised	Yes	\$70.50	
Utilities & trailers (up to 6x4) caged	Yes	\$95.50	
Utilities & trailers (up to 7x5) flat	Yes	\$70.50	added in line with current practice for clarity
Utilities & trailers (up to 7x5) raised	Yes	\$86.50	added in line with current practice for clarity
Utilities & trailers (up to 7x5) caged	Yes	\$105.50	added in line with current practice for clarity
Utilities & trailers (up to 8x5) flat	Yes	\$86.50	
Utilities & trailers (up to 8x5) raised	Yes	\$105.50	
Utilities & trailers (up to 8x5) caged	Yes	\$144.00	
Utilities & trailers (exceeding 8x5) flat	Yes	\$127.00	
Utilities & trailers (exceeding 8x5) raised	Yes	\$171.00	
Utilities & trailers (exceeding 8x5) caged	Yes	\$191.00	
Trucks or trailers exceeding 10x5 - Green Weeds ONLY <i>per m3 (cubic metre)</i>	Yes	\$66.00	renamed for clarity and meet current practice
Other Waste #			
Mattress	Yes	\$28.00	
Mattress ensemble	Yes	\$48.00	
Waste Oil/coolant - domestic quantities only		Free	added free as per practice
Gas cylinders - up to 9kg	Yes	\$4.00	
Oil containers >6L	Yes	\$2.00	
Paint (no spray, no chemicals)		Free	Secured in containers of 20L or less, total maximum 100L per visit.
Scrap Metal		Free	added free as per practice
E-Waste #			
TV/Monitor/Computers	Yes	Free	
Other e-waste items	Yes	Free	
Commercial & Industrial Rates - General Waste			
Commercial waste - General waste - per tonne (<i>up to 5 tonnes</i>)	Yes	\$183.50	load limit added in line with site practices
Clean Bricks & Concrete - per tonne (<i>up to 5 tonnes</i>)	Yes	\$58.00	name change and load limit added in line with site practices
Commercial waste - Light Commercial per m ³	Yes	\$66.00	

Tyres - (Truck and Tractor tyres and rims are not accepted)tractor tyres added to not accepted as per
practice at site

Motorbike Tyre	Yes	\$7.00
Motorbike Tyre & Rim	Yes	\$15.00
Passenger Tyre	Yes	\$10.00
Passenger Tyre & Rim	Yes	\$20.00
4x4 & Light Truck Tyre	Yes	\$20.00
4x4 & Light Truck & Rim	Yes	\$40.00

Mulch Purchase #*Maximum price listed, sales may occur during the year*

Clean Green Mulch - per bucket	Yes	\$22.50
Bark Chip Mulch - per bucket	Yes	\$15.00

added as not included in past but available

Weighbridge weigh

Car and trailer	Yes	\$11.00
Car plus caravan	Yes	\$16.00
Trucks	Yes	\$21.00

Other #

Saleable items	Yes	POA
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12.2 REPORT TITLE: RECYCLED WATER – DIRECTION AND INTERIM STRATEGY

DATE OF MEETING: 2 AUGUST 2021

FILE NUMBER: 21/111117

ATTACHMENTS: 1) Recycled Water – Direction and Interim Strategy 21/81631

Key Contact Chris Reynolds, Commercial Manager, Wastewater

Sponsor Brian Clancey, Deputy CEO/General Manager, Wastewater/Recycled Water

Community Plan 2020-2035:

Ecological Sustainability

ES Objective 1

Continue to build on council's reputation as a leader in wastewater management and promote water recycling and reuse.

Annual Business Plan:

Wastewater/Recycled Water

Continue with planning, design and construction of the capital works program to expand the recycled water infrastructure network.

Purpose:

To seek endorsement of the Recycled Water Direction and Interim Strategy (attachment 1).

Summary – Key Issues:

1. A Recycled Water Direction and Interim Strategy has been prepared by council officers and is attached.
2. The primary purpose is to provide clear direction for further council actions to inform decision making for future investment in recycled water.
3. The target is that by the end of Autumn 2022 there will be an endorsed (via a council meeting resolution) prioritised program of recycled water related works with the desired funding, responsibilities and timing for the delivery of the various strategy elements.

Recommendation:

That Council:

Endorse the Recycled Water Direction and Interim Strategy (attachment 1).

Background:

1. One of council's previously endorsed Strategic Objectives for Wastewater/Recycled Water is to maximise the productive re-use of water.
2. Council has previously had market demand studies undertaken in relation to recycled water.
3. These were initiated in the knowledge that the Hillgrove Resources mine, which for several years had been the major customer for council's recycled water, had a limited life and that beyond that life, council would have significant supply capacity of recycled water.
4. The market demand studies were undertaken over a number of years and included one that was jointly commissioned by council with SA Water and work was undertaken for council by Regional Development Australia – Adelaide Hills, Fleurieu and Kangaroo Island.
5. Each of the studies demonstrated considerable interest from a number of prospective customers but the cost and funding of the required up front supply infrastructure to get the recycled water to the customer was a major barrier.
6. Council has received an offer of a State Government grant to contribute to the construction of additional storage for recycled water at Callington. This is not yet the subject of any recommendation to a council meeting, pending the preparation of further (confidential) information. This facility would be over and above the council's existing storage facility on Little Dublin Road in Mount Barker which has capacity of approximately 120 mega litres.
7. As endorsed at the July 2021 council meeting, two applications have recently been submitted by council to seek grant funding from the National Water Infrastructure Development Fund (NWIDF) to contribute to the cost of:
 - (a) *Recycled Water Pipeline to Nairne – Stage 1*; and
 - (b) *Callington Recycled Water Connection*

Discussion:

8. The attached is badged as a Direction and Interim Strategy pending the identified proposed work being undertaken to enable council to then formalise the Strategy.
9. The required work to be undertaken includes the investigation of possible strategic partnering opportunities. This was the case when the recycled water arrangements with Hillgrove Resources were first entered into by council.
10. The need for this work to be undertaken is evidenced by interest being shown from a number of prospective new customers for recycled water; regulatory requirements (see below); and so as to progress council's strategic objective to maximise recycled water use.
11. Securing commitment from prospective new customers would serve to underpin future capital investment in new recycled water assets and enable risk to be managed.
12. This work also reinforces to regulatory bodies that council is continuing to pursue the productive use of recycled water and similarly, it will help to strengthen the basis for further grant funding applications to be made.
13. Completion of the work will also enable well informed council decision making to subsequently occur.

Community Engagement:

Informing only	Key stakeholder engagement would occur as per the attachment
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Policy:

- Recycled Water Sale Policy – Non Residential
- Strategic Partnerships Policy

Long Term Financial Plan:

The council's Long Term Financial Plan includes very modest forecast revenue from recycled water sales up until year 10 together with capacity for major capital expenditure.

With the benefit of the proposed work and subsequent council decision making, the inputs (regarding recycled water) to the wastewater/recycled water long term financial modelling and the council's Long Term Financial Plan can be updated.

Budget:

To secure a suitable person/entity as soon as practicable to undertake the proposed work which will need to be fully funded by the wastewater/recycled water budget.

Statutory/Legal:

The use of recycled water is regulated by SA Health.

Council's commitment to the EPA to update the approved Environmental Improvement Plan (EIP) for the upgrading of the wastewater treatment plant and optimising recycled water use (see attachment 1).

Staff Resource Requirements:

To undertake the proposed work will require council to secure a suitable person/entity as soon as practicable as an additional resource to achieve the target that by the end of Autumn 2022 there will be an endorsed (via a council meeting) prioritised program of works with the desired funding and timing for the delivery of the various strategy elements - refer attachment.

Environmental:

Environmental benefits are a key objective including to minimise the disposal of recycled water from the Mount Barker wastewater treatment plant via the Mount Barker Creek (refer attachment).

Social:

Social benefits are a key objective (refer attachment).

Risk Assessment:

Without this work being undertaken council would be at risk of making decisions without having sufficient information.

There is a risk that the target timing as outlined above and in the attachment will not be achievable.

To mitigate that risk it will be important to secure a suitable person/entity as soon as practicable to undertake the proposed work.

There is also the risk of prospective customers having unrealistic expectations such as in relation to the price of recycled water.

To mitigate that risk will require clear and effective communication with prospective customers from the outset.

Asset Management:

Any proposed new recycled water assets that would be council owned will require the updating of council's Asset Management Plan and provision for operation, maintenance and renewal, including depreciation.

Conclusion:

Endorsement of the attached Recycled Water Direction and Interim Strategy is recommended given the need for the identified work to be undertaken to enable well informed council decision making to subsequently occur.

Previous Decisions By/Information Reports to Council

Meeting Date	5 July 2021	CM Reference	DOC/21/94822
Title	RECYCLED WATER – TWO PROJECTS NOMINATED FOR GRANT FUNDING		
Purpose	To seek endorsement for the nomination by council of two recycled water projects for Federal Government grant funding.		

Attachment 1 to Item 12.2

Recycled Water - Direction & Interim Strategy

{Draft as at 26 July 2021 HP 21/81631}



Purpose of this Document

1. To provide clear direction for further council actions to inform future investment in recycled water, in order to deliver a range of community benefits in a staged manner over a period of time.
2. To signal to key stakeholders (including the Federal and State Governments to support grant funding applications) the intentions of council in relation to continuing to pursue the productive use of recycled water.

Key Council Objectives

As the owner of the wastewater/recycled water service, council's strategic objectives for recycled water are:

1. To maximise the productive use of recycled water.
2. To use recycled water to facilitate the achievement of environmental, economic and social benefits to the community.
3. To continue to provide adequate (quantity) and suitable (quality) recycled water for the Laratinga Wetlands.
4. To continue to use recycled water to irrigate council parks and reserves.
5. To minimise the disposal of recycled water from the Mount Barker wastewater treatment plant via the Mount Barker Creek.
6. To continue to ensure compliance with all regulatory requirements.
7. To seek to achieve a suitable return on investment, including through deriving revenue from the sale of recycled water to customers.
8. To complete the timely update of the EPA approved Environmental Improvement Plan (EIP) for the upgrading of the wastewater treatment plant and optimising recycled water use (refer below under Regulatory).

The Opportunity

The supply capacity of council from the Mount Barker wastewater treatment plant will continue to increase commensurate with population growth.

In 2021 the supply capacity is in the order of 1.1 giga litres.

The forecast future supply capacity is as follows:

2031 - 2.0 giga litres

2041 - 2.7 giga litres

2051 - 3.5 giga litres

2061 - 4.0 giga litres

Council will also continue to engage with SA Water to seek to identify possible opportunities for collaboration/partnering for mutual benefit.

Direction

To achieve the above key council objectives and maximise the recycled water supply capacity, it is proposed to investigate ultimately having supply to the following geographical areas (to include the ability to supply properties along these routes) which have been selected based on previous studies and the information available to council at this time:

1. Callington – using the existing council owned and operated recycled water main.
2. Hay Valley/Nairne – via a new recycled water main commencing at Little Dublin Road, Mount Barker.
3. Langhorne Creek – via a new recycled water main, likely commencing at Callington.
4. Mount Barker – expand the existing council network to irrigate additional Council reserves and parks.

Strategy

1. Seek to partner with organisations in relation to the procurement and operation and maintenance of the required recycled water infrastructure.
2. Pro-actively seek commitment from new customers for recycled water so as to secure future revenues and underpin capital investment.

3. Consider the provision of incentives such as differential pricing to new customers during initial trial/establishment periods.
4. Offer differential pricing to new customers to reflect the benefit arising from those who contribute to capital funding and/or required recycled water infrastructure that is capable to supply other customers.
5. Seek to minimise the construction by council of additional storage capacity for recycled water such as by offering incentive to customers who provide on-site storage.
6. Have some flexibility as to the quality of recycled water being produced following treatment.
7. Stage implementation of capital investment in new recycled water assets as required, according to funding availability, supply/demand and revenue.
8. Update the council's Recycled Water Sale Policy – Non residential.

Funding

1. Continue to seek Federal and State Government grants to contribute to capital funding needs.
2. Continue to seek the support of Regional Development Australia – Adelaide Hills, Kangaroo Island and Fleurieu.
3. All revenue from the sale of recycled water is to be credited to a wastewater reserve account for recycled water to be used to contribute to infrastructure investment (both new and renewal) and operating and maintenance costs.
4. The wastewater/recycled water service/business is to loan fund capital investment as and when required.
5. Seek capital funding contributions from new customers.
6. Council funds from general rates will not be used on recycled water other than where council is a customer itself and pays for the recycled water supplied.

Target Timing

1. Commence implementation of the direction and interim strategy without delay.

2. **By the end of Autumn 2022 establish an endorsed (via a council meeting resolution) prioritised program with the desired funding and timing for the delivery of the various strategy elements, acknowledging that implementation is likely to be staged over a number of years.**

Risk and Reward

1. Promote the beneficiary pays principle in assessing strategic partnering opportunities and the appropriate distribution of rewards/benefits and risks.
2. Undertake the required due diligence in assessing partnering and investment opportunities, including consideration of the recurrent and whole-of-life costs associated with the project.
3. Ensure that financial and other risks are identified, together with strategies to mitigate, manage and monitor these risks.

Regulatory

Undertake early engagement with relevant regulatory agencies including SA Health and the EPA.

Council's commitment to the EPA to update the current Environmental Improvement Plan (EIP).

By 31 July 2021, council will provide :

1. an updated draft plan to the EPA which outlines the intent for upgrading the Mount Barker WWTP to a plant capable of Biological Nutrient Removal (a process used for nitrogen and phosphorus removal from wastewater before it is discharged into surface or ground water) to reduce the nutrient content of the treated wastewater. This plan will need to be costed and included in future financial plans to enable certainty of delivery.
2. The updated draft plan will outline the approach to developing and optimising recycled water use in areas such as Callington.

By 30 September 2021, council will review and resubmit a revised EIP to the satisfaction of the EPA.

Monitoring and Review

1. Regular (half yearly) monitoring and reporting to council is to occur (within the current quarterly reporting cycle) on the implementation of the strategy and the delivery of the endorsed prioritised program (as referenced above under Target Timing).
2. The direction and strategy should be reviewed 2 years following adoption at a council meeting, or earlier if circumstances warrant.

Resourcing

1. Additional resources will be required to take the lead in progressing the preparation and subsequent implementation of the recycled water strategy and engaging with key stakeholders. Options exist as to the procurement of the additional resource capacity.
2. Funding for this role would be solely derived from the wastewater/recycled water service/business.
3. As for all employee matters, if the additional resource capacity was to be secured via recruitment of an employee, this would be the responsibility of the Chief Executive Officer.

12.3	REPORT TITLE:	ROAD SPEED LIMIT CHANGES
	DATE OF MEETING:	2 AUGUST 2021
	FILE NUMBER:	DOC/21/106048
	ATTACHMENTS:	1. SUMMARY MAP OF SPEED LIMIT CHANGES
	<u>Key Contact</u>	Matthew Dawkins, Manager Infrastructure Planning, Infrastructure Services
	<u>Manager/Sponsor</u>	Phil Burton, General Manager, Infrastructure Services

Community Plan 2020-2035:

CW Objective 4.3 Undertake town planning, infrastructure provision and asset management to facilitate healthy lifestyles and safety.

CW Objective 5.3 Apply a strategic, planned and consistent approach to the provision, development and maintenance of roads and footpaths.

Annual Business Plan:

CW 5 Mobility and accessibility Transport solutions, infrastructure and trails allow people to move to, from and within the district in a convenient, efficient and accessible manner.

Purpose:

To seek Council endorsement of speed limit changes on identified parts of the road network for which have been discussed and agreed with the Department for Infrastructure and Transport (DIT).

Summary – Key Issues:

1. DIT assess requests for speed limit change against the guiding document titled Speed Limit Guideline for South Australia (DIT, 2017)
2. A range of potential changes to speed zones have been discussed with DIT. The sites identified are close to areas where growth has occurred, where growth is expected to occur in the near future or where there has been community request for speed limit change.
3. DIT agree there are a number of sites for which a change is warranted to reflect housing growth (planned or has occurred), poor road geometry and adjacent development density.

Recommendation:

That Council:

1. Endorse the following proposed speed limit changes:
 - a. Hahndorf 40km/h township speed limit;
 - b. Summit Sport and Recreation Park 30km/h for all internal roads;
 - c. Environmental Services Centre access road permanent 30km/h;

- d. Springs Road (east) from Bald Hills roundabout to Mount Barker Springs township, reduce from 80km/h to 60km/h;
 - e. Wellington Road from Long Valley Road to Council boundary, reduce speed limit from 100km/h to 80km/h;
 - f. Sydney Road, Nairne extend township 50kph zone approximately 120m towards the east;
 - g. Bollen Road reduction from 60km/h to 50km/h.
 - h. Old Mount Barker Rd Echunga (Churchill to Flaxley Roads) reduce 80kph to 60kph.
2. Authorise the General Manager Infrastructure or his delegate to formally request the above speed limit changes of DIT and commence advising the community of the proposed speed limit changes.
 3. Note that the implementation of these changes will occur within the next 12-18 months, subject to approval by the Minister of Transport, as development occurs or capital works are completed.
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Background:

1. Speed limits in South Australia are determined and applied by the Department for Infrastructure and Transport (DIT) 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 DIT 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 however pre-approval of a speed limit when development is known has been sought and approved previously i.e. Bald Hills Road from Springs Road to the Golf Course.

Discussion:

4. The following factors have led to the identification of a number of road segments that have current merit for the lowering of the speed limits to reflect:
 - a. Conditions that align with the DIT guidelines for the setting of speed limits,
 - b. Increased extent of urban growth,
 - c. Where development is now generating higher traffic volumes,
 - d. Where the proximity of roadside hazards combined with poor existing road geometry prevail, and
 - e. Community requests for speed limit reduction.
5. The group of road segments for which a reduced speed limit has been considered appropriate are described as:
 - a. Hahndorf 40km/h township speed limit;
 - b. Summit Sport and Recreation Park (SSRP) 30km/h for all internal roads;
 - c. Environmental Services Centre (ESC) access road permanent 30km/h;
 - d. Springs Road (east) from Bald Hills Rd roundabout to Mount Barker Springs township, reduce from 80km/h to 60km/h;
 - e. Wellington Road from Long Valley Road to Council boundary, reduce speed limit from 100km/h to 80km/h;

- f. Sydney Road, Nairne extend 50kph township zone by approximately 120m towards the Recreation Grounds;
 - g. Old Mt Barker Rd, Echunga between Churchill Rd and Flaxley Roads reduction to 60kph;
 - h. Bollen Road reduction from 60km/h to 50km/h.
6. The group of roads listed above have been discussed with a DIT assessor to gauge the Departments view with respect to the warrant/suitability for a lower speed limit in accordance with the Speed Limit Guideline for South Australia.
7. All roads listed above have in-principle support from DIT for the proposed changes.
8. Hahndorf Township proposed 40kph zone is sought on the basis that it is recognised to be a high visitation tourist precinct. With that comes many pedestrian movements in the town, large volumes of visitors, parking in the local street network, and generally high levels of activity. Some streets in Hahndorf are narrow and it is considered appropriate to apply a township 40kph speed zone over the developed urban area of town as an extension to the successful implementation of a 40kph speed limit along the main street by DIT. From time to time Council also received passionate requests from community to lower speed limits in Hahndorf. This speed limit reduction is unrelated to DIT's transport planning project for Hahndorf but will however complement the safety outcomes that the DIT project delivers.
9. SSRP and ESC access roads (private roads) are both relatively new road assets and it is important to appropriately post an approved speed limit. 30kph is a speed for which the constructed roads can be safely traversed taking account of sight lines and road geometry.
10. Springs Rd (east) is a section of narrow road that will be the subject of design work for reconstruction of the road to a more urbanised standard. It, in part, will be the extension of Heysen Boulevard to Bald Hills Rd upon completion of the roundabout near to Williams Rd. Beyond the roundabout to the east of Williams Road, the existing road is carrying increasing volumes of traffic, is narrow and listed for renewal and partial reconstruction. Designs for that renewal activity are needed and a reduction from 80kph to 60kph is considered appropriate for the volumes using it, the crests and geometry, proximity to new urban development and junctions with Heysen Boulevard, Williams Rd and Harper Road.
11. Wellington Road from Long Valley to the Council boundary is a Council road and has a highly constrained corridor with trees, geometry and poor sight lines. It has been the subject of some targeted road safety work in the last year and further stages of road safety improvement are planned. The nature of this segment of Wellington Rd is not dis-similar to the arterial segment of Wellington Rd between Wistow and Sims Rd roundabout which is studded with trees close to the road, has a winding geometry and is in large part an 80 kph speed zone. It is therefore proposed to reduce the speed limit from 100kph to 80kph. Towards the Council boundary with Alexandrina Council, the road enters terrain which is less undulating, has fewer roadside hazards and appears to have a wider sealed pavement. In that regard it is reasonable that a higher speed zone can apply.

12. Sydney Road Nairne has recently seen the establishment of a supermarket precinct on the old Chapmans site. Some traffic therefore is now using Allon Place at the rear of the site to access Sydney Rd. Combined with this, the long downhill approach to the township from the Recreation Grounds naturally requires a change down from 80 kph to 50 kph to be made. Presently, the speed zone change is close to Allon Place and it is proposed to be more appropriate that that zone change occurs further east away from Allon Place to give greater opportunity for traffic to have reduced to 50kph before the junction with Allon Place.
13. Old Mt Barker Road, Echunga is a segment of road that cuts between Churchill Road and Flaxley. It is characterised by many tight corners, roadside hazards close to the road and difficult sight lines. Council has been preparing designs for road safety improvements and has successfully applied for a Blackspot grant to implement those improvements such as guardrail, shoulder sealing, roadside hazard removal. DIT has requested the speed zone be reviewed with a view to potentially reducing the speed zone from 80 to 60km/h. This review is to be undertaken independently and as part of the Blackspot project.
14. Bollen Rd between Hawthorn Rd and Flaxley Rd is currently 60kph which reflects it being a road that has, until recently, been on the fringe of urban development. Land development work is progressing quickly along the west side of the road now and it is appropriate to establish the 50 kph township speed zone along Bollen Rd.
15. A formal resolution from Council endorsing these speed limit changes is an important step in seeking DIT's support for approving these changes and forms an important reference within the Traffic Impact Statement that is prepared and submitted to the Minister for Transport for approval.
16. Attachment 1 provides a map summarising the proposed changes.

Community Engagement:

Informing only	<p>Via website, YourSay, front counter poster, social media, business groups, targeted advice to schools, SAPOL and advertisement in local press</p> <p>With regard to Hahndorf, a targeted and specific notification to the community will be undertaken as part of implementing the change.</p> <p>With regard to Wellington Rd, engagement with Alexandrina Council will include a letter advising Council's resolution to lower the speed limit together with officer level road manager engagement.</p>
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Policy:

There is no existing need for a Council policy around speed limits since DIT are the authority tasked to assess and prescribe speed zones.

Long Term Financial Plan:

N/A

Budget:

Negligible impact on budget with respect to advertising cost, erection of signs, preparation of statements, 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:

Existing resources will remove and erect signs once DIT 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 Hahndorf the lower speed limit will strongly promote interaction between vehicles, tourists, local pedestrians and cyclists.

Risk Assessment:

Proposed lower speed limits assists in managing road safety in urban growth areas and will reduce the likelihood and severity of crashes.

There is a risk that the community will not be accepting of the proposed changes however this is unlikely based on the informal feedback received from the community. The public will be notified of the changes well ahead of the implementation and any significant negative feedback will be recorded and reported back to Council.

Asset Management:

Lower speed limits mean lower design speeds. As such when upgrading intersections and roads, the design requirements are less onerous and hence lower in cost to construct.

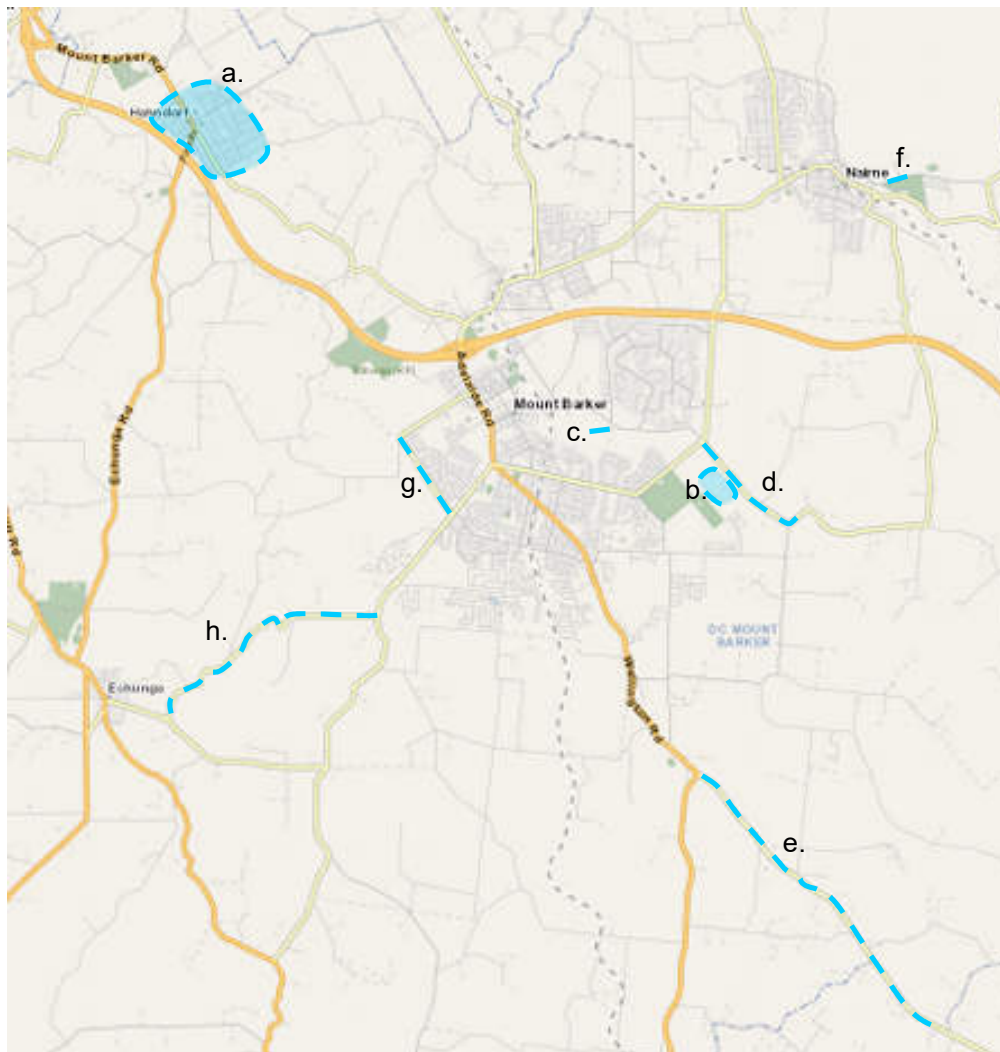
Conclusion:

The proposed reduction in speed limits will have a positive impact on creating a safer road network. The areas for which DIT 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.

Previous Decisions By/Information Reports to Council

Meeting Date	6 August 2018	HPRM Reference	DOC/18/76672
Title	Council Resolution Report 6 August 2018 Speed Limit Reductions Town Centre, Hawthorn Road, Paech Road		
Purpose	To seek Council endorsement of speed limit changes on identified parts of the road network for which the Department for Infrastructure and Transport (DIT) have given their in-principle agreement.		

Attachment 1 to Item 12.3

ATTACHMENT 1 - SUMMARY MAP OF SPEED LIMIT CHANGES

--- Council endorsement recommended

- a) Hahndorf 40km/h township speed limit;
- b) Summit Sport and Recreation Park 30km/h for all internal roads;
- c) Environmental Services Centre access road permanent 30km/h;
- d) Springs Road (east) from Bald Hills roundabout to Mount Barker Springs township, reduce from 80km/h to 60km/h;
- e) Wellington Road from Long Valley Road to Council boundary, reduce speed limit from 100km/h to 80km/h;
- f) Sydney Road, Nairne extend township 50kph zone approximately 120m towards the east;
- g) Bollen Road reduction from 60km/h to 50km/h.
- h) Old Mount Barker Rd Echunga (Churchill to Flaxley Roads) reduce 80kph to 60kph.

12.4	REPORT TITLE:	GRANT FUNDING SUBMISSIONS
	DATE OF MEETING:	2 AUGUST 2021
	FILE NUMBER:	DOC/21/104252
	ATTACHMENTS:	ATTACHMENT 1, SUMMARY OF PROPOSED COUNCIL GRANT FUNDING SUBMISSIONS, DOC/21/116813
	<u>Key Contact</u>	Maddie Walker, Manager Strategic and Community Planning
	<u>Manager/Sponsor</u>	Brian Clancey, Deputy CEO/General Manager – Governance, Strategic Projects and Wastewater/Recycled Water

Community Plan 2020-2035:

Economic Prosperity Objective 3.2: Collaborate on investment in new and existing infrastructure assets to underpin a sustainable economy.

Annual Business Plan:

Key objective: prudently manage Council's finances.

Purpose:

To seek endorsement for a range of projects submitted/to be submitted to various grant funding programs.

Summary – Key Issues:

1. There are currently a range of State Government grant funding opportunities including the Open Space Fund and Regional Growth Fund.
2. Through a co-ordinated approach, Council staff have aligned suitable projects with relevant grant funding programs which will assist Council in achieving one of its key strategies to effectively and efficiently deliver on its capital works program.
3. A range of council projects have been identified to be submitted across the various funding programs.

Recommendation:

That Council:

1. Endorse the council projects listed in **Attachment 1** for grant funding / submission as being supported.

Background:

1. A memo was provided to all council members on 12 July 2021 in relation to grant funding opportunities and indicated that an agenda item would be prepared for consideration at this council meeting.
2. Three State Government grant funding opportunities have been announced including:
 - a) Open Space Fund;
 - b) Regional Growth Fund; and
 - c) Stormwater Management Authority.
3. Details on the first two of the funds can be found by visiting the following links:
 - a) Open Space Fund;
https://plan.sa.gov.au/_data/assets/pdf_file/0009/850788/Open_Space_Grant_Program_Guidelines_2021-22.pdf ;
 - b) Regional Growth Fund:
https://www.pir.sa.gov.au/regions/regional_growth_fund?shorturl_regionalgrowthfund

Discussion:***Process for Selection of Recommended Projects***

1. The process used to arrive at the recommended projects for grant funding is outlined below, as previously endorsed at a council meeting.
2. Having considered the specific nature of the funds criteria the process by which the recommended projects have been selected is outlined as follows:
 - a) A number of senior officers from across all Departments collectively comprise the Strategic Development Group (SDG).
 - b) The primary purpose of the SDG is to make recommendations to the Chief Executive Officer.
 - c) The SDG meets on a needs basis and is chaired by the Deputy CEO/General Manager, Governance and Strategic Projects.
 - d) The SDG process for infrastructure grant funding opportunities is structured and involves a number of steps so as to ensure that there is ample opportunity for projects to be nominated for initial consideration and then assessed and prioritised on merit.

- e) Assessment criteria is normally against the pre-conditions of the particular grant funding program such as the required timing for completion of construction i.e. is the project realistically achievable.
- f) Priority setting criteria has regard to decision making that has already occurred at Council meetings e.g. adoption of the Community Plan, Annual Business Plan and Budget, Asset Management Plan, Township Plans and the Long Term Financial Plan as well as feedback from council members collectively via council meetings and informal gatherings e.g. a desire to increase expenditure on new footpaths and trails.
- g) Other considerations are of a strategic nature e.g. submit the project that if successful would provide the highest community benefit; where possible, seek to achieve a level of geographical spread across the district (relative to need); and which project is considered to be the best 'fit' for a particular funding program. This is sometimes informed by council officers speaking directly to the administrators of the particular grant funding program in order to gain further insight.
- h) Recommendations from the SDG to the Chief Executive Officer are normally made as soon as is reasonably possible and following feedback on the recommendations, the projects to be submitted are firmed up and the necessary grant funding information is then prepared. This sometimes requires external input to supplement council resources.

Stormwater Management Authority (SMA)

- 3. Funding is only available for capital works, and only where a Stormwater Management Plan (SMP) has been prepared and approved by the SMA (the catchment must be greater than 40 hectares in area).
- 4. Planning and timing for the implementation of eligible projects from that SMP has adopted the principle that the best value is achieved when these projects are implemented in conjunction with other major open space redevelopment e.g. on Bollen Road, Mount Barker or in partnership with adjacent development work.
- 5. As a consequence, none of the priority projects from the Mount Barker, Totness and Littlehampton 2016 SMP are ready for construction at this time.
- 6. Council is advising the SMA that an application isn't being lodged for capital funding for the delivery of physical works at this time but council does intend in the future to seek support from the SMA for physical works and the preparation of a stormwater management plan (SMP) for Hahndorf.

Open Space Fund

10. This State Government fund provides the means for open space and public realm investment across South Australia and can include projects such as:
 - a) Development of parks, civic spaces and main streets.
 - b) Land purchase.
11. The fund will contribute up to 50% of the total project cost with applications closing 27 August 2021.
12. Taking into account the process for project selection detailed above, the following projects are proposed to be submitted:
 - a) Keith Stephenson Park upgrade including detailed design and construction seeking \$300k (noting, concept design and consultation are anticipated to occur prior to announcement of funding) – please also refer to the separate information item in this agenda;
 - b) Mount Barker Town Square for design and construction seeking \$1million.
13. It should be noted the above project costs are indicative/preliminary estimates and subject to further detailed design and costings.

Regional Growth Fund

14. The Regional Growth Fund provides funding for projects which:
 - a) unlock new economic activity in our regions
 - b) deliver critical economic infrastructure to create direct benefit across regional industries
 - c) strengthen regional communities.
15. The above process had been undertaken by staff with the Mount Barker Town Square project being submitted to the fund (on 12 July 2021) seeking \$1million.
16. The fund will contribute up to 50% of the total project cost.

Other

17. Council officers are also investigating the following infrastructure grant funding opportunities:
 - a) Australian Government Black Spot Program (road safety);
 - b) State Government Heritage Conservation Grants;
 - c) Office for Recreation, Sport and Racing (3 separate programs); and
 - d) Australian Government Black Summer Bushfire Recovery Grants (2019/20 bushfires).
18. Further information on these opportunities will be provided to council members in advance of, and within the agenda for the September 2021 council meeting.

Community Engagement:

Informing only	Available on Council's website
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Policy:

Not applicable

Long Term Financial Plan:

Attachment 1 highlights the capacity of the Long Term Financial Plan to accommodate the projects having regard to Council's key financial ratios/indicators. The Long Term Financial Plan will be reviewed and adopted in the first half of this financial year. Any changes to assumptions will be incorporated in the this review.

Budget:

The impact of these grant submissions will be considered as part of the 2021/22 budget review and 2022/23 budget processes and where appropriate included.

Statutory/Legal:

Any successful grants will need to comply with funding agreements in relation to reporting, timing etc.

Staff Resource Requirements:

The cost estimates for the recommended project includes provision for project management which will require some external resources to supplement existing staff resources as they are additional to the capital projects in the council budget.

These resources will be required to plan, design and deliver the required works within the required timeframe of the grant program.

Environmental:

Environmental impacts would be assessed on a project by project basis.

Social:

Social impacts would be assessed on a project by project basis.

Risk Assessment:

Risk assessments will be assessed on a project by project basis.

Asset Management:

All of the projects listed would give rise to new/upgraded council assets and hence responsibility for asset management rests with council (or in some cases the Committees that manage the assets) with related implications for asset renewal, operation, maintenance and depreciation.

Conclusion:

The process by which the recommended projects to be submitted have been selected is structured as outlined above. The outputs of that process as outlined in **Attachment 1** are recommended for endorsement given the significant community benefits that would be achieved if the projects listed are successful in gaining grant funding.

Attachment 1 to Item 12.4

ATTACHMENT 1: SUMMARY OF SUBMITTED / PROPOSED PROJECTS

Table 1: Summary of State Government Grant Funding Projects					
Grant fund name	Project/s	Total amount requested from fund (ex. GST)	Total project amount / percentage requested	Budget implications (Base assumption is that expenditure is in 2021/22 and 2022/23).	Within assumptions of LTFP? (Y/N)
Open Space Fund (proposed submissions)	Keith Stephenson Park Play Space Upgrade	\$300k	\$600k / 50%	\$550k expenditure (\$50k already included in the 2021/22 budget). (\$300k) grant revenue (Timing to be confirmed following grant communication).	Partial capacity for asset renewal in 2021/22 and 2022/23
	Mt Barker City Centre Town Square	\$1m	\$2m / 50%	\$2m expenditure (\$1m) grant revenue	Yes
Regional Growth Fund (submitted)	Mt Barker City Centre Town Square	\$1m	\$2m / 50%	\$2m expenditure (\$1m) grant revenue	Yes

12.5	REPORT TITLE:	TREE MANAGMENT POLICY
	DATE OF MEETING:	2 AUGUST 2021
	FILE NUMBER:	DOC/21/114803
	ATTACHMENTS:	1 – DOC/21/102261 - Draft Tree Management Policy 2 – DOC/16/123297 - Current Urban Forest Policy
	<u>Key Contact</u>	Chris Lawry, Urban Forest Officer, Maintenance Operations, Infrastructure
	<u>Manager/Sponsor</u>	Phil Burton, General Manager, Infrastructure

Community Plan 2020-2035:

Ecological Sustainability

ES Goal 3 – Urban Greening – the districts urban areas are known for the high value levels of tree canopy coverage, biodiverse watercourses, linear trails, and parklands. Natural and remnant vegetation is integrated with and enhances residential and commercial development.

ES Goal 4 – Nature and Wildlife – the districts nature and wildlife are highly valued and thriving, appropriately protected and replenished. Urban and rural areas are designed and managed to allow harmonious co-existence between people and other species. Native vegetation areas are fully protected and extended.

Annual Business Plan:

LGG 5 Demonstrate accountability through clear, relevant and easily accessible policies, corporate reporting and legislative compliance.

Purpose:

To seek adoption of the Tree Management Policy which replaces the previous Urban Forest Policy.

Summary – Key Issues:

1. The existing Urban Forest Policy is due for review.
2. A review of the policy by staff, incorporating consultation with Council Members at an informal gathering in May 2021, identified the need to update the policy to provide a more holistic view to tree management as well as simplify the messaging in accordance with Council's policy framework.
3. The Urban Forest Policy has been updated and renamed to the Tree Management Policy and is ready for endorsement.

Recommendation:

That Council endorse the Tree Management Policy (as shown in attachment 1) to replace the current Urban Forest Policy (as shown in attachment 2).

Background:

1. The current Urban Forest Policy was endorsed by council on 3 April 2017 and was due for review in April 2021.
2. The current Urban Forest Policy was internally reviewed by various Council staff from January to March 2021.
3. On 10 May 2021, a workshop was held through an informal gathering with Council Members. At the workshop feedback was sought on the future direction of the Urban Forest Policy and what Council Members wanted to see included in it.
4. Feedback from the Council Members indicated that the policy needed to be broadened to cover all trees in the district, it needed to focus on protecting what we have as well as support planning for the future. It required greater focus on a balance of species with diversity in regards to planting native versus non-native species, both in urban and rural areas.
5. The Urban Forest Policy has been updated and renamed to be a Tree Management Policy (the 'Policy') incorporating feedback provided.

Discussion:

6. The Policy strengthens Council's past position on tree management and protection in urban settings and expands it to incorporate trees in urban, peri-urban and rural settings.
7. The Policy is supported by a range of procedures and guidelines that support tree management across the district. These operational documents have a higher level of detail and are being updated concurrently.
8. The Policy has a number of clear policy statements relating to tree management including Council's commitment to communication, compliance, biodiversity and record keeping among others.
9. The language in the Policy has been simplified and streamlined to provide an easier to read document for the public.
10. The preparation of this updated policy was undertaken prior to the Audit and Risk Committee feedback on the proposed revised policy template referenced at Item 11.1.1 of the agenda for this Council meeting.

Community Engagement:

Informing only	Will be available on council website post endorsement.
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Policy:

This policy will replace the current Urban Forest Policy.

Long Term Financial Plan:

This policy has no impact on the endorsed Long Term Financial Plan.

Budget:

This policy has no immediate impact on the adopted annual business plan and budget.

Statutory/Legal:

The updated policy makes reference to the management of trees under various legislation and is aligned to these requirements.

Staff Resource Requirements:

Existing internal resources have reviewed this policy and will support its implementation.

Environmental:

This policy strengthens Council's position on creating and supporting a positive impact on the environment, including other agencies goals and priorities in relation to the environment.

Social:

This policy aids social wellbeing through support for increasing urban forest canopy, retaining and protecting large trees in urban and rural open spaces and reserves. It also strengthens the commitment to improved communication on significant changes to tree coverage.

Risk Assessment:

The policy incorporates a balanced risk based approach to the management of trees ensuring that public safety remains a high priority.

Asset Management:

This policy recognises trees as assets that need to be well managed but it will have no impact on the endorsed Strategic Asset Management Plan.

Conclusion:

The updated Tree Management Policy seeks to provide a more inclusive, holistic approach to tree management across the district and builds on the achievements of the previous Urban Forest Policy.

Previous Decisions By/Information Reports to Council

Meeting Date	3 April 2017	CM Reference	DOC/17/24392
Title	Review of council policies		
Purpose	Adoption of policies including the Urban Forest Policy DOC/16/123297		

Attachment 1 to Item 12.5

**TITLE: Tree Management Policy**

REFERENCE NUMBER:	DOC/21/102261
RESPONSIBLE OFFICER/ DEPARTMENT:	Infrastructure Maintenance and Operations
APPLICABLE LEGISLATION:	Local Government Act 1999, Planning, Development and Infrastructure Act 2016 Native Vegetation Act 1991 Highways Act 1926 Road Traffic Act 1961 Heritage Places Act 1997 Electricity Act 1996 Landscape SA Act 2019 Fire and Emergency Services Act 2005 (and associated regulations)
MOUNT BARKER 2035 – DISTRICT STRATEGIC PLAN:	NE 4.0, 4.2, 4.3 CW 1.1, 2.5, 3.3, 4.3, 4.5 ES 3.1, 3.2, 3.3, 3.5, 4.1, 4.2, 4.3, 4.4 EP 1.2, 1.3, 2.5
RELATED POLICIES AND STRATEGIES:	<ul style="list-style-type: none"> • Risk Management Policy • Biodiversity Strategy • Environmental Strategy 2018-2023
SUPPORTING PROCEDURES, STANDARDS AND GUIDELINES :	<ul style="list-style-type: none"> • Tree Management Procedure • Tree Management in Emergencies Procedure • Landscape Standards and Guideline for New Developments • Guidelines for Landscaping Associated with Construction of Heysen Boulevard • SEB Guideline
POLICIES SUPERSEDED BY THIS POLICY AND ITS ADOPTION :	Urban Forest Policy DOC/16/123297
ENDORSED BY COUNCIL:	<<Insert>>
MINUTE RESOLUTION NUMBER:	<<Insert Date>>
NEXT REVIEW DATE:	<Insert Date>>

1. PURPOSE

The purpose of the policy is to provide guidance for Mount Barker District Council to meet its urban greening and ecological sustainability goals through the integrated management of trees within the Mount Barker District Council area to achieve sustainable and balanced risk urban and rural forest areas.

2. SCOPE

This policy is applicable to Mount Barker District Council in exercising powers and functions under the various Acts, Regulations and agreements to which it is a party in the State of South Australia. The scope of Council's tree management activities is outlined in Section 5.

3. DEFINITIONS

Urban Forest - is the entire population of trees in an urban / peri urban environment.

Biodiversity - The variety of life forms, the different plants, animals and microorganisms, the genes they contain, and the ecosystems they form.

Open space - includes all local government land as defined in the Local Government Act 1999.

Tree - for the purpose of this policy, a tree is defined as a woody plant including palms having one or more erect stems or trunks, an elevated crown of foliage and a height of 2.5m or more.

Resource Recovery - is the collecting and re-use of timber and mulch from tree management works.

Risk - is the effect of uncertainty on objectives.

Regulated Tree as defined in the Planning, Development and Infrastructure Act 2016

SEB – Significant Environmental Benefit

Significant Tree as defined in the Planning, Development and Infrastructure Act 2016

Remnant Tree as defined by the Native Vegetation Act 1993

Veteran Tree - a tree that is most likely remnant, has long served the environment, and has often endured centuries of physical threats and climate fluctuation. Often offering multiple habitats for hollow dependant fauna.

4. ROLES & RESPONSIBILITIES

Council:

- Endorse the Tree Management Policy.
- Ensure due consideration is given to this policy as part of decision making by council.
- Allocation of budget

Chief Executive Officer:

- Monitor and review the effectiveness of the Council's policies and procedures.
- Ensure appropriate delegations and resources are in place for employees to carry out tree management activities.
- Promote a culture of tree management awareness in Council.

General Managers:

- Promote awareness of this policy and related procedures in planning and operational activities of teams within council.
- Ensure council teams are trained and resourced adequately to implement this policy.

Manager Infrastructure Maintenance and Operations

- Ensure this policy is reviewed and updated regularly.

Staff

- Ensure all aspects of this policy are considered and applied in all planning, operations, and maintenance activities.

5. POLICY STATEMENT

Council commit to the following to effectively manage trees within the Mount Barker District Council area:

5.1 Compliance

- 5.1.1 Ensure appropriate resourcing is made available to meet its obligations under relevant legislation in regards to tree management, including regular audits of the districts tree assets.
- 5.1.2 Establish and manage native vegetation offset (SEB and other) areas for council to meet its obligations under the Native Vegetation Act 1991.
- 5.1.3 Develop and maintain a Tree Management Procedure and Tree Management in Emergencies Procedure, and SEB Guidelines.

5.2 Communication

- 5.2.1 Communicate early and often and ensure transparency about Council projects and works, which impact the urban forest and open space within the district.
- 5.2.2 Where there is deemed to be an activity that has a significant impact on the urban forest, Council will follow the relevant steps set out in its public consultation policy to inform or consult the community on the changes.

5.3 Removal and Replacement

- 5.3.1 Ensure there is a clear procedure for the removal of trees and that all staff and contractors of Council abide by it.
- 5.3.2 Ensure a six (6) for one (1) replacement of removed trees with a species that is cognisant of the local area and planted as close as possible to where the loss has occurred.
- 5.3.3 All Council projects involving tree removal or significant alterations will ensure that Development Approval and/or Native Vegetation Council approval is sought, where appropriate, prior to removal.

5.4 Species selection and diversity in open space and urban streetscapes

- 5.4.1 Council will determine appropriate, diverse and balanced species selection for open space and urban streetscapes.
- 5.4.2 Council will consult the local community where urban streetscapes, open space and parks are being renewed.

5.5 Biodiversity

- 5.5.1 Develop and maintain programs that increase tree habitat and adequate food sources for native species of fauna endemic to and / or endangered in urban, urban fringe and rural areas.
- 5.5.2 Maintain programs that preserve, and enhance tree habitat on rural roadsides and in reserves across the district.
- 5.5.3 Manage veteran trees and understory plantings across the district to ensure longevity and promote greater biodiversity in association with veteran trees.

5.6 Protection

- 5.6.1 Work with developers and project managers to:
 - a) Retain established trees where possible in developments.
 - b) Where possible identify and implement engineering solutions to protect root zones of significant, veteran and regulated trees in projects and developments.
 - c) Establish practical streetscapes with appropriate species selection.
 - d) Avoid damage to vegetative matter, root zones and understory areas of trees during project implementation.
 - e) Encourage the development of programs and incentives that increase tree canopy cover in urban areas.
- 5.6.2 Support programs that:
 - a) Protect significant, veteran and regulated trees in the district.
 - b) Promote quality younger age class trees.
 - c) Protect areas of remnant vegetation with little disturbance.

5.7 Risk Management and Record Keeping

- 5.7.1 Develop systems to map and monitor shade and canopy cover within urban environments to help mitigate the effects of a changing climate on townships and urban centres.

- 5.7.2 Keep a record of community requests relating to trees and respond according to Council's customer charter.
- 5.7.3 Implement proactive tree inspection and maintenance programs to lower tree related risks to the community.
- 5.7.4 Develop and maintain a comprehensive database of trees on Council land and keep records relating to any changes.

5.8 Resource Recovery

- 5.8.1 Ensure the highest value resource recovery from tree removals to minimise wastage and provide, where possible, re-purposing that supports ongoing social, environmental and recreational benefit to our community.

6. TRAINING / EDUCATION

Council will provide training on an as required basis to employees and volunteers to fulfil their requirements under this Policy.

7. REVIEW

This Policy will be reviewed:

- every three years; or
- earlier in the event of changes to legislation or related Policies and Procedures or ;
- if deemed necessary by the Manager of Maintenance and Operations or their delegate.

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:

Title: Manager Infrastructure Maintenance and Operations
Address: PO Box 54, Mount Barker
South Australia, SA, 5251
Telephone: 8393 6450
Email: council@mountbarker.sa.gov.au

Attachment 2 to Item 12.5



URBAN FOREST POLICY

REFERENCE NUMBER:	DOC/16/123297
RESPONSIBLE DEPARTMENT:	Open Space and Environment
APPLICABLE LEGISLATION:	Local Government Act 1999 Development Act 1993, Native Vegetation Act 2003
MOUNT BARKER 2035 – DISTRICT STRATEGIC PLAN:	Community Well Being CW 2.2, 3.1 The Natural Environment NE 1.1, 4.3 Economic Prosperity EP 4.3,4.4 The Urban Environment UE 1.1, 1.5 Governance and Leadership GL 4.1
RELATED POLICIES:	<ul style="list-style-type: none">Biodiversity Strategy
SUPPORTING PROCEDURES:	<ul style="list-style-type: none">Urban Forest Policy Procedures
ENDORSED BY COUNCIL:	3 April 2017
NEXT REVIEW DATE:	April 2021

1. KEY POLICY STATEMENT

Council is committed to improving the appearance and amenity of the district's townships through the planning, maintenance and enhancement of its street and reserve tree population defined as the 'Urban Forest'.

This policy embraces the concept of managing the tree population as a whole rather than individual trees. This allows Council to monitor and manage the interactions between people and whole suburbs of trees and their net benefit to the community.

The policy endeavours to balance tree management around population growth and the new greenfields development lands and the re-development of the district's older established public precincts and the conflict for space.

2. POLICY OBJECTIVES

Council is committed to preserve natural heritage, enhance social capital and provide a desirable place to live, work and recreate through maintaining a diverse, aesthetic and low risk urban forest.

3. DEFINITIONS

‘Urban Forest’ is the entire population of trees and shrubs in an urban or peri urban environment. Recognising them as critical elements of urban infrastructure providing economic, physiological, sociological, environmental and aesthetic benefit.

‘Arboriculture’ is the science and culture of the planning, establishment, assessment, care and management of trees and the people interacting with them. Primarily for risk reduction, promotion of tree health, long term retainability, environmental amenity and infrastructure integration purposes.

‘Biodiversity’ is defined in the National Strategy for the Conservation of Australia's Biological Diversity as, "The variety of life forms, the different plants, animals and microorganisms, the genes they contain, and the ecosystems they form. It is usually considered at three levels: genetic diversity, species diversity and ecosystem diversity".

‘Public Realm’ includes all local government land that is owned by Council or under Council's care and control. It includes Community Land and road reserves. In the Mount Barker District, community land may include natural areas, developed reserves, trails and recreation areas. Land that is categorised as being excluded from community land under the Local Government Act is also covered by this policy.

‘Veteran Tree’ a tree that has long served the environment and has often endured centuries of physical threats and climate fluctuation. Often offering multiple habitats.

‘Landscape’ is a word used to collectively describe a particular piece of geography be it man made or otherwise.

‘Risk’ is the effect of uncertainty on objectives

‘Tree’ (for the purpose of this Policy) is defined as a woody plant including palms having one or more erect stems or trunks, an elevated crown of foliage and a height of 2.5m or more. ‘Exotic tree’ refers to any tree not indigenous to the area. ‘Native tree’ refers to any tree indigenous to the Australian continent. ‘Locally indigenous tree’ refers to any tree indigenous to the Mount Barker District. ‘Remnant tree’ refers to any tree indigenous to the district and not ‘planted’ by any person.

‘Treescape’ a term used to describe a treed landscape.

‘Resource Recovery’ is the collecting and re-use of timber and mulch from tree management works.

'Regulated Tree' is as defined in the Development Act 1993, that is 'trees that have a trunk with a circumference of 2.0 metres or more or, in the case of trees with multiple trunks, that have trunks with a total circumference of 2.0 metres or more and an average circumference of 625 millimetres or more, measured at a point 1.0 metre above natural ground level'.

'Significant Tree' is as defined in the Development Act 1993, that is 'trees that have a trunk with a circumference of 3.0 metres or more or, in the case of trees with multiple trunks, that have trunks with a total circumference of 3.0 metres or more and an average circumference of 625 millimetres or more, measured at a point 1.0 metre above natural ground level'.

'LMA (Land Management Agreement) Tree' is a tree intended to be protected from unjustified damage and removal and shall be accommodated by the private land owner where a legally binding LMA exists on the land.

4. ROLES & RESPONSIBILITIES

Council:

- Ensure a Policy is adopted.

Chief Executive Officer:

- Ensure there are sufficient resources in order to fulfil the requirements of the Policy.

General Managers:

- Refer to delegations page 5.

Manager of Field Services

Manager Open Space and Environment

Urban Forest Officer

- Ensure all aspects of the Policy are applied

5. POLICY STATEMENTS

Council will:

- Endeavour to quantify, monitor and increase tree canopy cover in urban areas throughout the public domain and advocate for retention and increase of canopy within the private domain.
- Manage trees in the public realm for community health, economic prosperity, tourism, beneficial urban environmental services and for the protection of biodiversity.

- Establish local identity and sense of place through the provision of iconic avenues/boulevards and treescapes which instil a sense of pride and belonging.
- Improve activation of public precincts by providing more attractive, shaded and cooler environments, promoting the uptake of sustainable transport modes such as walking and cycling.
- Integrate urban development with biological requirements of street and reserve trees.
- Identify and appropriately resource the management of veteran trees within townships to preserve remnants of pre European settlement woodlands and promote highly valuable biodiversity nodes within the urban environment.
- Promote urban ecology and biodiversity within townships by creating habitat for hollow dependent fauna during arboricultural works.
- Promote urban development which avoids the loss of biodiversity by selecting the highest value remnant trees for allocation into public open space.
- Ensure that trees on roads and reserves are selected, planted and maintained as per 'Landscape Standards and Guidelines for New Developments' and 'Guidelines for Landscaping Associated with the Construction of the Heysen Boulevard'.
- Promote the integration of arboriculture across the various professional disciplines within Council for the benefit of the community and the environment.
- Ensure that Council effectively and reasonably manages trees on public land in order to mitigate or abate risk to public safety.
- Consider the ongoing impacts of external stakeholders, including South Australian Power Networks and other authorities.
- Reinforce the commitment Council has made to the protection of its natural environment and the retention of biodiversity values within the districts townships.
- Manage the requirements related to legislative framework. In particular the Development Act 1993 and Native Vegetation Act 1991

- Only undertake tree assessments on privately owned land where the tree is subject to a Development Application or bound by a Land Management Agreement.
- Protect and restore remnant vegetation within urban and fringe areas, including scattered trees and bushland directly adjacent townships.
- Incorporate place making approaches into urban management and planning initiatives with strategic tree installations.
- Increase awareness and understanding of natural and created landscape features.
- Where appropriate undertake resource recovery from tree management works to recycle and value add materials.

6. TREE REMOVAL OFFSET

In the event that a request/application is made for the removal of a public tree to enable development such as but not limited to the widening of a road or creation of new crossovers, domestic and commercial site development, utility infrastructure maintenance or installation. Council will employ a three stepped approach as follows:

- **First option:** avoid any impact on the tree/s
- **Second option:** if impact cannot be avoided the next step is to minimise impact to the tree/s as per Australian Standard 4970 – 2009 ‘Protection of Trees on Development Sites’ and employ arboricultural and engineering solutions.
- **Third option:** if option one and two are not possible and the tree requires removal the necessary approval from Council must be obtained and financial compensation paid.

An offset reconciliation of 6:1 will be located as close as possible to the tree that was removed or in another suitable location as determined by the relevant officer. In most cases costs will be recovered for purchase of 45 litre trees or near equivalent, installation and three years establishment maintenance. Tree replacement will be undertaken according to the relevant landscape theme or planting programs.

On occasions it may be more appropriate to ‘bank’ the offset amount in a preserved statutory account in order to accumulate funds to be used to facilitate identified strategic tree planting and/or establishment maintenance programs elsewhere in the District.

The 6 for 1 may not apply to all items within a single clearance requirement, for example three small low quality trees may be counted as 'one' therefore requiring 6 replacements not 18. In the case of remnant native vegetation, if no notable trees are intended to be removed and only minor vegetation clearance under Section 27(1)(b) of the Native Vegetation Act subject to Regulation 5(1)(Y) is required to achieve an access point across a public road verge for temporary construction site access or an entrance to a rural property. Replacement in these situations shall be locally indigenous species installed where practical within the same vicinity where the removal took place.

The 6 for 1 policy does not apply where recently installed street trees in new divisions require relocating due to a development application for a driveway which conflicts with a tree location. The applicant shall pay to cover the cost of either relocating the tree or removing and replacing it 1 for 1 at an appropriate time after the development is completed.

7. DELEGATIONS

The Council has delegated authority to the Chief Executive Officer in accordance with Section 44 of the Act and sub delegates to the following officers:

To assess applications to remove trees under the Native Vegetation Act 1991 & Development Act 1993	General Manager Planning & Development Manager Open Space and Environment Urban Forest Officer
To make application to remove trees under the Native Vegetation Act 1991 and Development Act 1993	Deputy Chief Executive Officer / General Manager Infrastructure and Projects Manager Open Space and Environment Urban Forest Officer
To authorise tree removal under the Local Government Act 1999	Deputy Chief Executive Officer / General Manager Infrastructure and Projects Manager Open Space and Environment Manager Field Services Team Leader Horticulture Urban Forest Officer
Day to day tree management - to manage and maintain trees on public land	Manager Open Space and Environment Manager Field Services Team Leader Horticulture Urban Forest Officer

8. REVIEW

This Policy will be reviewed or every four (4) years or earlier in the event of changes to legislation or related Policies and Procedures or if deemed necessary by the Urban Forest Officer

9. ACCESS TO 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

10. FURTHER INFORMATION

For further information on this Policy, please contact: Chris Lawry

Title: Urban Forest Officer

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

Telephone: 8393 6428

Email: clawry@mountbarker.sa.gov.au

12.6 REPORT TITLE: COUNCIL MEMBERS' MEDIA AND ELECTRONIC COMMUNICATIONS POLICY

DATE OF MEETING: 2 AUGUST 2021

FILE NUMBER: DOC/21/116654

**ATTACHMENTS: 1. DOC/21/116650 – DRAFT NEW COUNCIL MEMBERS' MEDIA AND ELECTRONIC COMMUNICATIONS POLICY
2. DOC/18/54815 – MEDIA POLICY (CURRENT)**

Key Contact Sue Miller, Risk and Governance Officer

Manager/Sponsor Brian Clancey, Deputy CEO/General Manager – Governance, Strategic Projects and Wastewater/Recycled Water

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:

NA

Purpose:

To provide the draft new Council Members' Media and Electronic Communications Policy (attachment 1) for endorsement and commencement.

Summary – Key Issues:

1. The draft new Council Members' Media and Electronic Communications Policy (the Policy) outlines the agreed protocols and legal considerations when Council Members are engaging with the community through Social media and traditional forms of Media (see attachment 1).
2. The Policy aims to provide Council Members with guidance for appropriate use of the Council's internal Electronic Communication systems in the conduct of Council business.
3. The Policy is not intended to curtail (nor be construed as curtailing) an individual's right to free speech or the use of traditional Media or Social media to publish information in their personal capacity.

4. The Policy has been drafted in accordance with and following the recent refresher training sessions provided to Council Members regarding Social media and the roles and responsibilities of Council Members.

Recommendation:

That Council adopt the draft new Council Members' Media and Electronic Communications Policy (attachment 1).

Background:

1. The Policy Framework, endorsed by Council 1 June 2020 and available on Council's website under Council, Governance, Policies and By-Laws, is an overarching document that explains how Council and Corporate policies and procedures are developed, reviewed and approved with templates for consistency of layout and content.
2. The Media Policy (attachment 2) was last reviewed in December 2018, and is due for review in December 2021.
3. As Council Members would be aware, staff are in the process of reviewing the Council's policy suite. Staff have reviewed the existing Media Policy and drafted separate Media policies for Council Members and Employees due to the differing obligations relevant to each as they relate to Code of Conduct, and specific employment conditions (for staff).
4. Council Members have been advised of the development and introduction of The Policy by:
 - a. Information Memo – Meeting Procedure & Other Administrative Matters – Proposed Informal Gathering – 23 February 2021
 - b. Informal Gathering Training Session - Council and Committee Meetings Procedures Recap/Electronic Participation/Social media - 24 May 2021 (facilitated by Norman Waterhouse Lawyers)
 - c. Informal Gathering Training Session - Liability Protections Introduction to Mutual Schemes and Legal Overview - 31 May 2021 (facilitated by Local Government Risk Services)
 - d. Informal Gathering Training Session – Roles and Responsibilities - 5 July 2021 (facilitated by Norman Waterhouse Lawyers)
 - e. Information Memo – Social media Review – 13 July 2021
5. Council Members would therefore be aware of:
 - a. a review of Council's existing Media Policy (as it relates to Council Members and employees) is in progress, in response to the changing media environment

- b. the formulation of a 'one stop shop' policy document for Council Members (The Policy) on protocols when engaging with media (both traditional Media and Social media) to assist with identifying and providing supporting information on legal issues to assist Council Members to navigate the changing Social media landscape
 - c. a separate Media Policy for employees is being developed – as a holding measure the existing Media Policy as it applies to employees will remain operational until the new Media Policy for employees is introduced; and
 - d. an independent review of Council's Social media approach, policy and procedures, content and engagement is in progress (as referenced at 4e above); that review is very much operational for staff and will not impact the introduction of the new Council Members' Media and Electronic Communications Policy.
- 6. All forms of media are an important source of information for the community and can assist the Council in its leadership and advocacy role regarding Council's programs, projects and issues of public interest.
- 7. Traditional Media and Social media provide opportunities for the Council to proactively communicate and engage with its community and stakeholders in a professional, timely and positive manner.
- 8. Council is committed to communicate openly and honestly with the media to maintain its commitment as an open and accountable organisation.
- 9. Council requires a professional approach when liaising with the media and the community, whether it is through traditional mechanisms or online. Traditional Media and Social media will be used as a coordinated medium for strategic external communications, with the aim to:
 - a. inform, communicate and initiate community involvement and discussion
 - b. extend the reach of council communications and direct the community to council information
 - c. provide a convenient, accessible and flexible form of service delivery, and
 - d. build and enhance relationships with the community and stakeholders
- 10. The Policy document clearly articulates responsibilities, expectations and accountability for Council Members.
- 11. As referred to above, it is proposed to separate the existing Media Policy into 2 documents, one for Council Members (this Policy) and a separate policy document for employees (in progress) given there are different risk profiles and responsibilities, expectations and accountability.

12. The Employee Media Policy will be approved by the Council's Chief Executive as the responsible officer for Council's employees and employment arrangements.
13. The Policy will replace Council's existing Media Policy as it relates to Council Members.
14. Council Members should continue to be mindful of the relevant provisions in their Code of Conduct, which include:
 - a. Act in a way that generates community trust and confidence in the Council*
 - b. Show respect for others if making comments publicly*
 - c. Ensure that personal comments to the media or other public comments on Council decisions and other matters, clearly indicate that it is a private view, and not that of the Council*
 - d. Deal with information received in their capacity as Council members in a responsible manner*
 - e. Endeavour to provide accurate information to the Council and to the public at all times*
 - f. Be committed to making decisions without bias*
15. By way of example, any posts to personal or Councillor Social media must:
 - a. clearly declare the comments are the personal view of the Council Member, and the declaration must be included on every comment or post in the ensuing Facebook commentary thread; and
 - b. if a Council Member chooses to have a Councillor Facebook page and posts that Council is currently consulting the community on a topic care must be taken to include factual content only.
16. A training program has been provided to Council Members prior to the adoption of The Policy. Further training will be provided on an 'as needed' basis or when requested by Council Members.
17. The preparation of this new policy was pre the Audit and Risk Committee feedback on the template referenced at Item 11.1.1 of the agenda for this Council meeting.

Community Engagement:

Informing only	Council's website
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Policy:

A Media Policy exists. The proposed Council Member Media and Electronic Communications Policy (and an Employee Media Policy) will replace the existing Media Policy.

Council Members' Code of Conduct – Relevant Provisions.

Budget:

A consultant has assisted staff in the preparation of the new policy and related matters, the cost of which is being met from within budget.

Statutory/Legal:

The Mayor is the principal spokesperson of the Council. Council Members must observe the Code of Conduct for Council Members.

Local Government Act 1999

s39 Personal Immunity

s59 Principal member is spokesperson of the Council

s62 General Duties

s63 Code of Conduct for Members

s80 Insurance of Members

Staff Resource Requirements:

Introduction of the revised policy will be incorporated into the activities of the Risk and Governance Officer. Assistance from an external resource will continue as the Employee Media Policy is prepared.

Environmental:

NA

Social:

A clear policy direction is critical to the Community, Council Members and Employees to ensure confidence and consistency in responses to media and the use of electronic communications.

Risk Assessment:

The Policy outlines the agreed protocols and legal considerations when engaging with the community through Social media and traditional forms of media. There is a risk to Council Members and reputational damage to Council's reputation should Council Members (and employees) not be aware of and adhere to Council Policy and legal considerations when undertaking their roles, and potentially expose Council Members to personal liability.

Council members may not adhere (unintentionally) to the application in practice of The Policy.

Asset Management:

NA

Conclusion:

The Policy outlines the agreed protocols and legal considerations when engaging with the community through Social media and traditional forms of media. The Council Members' Media and Electronic Communications draft policy is recommended for endorsement and commencement.

Previous Decisions By Council

Meeting Date	3 December 2018	CM Reference	DOC/18/126412
Title	Media Policy		
Purpose	The purpose of this policy is to update and replace the Media Contact Policy and formalise Council's position on the creation and dissemination of official content through media channels by Council Members and Employees and applies to all traditional and digital media where people may comment, contribute, create, forward, post and share official business on, or on behalf of, Mount Barker District Council.		

Attachment 1 to Item 12.6

TITLE: COUNCIL MEMBERS' MEDIA AND ELECTRONIC COMMUNICATIONS POLICY**1. PURPOSE**

The purpose of this policy is to provide Council Members with guidance for appropriate use of the Council's internal Electronic Communication systems in the conduct of Council business.

This Policy outlines the agreed protocols and legal considerations when engaging with the community through Social media and traditional forms of Media.

This Policy is not intended to curtail (nor be construed as curtailing) an individual's right to free speech or the use of traditional Media or Social media to publish information or opinions in their personal capacity.

2. SCOPE

This Policy applies to all Council Members when conducting Council Business through:

- Council's corporate email system
- interactions with Social media
- podcasts, audio or video blogs
- the print, radio and television media.

A separate Media Policy applies to Council employees.

3. DEFINITIONS

Electronic Communication includes but is not limited:

- Email
- Mobile phone
- Internet sites and pages
- Podcasts
- Electronic journals and texts
- Social media
- Websites

Social media means all current and future Social media channels, digital platforms, online forums or messaging apps where people can comment, view, contribute, create, forward, post, upload and share content.

Media means for the purpose of this Policy, the more traditional forms of media such as television, radio and print media

Council business means the provision of services, delivery of programs, development of policies, engaging with constituents, making of decisions, performance of Council functions and other similar types of transactions.

Council Members means the duly elected representatives of the community, including the Mayor and Councillors.

Official record means a record made or received by the Council in the conduct of its business As defined by the State Records Act 1997. This includes records made or received by a Council Member in the conduct of the business of their office but does not include records that are personal or private in nature .

Defamation means to publish material, including written material, pictures, or spoken statements, which is or is likely to cause an ordinary, reasonable member of the community to think less of the targeted person or to injure that person in their trade, credit, or reputation.

Material means data, information, text, graphics, animations, speech, videos and music or other sound, accessible electronically, including any combination or selection of any of these.

4. POLICY PRINCIPLES

- 4.1 Council recognises that all forms of media are an important source of information for the community and can assist the Council in its leadership and advocacy roles regarding our programs, projects and issues of public interest. Council recognises that traditional Media and Social media provide opportunities for the Council to proactively communicate and engage with its community and stakeholders in a professional, timely and positive manner.
- 4.2 It is the policy of the Council to communicate openly and honestly with and through all media channels to maintain its commitment as an open and accountable organisation.

5. POLICY STATEMENT - OUR COMMITMENT

Council requires a professional approach when liaising with the Media and the community, whether it is through traditional mechanisms or online. Media and Social media will be used as a coordinated medium for strategic external communications, with the aim to:

- a. inform, communicate and initiate community involvement and discussion
- b. extend the reach of or communications and direct the community to Council information
- c. provide a convenient, accessible and flexible form of service delivery; and

- d. build and enhance relationships with the community and stakeholders.

Most Council decisions, except those deemed confidential, are public documents which are accessed on the Council's website www.mountbarker.sa.gov.au. Whenever possible Media and Social media responses should refer enquiries to publicly available information on Council's website.

6. ROLES AND RESPONSIBILITIES

6.1 Conduct when liaising with Media and Social media

All interactions through the Media and Social media should ensure that the content of any engagement:

- a. is accurate and is factually correct e.g. factual information about a particular council matter or service
- b. complies with Council's policies and the Council Members' Code of Conduct
- c. does not disclose sensitive or confidential Council information
- d. does not communicate offensive or defamatory information or commentary (including about Council, employees or Council Members)
- e. does not damage Council's reputation
- f. does not make an official announcement unless you are authorised to do so
- g. does not defame any person
- h. ensures that personal comment on Council decisions and other matters, clearly indicate that it is a private or personal view
- i. does not use intellectual property or copyrighted materials or otherwise reproduce material in a manner that gives rise to breach of copyright
- j. provides information which generates community trust and confidence in the Council
- k. deals with information received in their capacity as Council Members in a responsible manner.

6.2 Administration of Council's corporate Media statements and Social media accounts

- 6.2.1 All proactive and responsive requests for media engagement regarding the Council by print, television and radio, formal corporate media releases and administration of the Council's corporate Social media presence (e.g. Council's official Facebook page) will be administered by a member of the Council's administration, under delegation of the CEO.
- 6.2.2 Where the sensitivity, or complexity of a topic requires, the CEO or their authorised delegate may provide Council Members with information to assist with media and/or community contact (for example the annual budget, annual business plan, strategic planning and rates processes).
- 6.2.3 Posts to Council's corporate Social media accounts will be supervised and managed. The Mount Barker District Council retains the right to remove content that does not adhere to the guidelines identified in this Policy, other associated

policies, or relevant legal considerations. Any post or associated comment which are:

- a. Racist, sexist or discriminatory in any form
- b. Harassing, threatening, abusive or bullying in nature
- c. Inciting or encouraging unlawful conduct
- d. Using profanities or other forms of abusive language
- e. Conveying personal, confidential, or copyrighted material
- f. Defamatory or potential defamatory material
- g. Spam, junk or advertising non Council related business
- h. Political or election related lobbying.

will not be responded to and will be removed by Council staff.

6.3 Use of Electronic Communication- Email

- 6.3.1 Council email addresses are provided to all council members for the purpose of carrying out Council related business. Each Council Member must use their corporate email address for all Council business. All Council emails should be drafted professionally taking care with the content and language utilised within them.

6.4 Use of Electronic Communication - Social media

- 6.3.2 Council Member engagement through Social media is utilised as a resource to enhance communication between the Council's elected representatives and its residents and stakeholders.
- 6.3.3 If a Council member wishes to manage their own personal or Councillor Social media presence, it is recommended that they include a disclaimer at the top of the site/page that states the views portrayed are their own, and do not represent a formal position of the Council. A disclaimer must be evident on each post made by the Council Member.
- 6.3.4 Council Members may wish to create a separate 'Councillor' page to use for Council business in their official capacity. This page should be clearly designated as a Councillor page as distinct from any private Social media accounts that Council Members may have. It is recommended that the management of these two profiles is kept separate at all times and that any commentary on the Councillor Social media presence is through that account solely.

6.5 Security and access

- 6.5.1 Council Members are required to ensure that all passwords, accounts, software and data are adequately protected.

6.5.2 Council Members must not:

- a. share their council related passwords with any other person (other than if required by Council's ICT staff where a help desk action is being undertaken)
- b. allow another person to access any Council network
- c. breach or attempt to breach computer or network security measures
- d. allow another person to log into their Social media or Council network account
- e. write down their Council network password in a manner that can be discovered by any other person.

6.5.3 Council Members should ensure that their Council network and Social media presence is adequately locked or logged out when not in active use.**6.5.4 Forced password changes are built into the Council's ICT system and individuals are responsible for the security and ensuring regular changing of their password.****6.6 Unlawful activities****6.6.1 Council Members are not to access, like, share or send material that is prohibited or potentially prohibited, provocative, offensive, abusive, sexist, racist or pornographic. This includes not forwarding to others any material/content of this nature that is received by the Council Member, other than as evidence as part of a formal report ancillary to a complaint process.****6.6.2 It is considered unacceptable to create, share, endorse, send or forward content material or comments that:**

- a. contain threats of violence or other unwelcome or harassing behaviour
- b. contains personal opinions that may be considered defamatory or derogatory about another person including other Council Members and/or staff and/or members of the community
- c. may breach the Code of Conduct for Council Members
- d. breaches any legislation or any Council policy
- e. promotes illegal activities.

6.6.3 Council Members are personally and legally responsible for:

- a. the content (posts, messages and comments) that they publish or allow to be published on any Social media platform that they control or manage
- b. the content (including commentary and information) provided to print, television and radio media outlets.

6.7 Confidential information**6.7.1 Care should be taken when sending messages or information electronically as messages may be intercepted, forwarded or otherwise transmitted to someone other than the intended recipient.**

- 6.7.2 Accordingly, Council Members are advised to be very cautious about committing totally private, sensitive or confidential messages to electronic communication.

6.8 Access and disclosure

- 6.8.1 Council Members should be aware that email messages, even if expressed to be confidential or personal, may have to be disclosed in court proceedings, Freedom of Information requests, or investigations by the Ombudsman or Independent Commissioner Against Corruption. It may be necessary for authorised staff to access and/or disclose electronic information and communications in order to comply with a legislative obligation or upon appropriate formal request (e.g. Code of Conduct investigation).
- 6.8.2 The Council Member and the Chief Executive Officer will be notified if records are to be accessed by staff unless there is a duty of confidence (e.g. Independent Commissioner Against Corruption or Ombudsman investigation or Public Interest Disclosure Act matter).
- 6.8.3 Official records whether paper or electronic belong to the Council not the Council Member.

6.9 Defamation

The provisions of defamation law, 'publication' is very broad and includes any means whatsoever that Council Members use to communicate with each other, including Social media and email. A statement made electronically is, by its very distribution, published. A statement is also published if it is simply received electronically and/or forwarded electronically. The Council is at risk of being liable for any defamatory material stored, reproduced or transmitted via any of its facilities. Likewise, Council Members may also be liable in their personal capacity as a consequence of any defamatory material published via email or on their Social media channels. Council Members should be aware that they may be held to have published defamatory material in circumstances where they permit a defamatory publication to be made and remain, on their Social media pages.

6.10 Copyright

- 6.10.1 Not all information is in the public domain or freely available for use without proper regard to rules of copyright. Council Members are required to make themselves aware and abide by relevant provisions of the *Copyright Act* as they apply to sharing of content via email, on Social media and websites, and reproducing in printed form, and ensure that no copyrighted or trademarked material is published on their Council related Social media pages without the permission of the creator or copyright owner.

- 6.10.2 Council has a licence with the Copyright Agency to reproduce some, but not all, copyrighted material in newspapers, magazines and websites. Council Members should seek advice from Council Officers before reproducing and distributing such material.
- 6.10.3 Any material reproduced outside permitted uses or without the permission of the copyright owner may be unlawful and may result in legal action against the Council member and the Council.

6.11 Records management

- 6.11.1 All emails and electronic communication that concern council related matters and Council Business are regarded as official Council records and belong to the Council.
- 6.11.2 Any information, images and footage distributed or received through a Social media platform in the conduct of Council business are considered official records and need to be captured and maintained in accordance with the State Records Act 1997 and General Disposal Schedule 40, as per all other official records held by Council.
- 6.11.3 Council Members shall ensure that official records in any format outside of transactions occurring within the Council's corporate email system are forwarded to the Council's records team to be captured into Council's Electronic Document Records Management System in accordance with the *State Records Act 1997*.

7 AUTHORISED SPOKESPERSONS FOR THE COUNCIL

- 7.1 The Mayor and the Chief Executive Officer are exclusively authorised to speak publicly on behalf of Council. The Mayor or the CEO may, from time to time, formally delegate this responsibility to others where appropriate and will communicate that authorisation and any limitations to that authority.
- 7.2 Enquiries relating to corporate or operational matters are usually responded to by the CEO or an appointed CEO delegate, depending on the issue.
- 7.3 Enquiries relating to a Council decision or policy matter before the Council on which a decision is pending, are usually responded to by the Mayor, depending on the issue.
- 7.4 Certain issues may require a response from both the administration and the Mayor. The CEO, in consultation with the Mayor, will determine if this is necessary.
- 7.5 The Mayor may formally authorise a Council Member the capacity to speak on behalf of the Council on matters where there has been a significant and ongoing involvement by the Council Member on that matter. The Mayor will do so in writing to the Council Member that sets out the authorisation and any limitations of that authority.

- 7.6 Council Members may make public comment on their own point of view.
- 7.7 If a Council Member intends to speak or write to the Media or speak publicly it is requested that they:
- advise the Mayor and the CEO of their intention to make comments to the Media, or as soon as practical after the Media contact (if it was not possible before making comment), to ensure the organisation is informed of the information provided to the Media
 - ensure they make it clear that they are expressing their own point of view and not speaking officially on behalf of the Council (unless expressly requested to do so and authorised by the Mayor or by authorisation of the Council through resolution)
 - ensure that their comments are not vexatious or defamatory
 - ensure that the comments are reasonable, just, respectful, balanced and non-discriminatory to others
 - ensures that the information they intend to provide promotes trust and confidence in the Council and its decision making processes
 - ensure that the information they are providing is informed and factual.
 - do not provide confidential information to the Media, community or any other unauthorised person
 - demonstrates that they will remain open minded on a matter that is coming to a council meeting for decision.
- 7.8 These provisions do not and are not intended to curtail or restrict in any way the rights of Council Members to express their personal views in public, provided that care is taken not to convey the impression that such views are made on behalf of the Council.

8 TRAINING AND EDUCATION

Council Members will be provided with training on this policy at the commencement of their elected term as an inclusion in the Council Members induction and education program and at least once during each elected term.

9. FURTHER INFORMATION

Title: Risk & Governance Officer
Address: PO Box 54, Mount Barker
South Australia SA 5251
Telephone: 8391 7200
Email: council@mountbarker.sa.gov.au

REFERENCE NUMBER	DOC/21/116650		
PREVIOUS DOCUMENT NUMBER:	DOC/18/54815		
INTERNAL GOVERNANCE:			
Author	Sue Miller	Risk and Governance Officer	21 July 2021
Responsible General Manager:	Brian Clancey	Deputy CEO/GM Strategic Projects	21 July 2021
Reviewed by CEO	Andrew Stuart		21 July 2021
REVIEWED BY CGG			21 July 2021
APPROVED BY (DOCUMENT OWNER):	Council		
	[meeting minute #]	[meeting date]	
APPLICABLE LEGISLATION AND RELATED DOCUMENTS:	Local Government Act 1999 State Records Act 1997 Elected Member Allowances and Benefits Code of Conduct for Council Members Code of Practice – Proceedings at Meetings Caretaker Policy and Guidelines Council Members Access to Information Policy and Procedure Council Publications Policy Council Members’ Induction Policy Records and Information Management Policy		
MOUNT BARKER 2035 – DISTRICT STRATEGIC PLAN REFERENCE:	CW 6.2 Strengthen opportunities for residents to participate in learning and engagement opportunities including through the use of digital technology and social media GL 1.3 Provide opportunities for the community to access and participate in decision-making processes GL 1.4 Use digital technology and social media as engagement tools GL 2.4 Adopt digital services and social media to support improved service delivery and accessibility for residents		
REVIEW CYCLE	As this is a new policy, a review will be undertaken within 12 months but no later than July 2022 Review within 12 months of new Council term It is recognised that from time to time circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a State or Federal Department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of Council (if statutory) or the Chief Executive Officer (if administrative).		
NEXT REVIEW DATE	July 2022		

DOCUMENT HISTORY:			
DOCUMENT VERSION	DATE	AUTHOR (PERSON TO WHOM CHANGES ARE TO BE RECOMMENDED)	NATURE OF CHANGE
VERSION 1.0	August 2015		Media Policy
VERSION 2.0	3 December 2018	Ian Hildebrand	Media Policy
VERSION 3.0	May 2021	Sue Miller	New Policy for Council Members - document amended in line with updates to case law
DOCUMENT LOCATION:		Council website [publication date] Available for inspection, downloading or printing from our website www.mountbarker.sa.gov.au	
		This Policy is available for inspection, during business hours at: Mount Barker District Council, Level 1, 6 Dutton Road, Mount Barker	

Attachment 2 to Item 12.6

**TITLE: MEDIA POLICY**

REFERENCE NUMBER:	DOC/18/054815
RESPONSIBLE DEPARTMENT:	Community Services
APPLICABLE LEGISLATION:	Local Government Act 1999 State Records Act 1997
MOUNT BARKER 2035 – DISTRICT STRATEGIC PLAN:	CW 6.2 Strengthen opportunities for residents to participate in learning and engagement opportunities including through the use of digital technology and social media GL 1.3 Provide opportunities for the community to access and participate in decision-making processes GL 1.4 Use digital technology and social media as engagement tools GL 2.4 Adopt digital services and social media to support improved service delivery and accessibility for residents
RELATED POLICIES:	Employee Code of Conduct Code of Conduct – Council Members Caretaker Policy and Guidelines Community Consultation Policy Records and Information Management Policy Complaints Policy Council Publications Policy Employee Conduct Complaint Resolution Procedure
SUPPORTING PROCEDURES:	Social Media User Guidelines Social Media Content & Moderation Guide Social Media Response Chart Social Media Escalation Process

PREVIOUS REVIEW DATES:	August 2015
ENDORSED BY COUNCIL:	3 December 2018
MINUTE RESOLUTION NUMBER:	OM20181203.34
NEXT REVIEW DATE:	3 December 2021

1. PURPOSE

Council is committed to promoting and responding to the media in a timely and professional manner to enhance its communication with the community on various programs, projects and issues of public interest.

Council recognises that traditional media and social media provide opportunities for the Mount Barker District Council to proactively communicate and engage with its community and stakeholders in a professional, timely and positive manner.

The primary objectives of this Policy are to

- provide clarity of who will respond to media enquiries via traditional and online channels and under what circumstances.
- formalise Council's position on the creation and dissemination of official content through media channels by Council Members and employees and applies to all traditional and digital media where people may comment, contribute, create, forward, post and share official business/customer content on, or on behalf of, Mount Barker District Council.

2. SCOPE

This Policy is applicable to Council Members and workers.

3. DEFINITIONS

Content Creator – A person who has been approved and trained to post on social media on behalf of Council as per Social Media Content & Moderation Guide

Media – Media channel employees, such as reporters, journalist and editors.

Council Members – shall mean the duly elected representatives of the community, including the Mayor and Councillors.

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.

Media Advisor – An employee identified by the Chief Executive Officer, who is responsible for liaising with and distributing media content through different channels

Media Channels – The distribution stream(s) for different media content. These can be mainstream channels such as newspapers, Council's website or social media such as Facebook.

Media Content– A piece of proactive or responsive information shaped into a media statement, news release or a video statement.

Media Representative(s) –Employee(s) identified by the Chief Executive Officer to represent the organisation due to their expertise in a specific area.

Social Media – Group term for a range of online communication platforms that enable interaction, content sharing, and collaboration. These platforms include but are not limited to:

- Social networking sites (e.g. Facebook, Google+, LinkedIn)
- Microblogging sites (e.g. Twitter)
- Video and photo sharing websites (e.g. Flickr, YouTube)
- Blogs
- Forums and discussion boards
- Podcasts and video podcasts
- Sites which facilitate public content
- Wikis

Social Media Account – The profile an organisation or individual adopts on a platform. There are two types of accounts that can be used:

- Social media corporate account – a centrally managed social media account used to communicate cross-organisational (Council) matters
- Social media targeted account – a de-centrally managed social media account used to communicate information to a targeted audience.

Volunteers and Work Experience Persons – Shall mean individuals assisting Council in clearly defined, approved activities and who operate under Council supervision.

Worker - as defined in the WHS Act (SA) 2012 includes employees, volunteers, contractors, subcontractors, employees of contractors or subcontractors, labour hire, outworkers, apprentices, trainees, work experience students.

4. ROLES & RESPONSIBILITIES

Council:

- Approves the Media Policy

Mayor:

- Acts as the official spokesperson for Council

Chief Executive Officer:

- Manage media enquiries that are of a politically sensitive nature
- Be the official spokesperson for operational matters
- Review media releases and respond to media enquiries of a politically sensitive nature

General Managers:

- Manage media enquiries that are of a politically sensitive nature as delegated by the CEO
- Review general media releases and respond to general media enquiries

Community Connections Manager:

- Monitor and review media documentation, mechanisms and protocols
- Monitor, measure and analyse media activity

• **Project Manager Communications and Marketing:** Delegated Media Advisor
Manage the dealing with media enquiries and issues

- Prepare draft media releases and co-ordinate responses
- Approval of Social Media content

5. POLICY STATEMENT

Council requires a professional approach when liaising with the media and the community, whether it is through traditional mechanisms or online. Traditional media and social media will be used as a coordinated medium for strategic external communications, with the aim to:

- Inform, communicate and initiate community involvement and discussion
- Extend the reach of our communications and direct the community to Council information
- Provide a convenient, accessible and flexible form of service delivery, and
- Build and enhance relationships with the community and stakeholders.

When representing Council in traditional media or social media, workers and Council Members must:

- Act with honesty, integrity and transparency
- Use Council information and resources appropriately
- Not put forward their own personal commentary or opinions, and
- Not present themselves as official representatives without appropriate authorisation and training.

Use of traditional media and social media must not:

- Damage Council's reputation
- Disclose sensitive or confidential Council information
- Use Council's intellectual property or copyrighted materials or otherwise reproduce material in a manner that gives rise to breach of copyright, and
- Communicate offensive or defamatory information or commentary—particularly about Council, workers or Council Members

Most Council decisions, except those deemed confidential, are public documents and public property which are accessible on Council's website www.mountbarker.sa.gov.au

Whenever possible media responses should refer enquirers to publically available information on Council's website.

Confidential employee matters and matters discussed at a confidential Council Informal Briefing cannot be conveyed externally in any form.

6. ADMINISTRATION

All traditional media and social media are administered by the Community Connections team. This ensures the Mount Barker District Council is able to monitor and respond to issues and provide a consistent and professional message and image.

7. TRADITIONAL MEDIA

As delegated by the Chief Executive Officer, the Community Connections team is responsible for handling all media enquiries (including photograph and filming requests) and providing prompt and professional responses in partnership with the authorised Media Representative(s). This extends to seeking proactive media coverage.

Where the sensitivity, or complexity of a topic requires (for example the budget and annual business planning, strategic planning and rates processes), authorised Media Representatives or the Media Advisor will provide Elected Members with information and/or corporate key messages to assist with media and/or community contact.

8. SOCIAL MEDIA

Only authorised and trained employees may provide information via Council owned and non-Council owned social media platforms.

Social media is administered in accordance with Council's Social Media User Guidelines and Social Media Content & Moderation Guide. The Community Connections Manager is responsible for the guidelines and associated documentation and for the maintenance and review of these procedures.

All accounts operate under a uniform terms and conditions framework, which must be utilised by all platforms. Terms and conditions will be inclusive of information relating to monitoring hours and appropriate communications.

Mount Barker District Council retains the right to remove content that does not adhere to the guidelines identified in this policy or other associated documents.

Posts containing the following will not be responded to, and will likely be removed from the relevant page:

- discrimination of any form (Equal Opportunity Act 1984)
- Harassment or bullying
- Incitement to unlawful conduct
- Profanity; utilised as abuse
- Personal, confidential, or copyrighted material
- Potential defamatory material
- Threatening or abusive behaviour
- Spam, junk or advertising
- Political or election related lobbying

9. MEDIA ENQUIRIES

Initial enquiries made by a media outlet will be directed to the Project Manager Communications and Marketing for co-ordination of a response. In the event that an officer (other than the Chief Executive officer or relevant General Manager) is contacted by the media they shall not make any comment and shall refer the matter to the Project Manager Communications and Marketing.

Media enquiries that are of a politically sensitive nature shall be managed by the Chief Executive Officer, relevant General Manager or an external public relations provider.

Employees must also advise the Project Manager Communications and Marketing where an event or issue is likely to generate significant public and/or media interest. This ensures Council is prepared to respond to public and media enquiries and media promotion can occur in an opportunistic manner when appropriate.

10. AUTHORISATION

10.1. OFFICIAL SPOKESPERSON

The Mayor is the official spokesperson on behalf of the Mount Barker District Council (Deputy Mayor in the Mayor's absence) and the Chief Executive Officer is the official spokesperson for all operational matters.

With the approval of the Mayor a Council Member may be the official spokesperson on issues where there is a significant and ongoing involvement by the Council Member.

Official media statements on behalf of the Council can only be made by the Mayor or Chief Executive Officer, however comments relating to specific matters may be made by the relevant General Manager.

10.2. COUNCIL MEMBERS

An Council Member may make a personal statement on any matter, provided:

- He/she makes it clear to the media or other recipient that he/she is speaking as an individual and not on behalf of the Council; and
- The Code of Conduct for Council Members is adhered to.

Council staff are not permitted to provide personal comments and/or views to the media in any circumstances.

10.3. MEDIA REPRESENTATIVE

General Managers are the default Media Representative for a specific area. Following a media enquiry, the Project Manager Communications and Marketing will liaise directly with the relevant Media Representative or employee to generate an appropriate response.

It is the responsibility of the Media Representative or staff member to ensure the accuracy of their information and to obtain all relevant departmental approvals prior to responding to the Project Manager Communications and Marketing.

If the Media Representative is not available to respond to an urgent media enquiry, the Project Manager Communications and Marketing may decide who is the next most appropriate and available person to approach.

While Media Representatives have been authorised to represent Council, they must not comment on areas outside of their expertise.

10.4. AUTHORISED EMPLOYEES

Employees must be authorised and trained to post on Social Media on behalf of Council as per the Social Media Content and Moderation Guide.

11. MEDIA RELEASES, PHOTO OPPORTUNITIES, MEDIA BRIEFINGS

All media releases are to be approved by the relevant General Manager in the first instance and then provided to the Project Manager Communications and Marketing for co-ordinating and obtaining authorisation from the Mayor and / or Chief Executive Officer.

At times the services of an external public relations / media provider will be engaged for matters that are politically sensitive or require a higher level of media

advice. In these instances the liaison will be managed by the external provider with the Mayor, Chief Executive officer and relevant General Manager with the Project Manager Communications and Marketing informed of the situation.

Where there is a significant and ongoing involvement by a Council Member, with the agreement of the Mayor, the Project Manager Communications and Marketing will contact the relevant Councillor to have a statement included in the media release.

Media briefings will be arranged on an as needs basis. These briefings will also provide a forum for the local journalist to provide feedback to ensure their communication needs are being met.

Council meetings and 'open to the public' Council Member briefings will also be open to media agencies to attend for mutual benefit.

12. 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 Community Connections Manager.

13. 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.

14. FURTHER INFORMATION

For further information on this Policy, please contact:

Title: I. Hildebrand, Community Connections Manager
Address: PO Box 54, Mount Barker
South Australia, SA, 5251
Telephone: 8393 6470
Email: ihildebrand@mountbarker.sa.gov.au

12.7	REPORT TITLE:	PROPOSED UNMADE ROAD CLOSURE TO SETTLE A COUNCIL ENCROACHMENT – WOOLEY ROAD HARROGATE
	DATE OF MEETING:	2 AUGUST 2021
	FILE NUMBER:	DOC/21/114588
	ATTACHMENTS:	1. DOC/21/114557 – PRELIMINARY PLAN 2. DOC/20/162795 - AERIAL PLAN OF UNMADE ROAD
	<u>Key Contact</u>	David Morton, Strategic Property and Projects Manager
	<u>Manager</u>	Alex Oulianoff, Chief Financial Officer, Corporate Services

Community Plan 2020-2035:

CW 5.3 Apply a strategic, planned and consistent approach to the provision, development and maintenance of roads and footpaths

Annual Business Plan:

No specific project or initiative

Purpose:

To seek Council approval to make a Road Closure Order for a portion of unmade road at the rear and adjacent to 251 Wooley Road Harrogate, Lot 10 FP160287 CT 6115/921 to enable it to be utilised as compensation to the property owner to rectify a Council road encroachment.

Summary – Key Issues:

- A section of Council's Wooley Road encroached over a section of the property located at 251 Wooley Road Harrogate, Lot 10 FP160287 CT 6115/921 owned by PE & K Askew ("the Askews").
- To settle the encroachment as compensation, it was proposed by the Askews to close and swap a portion of the adjacent unmade road for the land acquired by Council.
- The Askews will pay the difference in value for the land being swapped.
- Community consultation has been conducted and no objections were received.

Recommendation:

That Council:

1. Pursuant to Section 10 of the *Roads (Opening & Closing) Act 1991* makes a Road Process Order to close a portion of unmade road at the rear and adjacent to 251 Wooley Road Harrogate, Lot 10 FP160287 CT 6115/921 marked "B" in the Preliminary Plan shown in Attachment 1.
2. Excludes the subject land marked "B" in the Preliminary Plan shown in Attachment 1 from Community Land Classification.
3. Approves the transfer of the land marked "B" in the Preliminary Plan shown in Attachment 1 to the adjoining owner in exchange for the land marked "1" in the Preliminary Plan and a payment to Council of \$6,700 (excluding GST) .
4. Gives delegation to the Chief Executive Officer or his delegate to sign all documentation required to complete the transfer of the subject land.

Background:

1. A section of Wooley Road located in Harrogate encroaches over a part of the adjoining property owned by the Askews at 251 Wooley Road Harrogate.
2. Bushfire recovery works throughout Harrogate repairing roads, clearing trees and fencing damaged by the fires provided the opportunity to rectify Council's road encroachment at 251 Wooley Road.
3. In order to rectify the encroachment, it was considered the best option available would be to acquire a portion of the Askews land rather than relocate the existing road for the following reasons:
 - a. The road historically was constructed outside the road reserve,
 - b. The road reserve adjacent on the opposite side was not sufficient to move the road across,
 - c. Improved line of site of the corner of Wooley Road,
 - d. Vegetation damage and tree removal would have been required.
4. A survey was undertaken and it was established that Council would need to acquire 3,190m² of the Askews' property.
5. In order to rectify the encroachment, Council offered to compensate the Askews with a payment based on current value for the land to be acquired.
6. During discussions, it became apparent the Askews would not be satisfied with monetary compensation for the property acquisition as their property area would reduce as a result and they did not want any reduction in land size.
7. As a way to settle the encroachment and to avoid a loss of land area it was proposed by the Askews that a possible land swap could occur for a portion of the unmade road that was adjacent and at the rear of their property.

8. The portion of unmade road included in the proposed land swap has an area of approximately 7,700m².
9. To assist in determining an appropriate compensation to settle the encroachment an independent valuation was obtained.
10. The valuation received advised that a value of \$15,000/hectare for the land included in the encroachment area and the portion of unmade road would be appropriate.
11. Based on the independent valuation the encroachment area has a value of \$4,800 and the portion of unmade road has a value of \$11,500, providing a net difference of \$6,700 (excluding GST) which will be payable by the Askews to complete the land swap.
12. Council staff have advised that the proposed land swap is beneficial because:
 - a. The matter will be settled by agreement and avoiding the need for compulsory land acquisition.
 - b. Wooley Road will no longer be encroaching over the adjoining land and public road access will be on Council owned land.
 - c. Council will receive an economic benefit through receipt of \$6,700 for portion of unmade road.
13. A Preliminary Plan has been prepared by the Surveyor and will submitted to the Surveyor-General's Office if Council approves the making of a Road Closing Order.
14. Community consultation on the proposed closure of a portion of unmade road included Public Notices published in The Courier and Council's website/public notice board. Letters were sent to neighbouring landowners, utilities and the prescribed Government Departments.
15. The consultation period was open for 28 days, it commenced on 16 June 2021 and closed on 14 July 2021, no objections were received

Discussion:

16. The closed portion of the unmade road needs to be excluded from Community Land classification if it is to be included in a land swap with the adjoining property owners.

Community Engagement:

Decision to be made	Council to finalise the road closure process.
Key factors to be considered in decision (dot points)	<ul style="list-style-type: none"> • Portion of unmade road to be closed • Closed portion of unmade road to be excluded from Community Land register and used in a land swap with adjoining property owners • Settlement of Council road encroachment • Opportunity to object or request an Easement

Area of community influence	Informing only.
Method of consultation, informing community & cost	Via Council website.

Policy:

Community Consultation Policy
Disposal of Council Land & Other Assets policy

Long Term Financial Plan:

Not applicable to this proposal

Budget:

All administrative costs associated with this proposal are being met by Council to settle the road encroachment. Council costs are estimated to be approximately \$6,000.

Based on the valuation the encroachment area has a value of \$4,800 and the portion of unmade road has a value of \$11,500, providing a net difference of \$6,700 (excluding GST) which the Askews have agreed to pay to complete the land swap. The net payment should therefore cover Council's costs.

Statutory/Legal:

Roads (Opening & Closing) Act 1991
Local Government Act 1999

Staff Resource Requirements:

The process is being coordinated by existing staff in collaboration with a Surveyor. A Conveyancer will be required to complete the transfer if approved.

Environmental:

The portion of land to be closed is not needed for a future trail network.

Social:

Minimal impact on community as a result of proposed road closure.

Risk Assessment:

If the current encroachment is not resolved, the adjoining owner could take action against Council.

Asset Management:

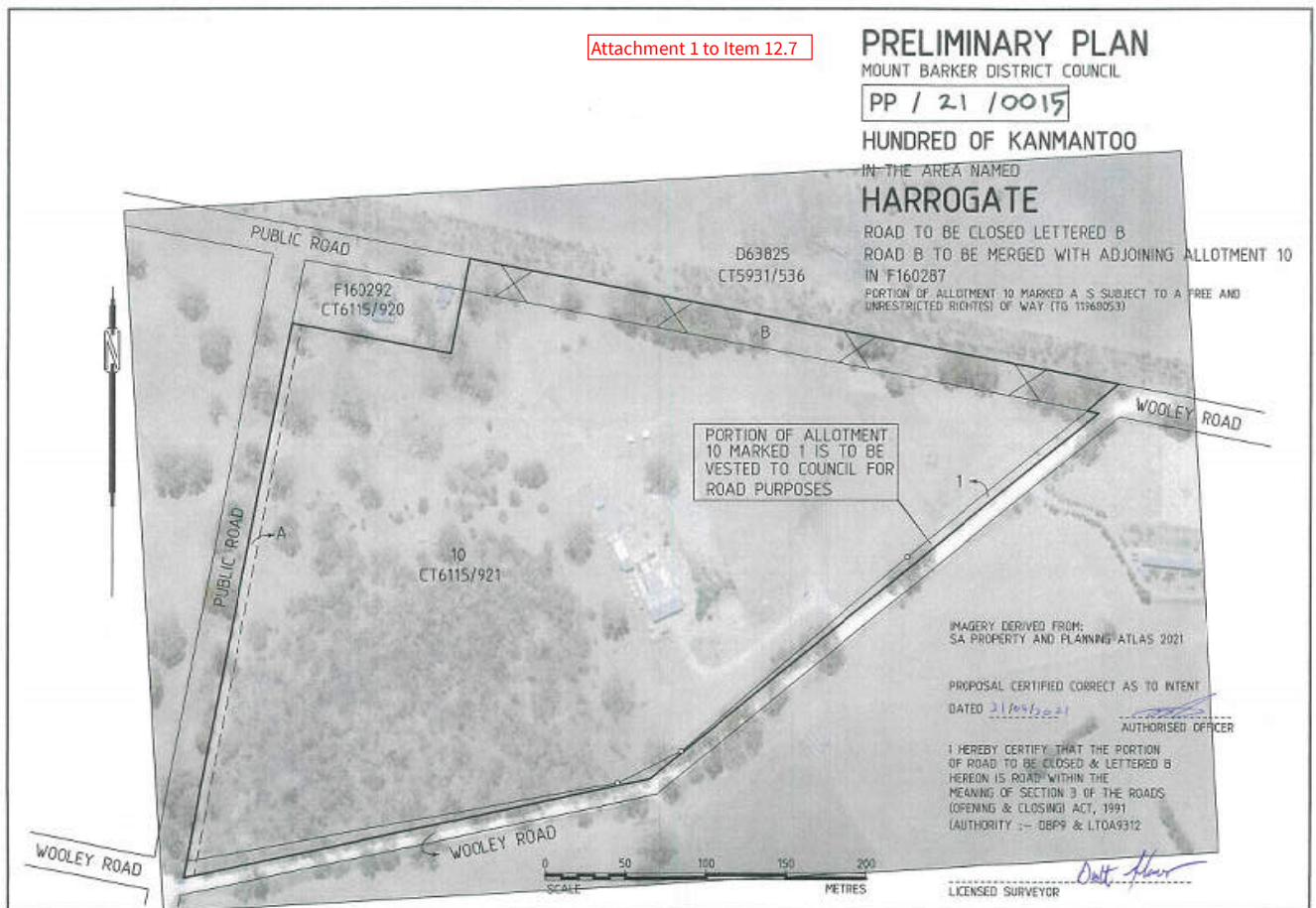
No impact as the land to be sold is an unmade road reserve and is not maintained by Council.

Conclusion:

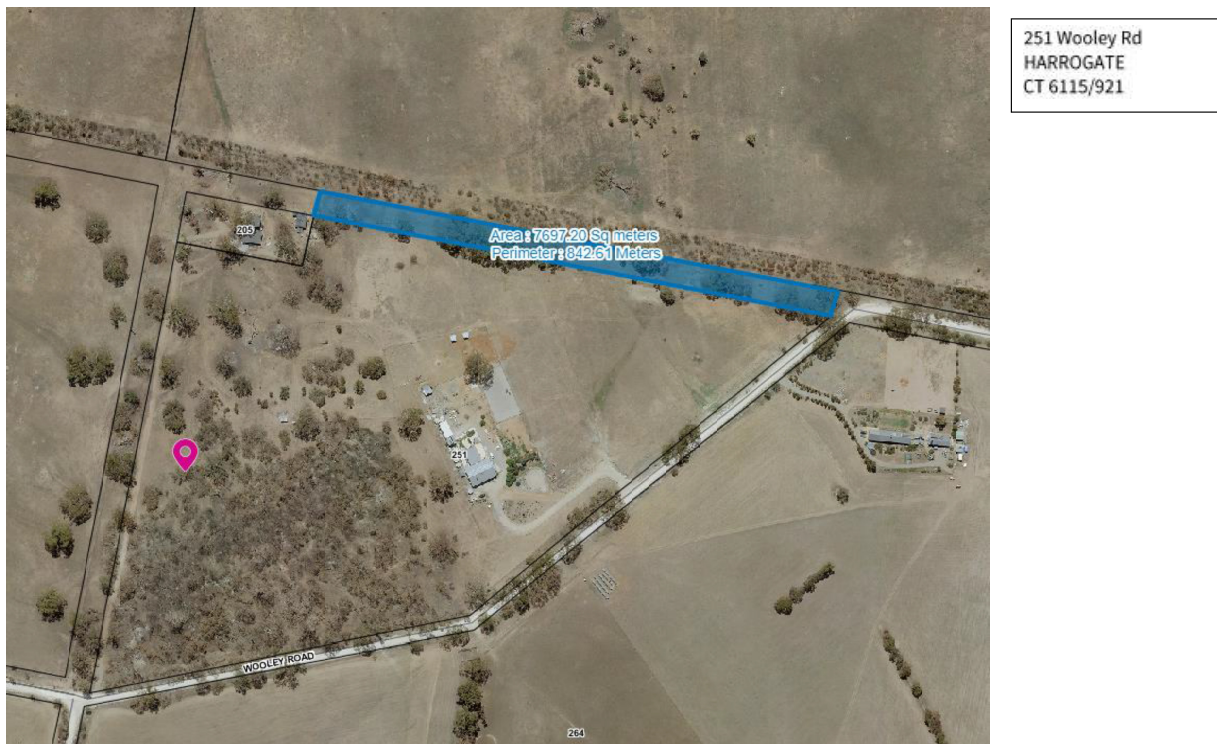
It is recommended that Council approves the making of a Road Closure Order for a portion of unmade road at the rear and adjacent to 251 Wooley Road Harrogate, Lot 10 FP160287 CT 6115/921 to enable it to be utilised as compensation to the adjoining property owner to rectify a Council road encroachment.

Previous Decisions By/Information Reports to Council - Nil

Meeting Date	7 DECEMBER 2020	CM Reference	DOC/20/162798
Title	PROPOSED UNMADE ROAD CLOSURE TO SETTLE A COUNCIL ENCROACHMENT – WOOLEY RD HARROGATE		
Purpose	To seek Council approval to commence a Road Process to close a portion of unmade road at the rear and adjacent to 251 Wooley Road HARROGATE, Lot 10 FP160287 CT 6115/921 to enable it to be utilised as part of the compensation to the property owner to rectify a Council road encroachment.		



Attachment 2 to Item 12.7



12.8	REPORT TITLE:	PERIODICAL ELECTOR REPRESENTATION REVIEW – SUBMISSIONS RECEIVED AND NEXT STEPS
	DATE OF MEETING:	2 AUGUST 2021
	FILE NUMBER:	DOC/21/114620
	ATTACHMENTS:	1. DOC/21/117963 - CONSULTANT REPORT – SECOND PUBLIC CONSULTATION 2. DOC/21/118204 - RECOMMENDED NEW WARD STRUCTURE
	<u>Key Contact</u>	Sue Miller, Risk & Governance Officer/EA to Mayor
	<u>Manager/Sponsor</u>	Brian Clancey Deputy CEO/General Manager – Governance, Strategic Projects and Wastewater/Recycled Water

Community Plan 2020-2035:

Leadership and Good Governance

LGG Strategy 1.1 – Attract a diverse elected body that represents, promotes and reflects the composition of the community.

LGG Strategy 1.3 – Provide opportunities for the community to access and participate in decision-making processes and fully integrate community engagement practices into Council activities.

LGG Strategy 1.4 – Enable community leadership.

Annual Business Plan:

Undertake the district wide representation review (i.e. elected member composition and ward boundaries) – page 34 of the Annual Business Plan.

Purpose:

To:

1. provide to Council the submission received and the independent consultant's report in response the prescribed consultation on the Periodical Elector Representation Review In Principle Preferred Structure and Composition Draft Report; and
2. to seek determination of the proposed future composition and structure of the Mount Barker District Council and authorisation for the Chief Executive Officer to prepare and finalise the necessary report for forwarding to the Electoral Commissioner.

Summary – Key Issues:

1. Council's current ward structure cannot be retained because the elector ratios in the Central and South Wards breach the specified 10% quota tolerance limit prescribed under Section 33(2) of the Local Government Act 1999.
2. Significant future population growth is anticipated across the Council area.
3. Having completed and considered all of the required public consultation, the proposed future composition and structure of the Mount Barker District Council is as per the recommendations below.

Recommendations

That Council pursuant to Sections 12 (7) & (8) of the Local Government Act 1999:

1. receive the independent consultant's Second Public Consultation report (attachment 1) including the one (1) submission received from the community;
 2. determine that the future composition and structure for the Mount Barker District Council be as follows:
 - a. The principal member of Council continue to be a Mayor elected by the community;
 - b. The future elected body of Council comprise the Mayor and ten (10) ward councillors; and
 - c. The Council area be divided into three (3) wards as per the ward structure presented in the Representation Review Report, with two (2) wards each being represented by three (3) ward councillors and the remaining ward being represented by four (4) ward councillors (as per attachment 2);
 3. determine that there be no changes to ward names and that they remain as South, Central and North; and
 4. authorise the Chief Executive Officer (or nominee) to prepare and forward the necessary report and documents (in accordance with the above recommendations) to the Electoral Commissioner, pursuant to the provisions of Sections 12(11) and 12 (12) of the Local Government Act 1999.
-

Background:

1. A Representation Review is held to determine whether a Council community would benefit from an alteration to its composition or ward structure.
2. As per Section 12(4) of the Local Government Act 1999 (the Act), Mount Barker District Council is undertaking a periodical elector representation review during the period October 2020 – October 2021.

3. The current ward structure cannot be retained because the elector ratios in the existing Central and South wards breach the specified 10% quota tolerance limit prescribed under Section 33(2) of the Local Government Act (1999).
4. Significant future population growth is anticipated across the Council area.
5. An independent consultant Craig Rowe & Associates has been engaged by Council to examine demographic data and prepare the Periodical Elector Representation Review Options Paper and Periodical Elector Representation Review Report, conduct informal gatherings/workshops with Council Members, and public consultation sessions.
6. Detailed background information was provided to Council at the Council meetings held 1 February 2021, 3 May 2021 and 7 June 2021.
7. As per legislative requirements a Periodic Review of Elector Representation Options Paper was subject to an initial 6 week public consultation period 10 February 2021 to 31 March 2021.
8. An informal gathering was held on Monday 19 April 2021, open to the public, at which the independent consultant explored with Council Members the community submissions, and responded to questions from Council Members regarding the issues as referred to in items 3 and 4 under background above, and canvassed in this report
9. At the Council meeting 7 June 2021 Council (*inter alia*):
 - a. received the draft Periodical Elector Representation Review Report on Council's preferred composition and structure prepared by the independent consultant (attachment 1)
 - b. endorsed the draft Periodical Elector Representation Review Report on Council's preferred composition and structure prepared by the independent consultant to be subject to a 5 week public consultation period 9 June 2021 to 14 July 2021; and noted a public meeting will be held on Monday 19 July 2021 from 5.30pm to 6.15pm for those who wish to be heard.
10. In addition to the public meeting held 19 July 2021, the Community was invited to make submissions on the draft Periodical Elector Representation Review Report on Council's preferred composition and structure prepared by the independent consultant via the following:

- a. Council's Your Say website – from 9 June 2021 to 14 July 2021
 - b. Advertisements placed during the week commencing 7 June 2021 in:
 - i. The Courier
 - ii. Government Gazette
 - iii. The Adelaide Hills Weekender
 - iv. The Advertiser
 - c. Promoted on Council's Facebook page
 - d. Individual email to those who previously made a submission in response to the Periodical Elector Representation Review Options Paper during the first phase of consultation.
11. One submission was received being from the Macclesfield Community Association (see attachment 1) which was supportive of the draft Periodical Elector Representation Review Report on Council's preferred composition and structure, and no persons attended the public meeting held 19 July 2021.

Discussion:

12. As advised in the draft Periodical Elector Representation Review Report on Council's preferred composition and structure prepared by the independent consultant, and having duly considered all relevant provisions of the Act, the information and alternatives contained within the Representation Options Paper, the submissions received from the community, and the potential ramifications of the Statutes Amendment (Local Government Review) Bill 2020, Council proposed the following in respect to its future composition and structure:
- e. The principal member of Council continue to be a Mayor elected by the community
 - f. The Council area be divided into three wards (as depicted in Map 1 and described hereinafter)
 - g. Proposed ward number 2 be represented by four (4) ward councillors; and proposed wards numbers 1 and 3 both be represented by three (3) ward councillors
 - h. The future elected body of Council comprise the Mayor and ten (10) ward councillors.
 - i. welcomed further suggestions from the community in respect to the issue of ward names/identification.
 - j. retain the name 'Mount Barker District Council'
13. With regard to 12 (i) above, a recent submission indicated acceptance of the existing ward names but offered East and West as possible alternatives to North and South. Advice is provided by the independent consultant on page 10 of the second public submissions report (attachment 1) as to the process Council could undertake to rename wards without impeding the completion of this Periodical Elector Representation Review.

14. The next step is to finalise the report to forward to the Electoral Commissioner which is to contain the prescribed information and be consistent with the resolutions of the council meeting.

Community Engagement:

Community Input is sought	Refer previous reports 1 February 2021, 3 May 2021, 7 June 2021.
Decision to be made	As detailed in the Periodical Elector Representation Review Report on Council's preferred composition and structure prepared by the independent consultant.
Key factors to be considered in decision (dot points)	Aspects that are fixed: If wards are retained the ward quota should not vary by more than 10% Key areas for community input: As detailed in the Periodical Elector Representation Review Report on Council's preferred composition and structure prepared by the independent consultant.
Area of community influence	Council Representation
Method of consultation, informing community & cost	As detailed in the Periodical Elector Representation Review Report on Council's preferred composition and structure prepared by the independent consultant. Refer dot point 10 of this report.
Feedback to stakeholders/Council	Submissions acknowledged.
Timeframe for consultation	<ul style="list-style-type: none"> • Refer timeline provided as attachment to 1 February 2021 council meeting agenda item, and updated on Council's Your Say website. • 10 February 2021 to 31 March 2021 Periodic Review of Elector Representation Options Paper Public consultation • 9 June 2021 to 14 July 2021 draft Periodical Elector Representation Review Report on Council's preferred composition and structure public consultation • 19 July 2021 public meeting for those who wish to be heard • Consultation required under legislation has been undertaken.

Policy:

NA

Long Term Financial Plan:

NIL

Budget:

The budget for the two financial years (2020/21 and 2021/22) is \$22,000 for the Periodical Elector Representation Review.

Statutory/Legal:

Section 12(4) of the Local Government Act 1999 (the Act) requires Council to comprehensively review all aspects of its composition and the division/potential division of the council area into wards at least once in each relevant period, as prescribed by the Minister from time to time (approximately every eight years). Any changes will come into effect at the next Local Government periodic election in November 2022.

Staff Resource Requirements:

This is incorporated into the existing work program of the Risk and Governance Officer, which includes engagement and ongoing liaison with the independent consultant.

Environmental:

NA

Social:

NA

Risk Assessment:

A risk is that some electors are unlikely to be aware of the proposed changes to wards. A community awareness strategy can be developed as part of the broader promotion of the 2022 council election.

Asset Management:

NA

Conclusion:

Council, having consulted with the community in accordance with Section 12 (9) of the Local Government Act 1999, should now endorse for forwarding to the Electoral Commissioner the required report indicating Council's preferred composition and structure (as per the above recommendations) to bring into effect at the next periodic Local Government elections in November 2022.

Previous Decisions By/Information Reports to Council

Meeting Date	7 June 2021	HPRM Reference	DOC/21/80178
Title	Elector Representation Review Report		
Purpose	To: 1. receive the draft Elector Representation Review Report prepared by the independent consultant as per Council's resolution of 3 May 2021 indicating Council's preferred composition and structure; and 2. endorse the draft Elector Representation Review Report prepared by the independent consultant indicating Council's preferred composition and structure for community consultation for a period of 5 weeks.		

Meeting Date	3 May 2021	HPRM Reference	DOC/21/59477
Title	Elector Representation Review Report		
Purpose	To: 1. provide to Council all of the submissions received and the independent consultant's summary report on submissions received in response to the Periodical Elector Representation Review Options Paper; and 2. for Council to provide an indication to the independent consultant as to Council's preferred position for the independent consultant to prepare a draft Elector Representation Review Report for consideration and endorsement at a future council meeting for community consultation.		

Meeting Date	1 February 2021	HPRM Reference	DOC/21/11289
Title	Elector Representation Review Report		
Purpose	To endorse the draft Periodical Elector Representation Review Options Paper prepared by an independent consultant for community consultation for the prescribed period of 6 weeks, and outline the steps in the process to undertake the Representation Review..		

Meeting Date	16 September 2013	HPRM Reference	DOC/13/082311
Title	Approval of the Representation Review		
Purpose	To provide an update on the progress of the Elector Representation Review report.		

Attachment 1 to Item 12.8

SUBMISSIONS REPORT

ELECTOR REPRESENTATION REVIEW

Second Public Consultation

A Report to the

MOUNT BARKER DISTRICT COUNCIL

JULY 2021

Disclaimer

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TABLE OF CONTENTS

1. INTRODUCTION	1
2. PUBLIC CONSULTATION.....	2
3. REVIEW PROCESS	2
4. FUTURE COMPOSITION AND STRUCTURE.....	3
4.1 Mayor/Chairperson	4
4.2 Wards/No Wards	5
4.3 Number of Councillors.....	7
4.4 Area Councillors (in addition to ward councillors).....	9
4.5 Ward Identification.....	9
5. RECOMMENDATIONS	10
 ATTACHMENT A - SUBMISSION	

1. INTRODUCTION

Section 12(4) of the *Local Government Act 1999* (the Act) requires Council to undertake a review of all aspects of its composition and the division (or potential division) of the council area into wards, at least once in every period prescribed by the Minister for Local Government (generally eight years). Essentially, the objective of the review is to ensure fair and adequate representation of the electors within the council area.

The current review must be conducted and completed during the period October 2020 - October 2021.

At its meeting on the 3rd May 2021 Council agreed "in principle" as follows.

- The principal member of Council continue to be a Mayor elected by the community.
- The Council area be divided into three wards.
- Proposed ward number 2 be represented by four (4) ward councillors; and proposed wards numbers 1 and 3 both be represented by three (3) ward councillors.
- The future elected body of Council comprise the Mayor and ten (10) ward councillors.

Council also resolved to initiate the second of the prescribed public consultation stages.

Council has subsequently completed the second public consultation during which it presented, in accordance with the provisions of Section 12(9) of Act, its proposed future elector representation arrangement for consideration and comment by the local community.

Council must now consider the submission received from the community and formally determine what elector representation arrangements it proposes to bring into effect at the next periodic Local Government elections in November 2022.

It should be noted that *Statutes Amendment (Local Government Review) Act 2021* contains provisions which cap the number of members of a council at thirteen (13), including the principal member, unless an "exemption certificate" can be obtained from the Electoral Commissioner; abolish the option of a Chairperson; and introduce an abridged review process. It is understood that the provisions of this *Statutes Amendment (Local Government Review) Act 2021* will not likely come into effect until after the Local Government election in November 2022. This being the case, Council will need to complete its current elector representation review in accordance with the provisions and requirements of the existing Act.

2. PUBLIC CONSULTATION

The second public consultation commenced on Wednesday 9th June 2021 with the publishing of public notices in "The Courier" and "The Advertiser" newspapers. This was followed by the publishing of similar public notices in the Government Gazette and the "Weekender Herald" newspaper on Thursday 10th June 2021. In addition, a copy of the Representation Review Report was made available at the Civic Centre and the library; and an article with an online link to a "feedback page" appeared on the "Your Say Mount Barker" website page from Wednesday 9th June 2021.

Social media promotion (Facebook) commenced on 9 June 2021. The post was boosted and reached 5,797 people, with 532 being engaged, including 72 link clicks to the Your Say page.

At the expiration of the public consultation period (i.e. close of business on Wednesday 14th July 2021) Council had received one (1) submission, this being from the Macclesfield Community Association. In brief the Association supported the proposed composition and structure of Council; and expressed the opinion that the existing ward names were appropriate, but suggested East, Central and West as potential alternatives.

A copy of the submission is provided in Attachment A.

A Special Meeting was convened on Monday 19th July 2021 to afford interested persons the opportunity to address Council regarding the review and the proposed future elector representation arrangements. No one attended.

The receipt of only one (1) submission is considered to be a poor result, given that twenty-four (24) submissions were received during the first public consultation stage of the review; and two (2) submissions were received at the same stage of the previous elector representation review (i.e. March/April 2013).

3. REVIEW PROCESS

Having completed the second of the prescribed consultation, Council is required to consider the submission received and either amend its proposal or *"finalise its report (including in its report recommendations with respect to such related or ancillary matters as it thinks fit)"*, pursuant to the provisions of Section 12(11) of the Act.

Should Council now prefer an alternative proposal (e.g. the abolition of wards, the introduction of an alternative ward structure and/or an option with a different number of elected members), it will need to prepare another Representation Review Report and initiate another public consultation for a minimum period of three (3) weeks.

This course of action will obviously take additional time (perhaps 4 – 6 weeks) and may impact upon Council's ability to complete its review by the end of October 2021. If Council proceeds down this path, it would be prudent to advise the Electoral Commissioner of the extenuating circumstances and the action being taken.

On the other hand, if Council resolves to proceed with the proposal previously presented to the community in the Representation Review Report, it will simply have to formalise its decisions in respect to its desired future composition and structure; and proceed to prepare a detailed report outlining its proposal, the rationale behind its decisions and the review process undertaken. The report must then be forwarded to the Electoral Commissioner who will determine whether the requirements of the Act have been satisfied and whether certification is warranted (refer Sections 12 (12) and 12(13) of the Act).

Upon receipt of certification from the Electoral Commissioner, Council will be required to publish an appropriate notice in the Government Gazette (on a date specified by the Electoral Commissioner) which will effectively provide for the implementation of the proposed (certified) future composition and structure of Council at the November 2022 Local Government elections.

4. FUTURE COMPOSITION AND STRUCTURE

Council is now at the stage in the review process where it must either confirm (by formal resolution) its proposed future composition and/or structure, as presented in the Representation Review Report, or amend its proposal and initiate another public consultation for a minimum period of three (3) weeks.

When making its final decisions Council should be mindful that the primary purpose of the review is to determine whether the electors/community will benefit from an alteration to the current composition and/or structure of Council.

To finalise its review and initiate preparation of a comprehensive report to the Electoral Commissioner, Council must now make final decisions regarding the following.

- Whether the principal member of Council should continue to be a Mayor elected by the community, or a Chairperson (with the title of Mayor) who is chosen by and from amongst the elected members.
- Whether the Council area should continue to be divided into wards or whether wards should be abolished.
- If the Council area is to be divided into wards, which ward structure is favoured; whether there is a need for area councillors (and the required number thereof) in addition to ward councillors; the level of representation in each of the proposed wards; and the name of each of the proposed wards.

- The number of councillors (ward, area and/or both) that are required to provide fair and adequate representation of the electors within the Council area.

Information and advice pertaining to the aforementioned matters has previously been presented to Council in the Information Paper (November 2020); the Representation Options Paper (February 2021); the first consultation "Submissions Report" (April 2021); and the Representation Review Report (May 2021).

The following information is provided to assist the elected members with their final deliberations in respect to the key issues.

4.1 Mayor/Chairperson

The principal member of Council has long been a Mayor who is elected by the community.

The arguments supporting the retention of an elected Mayor are as follows.

- A Mayor elected by the community is in accord with a fundamental principle of democracy – choice.
- The election of a Mayor affords all eligible members of the community the opportunity to express faith in a candidate, should they choose to do so, and provides Council with an identifiable principal member who is directly accountable to the community.
- The office of Mayor has served the Mount Barker District Council well over many years.
- The retention of an elected Mayor brings stability and continuity to the Council, given the four-year term of office.
- Little practical benefit will likely be achieved by changing to a Chairperson at this time.
- The retention of an elected Mayor as the principal member is consistent with the structure of all metropolitan councils and most councils within the state,

On the downside, an elected Mayor is generally additional to the number of councillors and, as such, comes at an additional cost to Council (i.e. members allowances, administrative costs and the like); the election (or supplementary election) for a Mayor must be conducted across the whole of the Council area, at significant cost to Council (if contested); and candidates for the office of Mayor cannot also stand for election as a councillor and, as such, the experience and expertise of unsuccessful Mayoral candidates will be lost to Council.

At present, the only alternative to an elected Mayor is a Chairperson who is selected by and from amongst the elected members of Council. To achieve such a change, a poll of the community has to be conducted in accordance with the requirements of Section 12 (11a-d) of the Act; and the result thereof has to clearly support the proposed change.

The benefits of having a Chairperson as the principal member include a likely reduction in the number of elected members (with associated cost savings); flexibility in the tenure of the principal member; the opportunity for a number of elected members to gain experience as the principal member during the four year term of the Council (and to bring their particular skill set and opinions to the position); and avoidance of the potential loss of high calibre candidates through the mayoral election process. On the downside, a Chairperson is chosen by the elected members, thereby depriving the electors the opportunity to vote for the principal member of Council.

It is important to note that the provisions of the recent *Statutes Amendment (Local Government Review) Act 2021* abolish the option of a Chairperson. Whilst the provisions of this Act will not likely come into effect until after the Local Government election in November 2022, there appears to be little, if anything, to be gained from changing to a Chairperson at this time.

4.2 Wards/No Wards

The Council area has long been divided into wards.

The current ward structure cannot be retained because the elector ratios in the Central and South wards breach the specified 10% quota tolerance limits (i.e. +17.99% and -18.79% respectively). This being the case, Council has opted to introduce a new three (3) ward structure which exhibits a more equitable distribution of electors between the wards.

The main arguments supporting a ward structure include:

- wards guarantee some form and level of direct representation to existing communities of interest within, and/or parts of, a council area;
- wards ensure local interests and/or issues are not overlooked in favour of the bigger "council-wide" picture;
- ward councillors should have some empathy for, and an affiliation with, all the communities within their ward;
- under the "no wards" structure Council must conduct elections and supplementary elections across the whole of the Council area (at a significant expense);
- concern that a single interest group could gain considerable representation on Council under a "no wards" structure;
- the task and expense of contesting council-wide elections could be prohibitive, and therefore may deter appropriate/quality candidates;
- without wards Council must conduct elections and supplementary elections across the whole of the Council area (at a significant expense); and

- under the “no ward” structure the more popular or known councillors may receive more enquiries from the public (i.e. inequitable workloads).

It is suggested that the arguments in favour of wards are slightly weakened by the fact that ward councillors are not required to reside in the ward that they represent.

The benefits to be achieved through the abolition of wards include the following.

- The community will be afforded the opportunity to vote for all members of Council.
- The most favoured candidates from across the Council area will likely be elected, rather than candidates who may be favoured by the peculiarities of a ward-based system (e.g. elected unopposed candidates or having attracted fewer votes than defeated candidates in another ward).
- The elected members should not have parochial ward attitudes.
- The “no wards” structure is not affected by fluctuations in elector numbers, the on-going need to review elector distribution and/or ward boundaries, and/or the constraints of complying with quota tolerance limits.
- Existing “communities of interest” are not affected or divided by arbitrary ward boundaries.
- In the event that an area councillor leaves Council, the casual vacancy can be carried by Council, thereby avoiding the need for, and cost of, a supplementary election.
- The lines of communication between Council and its community should be enhanced, given that members of the community will be able to consult with any and/or all members of Council, rather than be obliged to consult with their specific ward councillors.
- Under the proportional representation voting system the “no wards” structure affords opportunities for smaller communities to be directly represented on Council, provided they can muster sufficient support for a preferred candidate.

The proposed ward structure favoured by Council is a relatively simple configuration; provides more consistent levels of representation between the proposed wards; exhibits ward elector ratios which lay well within the specified quota tolerance limits; will accommodate reasonable levels of future population growth; and generally maintains entire districts/localities within a proposed ward (the exception being the district and township of Mount Barker).

It is noted that the one recent submission supported the proposed retention of a three (3) ward structure; and the responses received during the first public consultation strongly favoured the retention of a three ward structure.

4.3 Number of Councillors

Council currently comprises ten (10) ward councillors and has proposed that this arrangement be retained.

The recent submission supported the proposal to retain ten (10) councillors, whilst the public submissions received during the first public consultation were basically evenly split between nine (9) and (10) councillors.

Council is reminded that:

- the provisions of Sections 26 and 33 of the Act stipulate the need to ensure adequate and fair representation while at the same time avoiding over-representation in comparison to other councils of a similar size and type (at least in the longer term);
- the provisions of Section 12(6) of the Act require a Council that is constituted of more than twelve members to examine the question of whether the number of elected members should be reduced; and
- the provisions of the *Statutes Amendment (Local Government Review) Act 2021* seek to cap the number of elected members within a Council (including the principal member) at thirteen (13), although further amended provisions allowing for exceptions are now also being proposed.

The current proposal of Council obviously complies with the provisions and intent of the *Statutes Amendment (Local Government Review) Act 2021*.

As for the provisions of the current Act, Council considered a number of options regarding its future composition during the current review process (i.e. eight (8) to ten (10) councillors).

In respect to the issue of over-representation, Council has previously been advised that, in comparison with councils of a similar size and type, it is not excessively large in area and/or elector numbers; has a comparable number of elected members; and exhibits the highest elector ratio (refer Table 1).

Table 1: Elector data and representation
(Outer metropolitan/regional councils of a similar size in elector numbers).

Council	Councillors	Electors	Elector Ratio
Barossa (912 km ²)	11	18,038	1:1,640
Gawler (41.10km ²)	10	18,521	1:1,852
Alexandrina (1,827 km ²)	11	21,045	1:1,913
Adelaide Hills (795.1 km ²)	12	29,468	1:2,456
Mount Gambier (308 km ²)	8	19,803	1:2,475
Mount Barker (595 km ²)	10	26,136	1:2,614

Source: Electoral Commission SA (23 April 2021)

MOUNT BARKER DISTRICT COUNCIL

Comparisons with the elector representation arrangements of Council with those of the metropolitan councils can be misleading, given the density of the urban development and the differing urban/rural characters. However, it is interesting to note that Council is not dissimilar to the City of Unley, the City of Holdfast Bay, Adelaide Hills Council and the City of Burnside in regard to elector numbers and elector ratio; and all of the cited councils have more councillors (refer Table 2).

Table 2: Comparison of elector representation arrangements
(Mount Barker District Council v metropolitan councils)

Council	Councillors	Electors	Elector Ratio
Walkerville (1.34 km ²)	8	5,763	1:720
Gawler (41.10km ²)	10	18,521	1:1,852
Prospect (7.81 km ²)	8	14,990	1:1,874
Norwood Payneham & St Peters (15.1 km ²)	13	25,790	1:1,984
Unley (14.29 km ²)	12	27,505	1:2,293
Holdfast Bay (13.72 km ²)	12	28,433	1:2,369
Adelaide Hills (795.1 km ²)	12	29,468	1:2,456
Mount Barker (595 km ²)	10	26,136	1:2,614
Burnside (27.53 km ²)	12	32,019	1:2,668
West Torrens (37.07 km ²)	14	42,182	1:3,013
Campbelltown (24.35 km ²)	10	36,176	1:3,618
Mitcham (75.55 km ²)	13	48,841	1:3,757
Adelaide* (15.57 km ²)	7	28,279	1:4,040
Playford (344.9 km ²)	15	64,448	1:4,297
Port Adelaide/Enfield (97.0 km ²)	17	86,605	1:5,094
Charles Sturt (52.14 km ²)	16	87,838	1:5,490
Marion (55.5km ²)	12	66,559	1:5,547
Tea Tree Gully (95.2 km ²)	12	73,685	1:6,140
Salisbury (158.1 km ²)	14	96,326	1:6,880
Onkaparinga (518.4 km ²)	12	127,988	1:10,666

Source: Electoral Commission SA (23 April 2021)

A reduction in the number of elected members would result in an increase in the elector ratio to 1:2,904 (nine councillors) or 1:3,267 (eight councillors). Council has previously indicated that a reduction in the number of councillors at this time would be untenable, given that it would likely result in increased workloads for the councillors which, in turn, may impact upon the quality of representation provided to the community.

When reaching a final decision relating to its future composition, Council should be mindful of the need to ensure that:

- sufficient elected members are available to manage the roles and responsibilities of Council;
- the elected member's workloads do not become excessive;
- there is an appropriate level of elector representation;
- the potential for diversity in the skill sets, experience, expertise and backgrounds of the elected members is maintained; and
- adequate lines of communication will exist between the community and Council.

4.4 Area Councillors (in addition to ward councillors)

Section 52 of the Act indicates that councillors can be elected as a representative of a ward, or alternatively, to represent the council area as a whole (whether or not the council area is divided into wards). If Council is considering the retention of wards, it will need to determine whether area councillors are required in addition to ward councillors.

Ward councillors generally consider themselves to represent not only their ward, but the council area as a whole. This being the case, the need for area councillors in addition to ward councillors is questionable, an assertion which is seemingly supported by the fact that only the City of Adelaide has a structure which incorporates two levels of representation. Further, it is noted that under such an arrangement area councillors hold no greater status than a ward councillor; have no greater responsibilities than a ward councillor; and need not comply with any extraordinary or additional eligibility requirements.

In addition, any contested election (and/or supplementary election) for area councillors must be conducted across the whole of the council area, at a significant cost to Council.

To date Council has not indicated the desire to introduce area councillors in addition to ward councillors. For the reasons previously provided during the review, it is considered that if the introduction of area councillors (in addition to ward councillors) would be an unwarranted, unnecessary and potentially costly additional tier of representation.

4.5 Ward Identification

Wards can be identified through the allocation of numbers, alphabetical letters, direction or geographical references (e.g. north, south, east, west, central); place or suburb names; and/or names of European and/or Aboriginal heritage/cultural significance.

The existing ward names are acceptable; and are likely to be known by the community. As such, they can be retained, if they suit the ward structure which Council ultimately proposes to bring into effect.

The recent submission indicated acceptance of the existing ward names but offered East and West as possible alternatives to North and South.

The identification/allocation of appropriate ward names which have relevance and meaning to the local community is an important element of Council's structure. If Council requires more time to determine appropriate ward names, it could opt to complete the current review by simply identifying the proposed wards (for an interim period) with numbers (as per the Representation Review Report). The provisions of Section 13 of the Act enables Council to re-name wards at any time, subject to the conduct of a six-week public consultation and the publication of an appropriate final notice in the Government Gazette. This process could occur any time before the 2022 Local Government elections.

5. RECOMMENDATIONS

It is recommended that the Mount Barker District Council resolve as follows:

1. To receive and note the one (1) submission received from the community during the second of the prescribed public consultation stages of the review.
2. The future composition and structure be as follows.
 - The principal member of Council continue to be a Mayor elected by the community.
 - The future elected body of Council comprise the Mayor and ten (10) ward councillors.
 - The Council area be divided into three (3) wards (as per the ward structure presented in the Representation Review Report), with two (2) each ward being represented by three (3) ward councillors and the remaining ward being represented by four (4) ward councillors.
3. To determine appropriate ward names for inclusion in the final report to the Electoral Commissioner.
4. Council administration be authorised to prepare and forward the necessary report and documents to the Electoral Commissioner, pursuant to the provisions of Sections 12(11) and 12(12) of the Act.

ATTACHMENT A – SUBMISSION

Subject:Submission - Periodical Elector Representation Review. Macclesfield
Community Association

Date:Wed, 14 Jul 2021 04:09:50 +0000

From: [REDACTED]

To:YourSay <yoursay@mountbarker.sa.gov.au>

CC: [REDACTED]

Dear Mr Stuart

The Macclesfield Community Association supports the proposed changes to Council's composition and ward structure, as described in the Periodical Elector Representation Review Report.

We are satisfied that the Council has given appropriate consideration of the community submissions in the first phase of consultation.

It may not be necessary to change the names of the wards from North, Central and South Ward, as these are still suitable descriptors for the geographies of the proposed Wards.

However, if Council does wish to change these names, then East, Central and West Ward are considered suitable alternatives.

Yours Sincerely

[REDACTED]

on behalf of Macclesfield Community Association

Attachment 2 to Item 12.8



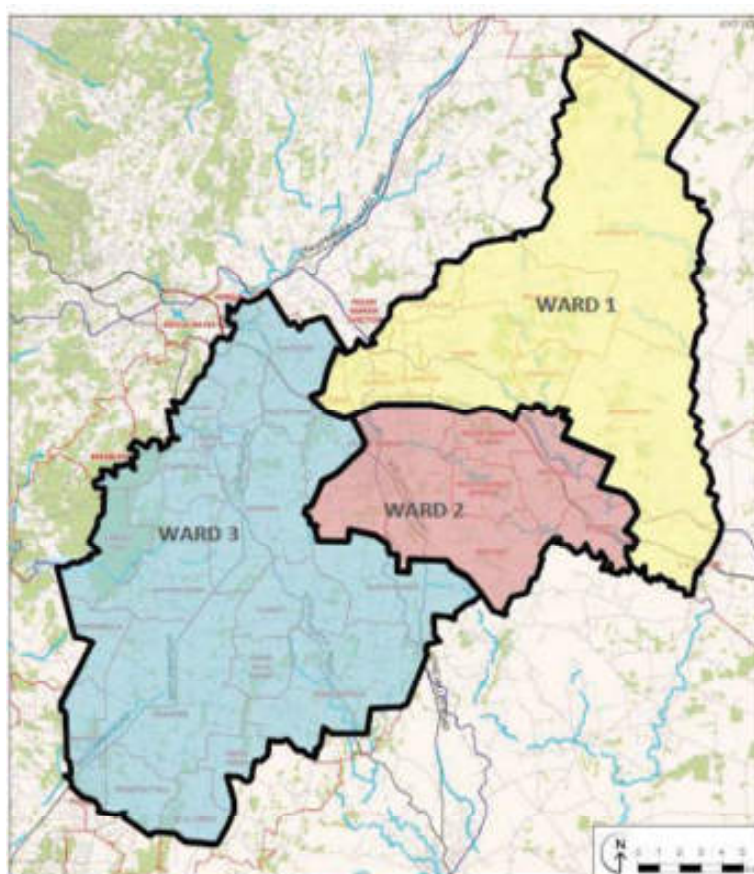
REPRESENTATION REVIEW REPORT

4. PROPOSAL

Having duly considered all relevant provisions of the Act; the information and alternatives contained within the Representation Options Paper; the submissions received from the community; and the potential ramifications of the Bill, Council proposes the following in respect to its future composition and structure.

- The principal member of Council continue to be a Mayor elected by the community.
- The Council area be divided into three wards (as depicted in Map 1 and described hereinafter).
- Proposed ward number 2 be represented by four (4) ward councillors; and proposed wards numbers 1 and 3 both be represented by three (3) ward councillors.
- The future elected body of Council comprise the Mayor and ten (10) ward councillors.

Map 1: Proposed ward structure





REPRESENTATION REVIEW REPORT

The proposed wards are described as follows.

Proposed ward number 1 is to incorporate the districts/suburbs of Blakiston, Brukunga, Callington, Dawesley, Harrogate, Hay Valley, Kanmantoo, Littlehampton, Mount Barker Junction, Mount Torrens, Nairne, Oakbank and Totness.

Proposed ward number 2 is to incorporate the districts/suburbs of Bugle Ranges, part of Mount Barker (east of Adelaide Road and Flaxley Road), Mount Barker Springs, Mount Barker Summit, Petwood, St Ives and Wistow.

Proposed ward number 3 is to incorporate the districts/suburbs of Biggs Flat, Bradbury, Bridgewater, Bull Creek, Chapel Hill, Dorset Vale, Flaxley, Echunga, Green Hills Range, Hahndorf, Jupiter Creek, Kangarilla, Kuitpo, Macclesfield, Meadows, part of Mount Barker (west of Adelaide Road and Flaxley Road), Mylor, Paechtown, Paris Creek, Prospect Hill and Verdun.

Table 2 provides data pertaining to the number of electors within each of the proposed wards; and demonstrates the variance in respect to the elector ratios of each of the proposed wards and the "quota" for the Council area.

Table 2: Proposed ward structure - Elector numbers and elector ratios per ward

Ward	Councillors	Electors	Elector Ratio	% Variance
Ward 1	3	7,453	1:2,484	- 2.19
Ward 2	4	10,533	1:2,633	+ 3.67
Ward 3	3	7,414	1:2,471	- 2.70

12.9	REPORT TITLE:	WARD DONATIONS
	DATE OF MEETING:	2 AUGUST 2021
	FILE NUMBER:	DOC/21/94956
	ATTACHMENTS:	NIL
	<u>Key Contact</u>	Ashleigh Norton, Executive Assistant to Chief Executive Officer
	<u>Manager/Sponsor</u>	Andrew Stuart, Chief Executive Officer

Mount Barker 2035 – District Strategic Plan:

Governance and Leadership

Annual Business Plan:

Nil

Purpose

To allocate ward donation funds to individuals or organisations.

Summary – Key Issues

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

Recommendation

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

Council Member	Amount	Group/Individual/Purpose

Background

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

Ward Donation Procedures

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

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

Community Engagement

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

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

Long Term Financial Plan:

Nil

Budget

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

Statutory/Legal

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

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

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

Staff Resource Requirements

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

Environmental

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

Social

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

Risk Assessment:

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

Asset Management:

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

Conclusion

Council Members have the opportunity to make ward donations.

13. INFORMATION REPORTS**Recommendation**

That the following information reports be noted enbloc.

- 13.1** **REPORT TITLE:** **WARD DONATION EXPENDITURE – PERIOD 1
JULY 2020 TO 30 JUNE 2021**
- DATE OF MEETING:** **2 AUGUST 2021**
- FILE NUMBER:** **DOC/21/110580**
- ATTACHMENTS:** **ATTACHMENT 1. DOC/21/111825 SUMMARY OF
WARD DONATION EXPENDITURE 2020/2021**
- Key Contact** **Maree Barns, Administration Officer -
Governance**
- Manager/Sponsor** **Brian Clancey, Deputy Chief Executive
Officer/General Manager Governance,
Strategic Projects, Wastewater/Recycled
Water**

Purpose

To provide a summary of ward donations made to individuals or groups for the period 1 July 2020 to 30 June 2021.

Summary – Key Issues

- Council Members may nominate groups or individuals to receive a Ward donation from their allowance at each Council meeting.
- 53 groups and 3 individuals were recipients of donations allocated from Council Members' Ward Allowances.

Background

1. Council budgeted an amount for 2020/21 of \$16,254 to allocate to individuals and/or groups at the Council Members' discretion. This is known as a Ward Allowance. The total amount expended was \$15,680.
2. At the end of each financial year, a report of the expenditure of Ward Allowances is reported to Council.

Discussion

3. Council receives many requests for assistance from individuals, community members and community groups.
4. Individual members of the community or community groups may require small financial assistance for projects/initiatives of community interest and benefit from Council.
5. When determining donations, Council Members consider the community interest/benefit to be received and enjoyed by the larger community as a result of that donation.
6. Council Members also consider and assess any actual or perceived conflict of interest as a result of making a particular donation.
7. Council provided \$15,680 in ward donations to 53 groups and 3 individuals.
8. A summary of ward allowance expenditure, showing the group/individual and amount received, is provided as an attachment to this report.

Conclusion

Council Members, at their discretion, allocated funds from their Ward Allowance to individuals and groups during the financial year.

Previous Decisions By/Information Reports to Council

Meeting Date	3 August 2020	HPRM Reference	DOC/20/76342
Title	Ward Donation Expenditure July 2019 to June 2020		
Purpose	To provide a summary of ward donations made to individuals or organisations for the period 1 July 2019 to 30 June 2020.		

Meeting Date	1 July 2019	HPRM Reference	DOC/19/67788
Title	Ward Donation Expenditure July 2018 to June 2019		
Purpose	To provide a summary of ward donations made to individuals or organisations for the period 1 July 2018 to 30 June 2019.		

Meeting Date	2 July 2018	HPRM Reference	DOC/18/63813
Title	Ward Donation Expenditure July 2017 to June 2018		
Purpose	To provide a summary of ward donations made to individuals or organisations for the period 1 July 2017 to 30 June 2018.		

SUMMARY OF WARD DONATION EXPENDITURE 2020/2021

Attachment 1 to Item 13.1

Groups	Purpose	Amount
Acacia Calisthenics Club		\$250
Region 1 CFS		\$300
Blackfellows Creek CFS		\$50
Brukung CFS	Meat for future BBQ/Christmas Functions/Fundraising Drive	\$878
Callington Recreation Park		\$100
Callington Show		\$100
Duck Flat Community Garden	Ladies Fork & Potting Mix/Fruit Trees/Main Street Plantings	\$100
Echunga Community Assoc	Fruit Trees	\$400
Echunga Scout Group	Boundary Realignment	\$200
Environmental Lectures at Cornerstone		\$300
Flaxley Hall	Ongoing improvements	\$100
Hahndorf CFS	Christmas Functions	\$100
Hahndorf Community Assoc	Remembrance Day/ANZAC Wreath Making	\$350
Hahndorf Lantern Festival		\$100
Hahndorf Town Band		\$200
Harmummies		\$50
Harrogate Hall		\$450
Hills Arts Collective		\$200
Hills Biodiversity	Revegetation Works	\$150
Ink Pot Arts		\$300
Kanmantoo Callington Landcare		\$250
Kanmantoo Hall	Assist History Month Event	\$200
Kiwanis Club of Brighton		\$100
Lions Cancer Institute		\$350
Littlehampton CFS	Christmas Functions	\$100
Littlehampton Community Assoc	Remembrance Day/ANZAC Day/Entrance Statement/SALA August	\$800
Macclesfield Bush Care	Events	\$300
Macclesfield Community Assoc	Bio Char/Newsletter 1000th Edition	\$300
Macclesfield Men's Shed	Tool purchases/Materials	\$300
Macclesfield RSL	Firewood/Veteran Assist Program	\$378
Meadows CFS		\$150
Meadows Community Assoc	Shed project	\$100
Meadows RSL		\$78
Mount Barker Community Cente		\$228
Mount Barker Pageant Committee		\$356
Mountain Pool Swimming Club	Lane Hire Assistance	\$450
Mount Barker CFS		\$900
Mount Barker Community Centre	Duck Flat	\$100
Mount Barker Concert Band	Xmas Event	\$100
Mount Barker Resident's Assoc	Web Hosting	\$200
Mount Barker RSL	ANZAC Day	\$350
Nairne & Districts Residents Association		\$628
Nairne CFS	Christmas Functions	\$100

Nairne Landcare Group	Clean up day	\$528
Nairne RSL	Remembrance Day Service	\$100
Native Animal Wildlife Network		\$300
Prospect Hill Hall		\$50
Prospect Hill Scout Group		\$200
Rockit Performing Arts		\$828
SA Transport Group		\$900
Salvation Army		\$128
Special Children's Xmas Party		\$350
Wistow Hall	Fundraising	\$250
Total		\$15,130
Individuals	Purpose	Amount
Bob Innes	Towards book 'Captain of Solitude'	\$250
Lewis Major	Rockit Arts Program Support	\$100
Nathan Rogers	Children's Farmers Market	\$200
Total		\$550
Total Groups/Individuals		\$15,680

13.2	REPORT TITLE:	KEITH STEPHENSON PARK PLAYSPACE UPGRADE
	DATE OF MEETING:	2 AUGUST 2021
	FILE NUMBER:	DOC/21/114710
	ATTACHMENTS:	NIL
	<u>Key Contact</u>	David Cooney, Senior Open Space Asset Planner, Infrastructure Maintenance and Operations
	<u>Manager/Sponsor</u>	Phil Burton, General Manager, Infrastructure

Purpose:

To provide an update on previous nature play planning for Keith Stephenson Park (KSP) and to summarise the proposed implementation of nature play as an integral part of the renewal and improvement of the playspace.

Summary – Key Issues:

1. A concept plan for KSP nature play was prepared in 2019 which received positive feedback for the way it integrated nature play with cultural awareness and education.
2. The current traditional play equipment in KSP is due for renewal to meet community expectation for a regional level destination.
3. It is proposed to prepare a design and consult with the community on the future upgrade of the KSP playspace, with nature play elements included, during the 2021/22 financial year and seek grant funding to support its implementation.

Background:

1. Keith Stephenson Park (KSP) as a regional level reserve is recognised as being an extremely popular and highly regarded public destination in Mount Barker.
2. A landscape masterplan was previously developed and extensively consulted on in 2010 for the KSP and Adelaide Road precinct to guide future development of the reserve.
3. The creation of a nature play area in Keith Stephenson Park was a recommended action from the masterplan.
4. In 2019, a concept plan for a new nature play facility in KSP, separate from the existing play equipment, was prepared, with input from traditional owners, and taken to public consultation.

Discussion:

5. Public consultation of the draft nature play concept was undertaken through on line surveys and a public display held at KSP.
6. There were over 250 comments and responses submitted.
7. The Facebook post reached 13,000+ people with 3000 engaged users. Over 250 users responded with 'like' or 'love', and there were 125 comments posted.
8. The predominant items resulting from the feedback were around the need for improved accessibility, shade, toddler play and safety, slides/swings, lighting and seating.
9. Of all respondents, 100% supported the concept of nature play development at KSP.
10. A recent condition audit of all playgrounds has identified some play items in KSP are no longer compliant to current standards or nearing end of life and need to be replaced.
11. Council has also received feedback through the Annual Business Plan consultation and other means about the lack of equipment variety (both by type and age appropriateness) and lack of shade and security for a regional level reserve.
12. Rather than replace items as they reach end of life with "like for like" renewals, it is proposed that Council further engages with the community on an updated concept plan that incorporates the nature play into the more traditional playspace to better reflect community expectations of a regional reserve.
13. There is a provision in the adopted 2021/22 budget of \$50k for an expanded public consultation and design process to review and integrate play equipment and nature play cohesively on the site.
14. A report back to Council on the combined outcomes will be provided in early 2022 (results of the previous consultation will be available sooner upon request).
15. Funding is intended to be sought through the Open Space grant program for this work to be undertaken and implemented (see separate item on this Council agenda).

16. The next steps will include:

- a. draft concept plan prepared for funding submission.
- b. grant application submitted by 27 August 2021.
- c. concept plan endorsed by Council for community consultation.
- d. consultation and design finalisation.
- e. construction should the funding application be successful.

Conclusion:

The previous public consultation on the proposed nature play concept plan for KSP was well received by the public and with impending renewal of the more traditional play equipment over the next two years, now is considered the ideal time to plan for an upgrade of the KSP playspace and secure grant funding to ensure it provides an adequate level of service for the community.

13.3	REPORT TITLE:	SUMMARY OF YOUTH INITIATIVES - 2020-21
	DATE OF MEETING:	2 AUGUST 2021
	FILE NUMBER:	DOC/21/94439
	<u>Key Contact</u>	Yelaina Eaton, Senior Community Development Officer, Community Services
	<u>Manager/Sponsor</u>	Nick Day, Manager Community Wellbeing, Community Services

Purpose:

To highlight key activities and partnerships for the benefit of young people in the district during financial year 2020/21.

Summary – Key Issues:

1. With the goal of supporting all young people to be the best they can be and to encourage them to engage actively with their community, staff across a range of teams in Council support and deliver youth development initiatives through event sponsorship, community development partnerships, community grants, workforce planning and library programming.
2. Where possible, Council staff work in partnership with others to deliver outcomes for young people that are efficient with limited resources and reduce competition and duplication in the region.
3. Through this approach, in the financial year 2020/21 we have connected with approximately 3,702 young people.

Background:

1. The Community Development Lead Strategy 2021-2026 identifies young people as a priority population group that requires focused attention to provide opportunities for community connection.
2. Young people (aged 12-24) make up 16.6% of the district's population which is similar to greater Adelaide, 16.4%.
3. On the other hand, children (aged 0-11) make up 16.1% of the district's population which is markedly higher than greater Adelaide, 14.1%. The high percentage of children indicates an emerging need for ongoing youth programming and services in the future.
4. The 3 year Child and Youth Action Plan is planned to be reviewed and updated in financial year 2021/22.

Discussion:

Below is a summary of the initiatives that have been delivered this year for young people in our district:

1. Events supported

Three events were supported:

- The Break up – a youth music event held on 11 December 2020 in Stephen St, Mount Barker to celebrate local young performers. There were nine local young performers and over 200 tickets sold.
- Hills 10-30 – held between 20-24 April 2021, a program of 23 youth focused events were offered throughout the Adelaide Hills and Mount Barker regions. The aim was to offer a range of events to attract young people with a variety of interests. 473 young people (aged 10-15) participated.
- Mount Barker Science Fair - held on 2 May 2020 at Cornerstone College. The aim was to engage all ages with chemistry, animals, robotics, microscopes, virtual reality and much more. There were 1,750 attendees and approximately 100 staff and volunteers managing the event.

2. Programs delivered

There were four programs delivered:

- Sunday Sessions at Barker Park- held each month between September 20 – April 21. The aim of the program was to build a cohesive community at the skate park where everyone looks out for one another. An average of 25-30 participants per session and 40-50 young people at the park during the sessions.
- Young driver support programs - these young driver support programs aim to help young people obtain their Learners Permit and to build their driving skills once they have obtained their Probationary Licence.
- Library Programs - have included an art and mindfulness course for 9 neuro-diverse teens, VR and Robotic Kits available for borrowing, resume writing workshops and Dungeons and Dragons.
- Public Health – deliver the schools immunisation program which was established to provide vaccines to teens. Year 8's receive human papillomavirus (HPV) vaccine and diphtheria, tetanus and whooping cough vaccine. Year 10's receive meningococcal B and meningococcal ACWY vaccines.

3. Strategic Partnerships

There were three Strategic Partnerships:

- Operation Flinders - Eight at risk young people from Mount Barker High School participated in an 8-day program where they hiked approximately 100 kilometres, slept rough and undertook a range of outdoor activities designed to increase their personal skills of self-esteem, leadership, teamwork, motivation and responsibility.

- Reclink - deliver social and sporting inclusion programs for people in the district who have a disability or are considered “at-risk”, many of these people are under 25 years old. Programs include specialised gym and gymnastics sessions, social events, outings including laser skirmish, Farm Barn, kayaking, archery, lawn bowls, mini golf, zoo, supply of sporting equipment, drumming and bike riding.
- Mount Barker Community Centre
Deliver a range of programs and activities for young people in the district:
 - Youth events including the Break UP music event and the Adelaide Hills Clothes Swap for young people,
 - Young adults support, including create your first resume workshop, Young Mum’s group, the Young Women’s program and Aboriginal art program for at risk youth,
 - Parenting workshops, including: Healthy and Strong Teens and Tweens, ABCD’s of Parenting, and
 - School holiday activities including: chess, art workshops, Zumba youth dance classes, Aboriginal style bead making, Dungeons and Dragons games, cooking classes, learn to do Henna, bike repair workshops, lantern making workshops.

4. Volunteer and employment opportunities

Council has:

- 13 volunteers aged 12-25 across the Skate Park Crew, Library and Laratinga Wetland Warriors programs,
- Provided 10 work experience and work placements, and
- 10 staff and trainees under the age of 25.

5. Sector support

Council supports the youth sector in the following ways:

- Continuation of Youth Affairs Council of SA (YACSA) membership. YACSA is the peak body representing young people, organisations and networks throughout the non-government youth sector in South Australia.
- Collaboration with Adelaide Hills Council to deliver Youth Sector Network meetings every three months for people who work in the youth sector in the Adelaide Hills region. This group facilitates information sharing, professional development and collaborative partnerships.

6. Grants given

With a total value of \$26,426 the Community Development Grants program has supported 14 youth projects and activities. Organisations supported included Scouts, schools, art and music groups, headspace and sport clubs.

7. Grants successfully applied for

Young Women’s Program, January - August 2021

In the wake of COVID, young women had been disproportionately impacted by unemployment, underemployment, and rising rates of insecure work. In

response to this, the Working Women's Centre, Mount Barker Community Centre and Council collaborated to deliver a Department of Human Services grant-funded project to address barriers to employment for young women in our district. Led by a local young person, this project aimed to support local young women at the start of their careers to find well-paid and secure work. Grant value \$17,500

Conclusion:

Young people are an increasing and important population group in our district and it is important that we continue to provide services, programs and support mechanisms that are youth friendly.

Council's approach to supporting young people is to work collaboratively with others in a way that is efficient, makes the best use of limited resources and reduces competition and duplication in the region.

Previous Decisions By/Information Reports to Council - Nil

14. QUARTERLY REPORTS**RECOMMENDATION**

That the following reports be noted en bloc.

14.1	REPORT TITLE:	REGIONAL DEVELOPMENT AUSTRALIA QUARTERLY PROJECT REPORT APRIL – JUNE 2021
	DATE OF MEETING:	2 AUGUST 2021
	FILE NUMBER:	DOC/21/114243
	ATTACHMENTS:	1 – DOC/21/114013– RDA QUARTERLY REPORT APRIL – JUNE 2021
	<u>Key Contact</u>	Sue Miller, Risk & Governance Officer
	<u>Manager/Sponsor</u>	Brian Clancey, Deputy Chief Executive Officer/General Manager Governance, Strategic Projects, Wastewater/Recycled Water

Purpose:

To provide the Regional Development Australia – Adelaide Hills, Fleurieu and Kangaroo Island quarterly update on its projects to its member Councils.

Summary – Key Issues:

- The 5 projects of the RDA Adelaide Hills, Fleurieu and Kangaroo Island projects are on track.

Background:

1. Council is a funding partner of the Regional Development Australia (RDA)– Adelaide Hills, Fleurieu and Kangaroo Island (RDA – AHFKI).
2. The stated purpose of RDA Adelaide Hills, Fleurieu and Kangaroo Island is a commitment to developing and growing the region’s economy and liveability by:
 - a. Consulting and engaging with the community on economic, social and environmental issues, competitive advantages, solutions and priorities
 - b. Exploring and promoting economic and employment growth including contributing to business development, trade, funding access and investment attraction

- c. Being a first point of contact for government agencies, providing advice on local issues, competitive advantages, solutions and priorities
 - d. Promoting government policies, programs, services, grants and initiatives to the regional community
3. Council received the previous quarterly report at the 1 March 2021 Council meeting.

Discussion:

4. Council has received the attached information in relation to an update of the RDA's activities.
5. The projects are on track.

Conclusion:

The 5 projects current RDA AHFKI projects are on track.

Previous Decisions By/Information Reports to Council

Meeting Date	1 March 2021	HPRM Reference	DOC/21/27969
Title	Regional Development Australia Quarterly Project Report October – December 2020		
Purpose	To provide the Regional Development Australia – Adelaide Hills, Fleurieu and Kangaroo Island quarterly update on its projects to its member Councils.		

Meeting Date	7 December 2020	HPRM Reference	DOC/20/163573
Title	Regional Development Australia Quarterly Project Report July – September 2020		
Purpose	To provide the Regional Development Australia – Adelaide Hills, Fleurieu and Kangaroo Island quarterly update on its projects to its member Councils.		

Meeting Date	7 September 2020	HPRM Reference	DOC/20/111794
Title	Regional Development Australia Quarterly Project Report April - June 2020		
Purpose	To provide the Regional Development Australia – Adelaide Hills, Fleurieu and Kangaroo Island quarterly update on its projects to its member Councils.		

Meeting Date	1 June 2020	HPRM Reference	DOC/20/65187
Title	Regional Development Australia Quarterly Project Report January – March 2020		
Purpose	To provide the Regional Development Australia – Adelaide Hills, Fleurieu and Kangaroo Island quarterly update on its projects to its member Councils.		



Attachment 1 to Item 14.1

Shaping the Future of our Region

Quarterly Project Report

Reports to: Board, Council CEO's, Council Mayors and Councillors	Author: Steve Shotton	Quarter: April 2021 – June 2021	Purpose: To provide an update of RDA's activities
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	On Track
	Delays
	Completed in Quarter

Project Name	Brief Description	Update	Status	Further Information
Investment Attraction	Aims to support industry and assist the regions' larger employers to expand.	<p>The inaugural Hills & Coast Business Grant was launched and closed this quarter. We received 88 applications and funded 8 applicants up to \$10,000 each to fund novel or creative approaches to growing businesses.</p> <p>Strathalbyn Abattoir – in this quarter PKF (Accounting and Advisory) have completed a feasibility study, initiated a community and industry survey, negotiated a lease of the abattoir from the current owner, and drafted an information memorandum for potential investors.</p> <p>Kangaroo Island Housing Pilot – consultant Hudson Howell has completed a review of land and housing supply demand and undertaken numerous industry/stakeholder interviews. Discussions have started with stakeholders to develop a pilot housing development in Kingscote.</p> <p>Onkaparinga Racing Club – BBRF application was submitted and we await an outcome.</p> <p>RDA sits on the Boards of both Adelaide Hills Tourism (Damien Cooke) and Fleurieu Peninsula Tourism (Steve Shotton).</p> <p>RDA AHFKI funds a part-time role on Kangaroo Island in support of the bushfire recovery (until June 2021).</p>		<p>Damien Cooke damienc@rdahc.com.au</p> <p>or</p> <p>Stephen Shotton stephens@rdahc.com.au</p>



Shaping the Future of our Region

Project Name	Brief Description	Update	Status	Further Information
Catalytic Public Infrastructure	Advocacy and project work in support of impactful public infrastructure.	<p>Examples of project work this quarter included:</p> <ul style="list-style-type: none"> - Ongoing participation in the Adelaide South Working Group for the New Employment Services Trial. - Continued promotion of the state's Electric Vehicle Advancement Project. - Supported BBRF applications with economic modelling and advocacy. 		<p>Damien Cooke damienc@rdahc.com.au or Stephen Shotton stephens@rdahc.com.au</p>
Business Futures	A variety of business supports including start-up training, advisory, mentoring, and improving access to capital.	<p>RDA continues to fund along with councils, the Hills & Coast Grant Finder as well as .id demographic resources to inform decision making and planning across the region.</p> <p>RDA attends "Experts in Residence" programs at Alexandrina Business Hub (Goolwa) and Yankalilla - allows businesses and organisations to meet with RDA to receive business advice, particularly around establishment, growth, networking, and access to capital.</p> <p>"Launch your own Business" workshops were successfully run in April at Mt Barker, Chiton Rocks and Kingscote.</p> <p>Extensive work undertaken this quarter supporting Tourism Industry Development Fund applications from right across the region.</p>		<p>Stephen Shotton stephens@rdahc.com.au</p>



Project Name	Brief Description	Update	Status	Further Information
Living Better	Supports for Not for Profits and improving the regions liveability.	<p>Examples of project work this quarter include:</p> <ul style="list-style-type: none"> - Regional University Centres for both the South Coast and Mount Barker progressed this quarter with clarity obtained from the federal department around process for funding. Progress was made around structures and options for sites. - The Hills Transport Corridors Project continued, focussing on people and freight solutions for the hills. Draft reports for both are close to finalisation. There is very high community interest and the reports' recommendations will guide ongoing stakeholder discussion and planning. - Regional Economic Development Network meeting was held at Fabrik. - Participant: Resilient Hills & Coast 		<p>Stephen Shotton stephens@rdahc.com.au</p>
Seasonal & Regional Workforce	On-ground delivery of the state Regional Workforce program.	<p>RDA SA proposal for further funding was successful for a 12-month extension to this program.</p> <p>Employed two roles, total 1.2 FTE: Richard Scollin, Workforce Program Manager Oliver Walton, Workforce Coordinator</p> <p>Staff have been very successful matching jobseekers with employers having problems finding staff.</p> <p>Significant intel/feedback is continuously provided to state government.</p>		<p>Damien Cooke damienc@rdahc.com.au or Stephen Shotton stephens@rdahc.com.au</p>

14.2	REPORT TITLE:	ADELAIDE HILLS REGION WASTE MANAGEMENT AUTHORITY QUARTERLY REPORT
	DATE OF MEETING:	2 AUGUST 2021
	FILE NUMBER:	DOC/21/118062
	ATTACHMENT:	1 DOC/21/118315 AHRWMA KEY OUTCOMES SUMMARY
	<u>Key Contact</u>	Greg Parker, General Manager, Community Services
	<u>Manager/Sponsor</u>	Andrew Stuart, Chief Executive Officer

Purpose:

To provide Council with a quarterly report from its regional subsidiary, the Adelaide Hills Region Waste Management Authority (AHRWMA).

Summary – Key Issues:

- AHRWMA held a Board meeting on 24 June 2021 which principally reviewed the fourth quarter (to date) operations.
- The Board also held an AGM on 24 June 2021 confirming the Chair and Deputy.
- The 2020/21 3rd quarter operations report is also attached.

Background:

1. This report provides
 - a summary of AHRWMA's Budget Review 3.
 - key Board resolutions from 20 May 2021 and 25 June 2021.
 - outcome of the AGM held on 25 June 2021.

Discussion:

1. Budget Review Three

The Board received an update on the third quarter financial results and budget review (Attachment 1). An overall net increase in surplus of \$64,000 was projected.
2. Board Decisions 20 May 2021

The Board resolved the following;

 - (a) The third quarter 2020/21 finances, budget review and statistics were received and adopted.
 - (b) The Board received a performance report from the Executive Officer (EO).
 - (c) The Board considered a report on the appointment of the Authority's external auditor.

- (d) Two updated financial policies were adopted.
 - (e) The draft Annual Business Plan and Budget 2021/22 was received and endorsed.
 - (f) An information report on the Strategic Resource Recovery Coordinator was received.
 - (g) An information report regarding kerbside recycling was received.
3. Managerial/Operational
- (a) The EPA are implementing new legislative changes regarding waste levy collection at landfills and
 - (b) the EO has attended consultation meetings regarding this.
 - (c) The EO has attended LG meetings regarding the Visy recycling fire on behalf of Member Councils.
 - (d) Meetings have been held with industry representatives in order to determine the state of play regarding recycling within SA, to assist Member Councils and inform a future Board report on the matter.
4. Board Meeting and AGM 24th June 2021
- (a) The 2021/22 dates for the ordinary meetings of the Board were set, noting that the dates will be reviewed upon implementation of the new Board when this occurs.
 - (b) Chairperson elections were undertaken with Cr Harry Seager elected as Chairperson and Cr Ian Bailey elected as Deputy Chairperson. These positions will be in place until the new Board and Chair are implemented in accordance with the new Charter.
 - (c) The Board Adopted the final budget, business plan including LTFP for the 2021/22 financial year.

Conclusion:

Quarterly reports from the AHRWMA keep member Councils regularly updated on matters involving the Authority's core business.

Previous Decisions By/Information Reports to Council

Meeting Date	3 May 2021	CM Reference	DOC/21/59285
Title	Adelaide Hills Region Waste Management Authority Quarterly Report		
Purpose	To provide Council with a quarterly report from its regional subsidiary, the Adelaide Hills Region Waste Management Authority (AHRWMA).		

Meeting Date	18 January 2021	CM Reference	DOC/21/1079
Title	Adelaide Hills Region Waste Management Authority Quarterly Report		
Purpose	To provide Council with a quarterly report from its regional subsidiary, the Adelaide Hills Region Waste Management Authority (AHRWMA).		

Meeting Date	2 November 2020	CM Reference	DOC/20/139604
Title	Adelaide Hills Region Waste Management Authority (AHRWMA) Annual Report 2019/2020		
Purpose	To provide to Council the Adelaide Hills Region Waste Management Authority (AHRWMA) Annual Report 2019/20.		

Meeting Date	6 April 2020	CM Reference	DOC/20/32142
Title	Adelaide Hills Region Waste Management Authority Quarterly Report		
Purpose	To provide a quarterly report on the outcomes of the Adelaide Hills Region Waste Management Authority (AHRWMA) Board meeting on 28 February 2020.		

Meeting Date	20 January 2020	CM Reference	DOC/19/157970
Title	Adelaide Hills Region Waste Management Authority Quarterly Report		
Purpose	To provide a quarterly report on the outcomes of the Adelaide Hills Region Waste Management Authority (AHRWMA) Board meeting on 14 November 2019.		

[Attachment 1 to Item 14.2](#)

Adelaide Hills Region Waste Management Authority
Key Outcomes Summary
Board Meetings: 20th May & 25th June 2021
AGM: 25th June 2021

[Audit Committee Meeting](#)

The Audit Committee met on 12th May 2021 and reviewed the following reports;

- Third Quarter 20/21 Financials & Landfill Stats
- Significant Transactions Report
- External Audit – Internal Financial Controls progress report
- Appointment of External Auditor
- Draft AHRWMA 2021/22 Budget and Annual Business Plan

[Budget Review Three](#)

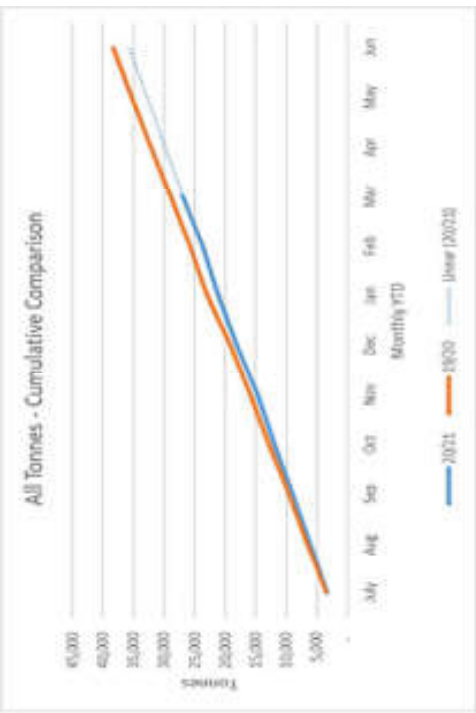
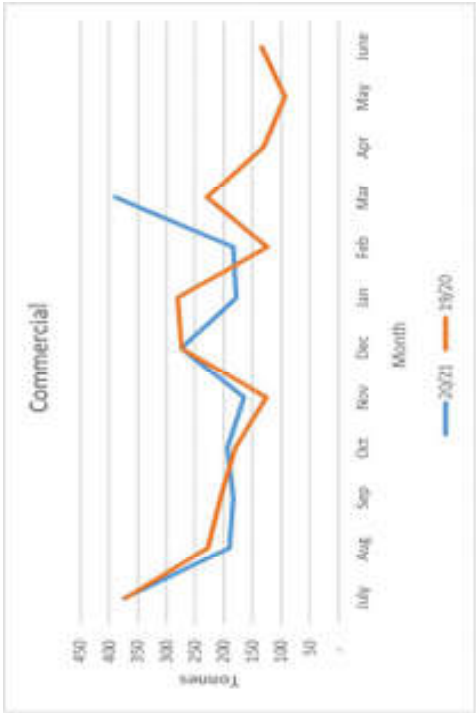
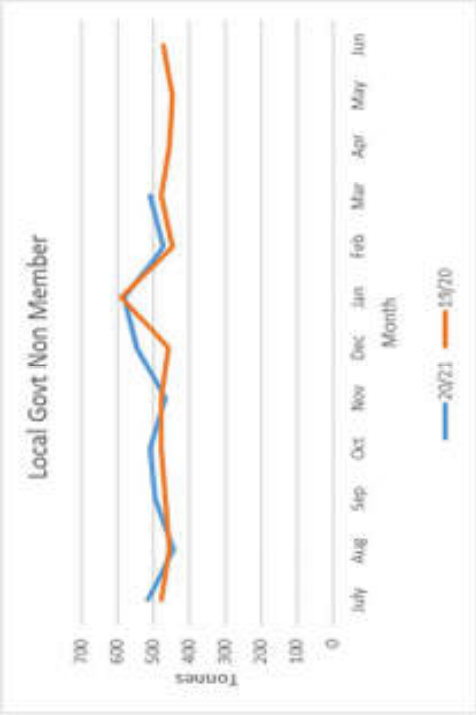
The Board received an update on the third quarter financial results and budget review. An overall net increase in surplus of \$64,000 was proposed. Key items are as follows;

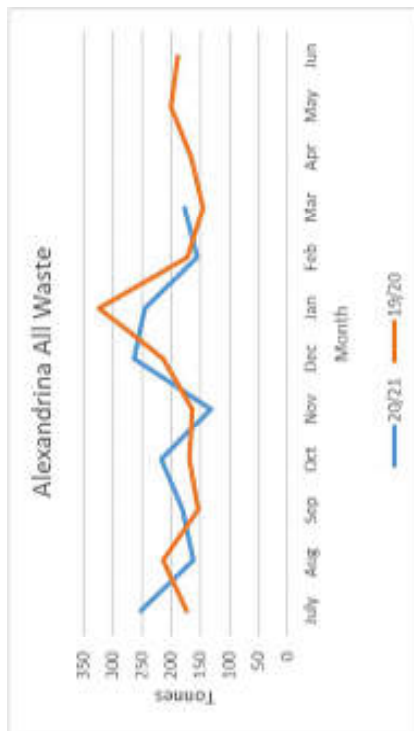
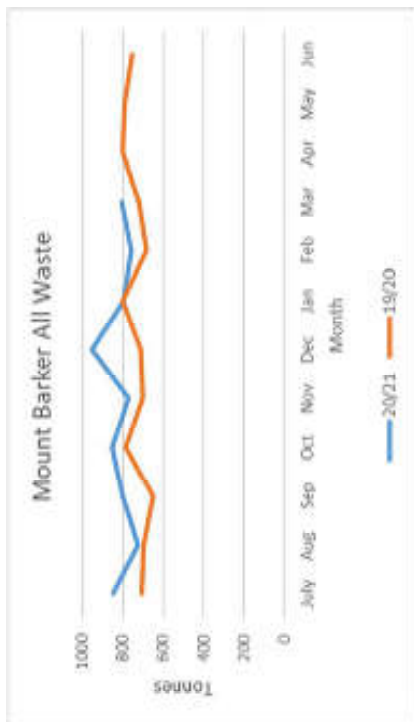
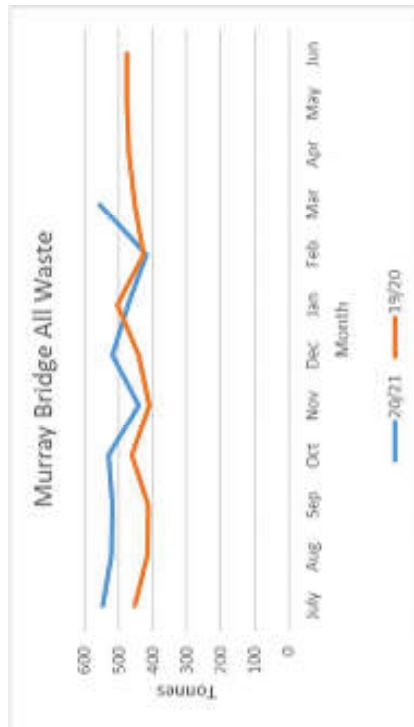
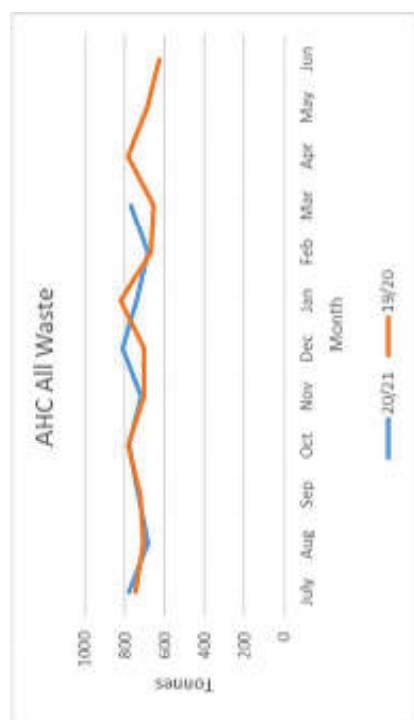
- Savings were made due to the new Board structure not being implemented to date and budget for an independent Chair not being expended.
- External HR advisory services are in the first year and are tracking under budget.
- Hooklift transport services are tracking under budget.
- A saving of \$78,000 was made in CAPEX, while expenditure of \$75,000 for a pulveriser and \$120,000 for hooklift bins was proposed.

Adelaide Hills Regions Waste Management Authority
Brinkley Landfill Waste Statistics 2020-21

Month	Mount Barker Kerbside	Mount Barker Windmill Hill Transfer Station	Mount Barker Other	Adelaide Hills Council Kerbside	Adelaide Hills Council Heathfield Transfer Station	Alexandrina Council Kerbside	Alexandrina Council Strathalbyn Transfer Station	Murray Bridge Kerbside	Murray Bridge Transfer Station	Murray Bridge Other	Non Member Local Gvt	Commercial	Other	Total	20/21 Waste Fill
July	678	156	14	638	142	187	64	393	89	65	514	373	378	3,313	378
Aug	590	135	3	554	130	127	35	352	79	89	445	190	346	2,728	346
Sep	647	150	4	579	151	128	52	370	92	58	495	184	446	2,908	446
Oct	646	206	-	616	163	161	56	399	105	26	508	195	415	3,082	415
Nov	629	142	1	564	151	110	23	355	70	16	465	165	384	2,690	384
Dec	712	239	-	650	164	188	75	393	106	18	547	273	548	3,366	548
Jan	633	163	-	597	144	180	66	365	91	16	579	178	439	3,013	1,272
Feb	594	163	-	546	136	115	40	338	69	13	470	184	406	2,668	2,011
Mar	603	203	-	604	163	115	62	428	101	26	508	389	504	3,203	1,344
Apr														-	
May														-	
Jun														-	
YTD Total	5,732	1,558	21	5,348	1,344	1,312	472	3,392	802	327	4,531	2,131	3,865	26,969	7,143
TOTALS			7,311	6,692		1,784		4,521							

	Mt Barker District Council	Adelaide Hills Council	Alexandrina Council	Rural City of Murray Bridge	Non Member Local Gvt	Commercial	Other	Total
Budget 20/21 - Original	8,923	9,164	2,461	5,438	5,935	9,660	5,950	41,581
YTD 20/21	7,311	6,692	1,784	4,521	4,531	2,131	3,865	26,969
Projected 20/21 Total	9,748	8,922	2,378	6,028	6,041	2,842	5,154	35,959
19/20	8,803	8,611	2,281	5,403	5,699	7,587		38,384
18/19	8,239	8,423	2,255	6,647	5,715	6,962		38,241
17/18	8,256	8,501	2,428	6,641	5,724	6,810		38,360
16/17	8,326	9,403	2,503	6,971	3,836	5,912		36,951
15/16	7,850	9,371	2,881	6,004	6,732	4,361		37,199
14/15	7,470	9,665	2,785	5,370	6,792	8,267		40,348





Board Decisions

The Board resolved the following;

- The third quarter 2020/21 finances, budget review and statistics were received and adopted.
- The Board received a performance report from the Executive Officer.
- The Board considered a report on the appointment of the Authority's external auditor.
- Two updated financial policies were adopted.
- The draft Annual Business Plan and Budget 2021/22 was received and endorsed.
- An information report on the Strategic Resource Recovery Coordinator was received.
- An information report regarding kerbside recycling was received.

Managerial/Operational

- WHS procedures and policies continue to be updated across the organisation.
- A Business Continuity Plan is being developed.
- Ongoing management meetings are held with RCMB and AHC regarding their resource recovery centre operations.
- Following a Tender process a new front end loader was purchased.
- A Lead Operator position was advertised, however following interviews a suitable candidate was not selected. This position has since been reviewed and in consideration of the operational needs the PD adjusted to an Operations Supervisor.
- Mass balance reporting comes into effect July 1 2021 and therefore the Authority is preparing for this new regulatory requirement. The EPA have requested the Authority participate in trial and the Authority will assist where possible. The AHRWMA has been adapting its weighbridge software to meet EPA reporting requirements.
- The EPA are implementing new legislative changes regarding waste levy collection at landfills and the EO has attended consultation meetings regarding this.
- The EO has attended LG meetings regarding the Visy recycling fire on behalf of Member Councils.
- Meetings have been held with industry representatives in order to determine the state of play regarding recycling within SA, to assist Member Councils and inform a future Board report on the matter.
- The AHRWMA Board Member General Managers met with the EO regarding KPIs for the next 12 months, with a focus on the first 6 months. The EO will prepare a KPI action plan.
- Internal financial controls continue to be implemented and reported to the Audit Committee.
- A review of Human Resource documentation and policy's is being undertaken and implemented through Skytrust.

Board Meeting and AGM 24th June 2021

- The 2021/22 dates for the ordinary meetings of the Board were set, noting that the dates will be reviewed upon implementation of the new Board when this occurs. Meetings will be held at 3pm at the Mount Barker District Council, the Brinkley Landfill or via Zoom (to be advised within the Agenda).
- The Board endorsed the following dates for 2021/22
 - Thursday 9 September 2021 (Annual Report and Audited Financial Statements)
 - Thursday 18 November 2021 (Budget Review 1)
 - Thursday 17 February 2022 (Budget Review 2)
 - Thursday 19 May 2022 (Budget Review 3)
 - Thursday 23 June 2022 Annual General Meeting
- Chairperson elections were undertaken with Cr Harry Seager elected as Chairperson and Cr Ian Bailey elected as Deputy Chairperson. These positions will be in place until the new Board and Chair are implemented in accordance with the new Charter.
- The Board Adopted the final budget, business plan including LTFP for the 2021/22 financial year.

Next meeting

- Thursday 9th September 2021

15. MAYOR'S REPORT

16. MEMBERS' REPORTS

17. QUESTIONS ARISING FROM COUNCIL MEETING

18. CONFIDENTIAL REPORTS**18.1 REPORT TITLE: WASTEWATER SERVICE DELIVERY REPORT****DATE OF MEETING: 2 AUGUST 2021****FILE NUMBER: 21/112698****Recommendation:**

That Council:

Section 90 (3) (b) Order**A. Pursuant to Section 90(3)(b)**

Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except the Chief Executive Officer; Deputy Chief Executive Officer/General Manager Governance, Strategic Projects and Wastewater/Recycled Water; General Manager, Infrastructure; General Manager, Planning and Development; General Manager, Community Services; Commercial Manager, Wastewater; and the Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.1 Wastewater Service Delivery Report.

The Council is satisfied that pursuant to Section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which could reasonably be expected to prejudice the commercial position of the Council.

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

Section 91(7) Order**D. Pursuant to Section 90 (3) (b)**

That having considered Agenda Item 18.1 Wastewater Service Delivery Report in confidence under 90(2) and (3)(b) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that the council report, related documents and all minutes be retained in confidence until one month after a prioritised program (inclusive of responsibility, timing and resources) with proposed actions to implement the actions arising from the Wastewater Service Delivery Options Report has been prepared and endorsed at a council meeting, noting that the target timing for that is as soon as practicable, and by no later than 5 October 2021.

18.2. REPORT TITLE: CONFIDENTIAL REPORT - AQUATIC AND LEISURE CENTRE

DATE OF MEETING: 2 AUGUST 2021

FILE NUMBER: DOC/21/120996

Recommendation:

That Council:

Pursuant to Section 90(3)(b)

1. Pursuant to Section 90(2) of the Local Government Act the Council orders that all members of the public except Chief Executive Officer, Deputy Chief Executive Officer, General Manager Community Services, General Manager Infrastructure, General Manager Planning & Development, Chief Financial Officer, Manager Strategic Projects and Economic Development, Risk and Governance Officer, Minute Secretary and Ben Koop (Alinea Group), Warren Green (Warren Green Consulting) and Sean Keenihan (Norman Waterhouse Lawyers) be excluded from attendance at the meeting for Agenda Item 18.2 Aquatic and Leisure Centre.

The Council is satisfied that pursuant to Section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting business and would prejudice the commercial position of the Council.

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

Section 91(7) Order

That Council:

9. Pursuant to Section 90 (3) (b) & (d)

That having considered Agenda Item 18.2 Aquatic and Leisure Centre in confidence under 90(2) and (3)(b) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that the council report, related documents and all minutes be retained in confidence 2nd August, 2031) or such lesser period as may be determined by the Chief Executive Officer, and that this order be reviewed every 12 months.

18.3 **REPORT TITLE:** **CONFIDENTIAL ITEM: - PUBLIC LIGHTING**
TARIFFS LEGAL ACTION

DATE OF MEETING: 2 AUGUST 2021

FILE NUMBER: DOC/21/114957

Recommendation:

That Council:

Section 90 (3) (h) Order

1. Pursuant to Section 90(3)(h)

Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except the Chief Executive Officer, Deputy Chief Executive Officer/General Manager Governance, Strategic Projects And Wastewater/Recycled Water; Chief Financial Officer, General Manager Infrastructure; General Manager Planning and Development, General Manager Council Services, Risk and Governance Officer and the Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.3 Public Lighting Tariffs Legal Action.

The Council is satisfied that pursuant to Section 90(3)(h) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information relating to legal advice, which will be discussed with council members.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because a Council decision has not yet been made in relation to the advice and its subject matter.

Section 91(7) Order

4. Pursuant to Section 91(7)

That having considered Agenda Item Confidential Item: 18.3 Public Lighting Tariffs Legal Action, in confidence under 90(2) and 3(h) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the act orders that the Report, Attachments and all Minutes be retained in confidence until the matter has been concluded and that this does not prevent the disclosure of confidential information or such other period as may be determined by the Chief Executive Officer and that this order be reviewed every 12 Months.

**18.4 REPORT TITLE: CONFIDENTIAL REPORT: INTERNAL REVIEW OF
A COUNCIL DECISION – ENGAGEMENT OF
REVIEWER**

DATE OF MEETING: 2 AUGUST 2021

FILE NUMBER: DOC/21/108925

Recommendation:

That Council:

Section 90 (3) (h) Order

1. Pursuant to Section 90(3)(h)

Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except Chief Executive Officer, Deputy Chief Executive Officer, General Manager Community Services, General Manager Infrastructure, General Manager Planning & Development, Chief Financial Officer, Risk and Governance Officer and the Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.4 Internal Review of a Council Decision – Engagement of Reviewer.

The Council is satisfied that pursuant to Section 90(3)(h) of the Act, the information to be received, discussed or considered in relation to this Agenda item is information relating to legal advice, which will be discussed with council members.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because a Council decision has not yet been made in relation to the advice and its subject matter.

Section 91(7) Order

4. Pursuant to Section 91(7)

That having considered Agenda Item 18.4 Process for Internal Review of a Council Decision – Engagement of a Reviewer in confidence under 90(2) and 3(h) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that the discussion, report, attachments and all minutes be confidential be retained in confidence until the outcome of the internal review has been considered by Council and all of the persons who requested an internal review have been advised of the outcome and that this order be reviewed every 12 months.
