AGENDA

COUNCIL MEETING

23rd APRIL 2019

at 6:00 p.m.
Notice is hereby given pursuant to Section 83 of the Local Government Act 1999, the next Ordinary Meeting of Council will be held in the Council Chambers, 19 Wilson Street Berri SA, on 23rd April 2019 commencing at 6:00 p.m.

Notice is also given that pursuant to Section 83(5) of the Local Government Act 1999 that agenda items:

19.1 Confidential Minute Book – Release of Confidential Minutes – “Lake Bonney Environs”
19.2 Food Riverland

are listed to be considered in confidence under Part 3 of the Act and thus treated confidential reports until otherwise determined by Council.

Notice is also hereby given that pursuant to Section 61(3) of the Local Government Act 1999, that Appendices relating to Confidential Items 19.1 and 19.2 have been provided to Elected Members and Staff for information to assist with making a decision on the above mentioned report items, with the documents and information contained therein being “confidential” for this purpose.

KARYN BURTON
ACTING CHIEF EXECUTIVE OFFICER

18/04/2019
Opening: Council Prayer / Acknowledgement of Country

1: PRESENT:

2: APOLOGIES:

3: ADJOURNED ITEMS:
   3.1 The Monash and Lone Gum Community Association Inc. Public liability Insurance.

4: MEMBERS DECLARATION OF INTEREST:

5: CONFIDENTIAL ITEMS CONSIDERATION:

6: CONFIRMATION OF MINUTES:

7: PETITIONS:

8: QUESTIONS FROM THE GALLERY:

9: DEPUTATIONS / ADDRESS:
   9.1 Jo Podoliak, Chief Executive Officer, RDA Murraylands and Riverland Inc. South Australia

10: MOTIONS WITH NOTICE: Nil

11: QUESTIONS ON NOTICE: Nil

12: ELECTED MEMBERS REPORTS:
   12.1 Mayor’s Report
   12.2 Councillors / Delegates / Representatives Reports

13: EXECUTIVE / CORPORATE SERVICES:
   13.1 Executive and Corporate Services Activities Update
   13.2 Murray Darling Association Inc. Region 5, Minutes from meeting held 25 March 2019
   13.3 Berri Improvement Committee – Minutes from meeting held 4 April 2019
Audit Committee Meeting – Minutes from meeting held 27 March 2019
Legal Advice – Conflict of Interest
G3 Procurement Alliance Agenda and Riverland Local Government Forum Notes – from meetings held 3 April 2019
Local Government Elections – Correspondence from Mr Ken Grundy
Lake Bonney Caring for Country Advisory Group – Draft Terms of Reference
Murraylands and Riverland Local Government Association - Minutes from meeting held 5 April 2019
Policy Review - Elections - Casual Vacancy
Funding Agreement – RDA Murraylands and Riverland
Budget Review – 31 March 2019
Status of Resolutions, April 2019

COMMUNITY SERVICES:
Community Development Activities Update
Community Grant Program
Adelaide Guitar Festival Regional Program
Livvi’s Place
Section 41 Committee Membership - Friends of Bonney Theatre Working Group
Library Services Monthly Report

INFRASTRUCTURE SERVICES:
Works Status April 2019

ENVIRONMENTAL SERVICES:
Environmental Services and Major Projects – Building and Development Activity Report, March 2019
Environment and Sustainability Committee – Minutes from meeting held 12 March 2019
Master Planning Delivery Strategy
South Australian Planning System Reforms

QUESTIONS WITHOUT NOTICE:

MOTIONS WITHOUT NOTICE:

CONFIDENTIAL ITEMS:
Confidential Minute Book – Release of Confidential Minutes – “Lake Bonney Environs”
Food Riverland

CLOSURE:
Opening: Council Prayer / Acknowledgement of Country

1: PRESENT:

2: APOLOGIES:

3: ADJOURNED ITEMS:

3.1 The Monash and Lone Gum Community Association Inc. Public liability Insurance.

At the March 2019 Ordinary Meeting of Council, the following report (Report 16.2) and recommendation was put forward;

SUMMARY:
The Monash and Lone Gum Community Association Inc. is the management committee for the Monash Hall. They have requested that the Public Liability Insurance amount be reimbursed

REPORT:
The Monash and Lone Gum Community Association Inc. committee put an enormous amount of time, effort and finances into the hall to ensure that the hall is in excellent condition. Whilst the committee is very appreciative of the support from Council, they feel that all money raised by the committee should be spent in the regular maintenance and upkeep of the hall.

RECOMMENDATION:
That Council:
1. having considered Report 16.2 titled “The Monash and Lone Gum Community Association Inc. Public liability Insurance” as presented to the ordinary Council meeting, receive and note the report.
2. That the Council reimburses the Public Liability Insurance amount of $616.72 charged to the Monash and Lone Gum Community Association Inc. each year and process to be reviewed at each election year

At the meeting, a formal motion was resolved for the motion to lie on the table and is brought back to this meeting for consideration.

It has been clarified that the above mentioned insurance is for Public and Products Liability Insurance for the Lone Gum and Monash Community Association Inc.

4: MEMBERS DECLARATION OF INTEREST:
Elected members are required to:

1. Consider Section 73 and 75 of the Local Government Act 1999 and determine whether they have a material, actual or perceived conflict of interest in any matter to be considered in this Agenda.
2. Disclose those interests in accordance with the requirements of Section 74 and 75A of the Local Government Act 1999 on the approved form.
6: **CONFIRMATION OF MINUTES:** Ordinary Meeting of Council held on 26th March

**RECOMMENDATION:**
That the Minutes of the Ordinary Meeting of Council held on 26th March 2019, be taken as read and confirmed.

7: **PETITIONS:** Nil

8: **QUESTIONS FROM THE GALLERY:**

9: **DEPUTATIONS / ADDRESS:**
9.1 Jo Podoliak, Chief Executive Officer, RDA Murraylands and Riverland Inc. South Australia

10: **MOTIONS WITH NOTICE:** Nil

11: **QUESTIONS ON NOTICE:** Nil

12: **ELECTED MEMBERS REPORTS:**

12.1 **MAYOR'S REPORT:**

**RECOMMENDATION:**
That the Mayor’s Report be received.

12.1.1 **SUBJECT:** Passing of Former Residents

Since the last meeting of Council held on 26th March 2019 the following Deaths have been noted:
Gary Edward HOLDER; Brian Richard RAINS; Yvonne Barbara HARDEN; Natasha Agnes ‘Tarsha’ LEHANE; Barry ‘Bondy BOND; Rhonda Glenys WALDEN; Beverlie Gail ‘Gail’McDONALD; Rosa (Joyce) HANTON; Alan PRICE; Dalma Gladys COOPER; Peter RAFFAN; and Neville STAR.

Neville Star was a representative for the Upper Murray Garden of Memory on Council’s Cemetery Advisory Committee. He was also Secretary/ Treasurer for the UMGOM for many years. He spent many hours at the Garden of Memory with maintenance and organising funerals of ex service men and women.

12.1.2 **CITIZENSHIP CEREMONIES HELD SINCE LAST MEETING:**
No Citizenship ceremonies have been held since the last meeting of Council.
12.1.3 SUBJECT: Functions / Meetings attended since last meeting:

- 26 March: Attended the Ordinary Meeting of Council
- 27 March: Attended the announcement by the Member for Barker Mr. Tony Pasin that the Riverland General Hospital had been funded to receive an MRI Machine
- 27 March: Attended the Opening of the Berri Estate Winery Expansion
- 27 March: Attended the Audit Committee Meeting
- 3 April: With the D/Mayor and A/CEO, attended the Riverland Local Government Forum in Renmark
- 4 April: Attended the Berri Improvement Committee Meeting. Cr. Scott Elected as Chairperson
- 5 April: With the D/Mayor, Cr. Winnall and the A/CEO, attended the Murraylands & Riverland Local Government Association Meeting in Karoonda
- 5 April: Attended the M&RLGA Regional Transport & Assets Committee Meeting in Karoonda
- 6 April: Attended OLOR'S Annual Chocolate Carnivale Fundraising Event
- 9 April: Attended the Strategy, Asset & Major Projects Committee Meeting
- 10 April: Attended the 2019 ANZAC Day School Commemorative Service. The D/Mayor, A/CEO and Crs. Evans OAM, Kassebaum & Scott also in attendance
- 13 April: With the D/Mayor attended the Sing Australia Event in the Monash Hall
- 13 April: Attended the Fundraising event for Trent & Kathy Ferrier at the Berri Ski Club
- 15 April: Participated in a teleconference to discuss the M&RLGA new CEO Recruitment process with Consultants
- 16 April: Attended a Meeting of the CEO Selection & Performance Review Committee to appoint Consultants for the process of recruiting a new CEO
- 16 April: Attended the 2021-2026 Strategic Planning Workshop - Strategic Matters at the Berri Bowling Club

12.2 COUNCILLORS / DELEGATES / REPRESENTATIVES REPORTS:

Cr Scott:
- 26 March: Ordinary Meeting of Council
- 27 March: Attended the Opening of Accolade Bottling Plant etc Glossop
- 4 April: Berri Improvement Committee Meeting
- 9 April: Strategy, Assets and Major Projects Committee Meeting
- 10 April: ANZAC Day School Commemoration Service
- 16 April: Strategic Planning Workshop
- 20 April: Easter Breakfast Berri
- 21 April: Dawn Combined Churches Service in Barmera
- 21 April: Twilight Markets Barmera

Cr Fuller:
- 25 March: Attended Barmera Men’s Shed and liaised with members
- 26 March: Attended Ordinary Meeting of Council
- 27 March: Attended Len Mahoney Room for announcement by Tony Pasin of the granting of an MRI licence for the Riverland Regional Hospital
- 27 March: Attended Audit Committee meeting
- 28 March: Attended Italo Vadaro studio for council portraits
1 April In company with Robert Drogemuller, attended at Barmera council depot to sort materials for lakefront shelter sheds to be erected next weekend

6 April Attended Brian Caddy Reserve in company with Robert Drogemuller, Graham Nitschke and Peter Weston, where we assisted/laboured for licensed builders, Ian and Tony van der Biezen who erected two shelter sheds on behalf of the Barmera Improvement Committee. Ian and Tony, once again, donated their time, skills and equipment when erecting the shelter sheds. Luke Hampshire, of Riverscape Landscape and Pools attended with his bobcat to volunteer his time and equipment to bore the necessary holes for the shelter shed posts. Luke had previously assisted by spreading soil on the shelter shed sites to raise the height of the ground underneath the shelters

9 April Attended LGA media training session held in chambers

9 April Attended Strategy, Asset and Major Project Committee meeting in chambers

11 – 12 April In company with Crs Centofanti and Evans I attended LGA Council Best Practice Showcase, held at the Adelaide Entertainment Centre. A report has been submitted outlining the sessions attended

16 April Attended Strategic Planning Workshop held at the Berri Bowling Club

Cr Winnall:

27 March Met with Kelsey Wade, Andrew Haigh, Variety & Livvis Place to discuss Livvis Place playground

27 March Attended launch of new Accolade facility

4 April Attended Berri Town Improvement Committee meeting

4 April Attended MRLGA meeting in Karoonda with Mayor Peter Hunt, Cr Centofanti and CEO Karyn Burton

9 April Attended Media Training with councillors and staff from across the region

9 April Attended Strategy Assets and Major Projects Meeting

16 April Attended CEO Recruitment Panel meeting

16 April Attended Strategic Planning Day

Cr Kassebaum:

26 March Attended the Ordinary meeting of Council.

27 March Attended the Public gathering where Federal Member for Barker, Tony Pasin announced that the Federal Government have granted the Riverland General Hospital with a MRI licence. Mayor Hunt, Cr Centofanti, Winnall, Fuller and Evan were also in attendance.

27 March Attended the Audit committee meeting held at BBC.

9 April Chaired the Strategy, Assets and Major Projects committee meeting held at BBC.

10 April Attended the ANZAC Day school Commemorative Service held at the Memorial Gates, Wade Street, Berri.

11 April Attended the Regional Development Australia Murraylands Riverland (RDMAR) board meeting held at Murray Bridge office.

12 April Attended the River Murray Advisory Council meeting held in the Murray Bridge NRM office conference room.

16 April Met with Dorothy Freer, BBC Property Manager to discuss the Berri stadium lease and conditions associated with said lease.

16 April Attended the BBC 2021-2026 Strategic Planning workshop held at the Berri Bowling club facility.

23 April On-site inspection of the Accolade Wines new packaging facility.
**Cr Little:**
- **26 March**: Attended Ordinary Council Meeting.
- **9 April**: Attended Strategy, Assets and Major Projects Committee meeting in chambers.

**Cr Evans:**
- **27 March**: Visit of Tony Pasin MP, held in the Len Mahoney Room.
- **9 April**: Strategic Governance Meeting.
- **10 April**: RSL/Combined Schools Anzac Day Service at Memorial Gates, Berri.
- **10-12 April**: Attended LGA Showcase and Ordinary General Meeting in Adelaide. Firstly I wish to sincerely thank Council for the opportunity to attend the conference. The format has changed considerably from the very formal procedure of the past, to a more relaxed format, where people could move freely from one session to the other. I found this to be a great improvement.
- **16 April**: CEO Review Committee Meeting.
- **16 April**: Strategic Plan Workshop.

**Cr Sindos:**
- **26 March**: Attended Berri Barmera Council Ordinary meeting.
- **5 April**: Received call from resident about back lane storm water runoff entering her property a 14 Nookamka Terrace Barmera, dropped in and took some photos and forwarded to Acting Manager Infrastructure Services.
- **9 April**: Attended LGA Media training at BBC Council Chambers along with Councillors Fuller, Winnall Kassebaum, Deputy Mayor Centofanti and Council staff and Council members and staff from Loxton/ Waikerie, Renmark/Paringa and Southern Mallee.
- **9 April**: Attended Strategy, Asset and Major Projects Committee Meeting.
- **10 April**: Was asked by Cobdogla resident Rick Spencer about future midge control - it’s been an on going issue for residents of Cobdogla.
- **16 April**: Attended Strategic Planning Workshop-Strategic Matters Berri Barmera Council at Berri Bowling Club.

**Cr Centofanti:**
- **27 March**: Attended a morning tea with Tony Pasin MP with his very welcoming announcement of the licence for a MRI at the Riverland General Hospital.
- **27 March**: Attended the Audit Committee meeting.
- **3 April**: Attended the Riverland Local Government Forum at the Renmark Paringa Council Chambers.
- **4 April**: Attended the Berri Improvement Committee meeting.
- **5 April**: with the Mayor, A/CEO and Cr Winnall attended the Murraylands Riverland Local Government Association (MRLGA) at Karoonda.
- **9 April**: Attended the LGA Media Training workshop at Berri Barmera Council.
- **10 April**: Attended the Strategy, Asset and Major Projects Committee meeting Attended the local school’s ANZAC Day service at the Berri Memorial Gates, Wade Street and with the Mayor and Cr Evans, OAM laid a wreath on behalf of Council. Crs Kassebaum and Scott also in attendance.
- **11-12 April**: with Crs Evans OAM and Fuller attended the 2019 LGA Council Best Practice Showcase and Ordinary General Meeting – at the Entertainment Centre, Hindmarsh. This would be one of the most informative and engaging LGA showcases I have attended. Both the Waste and Recycling Stream sessions attended were all relevant to our council with great ideas being followed through by SA councils and various other organisations. Cr Evans and myself also attended chosen Traditional Showcase Stream sessions with the City of Marion’s presentation of the Livvi’s Playground under
‘Inclusive Communities’ proving to be the most interesting topic for us. (Please read our additional report).

13 April
with Mayor Hunt attended an afternoon to celebrate Sing Australia Day with Sing Australia Riverland and Lameroo groups in the Monash Hall

16 April
Meeting held with Ena Turner and Executive Assistant regarding the wording for the Interpretive sign at the Rainbow Serpent Rock painting

16 April
with Cr Evans OAM, attended the funeral of Neville Star at the Upper Murray Garden of Memory Cemetery. Neville was the Secretary/Treasurer of the UMGOM and a committee member of Berri Barmera’s Cemetery Advisory Committee and he will be sadly missed

16 April
Attended a CEO Selection and Performance Review Committee meeting

16 April
Attended the 2021-2026 Strategic Planning Workshop - Strategic Matters Berri Barmera Council’s held at the Berri Bowling Club

Also I would like to report that the SBS interactive documentary ‘MISSING’ that I was involved in regarding Jimmy James and Daniel Moodoo’s tracking skills that lead to the discovery of missing girl Wendy Pfieffer has been nominated as a Webby nominee in Websites - Best Use of Video or Moving Image. This is an international award with the project being singled out as one of the five best in the world.

Wendy was in Berri last year for NAIDOC Week celebrations where she laid a floral tribute in memory of both Jimmy and Daniel at ‘A Special Place for Jimmy James’ Memorial. Wendy’s visit was organised by ex Berri Barmera Councillor Linc Gore with the assistance of myself.
DAY ONE

Thurs 11th - 8.00a.m. Attended Adelaide Entertainment Centre to attend registration session prior to LGA President, Mayor Sam Telfer’s welcome address.

Keynote address was given by writer and comedian Craig Reucassel who is the presenter of the ABC’s television series ‘The Chaser and The War on Waste’ in which he challenges Australians about their waste and recycling habits. His address was informative, challenging and, at times, humorous and highlighted the many issues that face local government when dealing waste in their respective areas.

Welcome to Country was given by Uncle Lewis O’Brien and incorporated a presentation by members of the Kalaya Children’s Centre.

After a presentation from gold sponsor, HWL Ebsworth, morning tea was taken before attendees divided into two groups as the Showcase provided two different streams of presentations. The streams were: the traditional showcase stream and the waste and recycling stream.

As the Chair of Council’s Section 41 Environment and Sustainability, Cr Fuller attended the entire waste and recycling stream. Crs Centofanti and Evans attended the majority of the waste and recycling stream, but towards the end of the day attended the last two sessions of the traditional showcase stream.

The concurrent sessions, included the City of Playford’s presentation on their Financial Hardship Policy. The session was most interesting, as the presenters explained their efforts in dealing sensitively with their residents who were finding great difficulty in paying their rates, some of which had accumulated over time, many due to redundancies as large employers closed their doors, with the resultant unemployment.

Two types of hardships were mentioned: 1) Temporary, and (2), Ongoing. Council has what they refer to as a ‘Hardship Toolbox’, which offers flexibility, and ensures a method of payment which is suited to the people’s needs.

Council also involved/engaged with service providers, eg: Anglicare, Salvos, Uniting Care, Wesley/Bowden, Community Care.

Ease of payment - centred around a mutual agreement, centrepay, and direct debit. Respectful collections - early engagement with customers is encouraged. Unemployment is very high in the Playford area, which means that a large number of residents are on pensions, and/or centrelink payments.
WASTE and RECYCLING STREAM

Session One  National Context – Waste and recycling stream - Presented by: ALGA President and Prospect Council Mayor David O’Loughlin who provided a national context overview of actions being taken, but more interestingly not taken, at the Federal level to address issues to do with the waste and recycling stream. Unfortunately, it seems that there is no national approach to finding answers to the problems councils are facing due to China refusing to take our recycling waste, known at the “China Sword” problem.

Mayor O’Loughlin’s address followed on from the inspirational address he gave at the 2018 ALGA National General Assembly in Canberra, and he reinforced his message that local government needs to become more involved in what is called the Circular Economy for the handling recyclable materials. That is local government needs to purchase end products from the recycling process for use in road sealing, for example. He further highlighted that food waste contributed a very high percentage (up to about 44%) of putrescible waste that ends up in land fill, at a current cost (tax) of $100 per tonne being paid to State Government.

The current push is for communities to be encouraged to recycle their food waste by placing it in council green bins, which would save councils and their communities a great deal of money and benefit the environment by returning food waste nutrients to our soils.

Session Two  State context – Waste and recycling stream - Presentations were then given by: Vaughan Levitzke, from Green Industries SA (GISA), Tony Circelli, Chief Executive, SA Environmental Protection Authority. These two speakers explored the State Government’s response to problems in the waste and recycling industry, including the 2018 State Government Recycling Industry Support Package, and the recently announced reviews of single-use plastics and the Container Deposit Scheme. The expressed intent is to introduce a 10c per bottle deposit on wine bottles, which is thought will help to divert wine bottles from landfill and also help to reduce the State Government tax imposed on Councils of $100 per tonne of waste that goes to landfill, and also cause a large percentage of glass to be diverted to recycling.

They also discussed the necessity of redesigning supermarket packaging to reduce their use of single use plastics and, also, to alter their standards for food products, such as bananas, which was cause for an enormous amount of food products to be dumped when they could readily be consumed instead of dumped.

Session Three  Driving growth through the yellow bin and the green bin - Presentations were given by: Marina Wagner, Fleurieu Regional Waste Authority

Spoke on the importance of local government's role in recovering food and organic waste, as well as the range of benefits this brings for sustainability of waste management services.

Peter Wadewitz, Managing Director, Peats Soil

Spoke on how his company is using recovered food and organic waste to create value for many South Australian industries and how local government can help achieve further growth and better sustainability outcomes in this area in the future.
Adam Faulkner, CEO Northern Adelaide Waste Management Authority
Spoke on the drivers for establishing strong local markets for recyclable materials in South Australia and how local government bodies are uniquely placed to lead this response.

Session Four
How do you achieve change - A panel session discussion involving:
Mayor David O’Loughlin
Craig Reucassel
Mayor Karen Redman of Gawler Council
These three presenters provided an informative discussion, giving their perceptions of how local government, State Government and Federal can bring about necessary changes to community perceptions and attitudes towards the handling of waste.
It was highlighted that there was no consistent messages amongst the three tiers of government and that even in local government there were different ideas on bin colour lids for putrescible waste (red and blue lids) that need to conform to Australian Standards (red).

Session Five
Educating others in the waste space - Presentations were given by:
Megan Bekesi, Education and Promotions Coordinator, East Waste
John Mundy, ESP Manager, Local Government Association of SA
Loren Mercier, Environmental Management Officer, Waste and Recycling City of Charles Sturt
These presenters spoke on the importance of education and promotion of the use of the three waste bins, titled – Educating others in the waste space – in an effort to reduce/prevent contamination of the three different waste streams. This contamination leads to the waste going to landfill, which is taxed by the State at a rate of $100 per tonne, which is a great deal of money that has to come from ratepayer’s pockets, and it is a cost to the community that can be reduced if the three bin system is used properly.

Session Six
Stepping towards the solution - Presentations were given by:
Sarah Burns, Sustainable Events Coordinator, City of Adelaide
Allison Byrne from the City of Marion
These presenters spoke on the topic ‘Stepping towards the solution’ by supporting the transition to environmentally sustainable events. Everyone knows that excessive plastic waste is a problem, especially single use plastics, with some plastics being more difficult to recycle and getting away from plastic to serve food and drinks at events may not seem easy. They spoke on how a ban on single use plastics can be approached in a practical way and how their councils had introduced bans and were starting to reduce the plastic waste issue using sensible communication with event participants.

Session Seven
Closing the Loop – Presentations were given by:
Sue Hutchings, Manager Engineering Strategy & Assets, City of Charles Sturt
Aaron Izzard, Environmental Sustainability Officer, City of Mount Gambier
These two council representatives spoke about how taking a holistic approach to managing waste, focusing not just on collection and processing, but also getting serious about the need to "reduce, re-use, recycle".
These presentations focused on diverting some of the wasted collected by selling usable items back to members of their community, much the same as the system adopted by the
Mildura Rural City Council. Mount Gambier council has taken on the role of sellers of these items and is achieving great success, charging minimal prices for goods, and diverting that stream away from landfill with the obvious cost saving benefits.

**Session Eight**  
**Regional Challenges in waste** – Presentations given by:  
Leah Maxwell, Executive Officer, Adelaide Hills Region Waste Management Authority (AHRWMA)  
Marina Wagner, Fleurieu Regional Waste Authority  
These two representatives of the respective regional subsidiaries spoke about the unique challenges and opportunities they have encountered in waste management.

**TRADITIONAL SHOWCASE STREAM**

_Crs Centofanti and Evans_ attended sessions of the traditional stream, “Inclusive Communities” sessions, having the theme ‘There is no disability if everything is accessible’. Of note from the presentations, 20 people in 100 have disabilities.

Councils mentioned included Adelaide, Marion, Onkaparinga, Salisbury, (and Legatus), and addressed a number of issues, such as Social Planning Inclusive, which received no support from either the State or Federal Government.

The following comments were made:
- Disability is NOT considered a medical condition.
- NDIS - most expensive part.
- Disability access available to all.
- Social model for disability.
- **ALL** Councils must develop a LG Action Inclusive Network, (LGAIN), by 2020.

**Access/ Inclusion Development Panel:** (City of Adelaide).  
Over 100 people were engaged via ‘YOUR SAY’, ‘EVENBRITE’.  
Workshop Focus Groups - Staff Workshops.  
ACTION PLAN: Action Inclusion has twelve members, and their tenure of office is 2 years + 1  
Planning by Local Government to ensure access availability in ALL AREAS.

**City of Marion Inclusive Playspace:**  
Proved to be a most interesting topic to us, especially following Cr. Winnall’s discussion regarding suitably planned playgrounds.  
The City of Marion, in collaboration with ‘The Touched by Olivia’s Foundation’; the State Government and the community the first fully inclusive playground in South Australia was designed and built, designed to be be used by children of all abilities.

The Playground, a 10 year project, named Livvi’s Place is an area of Open Space and Playgrounds situated on the Hendrie Street Reserve, Park Holme.

Citrus trees and vineyards adorn the entrance to the Park, where children can begin their journey by exploring through the vineyards and trees.  
The area is fully fenced and provides the following facilities:
- disabled access toilets that include an adult sized change table
- a wheelchair accessible carousel
- variety of swings
- a hill slide
- a nature play creek
- play tables
- an accessible cubby house
- BBQs and picnic shelters
- Protection by shade sails

The playground was opened on 10 August 2018 at a cost of $975,000 with finance received from the Department of Planning/Infrastructure; City of Marion and Arts SA. SPONSORS names are on crates.

**City of Onkaparinga:**
A Community Managers’ Network has been formed. They work with the LG - across the state, and Financial Contributors.
LEGATUS. One of Six Regional Organisations re NDIS.
LG is not a passive receiver of policies.
Public Transport is not available in Regional areas. Concern for future transport needs.
Currently - families concerned about various services.
Volunteers are ageing.
Younger generation has different considerations.

**5.00p.m. CLOSE OF SHOWCASE**

**DAY TWO**

**Fri 12th** - 8.15 a.m. - Attended Entertainment Centre for Day 2

Due to power failure in Hindmarsh area the centre didn't have sufficient power to allow for scheduled proceedings to commence.

A ceremony was held in an outdoor area where:
The Honourable Stephen Wade MLC, Minister for Health and Wellbeing, spoke before presenting awards to:
City of Burnside for the “Urban Forest Interactive Project”
City of Onkaparinga for “Hoarding and Squalor initiatives to reduce health risk and improve wellbeing in the community”
City of Playford for the “Elizabeth Grove Place-Based Community Development Project”
Mid Murray Council for the “Fresh Frenzy Project”
Wattle Range Council for the “Celebrate Seniors October Program”

It had been hoped that the power would return by 11.30, but both Mayor Martinson and ourselves decided to return home, and left Adelaide approximately 11am. We heard later that the power was still out after lunch, so we made the right decision!

Report presented to Berri Barmera Council on behalf:

Cr Centofanti
Cr Evans
Cr Fuller
13: EXECUTIVE / CORPORATE SERVICES:

13.1 Executive and Corporate Services Activities Update

REPORT AUTHOR: ACEO, EA
RESPONSIBLE MANAGER: ACEO
RECORDS REF: N/A
STRATEGIC LINKS: Yes; Multiple
FINANCIAL IMPLICATIONS:
- Impact: Nil
- Budget Description: Various
- Allocation: Various
- Expenditure to Date: N/A

SUMMARY:
This report provides an overview of relevant information, correspondence, activities and programs in progress within the Executive and Corporate Services Department.

REPORT:
Discussion:

Budget Preparation –
- The preparation of the 2019/2020 budget is in full swing and is requiring considerable attention. Meetings have been held with Elected Members to work through potential projects and rating models. The next budget meeting is scheduled for 30th April 2019.
- Mr Ian McDonald of Creative Auditing has spent 2 days with ACEO assisting with budget preparation.
- A draft Annual Business Plan is due to be completed by 8th May 2019 and presented to the Audit Committee on 13th May, 2019.
- Council will endorse the draft Annual Business Plan and draft LTFP at a Special Meeting scheduled for Thursday 16th May, 2019 before a public consultation process begins and submissions are invited from the community.

Strategic Plan
- It is a requirement of the LG Act to review the Council’s Strategic Management Plans within 2 years of an election.
- Strategic Matters have been engaged to assist with the review and development of Council’s Strategic Plan with a workshop well attended by Elected Members and staff on Tuesday 16th April 2019.
- Further work by Strategic Matters in consultation with staff, including a community survey and public consultation, will be carried out over the coming months with preparation of executive summary/key recommendations to be provided.

ANZ/Australia Post – Bank at Post
- Council has been advised (see attached) that Australia Post will no longer accept Bank at Post deposits on behalf of the ANZ Bank from 31 May 2019. As a result, ANZ are terminating their ANZ Bank@Post Service. As you would be aware Council’s banking facility is held with the ANZ Bank and that there is no other bank facility in Barmera. This change in policy by ANZ and Australia Post means daily banking deposits of cash and cheques collected at Council’s Barmera office will no longer be accepted, further, options...
offered by ANZ as solutions are considered unsatisfactory.

- After analysing the cash/cheques components of daily banking over a period of 6 months at Barmera it is concluded that Council reduce bank takings at the Barmera office to EFTPOS payments only. Those customers requiring to make payments using cash or cheque are to be directed to do so across the road at Australia Post utilising the Australia Post BillPay option (barcoded on each rate notice). This has the added benefit of reducing Council’s risk surrounding cash handling from a financial control perspective.
- Dog registrations have already been transitioned to online payments by DACO which has reduced the requirement to accept cash payments significantly.
- Council provides a range of payment options being BPAY, Internet via website, Australia Post Billpay or by telephone using credit card – payments made with cash or cheque are becoming less and less as all of these other electronic options are being used more frequently.

Meetings/events attended –
- Mr Tony Moro
- Audit Committee
- ICT Strategy Project Control Group
- Berri Fire Station
- Vinehealth Australia
- Riverland G3 Alliance
- Riverland Local Government Forum
- Berri Improvement Committee
- Murraylands & Riverland Local Government Association General Meeting
- Media Training – Local Government Association
- Subnet – IT Managed Services Support
- 2019 ANZAC Day School Commemorative Service
- Small Business Commissioner John Chapman
- Barmera Discovery Park
- Ms Leanne Muffet – Strategic Matters
- Mr Ian McDonald – Creative Auditing.

Correspondence in -

Roads to Recovery Funding and other Roads Program Funding
- Mr Tony Pasin MP, Federal Member for Barker has advised Council that the Federal Government has announced an additional $1.1 billion in funding to local governments under the Roads to Recovery Program, as well as an extra $550 million for the Black Spot Program.
- The Berri Barmera Council will receive an additional $217,660 bringing the total 5 year allocation to $1,088,301. The attached correspondence highlights other road safety funding in particular the Commonwealth Government’s Supplementary Local Roads Program for South Australia has been extended for another 2 years and the Heavy Vehicle Safety and Productivity program has been extended beyond the initial 2021/22 financial year.

RECOMMENDATION:
That Council, having considered Report 13.1 titled “Executive and Corporate Services Activities Update” as presented to the Ordinary meeting of Council, receive and note the report.
ATTACHMENTS: Yes

Attachment 1 – ANZ/Australia Post
   – Bank at Post correspondence
Attachment 2 – Letter from Mr Tony Pasin MP Federal Member for Barker re Road Safety funding
Attention: Karyn Burton  
Berri Barmera Council  
19 Wilson Street  
Berri SA 5343  

8 April 2019

Dear Karyn

RE: Berri Barmera Council – ANZ Bank@Post Service

As you are aware Australia and New Zealand Banking Group Limited’s (ANZ) Bank@Post Service (known by Australia Post as the ‘Barcode Deposit Slip Service’) will terminate at the close of business on Friday 31 May 2019. This Service is separate to the ANZ Retail Bank@Post Service (card & pin) which will terminate in January 2019. The Barcode Deposit Slip Service is distinguished by use of the ANZ Bank@Post Barcoded Deposit Slips.

In the event that Berri Barmera Council need to clarify the continuance of the Barcode Deposit Slip Service with Australia Post up to 31 May 2019, please present this letter at the relevant Post Office and request that the Post Office contacts Australia Post’s internal Post Office Helpdesk Team via phone. The Post Office location will be advised that the Barcode Deposit Slip Service remains in place until 31 May 2019 with ANZ clients able to deposit using the ANZ Barcoded Deposit Slips until close of business on this date.

Yours sincerely,

Ben Ewing  
ANZ Product Manager  
Transaction Banking Products  
International & Institutional Banking
29 March 2019

Mayor Peter Hunt
Berri Barmera Council
PO Box 229
BERRI SA 5343

By email: mayorhunt@bcc.sa.gov.au

Dear Mayor Hunt,

I write to advise that the Federal Government has today announced measures that will help keep drivers safe on local roads by delivering an additional $2.2 billion in road safety funding.

Road safety is everyone’s responsibility but the Government has a key role to play in delivering safer roads and vehicles.

I am proud to be part of a Government that is committed to playing its part in getting Australians get home safely from every journey on our roads.

The Government has announced an additional $1.1 billion in funding for local governments under the Roads to Recovery program, as well as an extra $550 million for the successful Black Spot Program, which targets known high-risk locations and reduces serious crashes by 30 per cent on average.

I am pleased to advise that as a result, the Berri Barmera Council will receive additional funding of $217,660 under the Roads to Recovery program, bringing your total 5 year allocation to $1,088,301.

We will deliver a further $571.1 million to improve the safety and efficiency of heavy vehicle operations through the Bridges Renewal Program, Heavy Vehicle Safety and Productivity Program and Heavy Vehicle Safety Initiatives (HVSIs).

The Budget also delivers safer roads through a variety of further initiatives, including establishing a new Office of Road Safety to facilitate a greater leadership role for the Federal Government.

Safer roads and bridges mean safer heavy vehicle operations, which is critical to our goal of reducing road trauma on the nation’s roads.

The Government has also announced a new $12 million Road Safety Innovation Fund to support research and development in priority areas such as regional road safety, driver distraction from mobile devices, protecting vulnerable road users and reducing drug driving.
In addition, a new Road Safety Awareness and Enablers Fund will offer $4 million in targeted and competitive grants to fund road safety awareness, education and collaboration initiatives.

We are also backing local governments to prioritise safety, providing a further $2.55 million to the Australian Road Research Board to help councils keep abreast of the latest road safety design and maintenance innovations when managing their local road assets.

This is in addition to renewed commitments to fostering the skills of new drivers through the Keys2drive program, continued funding to the Australasian New Car Assessment Program (ANCAP) to encourage the purchase of safer vehicles, and an ongoing commitment to safer vehicle design through rigorous and globally harmonised Australian Design Rules.

The Government will also place road safety at the heart of its infrastructure investment program by prioritising safe system principles in line with the National Road Safety Strategy.

The Government is committed to working in a bipartisan spirit to progress the 12 recommendations made by the National Road Safety Strategy Inquiry in September 2018.

The additional funding announced today builds on the Federal Government’s current investment of around $2.6 billion in safety-enhancing projects, bringing the total investment to $3.1 billion per year over the period 2019–20 to 2022–23.

If there is anything further I, or my staff, can do to assist you at any time, please do not hesitate to contact my office.

Yours sincerely,

Tony Pasin MHR
Federal Member for Barker

Ref: TP/NP
Good morning Mayor and Councillors

I write to confirm that in last night’s Budget an additional $40 million has been delivered in Supplementary Funding for South Australia’s local roads program over 2 years to 2021.

This funding will support councils in South Australia to manage their responsibilities to maintain local roads.

The 2019-20 Budget proposes to bring forward 100 per cent of this funding for early payment in 2018-19. This injection will enable councils to deliver essential works and provide certainty to support them to plan maintenance schedules and future local priority projects.

This program recognises the disadvantage experienced by councils in South Australia under the local roads component of the Financial Assistance Grant program.

The funding is untied, enabling Councils to spend it on local priorities and builds on the previously announced Local and State Government Road Safety Package which included:—

- $1.1 billion to support vital road maintainace under the Roads to Recovery Program, including $550 million for the successful Black Spot Program;
- An additional $275 million for the Heavy Vehicle Safety and Productivity Program;
- $275 million for the Bridges Renewal Program;
- $2.6 million to the Australian Road Research Board to make professional expertise more readily available to local governments; and
- An additional $8 million to continue the successful Keys2Drive program until 2023.

The Morrison Government’s strong economic management ensures our ability to continue to invest in key infrastructure priorities.

Yours sincerely

Tony Pasin MP | Federal Member for Barker

Electorate Office (Murray Bridge)
Shop 5, Murray Bridge Green
Cnr Swanport Road and Riverview Road, Murray Bridge SA 5253
Phone (08) 8531 2466 | Fax (08) 8531 2124

Electorate Office (Mount Gambier)
27 Commercial Street East, Mount Gambier SA 5290
Phone (08) 8724 7730 | Fax (08) 8723 2230

Canberra Office
Suite R1 99
Parliament House, Canberra ACT 2600
Phone (02) 6277 4864 | Fax (02) 6277 4865
SUMMARY:
To provide the Minutes from the Murray Darling Association Inc. Region 5 meeting held 25 March 2019.

REPORT:
Background:
The Minutes from the Murray Darling Association Inc. Region 5 meeting held 25 March 2019 are attached for member's information. Cr Andrew Kassebaum was in attendance.

The next meeting is scheduled for Monday 3rd June 2019, 9:30 for 10am at the Waikerie Council Chambers.

RECOMMENDATION:
That Council having considered Report 13.2 titled “Murray Darling Association Inc. Region 5, Minutes from meeting held 25 March 2019”, as presented to the ordinary council meeting, receive and note the report.

ATTACHMENTS: Yes
Attachment 1 – Minutes from Murray Darling Association Inc. Region 5 meeting held 25 March 2019
Minutes

Region 5 – Annual General Meeting

Berri – Barmera Council Chambers
Monday, 25th March, 2019

Meeting commenced at 10:04am

1. ATTENDANCE

1.1 Present:
- Cr Peter Raison Mid Murray Council
- Cr Jeff Hall Mid Murray Council
- Ian Mann Mid Murray Council
- Cr Andrew Kassebaum Berri Barmera Council
- Cr Allan Maddocks Renmark Paringa Council
- Cr Margaret Howie Renmark Paringa Council
- Cr Peter Hunter Renmark Paringa Council
- Ashleigh Baker EA – Renmark Paringa Council
- Michelle Campbell Regional Engagement Officer CEWO
- Tony Herbert Acting Director DEW
- Malcolm Wilksch Potential Private Member

1.2 Apologies:
- Emma Bradbury CEO of MDA - currently @ MDA Board Meeting
- Neil Martinson – Mayor, Renmark Paringa Council
- Kym Webber – District Council Loxton Waikerie

1.3 Conflict of Interest Declaration – Material / Actual / Perceived
- Nil

2. WELCOME

Welcomed Tony Herbert – Acting Director, River Murray Operations, DEW to our March Meeting.

3. MINUTES OF PREVIOUS MEETING/S

Moved: Ian Mann
That the Minutes of the Annual General Meeting of MDA Region 5 held in Berri, on the 19th March, 2018 are a true & accurate record of the meeting.
Seconded: Cr Peter Raison
Agreed
Moved: Cr Peter Raison
That the Minutes of the ordinary meeting of MDA Region 5 held in Renmark, on the 10th December, 2018 are a true & accurate record of the meeting.
Seconded: Cr Margaret Howie
Agreed

4. BUSINESS ARISING

4.1 SA / Regional Cooperation
   • Joint Meeting of the 22nd February
     o Highlights were from the substantial quality of speakers.
     o Peter Hunter to distribute the presentations he has on his computer to members who requested.
     o Lots of positive information coming out of the presentations rather than negative reflections on the MDB Plan.
     o The use of Slido was very beneficial.

   • Involved Regions 4, 5, 6 & 7 – National Speakers / Duplicated across Basin
     o Keen to be involved with Region 4 in further work
     o Region 6 recently appointed an employee to work 2 days per week.

   • Discussion
     o Continue to chase informative, high level speakers – perhaps even controversial ones.....

4.2 Other items not currently listed - to be dealt with in this agenda
   Nil

5. MDA Region 5 Update

5.1 Correspondence to Members – (since Meeting of 10th December, 2018):
   • 16th December - Minutes of Meeting held on 10th December
   • 17th December - Dates & Planning Update
   • 19th December - Socio Economic Assessments / Niall Blair & Basin Plan
   • 10th January - Menindee Fish Kills
   • 14th January - Review of Environmental Watering Priorities
   • 6th February - Connecting Catchments & Communities Session
   • 8th February - Proposed Motions for Councils to move in support of ongoing funding from Federal Government for MDA
   • 13th February - Menindee to the Mouth Connecting Communities (22/2)
   • 14th February - MDA Region 5 AGM Notification & Council Nominations
   • 18th February - Input to MDA re Buybacks – for Senate Committee
   • 21st February - Economic Activation Plans
   • 3rd March - Reminder re Region 5 AGM & Agenda Items

5.2 Region 5 Annual General Meeting
   • Chairperson’s report to AGM
   • Nominations Received:
     - Berri Barmera: Cr Kassebaum / Cr Fuller – Voting Delegate / Proxy
     - Loxton Waikerie: Cr Walker / Cr Webber – Voting Delegate / Proxy
     - Mid Murray: Cr Raison Cr Hassett /– Voting Delegate / Proxy
     - Karoonda East Murray: Cr tba / Cr tba / Voting Delegate / Proxy
     - Renmark Paringa: Cr Howie / Cr Maddocks- Voting Delegate / Proxy
     - Renmark Paringa as Chair – Nominates: Cr Peter Hunter & Secretarial – Ashleigh Baker
These have been forwarded to MDA CEO, Emma Bradbury, individual councils.

Nominations:

Moved: Cr Peter Raison
That the nominations submitted by member councils be ratified as representatives for Region 5 of the Murray Darling Association.
Seconded: Cr Margaret Howie
Agreed

Private Members Continuing:
- Ian Mann OAM

6. MDA CEO / NATIONAL AGM

6.2 MDA National Conference to be held in Toowoomba – 22 – 24\textsuperscript{th} October, 2019

6.2 Basin Communities Leadership Program
- Seeking funds
- Peter Hunter will forward information from today’s MDA Board Meeting once he has received.

6.3 Federal Funding for MDA Staffing / Activities / viability information shared

6.4 MDA Board Meeting in Moama
- Summary given circulated as a part of the agenda documents
- Very positive support from members who attended
- Councils forwarded letters to relevant ministers regarding adequate ongoing staffing funding

7. PLANNING & COORDINATION

7.1 Frequency / Location / Timing of Region 5 Meetings
- Future Meetings – **General Pattern to be second Monday of selected month**
  - Berri / Barmera – 25\textsuperscript{th} March, 2019 – Region 5 AGM – (Today)
  - Loxton / Waikerie – Monday 3 June, 2019 – R5 Discussions re Motions for National MDA AGM
  - Mid Murray – 9\textsuperscript{th} September - Morgan – September, 2019 – Discussion re voting on MDA National AGM / Motions
  - National AGM – Toowoomba – 22\textsuperscript{nd} to 24\textsuperscript{th} October, 2019
  - Karoonda East Murray – 9\textsuperscript{th} December, 2019 - tbc
  - Renmark Paringa – 16\textsuperscript{th} March, 2020 – Region 5 AGM

- Every second Monday of the month is preferred for meeting frequency, tying in with the above proposed dates.

- Topics / Guest Speakers:
  - CEO Phone Link for meetings where suitable
  - Guest Speakers – Topic/s:
    - 3\textsuperscript{rd} June:
      - Neil Martinson & MDBA Community Representative Committee
      - Panel including three industry specialists ie Steve Burdette, Chris Bryne….. to be invited to June Meeting.
      - Members to formulate questions prior.
Future Meeting Options:

- Meetings / links with Region 6
- Fisheries & PIRSA
- Carp Update/s
- Mike Young
- Jarrod Eaton & DEW
- MDBA Representative – Monique White – schedule
- CEWO – schedule

Future MDA Dates:

- Potential Canberra based AGM in 2020 – to be finalised.

Our Priorities - Agreed Actions for Region 5 in 2017 / 2018

- Reminder – Priorities to be revisited. Peter Hunter to re-distribute as a reminder for all members.

8. GENERAL BUSINESS

8.1 Communication – MDBA Newsletters / DEW Flow Reports… sharing of useful links

- Peter Hunter will continue to forward links on, members can choose to subscribe if they wish.

8.2 Tony Herbert – Acting Director, River Murray Operations, DEW

Outlook:

- Murray Darling Basin rainfall graph displayed
- River Murray System inflow
- Low levels of water in storage, below the long term average.
- 3 month outlook – low rainfall with high temperatures.
- SA receiving their full water entitlement at the moment, next year this will decrease.
- Environmental water delivery – steady increase over the years, however, this year is low and not at the rate and time preferred.
- Graphs displayed on how water has previously been delivered over the years.

Outcomes:

- Lakes and Coorong
- Winter pulse – fish migration and tracking.
- Spring flows – rise in water levels and wetlands.
- Summer flows – Black Bream ready to spawn, first time they have been able to breed in a number of years. Looking at implementing for this year as well.
- River channel – weir manipulation – Lock 5 and 2 raising approximately 50cm.
- Salinity benefits.

Operations and Delivery Planning

- Annual planning process
- Wetting and drying of local wetlands
- Pumping wetlands
- Weir pool raising

Current work and Investigations

- SARFIP – Pike and Katarapko – extensive floodplain inundation > 2,000ha.
- Controlled level, rate of change timing and duration
- Black water will be kept a close eyed on in addition to salinity levels.
- Katarapko creek to always have a flow.
• Work to be done
  o Initial testing of Pike and Katarapko in Spring 2020
  o Currently completing site operation plans and risk management.

9. NEXT MEETING

Date: Monday, 3 June 2019
Time: 9:30 for 10am
Location: Waikerie Council Chambers

Room Booking / Morning Tea / Set Up & Preparation Responsibilities:
• CR Walker & Webber

10. CLOSE 11.11am

The Murray Darling Association acknowledges and thanks
Berri / Barmera Council for hosting this meeting of Region 5
13.3 Berri Improvement Committee – Minutes from meeting held 4 April 2019

REPORT AUTHOR: EA
RESPONSIBLE MANAGER: ACEO
RECORDS REF: MEET-BERRI IMPROVE, N190401-845, I190326-480
STRATEGIC LINKS: Yes; Confident and Contributing Community; Objective 1
FINANCIAL IMPLICATIONS:
- Impact: No
- Budget Description: Parks and Gardens; Berri Beautification Projects
  - Allocation: $10,000
  - Expenditure to Date: $10,451

SUMMARY:
The minutes of the meeting of the Berri Improvement Committee held 4 April 2019.

REPORT:
Background:
N/A

Discussion:
The minutes of the meeting of the Berri Town Beautification Committee held 4 April 2019 are attached for information, to be received by Council. The Committee put forward several recommendations for Council decision.

The next meeting is scheduled for Thursday 6 June 2019.

A Committee Community Representative nomination form was received prior to the meeting from Mrs Di Sully and is therefore presented to Council for endorsement.

Conclusion:
N/A

RECOMMENDATION:
That Council:
1. having considered report 13.3 “Berri Improvement Committee – Minutes from meeting held 4 April 2019” as presented to the Ordinary Meeting of Council, receive and note the report.
2. receive the Minutes of the Berri Improvement Committee Meeting held on 4 April 2019.
3. adopt the following recommendations of the Committee:
   - Item 2 Nomination for Position of Chairperson:
     - MOTION (BIC01/19)
     Cr Trevor Scott was elected as Chairperson by the Committee unopposed. That the Committee recommend to Council that Cr Trevor Scott be appointed to the position of Chairperson
   - Item 3 Time/Place of Meetings
     - MOTION: (BIC02/19)
     That the Berri Improvement Committee meetings be held the first Thursday of each alternate month and are held at 6.00pm at Berri Council Chambers
   - Item 4 Confirmation of minutes
     - MOTION (BIC03/19)
     That the Minutes of the Berri Town Beautification Committee held on 13th September 2018 be taken as read and confirmed.
Item 10  Other Business:
MOTION (BIC04/19)
That the Berri Improvement Committee recommend to Council the colour
configurations for the seating be consistent with Barmera
4. confirms the external committee membership representative as nominated and as
presented within report 13.3.

ATTACHMENTS:  Yes
Attachment 1 – Berri Improvement
Committee Minutes – 4 April 2019
Attachment 2 – Community
Representative Nomination Form - Sully
the berri barmera council

minutes of a meeting of the berri improvement committee held
on thursday 4th april 2019 commencing at 6:00 p.m. at the berri barmera council
chambers, wilson street berri

1: present:
mayor peter hunt, cr rhonda centofanti, cr trevor scott, cr ella winnall, ms julie ahrens, mr david waterman and mrs dianne sully

officers: ms karyn burton (acting chief executive officer), mr ron millington (acting works coordinator), ms tracey alexander (administration officer)

apologies:
mr murray harvey, cr margaret evans oam, mrs jacque zagotsis (library technician and local history officer)

mayor peter hunt welcomed members and staff to the renamed committee, formerly berri town beautification committee, for the new 4 year term.

2: nomination for position of chairperson:

as per the committee’s terms of reference, the presiding member shall be elected by the committee but appointed by council.

mayor peter hunt called for nominations of presiding member. mr david waterman nominated cr trevor scott

no other nominations were received and therefore was elected unopposed or vote.

that the committee recommend to council that cr trevor scott be appointed to the position of chairperson.

cr trevor scott took the chair for the remainder of the meeting.

motion: (bic01/19)
that the committee nominates cr trevor scott as chairperson of the committee.

mr d waterman/cr r centofanti carried

3: time/place/day of meetings:

motion: (bic02/19)
that the berri improvement committee meetings be held the first thursday of each alternate month and are held at 6.00pm at berri council chambers

cr e winnall/mr d waterman carried

4: confirmation of minutes:

motion: (bic03/19)
that the minutes of the berri town beautification committee held on 13th september 2018 be taken as read and confirmed.

cr r centofanti/mr d waterman carried
MEMBERS DECLARATION OF INTEREST: Nil

CONFIDENTIAL ITEMS CONSIDERATION: Nil

DEPUTATION: Nil

QUESTIONS/MOTIONS WITH NOTICE: Nil

FORWARD PLANS FOR THE COMMITTEE:
9.1 Recruitment of Committee Members
9.2 Outstanding Actions from Berri Town Beautification Committee
9.3 Drought Communities Program

OTHER BUSINESS:
MOTION: (BIC04/19)
That the Berri Improvement Committee recommend to Council the colour configurations for the seating be consistent with Barmera

Cr R Centofanti/Mr D Waterman  Carried

CLOSURE: The meeting closed at 7.15pm

Confirmed:

DATE: , 2019

CHAIR: ........................................
SECTION 41 COMMITTEE NOMINATION FORM

Committee Community Representative

Complete this form to nominate to be a representative on one of Berri Barmera Council’s Section 41 Committees. If you require further room please staple additional pages to this form.

The form should be completed in full and returned attention to the Chief Executive Officer (Section 41 Committee Nomination):

- **By post:**
  Berri Barmera Council  
  PO Box 229  
  BERRI SA 5343

- **By email:**
  bbc@bbc.sa.gov.au

- **In person:**
  19 Wilson Street, Berri  
  Barmera Library, Barwell Avenue, Barmera

Nominations close at 5.00pm on Thursday, 10 January 2019.

For more information call 8582 1922.

Name: Diana Sully

Address: 3 Cause Drive  
Berri SA 5343

Phone: 08 85 821 964

Mobile: 0438 119 996

Email: rd.sully18@bigpond.com

I wish to nominate for: (Please tick relevant)

- Berri Improvement Committee
- Barmera Improvement Committee
- Environment and Sustainability Committee

Qualifications and Experience

- *Owned own business at the Riverland Plaza for 13 years*
- *Worked at the Riv Special School for 15 years*
- *Girl Guide District Leader for 15 years in Berri*
- *Worked for Community Living Australia supporting adults with a disability for 9 years*
- *Cert 3. In disability - Current*
- *Cert 4. In disability - Current*
Nomination Form: Committee Community Representative

Why would you like to be a member of this committee?

* I have a long-term interest in our community and this Region.
* Help our community to positively work together to make changes in our town.

Profile attached:

☐ Yes  ☐ No

Other comments:

* I have owned my own home in Berri for 28 years. I am a rate payer.
* Volunteer at Girl Guides.
* Volunteer at Berri Church of Christ.
* Support Riv. Special School.
* Have been the chairperson at the Berri Regional childcare centre.
* Chairperson at Berri Out and About School hours, care yrs ago.
* Member Berri Primary governing Council in the past.
* Support Glassport High School.
* Help Berri Netball in Past.
* Help Berri Scouts in Past.
* Support Berri Lions.

☐ I have read the Terms of Reference for the relevant committee(s) I have nominated for.

Signature: ____________________________

Date: __25__ / __3__ / __2019__

*Please note that all nominations will form a report to Council and be a public document.*
13.4 Audit Committee Meeting – Minutes from meeting held 27 March 2019

REPORT AUTHOR: EA
RESPONSIBLE MANAGER: ACEO
RECORDS REF:
STRATEGIC LINKS: Yes; Strong Internal Capability and Capacity; Objective 2
FINANCIAL IMPLICATIONS:
   Impact: No
   Budget Description: N/A
   Allocation: $N/A
   Expenditure to Date: $N/A

SUMMARY:
The minutes of the meeting of the Audit Committee held 27 March 2019.

REPORT:
Background:
N/A

Discussion:
The minutes of the meeting of the Audit Committee held 27 March 2019 are attached for information, to be received by Council. The Committee put forward several recommendations for Council decision, including the endorsement of various financial policies.

The next meeting is scheduled for 13 May 2019.

Conclusion:
N/A

RECOMMENDATION:
That Council:
1. having considered report 13.6 “Audit Committee Meeting – Minutes from meeting held 27 March 2019” as presented to the Ordinary Meeting of Council, receive and note the report.
2. receive the Minutes of the Audit Committee Meeting held on 27 March 2019.
3. adopt the following recommendations of the Committee:
   Item 6.1 Budget Review – 31 December 2018
   having reviewed the Budget Review as at 31 December 2018, concur with Council in adopting the recommended alterations as presented in the report.
   Item 6.2 Policy Review – Various
   having reviewed the financial management policies as presented, recommends the policies for adoption by Council, subject to minor amendments.

ATTACHMENTS:
   Yes
   Attachment 1 – Audit Committee Minutes – 27 March 2019
   Attachment 2 - Asset Management
   Attachment 3 - Business and Residential Development Support
   Attachment 4 - Credit Card Purchasing Policy and Procedures
   Attachment 5 - Debt Recovery
   Attachment 6 - Fees and Charges
Attachment 7 - Fines Rates Recovery
Attachment 8 - Fraud and Corruption Prevention
Attachment 9 - Full Cost Attribution
Attachment 10 - Procurement Policy and Procedures (statutory)
Attachment 11 - Rating Policy
Attachment 12 - Treasury Management
Attachment 12 - Valuation of Land Under Roads
Attachment 13 - Whistleblower Protection
1: **PRESENT:**
Mr Tim Muhlhausler (Presiding Member), Cr Mike Fuller, Cr Rhonda Centofanti, Cr Andrew Kassebaum, Mayor Peter Hunt (arrived 1:42pm), Acting Chief Executive Officer Karyn Burton, HR/Risk Manager Veronica Rothe and Executive Assistant Jesse Lang (minute taker)

2: **APOLOGIES:**

3: **CONFIRMATION OF MINUTES:** 12 October 2018

**MOTION:** (A01/19)
That the Minutes of the Audit Committee Meeting held on 12 October 2018 be taken as read and confirmed.

Crs Fuller/Kassebaum CARRIED

4: **QUESTIONS ON NOTICE:** Nil

5: **MOTIONS ON NOTICE/WITHOUT NOTICE:** Nil

6: **REPORTS:**

6.1 Budget Review – 31 December 2018

<table>
<thead>
<tr>
<th>REPORT AUTHOR:</th>
<th>ACEO</th>
</tr>
</thead>
<tbody>
<tr>
<td>RESPONSIBLE:</td>
<td>ACEO/MCS</td>
</tr>
<tr>
<td>RECORDS REF:</td>
<td>N/A</td>
</tr>
<tr>
<td>STRATEGIC LINKS:</td>
<td>Yes</td>
</tr>
<tr>
<td>FINANCIAL IMPLICATIONS:</td>
<td></td>
</tr>
<tr>
<td>Impact</td>
<td>No</td>
</tr>
<tr>
<td>Budget Description</td>
<td>N/A</td>
</tr>
<tr>
<td>Allocation</td>
<td>N/A</td>
</tr>
<tr>
<td>Expenditure to Date</td>
<td>N/A</td>
</tr>
</tbody>
</table>

**MOTION:** (A02/19)
That the Committee:
1. having considered Report 6.1 titled “Budget Review – 31 December 2018” as presented to the Audit Committee, receive and note the report.
2. having reviewed the Budget Review as at 31 December 2018, concur with Council in adopting the recommended alterations as presented in the report.

Crs Centofanti/Fuller CARRIED
6.2 Policy Review - Various

REPORT AUTHOR: ACEO
RESPONSIBLE: ACEO/MCS
RECORDS REF: N/A
STRATEGIC LINKS: Yes
FINANCIAL IMPLICATIONS:

<table>
<thead>
<tr>
<th>Impact</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Budget Description</td>
<td>N/A</td>
</tr>
<tr>
<td>Allocation</td>
<td>N/A</td>
</tr>
<tr>
<td>Expenditure to Date</td>
<td>N/A</td>
</tr>
</tbody>
</table>

MOTION: (A03/19)
That the Committee:
1. having considered Report 6.2 titled “Policy Review - Various” as presented to the Audit Committee, receive and note the report.
2. having reviewed the financial management policies as presented, recommends the policies for adoption by Council, subject to minor amendments.
   Crs Kassebaum/Centofanti CARRIED

6.3 External Interim Audit

REPORT AUTHOR: ACEO
RESPONSIBLE: ACEO/MCS
RECORDS REF: N/A
STRATEGIC LINKS: Yes
FINANCIAL IMPLICATIONS:

<table>
<thead>
<tr>
<th>Impact</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Budget Description</td>
<td>N/A</td>
</tr>
<tr>
<td>Allocation</td>
<td>N/A</td>
</tr>
<tr>
<td>Expenditure to Date</td>
<td>N/A</td>
</tr>
</tbody>
</table>

MOTION: (A04/19)
That the Committee having considered Report 6.3 titled “External Interim Audit” as presented to the Audit Committee, receive and note the report.
   Crs Kassebaum/Fuller CARRIED
6.4 Internal Financial Controls

REPORT AUTHOR: ACEO
RESPONSIBLE: ACEO/MCS
RECORDS REF: N/A
STRATEGIC LINKS: Yes
FINANCIAL IMPLICATIONS: Impact No
Budget Description N/A
Allocation N/A
Expenditure to Date N/A

MOTION: (A05/19)
That the Committee having considered Report 6.4 titled “Internal Financial Controls” as presented to the Audit Committee, receive and note the report.

Crs Centofanti/Kassebaum CARRIED

6.5 Audit Committee Work Program

REPORT AUTHOR: ACEO
RESPONSIBLE: ACEO/MCS
RECORDS REF: N/A
STRATEGIC LINKS: Yes
FINANCIAL IMPLICATIONS: Impact No
Budget Description N/A
Allocation N/A
Expenditure to Date N/A

MOTION: (A06/19)
That the Committee having considered Report 6.5 titled “Audit Committee Work Program” as presented to the Audit Committee, receive and note the report.

Crs Fuller/Kassebaum CARRIED

7: OTHER BUSINESS: Nil

8: CLOSE - The meeting closed at 2:14pm
Date of next meeting – 13th May 2019 at 2:00pm

Confirmed:

DATE: ..................................... CHAIRMAN: ........................................

MR TIM MUHLHAUSLER
1. Purpose
The purpose of this policy is to demonstrate Council’s commitment towards the management of community assets to provide the desired level of service in a structured, co-ordinated, cost effective and financially sustainable manner across the whole organisation for present and future generations.

2. Principles
The following key principles will define Council’s approach to asset management:

- Assets exist to support the delivery of services.
- Asset management decisions are integrated with Council’s Strategic Plan and other existing planning and operational processes.
- Asset planning decisions are based on an evaluation of alternatives which consider life cycles, costs, benefits and risks of ownership.
- Systematic and cyclic reviews will be applied to all classes of assets to ensure that they are managed, valued and depreciated in accordance with appropriate best practice and applicable Accounting Standards.
- Disposal decisions are based on analysis of the methods which achieve the best available net return (lowest whole of life cost).
- Asset renewal plans will undergo a separate annual approval process by Council, taking into account required service levels and the effectiveness of the current assets to provide that level of service.
- Council will maintain a Long Term Asset Management Plan to identify future asset management requirements within the context of a Long Term Financial framework.
3. **Financial Indicators**
The Local Government (Financial Management) Regulations 2011 require a Council to use three specific indicators within the Council’s long term financial plan, annual budget and mid year review of the annual budget. These indicators are:

- An operating surplus ratio;
- A net financial liabilities ratio; and
- An asset sustainability ratio.

The financial indicator applicable to this policy is the Asset Sustainability Ratio.

The Asset Sustainability Ratio indicates if Council is renewing or replacing existing non-financial assets at a level that is needed to cost-effectively maintain service levels. It is measured relative to the optimal level of that proposed by Council’s Infrastructure and Asset Management Plans.

Council’s target for this indicator is to maintain capital outlays on the renewal and replacement of assets at 100% of the level proposed in the Infrastructure and Asset Management Plans.

4. **Summary**
A strategic approach to asset management will ensure that Council delivers the highest appropriate level of service through its assets. This will provide positive impact on:

- Members of the public and staff;
- Council’s financial position;
- The ability of Council to deliver the expected level of service;
- The political environment in which Council operates; and
- The legal responsibilities of Council.

*Electronic version on the Intranet is the controlled version.*
*Printed copies are considered uncontrolled.*
*Before using a printed copy, verify that is the current version.*
Business and Residential Development Support Policy

Keywords: Business, support, assistance, new business, help

| Strategic Plan: | Goal 2 Diverse Economy |
| Classification: | Executive Services – Governance - Business Support Policy |
| First Issued/Approved: | Adopted C/M 24 January 2012 |
| Review Frequency: | Good Governance Practice: Annually |
| Last Reviewed: | January-February 2018 |
| Next Review Due: | January-February 2019 |
| Responsible Officer(s): | CEO |
| Council File Reference: | Policies 4.63.1; Delegations 12.9.1; |
| Applicable Legislation: | Local Government Act 1999 |
| Relevant Policies: | Rate Rebate Policy |
| Related Procedures: | N/A - Public consultation not required prior to adoption. |
| Delegations: | CEO |

Purpose
Council is called upon by businesses and potential businesses for support for their business venture/s. The Council has limited resources to support businesses in its area but is actively involved in strategies to expand and diversify the economic base of its area and the region.

In addition, there are a number of vacant allotments in the townships of Berri and Barmera of which Council wish to encourage development.

Principles
Business Support

1) Council will support potential new business development, which has the following characteristics:
   (a) The business development is new to the area or represents significant expansion of an existing business.
   (b) The business development will employ greater than 2 people,
   (c) It is not a transfer of ownership from an existing business, or a transfer of location within the area.

2) Council can support businesses in the following ways:
   (a) Short term rate rebates up to 50% over 2 years,
(b) Reduction of planning and/or building fees pursuant to Section 39(4)(c) of the Development Act 1993 whereby:

(4) A relevant authority may –

(c) to the extent that the fee is payable to that relevant authority waive payment of whole or part of the application fee, or refund an application fee (in whole or in part);

In such instances where part fees are considered appropriate, a 50% reduction of planning and/or building fees will apply. Prior to the authorisation of such reduction of fees the following matters will firstly be applied:

- all costs to Council relating to the assessment of the development application will be recovered;
- all other contributions made by Council to the applicant in relation to the development are added back to the proposed waived fee amount ensuring that an equitable application of this policy is applied across all development applications brought before Council under this policy.

(c) Lobbying and making representations to other levels of government with or on behalf of the business owners.

Residential Development Support

1) Council will support potential new residential development when a residential dwelling is proposed to be built on residential land vacant for a period of 2 years land within the townships of Berri and Barmera.

2) Council can support new residential development in the following ways:
- Place a freeze on Council rates to that of the minimum for 2 years;
- Reduction of planning and/or building fees

Decision Making

Where the total amount applied for is less than $1,000 then the Chief Executive Office, in consultation with the Mayor, will have delegated authority pursuant to Section 44 of the Local Government Act 1999. All other requests will be considered on a case by case basis by the full Council.

Electronic version on the Intranet is the controlled version. Printed copies are considered uncontrolled. Before using a printed copy, verify that it is the current version.
Credit Card Purchasing Policy and Procedures

Keywords: credit, card, purchases

<table>
<thead>
<tr>
<th>Corporate Plan:</th>
<th>Corporate Services: Financial Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>Classification:</td>
<td>Executive Services – Financial Management – “Credit Card Purchasing”</td>
</tr>
<tr>
<td>First Issued/Approved:</td>
<td>July 2010</td>
</tr>
<tr>
<td>Review Frequency:</td>
<td>Good Governance Practice: Annually</td>
</tr>
<tr>
<td>Last Reviewed:</td>
<td>March 2019, January 2018</td>
</tr>
<tr>
<td>Next Review Due:</td>
<td>January 2020</td>
</tr>
<tr>
<td>Responsible Officer(s):</td>
<td>Manager Corporate Services</td>
</tr>
<tr>
<td>Council File Reference:</td>
<td>7.1.2; 7.63.1</td>
</tr>
<tr>
<td>Applicable Legislation:</td>
<td>Local Government Act 1999 (Chapter 8)</td>
</tr>
<tr>
<td></td>
<td>Local Government Act 1999, Sections 44 and 137</td>
</tr>
<tr>
<td>Relevant Policies:</td>
<td>Fraud &amp; Corruption Prevention Policy, Internal Financial Control Policy, Procurement Policy</td>
</tr>
<tr>
<td>Related Procedures:</td>
<td>Credit Card Purchasing Procedures</td>
</tr>
<tr>
<td></td>
<td>Procurement Procedures</td>
</tr>
<tr>
<td></td>
<td>Berri Barmera Council Employee Induction Manual</td>
</tr>
<tr>
<td>Delegations:</td>
<td>refer list below – Cardholder Register</td>
</tr>
</tbody>
</table>

Purpose
The Berri Barmera Council will operate a corporate credit card system which permits an appropriate level of cards to be issued to operational staff throughout the organisation. The introduction of credit card purchasing is to augment, not replace, its existing procurement practices. Credit Card transactions are only to be performed where it is considered to be more cost effective than traditional methods. Credit card transactions are likely to be most cost effective for minor, frequent purchases or “one off” purchases or payments where time is of the essence and when obtaining ‘sale’ prices for goods and services. The number of cards will be reviewed regularly to ensure appropriateness of the limits of the cards, the purpose they were issued for and the purchases being made.

Principles
To define the guidelines for the use of a Corporate Credit Card issued to the Mayor and Council employees as listed in the Cardholder Register below.

FRAMEWORK FOR POLICY

Use of a Corporate Credit Card
A corporate credit card with delegated limits will only be issued with the approval of the Chief Executive Officer. Monthly credit limits and transaction limits will be set by the cardholder’s Manager and approved by the Chief Executive Officer.

A Cardholder can use their credit card only for official Council business and must not be used for personal use or gain.
A Cardholder can use the card to purchase goods and services directly, by mail, fax order or phone from suppliers.

A Cardholder can not use the card to obtain cash from a bank or eftpos facility. All transactions by the Cardholders are to be performed in accordance with the ANZ Bank Conditions of Use.

The accompanying Credit Card Purchasing Procedures must be referred to in conjunction with this policy to clearly define the use of a Council corporate credit card.

Misuse of Credit Cards
Examples where a credit card can be misused may include:

- A Cardholder is exceeding their credit or transaction limits,
- There is unauthorised use of the card,
- Where goods and/or services are purchased at prices that are disproportionate to their worth or generally considered excessive with reference to comparable prices for like goods and services
- Where the splitting of purchases occurs to circumvent card and/or purchasing limits.
- Where the use of Council credit card is used to acquire goods and/or services for personal use or personal gain.

Staff failing to use credit cards as per the conditions of use will have the cards withdrawn and will be subject to disciplinary action in accordance with the Berri Barmera Council Employee Induction Manual.

Cardholder Register
A card holder register providing details of current card holders, spend cap and transaction limits in accordance with delegated authority is maintained and held on Council file.

The Card holder register can be accessed on Council website at bbc@bbc.sa.gov.au.

The following are Credit Card Holders along with applicable credit spend caps and transaction limits:

<table>
<thead>
<tr>
<th>Cardholder</th>
<th>Spend Cap</th>
<th>Transaction Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor – Peter Hunt</td>
<td>$5,000</td>
<td>$5,000</td>
</tr>
<tr>
<td>CEO – David Beaton</td>
<td>$5,000</td>
<td>$5,000</td>
</tr>
<tr>
<td>Manager Corporate Services – Karyn Burton</td>
<td>$5,000</td>
<td>$5,000</td>
</tr>
<tr>
<td>Manager Infrastructure Services – Greg Perry</td>
<td>$5,000</td>
<td>$5,000</td>
</tr>
<tr>
<td>Manager Environmental Services and Major Projects – Myles Somers</td>
<td>$5,000</td>
<td>$5,000</td>
</tr>
<tr>
<td>Manager Community Development – Andrew Haigh</td>
<td>$5,000</td>
<td>$5,000</td>
</tr>
<tr>
<td>Manager Berri Library and Information Centre – Peter Ison</td>
<td>$5,000</td>
<td>$5,000</td>
</tr>
<tr>
<td>Team Leader Barmera Library – Peggy Germein</td>
<td>$2,000</td>
<td>$2,000</td>
</tr>
<tr>
<td>Community Services Coordinator – Ella Winnall</td>
<td>$5,000</td>
<td>$500</td>
</tr>
<tr>
<td>Works Co-Ordinator – David Otto De Grancy</td>
<td>$10,000</td>
<td>$5,000</td>
</tr>
<tr>
<td>HR/Risk Manager – Veronica Rothe</td>
<td>$2,000</td>
<td>$2,000</td>
</tr>
<tr>
<td>Team Leader Infrastructure – Albert White</td>
<td>$5,000</td>
<td>$5,000</td>
</tr>
<tr>
<td>Position</td>
<td>Name</td>
<td>Salary 1</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>---------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Administration Officer Infrastructure Services</td>
<td>Karina Davis</td>
<td>$5,000</td>
</tr>
<tr>
<td>Technical Officer</td>
<td>Kim Seekamp</td>
<td>$5,000</td>
</tr>
<tr>
<td>Supervisor</td>
<td>Paul Harrington</td>
<td>$6,000</td>
</tr>
<tr>
<td>Mechanic</td>
<td>Peter Peltz</td>
<td>$10,000</td>
</tr>
<tr>
<td>Supervisor</td>
<td>Ron Millington</td>
<td>$5,000</td>
</tr>
<tr>
<td>Team Leader Parks &amp; Gardens</td>
<td>Shane Yard</td>
<td>$5,000</td>
</tr>
<tr>
<td>Municipal Worker Parks &amp; Gardens</td>
<td>Angelos Koskinos</td>
<td>$5,000</td>
</tr>
<tr>
<td>Municipal Worker Parks &amp; Gardens</td>
<td>John Vaninetti</td>
<td>$5,000</td>
</tr>
<tr>
<td>Municipal Worker Construction</td>
<td>John Karner</td>
<td>$5,000</td>
</tr>
<tr>
<td>Municipal Worker Parks &amp; Gardens</td>
<td>Peter Koenig</td>
<td>$5,000</td>
</tr>
<tr>
<td>Municipal Worker Construction</td>
<td>David Pankhurst</td>
<td>$5,000</td>
</tr>
<tr>
<td>Municipal Worker Parks &amp; Gardens</td>
<td>Brian Danvers</td>
<td>$5,000</td>
</tr>
<tr>
<td>Municipal Worker Construction</td>
<td>Matthew Kennedy</td>
<td>$5,000</td>
</tr>
<tr>
<td>Municipal Worker Parks &amp; Gardens</td>
<td>Thomas Hayes</td>
<td>$5,000</td>
</tr>
<tr>
<td>Customer Service Team Leader</td>
<td>Stephen Spangler</td>
<td>$2,000</td>
</tr>
<tr>
<td>Executive Assistant</td>
<td>Jesse Lang</td>
<td>$5,000</td>
</tr>
<tr>
<td>Development Officer</td>
<td>Cheryle Pedler</td>
<td>$2,000</td>
</tr>
<tr>
<td>Environmental Health Officer</td>
<td>Rebecca Burton</td>
<td>$2,000</td>
</tr>
<tr>
<td>General Inspector</td>
<td>John Henwood</td>
<td>$2,000</td>
</tr>
<tr>
<td>General Inspector</td>
<td>Michael Murtagh</td>
<td>$2,000</td>
</tr>
</tbody>
</table>

*Electronic version on the Intranet is the controlled version. Printed copies are considered uncontrolled. Before using a printed copy, verify that is the current version.*
Credit Card Purchasing - Procedure

Keywords: credit, card, purchases

<table>
<thead>
<tr>
<th>Corporate Plan:</th>
<th>Corporate Services: Financial Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>Classification:</td>
<td>Executive Services – Financial Management – “Credit Card Purchasing”</td>
</tr>
<tr>
<td>First Issued/Approved:</td>
<td>July 2010</td>
</tr>
<tr>
<td>Review Frequency:</td>
<td>Good Governance Practice: Annually</td>
</tr>
<tr>
<td>Last Reviewed:</td>
<td>March 2019, January 2018</td>
</tr>
<tr>
<td>Next Review Due:</td>
<td>January 2020</td>
</tr>
<tr>
<td>Responsible Officer(s):</td>
<td>Manager Corporate Services</td>
</tr>
<tr>
<td>Council File Reference:</td>
<td>7.1.2; 7.63.1</td>
</tr>
<tr>
<td>Applicable Legislation:</td>
<td>Local Government Act 1999 (Chapter 8) Local Government Act 1999, Sections 44 and 137</td>
</tr>
<tr>
<td>Relevant Policies:</td>
<td>Fraud &amp; Corruption Prevention Policy, Internal Financial Control Policy, Procurement Policy</td>
</tr>
<tr>
<td>Related Procedures:</td>
<td>Procurement Procedures</td>
</tr>
<tr>
<td>Delegations:</td>
<td>Refer list Credit Card Purchasing Policy</td>
</tr>
</tbody>
</table>

Overview
The purpose of these procedures is to clarify the roles and responsibilities of staff and managers in relation to the use of Council corporate credit cards. These procedures are to be read in conjunction with the Credit Card Purchasing Policy.

Scope
To define the guidelines for the use of a Council Corporate Credit Card issued to the Mayor and Council employees.
PROCEDURES

Issuing of a Corporate Credit Card
Prior to a new cardholder being approved, justification for the credit card must be made in line with Council’s Procurement Policy and Procedures. As a general rule, credit cards will only be available for employees who have completed their probation period, however exceptions can be allowed at the discretion of the Chief Executive Officer.

Card availability and proposed spend cap and transaction limits are to be recommended by the proposed cardholder’s Manager and approved by the Chief Executive Officer.

Approval of a corporate credit card, the spend cap and transaction limit will be assessed on:
- Estimated frequency of use,
- Number of purchase transactions required by staff member,
- Delegation limits,
- Access to other purchasing methods,
- Benefits to Council attained by use of a credit card,
- Number of credit cards already held within the team
- Ability of proposed cardholder to undertake the cardholder responsibilities,
- ANZ banking conditions of use of corporate credit card facilities.

Use of a Corporate Credit Card
A cardholder can only use the credit card within the policy guidelines set by Council and as defined within the Credit Card Purchasing Policy. This means the use of a credit card must:
- Be for business purposes only and within a monthly credit limit and transaction limit as set by the Chief Executive Officer.
- Used to purchase goods and services directly, by mail, fax order, internet or phone from Council approved suppliers

Point of Sale Purchase
To enable a point of sale purchase the cardholder must:
- Attend in person in order to furnish PIN number.
- Produce the card to the supplier.
- Require the vendor to provide a tax receipt or wherever possible a tax invoice for the purchase and check the correct particulars are included on the receipt/invoice.
- Retain the copy of the tax invoice/sales voucher given by the supplier as proof of purchase and receipt of goods and/or services.

Remote Transactions
For transactions which are not made in person (e.g. Telephone, internet etc.) the cardholder must:
- Only purchase goods via this method from a reliable source.
- For telephone orders, record details of the transaction and request a tax invoice is supplied for reconciliation purposes.
- For internet orders, print a copy of the order confirmation and wherever possible obtain and print a tax invoice.
- Ensure details of purchase are correct when tax invoice is received.
Cardholder Responsibilities

The cardholder is responsible for:

- Signing the card on issue as well as signing the policy and procedures acknowledgment form at Appendix A of these procedures. Security of the card.
- Notifying the issuing bank immediately and the Manager Corporate Services if the card is misplaced or lost.
- Ensuring that the card is used for authorised council purchases only.
- Ensuring that the card is always used in accordance with Councils Procurement Policy, Credit Card Purchasing Policy and limits of authority.
- Ensuring that the tax invoice is retained for each purchase and that the purchases are adequately described.
- Ensuring variances and discrepancies are rectified with the supplier in the event the tax invoice is incorrect.
- Providing administration with all tax invoices/vouchers/receipts of purchases for reconciliation purposes.
- Providing administration with all costing details of purchases for input into accounting system.
- Where a tax invoice/voucher/receipt is either not provided or has been misplaced it is the cardholder's responsibility to source a copy from the supplier within 14 days of the purchase.
- Ensuring all tax invoices/vouchers/receipts and applicable costing details are provided to administration before the cardholder goes on leave or is absent for any length of time.
- Signing all tax invoices/vouchers/receipts to verify legitimacy of purchase.

Administration Responsibilities

Administration is responsible for:

- Regular review of the Credit Card Purchasing Policy and Procedures.
- Ensuring supporting tax invoices/vouchers/receipts and applicable costing details have been provided by cardholders.
- Posting credit card transactions into Council’s accounting system.
- Investigation of any transactions which are outside the cardholder’s authority.
- Liaison with the bank including managing new card applications, card cancellations, limit changes etc.
- Organise replacement of worn out, defective or expired cards.
- Management of changes to cardholder details.
- A monthly review process by the Manager of Corporate Services to ensure all responsibilities under the Credit Card Policy and Credit Card Procedures is being carried out appropriately and according to staff delegations.

Return of Card

A Cardholder must return their card to the Manager of Corporate Services as soon as the Cardholder:

- Resigns
- Retires
- Is transferred or promoted to another position which does not require the use of their card
- Is instructed to do so

The Manager of Corporate Services must cut any cards no longer required in half and return them to the bank for cancellation.

Disputed Transactions

A Cardholder must detail any disputed transaction in writing to the Manager Corporate Services to be
forw ard ed subsequently to ANZ Bank.

The Cardholder and the Manager Corporate Services must ensure that a refund is processed to the Cardholders account pending further investigation by the Bank.

**Issuing of New Cards**

Only the Chief Executive Officer can authorise the issue of a new card and the credit and transaction limits to be applied.

**Withdrawal of a Credit Card**

A credit card may be withdrawn if the cardholder has not complied with Council’s credit card purchasing policy. Any disciplinary action taken for individual cases will depend on the severity of the transgression, the staff member’s intent and any special circumstances.

Please refer to Credit Card Purchase Policy regarding examples of misuse of a Council corporate credit card.

Council reserves the right to withdraw the use of a credit card from an individual at any time.

_Electronic version on the Intranet is the controlled version._

_Printed copies are considered uncontrolled._

_Before using a printed copy, verify that is the current version._
APPENDIX A

(TO BE ON BERRI BARMERA COUNCIL LETTERHEAD)

I ________________________________ (Employee Name) have read, understand and accept the terms and conditions in the “Credit Card Purchasing Procedures” and the “Credit Card Purchasing Policy” documents I have received.

Signature _________________________________  Date      /        /

I ________________________________ (Employee Name) have read, understand and accept the terms and conditions in the “Credit Card Purchasing Procedures” and the “Credit Card Purchasing Policy” documents I have received.

Signature _________________________________  Date      /        /
Purpose
The Berri Barmera Council will operate a corporate credit card system which permits an appropriate level of cards to be issued to operational staff throughout the organisation. The introduction of credit card purchasing is to augment, not replace, its existing procurement practices. Credit Card transactions are only to be performed where it is considered to be more cost effective than traditional methods. Credit card transactions are likely to be most cost effective for minor, frequent purchases or “one off” purchases or payments where time is of the essence and when obtaining ‘sale’ prices for goods and services. The number of cards will be reviewed regularly to ensure appropriateness of the limits of the cards, the purpose they were issued for and the purchases being made.

Principles
To define the guidelines for the use of a Council Corporate Credit Card issued to the Mayor and Council employees as listed in the Cardholder Register below.

FRAMEWORK FOR POLICY

Use of a Corporate Credit Card
A corporate credit card with delegated limits will only be issued with the approval of the Chief Executive Officer. Monthly credit limits and transaction limits will be set by the cardholder’s Manager and approved by the Chief Executive Officer.

A Cardholder can use their credit card only for official Council business and must not be used for personal use or gain.
A Cardholder can use the card to purchase goods and services directly, by mail, fax order or phone from suppliers.

A Cardholder can not use the card to obtain cash from a bank or eftpos facility. All transactions by the Cardholders are to be performed in accordance with the ANZ Bank Conditions of Use.

*The accompanying Credit Card Purchasing Procedures must be referred to in conjunction with this policy to clearly define the use of a Council corporate credit card.*

**Misuse of Credit Cards**

Examples where a credit card can be misused may include:

- A Cardholder is exceeding their credit or transaction limits,
- There is unauthorised use of the card,
- Where goods and/or services are purchased at prices that are disproportionate to their worth or generally considered excessive with reference to comparable prices for like goods and services
- Where the splitting of purchases occurs to circumvent card and/or purchasing limits.
- Where the use of Council credit card is used to acquire goods and/or services for personal use or personal gain.

Staff failing to use credit cards as per the conditions of use will have the cards withdrawn and will be subject to disciplinary action in accordance with the Berri Barmera Council Employee Induction Manual

**Cardholder Register**

A card holder register providing details of current card holders, spend cap and transaction limits in accordance with delegated authority is maintained and held on Council file.

The Card holder register can be accessed on Council website at bbc@bbc.sa.gov.au.

*Electronic version on the Intranet is the controlled version.*
*Printed copies are considered uncontrolled.*
*Before using a printed copy, verify that is the current version.*
## Overview

The purpose of these procedures is to clarify the roles and responsibilities of staff and managers in relation to the use of Council corporate credit cards. These procedures are to be read in conjunction with the Credit Card Purchasing Policy.

## Scope

To define the guidelines for the use of a Council Corporate Credit Card issued to the Mayor and Council employees.

---

**Keywords:** credit, card, purchases

<table>
<thead>
<tr>
<th>Corporate Plan:</th>
<th><strong>Corporate Services:</strong> Financial Management</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Classification:</strong></td>
<td>Executive Services – Financial Management – “Credit Card Purchasing”</td>
</tr>
<tr>
<td><strong>First Issued/Approved:</strong></td>
<td>July 2010</td>
</tr>
<tr>
<td><strong>Review Frequency:</strong></td>
<td>Good Governance Practice: Annually</td>
</tr>
<tr>
<td><strong>Last Reviewed:</strong></td>
<td>March 2019</td>
</tr>
<tr>
<td><strong>Next Review Due:</strong></td>
<td>January 2020</td>
</tr>
<tr>
<td><strong>Responsible Officer(s):</strong></td>
<td>Manager Corporate Services</td>
</tr>
<tr>
<td><strong>Council File Reference:</strong></td>
<td>7.1.2; 7.63.1</td>
</tr>
<tr>
<td><strong>Applicable Legislation:</strong></td>
<td>Local Government Act 1999 (Chapter 8)</td>
</tr>
<tr>
<td></td>
<td>Local Government Act 1999, Sections 44 and 137</td>
</tr>
<tr>
<td><strong>Relevant Policies:</strong></td>
<td>Fraud &amp; Corruption Prevention Policy, Internal Financial Control Policy, Procurement Policy</td>
</tr>
<tr>
<td><strong>Related Procedures:</strong></td>
<td>Procurement Procedures</td>
</tr>
<tr>
<td><strong>Delegations:</strong></td>
<td>Refer list Credit Card Purchasing Policy</td>
</tr>
</tbody>
</table>
PROCEDURES

Issuing of a Corporate Credit Card
Prior to a new cardholder being approved, justification for the credit card must be made in line with Council’s Procurement Policy and Procedures. As a general rule, credit cards will only be available for employees who have completed their probation period, however exceptions can be allowed at the discretion of the Chief Executive Officer.

Card availability and proposed spend cap and transaction limits are to be recommended by the proposed cardholder’s Manager and approved by the Chief Executive Officer.

Approval of a corporate credit card, the spend cap and transaction limit will be assessed on:
- Estimated frequency of use,
- Number of purchase transactions required by staff member,
- Delegation limits,
- Access to other purchasing methods,
- Benefits to Council attained by use of a credit card,
- Number of credit cards already held within the team
- Ability of proposed cardholder to undertake the cardholder responsibilities,
- ANZ banking conditions of use of corporate credit card facilities.

Use of a Corporate Credit Card
A cardholder can only use the credit card within the policy guidelines set by Council and as defined within the Credit Card Purchasing Policy. This means the use of a credit card must:
- Be for business purposes only and within a monthly credit limit and transaction limit as set by the Chief Executive Officer.
- Used to purchase goods and services directly, by mail, fax order, internet or phone from Council approved suppliers

Point of Sale Purchase
To enable a point of sale purchase the cardholder must:
- Attend in person in order to furnish PIN number.
- Produce the card to the supplier.
- Require the vendor to provide a tax receipt or wherever possible a tax invoice for the purchase and check the correct particulars are included on the receipt/invoice.
- Retain the copy of the tax invoice/sales voucher given by the supplier as proof of purchase and receipt of goods and/or services.

Remote Transactions
For transactions which are not made in person (e.g. Telephone, internet etc.) the cardholder must:
- Only purchase goods via this method from a reliable source.
- For telephone orders, record details of the transaction and request a tax invoice is supplied for reconciliation purposes.
- For internet orders, print a copy of the order confirmation and wherever possible obtain and print a tax invoice.
- Ensure details of purchase are correct when tax invoice is received.
Cardholder Responsibilities

The cardholder is responsible for:

- Signing the card on issue as well as signing the policy and procedures acknowledgment form at Appendix A of these procedures. Security of the card.
- Notifying the issuing bank immediately and the Manager Corporate Services if the card is misplaced or lost.
- Ensuring that the card is used for authorised council purchases only.
- Ensuring that the card is always used in accordance with Councils Procurement Policy, Credit Card Purchasing Policy and limits of authority.
- Ensuring that the tax invoice is retained for each purchase and that the purchases are adequately described.
- Ensuring variances and discrepancies are rectified with the supplier in the event the tax invoice is incorrect.
- Providing administration with all tax invoices/vouchers/receipts of purchases for reconciliation purposes.
- Providing administration with all costing details of purchases for input into accounting system.
- Where a tax invoice/voucher/receipt is either not provided or has been misplaced it is the cardholder's responsibility to source a copy from the supplier within 14 days of the purchase.
- Ensuring all tax invoices/vouchers/receipts and applicable costing details are provided to administration before the cardholder goes on leave or is absent for any length of time.
- Signing all tax invoices/vouchers/receipts to verify legitimacy of purchase.

Administration Responsibilities

Administration is responsible for:

- Regular review of the Credit Card Purchasing Policy and Procedures.
- Ensuring supporting tax invoices/vouchers/receipts and applicable costing details have been provided by cardholders.
- Posting credit card transactions into Council’s accounting system.
- Investigation of any transactions which are outside the cardholder's authority.
- Liaison with the bank including managing new card applications, card cancellations, limit changes etc.
- Organise replacement of worn out, defective or expired cards.
- Management of changes to cardholder details.
- A monthly review process by the Manager of Corporate Services to ensure all responsibilities under the Credit Card Policy and Credit Card Procedures is being carried out appropriately and according to staff delegations.

Return of Card

A Cardholder must return their card to the Manager of Corporate Services as soon as the Cardholder:

- Resigns
- Retires
- Is transferred or promoted to another position which does not require the use of their card
- Is instructed to do so

The Manager of Corporate Services must cut any cards no longer required in half and return them to the bank for cancellation.

Disputed Transactions

A Cardholder must detail any disputed transaction in writing to the Manager Corporate Services to be
forwarded subsequently to ANZ Bank.

The Cardholder and the Manager Corporate Services must ensure that a refund is processed to the Cardholders account pending further investigation by the Bank.

**Issuing of New Cards**
Only the Chief Executive Officer can authorise the issue of a new card and the credit and transaction limits to be applied.

**Withdrawal of a Credit Card**
A credit card may be withdrawn if the cardholder has not complied with Council’s credit card purchasing policy. Any disciplinary action taken for individual cases will depend on the severity of the transgression, the staff member’s intent and any special circumstances.

Please refer to Credit Card Purchase Policy regarding examples of misuse of a Council corporate credit card.

Council reserves the right to withdraw the use of a credit card from an individual at any time.

*Electronic version on the Intranet is the controlled version.*
*Printed copies are considered uncontrolled.*
*Before using a printed copy, verify that is the current version.*
I ________________________________ (Employee Name) have read, understand and accept the terms and conditions in the “Credit Card Purchasing Procedures” and the “Credit Card Purchasing Policy” documents I have received.

Signature _________________________________  Date / /
1. Purpose
The purpose of this policy is to outline the process for efficient and effective collection of outstanding debts. Debts within the scope of this policy do not apply to the collection of rate related debts but extend to specific user pay services such as licences and leases on sporting clubs and commercial properties, hall hire fees, food inspections etc. Refer to Fines/Rates Recovery Policy for debt collection of rate related debts.

2. Principles
This policy has been formulated under the following principles:

- Council recognises it has a responsibility to recover monies owing to it in a timely, efficient and effective manner to finance its operations and ensure effective cash flow management;
- Council will treat all people fairly and consistently under this policy;
- Council will consider all matters under this policy confidentially; and
- Council will recognise genuine financial hardship and treat people with respect and compassion in considering their circumstances.
3. Policy Statement

3.1 Initial Recovery Action

Where invoices are outstanding for thirty (30) days or more after the date of the invoice –

- A copy of the invoice or statement is to be sent by way of a reminder.
- If the debt remains outstanding after a further seven days (and no arrangement has been made for payment) a Letter of Demand requesting immediate payment or arrangement for payment will be forwarded. This letter will warn of the likelihood of legal action and additional costs should payment or arrangement not be made.
- If the debt remains outstanding after a further seven days, a telephone call to the debtor should follow (where possible). This action will guide on the appropriate action which may include the withdrawal of the service and or referral to Council’s Debt Collection Agency.

3.2 Arrangements to Repay Sundry Debtor Accounts

Council acknowledges the voluntary nature of many of the organisations it works with and recognises the difficulties they may experience as a result of the environment they operate in. Council is also aware that personal circumstances can change. In its dealings for recovery of monies owed, Council recognises it must be flexible, fair, reasonable and considerate.

A debtor may enter into a weekly, fortnightly or monthly arrangement to repay accounts with Council or Council’s debt collection agency provided the arrangement will have the account paid in full within twelve months.

Debtors are to be advised at the time of making a repayment arrangement that if an arrangement is dishonoured, recovery action will recommence without further notice. Where an arrangement has been dishonoured, a new arrangement cannot be accepted until a payment satisfactory to Council is received to show good faith.

3.3 Delegated Authority

The Chief Executive Officer has delegated authority to write off debts of up to and including an amount of $5,000 in respect of any one debt provided that:

- The Council has no reasonable prospect of recovering the debt; or
- The costs of recovery are likely to equal or exceed the amount to be recovered; and
- Reasonable attempts have been made to recover the debt.

Bad debts of an amount greater than $5,000 can only be written off by Council resolution.

Electronic version on the Intranet is the controlled version. Printed copies are considered uncontrolled. Before using a printed copy, verify that is the current version.
Keywords: Fee/s Cost

<table>
<thead>
<tr>
<th>Corporate Plan:</th>
<th>Corporate Services: Financial Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>Classification:</td>
<td>Executive &amp; Corporate Services – Financial Management – &quot;Fees and Charges Policy and Schedule&quot;</td>
</tr>
<tr>
<td>First Issued/Approved:</td>
<td>July 2010</td>
</tr>
<tr>
<td>Review Frequency:</td>
<td>Good Governance Practice: Annually</td>
</tr>
<tr>
<td>Last Reviewed:</td>
<td>Policy: March 2019January 2018</td>
</tr>
<tr>
<td></td>
<td>Schedule: Updated /Effective 1 July 2017</td>
</tr>
<tr>
<td>Next Review Due:</td>
<td>Policy: January 2020January 2019;</td>
</tr>
<tr>
<td></td>
<td>Schedule 1 July 20192018</td>
</tr>
<tr>
<td>Responsible Officer(s):</td>
<td>Manager Corporate Services</td>
</tr>
<tr>
<td>Council File Reference:</td>
<td>7.1.1; 7.1.3; 7.63.1</td>
</tr>
<tr>
<td>Applicable Legislation:</td>
<td>Section 145 Local Government Act 1999 (Sect. 188(6); S188</td>
</tr>
<tr>
<td>Relevant Policies:</td>
<td>Rates Policy</td>
</tr>
<tr>
<td>Related Procedures:</td>
<td>This policy is not subject to Public Consultation</td>
</tr>
<tr>
<td>Delegations:</td>
<td>As per Delegation Register</td>
</tr>
</tbody>
</table>

Purpose / Principles

The Local Government Act 1999 empowers a Council to impose fees and charges for various services that it provides, either as part of its statutory functions or on request.

Fees and charges other than those prescribed by any Act or Regulation in respect of a particular matter, may be fixed, varied or revoked by by-law or by resolution of Council.

(Section 44(1) of the Local Government Act 1999 permits a Council to delegate some of these powers to a Committee or officers but at this stage Council has not taken up this prerogative to any significant degree).

Section 188(6) of the Act provides for the Council to keep a list of fees and charges imposed under this Section on public display at the principal office of the Council. This document is the record of fees and charges for the Berri Barmera Council. Further, a list of fees and charges is available on Council’s website at http://www.berribarmera.sa.gov.au.

As per the Goods and Services Tax Act 1999, GST at the rate determined by the Act will be charged on all fees and charges, except those given exemption under the Act.
The fees and charges register will identify all those charges that attract a Goods and Services Tax. All prices will be inclusive of a 10% GST where applicable. Bond monies will not attract GST unless those monies are not refunded due to breaches in relation to conditions of hire.

The Chief Executive Officer and/or Property Officer have the right to vary the bond depending on function.

Additional cleaning or damages will be deducted from the bond. Charges for cleaning will be in accordance with Council’s current cleaning contract.

Additional fees will also be charged for attendance if the building is left unsecured and/or if a security call-out is registered.

Bond includes $50.00 key deposit, and is returned to customer upon return of key (unless cleaning and/or damages equals or is greater than the total bond paid)

Security is at the discretion of the Chief Executive Officer and/or Property Officer and is the responsibility of the hirer.
Fines/Rates Recovery Policy

Keywords: Rates, Debtors, Fines, Recovery

| Corporate Plan: | Corporate Services; Our Community/Social; Our Economy; Our Environment |
| Classification: | Corporate and Community Services – Fines/Rates Recovery Policy |
| First Issued/Approved: | July 2010 |
| Review Frequency: | LGA requirement - Annually |
| Last Reviewed: | March 2019 January 2018 |
| Next Review Due: | January 2020 |
| Responsible Officer(s): | Rates Officer, Manager Corporate Services |
| Council File Reference: | 9.63.1 |
| Relevant Policies: | Rate Policy; Rate Capping Policy; Rate Rebate Policy; Rate Remission Policy; Debt Recovery; |
| Related Procedures: | Subject to Annual Business Plan provisions/adoption – including Public Consultation – Section 151 |
| Delegations: | Berri Barmera Council Delegations Register |

Purpose
This document sets out the Policy of the Berri Barmera Council for the process involved in running of fines and/or interest and the collection of outstanding Rates from its community.

The Policy Covers:
- Payment Arrangements
- Fines
- Fines – Write-Off
- Issuing of Final Notices
- Debt Collection
- Sale of Land for Non-Payment of Rates

Principles
This Policy has been developed in accordance with the Local Government Act 1999, Chapter 10, Part 1, Division 9, and sets out the principals of the Berri Barmera Council to ensure consistency in the process of running fines and/or interest and the recovery of outstanding Rates.
FRAMEWORK FOR POLICY

Internal Review of Council Decisions Framework
The Berri Barmera Council is committed to transparent decision making processes and to providing access to a fair and objective procedure for the hearing or review of decisions.

Payment Arrangements
Applications can be made to the Berri Barmera Council under Sec 181 (15) of the Local Govt Act 1999 to pay rates other than the four standard instalments. Applications may be approved on the condition that fines, costs and other charges applicable under the Local Govt Act 1999 are also paid.

Any application made under this section must be of a reasonable amount as to ensure full payment of the outstanding amount by 30th June of that year or at the discretion of the Rates Officer taking the amount and time of year into account.

Fines
Fines and/or interest will be processed in accordance with the Section 181 (8) of the Local Govt Act 1999;

(8) If an instalment of rates is not paid on or before the date on which it falls due-
(a) the instalment will be regarded as being in arrears; and
(b) a fine of 2 per cent of the amount of the instalment is payable; and
(c) on the expiration of each full month from that date, interest at the prescribed percentage of the amount in arrears (including the amount of any previous unpaid fine and including interest from any previous month) accrues.

(8a) Subsection (8) does not apply with respect to the postponement of the payment of rates under another section of the Act (while the postponement is occurring in accordance with the relevant section).

All fines/interest will be processed after giving five (5) working days grace from the due date that the instalment falls due.

Fines – Write-Off
The Berri Barmera Council may write off fines and/or interest levied on Rates as per the Sec 181 (9) of the Local Govt Act 1999:

(9) A council may remit any amount payable under subsection (8) in whole or in part.

Applications can be made under the above Act to the Berri Barmera Council under the following circumstances only:

- Where the applicant can demonstrate that the rate notice was forwarded to the wrong address, the error being with the Berri Barmera Council.
- Where the applicant can demonstrate that special legal action prevented the rates from being paid by the due date.
- Where Council is of the opinion that such a write-off is appropriate using the following guidelines.
  1. Commencing 1 month after the relevant due date for payment of rates, or the final instalment if appropriate, and monthly thereafter, any account in the rates area with a total debt of less than $1.00, is to be written-off.
2. Where the outstanding amount comprises only of fines, in the instance of a property settlement, the amount is to be written-off to clear the debt. This only applies to the amount being less than $20.00. If the amount exceeds $20.00 then the debt is to remain on the books for reimbursement to be sought from the Land Broker/Solicitor handling the transfer.

3. Where the Council has made a decision pursuant to Section 182 of the Local Govt Act 1999.

Issuing of Final Notices

The Berri Barmera Council may issue final notices to all ratepayers with an outstanding rate amount after each quarter has fallen due and the quarter remains unpaid.

The exception to the above being that no final notice may be issued to any property that is already in the process of legal action or has rates that have been postponed or deferred under the relevant acts or if the property has a payment arrangement in place that is still current.

Fourteen (14) working days shall be given for ratepayers with outstanding amounts to respond to a final notice.

Debt Collection

If no response or no payment or no payment arrangement has been received or made to any final notice that has been issued then those outstanding accounts will then be collated and forwarded on to the Berri Barmera Council’s designated Debt Collection Agency.

As per the Local Govt Act 1999 all charges associated with the recovery of outstanding rates will become a charge upon the property and is recoverable as a part of those rates.

Sale of Land For Non-Payment of Rates

Where rates have remained unpaid for a period of three (3) years or more the Berri Barmera Council will invoke the powers under Chapter 10, Part 1, Division 9, Section 184 of the Local Government Act and commence action of the sale of the property. A full report is to be presented to Council documenting the processes taken prior to invoking the powers under Chapter 10 in order to fully apprise the Council and to mitigate any adverse community publicity that may ensue.

This process shall be instigated only after all reasonable attempts have been made with the ratepayer concerned.

All charges associated with the recovery of outstanding rates will become a charge upon the property and is recoverable as part of those rates.

The steps in this process will be fully documented to satisfy any ombudsman enquiry.

For Further Information

For further information about the procedure and options available in relation to the above policy, please contact the Rates Officer, Berri Barmera Council, PO Box 229, Berri 5343, Telephone 8582 1922, facsimile 8582 3029, or email: bbc@bbc.sa.gov.au

Electronic version on the Intranet is the controlled version.
Printed copies are considered uncontrolled.
Before using a printed copy, verify that is the current version.
1. **Purpose**

1.1 The Berri Barmera Council ("the Council") is committed to acting in the best interest of the community and to upholding the principles of honesty, integrity and transparency, which are all key components of good governance.

1.2 The Council recognises that Fraud and Corruption in Public Administration have the potential to cause significant financial and non-financial harm and, therefore, the prevention and control of Fraud and Corruption should feature predominantly within the systems and procedures of a responsible Council.

2. **Policy Statement**

2.1 This Policy is designed to protect public funds and assets and the integrity, security and reputation of the Council.

2.2 This Policy outlines the Council's approach to the prevention or minimisation, identification and control of fraudulent and/or corrupt activity and, summarises the associated responsibilities of Council Members and Council Employees.

2.3 The Council will not tolerate fraudulent or corrupt activity and is committed to its control and prevention by:
• Complying with the requirements of the Independent Commissioner Against Corruption Act 2012 (ICAC Act);
• establishing and maintaining an effective system of internal controls and enforcing compliance with those controls;
• regularly undertaking risk assessments to identify circumstances in which Fraud and Corruption could potentially occur;
• implementing Fraud and Corruption prevention and mitigation strategies in its day to day operations;
• taking appropriate action in response to allegations of fraudulent and/or corrupt activity including, reporting allegations in accordance with the ICAC Act and the reporting system established by the Independent Commissioner Against Corruption (ICAC) under section 20 of the ICAC Act and where allegations are substantiated, in addition to applicable criminal sanctions, may take disciplinary action in accordance with the Codes of Conduct for Council Members and Council Employees or, if relevant, a Council Employee’s contract of employment with the Council;
• ensuring all Council Employees and Council Members are aware of their obligations in regards to the prevention of Fraud and Corruption within the Council and the inclusion of preliminary education in any induction process;
• active participation in education and evaluation of practices relevant to Fraud and Corruption;
• fostering an ethical environment in which dishonest and fraudulent behaviour is actively discouraged; and
• generating community awareness of the Council's commitment to the prevention of Fraud and Corruption.

3. Scope

3.1 This Policy is intended to complement and be implemented in conjunction with other Council policies, including:
• Whistleblower Protection Policy;
• Risk Management and Internal Control Procedures;
• Code of Conduct for Council Employees;
• Code of Conduct for Council Members;
• Council Members Allowances and Benefits Policy; and

3.2 This Policy applies to all disclosures that relate to the actual or suspected occurrence of Fraud and/or Corruption within the Council.

4. Definitions

For the purposes of this Policy the following definitions apply:

4.1 Corruption in public administration means:
a) an offence against Part 7 Division 4 (Offences relating to public officers) of the
Criminal Law Consolidation Act 1935, which includes the following offences:

(i) bribery or Corruption of public officers;

(ii) threats or reprisals against public officers;

(iii) abuse of public office;

(iv) demanding or requiring benefit on basis of public office;

(v) offences relating to appointment to public office.

b) any other offence (including an offence against Part 5 (Offences of dishonesty) of
the Criminal Law Consolidation Act 1935) committed by a public officer while
acting in his or her capacity as a public officer or by a former public officer and
related to his or her former capacity as a public officer, or by a person before
becoming a public officer and related to his or her capacity as a public officer, or
an attempt to commit such an offence (see Appendix 1 for examples of offences
and Development Act 1993); or

c) any of the following in relation to an offence referred to in a preceding paragraph:
   (i) aiding, abetting, counselling or procuring the commission of the offence;
   (ii) inducing, whether by threats or promises or otherwise, the commission of
      the offence;
   (iii) being in any way, directly or indirectly, knowingly concerned in, or party to,
      the commission of the offence;
   (iv) conspiring with others to effect the commission of the offence.

4.2 Directions and Guidelines is a reference to the Directions and Guidelines issued
pursuant to section 20 of the ICAC Act, which are available on the Commissioner’s

4.3 An Employee is any person who is employed by the Council, but also includes any
contractors, volunteers and consultants undertaking work for, or on behalf of the
Council.

4.4 A False Disclosure is a disclosure of information relating to Fraud or Corruption that is
made by a person who knows the information to be false or, who is reckless as to
whether it is false.

4.5 Fraud is an intentional dishonest act or omission done with the purpose of deceiving.

Note: unlike ‘Corruption’ there is no statutory definition of ‘Fraud’. Fraud is a style of
offending. The offences addressed under Part 5 and Part 6 of the Criminal Law
Consolidation Act 1935 are considered to constitute Fraud offences.
4.6 **Independent Commissioner Against Corruption (Commissioner)** means the person holding or acting in the office of the Independent Commissioner Against Corruption.

4.7 **Manager** means any Employee of the Council who is responsible for the direct supervision of other Employees, and/or, for the management of a Council Department.

4.8 **Office for Public Integrity (OPI)** is the office established under the ICAC Act that has the function to:

(a) receive and assess complaints about public administration from members of the public;

(b) receive and assess reports about Corruption, misconduct and maladministration in public administration from the Ombudsman, the Council and public officers;

(c) make recommendations as to whether and by whom complaints and reports should be investigated;

(d) perform other functions assigned to the Office by the Commissioner.

4.9 **Public administration** defined at section 4 of the ICAC Act 2012 means without limiting the acts that may comprise public administration, an administrative act within the meaning of the Ombudsman Act 1972 will be taken to be carried out in the course of public administration.

4.10 **Public Officer** defined under the ICAC Act 2012 includes:

- a Council Member; and
- an Employee or Officer of the Council.

4.11 A **Responsible Officer** is a person (or persons) appointed by the Council pursuant to section 302B of the Local Government Act 1999 who is (are) authorised to receive and act upon disclosures of public interest information reported to him/her under the Whistleblowers Protection Act 1993

5. **Prevention**

5.1 The Council recognises that:

- the occurrence of Fraud and Corruption will prevail in an administrative environment where opportunities exist for waste, abuse and maladministration; and
- the most effective way to prevent the occurrence of Fraud and Corruption is to promote an ethical environment in which internal control mechanisms have been implemented.

5.2 In general, the Council expects that Public Officers will assist in preventing Fraud and Corruption within the Council by:
understanding the responsibilities of their position;
- familiarising themselves with the Council's policies and procedures and adhering to them;
- understanding what behaviour constitutes fraudulent and/or corrupt conduct;
- maintaining an awareness of the strategies that have been implemented by the Council to minimise Fraud and Corruption;
- being continuously vigilant to the potential for Fraud and/or Corruption to occur; and
- reporting suspected or actual occurrences of Fraud or Corruption in accordance with Part 7 of this Policy.

5.3 Specific Responsibilities
5.3.1 Collectively, as the decision making body of the Council, **Council Members** are responsible for ensuring that the **Council**:

- promotes community awareness of the Council's commitment to the prevention of Fraud and Corruption;
- provides adequate security for the prevention of Fraud and Corruption. This includes the provision of secure facilities for storage of assets, and procedures to deter fraudulent or corrupt activity from occurring;
- provides mechanisms for receiving allegations of Fraud or Corruption, including by ensuring a Responsible Officer is appointed;
- ensures that, where appropriate, proper investigations are conducted into allegations that involve Fraud or Corruption;
- makes reports in accordance with Part 7 of this Policy and facilitates cooperation with any investigation undertaken by an external authority (such as SAPOL or the Commissioner);
- ensures that all Employees are aware of their responsibilities in relation to fraud and corruption through the provision of appropriate and regular training;
- promotes a culture and environment in which Fraud and Corruption is actively discouraged and is readily reported should it occur; and
- undertakes a Fraud and Corruption risk assessment on a regular basis.

5.3.2 **Managers** are responsible for:

- the conduct of any Employees whom they supervise and, will be held accountable for such;
- any property under their control and, will be held accountable for such;
- reporting in accordance with Part 7 of this Policy; creating an environment in which Fraud and Corruption is discouraged and readily reported by Employees. Such an environment shall be fostered by the Manager's own attitude to Fraud and Corruption and, by the accountability and integrity they both display and encourage from other Employees;
ensuring that new Employees for whom they are responsible are aware of their responsibilities in relation to Fraud and Corruption and, of the standard of conduct expected from all Employees as outlined in the Code of Conduct for Council Employees and this Policy;

- identifying potential Fraud and Corruption risks; and

- leading by example to promote ethical behaviour.

5.3.3 Employees are responsible for:

- performing their functions and duties with care, diligence, honesty and integrity;

- conducting themselves in a professional manner at all times;

- adhering to these guidelines and other Council procedures that have been established to prevent Fraud or Corruption;

- taking care for Council's property which includes avoiding the waste or misuse of the Council's resources;

- maintaining and enhancing the reputation of the Council;

- remaining scrupulous in their use of the Council's information, assets, funds, property, goods or services; and

- reporting in accordance with Part 7 of this Policy.

6. Fraud and Corruption Risk Assessment Process

6.1 The Council's main objective in the prevention and control of Fraud and Corruption is to minimise the occurrence of Fraud and Corruption within the Council. This objective is generally achieved by:

- identifying Fraud and Corruption Risks;

- determining strategies to control those risks; and

- defining responsibility for and, the time frame within which the strategies will be implemented.

6.2 Managers must be alert to the potential of Fraud and Corruption to occur and remain weary of factors which may leave the Council vulnerable to Fraud and Corruption, including:

- changes to Council delegations;

- implementation of cost cutting measures;

- contracting out and outsourcing;

- the impact of new technology; and

- changes to risk management practices.
7. Reporting Fraud and Corruption

Report Corruption in Public Administration to the OPI
Reports by Employees or Council Members to the OPI

7.1 Any Employee or Council Member who has or acquires knowledge of actual or suspected Corruption in public administration must report this information to the OPI as soon as practicable.

7.2 Where an Employee or Council Member suspects Corruption in public administration, that suspicion must be reasonably held. Section 6 of the Directions and Guidelines address what is required to form a reasonable suspicion. In this regard it is to be noted that suspicion is a state of mind that is distinct from a belief. It is not necessary for the Employee or Council Member to believe the relevant conduct amounts to Corruption in public administration. All that is required to make a report to the OPI is a reasonable suspicion based upon a proper consideration of the available facts (i.e. there must be a factual basis for the suspicion).

7.3 Reports to the OPI by an Employee or Council Member must be made in accordance with the reporting obligations contained in section 11 of the Directions and Guidelines. In particular, the following information must be included in the report:

7.3.1 the Employee or Council Member identity; and
7.3.2 the identity of the Council;
7.3.3 the Employee’s or Council Member’s Council address, telephone number and email.

7.4 In addition, the report must:

7.4.1 identify the matter by reference to the conduct that the Employee or Council Member suspects is Corruption in public administration; and
7.4.2 expressly identify that the Employee or Council Member suspects the conduct to be Corruption; and
7.4.3 identify any public officer or other person suspected of having engaged in the conduct; and
7.4.4 be accompanied by:

7.4.4.1 a statement as to how the Employee or Council Member became aware of the conduct; and
7.4.4.2 the evidence known to the Employee or Council Member including any documentation relevant to the conduct; and
7.4.4.3 a list of those persons who the Employee or Council Member believes can give evidence relevant to the conduct.

7.5 A report to the OPI by an Employee or Council Member must be made on the online report form available at www.icac.sa.gov.au.
Where the Employee’s or Council Member’s knowledge of Corruption has arisen due to a complaint/report he/she has received from another person (the informant), the Employee or Council Member should not include the informant’s details in the report to the OPI if:

7.6.1 the report/complaint was made under the Whistleblowers Protection Act 1993; and

7.6.2 the informant has not consented to the informant’s identity being divulged; and

7.6.3 it is not necessary to divulge the identity of the informant to ensure that the matters to which the report to the OPI relates are properly investigated.

Nothing in this section is intended to prevent an Employee or Council Member from reporting Corruption in public administration internally to a Responsible Officer in accordance with the Council’s Whistleblowers Protection Policy. Where an internal report relating to Corruption in public administration is received by another under the Whistleblowers Protection Policy the Responsible Officer must report the matter to the OPI in accordance with this Policy.

Reports by the Council to the OPI

7.8 Where the Council (i.e. Council Members collectively) has or acquires knowledge of actual or suspected Corruption in public administration it must report this information to the OPI as soon as practicable after the Council becomes aware of the matter. The Chief Executive Officer is responsible for preparing a report to the OPI on behalf of the Council for these purposes. The Chief Executive Officer must prepare the report immediately upon receiving direction from the Council (such as via the Mayor) to do so.

7.9 Any suspicion the Council has regarding conduct that constitutes Corruption in public administration must be reasonably held. Section 6 of the Directions and Guidelines address what is required to form a reasonable suspicion. In this regard it is to be noted that suspicion is a state of mind that is distinct from a belief. It is not necessary for the Council to believe the relevant conduct amounts to Corruption in public administration. All that is required to make a report to the OPI is a reasonable suspicion based upon a proper consideration of the available facts (i.e. there must be a factual basis for the suspicion).

7.10 The report must:

7.10.1 identify the matter by reference to the conduct that the Council suspects is Corruption; and

7.10.2 expressly identify that the Council suspects the conduct to be Corruption in public administration; and
7.10.3 identify any public officer or other person suspected of having engaged in the conduct; and

7.10.4 be accompanied by:

7.10.4.1 a statement as to how the Council became aware of the conduct; and

7.10.4.2 the evidence known to the Council including any documentation relevant to the conduct; and

7.10.4.3 a list of those persons who the Council believes can give evidence relevant to the conduct.

7.11 A report to the OPI by the Chief Executive Officer on behalf of the Council must be made on the online report form available at www.icac.sa.gov.au.

7.12 Where the Council’s knowledge of Corruption has arisen due to a complaint/report it received from another person (the informant), the Chief Executive Officer should not include the informant’s details in the report to the OPI if:

7.12.1 the report/complaint was made under the Whistleblowers Protection Act 1993; and

7.12.2 the informant has not consented to the informant’s identity being divulged; and

7.12.3 it is not necessary to divulge the identity of the informant to ensure that the matters to which the report to the OPI relates are properly investigated.

7.13 Any consideration by the Council of information relating to Corruption in public administration or a Council report to the OPI during a Council meeting must be considered in confidence. The grounds under section 90(3)(f) and (g) of the Local Government Act 1999 may be relied upon to move into confidence for these purposes.

Reporting Fraud

7.14 Any Employee or Council Member that has or acquires knowledge of actual or suspected Fraud that:

7.14.1 does not constitute Corruption in public administration;¹ and

7.14.2 impacts or causes detriment (or has the potential to impact or cause detriment) to the Council -

must report such information to the Responsible Officer or the Anti-Corruption branch of SAPOL.

7.15 A report made under clause 714 may be made under the Whistleblowers Protection Act 1993 and managed in accordance with the Council’s Whistleblower Protection Policy.

¹ Such conduct may, for example, relate to persons who are not a public officer such as a non-elected member of a Council Committee and/or a member of a Development Assessment Panel.
8. Action by the Chief Executive Officer Following Report and/or Investigation into Fraud or Corruption

8.1 Following any report to the OPI or SAPOL under this Policy (or the Whistleblower Protection Policy as the case may be) of which the Chief Executive Officer has knowledge and, subject to the finalisation of any investigation undertaken by the Commissioner or SAPOL, the Chief Executive Officer will undertake a review into the area in which the Fraud or Corruption occurred to determine the cause for the breakdown in controls and, will report the findings of the review and provide recommendations (if any) to the Council. In undertaking any review, the Chief Executive Officer will have regard to any recommendations received from the Commissioner or the Ombudsman.

8.2 In the event that allegations of Fraud and/or Corruption are substantiated, the Council may take disciplinary action against any Employee who was involved.

9. False Disclosure

9.1 A person who knowingly makes a false or misleading statement in a complaint or report under the ICAC Act or makes a false or misleading disclosure, under the Whistleblowers Protection Act 1993, is guilty of an offence.

9.2 An Employee who makes a false disclosure, in addition to being guilty of an offence, will face disciplinary action that may include instant dismissal.

10. Educating for Awareness

10.1 The Council recognises that the success and credibility of this Policy will largely depend upon how effectively it is communicated throughout the organisation and beyond.

10.2 The Council will, therefore, from time to time take proactive steps towards ensuring that the wider community is aware of the Council's zero-tolerance stance towards Fraud and Corruption.

10.3 The Council will increase community awareness by:
   - promoting the Council's initiatives and policies regarding the control and prevention of Fraud and Corruption on the Council's website and at the Council's offices;
   - make reference to the Council's Fraud and Corruption initiatives in the Council's Annual Report; and
   - facilitating public access to all of the documents that constitute the Council's Fraud and Corruption framework.
11. Conclusion

11.1 The Council has established a number of procedures to assist with the prevention and control of Fraud and Corruption. The effectiveness of these procedures will be continuously reviewed and assessed and will remain up to date with any future developments in Fraud and Corruption prevention and control techniques.

11.2 The Council will review this Policy each year as a part of its Annual Policy Review.

*Electronic version on the Intranet is the controlled version.*
*Printed copies are considered uncontrolled.*
*Before using a printed copy, verify that is the current version.*
Local Government Act 1999

(a) Council Members

Member duties (sections 62(3) & (4))

A member of a Council must not, whether within or outside the State, make improper use of information acquired by virtue of his or her position as a member of the Council to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the Council.

Maximum Penalty: $10,000.00 or imprisonment for two years.

A member of a Council must not, whether within or outside the State, make improper use of his or her position as a member of the Council to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the Council.

Maximum Penalty: $10,000.00 or imprisonment for two years.

Provision of false information (section 69)

A member of a Council who submits a return under Chapter 5 Part 4 (Register of Interest) and Schedule 3 of the Local Government Act 1999, that is to the knowledge of the member, false or misleading in a material particular (whether by reason of information included in or omitted from the return) is guilty of an offence.

Maximum Penalty: $10,000.00.

Restrictions on publication of information from Register of Interests (section 71)

A Council member must not publish information, or authorise publication of information, derived from a Register unless the information constitutes a fair and accurate summary of the information contained in the Register, and is published in the public interest, or comment on the facts set forth in a Register, unless the comment is fair and published in the public interest and without malice.

Maximum Penalty: $10,000.00.

(b) Council Employees

Provision of false information (section 117)
A Council employee who submits a return under Chapter 7 Part 4 Division 2 (Register of Interest) and that is to the knowledge of the employee false or misleading in a material particular (whether by reason of information included in or omitted from the return) is guilty of an offence.

*Maximum Penalty: $10,000.00.*

**Restrictions on disclosure (section 119(1))**

A Council employee must not disclose to any other person any information furnished pursuant to Chapter 7 Part 4 Division 2 (Register of Interests) unless the disclosure is necessary for the purposes of the preparation or use of the Register by the Chief Executive Officer or is made at a meeting of the Council, a Council Committee or a Subsidiary of the council.

*Maximum Penalty: $10,000.00.*

**Conflict of Interest (section 120(1), (2) & (4))**

The Chief Executive of a Council who has an interest in a matter in relation to which he or she is required or authorised to act in the course of official duties must disclose the interest to the Council and must not, unless the Council otherwise determines during a Council meeting that is open to the public, act in relation to the matter.

*Maximum Penalty: $5,000.00.*

An employee of the Council (other than the Chief Executive Officer) who has an interest in a matter in relation to which he or she is required or authorised to act in the course of official duties must disclose the interest to the council and must not, unless the council otherwise determines during a council meeting that is open to the public, act in relation to the matter.

*Maximum Penalty: $5,000.00.*

If an employee is entitled to act in relation to a matter and the employee is providing advice or making recommendations to the Council or a Council Committee on the matter, the employee must also disclose the relevant interest to the Council or Council Committee.

*Maximum Penalty: $5,000.00.*

**CEO to Assist Auditor (section 130)**

The Chief Executive Officer must, at the request of the auditor of the Council, produce to the auditor for inspection the accounts, accounting records and other documents relating to the financial affairs or internal controls of the Council, or to any other matter that is being examined or considered by the auditor. The Chief Executive Officer must, at the request of the auditor of the Council, provide to the auditor explanations or information required by the auditor. A Chief Executive Officer must not, without reasonable excuse, fail to comply with subsection (1) or (2).

*Maximum Penalty: $10,000.00.*

**Other Investigations (section 130A(4))**
The Chief Executive Officer must, at the request of a person conducting an examination under section 130A(1) produce to the person for inspection any documents relevant to the examination, and provide to the person explanations or information required by the person.

*Maximum Penalty: $10,000.00.*

**Powers under this Act (section 261(10))**

An authorised person, or a person assisting an authorised person, who addresses offensive language to any other person; or without lawful authority hinders or obstructs or uses or threatens to use force in relation to any other person, is guilty of an offence.

*Maximum Penalty: $5,000.00.*

**Local Government (Elections) Act 1999**

**Conduct of officers (section 65)**

An electoral officer must not fail, without proper excuse, to carry out his or her official duties in connection with the conduct of an election or poll.

*Maximum Penalty: $2,500.00 or imprisonment for six months*

**Offences (section 85)**

A person who fails to furnish a return that the person is required to furnish under Part 14 Division 1 within the time required is guilty of an offence.

*Maximum Penalty: $10,000.00*

A person who furnishes a return or other information that the person is required to furnish under Division 1; and that contains a statement that is, to the knowledge of the person, false or misleading in a material particular, is guilty of an offence.

*Maximum Penalty: $10,000.00*

**Elected person refusing to act (section 91)**

A duly qualified person who, having been duly appointed or elected as a member of a council refuses to assume office and to act in it; or neglects to assume the office and to act in it for the first three ordinary meetings of the council (without leave of the council), is guilty of an offence.

*Maximum Penalty: $750.00*

**Development Act 1993**

**Powers of authorised officers to inspect and obtain information (section 19(11))**

An authorised officer, or a person assisting an authorised officer, who addresses offensive language to any other person; or without lawful authority hinders or obstructs or uses or threatens to use force in relation to any other person, is guilty of an offence.
Delegations (section 20(4))

Subject to section 20(7), a delegate must not act in any matter pursuant to the delegation in which the delegate has a direct or indirect private interest.

Maximum Penalty: $8,000.00 or imprisonment for two years

Investigations (section 31A(4))

An investigator may, for the purposes of an investigation require a member or employee of the council to answer, orally or in writing, questions put by the investigator to the best of his or her knowledge, information and belief; require a person to whom questions are put under paragraph (a) to verify the answers to those questions by declaration; require a person to produce for examination by the investigator books, papers or other records relevant to the subject matter of the investigation; retain books, papers or other records produced under paragraph (c) for such reasonable period as the investigator thinks fit and make copies of any of them or of any of their contents.

Subject to subsection (8), a person who refuses or fails to comply with a requirement under section 31A(4) is guilty of an offence.

Maximum Penalty: $20,000.00

Conflict of Interest (Regional Development Assessment Panel) (section 34(7))

A member of a regional development assessment panel who has a direct or indirect personal or pecuniary interest in a matter before the regional development assessment panel (other than an indirect interest that exists in common with a substantial class of persons) must, as soon as he or she becomes aware of his or her interest, disclose the nature and extent of the interest to the panel; and must not take part in any hearings conducted by the panel, or in any deliberations or decision of the panel, on the matter and must be absent from the meeting when any deliberations are taking place or decision is being made.

Maximum Penalty: $15,000.00

Investigation of development assessment performance (section 45A(3))

An investigator may, for the purposes of an investigation require a member or employee of the relevant authority, or a public sector employee or council employee assigned or engaged to assist the relevant authority, to answer, orally or in writing, questions put by the investigator to the best of his or her knowledge, information and belief; require a person to whom questions are put under paragraph (a) to verify the answers to those questions by declaration; require a person to produce for examination by the investigator books, papers or other records relevant to the subject matter of the investigation; retain books, papers or other records produced under paragraph (c) for such reasonable period as the investigator thinks fit and make copies of any of them or of any of their contents.
Subject to section 45A(7), a person who refuses or fails to comply with a requirement under section 45A(3) is guilty of an offence.

*Maximum Penalty: $20,000.00*

**Conflict of interest (Council Development Assessment Panel) (section 56A(7))**

A member of a council development assessment panel who has a direct or indirect personal or pecuniary interest in a matter before the council development assessment panel (other than an indirect interest that exists in common with a substantial class of persons) must, as soon as he or she becomes aware of his or her interest, disclose the nature and extent of the interest to the panel; and must not take part in any hearings conducted by the panel, or in any deliberations or decision of the panel, on the matter and must be absent from the meeting when any deliberations are taking place or decision is being made.

*Maximum Penalty: $15,000.00*

**Declaration of interest (section 88B)**

If a person commences any relevant proceedings; or becomes a party to any relevant proceedings; and the person has a commercial competitive interest in the proceedings, then the person must disclose the commercial competitive interest.

If a person commences any relevant proceedings; or becomes a party to any relevant proceedings; and the person receives, in connection with those proceedings, direct or indirect financial assistance from a person who has a commercial competitive interest in the proceedings, then both the person referred to in section 88B and the person who provided the financial assistance referred to in paragraph (b) must disclose the commercial competitive interest.

A disclosure must be made to the Registrar of the relevant court and to the other parties to the relevant proceedings in accordance with any requirements prescribed by the regulations.

A person who fails to make a disclosure in accordance with the requirements of this section is guilty of an offence.

*Maximum Penalty: $30,000.00*

**Interactions with a private certifier (section 97)**

A person who improperly gives, offers or agrees to give a benefit to a private certifier or to a third person as a reward or inducement for an act done or to be done, or an omission made or to be made, by the private certifier in the performance of a function under this Act is guilty of an offence.

*Maximum Penalty: $30,000.00*

In this section— benefit does not include a benefit that consists of remuneration or any condition of appointment or employment properly attaching or incidental to the work of a private certifier under this Act.
Confidential Information (section 102)

A person performing any function under this Act must not use confidential information gained by virtue of his or her official position for the purpose of securing a private benefit for himself or herself personally or for some other person.

Maximum Penalty: $8,000.00 or imprisonment for two years

A person performing any function under this Act must not intentionally disclose confidential information gained by virtue of his or her official position unless the disclosure is necessary for the proper performance of that function; or the disclosure is made to another who is also performing a function under this Act; or the disclosure is made with the consent of the person who furnished the information or to whom the information relates; or the disclosure is authorised or required under any other Act or law; or the disclosure is authorised or required by a court or tribunal constituted by law; or the disclosure is authorised by the regulations.

Maximum Penalty: $8,000.00 or imprisonment for two years

Disclosure of financial interests – Compliance with Schedule (Schedule 2 (4))

A prescribed member of an assessment panel who fails to comply with a requirement under Schedule 2 is guilty of an offence.

Maximum Penalty: $10,000.00

A prescribed member of an assessment panel who submits a return under this Schedule that is to the knowledge of the member false or misleading in a material particular (whether by reason of information included in or omitted from the return) is guilty of an offence.

Maximum Penalty: $10,000.00

Restrictions on publication (Schedule 2 (5))

A person must not publish information derived from a register under Schedule 2 unless the information constitutes a fair and accurate summary of the information contained in the register and is published in the public interest; or comment on the facts set forth in a register under Schedule 2 unless the comment is fair and published in the public interest and without malice.

If information or comment is published by a person in contravention of Schedule 2 clause 5(1), the person, and any person who authorised the publication of the information or comment, is guilty of an offence.

Maximum Penalty: $10,000.00

NOTE: This is not an exhaustive list of offences that may be committed by a public officer and fall within the definition of ‘corruption’ in accordance with section 5(1)(c) of the ICAC Act.
1. Purpose
The purpose of this policy is to provide guidance when attributing costs to functions, activities, goods and services of Council.

2. Principles
The Local Government (Financial Management) Regulations 2011 Reg. 3 defines “full cost attribution basis means a system under which all costs, including indirect and overhead costs, are allocated to a function, activity, good or service on a reliable and consistent basis (which may be unique to a particular council, council subsidiary or regional subsidiary).”

Further the Local Government (Financial Management) Regulations 2011, Reg. 11 (1) and (2) states that every Council must ensure all accounting records, accounts and financial statements are prepared and maintained in accordance with all relevant Australian Accounting Standards and that a full cost attribution basis must be applied when reporting on a function, activity, good or service in financial statement or external financial reports.

Full cost attribution seeks to determine the ‘true’ cost of providing a good or service by tracking and accumulating the total costs of the process to create and distribute the good or service.
Full cost attribution means using a reliable and consistent basis to include the following costs in the total cost of providing a service or output:
- 100% of direct costs
- An appropriate proportion of indirect costs
- An appropriate proportion of overhead costs.

3. Policy Statement
This Council will apply full cost attribution processes in the following manner:

3.1 Costs to be allocated
An indirect cost is one that is not directly related to, but supports the provision of one or more functions, activities, goods or services of Council. The following are a list of functions which are considered to support all other functions of Council.

Function relating to Governance of Council being:
- Work Health and Safety and Risk Management
- Governance – administration
- Elected Members
- Public Relations
- Economic Development

Functions relating to Corporate Services being:
- Financial Management
- Human Resources and Payroll
- Information Technology
- Communications
- Rates Administration
- Records Administration
- Customer Services
- Other Support Activities

3.2 Methodology
The process of assigning costs to Council functions, activities, goods and services relies upon the existence of:

a) A link between activities and the consumption of resources, and
b) A link between those same activities and the provision of specific outputs

Where no link exists between an activity and an output, no costs relating to that activity should be attributed to that output.

Council considers there to be appropriate links between the above listed costs relating to Governance and Corporate Services to attribute these costs to the following specific outputs:
- All operating activities for Community Services, Environmental Services and Infrastructure Services
- Some capital activities for Community Services, Environmental Services and Infrastructure Services.

*Indirect costs are not assigned to outright purchases for Plant and Equipment.*
Cost Drivers

Cost drivers are factors which influence the cost of an activity. Appropriate cost drivers must be reliable, consistent and relevant.

Council has taken into account the following factors when choosing cost drivers:
- The cost versus the benefit of collecting cost driver data,
- Assessment of materiality, i.e. the basis for allocation not significantly changing the outcome,
- Lack of reliable supporting data,
- Simplicity and consistency,
- The arbitrary nature of allocating indirect costs.

Council has chosen to allocate all indirect costs on a proportional basis, being the total expenditure for each function as a percentage (%) of total expenditure.

Example: Total operating expenditure - $15,000,000
         Total operating expenditure for Dog Control - $98,000
         Therefore % of total expenditure for Dog Control – 0.65%

Application

Council assigns operating costs from its Governance and Corporate Services functions in a 2 step process:

Step 1 - Indirect costs are assigned to all operating functions relating to the Community Services, Environmental Services and Infrastructure Services departments on a proportional basis as described above.

Step 2 - The aggregate of indirect costs applied to the Community Services, Environmental Services and Infrastructure Services Departments resulting from Step 1 be further assigned (on a proportional basis) to the capital works activities for each department respectively.

Reporting

Full cost attribution need only be applied:
- When reporting on a function, activity, good or service of the Council;
- In financial statements and external financial reports

(Local Government (Financial Management) Regulations 1999, Reg. 8)

Annual Financial statements – although an external document, are reported from an input perspective and are not presented on a ‘function or activity’ basis and therefore the attribution of costs is not required other than determining the proportion of indirect costs applied to capital expenditure. Notes and disclosures within the annual financial statements reporting on functions, activities, goods and services need to be prepared using full cost attribution. Due to full cost attribution to capital projects the result will be a reduction in operating expenditure and an increase in capital expenditure.

Budgets – once tabled for consideration and/or approval by Council and are therefore considered external financial reporting require full cost attribution to be applied.

Financial and operational performance reports and budgets prepared for internal management are excluded from external financial reporting requirements.

Electronic version on the Intranet is the controlled version.
Printed copies are considered uncontrolled.
Before using a printed copy, verify that is the current version.
Procurement (Contracting & Tendering) Policy

Keywords: Contract, Tendering, Purchasing, Procurement

| Strategic Plan: | Goal 5 – Strong Internal Capability and Capacity  
Objective 1 – We will embed strategic procurement practices. |
| Classification: | Executive Services – Statutory Policies – “Procurement Policy (Contracting & Tendering)” |
| First Issued/Approved: | 27th August 2002 |
| Review Frequency: | Regulatory Requirement: Within 12 months of a General Election  
Good Governance Practice: Annually |
| Last Reviewed: | January 2019 |
| Next Review Due: | January 2020 |
| Responsible Officer(s): | MCS |
| Council File Reference: | 7.63.1; 9.63.1 |
| Applicable Legislation: | Sections 49 and 50 – Local Government Act 1999 |
| Relevant Policies: | Code of Conduct - Council Employees; Fraud & Corruption Prevention Policy; Whistle Blower Protection Policy; Asset Accounting Policy; Credit Card Purchasing Policy |
| Related Procedures: | Public Consultation not required prior to adoption or alteration  
Procurement Procedures, Credit Card Purchasing Procedures |
| Delegations: | Berri Barmera Council Delegations Register |

Purpose

The Procurement Policy has been developed in accordance with the intent and requirements of Section 49 of the Local Government Act 1999. The policy provides a basis for Council to provide best value to its customers and the community in the manner in which it carries out its duties, functions, responsibilities and obligations in the purchasing and provision of goods and services, and the sale and/or disposal of land, assets etc.

Principles

To outline the principles and procedures that the Berri Barmera Council will follow in addressing competitive tendering processes, contracting, purchasing and the sale/disposal of land and/or assets.

STATEMENT OF COMMITMENT

The Berri Barmera Council is committed to ensuring a fair, transparent and accountable process, in the provision of services, purchasing of goods and services and in the disposal of land and other assets.

The Berri Barmera Council aims to ensure that its methods of:
* service provision, including the carrying out of works,
* purchasing goods and
the sale and disposal of land and or other assets are cost effective and meet the needs of the community and represent best value for money.

The Berri Barmera Council’s Asset Management Policy addresses the key elements of the conduct of Council affairs in these areas and the principles that will guide its decision making processes.

SERVICE PROVISION

The Berri Barmera Council’s Charter – The Principles

In fulfilling Council’s service provision role, the following principles will apply:

* Consistency with and relevance to Council’s Strategic Management Plans.
* Determination of service delivery approaches on the basis of best short and long term value (i.e. quality and cost standards will be met, the service will be responsive to the needs of the community and will be accessible to those for whom it is intended).
* Adoption of efficiency, effectiveness, accountability and transparency measures.
* Consideration of the impact of service delivery approaches on local businesses.
* The desire to retain an appropriate level of staffing.
* Adoption of principles of human resource management and compliance with industrial awards and relevant enterprise agreements has regard to Council’s employee relations objectives.
* The appropriateness and necessity for Council to retain control over the way in which services are provided and its response to emergency situations.
* Compliance with statutory obligations and the National Competition Policy.
* Opportunities for creating or maintaining economic development and growth in the area and participation with other spheres of government, community groups and the private sector in service delivery.
* Other relevant factors.

Service Provision Options

Council has identified the following options for the provision of services:

* Competitive tendering - exposing the provision of Council services to competition through a formal tendering process irrespective of whether the service has been traditionally provided by Council employees or an external provider. The tendering process may involve “in house” staff tendering with external providers for specific projects, services and activities.
* Contracting out or outsourcing - to an external provider.
* Contestability - involving staff in identifying and adopting productivity improvements in service delivery designed to meet service standards determined through performance measurement, benchmarking and market testing.
* Subsidiaries - where Council establishes an incorporated body for the delivery of services or it co-operates with other Councils to establish such a body. The Local Government Act provides for single Council Subsidiaries or Regional (more than one Council) Subsidiaries.
* Collaborative ventures - where council joins with another organisation, Local Government authority, State Government authority or private sector company to jointly deliver a service.
* Commercial activities – projects which may involve the establishment of joint ventures, trusts, or partnerships.

In identifying the circumstances in which to apply the above options Council will consider:

* Council’s Strategic Management Plan goals and objectives.
* Council’s Enterprise Agreement.
* Maintenance of control of specific services by Council.
The risks to Council in adopting the various options.
* The number of competitors in the market place.
* The Council’s current service delivery arrangements.
* Council’s existing resources.
* Council’s desire to enter into commercial activities or projects.

PURCHASE OF GOODS & SERVICES

The Berri Barmera Council’s Charter – The Principles

In fulfilling Council’s purchasing role, the following principles will apply:
* Consistency with and relevance to Council’s Strategic Management Plan.
* Transparency and accountability in purchasing procedures and practices to ensure that Council
purchases at the best price and that all potential suppliers are given equal opportunity to
provide the required goods and services.
* Opportunities to enhance local economic development and growth.
* Compliance with statutory and other obligations.
* Commercial confidentiality.
* Other relevant factors.

Use of Local Goods and Services

Wherever appropriate, local suppliers are to be given the opportunity to tender and quote for the
supply of goods and services. With regard to all other matters set out in this Policy and when
deciding on the purchase of goods and services, consideration to the following priority will be
given:

1. Berri Barmera Council area
2. Riverland
3. South Australia
4. Australia

Purchasing Options

Generally, Council will purchase goods through adoption of the following approaches:
* Direct purchase - where there is only a single supplier or the particular circumstance
means the involvement of only one potential supplier.
* Quotation – seeking quotations from two or more suppliers.
* Selected Tender - seeking tenders from a limited number of suppliers on the basis of, for
example, location, previous performance, the result of an Expression of Interest process.
* Open Tender – seeking tenders from the market at large through an open invitation
process e.g. advertisement.

The need for selected or open tenders will be determined in the first instance by the value and limits of
the purchase as detailed below. Conditions of tendering will be in accordance with Council’s
Procurement Procedures.

In identifying the circumstances in which to apply these options, Council will consider a number of
issues, e.g.
* The number of known suppliers of the goods or services.
* The existence of local suppliers of the goods or services and the impact on the local
  economy if the goods or services were purchased from outside the council area.
* The total estimated value of the purchase.
Organisational capacity and attitude to elected Council/staff roles and responsibilities in purchasing.

Delegation limits taking into consideration accountability, responsibility, operational efficiency and urgency of supply.

Previous experience with suppliers.

Compliance with statutory obligations.

Goods and services will be obtained by use of an official order. Official Council orders will be authorised by an Officer delegated to sign such orders.

Before the purchase order is authorised it will include, the cost (or reasonable estimation) of the goods and services so ordered.

### Purchasing Methods and Limits

<table>
<thead>
<tr>
<th>Method</th>
<th>Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Petty Cash</td>
<td>Less than $100</td>
</tr>
<tr>
<td>Direct Purchase</td>
<td>Less than $1,000</td>
</tr>
<tr>
<td>1 Quotation</td>
<td>$1,001 - $5,000</td>
</tr>
<tr>
<td>Two Quotations</td>
<td>$5,001 - $10,000</td>
</tr>
<tr>
<td>Three written quotes</td>
<td>$10,001 - $25,000</td>
</tr>
<tr>
<td>Tender (Select or Open)</td>
<td>Greater than $50,000</td>
</tr>
<tr>
<td>Municipal Purchasing Contract*</td>
<td>No limit</td>
</tr>
<tr>
<td><strong>Credit Card</strong></td>
<td>Refer Credit Card Purchasing Policy regarding spending caps and transaction limits</td>
</tr>
</tbody>
</table>

* A Municipal Purchasing Contract is an industry or state wide purchasing agreement that has been established by a tender process, example include State Government Contracts, Council purchasing arrangements and regional contracts such as those negotiated under the G3 purchasing group.

The Berri Barmera Council is a member of the G3 Purchasing Group which aims to achieve uniformity in specification of goods, works and services purchased commonly across the G3 Purchasing Group membership. The objectives of this purchasing alliance is to attract more suppliers, improve bargaining power, reduce costs and improve efficiency. Membership of the G3 Purchasing Group includes the Berri Barmera Council, Renmark Paringa Council and the District Council of Loxton Waikerie.

** Council operate a corporate credit card purchasing system which permits an appropriate level of cards to be issued to operational staff throughout the organisation. The purpose of the corporate credit card purchasing system is to augment, not replace, existing procurement practices. Credit card transactions are used for minor, frequent purchases or ‘one off’ purchases or payments where time is of the essence and when obtaining ‘sale’ prices for goods and services. Credit cards may also be used generally for accommodation, travel, minor library purchases on-line, conference fees, training course fees and hospitality. – Refer to Credit Card Purchasing Policy for register of cardholders and to Credit Card Purchasing Procedures for procedural matters.

Requests to vary the above options, methods or limits must be forwarded in writing to Council’s Chief Executive Officer providing sufficient reason and information for variation. Council’s Chief Executive Officer may authorise procurement policy variation based on information provided and within delegated authority.
Some examples of when it may be appropriate for the CEO to waive application of this Policy are –

- Emergency situations threatening life and property
- the supply market is known
- where better value can be achieved by an alternative method
- availability of vendors
- timing constraints
- any other exemptions as documented for probity.

SALE AND DISPOSAL OF LAND AND OTHER ASSETS

The Berri Barmera Council’s Charter – The Principles
For the sale and disposal of land and other assets, the following principles will apply regarding decisions of Council:

* Consistency with and relevance to Council’s Strategic Management Plan.
* Transparency and accountability in sale and disposal procedures and practices to ensure that Council obtains the best price and that all potential purchasers are given equal opportunity to purchase the land or assets.
* Opportunities to enhance local economic development and growth.
* Compliance with statutory and other obligations.
* Commercial confidentiality.
* Other relevant factors.

Sale and Disposal Options
Generally, Council will sell or dispose of land and other assets through adoption of the following practices:

* Direct sale - advertisement for sale and the nature of the advertisement i.e. public notice, local paper etc.
* Quotation - seeking quotations for the sale of land and other assets.
* Selected Tender - seeking tenders from a selected group of persons/companies etc.
* Open Tender - openly seeking, through advertisement, tenders, or buyers for Council, land and other assets.
* Auction - by selecting an Agent to conduct the sale by auction.

In identifying the circumstances in which to apply these options, Council will consider a number of issues, e.g.

* The number of known potential purchasers of the land or assets.
* The original intention for the use of the land or asset when purchased, where relevant.
* The current and possible preferred future use of the land or assets.
* The existence of local purchasers of the land or asset.
* The opportunity to promote local economic growth and development.
* The total estimated value of the sale.
* Delegation limits taking into consideration accountability, responsibility, operational efficiency and urgency of the sale.
* Compliance with statutory and other obligations.
CONSULTATION

The Berri Barmera Council recognises its responsibilities under Section 50 of the Local Government Act 1999 and its Public Consultation Policy.

Council also recognises its Enterprise Agreement, Industrial Awards and other employee relations obligations and, consistent with the requirements of these documents, the CEO will consult with staff on decisions that will significantly impact on their employment with Council.

The Decision Making Process

Council recognises that the community, local businesses and contractors will from time to time have an interest in the manner and approach adopted by Council when determining service delivery, purchasing and disposing of land and other assets.

Council delegates authority to the CEO to make decisions regarding the matters covered in this policy as follows:
* the budgeted purchase of services or goods is less than $200,000.
* the disposal of land is not delegated
* the disposal of other assets is less than $50,000.

Where the CEO deems necessary for the Council to be made aware of decisions regarding the above delegations, the CEO will bring the matter before Council for consultation prior to authorisation.

Council or its officers with delegated authority will, when making decisions under this Policy, act in accordance with the Council's budget, relevant policies, plans, industrial awards, agreements, resolutions etc.

Council acknowledges that the CEO may sub-delegate matters related to this policy to staff or other persons employed or engaged by Council.

Council may also delegate matters covered by this policy to its Committees or Subsidiaries.

Contracts and Tenders

When undertaking contract and tender activities Council's decision making process will reflect the following:
* whether tendering will assist Council to achieve its strategic objectives and strategies.
* customers of the service will not be disadvantaged.
* responsibility of Council for the provision of the service will not be adversely affected.
* it is practical and possible to specify the quality and quantity of the service required to be delivered.
* it is deemed appropriate for Council to continue to ensure the service is provided.
* following the completion of a market analysis, there is scope for the provision of the service by an external provider and there is potential to gain savings not currently available to Council.
* gains (financial and non-financial) are greater than what could be achieved through direct provision of the service by Council.
* the relationship between the service to be contracted or tendered to other related services in the Council.

Where Council determines it will use a contract or tender arrangement under this Policy, it will decide whether:
* to adopt a selective or open tender process.
* prepare appropriate documentation to inform potential providers of the service of the necessary information to formulate their tender and the manner in which to submit an offer.
* offer an opportunity to "in house" teams to bid for the service and make it know to all external bidders that an "in house" team may be competing for the delivery of the service.
* form a selection panel to consider offers made for the provision of the service.
* the selection panel will make a recommendation to the Council or the CEO, depending upon delegations.
* manage any complaints arising from the decisions taken by Council consistent with its Internal Review of Decisions Procedures required under the Act.
* Council will make available procedures relevant to specific tendering activities.

**Documentation**
To assist in demonstrating that its service provision, purchasing and disposal processes are cost effective, fair, transparent and accountable, and meet community needs, Council will document the reasons for entering into contracts other than those resulting from a tender process.

**Work Health & Safety**
The Berri Barmera Council will only engage suppliers who are able to maintain a level of Work Health and Safety acceptable to the Berri Barmera Council. As a minimum, this will be compliance to the Work Health and Safety Act 2012 (SA), all associated regulations and all requirements relating to contractors in Council’s relevant Work Health and Safety policies, and as specified in terms and conditions of contractual arrangements.

When considering the purchasing, hiring or leasing of plant, equipment and substances a pre-purchase review will be undertaken before the purchase occurs. All reasonably foreseeable hazards are to be identified and assessed and prior to the introduction of plant, equipment and substances into the workplace.

(Refer associated procedures – WHSW002/03 Plant/Equipment Inspection Procedure, WHSW007/12 Hazardous and Dangerous Substances Procedure, WHSW005/02 Contractor Management Procedure.)

**Availability of the Policy**
The Policy is available for inspection at Council’s principal office in Berri and Council’s website www.berribarmera.sa.gov.au

Copies will be provided to interested parties upon request at no charge.
Procurement Procedures

<table>
<thead>
<tr>
<th>Strategic Plan:</th>
<th>Goal 5 Strong Internal Capability and Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Classification:</td>
<td>Internal – Administrative</td>
</tr>
<tr>
<td>First Issued/Approved:</td>
<td>10 June 2014</td>
</tr>
<tr>
<td>Review Frequency:</td>
<td>Biennial</td>
</tr>
<tr>
<td>Last Reviewed:</td>
<td>January 2019</td>
</tr>
<tr>
<td>Next Review Date:</td>
<td>January 2021</td>
</tr>
<tr>
<td>Responsible Officer(s):</td>
<td>CEO, MCS</td>
</tr>
<tr>
<td>Council File Reference:</td>
<td>7.87</td>
</tr>
<tr>
<td>Applicable Legislation:</td>
<td>Sections 49 and 50 Local Government Act 1999</td>
</tr>
<tr>
<td>Relevant Policies:</td>
<td>Contracting and Tendering Policy, Credit Card Purchasing Policy</td>
</tr>
<tr>
<td>Related Procedures:</td>
<td>Internal Financial Controls, Credit Card Purchasing Procedures</td>
</tr>
<tr>
<td>Delegations:</td>
<td>Berri Barmera Council Delegations Register</td>
</tr>
</tbody>
</table>

OVERVIEW
This procedure sets out the requirements to be followed when administering a contract tender process or purchasing goods and services. These may be supplemented as necessary by the Chief Executive Officer or Council as any given case may require.

This procedure is to be read in conjunction with the Contracts and Tendering Policy and the purpose and objective of this document is to standardise procurement practices and procedures for the Berri Barmera Council.

SCOPE
This procedure applies to all Council officers required to tender and to all Council officers with a delegated authority to incur and approve expenditure for goods and services on behalf of Council. It further extends to officers of council required to perform the administrative tasks for procurement as directed by their superiors.

PROCUREMENT OPTIONS
The following options will be available to Council officers when conducting procurement activities on behalf of the Berri Barmera Council:

- Direct purchase – where there is a single supplier or a particular circumstance where the involvement means there is only one potential supplier.
- Quotation – seeking quotations from two or more suppliers
Select Tender – seeking tenders from a limited number of suppliers on the basis of, for example, location, previous performance, the result of an Expression of Interest process.

Open Tender – seeking tenders from the market at large through an open invitation process e.g. advertisement.

With reference to the Contracting and Tendering Policy the following purchasing methods and limits apply:

<table>
<thead>
<tr>
<th>Method</th>
<th>Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Petty Cash</td>
<td>Less than $100</td>
</tr>
<tr>
<td>Direct Purchase</td>
<td>Less than $1,000</td>
</tr>
<tr>
<td>1 Quotation</td>
<td>$1,001 to $5,000</td>
</tr>
<tr>
<td>2 Quotations</td>
<td>$5,001 to $10,000</td>
</tr>
<tr>
<td>3 Written Quotations</td>
<td>$10,001 to $25,000</td>
</tr>
<tr>
<td>Tender (Select or Open)</td>
<td>Greater than $50,000</td>
</tr>
</tbody>
</table>

Note – Official purchase orders, authorised by appropriate delegated Council Officers, must be issued BEFORE any purchases are made by any of the above listed methods.

The use of credit cards are for instances where it is considered more cost effective than traditional methods of purchasing – Refer Credit Card Purchasing Policy and Credit Card Purchasing Procedures.

Nominated Goods / Works / Services which are exempt from requiring a quotation and using a purchase order for payment include (but not limited to):

- Utilities (e.g. SA Water, Central Irrigation Trust, AGL, Origin Energy)
- Insurance renewals
- Telephone charges
- Motor Vehicle Registrations
- Refunds or reimbursement of expenses
- Australia Post Services
- Contracted Services (contract number/Tender No. to be recorded within accounts payable system at time of invoice payment)

The above list may change from time to time based on Council’s operational requirements.

EXTERNAL PROCUREMENT SERVICES

Where Council undertakes procurement through contract arrangements already established by external procurement services, it will be deemed that all probity matters are satisfied within the practices administered by the external organisation. These external procurement services may include:

- LGA Procurement
- Procurement Australia
- Strategic Purchasing
- State Government Contracts
- G3 Purchasing Group
PROCEDURES

Petty Cash
Petty cash may be used for purchases of or below $100. Receipts must be retained, documented and approved by the appropriate officer with delegated authority for all purchases made from petty cash.

Direct Purchase
Direct purchases may be made by Council officers with the delegated authority to purchase goods and services up to the value of $1,000 directly from suppliers if:

- Provision exists in the current annual budget.
- The annual limit for that budget allocation has not been exceeded.
- The Council officer undertaking the direct purchase is satisfied that the price is competitive and that the supplier is the preferred or sole supplier of the goods and/or services.

The value of the direct purchase is to be recorded on the purchase order with the supplier’s name, Australian Business Number and contact details and prices.

Quotations
The number of quotations to be sought are with reference to the limits shown above and in accordance with the Contracting and Tendering Policy. Where it is a requirement to obtain 3 quotations and it is not possible to obtain 3 quotations Council’s Chief Executive Officer may issue an exemption authorising a variation from this minimum requirement. Such an exemption must be clearly recorded on all documentation relating to the procurement.

Under no circumstances are orders to be split so that the total value of the order falls under the amount of the quotation limit and the Council Officer’s delegated authority.

The responsible Council Officer will review all quotations and if not accepting the lowest priced bid, will document the reasons and forward to the appropriate Manager for acceptance and authorisation to proceed with the purchase.

All Council Section 41 Committees (e.g., Berri Beautification Committee, Barmera Beautification Committee, Martin Bend Recreation Area Committee) have a delegated senior Council Officer who shall be responsible for ensuring quotations and purchases for goods and services are carried out according to these procedures.

All quotes received must be retained as a file attachment to the Purchase Order raised within Council’s corporate system, SynergySoft.

Tenders
In accordance with the Contracting and Tendering Policy any purchases greater than $50,000 will require Council to formally tender for the particular purchase or contract for the supply of goods and services.

Under no circumstances is a contract to be deliberately split into two or more parts in an effort to avoid the requirement for tendering.

It is the responsibility of the delegated Council officer to select the most appropriate tendering method. The choice of tendering method may be that which is best suited to the procurement to be undertaken and can be either by select tender or by open tender as defined above.

Open tenders may be advertised on the Tenders SA website with a link to Council’s own website as well as advertised locally in a newspaper distributed throughout the region or advertised in a newspaper more widely distributed throughout the State.

The following principles will apply to all Council tenders –

- Parties must conduct the tendering process with honesty and fairness at all levels.
- Parties must conform to all legal obligations.
- Parties must not seek or submit tenders without a firm intention to proceed.
- Parties must not engage in any practice, including improper inducements, which give one party an improper advantage over another.
- Conditions of tendering must be the same for each tenderer.
- All requirements must be clearly specified within the tender documents and criteria for evaluation must be clearly indicated.
- Evaluation of tenders must be based on the conditions of tendering and section criteria only, as defined in the tender documents.
- All tender documents received by Council will be treated as confidential if the content of the documents contain intellectual property, proprietary, commercial in confidence or other confidential information.
- Any party with a conflict of interest must declare that interest as soon as that party knows of the conflict.
- All dealings between parties are to be transparent and able to withstand public scrutiny.

**Tendering Process**

Where it is determined that a tendering process will be undertaken the following process will be followed:

- **Relevant Officer**
  
  The Chief Executive Officer or Department Manager with the delegated authority will be responsible for managing the tender call and will be responsible for the supply of all relevant documentation and information to prospective tenderers.

- **Tendering Period**
  
  All invitations to tender must specify a tender period including a closing date, time and the requirement that sealed tenders are to be marked "Tender – (name of tender and reference number)." The tender period must be suitable to allow time for tenderers to visit the site (if necessary), to study the tender documents and prepare an offer.

- **Extension of Tendering Period**
  
  The tender period may be extended where the relevant officer can show sound cause. All tenderers are to be notified of the change in closing date.
Clarification of Documents during the Tender Process

Requests for clarification shall be referred to the relevant officer named on the tender documents. Where considered necessary, all explanations and clarifications given should be confirmed in writing and issued to all prospective tenderers to ensure that all tenders are on a common basis. For this reason, a record should be kept of the names and addresses of those organisations to which tender information is given.

Amendments to the Tender Documents

- Amendments to the tender documents must be avoided at all times. Where matters of significance make it necessary to amend tender documents, the amendments, in the form of addenda must be issued by the relevant officer. Amendments should be limited to essential matters where work involved cannot be covered by a variation to the contract.
- Where the issuing of addendum is essential, all prospective tenderers must be issued with a copy in sufficient time before the closing date for tenders to allow the amendments in their tender for each addendum.
- Tenderers must acknowledge receipt of the addendum in writing with their tender and confirm that allowance has been made in their tender for each addendum.

Lodgement of Tenders

- Tenders received before the closing date must be placed in a locked tender box under the direction of the responsible officer.
- Where it is not possible to place all tenders and supporting papers in the tender box, separate secured storage facilities under the control of the responsible officer will be provided in advance of the tender closing date. Tender papers not placed in the tender box shall be endorsed by the responsible officer with details of receipt and placed in secure storage.
- All tenders received must be endorsed with the exact time of receipt. When envelopes containing tenders have been opened due to lack of identification, they should be immediately resealed and the envelope suitably endorsed and referred to the responsible officer.
- No tender price offered orally shall be accepted.

Tender Opening

As soon as practicable after the closing date the tender box shall be opened by the responsible officer together with one of the following officers –
- Chief Executive Officer,
- Manager Corporate Services,
- Manager Infrastructure Services,
- Manager Environmental Services

The date and time of opening the tender document will be marked on the tender and both persons present will sign the document.

Late Tenders

- A tender received after the closing date that is either hand-delivered ‘over the counter’ or received through the mail, email or other means must be deemed late and shall be endorsed with the exact time of receipt. A person delivering a tender ‘over the counter’ will be asked to initial the endorsement.
o A late tender is to be opened and endorsed with the time and the circumstances of receipt. The envelope enclosing a late tender is to be attached to the tender.

o A late tender hand-delivered ‘over the counter’ is not to be admitted. A late tender submitted through official Australia Post Services of pre paid cost will not be admitted unless it can be clearly established to the satisfaction of the responsible officer that they were posted before the date and time of closing of tenders and in the ordinary course of post would have been received at the place named in the call for tender.

o The onus is on the tenderer to ascertain what is sufficient time, depending on the delivery services selected, to have tender documents delivered before closure date of the tender.

o A tenderer whose tender is rejected as being late must be advised promptly.

o Adequate safeguards should be used to ensure the preservation of the confidentiality of tenders which are received late and are not permitted for consideration.

**Evaluation of Tenders**

o Evaluation of tenders should consider:
  - Compliance with the tender documents.
  - Price.
  - Technical, management, physical and financial capacity.
  - Current commitments.
  - Standing within the industry.
  - Record of performance.
  - Ability to perform any works.
  - Work, Health and Safety systems.

o A tender that does not comply with the tender documents is liable to be rejected. The tenderer may be given reasonable opportunity to comply with the tender documents but only without alterations to the submitted tender price. Where a tenderer claims an error has been made calculating the tender or has omitted to include a provisional sum, the tenderer shall not be permitted to amend the tender price. In such situations, the tenderer has the options of adhering to or withdrawing the tender price or being passed over.

o Alternative of non complying tenders are not to be considered unless provision is made for such offers within the tender documents.

o There are occasions where negotiation of a tendered price may have to be considered before a tender is accepted. For example, where significant errors and/or omissions in the documents has affected the prices tendered or where the tender prices received are above the prices anticipated and the Council has insufficient funds to cover them.

o Where negotiations of a tendered price is conducted, such negotiations will be concluded prior to acceptance with the lowest acceptable tenderer only, notwithstanding that the estimate or the price received for the amendment when added to the lowest acceptable tender may exceed other tenders.

o If the value of the amendment in relation to the tender price is significant and a satisfactory price cannot be negotiated with the lowest acceptable tenderer, it may be necessary to recall tenders.

o Where it is intended that the lowest tender will not necessarily be accepted then such information should be provided to all prospective tenderers. Any
tender may be rejected provided the Council acts honestly and with probity in doing so.

- The tender most advantageous to the Council should be the one considered for acceptance. The reasons for accepting such a tender shall be recorded in the evaluation report prepared.
- Where the value of the lowest conforming tender exceeds the budget allocation a report on the tenders received shall be submitted to Council in confidence.
- All tenderers will be acknowledged and the outcome of Council’s evaluation and decision in writing on conclusion of the tender process.
- Council has the right to refuse any or all tenders in relation to a call for tenders.

- Re-Tendering
  - Re-tendering will be avoided unless the tender documents have been amended or a substantial period of time has elapsed since tenders were initially invited.
  - Should it be decided following a calling of open tenders to recall tenders on a select tender basis, opportunity should be given to each original tenderer to submit a price unless there are sound reasons for not doing so.
  - Where a tender has been let and additional works of a similar nature are required in the same financial year, the responsible officer may utilise the same contractor, without the need to recall tenders, provided the unit rate has a variance not greater than +5% and the project remains within the budgeted allocation.

PREFERRED CONTRACTORS AND SUPPLIERS

Council undertakes works that require ongoing use of supplies of goods and services that are repetitive by nature e.g. electrical, parts and hardware supplies etc. Council shall have a list of preferred contractors and suppliers for Council officers to refer to when considering procurement needs of Council.

All preferred contractors and suppliers will be subject to constant performance evaluation to maintain the integrity of the service provision principals as detailed within Council’s Contracting and Tendering Policy.

In some instances Council has entered into contractual arrangements with preferred contractors/suppliers. In these instances the terms specific to the contract may alter the processes as detailed within these procedures. The Berri Barmera Council reserves the right to consider renewal of a contract without a call for further tenders. The Council Officer responsible for the contract, and who has delegated authority, may extend the contract for the same period of the initial contract either in part or in full if the Officer is satisfied that the contract represents value for money and that the contractor is providing the required service of the contract.
EMERGENCY PURCHASES

Purchases can be made without the need to initially follow these procedures in emergency situations. Such situations will only be when there is a need to:

- Respond to genuine concerns for public safety
- Avoid major expense
- Ensure the security of Council assets
- Activation of an emergency response plan

Determination of whether these situations apply will be at the discretion of the Council Officer with the relevant authority and the following will apply:

- Expenditure must be within financial delegation
- Expenditure must only be limited to that required to alleviate the emergency situation
- Requirements of these procedures are to be resumed as soon as practicable.
- Details of the purchase will be reported to the Chief Executive Officer.

CONTRACT MANAGEMENT SYSTEM

Where applicable, all processes detailed within this procedure document will comply and be recorded within Council’s Contract Management System.

RISK MANAGEMENT

Where practicable, the risk of purchasing goods or services should be assessed prior to purchase to ensure that appropriate controls can be put in place for management of that risk.

Where tenders are used as the method of purchase Council will ensure that appropriate risk management practices and procedures are included in its tender documentation. All successful tenderers will be required to comply with current Work, Health and Safety legislative requirements and regulations and shall effect and maintain appropriate insurance policies.

RECORDS MANAGEMENT

It is important that all tender documents are captured within the Council’s records management system. The responsible officer must ensure that all original documentation is lodged with the Records Officer.

GST

All dollar values mentioned throughout this document are GST exclusive.
Keywords: Contract, Tendering, Purchasing, Procurement

| Strategic Plan:                                      | Goal 5 – Strong Internal Capability and Capacity  
|                                                   | Objective 1 – We will embed strategic procurement practices. |
| Classification:                                    | Executive Services – Statutory Policies – “Procurement Policy (Contracting & Tendering)” |
| First Issued/Approved:                            | 27th August 2002 |
| Review Frequency:                                  | Regulatory Requirement: Within 12 months of a General Election  
|                                                   | Good Governance Practice: Annually |
| Last Reviewed:                                     | January 2019 |
| Next Review Due:                                   | January 2020 |
| Responsible Officer(s):                           | MCS |
| Council File Reference:                           | 7.63.1; 9.63.1 |
| Applicable Legislation:                           | Sections 49 and 50 – Local Government Act 1999 |
| Relevant Policies:                                | Code of Conduct - Council Employees; Fraud & Corruption Prevention Policy Whistle Blower Protection Policy; Asset Accounting Policy; Credit Card Purchasing Policy |
| Related Procedures:                              | Public Consultation not required prior to adoption or alteration  
|                                                   | Procurement Procedures, Credit Card Purchasing Procedures |
| Delegations:                                      | Berri Barmera Council Delegations Register |

**Purpose**

The Procurement Policy has been developed in accordance with the intent and requirements of Section 49 of the Local Government Act 1999. The policy provides a basis for Council to provide best value to its customers and the community in the manner in which it carries out its duties, functions, responsibilities and obligations in the purchasing and provision of goods and services, and the sale and/or disposal of land, assets etc.

**Principles**

To outline the principles and procedures that the Berri Barmera Council will follow in addressing competitive tendering processes, contracting, purchasing and the sale/disposal of land and/or assets.

**STATEMENT OF COMMITMENT**

The Berri Barmera Council is committed to ensuring a fair, transparent and accountable process, in the provision of services, purchasing of goods and services and in the disposal of land and other assets.

The Berri Barmera Council aims to ensure that its methods of:

* service provision, including the carrying out of works,
* purchasing goods and
the sale and disposal of land and or other assets are cost effective and meet
the needs of the community and represent best value for money.

The Berri Barmera Council's Asset Management Policy addresses the key elements of the conduct of
Council affairs in these areas and the principles that will guide its decision making processes.

SERVICE PROVISION

The Berri Barmera Council’s Charter – The Principles
In fulfilling Council's service provision role, the following principles will apply:
* Consistency with and relevance to Council’s Strategic Management Plans.
* Determination of service delivery approaches on the basis of best short and long term value (i.e. quality and cost standards will be met, the service will be responsive to the needs of the community and will be accessible to those for whom it is intended).
* Adoption of efficiency, effectiveness, accountability and transparency measures.
* Consideration of the impact of service delivery approaches on local businesses.
* The desire to retain an appropriate level of staffing.
* Adoption of principles of human resource management and compliance with industrial awards and relevant enterprise agreements has regard to Council’s employee relations objectives.
* The appropriateness and necessity for Council to retain control over the way in which services are provided and its response to emergency situations.
* Compliance with statutory obligations and the National Competition Policy.
* Opportunities for creating or maintaining economic development and growth in the area and participation with other spheres of government, community groups and the private sector in service delivery.
* Other relevant factors.

Service Provision Options
Council has identified the following options for the provision of services:
* Competitive tendering - exposing the provision of Council services to competition through a formal tendering process irrespective of whether the service has been traditionally provided by Council employees or an external provider. The tendering process may involve "in house" staff tendering with external providers for specific projects, services and activities.
* Contracting out or outsourcing - to an external provider.
* Contestability - involving staff in identifying and adopting productivity improvements in service delivery designed to meet service standards determined through performance measurement, benchmarking and market testing.
* Subsidiaries - where Council establishes an incorporated body for the delivery of services or it co-operates with other Councils to establish such a body. The Local Government Act provides for single Council Subsidiaries or Regional (more than one Council) Subsidiaries.
* Collaborative ventures - where council joins with another organisation, Local Government authority, State Government authority or private sector company to jointly deliver a service.
* Commercial activities – projects which may involve the establishment of joint ventures, trusts, or partnerships.

In identifying the circumstances in which to apply the above options Council will consider:
* Council’s Strategic Management Plan goals and objectives.
* Council’s Enterprise Agreement.
* Maintenance of control of specific services by Council.
* The risks to Council in adopting the various options.
* The number of competitors in the market place.
* The Council’s current service delivery arrangements.
* Council’s existing resources.
* Council’s desire to enter into commercial activities or projects.

**PURCHASE OF GOODS & SERVICES**

**The Berri Barmera Council’s Charter – The Principles**

In fulfilling Council's purchasing role, the following principles will apply:
* Consistency with and relevance to Council’s Strategic Management Plan.
* Transparency and accountability in purchasing procedures and practices to ensure that Council purchases at the best price and that all potential suppliers are given equal opportunity to provide the required goods and services.
* Opportunities to enhance local economic development and growth.
* Compliance with statutory and other obligations.
* Commercial confidentiality.
* Other relevant factors.

**Use of Local Goods and Services**

Wherever appropriate, local suppliers are to be given the opportunity to tender and quote for the supply of goods and services. With regard to all other matters set out in this Policy and when deciding on the purchase of goods and services, consideration to the following priority will be given:

1. Berri Barmera Council area
2. Riverland
3. South Australia
4. Australia

**Purchasing Options**

Generally, Council will purchase goods through adoption of the following approaches:
* Direct purchase - where there is only a single supplier or the particular circumstance means the involvement of only one potential supplier.
* Quotation – seeking quotations from two or more suppliers.
* Selected Tender - seeking tenders from a limited number of suppliers on the basis of, for example, location, previous performance, the result of an Expression of Interest process.
* Open Tender – seeking tenders from the market at large through an open invitation process e.g. advertisement.

The need for selected or open tenders will be determined in the first instance by the value and limits of the purchase as detailed below. Conditions of tendering will be in accordance with Council’s Procurement Procedures.

In identifying the circumstances in which to apply these options, Council will consider a number of issues, e.g.
* The number of known suppliers of the goods or services.
* The existence of local suppliers of the goods or services and the impact on the local economy if the goods or services were purchased from outside the council area.
* The total estimated value of the purchase.
Organisational capacity and attitude to elected Council/staff roles and responsibilities in purchasing.

Delegation limits taking into consideration accountability, responsibility, operational efficiency and urgency of supply.

Previous experience with suppliers.

Compliance with statutory obligations.

Goods and services will be obtained by use of an official order. Official Council orders will be authorised by an Officer delegated to sign such orders.

Before the purchase order is authorised it will include, the cost (or reasonable estimation) of the goods and services so ordered.

**Purchasing Methods and Limits**

<table>
<thead>
<tr>
<th>Method</th>
<th>Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Petty Cash</td>
<td>Less than $100</td>
</tr>
<tr>
<td>Direct Purchase</td>
<td>Less than $1,000</td>
</tr>
<tr>
<td>1 Quotation</td>
<td>$1,001 - $5,000</td>
</tr>
<tr>
<td>Two Quotations</td>
<td>$5,001 - $25,000</td>
</tr>
<tr>
<td>Three written quotes</td>
<td>$25,001 - $50,000</td>
</tr>
<tr>
<td>Tender (Select or Open)</td>
<td>Greater than $50,000</td>
</tr>
<tr>
<td>Municipal Purchasing Contract*</td>
<td>No limit</td>
</tr>
<tr>
<td><strong>Credit Card</strong></td>
<td>Refer Credit Card Purchasing Policy regarding spending caps and transaction limits</td>
</tr>
</tbody>
</table>

* A Municipal Purchasing Contract is an industry or state wide purchasing agreement that has been established by a tender process, example include State Government Contracts, Council purchasing arrangements and regional contracts such as those negotiated under the G3 purchasing group.

The Berri Barmera Council is a member of the G3 Purchasing Group which aims to achieve uniformity in specification of goods, works and services purchased commonly across the G3 Purchasing Group membership. The objectives of this purchasing alliance is to attract more suppliers, improve bargaining power, reduce costs and improve efficiency. Membership of the G3 Purchasing Group includes the Berri Barmera Council, Renmark Paringa Council and the District Council of Loxton Waikerie.

**Council operate a corporate credit card purchasing system which permits an appropriate level of cards to be issued to operational staff throughout the organisation. The purpose of the corporate credit card purchasing system is to augment, not replace, existing procurement practices. Credit card transactions are used for minor, frequent purchases or ‘one off’ purchases or payments where time is of the essence and when obtaining ‘sale’ prices for goods and services. Credit cards may also be used generally for accommodation, travel, minor library purchases on-line, conference fees, training course fees and hospitality. – Refer to Credit Card Purchasing Policy for register of cardholders and to Credit Card Purchasing Procedures for procedural matters.

Requests to vary the above options, methods or limits must be forwarded in writing to Council’s Chief Executive Officer providing sufficient reason and information for variation. Council’s Chief Executive Officer may authorise procurement policy variation based on information provided and within delegated authority.

Some examples of when it may be appropriate for the CEO to waive application of this Policy are –
• Emergency situations threatening life and property
• the supply market is known
• where better value can be achieved by an alternative method
• availability of vendors
• timing constraints
• any other exemptions as documented for probity.

SALE AND DISPOSAL OF LAND AND OTHER ASSETS

The Berri Barmera Council’s Charter – The Principles
For the sale and disposal of land and other assets, the following principles will apply regarding
decisions of Council:
* Consistency with and relevance to Council’s Strategic Management Plan.
* Transparency and accountability in sale and disposal procedures and practices to ensure that Council obtains the best price and that all potential purchasers are given equal opportunity to purchase the land or assets.
* Opportunities to enhance local economic development and growth.
* Compliance with statutory and other obligations.
* Commercial confidentiality.
* Other relevant factors.

Sale and Disposal Options
Generally, Council will sell or dispose of land and other assets through adoption of the following practices:
* Direct sale - advertisement for sale and the nature of the advertisement i.e. public notice, local paper etc.
* Quotation - seeking quotations for the sale of land and other assets.
* Selected Tender - seeking tenders from a selected group of persons/companies etc.
* Open Tender - openly seeking, through advertisement, tenders, or buyers for Council, land and other assets.
* Auction - by selecting an Agent to conduct the sale by auction.

In identifying the circumstances in which to apply these options, Council will consider a number of issues, e.g.
* The number of known potential purchasers of the land or assets.
* The original intention for the use of the land or asset when purchased, where relevant.
* The current and possible preferred future use of the land or assets.
* The existence of local purchasers of the land or asset.
* The opportunity to promote local economic growth and development.
* The total estimated value of the sale.
* Delegation limits taking into consideration accountability, responsibility, operational efficiency and urgency of the sale.
* Compliance with statutory and other obligations.

CONSULTATION
The Berri Barmera Council recognises its responsibilities under Section 50 of the Local Government Act 1999 and its Public Consultation Policy.

Council also recognises its Enterprise Agreement, Industrial Awards and other employee relations obligations and, consistent with the requirements of these documents, the CEO will consult with staff on decisions that will significantly impact on their employment with Council.

**The Decision Making Process**

Council recognises that the community, local businesses and contractors will from time to time have an interest in the manner and approach adopted by Council when determining service delivery, purchasing and disposing of land and other assets.

Council delegates authority to the CEO to make decisions regarding the matters covered in this policy is follows:
* the budgeted purchase of services or goods is less than $200,000.
* the disposal of land is not delegated
* the disposal of other assets is less than $50,000.

Where the CEO deems necessary for the Council to be made aware of decisions regarding the above delegations, the CEO will bring the matter before Council for consultation prior to authorisation.

Council or its officers with delegated authority will, when making decisions under this Policy, act in accordance with the Council's budget, relevant policies, plans, industrial awards, agreements, resolutions etc.

Council acknowledges that the CEO may sub-delegate matters related to this policy to staff or other persons employed or engaged by Council.

Council may also delegate matters covered by this policy to its Committees or Subsidiaries.

**Contracts and Tenders**

When undertaking contract and tender activities Council’s decision making process will reflect the following:
* whether tendering will assist Council to achieve its strategic objectives and strategies.
* customers of the service will not be disadvantaged.
* responsibility of Council for the provision of the service will not be adversely affected.
* it is practical and possible to specify the quality and quantity of the service required to be delivered.
* it is deemed appropriate for Council to continue to ensure the service is provided.
* following the completion of a market analysis, there is scope for the provision of the service by an external provider and there is potential to gain savings not currently available to Council.
* gains (financial and non-financial) are greater than what could be achieved through direct provision of the service by Council.
* the relationship between the service to be contracted or tendered to other related services in the Council.

Where Council determines it will use a contract or tender arrangement under this Policy, it will decide whether:
* to adopt a selective or open tender process.
* prepare appropriate documentation to inform potential providers of the service of the necessary information to formulate their tender and the manner in which to submit an offer.
* offer an opportunity to "in house" teams to bid for the service and make it know to all external bidders that an "in house" team may be competing for the delivery of the service.
* form a selection panel to consider offers made for the provision of the service.
* the selection panel will make a recommendation to the Council or the CEO, depending upon delegations.
* manage any complaints arising from the decisions taken by Council consistent with its Internal Review of Decisions Procedures required under the Act.
* Council will make available procedures relevant to specific tendering activities.

Documentation

To assist in demonstrating that its service provision, purchasing and disposal processes are cost effective, fair, transparent and accountable, and meet community needs, Council will document the reasons for entering into contracts other than those resulting from a tender process.

Work Health & Safety

The Berri Barmera Council will only engage suppliers who are able to maintain a level of Work Health and Safety acceptable to the Berri Barmera Council. As a minimum, this will be compliance to the Work Health and Safety Act 2012 (SA), all associated regulations and all requirements relating to contractors in Council’s relevant Work Health and Safety policies, and as specified in terms and conditions of contractual arrangements.

When considering the purchasing, hiring or leasing of plant, equipment and substances a pre-purchase review will be undertaken before the purchase occurs. All reasonably foreseeable hazards are to be identified and assessed and prior to the introduction of plant, equipment and substances into the workplace.

(Refer associated procedures – WHSW002/03 Plant/Equipment Inspection Procedure, WHSW007/12 Hazardous and Dangerous Substances Procedure, WHSW005/02 Contractor Management Procedure.)

Availability of the Policy

The Policy is available for inspection at Council’s principal office in Berri and Council’s website www.berribarmera.sa.gov.au

Copies will be provided to interested parties upon request at no charge.
OVERVIEW

This procedure sets out the requirements to be followed when administering a contract tender process or purchasing goods and services. These may be supplemented as necessary by the Chief Executive Officer or Council as any given case may require.

This procedure is to be read in conjunction with the Contracts and Tendering Policy and the purpose and objective of this document is to standardise procurement practices and procedures for the Berri Barmera Council.

SCOPE

This procedure applies to all Council officers required to tender and to all Council officers with a delegated authority to incur and approve expenditure for goods and services on behalf of Council. It further extends to officers of council required to perform the administrative tasks for procurement as directed by their superiors.

PROCUREMENT OPTIONS

The following options will be available to Council officers when conducting procurement activities on behalf of the Berri Barmera Council:

- Direct purchase – where there is a single supplier or a particular circumstance where the involvement means there is only one potential supplier.
- Quotation – seeking quotations from two or more suppliers
• Select Tender – seeking tenders from a limited number of suppliers on the basis of, for example, location, previous performance, the result of an Expression of Interest process.
• Open Tender – seeking tenders from the market at large through an open invitation process e.g. advertisement.

With reference to the Contracting and Tendering Policy the following purchasing methods and limits apply:

<table>
<thead>
<tr>
<th>Method</th>
<th>Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Petty Cash</td>
<td>Less than $100</td>
</tr>
<tr>
<td>Direct Purchase</td>
<td>Less than $1,000</td>
</tr>
<tr>
<td>1 Quotation</td>
<td>$1,001 to $5,000</td>
</tr>
<tr>
<td>2 Quotations</td>
<td>$5,001 to $25,000</td>
</tr>
<tr>
<td>3 Written Quotations</td>
<td>$25,000 to $50,000</td>
</tr>
<tr>
<td>Tender (Select or Open)</td>
<td>Greater than $50,000</td>
</tr>
</tbody>
</table>

*Note – Official purchase orders, authorised by appropriate delegated Council Officers, must be issued BEFORE any purchases are made by any of the above listed methods.*

The use of credit cards are for instances where it is considered more cost effective than traditional methods of purchasing – Refer Credit Card Purchasing Policy and Credit Card Purchasing Procedures.

**Nominated Goods / Works / Services which are exempt from requiring a quotation and using a purchase order for payment include (but not limited to):**

- Utilities (eg SA Water, Central Irrigation Trust, AGL, Origin Energy)
- Insurance renewals
- Telephone charges
- Motor Vehicle Registrations
- Refunds or reimbursement of expenses
- Australia Post Services
- Contracted Services (contract number/Tender No. to be recorded within accounts payable system at time of invoice payment)

The above list may change from time to time based on Council’s operational requirements.

**EXTERNAL PROCUREMENT SERVICES**

Where Council undertakes procurement through contract arrangements already established by external procurement services, it will be deemed that all probity matters are satisfied within the practices administered by the external organisation. These external procurement services may include:

- LGA Procurement
- Procurement Australia
- Strategic Purchasing
- State Government Contracts
- G3 Purchasing Group
PROCEDURES

Petty Cash
Petty cash may be used for purchases of or below $100. Receipts must be retained, documented and approved by the appropriate officer with delegated authority for all purchases made from petty cash.

Direct Purchase
Direct purchases may be made by Council officers with the delegated authority to purchase goods and services up to the value of $1,000 directly from suppliers if:

- Provision exists in the current annual budget.
- The annual limit for that budget allocation has not been exceeded.
- The Council officer undertaking the direct purchase is satisfied that the price is competitive and that the supplier is the preferred or sole supplier of the goods and/or services.

The value of the direct purchase is to be recorded on the purchase order with the supplier’s name, Australian Business Number and contact details and prices.

Quotations
The number of quotations to be sought are with reference to the limits shown above and in accordance with the Contracting and Tendering Policy. Where it is a requirement to obtain 3 quotations and it is not possible to obtain 3 quotations Council’s Chief Executive Officer may issue an exemption authorising a variation from this minimum requirement. Such an exemption must be clearly recorded on all documentation relating to the procurement.

Under no circumstances are orders to be split so that the total value of the order falls under the amount of the quotation limit and the Council Officer’s delegated authority.

The responsible Council Officer will review all quotations and if not accepting the lowest priced bid, will document the reasons and forward to the appropriate Manager for acceptance and authorisation to proceed with the purchase.

All Council Section 41 Committees have a delegated senior Council Officer who shall be responsible for ensuring quotations and purchases for goods and services are carried out according to these procedures.

All quotes received must be retained as a file attachment to the Purchase Order raised within Council’s corporate system, SynergySoft.

Tenders
In accordance with the Contracting and Tendering Policy any purchases greater than $50,000 will require Council to formally tender for the particular purchase or contract for the supply of goods and services.

Under no circumstances is a contract to be deliberately split into two or more parts in an effort to avoid the requirement for tendering.
It is the responsibility of the delegated Council officer to select the most appropriate tendering method. The choice of tendering method may be that which is best suited to the procurement to be undertaken and can be either by select tender or by open tender as defined above.

Open tenders may be advertised on the Tenders SA website with a link to Council’s own website as well as advertised locally in a newspaper distributed throughout the region or advertised in a newspaper more widely distributed throughout the State.

The following principles will apply to all Council tenders –

- Parties must conduct the tendering process with honesty and fairness at all levels.
- Parties must conform to all legal obligations.
- Parties must not seek or submit tenders without a firm intention to proceed.
- Parties must not engage in any practice, including improper inducements, which give one party an improper advantage over another.
- Conditions of tendering must be the same for each tenderer.
- All requirements must be clearly specified within the tender documents and criteria for evaluation must be clearly indicated.
- Evaluation of tenders must be based on the conditions of tendering and section criteria only, as defined in the tender documents.
- All tender documents received by Council will be treated as confidential if the content of the documents contain intellectual property, proprietary, commercial in confidence or other confidential information.
- Any party with a conflict of interest must declare that interest as soon as that party knows of the conflict.
- All dealings between parties are to be transparent and able to withstand public scrutiny.

**Tendering Process**

Where it is determined that a tendering process will be undertaken the following process will be followed:

- **Relevant Officer**
  The Chief Executive Officer or Department Manager with the delegated authority will be responsible for managing the tender call and will be responsible for the supply of all relevant documentation and information to prospective tenderers.

- **Tendering Period**
  All invitations to tender must specify a tender period including a closing date, time and the requirement that sealed tenders are to be marked “Tender – (name of tender and reference number). The tender period must be suitable to allow time for tenderers to visit the site (if necessary), to study the tender documents and prepare an offer.

- **Extension of Tendering Period**
  The tender period may be extended where the relevant officer can show sound cause. All tenderers are to be notified of the change in closing date.

- **Clarification of Documents during the Tender Process**
  Requests for clarification shall be referred to the relevant officer named on the tender documents. Where considered necessary, all explanations and clarifications given should be confirmed in writing and issued to all prospective tenderers to ensure that all
tenders are on a common basis. For this reason, a record should be kept of the names and addresses of those organisations to which tender information is given.

- **Amendments to the Tender Documents**
  - Amendments to the tender documents must be avoided at all times. Where matters of significance make it necessary to amend tender documents, the amendments, in the form of addenda must be issued by the relevant officer. Amendments should be limited to essential matters where work involved cannot be covered by a variation to the contract.
  - Where the issuing of addendum is essential, all prospective tenderers must be issued with a copy in sufficient time before the closing date for tenders to allow the amendments in their tender for each addendum.
  - Tenderers must acknowledge receipt of the addendum in writing with their tender and confirm that allowance has been made in their tender for each addendum.

- **Lodgement of Tenders**
  - Tenders received before the closing date must be placed in a locked tender box under the direction of the responsible officer.
  - Where it is not possible to place all tenders and supporting papers in the tender box, separate secured storage facilities under the control of the responsible officer will be provided in advance of the tender closing date. Tender papers not placed in the tender box shall be endorsed by the responsible officer with details of receipt and placed in secure storage.
  - All tenders received must be endorsed with the exact time of receipt. When envelopes containing tenders have been opened due to lack of identification, they should be immediately resealed and the envelope suitably endorsed and referred to the responsible officer.
  - No tender price offered orally shall be accepted.

- **Tender Opening**
  As soon as practicable after the closing date the tender box shall be opened by the responsible officer together with one of the following officers –
  - Chief Executive Officer, or
  - Manager Corporate Services, or
  - Manager Infrastructure Services, or
  - Manager Environmental Services

  The date and time of opening the tender document will be marked on the tender and both persons present will sign the document.

- **Late Tenders**
  - A tender received after the closing date that is either hand-delivered ‘over the counter’ or received through the mail, email or other means must be deemed late and shall be endorsed with the exact time of receipt. A person delivering a tender ‘over the counter’ will be asked to initial the endorsement.
  - A late tender is to be opened and endorsed with the time and the circumstances of receipt. The envelope enclosing a late tender is to be attached to the tender.
  - A late tender hand-delivered ‘over the counter’ is not to be admitted. A late tender submitted through official Australia Post Services of pre paid cost will
not be admitted unless it can be clearly established to the satisfaction of the responsible officer that they were posted before the date and time of closing of tenders and in the ordinary course of post would have been received at the place named in the call for tender.

- The onus is on the tenderer to ascertain what is sufficient time, depending on the delivery services selected, to have tender documents delivered before closure date of the tender.
- A tenderer whose tender is rejected as being late must be advised promptly.
- Adequate safeguards should be used to ensure the preservation of the confidentiality of tenders which are received late and are not permitted for consideration.

**Evaluation of Tenders**

- Evaluation of tenders should consider:
  - Compliance with the tender documents.
  - Price.
  - Technical, management, physical and financial capacity.
  - Current commitments.
  - Standing within the industry.
  - Record of performance.
  - Ability to perform any works.
  - Work, Health and Safety systems.

- A tender that does not comply with the tender documents is liable to be rejected. The tenderer may be given reasonable opportunity to comply with the tender documents but only without alterations to the submitted tender price. Where a tenderer claims an error has been made calculating the tender or has omitted to include a provisional sum, the tenderer shall not be permitted to amend the tender price. In such situations, the tenderer has the options of adhering to or withdrawing the tender price or being passed over.

- Alternative of non complying tenders are not to be considered unless provision is made for such offers within the tender documents.

- There are occasions where negotiation of a tendered price may have to be considered before a tender is accepted. For example, where significant errors and/or omissions in the documents has affected the prices tendered or where the tender prices received are above the prices anticipated and the Council has insufficient funds to cover them.

- Where negotiations of a tendered price is conducted, such negotiations will be concluded prior to acceptance with the lowest acceptable tenderer only, notwithstanding that the estimate or the price received for the amendment when added to the lowest acceptable tender may exceed other tenders.

- If the value of the amendment in relation to the tender price is significant and a satisfactory price cannot be negotiated with the lowest acceptable tenderer, it may be necessary to recall tenders.

- Where it is intended that the lowest tender will not necessarily be accepted then such information should be provided to all prospective tenderers. Any tender may be rejected provided the Council acts honestly and with probity in doing so.

- The tender most advantageous to the Council should be the one considered for acceptance. The reasons for accepting such a tender shall be recorded in the evaluation report prepared.
- Where the value of the lowest conforming tender exceeds the budget allocation a report on the tenders received shall be submitted to Council in confidence.
- All tenderers will be acknowledged and the outcome of Council’s evaluation and decision in writing on conclusion of the tender process
- Council has the right to refuse any or all tenders in relation to a call for tenders.

**Re-Tendering**
- Re-tendering will be avoided unless the tender documents have been amended or a substantial period of time has elapsed since tenders were initially invited.
- Should it be decided following a calling of open tenders to recall tenders on a select tender basis, opportunity should be given to each original tenderer to submit a price unless there are sound reasons for not doing so.
- Where a tender has been let and additional works of a similar nature are required in the same financial year, the responsible officer may utilise the same contractor, without the need to recall tenders, provided the unit rate has a variance not greater than +5% and the project remains within the budgeted allocation.

**PREFERRED CONTRACTORS AND SUPPLIERS**
Council undertakes works that require ongoing use of supplies of goods and services that are repetitive by nature e.g. electrical, parts and hardware supplies etc. Council shall have a list of preferred contractors and suppliers for Council officers to refer to when considering procurement needs of Council.

All preferred contractors and suppliers will be subject to constant performance evaluation to maintain the integrity of the service provision principals as detailed within Council’s Contracting and Tendering Policy.

In some instances Council has entered into contractual arrangements with preferred contractors/suppliers. In these instances the terms specific to the contract may alter the processes as detailed within these procedures. The Berri Barmera Council reserves the right to consider renewal of a contract without a call for further tenders. The Council Officer responsible for the contract, and who has delegated authority, may extend the contract for the same period of the initial contract either in part or in full if the Officer is satisfied that the contract represents value for money and that the contractor is providing the required service of the contract.

**EMERGENCY PURCHASES**
Purchases can be made without the need to initially follow these procedures in emergency situations. Such situations will only be when there is a need to:

- Respond to genuine concerns for public safety
- Avoid major expense
- Ensure the security of Council assets
- Activation of an emergency response plan

Determination of whether these situations apply will be at the discretion of the Council Officer with the relevant authority and the following will apply:

- Expenditure must be within financial delegation
- Expenditure must only be limited to that required to alleviate the emergency situation
- Requirements of these procedures are to be resumed as soon as practicable.
- Details of the purchase will be reported to the Chief Executive Officer.

**CONTRACT MANAGEMENT SYSTEM**

Where applicable, all processes detailed within this procedure document will comply and be recorded within Council’s Contract Management System.

**RISK MANAGEMENT**

Where practicable, the risk of purchasing goods or services should be assessed prior to purchase to ensure that appropriate controls can be put in place for management of that risk.

Where tenders are used as the method of purchase Council will ensure that appropriate risk management practices and procedures are included in its tender documentation. All successful tenderers will be required to comply with current Work, Health and Safety legislative requirements and regulations and shall effect and maintain appropriate insurance policies.

**RECORDS MANAGEMENT**

It is important that all tender documents are captured within the Council’s records management system. The responsible officer must ensure that all original documentation is lodged with the Records Officer.

**GST**

All dollar values mentioned throughout this document are GST exclusive.
Rating Policy

Keywords: Rates, Debtors, Fines, Recovery

| Strategic Plan: |  |
| Classification: |  |
| First Issued/Approved: | January 2018 |
| Review Frequency: | Annually |
| Last Reviewed: | March 2019 |
| Next Review Due: | January 2020 |
| Responsible Officer(s): | Manager Corporate Services |
| Council File Reference: |  |
| Applicable Legislation: | Local Government Act 1999 |
| Relevant Policies: | Rate Capping Policy; Rate Rebate Policy; Rate Remission Policy; Debt Recovery; |
| Related Procedures: | Subject to Annual Business Plan provisions/adoptions – including Public Consultation – Section 151 |
| Delegations: | Berri Barmera Council Delegations Register |

Purpose
This policy provides a framework for the Berri Barmera Council (Council) to determine the annual setting and collection of rates against rateable land.

Council’s powers to raise rates are found in Chapter 10 of the Local Government Act 1999 (the Act). The Act provides the framework within which the Council must operate, but also leaves room for the Council to make a range of policy choices. This document includes reference to compulsory features of the rating system, as well as the policy choices that the Council has made on how it imposes and administers the collection of rates.

All land within the Council area, except for land specifically exempt (e.g. crown land, council occupied land and other land prescribed in the Act) is rateable.

Principles
Rates are not fees for service, but rather, they constitute a system of taxation for Local Government purposes.
Council’s major source of revenue is Rates, derived as a tax on land within the Council area. All ratepayers receive benefits from paying rates, but those benefits are consumed in different quantities and manner by individual ratepayers.

In addition to rates, Council also raises revenue through a compulsory service charge for a Community Wastewater Management Scheme and Waste Management. If this charge is applicable, it will be collected along with general rates and will be itemised separately on the rates notice.

The Berri Barmera’s rating policy is underpinned by:

- accountability and professional ethics
- community consultation
- transparency and simplicity
- efficiency
- equitable distribution of the rate burden
- consistency with the strategic directions of Council
- compliance with relevant legislation.

**Objectives**

The objectives of this policy are to:

a) ensure Council provides equitable treatment to all members of the community
b) ensure Council is maintaining legislative compliance
c) provide the community with assistance and options to pay their rates in a timely and acceptable manner.

Prior to determining the level of rates required each year, Council considers:

- the infrastructure needs, service delivery needs and related expenditure priorities in relation to the annual business plan and community needs
- equity issues and the relationship between the various land uses and the previous rating structure
- extremities in valuation and how their effect can be minimised in setting rating levels
- use of ‘user pays’ cost recovery systems.

There will continue to be economic pressures applied to the Council in a number of ways, which will have an impact on the Council’s budget and as a result will put pressure on setting rates.

**Method Used to Value Land**

The Berri Barmera Council uses capital value (the value of the land and all improvements on the land) as the basis for rating land within the council area. The Council considers that this method of valuing land provides the fairest method of distributing rates across all ratepayers on the following basis:

- the equity principle of taxation requires that ratepayers of similar wealth pay similar taxes and ratepayers of greater wealth pay more tax than ratepayers of lesser wealth;
- property value is a relatively good indicator of wealth, and capital value (which closely approximates the market value of a property) provides the best indicator of overall property value, and;

Council adopts the most recent valuations made by the State Valuation Office as at 30th June.
The rates notice includes information for any ratepayer dissatisfied with the valuation made by the State Valuation Office about how to make objection to the valuation. The lodgement of an objection does not change the due date for the payment of rates.

If an objection is upheld and a new capital value issued by the State Valuation Office, rates will be adjusted accordingly for the current financial year and an amended rate notice will be issued. Retrospective adjustments will not be made for prior financial years.

Certain properties may be eligible for a notional value under the Valuation of Land Act 1971. This can relate to certain primary production land or where there is State heritage recognition. A notional value is generally less than the capital value and therefore generally results in reduced rates. Application by the ratepayer for a notional value must be made to the State Valuation Office.

Components of Rates

General Rates
The Act allows Councils to differentiate rates based on the use of the land, the locality of the land, the use and locality of the land or on some other basis determined by the Council. The Berri Barmera Council endorses the differential general rates by land use based on the capital valuation of rateable properties for the following land uses:

- Residential
- Commercial
- Industrial
- Primary Production
- Vacant Land
- Other

Minimum Rate
Council has the discretion to apply either:
- a fixed charge (applying equally to all rateable properties) or
- a minimum rate (to lower-value properties)

The Berri Barmera Council apply a minimum rate ($636649 for 2017/2018) to all rateable properties. The reasons for imposing a minimum rate are:

- the Council considers it appropriate that all rateable properties make a base level contribution to the cost of administering the Council’s activities;
- consideration of the cost of creating and maintaining the physical infrastructure that supports each property.

Where a council imposes a minimum rate it must not apply to more than 35% of properties in the Council area. In addition, where two or more adjoining properties have the same owner and are occupied by the same occupier, only one minimum is payable by the ratepayer.

Service Charges

Community Wastewater Management Scheme
The Berri Barmera Council maintains and manages a community wastewater management scheme (CWMS) and recovers the cost of the service through the imposition of an effluent
drainage service charge per property unit and is shown as a separate charge on the rates notice.
For some properties (including business and commercial premises) the number of units is based on information received from the property/business owner and according to the Code for Establishing and Applying Property Units for the Imposition of Annual Charges for CWMS. Retrospective adjustments to prior financial years will not be made when incorrect or no information is provided.

Waste Management
Council provides refuse, recycling and green waste collection service in its district. The service includes:
- Weekly domestic collection in a smaller 140 litre bin for all properties
- Fortnightly recycling collection in a 240 litre bin for all properties
- Fortnightly green waste collection in a 240 litre bin for town residential properties.

Council recovers the cost of this service via a service charge levied pursuant to Section 155 of the Act.

Natural Resources Management Levy

The Council is required under the Natural Resources Management Act 2004 to make specified contribution to the SA Murray Darling Basin Natural Resources Management Board region. It does so by imposing a separate rate against all rateable properties.

This separate rate is effectively a State tax that Councils are required to collect and return to a State Government Agency, the local Natural Resources Management Board. Even though it appears on the Council’s rate notice, enquiries about this component should be directed to the Natural Resources Management Board. Contact details are on the reverse of the rates notice.

Rate Capping

To address any potential inequities in how the rates are levied across the district, Council has historically imposed a cap of 12% on the maximum increase in the general rate to be charged on rateable land within its area. This rebate will NOT apply where:
- Ownership of the rateable property has changed since 1 July of the previous year;
- Any such increase in the capital value of the rateable property is a result of improvements made on the property since 1 July of the previous year with a value in excess of $10,000;
- There has been a change of land use or there have been zoning changes which have contributed to the increase in valuation.

Reference can be made to Council’s Rate Capping Policy for further detail.

Rebate of Rates

Mandatory Rebates
Councils are required to rebate (discount) the rates payable on some land.
A 100% rebate must be applied to land used for:
- health services
- religious purposes
- public cemeteries
the Royal Zoological Society
A compulsory rebate of at least 75% (or more, at the Council’s discretion) must be applied to land used by:
- community service organisations; and
- schools and universities.

Discretionary Rebates
In addition, the Council is allowed a wide discretion to rebate any percentage of rates for a number of other purposes, such as:
- securing proper development of an area;
- assisting or supporting business;
- preservation of historically significant places’
- facilities or services for children or young persons; or
- accommodation for the aged or persons with disability; or
- other purposes.

Application for discretionary rebate must be made annually to the Council.

Reference must be made to Council’s Rate Rebate Policy for further detail.

Rebates on Service Charges
Rebates will not apply to service charges.

Remission and Postponement of Rates
The Council has discretion to partially or wholly remit or postpone rates on the basis of hardship. Where a ratepayer is suffering hardship in paying rates it is recommended they contact Council’s Rates Officer to discuss the matter. Such enquiries are treated confidentially, and any application will be considered on a case by case basis.

If a ratepayer holds a State Seniors Card (unless holding a mortgage entered into before 2007 that is greater than 50% of the home’s value) they are eligible to postpone, on a long term basis, a large component of the rates on the principal place of residence. The postponed amount is subject to a monthly interest charge, with the accrued debt falling due for payment only when the property is sold or if there is a change in circumstances that negates eligibility. However, some or all of the debt may be paid at any earlier time, at the ratepayer’s discretion. At least $500 of the annual Council rates bill must be paid as it falls due, but any amount in excess of $500 per year may be postponed. The minimum amount of $500 may be reduced further, if the ratepayer is eligible for any Council rate remissions.

Reference must be made to Council’s Rate Remission Policy for further detail.

Payment of Rates
Rates are declared annually and may be paid at the ratepayer’s discretion either in one lump sum or in four quarterly payments that fall due in early September, December, March and June. The exact date that rates fall due, and various options for paying rates, is clearly indicated on the rates notice.

If a ratepayer chooses to pay in one single payment for the year’s rates, this payment must be received by the first quarter due date as penalties apply to outstanding rates. Council will send out instalment notices to ratepayers advising them of their next instalment due date at least thirty days prior.
Any ratepayer who may experience difficulty with meeting the standard payment requirements are encouraged to contact Council’s Rates Officer to discuss alternative payment arrangements. Such enquiries are treated confidentially.

**Late Payment of Rates**
The Act provides that Councils must impose a penalty of 2% on any late payment for rates. This fine may be remitted in whole or in part at the Council’s discretion and only where fault for the late payment has not been attributed to by the ratepayer.

A payment that continues to be late is then charged a prescribed interest rate for each month it continues to be late.

When Council receives payment in respect of overdue rates Council must apply the money received in accordance with the Act as follows:

- First – to satisfy any costs awarded in connection with court proceedings;
- Second – to satisfy any interest costs;
- Third – in payment of any fines imposed;
- Fourth – in payment of rates, in chronological order (starting with the oldest account first).

*Reference must be made to Council’s Fines-Rates Recovery Policy for further detail.*

**Sale of Land for Non Payment of Rates**
Where rates have been in arrears for three years or more and Council has unsuccessfully pursued all reasonable attempts to secure payment, Council will invoke Section 184 of the Local Government Act 1999 to pursue recovery of outstanding rates through the sale of land.

Council will notify the owner of the land of its intention to sell the land, provide the owner with details of the outstanding amounts, and advise the owner of its intention to sell the land if payment of the outstanding amount is not received within one month.

All other avenues (including but not limited to payments arrangements and financial hardship assistance) will be exhausted in the collection of the outstanding rates on land that constitutes a person’s principal place of residence prior to the Sale of Land being initiated.

Should reasonable attempts to sell the land fail, Section 185 of the Local Government Act 1999 will be applied, which may result in the land being transferred to the Crown or to Council.

Sale of Land for Non Payment of Rates will not be applied to rates arrears that have resulted due to an arrangement for postponement of rates unless the postponement ceases to have effect.

**Adoption of Rates**
The adoption of rates will not occur until Council has adopted its Annual Business Plan and Budget for the financial year to which the rates relate – pursuant to Section 153(5) of the Act.

Although Council can defer the adoption of rates until 31 August if circumstances dictate, Council will make every effort to adopt rates at its June Ordinary Council meeting prior to the commencement of the financial year for which the rates relate.
Contact Details
Where a ratepayer believes that the Council has failed to properly apply this policy it should raise the matter firstly with Council’s Rates Officer. If after initial contact a ratepayer is still dissatisfied they should write to:
The Chief Executive Officer
Berri Barmera Council
PO Box 229
BERRI SA 5343
Ph: 08 8582 1922
Fax: 08 8582 3029
Email: bbc@bbc.sa.gov.au
Web: www.berribarmera.sa.gov.au

Availability of Policy
This policy will be available for inspection at the Council’s Offices during ordinary business hours and via the Council’s website www.berribarmera.sa.gov.au Copies will also be provided to the public upon request and upon payment of a fee in accordance with Council’s Schedule of Fees and Charges.
1. Purpose

It is important for the Council to manage its financial risks; opportunities and exposure conservatively to ensure the public funds that it has stewardship over are not put at jeopardy.

Council is aware that community expectations are that it will manage the funds in a manner that will protect community assets while attempting to maximise returns and borrow funds on the most favourable terms. This policy describes the limits and expectations that the Council demands that the Chief Executive Officer will observe in treasury management.

Treasury Management refers to the way in which cash and investments are managed and borrowings are raised.

2. Principles

2.1 Borrowings

Section 134 of the Local Government Act 1999 (the Act) allows for Council to borrow money in any form considered appropriate by the council. It further allows that council may enter into financial arrangements for the purpose of managing, hedging or protecting against movement in interest rates or other costs of borrowing money. The Act stipulates however that these arrangements must not be entered into without council first obtaining independent and impartial advice in relation to risk management policies, controls and systems of entering into such an arrangement.
To mitigate interest rate risk exposure Council will only seek to borrow funds from the following sources:

- Local Government Finance Authority of which it is a member.
- Either the National Australia Bank, the Commonwealth Bank of Australia, the Australian and New Zealand Banking Corporation and the Westpac Banking Group including its affiliates ie BankSA.

Council will consider its long term financial plan and future funding obligations when deciding on the use of the following:

- Credit Foncier (fixed term and interest)
- Fixed interest rate
- Variable interest rate
- Interest only loan
- Combination of credit types

To ensure an adequate spread of interest rate exposures, Council will consider structuring its portfolio of borrowings to maintain a combination of both fixed and variable interest rate borrowings.

2.2 Investments

Council funds that are not immediately required for operational needs and cannot be applied to either reduce existing borrowings or avoid the raising of new borrowings will be invested. The balance of funds held in any operating bank account that does not provide investment returns at least consistent with ‘at call’ market rates shall be kept at a level that is no greater than is required to meet immediate working capital requirements.

Council will only seek to invest funds with the following:

- Local Government Finance Authority of which it is a member.
- Either the National Australia Bank, the Commonwealth Bank of Australia, the Australian and New Zealand Banking Corporation and the Westpac Banking Group including its affiliates ie BankSA.

2.3 Community Loans

Community groups who are seeking to undertake capital works may approach Council to borrow funds on their behalf which the groups are to pay back to Council, as Council is able to access superior terms and borrowing conditions. Council also acts as guarantor for community groups seeking to borrow funds.

Upon application for a community loan, Council will request information from the community group in order to make assessment as to the capacity of the community group to repay the loan before approving such loan. This will include requesting the group to inform Council as to the purpose of the loan and the formal status of the community group as well as the provision of recent audited financial accounts of the group and a 5 year budgeted cash flow analysis showing the group’s capacity to service such loan.
A formal loan agreement signed by a representative of the community group and Council will be
completed acknowledging the provision and term of the loan, repayments due and recovery processes
in the event of failure by the community group to make good to Council repayments due.

3. Financial Reserves

Council uses financial reserves to set aside funds for future anticipated expenditure.

Reserves are used generally for future capital expenditure and may include:
- Plant Replacement
- Investment assistance/Economic Development
- Carparks
- Footpaths etc.
- Community Waste Water Scheme maintenance and replacement.
- Developer funds towards community infrastructure ie parks and gardens.

Council will consider its long term financial plan and future funding obligations when deciding on the
use of discretionary reserves. This includes Council’s consideration be given to –

- Maintaining target ranges for both its Net Financial Liabilities and Interest Cover ratios.
- Borrowing funds in accordance with the requirements set out in its Long Term Financial Plan.
- Applying any funds that are not immediately required to meet approved expenditure to reduce its
  level of borrowings or to defer and/or reduce the level of new borrowings that would otherwise be
  required.

4. Financial Performance Indicators

The Financial Performance Indicators applicable to this policy are Net Financial Liabilities and Interest
Cover Ratios. In keeping with Council’s Long Term Financial Plan, explanation and targets for these
indicators are as follows:

- Net Financial Liabilities
  This indicator measures the total of Council’s indebtedness with the target being that the Net
  Financial Liabilities is no greater than its operating revenue and not less than zero.

- Net Financial Liabilities Ratio
  This measure indicates the amount of operating revenue required to meet Council’s Net
  Financial Liabilities. The target for this ratio is to be greater than 0% but less than 100%.

- Interest Cover Ratio
  This measure indicates the amount of operating revenue required to meet Council’s interest
  expense commitments. The target for this ratio is to be greater than 0% but less than 10%.

Electronic version on the Intranet is the controlled version.
Printed copies are considered uncontrolled.
Before using a printed copy, verify that is the current version.
Keywords: Fees, Value/s, valuation

| Corporate Plan: | Corporate Services: Financial Management, Asset Management |
| First Issued/Approved: | 24th June 2008 |
| Review Frequency: | Good Governance Practice: Annually |
| Last Reviewed: | February 2019 |
| Next Review Due: | February 2020 |
| Responsible Officer(s): | Manager Corporate Services |
| Council File Reference: | Motion 1573/08 24/6/2008 |
| Applicable Legislation: | Local Government Act 1999 |
| Relevant Policies: | Rates Policy; Asset Management Policy |
| Related Procedures: | In accordance with Rating & Asset Management Policies |
| Delegations: | As per Delegations Register |

**Purpose**
Changes to the Australian Accounting Standards which remove the standard AAS27 for Local Government requires Council to adopt a policy for the valuation of land under roads.

**Principles**
To indicate Council’s policy on the relevance of valuing land under roads for its financial statements and the materiality of that land for its financial position.

**FRAMEWORK FOR POLICY**

It is the policy of the Berri Barmera Council not to value the land under its roads for consideration in its annual financial statements

*Electronic version on the Intranet is the controlled version.*
*Printed copies are considered uncontrolled.*
*Before using a printed copy, verify that is the current version.*
Whistleblower Protection Policy

Keywords: Corruption, fraud, protection

| Corporate Plan: | Corporate Services: Financial Management |
| First Issued/Approved: | July 2010 |
| Review Frequency: | Good Governance Practice: Annually |
| Last Reviewed: | January 2019 |
| Next Review Due: | January 2020 |
| Responsible Officer(s): | Manager Corporate Services |
| Council File Reference: | 7.1.1; 7.63.1, 15.3.1 |
| Relevant Policies: | Internal Financial Control Policy; Code Conduct Elected Members & Committee Members, Code Conduct – Employees, Fraud & Corruption Prevention Policy |
| Related Procedures: | In accordance with above relevant policies |
| Delegations: | CEO/Mayor/MCS |

1 Introduction

1.1 The Berri Barmera Council is committed to upholding the principles of transparency and accountability in its administrative and management practices and, therefore, encourages the making of disclosures that reveal public interest information.

1.2 The purpose of this Policy is to ensure that Berri Barmera Council:

- properly fulfils its responsibilities under the Whistleblower Protection Act 1993;
- encourages and facilitates Disclosures of Public Interest Information which may include occurrences of Maladministration and Waste within the Council, and corrupt or illegal conduct in general, so that internal controls may be strengthened;
- provides a process by which Disclosures may be made so that they are properly investigated;
- provides appropriate protection for those who make Disclosures in accordance with the Act; and
- recognises the need to appropriately support the Whistleblower, the Responsible Officer and, as appropriate, those Public Officers affected by any allegation that affects them.
1.3 The Council will review and update this Policy each year as part of its annual policy review.

2 Scope
2.1 This Policy applies to appropriate Disclosures of Public Interest Information that are made in accordance with the Act by Council Members, Employees of the Council, and members of the public. This Policy is also intended to complement the reporting framework under the ICAC Act.

2.2 The Policy is designed to complement the existing communication channels within Council, and operate in conjunction with existing policies, including:

- Fraud & Corruption Prevention Policy;
- Code of Conduct for Council Employees;
- Code of Conduct for Council Members; and

2.3 The Council is committed to:

- referring, as necessary, appropriate Disclosures to the Appropriate Authority, which, depending on the nature of the Disclosure include a Minister of the Crown, the SA Police, the Anti-Corruption Branch of the SA Police, the Auditor-General or the Ombudsman. Further, where the Disclosure relates to Corruption it must be reported directly to the OPI in accordance with the Directions and Guidelines. A report of Misconduct or Maladministration may be made to the OPI, but it must be reported to the OPI if the Disclosure gives rise to a reasonable suspicion of serious or systematic Misconduct and/or Maladministration unless there is knowledge that the Disclosure has already been reported to the State Ombudsman.
- otherwise facilitating the investigation of all appropriate Disclosures of Public Interest Information in a manner which promotes fair and objective treatment of those involved; and
- rectifying any substantiated wrongdoing to the extent practicable in all the circumstances.

3 Definitions
For the purposes of this Policy the following definitions apply.

3.1 **Act** means the *Whistleblowers Protection Act* 1993.

3.2 An **Appropriate Authority** that receives disclosure of public interest information includes:

- a *Minister of the Crown*;
- a *member of the police force* - where the information relates to an illegal activity;
- the *Auditor-General* – where the information relates to the irregular or unauthorised use of public money;
- the *Ombudsman* – where the information relates to a public officer;
• a Responsible Officer, where the information relates to a matter falling within the sphere of responsibility of a Local Government body; or

• any other person to whom, in the circumstances of the case, it is reasonable and appropriate to make the disclosure

3.3 **Corruption in public administration** means:

3.3.1 an offence against Part 7 Division 4 (Offences relating to public officers) of the Criminal Law Consolidation Act 1935, which includes the following offences:

   (i) bribery or corruption of public officers;
   (ii) threats or reprisals against public officers;
   (iii) abuse of public office;
   (iv) demanding or requiring benefit on basis of public office;
   (v) offences relating to appointment to public office.

3.3.2 any other offence (including an offence against Part 5 (Offences of dishonesty) of the *Criminal Law Consolidation Act 1935*, committed by a public officer while acting in his or her capacity as a public officer or by a former public officer and related to his or her former capacity as a public officer, or by a person before becoming a public officer and related to his or her capacity as a public officer, or an attempt to commit such an offence; or

3.3.3 any of the following in relation to an offence referred to in a preceding paragraph:

   (i) aiding, abetting, counselling or procuring the commission of the offence;
   (ii) inducing, whether by threats or promises or otherwise, the commission of the offence;
   (iii) being in any way, directly or indirectly, knowingly concerned in, or party to, the commission of the offence;
   (iv) conspiring with others to effect the commission of the offence.

3.4 **Detriment** includes:

- injury, damage or loss; or
- intimidation or harassment; or
- discrimination, disadvantage or adverse treatment in relation to a person’s employment; or
- threats of reprisal.

1 Such a person may include:
- a Council employee (such as the Chief Executive Officer) to whom the whistleblower feels comfortable making the disclosure; and/or
- The OPI where the disclosure relates to corruption, maladministration or misconduct in public administration.
3.5 **Directions and Guidelines** is a reference to the Directions and Guidelines issued pursuant to section 20 of the ICAC Act, which are available on the Commissioner’s website ([www.icac.sa.gov.au](http://www.icac.sa.gov.au)).

3.6 **Disclosure** means an appropriate disclosure of public interest information made by the Whistleblower to an Appropriate Authority, including to a Responsible Officer.

A person makes an **appropriate disclosure** of public interest information if:

(a) the person:
   i. believes on reasonable grounds that the information is true; or
   ii. is not in a position to form a belief on reasonable grounds about the truth of the information but believes on reasonable grounds that the information may be true an dis of sufficient significance to justify its disclosure so that its truth may be investigated; and

(b) the disclosure is made to an Appropriate Authority.

3.7 **Employee** refers to all the Council’s employees and includes trainees, work experience students, volunteers, and contractors whether they are working in a full-time, part-time or casual capacity.

3.8 **Fraud** is an intential dishonest act or omission done with the purpose of deceiving.

3.9 **ICAC Act** is the *Independent Commissioner Against Corruption Act 2012*

3.10 **Immunity** is an undertaking given by the Council (in accordance with the Act) to a Whistleblower in relation to action it does not intend to take against a Whistleblower as a result of receiving an appropriate disclosure of public interest information from the Whistleblower.

3.11 **Independent Assessor** is the person responsible for investigating, a disclosure made to the Responsible Officer. The Independent Assessor will be appointed by the Responsible Officer on a case-by-case basis (depending upon the nature of the disclosure) in accordance with clause 7.3 of this Policy. The Council may prepare a list of pre-approved persons who may be appointed as an Independent Assessor in any given circumstances, in which case, the Responsible Officer must have regard to this list in appointing the Independent Assessor.

3.12 **Maladministration** is defined in the *Whistleblowers Protection Act 1993* to include impropriety or negligence. Section 4 of the *Independent Commissioner Against Corruption Act 2012* defines **Maladministration in public administration** to mean:

(i) conduct of a public officer, or a practice, policy or procedure of a public authority, that results in an irregular and unauthorised use of public money or substantial mismanagement of public resources;

(ii) or conduct of a public officer involving substantial mismanagement in or in relation to the performance of official functions; and
3.12.1 includes conduct resulting from impropriety, incompetence or negligence; and
3.12.2 is to be assessed having regard to relevant statutory provisions and administrative instructions and directions.

3.13 Misconduct in public administration defined at Section 4 of the ICAC Act means:
3.13.1 contravention of a code of conduct by a public officer while acting in his or her capacity as a public officer that constitutes a ground for disciplinary action against the officer; or
3.13.2 other misconduct of a public officer while acting in his or her capacity as a public officer.

3.14 Office for Public Integrity (OPI) is the office established under the ICAC Act that has the function to:
3.14.1 receive and assess complaints about public administration from members of the public;
3.14.2 receive and assess reports about corruption, misconduct and maladministration from the Ombudsman, the Council and public officers;
3.14.3 make recommendations as to whether and by whom complaints and reports should be investigated;
3.14.4 perform other functions assigned to the Office by the Commissioner.

3.15 Public administration defined at Section 4 of the ICAC Act means without limiting the acts that may comprise public administration, an administrative act within the meaning of the Ombudsman Act 1972 will be taken to be carried out in the course of public administration.

3.16 Public interest information\(^2\) means information that tends to show:
(a) that an adult person, a Council or other Government Agency, is or has been involved in:
   i. an illegal activity; or
   ii. an irregular and unauthorised use of public money; or
   iii. substantial mismanagement of public resources; or
   iv. conduct that causes a substantial risk to public health or safety, or to the environment; or
(b) that a public officer is guilty of maladministration in or in relation to the performance of official functions.

3.17 Public Officer includes:
- a Council Member; and
- an Employee or Officer of the Council;

\(^2\) This definition captures conduct that constitutes corruption, misconduct and maladministration in public administration
3.18 **Responsible Officer** is a person appointed pursuant to Section 302B of the Local Government Act 1999 who is authorised to receive and act upon public interest information received from a Whistleblower. Each Council must ensure that a member of the staff of the Council (with qualifications prescribed by the Regulations) is designated as a Responsible Officer for the Council for the purposes of the Act.

3.19 **Victimisation** occurs when a person causes detriment to another on the ground, or substantially on the ground, that the other person (or a third person) has made or intends to make an appropriate disclosure of public interest information.

3.20 **Waste** refers to the waste of public resources (including public money), which occurs as a result of the substantial mismanagement, irregular or unauthorised use of public resources.

3.21 **Whistleblower** is any person who makes an appropriate disclosure of public interest information.

4 **Confidentiality**

4.1 The identity of a Whistleblower will be maintained as confidential in accordance with the Act. Confidentiality will remain in all circumstances, unless the Whistleblower consents to his/her identity being disclosed, or disclosure is otherwise required so that the matter may be properly investigated. The Act does not expressly require any other information relating to a Disclosure (i.e. the nature of the allegations) to be maintained as confidential.

4.2 A Whistleblower may wish to remain anonymous. In the event that an anonymous disclosure is made, the Whistleblower must ensure that the allegation is sufficiently supported by the provision of necessary details and evidence to enable the matter to be properly investigated. Accordingly, if an allegation is not supported by sufficient evidence it will not be investigated under the provisions of the Act.

5 **Disclosure Process**

5.1 A Disclosure is to be made to the Responsible Officer. A Whistleblower may alternatively choose to disclose public interest information directly to an Appropriate Authority.

5.2 The following are relevant considerations for the Whistleblower in determining where to direct a Disclosure:

5.2.1 subject to this clause, when choosing to make a Disclosure internally, Disclosures relating to an elected member or a member of council staff, other than the Chief Executive Officer (or person acting in that position), should be made to a Responsible Officer;

---

3 It is recommended that the Responsible Officer is one or two Council Officers and is not the Chief Executive Officer, the Mayor, Council Member or a Council Committee. A Council Member should not be appointed as a Responsible Officer as Council Members are not equipped to properly deal with an appropriate disclosure in terms of the roles and responsibilities of their office. Furthermore the Responsible Officer is an administrative role and the principles of good governance require division between the administrative and governing bodies of a Council.

4 Regulation 33 of the Local Government (General) Regulations 2013, states that the prescribed qualifications are the qualifications determined by the Minister. The Minister has not yet made any determination.
5.2.2 any Disclosure relating to a person appointed as a Responsible Officer should be made to the other person appointed as a Responsible Officer or failing this, to an Appropriate Authority external to the Council;

5.2.3 any Disclosure relating to the Chief Executive Officer should be made external to the Council to the Ombudsman or, where it relates to Corruption in public administration to the OPI;

5.2.4 any Disclosure relating to Maladministration or Misconduct in public administration may be reported in accordance with the ICAC Act or, if there is a reasonable suspicion that the Maladministration or Misconduct is serious or systemic, it must be reported to the OPI in accordance with the Directions and Guidelines;

5.2.5 if a Disclosure contains allegations of Fraud or Corruption, the Whistleblower should report the matter in accordance with the Council’s Fraud and Corruption Policy. That is, if the Disclosure relates to Corruption in public administration it should be reported to the OPI in the first instance. If the Disclosure relates to Fraud, it may be reported to the Responsible Officer or direct to SAPOL.

5.2.6 Any allegations of Fraud or Corruption and/or criminal conduct will not be investigated by an Independent Assessor under this Policy.

5.3 Nothing in this Policy prevents a person from making a Disclosure to an Appropriate Authority external to the Council (i.e the Ombudsman or the OPI). This is a choice to be made by the Whistleblower at his/her discretion.

5.4 A Disclosure made to the Responsible Officer may be made in person, by telephone or in writing. The relevant contact details are:

- Telephone   (08) 8332 3433 (08) 8350 0223
- Email    Tim@galpins.com.au john@jaccomrie.com.au
- Address   Confidential – T Muhlhausler J Comrie Whistleblowers
             PO Box 4067488
             NORWOOD SOUTH PLYMPTON SA

5.5 Where a Disclosure is made by telephone, the Responsible Officer must take notes of the conversation and, where possible ask the Whistleblower to verify and sign the notes.

6 The Role of the Responsible Officer

6.1 Upon the receipt of a Disclosure, the Responsible Officer will:

   6.1.1 undertake a preliminary assessment in accordance with Part 7 of this Policy below to determine the nature of the Public Interest Information contained within the Disclosure; and

---

5 The OPI is the authority charged with receiving complaints and reports relating to such information. However, it remains open to the Whistleblower to make a disclosure relating to corruption in public administration to the Responsible Officer if he/she feels more comfortable doing so.
6.1.2 either refer the Disclosure to the Appropriate Authority (where it is appropriate to do so), or proceed with an investigation process outlined in Part 8 of this Policy.

6.2 If the Disclosure relates to the Chief Executive Officer (or a person acting in that position), the Responsible Officer will immediately refer it to the Ombudsman for investigation as the Ombudsman deems appropriate. Alternatively, if the Disclosure relates to Corruption in public administration, the Responsible Officer must immediately report the matter to the OPI in accordance with the Directions and Guidelines.

6.3 In making any determination under this Policy (i.e. such as to refer a disclosure to the Appropriate Authority or proceed with an assessment or otherwise determining whether to pursue an investigation):

6.3.1 the Responsible Officer may seek legal advice from Council’s Lawyers and/or seek guidance from SAPOL or the Ombudsman in relation to the best course of action to pursue; and

6.3.2 is authorised to incur costs in accordance with the Council’s Budget for this purpose.

6.4 In the event that the Responsible Officer determines that the Disclosure warrants further investigation by the Council, the Responsible Officer will appoint an Independent Assessor for these purposes under paragraph 7.3 of this Policy.

6.5 The Responsible Officer will liaise with the Independent Assessor and the Whistleblower in relation to any ensuing investigation process and will ensure that the Whistleblower is provided with adequate support and protection as necessary.

6.6 The Whistleblower will be notified of the progress of any investigation by the Responsible Officer and, wherever practicable and in accordance with the law, of the final outcome.

7. Preliminary Assessment of Complaint

7.1 Where the identity of the Whistleblower is known to the Responsible Officer or is reasonably ascertainable, the Responsible Officer will acknowledge receipt of the Disclosure within 2 days and in doing so, will provide a copy of this Policy to the Whistleblower.

7.2 Upon receipt of a disclosure, the Responsible Officer will undertake a preliminary assessment to determine whether it:

7.2.1 is frivolous, vexatious or trivial, in which case, no further action will be taken in relation to the complaint; or

7.2.2 warrants referral to an Independent Assessor for a formal investigation and report to Council; or requires referral to an Appropriate Authority external to the Council;
7.3 The Responsible Officer must report the outcome of his/her determination under paragraph 7.2 above to the Chief Executive Officer (unless the disclosure relates to the Chief Executive Officer in which case it is to be dealt with pursuant to clause 6.2 above and must not be investigated by an Independent Assessor). Where the Responsible Officer determines the disclosure warrants investigation, the Responsible Officer will, having regard to available resources, appoint the Independent Assessor and refer the Disclosure to the Independent Assessor for investigation.

7.4 Where the Responsible Officer determines the Disclosure warrants referral to an external body, the Responsible Officer will undertake the referral.

7.5 The Responsible Officer will inform the Whistleblower of the outcome of his/her determination under paragraph 7.2 above in writing as soon as is reasonably practicable after the determination has been made.

7.6 If the Whistleblower is dissatisfied with the Responsible Officer’s determination it is open to him/her to report the Disclosure to an Appropriate Authority external to the Council.

8. Investigation Procedure

8.1 The objectives of the investigation process are:

- to investigate the substance of the disclosure and to determine whether there is evidence in support of the matters raised or, alternatively, to refute the report made;
- to collate information relating to the allegation as quickly as possible. This may involve taking steps to protect or preserve documents, materials and equipment;
- to consider the information collected and to draw conclusions objectively and impartially;
- to observe procedural fairness in the treatment of any person who is subject of the disclosure;
- to make recommendations arising from the conclusions drawn concerning remedial or other appropriate action; and

8.2 The Independent Assessor will observe the principles of natural justice throughout the investigation process. The investigation will be conducted in an efficient manner and will involve a thorough and balanced assessment of the available evidence and any other factors deemed relevant to making a fair and reasonable judgement about the matter.

8.3 The Act requires that the Whistleblower assist with certain investigations that may result from his/her Disclosure. In the event that he Whistleblower fails, without reasonable excuse, to assist with an investigation process the protection afforded to him/her under the Act may be forfeited.

8.4 Upon receipt of a Disclosure, the Independent Assessor will bring the fact of the Disclosure to the attention of the person who is the subject of it in writing within 5 days, and provide them with an opportunity to respond to the disclosure within a reasonable timeframe (either in writing or in person).

---

*Refer section 6(3) of the Act.*
The full details of any allegations contained in the Disclosure need not brought to the person’s attention if the Independent Assessor considers that doing so will compromise the success of the investigation.

8.5 At any time the Independent Assessor is required to communicate with the person subject of the Disclosure, the Whistleblower and/or other witnesses for the purposes of the investigation, the Independent Assessor will ensure the relevant person is aware of the reason for and purpose of the communication. Such notification will be provided to the relevant person at least 48 hours before such communication is to take place.

8.6 During any interview with the Independent Assessor, the person who is the subject of a Disclosure may be accompanied by any person providing support to him/her (including a lawyer) as he/she considers fit. Any costs incurred in relation to obtaining the assistance of a support person are the personal expenses of the person subject of the Disclosure. The support person is bound by a duty of confidentiality in relation to any matter discussed during such interview.

8.7 The investigation will be undertaken in confidence. The Independent Assessor will keep the identity of the Whistleblower confidential unless Disclosure of his/her identity is necessary to ensure that the proper investigation of the Disclosure.

8.8 The Independent Assessor will keep the Responsible Officer informed of the expected timeframes for completion of the investigation and the provision of a report to the Council.

9. **Final Report and Recommendation**

9.1 Upon finalising a detailed investigation the Independent Assessor must prepare a report that will contain the following:

- the allegation(s);
- an account of all relevant information received including any rejected evidence, and the reasons why the rejection occurred;
- the conclusions reached and the basis for them;
- any recommendations arising from the conclusions; and
- any remedial action which should be taken by the Council.

The report will be accompanied by:

- the transcript or other record of any verbal evidence taken, including tape recordings; and
- all documents, statements or other exhibits received by the officer and accepted as evidence during the course of the investigation.

9.2 The report will not disclose particulars that will or are likely lead to the identification of the Whistleblower.

9.3 The report must be provided to the Chief Executive Officer to action as he/she considers appropriate.
10. **Handling of Information**

10.1 The Independent Assessor must ensure accurate records of the investigation process are maintained including notes of all discussions, phone calls, and interviews. It is recommended that the interviewee sign written records of interview and interviews be taped, but only where the interviewee has consented to this. Witness statements should also be signed.

10.2 In performing his/her duties, the Independent Assessor will maintain a confidential file of information (including written documents, disks, tapes, film or other objects that contain information) that relates to a disclosure and/or is a product of the associated investigation/reporting process. All such information will be recorded in a register which is to remain confidential and be securely stored.  

11. **Information to Elected Body**

11.1 As a matter of discretion, the Chief Executive Officer may inform the elected body, on a confidential basis, of the fact an investigation of a Disclosure took place and the outcome of the investigation.

11.2 Factors the Chief Executive Officer will take into account in determining whether to inform the elected body under paragraph 11.1 above and the level of detail provided in doing so are as follows:

11.2.1 the identity of the person subject to the Disclosure;

11.2.2 the impact (if any) of the investigation upon the Council’s achievement of its objectives under its Strategic Plan and/or policies; and

11.2.3 the nature of the impact of any action taken to finalise the matter upon the Council’s operations and/or budget.

11.3 In the event the Disclosure and investigation process in confined only to issues impacting upon Council staff and human resource processes, the Chief Executive Officer will not inform the elected body of the fact of the Disclosure and/or investigation since these matters fall outside the roles and responsibilities of elected members under the Local Government Act 1999.

12. **Protection for the Whistleblower**

12.1 The Act provides immunity from criminal or civil liability for Whistleblowers, and protection for Whistleblowers against victimisation. Accordingly the Council will take action as appropriate to protect Whistleblowers from victimisation. Furthermore, in the event that a Whistleblower is victimised, the Council will, immediately refer the matter to the SA Police.

---

7 The Responsible Officer, in conjunction with the independent assessor will ensure all information relating to an appropriate disclosure is maintained as confidential and as such, will be solely responsible for the secure storage of this information. It is recommended that the information be stored separately from the Council’s records. In the event that a person’s appointment as a Responsible Officer is terminated, the person must provide this information to the newly-appointed Responsible Officer and having done so will continue to be bound by a duty of confidentiality in respect of the Whistleblowers identity and the information received.
12.2 The Act does not provide any protection to people who knowingly make false disclosures or are reckless as to whether their disclosures are true.

12.3 A person who knowingly makes a false Disclosure or is reckless as to whether the disclosure is true is guilty of an offence and may be prosecuted.

12.4 A Public Officer who knowingly makes a false disclosure, or is reckless as to whether the Disclosure is true, in addition to being guilty of an offence under the Act, may face disciplinary action taken by the Council.

13. Availability of the Policy

13.1 This Policy will be available for inspection at the Council's Offices during ordinary business hours and via the Council's website www.berribarmera.sa.gov.au. Copies will also be provided to the public upon request, and upon payment of a fee in accordance with the Council's Schedule of Fees and Charges.

Electronic version on the Intranet is the controlled version.
Printed copies are considered uncontrolled.
Before using a printed copy, verify that is the current version.
REPORT:  

Background:  
A question has arisen regarding a possible conflict of interest with regards to my position as Acting Chief Executive Officer (ACEO).

Discussion:  
Please see attached legal opinion obtained from Natasha Jones of Kelledy Jones Lawyers regarding a possible conflict of interest with regards to my position as Acting CEO and my personal relationship with Mr Paul (Doug) Stewart who has recently been appointed as Chairperson of the Berri Hotel.

The legal advice is quite self explanatory with a recommendation that a report be provided to Council regarding my declaration of interest and requesting Council to consider the matter at a meeting open to the public.

Further recommendation being, the Council are to determine whether it authorises the ACEO to continue to act in the course of official duties in relation to matters regarding the Hotel by way of resolution. OR if the Council does not authorise the ACEO to act then Council are to determine who should be authorised to act in relation to matters pertaining to the Hotel.

RECOMMENDATION:  
That Council  
1. having considered Report 13.5 titled “Legal Advice – Conflict of Interest” presented to the ordinary council meeting, receive and note the report.  
2. authorises the Acting Chief Executive Officer in the course of official duties in relation to matters that may arise regarding the Berri Hotel.

ATTACHMENTS:  
Yes  
List  
Attachment 1 - Legal Advice – Kelledy Jones Lawyers
Hi Karyn

Hope you are well.

You have requested advice as to the application of section 120 of the Local Government Act 1999 ('the Act') in relation to matters regarding the Berri Hotel ('the Hotel'), for which you may be required to act in the course of official duties as Acting Chief Executive Officer with the Council. The request for advice arises on the basis that your long term partner, Doug, has recently been appointed Chairperson of the Board of the Hotel.

In particular, in the interests of transparency and accountability, in circumstances where, as you have identified, there is a certain element in the community who scrutinise the dealings between the Hotel and the Council, you have requested advice in relation to the process under section 120(1) of the Act.

I advise as follows:

- the Hotel is a community hotel, and in your role as Acting CEO of the Council, you will (and have been) required to act in relation to matters regarding the Hotel from time to time, most recently in relation to the Riverfront Development;

- Doug has recently been appointed Chairperson of the Board of the Hotel. You do not live together and you are each financially independent;

- section 120(1) of the Act requires that a CEO of a council (including an Acting CEO) with an 'interest' in a matter in relation to which they are required or authorised to act in the course of official duties must disclose the interest to the council, and must not, unless the council determines during a meeting that is open to the public, act in relation to the matter;

- section 120(5) provides that an 'interest' in a matter will arise if you, or a person with whom you are closely associated, would, if you acted in a particular manner, receive, (or have a reasonable expectation of receiving) a direct or indirect personal or financial benefit (or a loss, as the case may be). That is, the benefit or loss is not speculative, but rather framed as a 'would' under the Act. There must be a level of certainty around the outcome;

- section 120(6) includes that a person will be 'closely associated' with an employee of the Council, if they are a 'relative'. The definition of 'relative' under the Act is a spouse or domestic partner, this does not apply to you and your partner;

- however, we can advise from recent experience that the Ombudsman is prepared to read this provision widely. So even though you and Doug are not in a 'defacto' relationship recognised under any common or statutory law, and in your role as Acting CEO you are unlikely to be the final decision maker in relation to matters pertaining to the Hotel (with most, if not all of those decisions falling to the Council, as an elected member body), a conflict of interest may still be determined to
exist including where your private interest conflicts with your public duties, as a public officer for the purposes of the Act and the ICAC Act;

- accordingly, I **recommend** you declare your interest in relation to matters regarding the Hotel to the Council, which can be achieved by way of a short report for the Council’s consideration at a meeting open to the public;

- following the Council’s consideration of the matter, it will be required to determine whether it authorises you to continue to act in the course of official duties in relation to matters regarding the Hotel, as evidenced by way of resolution;

- if the Council resolves to authorise you to act, being matters relating to the Hotel, there is **no requirement** to obtain a separate authorisation to act on each occasion. Likewise, there is no requirement for you to make a declaration in an ongoing manner at each meeting of Council that may contain an Agenda item in relation to the Hotel (as distinct, for example, from the conflict of interest provisions as they apply to elected members under section 73 – 75B of the Act);

- for completeness, if the Council **does not** authorise you to act, it will be required to determine who should be authorised to act in your capacity as Acting CEO in relation to matters pertaining to the Hotel.

Please let me know if you have any questions.

Regards

Natasha

Natasha Jones
Lawyer

kelley jones

T. 8113 7102 | M. 0419 864 531 | E. njones@kelleyjones.com.au | W. kelleyjones.com.au
Level 6/19 Gilles Street Adelaide SA 5000 | GPO Box 2024 SA 5001

This communication, including all attachments, contains confidential information and is subject to legal or other professional privilege. This privilege is not waived or lost by reason of email transmission or by reason of a mistaken or unintended email transmission to the receiver. Where the receiver is not the intended recipient of this email please delete and destroy all copies and telephone KelleyJones Lawyers on + 61 8 8113 7100. This communication is subject to copyright and no part of this email should be reproduced, distributed, disseminated or adapted without written consent of the copyright owner. KelleyJones Lawyers does not warrant that this email is free from computer errors, viruses or interference, except as required by law.
13.6 Riverland G3 Alliance and Riverland Local Government Forum, Notes from meetings held 3 April 2019

REPORT AUTHOR: EA
RESPONSIBLE MANAGER: ACEO
RECORDS REF: MEET – RLGF, I190412-976, I190328-837
STRATEGIC LINKS: Yes; Confident and Contributing Community; Objective 8
FINANCIAL IMPLICATIONS:
- Impact: No
- Budget Description: N/A
- Allocation: N/A
- Expenditure to Date: N/A

SUMMARY:
This report provides to members the Notes from the Riverland G3 Alliance and Riverland Local Government Forum meetings held 3 April 2019.

REPORT:
Background:
N/A

Discussion:
The Notes from the Riverland Local Government Forum meeting hosted by Renmark Paringa Council on the 3 April 2019 are attached for member’s information. Mayor Peter Hunt, Deputy Mayor Rhonda Centofanti and Acting CEO Karyn Burton were in attendance.

The Notes from the Riverland G3 Alliance is included for information only.

The next Riverland G3 Alliance and Riverland Local Government Forum meetings are scheduled to be hosted by Berri Barmera Council on 5th June 2019.

RECOMMENDATION:
That Council
1. having considered Report 13.6 titled “Riverland G3 Alliance and Riverland Local Government Forum, Notes from meetings held 3 April 2019” presented to the ordinary council meeting, receive and note the report.
2. receive the Riverland G3 Alliance and Riverland Local Government Forum Notes from meetings held 3 April 2019.

ATTACHMENTS:
Yes
List
Attachment 1 – RLGF – Notes from meeting held 3 April 2019
Attachment B – G3 Alliance – Agenda for the meeting held 3 April 2019

Berri Barmera Council-Agenda for Ordinary Council Meeting to be held 23 April 2019
Riverland Local Government Forum
Notes of a meeting held in the Renmark Paringa Council Chambers on Wednesday 3 April 2019 commencing at 12.30pm

1. Present:
   Acting Mayor Maria Spano, Renmark Paringa Council (RPC)
   Mr Peter Bull, Acting DCCS (DCCS), RPC (Chair)
   Mayor Peter Hunt, Berri Barmera Council (BBC)
   Deputy Mayor Rhonda Centofanti, (BBC)
   Ms Karyn Burton, Acting Chief Executive Officer (CEO), (BBC)
   Mayor Leon Stasinowsky, District Council Loxton Waikerie (DCLW)
   Deputy Mayor Trevor Norton, (DCLW)
   Mr David Beaton, CEO, (DCLW)
   Mr Peter Bond, CEO, Murraylands & Riverland Local Government Association (ML&RLGA)
   Mr Bruce Mellett, Regional Development Manager Capability, Regional Development Australia Murraylands & Riverland Inc. (RDAM&RL)
   Ms Barb Cowey, Regional Coordinator Murraylands & Riverland, Regions SA, Primary Industries and Regions SA (PIRSA)
   Mrs Julie Gregurec, Notetaker (RPC)

2. Apologies:  Mayor Neil Martinson (RPC), Deputy Mayor Peter Hunter (RPC), Mr Tony Siviour, CEO (RPC), Ms Jo Podoliak, CEO Regional Development Australia Murraylands & Riverland Inc. and Ms Caroline Phillips, General Manager, Destination Riverland

Acting Director Corporate & Community Services (DCCS), Mr Bull welcomed Members to the forum.

3. Confirmation of Notes from Previous Meeting 13 December 2018
   Moved Mayor Hunt
   That the notes of the Riverland Local Government Forum meeting held 13 December 2018 be received.
   Seconded Mayor Stasinowsky
   CARRIED

4. Business arising from the notes:
   Deputy Mayor Norton (DCLW) informed Members of the reinstatement of the Pest Free Area for Fruit Fly in the Riverland region.

5. Deputations:

5.1 Country Arts SA CEO, Mr Steve Saffell was unable to attend the forum, an apology was registered for this meeting.

   Email dated 2/4/19 from Mr Saffell was tabled at the meeting for members to consider and discuss.
Points noted:
Masterplan for the Chaffey Theatre
- No secured investment for development to occur from the State Government or any other funding sources
- Ageing Chaffey Theatre (35 years old), investment required
- Refresh of Theatre required to reflect different ways art is made in the 21st century
- Different expectations of today's audiences and users
- Performances are created for smaller intimate spaces and interactive participation by the audience
- Cutting edge technology is required
- Disability and mobility accessibility
- Expensive running costs
- Imperative that a broader range of the community utilise the Theatre
- Needs to be a thriving, welcoming and creative hub where a diverse range of users visit the centre providing a diverse range of artistic, recreational, social and entertainment activities throughout the day
- Masterplan to meet a shared vision of all its stakeholders, patrons and users
- Consultation process that focuses on the needs of all Riverland communities
- Country Arts SA will be holding meetings with a broad cross section of the community with Grieve Gillette Anderson Architects on the 1st and 2nd May 2019
- Riverland Councils integral stakeholders of the Theatre
- Request that the 3 Riverland Councils meet with representatives for a specific 60 to 90 minute session to come together to be briefed on the process and share their ideas (2nd May)
- Public forum will be held on 1st May
- Proposal to be coordinated by Chaffey Theatre Manager and will be in contact with Councils with final details of the proposed meeting.

5.2 Chaffey Theatre Masterplan Consultation Process
Moved Mayor Hunt
That the Riverland Local Government Forum members agree that they are willing to participate in any upcoming consultation sessions regarding the Masterplan for the Chaffey Theatre.
Seconded Deputy Mayor Norton
CARRIED

6. General Business:

6.1 RDAMR update – Mr Bruce Mellet
Mr Mellet provided an update to the Members.

Points noted:
- Eddie Woo: 2018 Australia Hero of the Year and one of the seven finalists in world's best teacher is coming to the region. Eddie is an inspiration and energetic teacher, infecting a range of people with ideas and new ways to tackle complex issues. RDA have organised for a three day visit later this year with Eddie visiting each Riverland High School and giving a public presentation. As part of his visit a local teacher will shadow Eddie and hopefully be able to pass on his tips and inspiration long after he leaves the region.
• Drone Challenge: PIRSA has announced a four year funding deal for the Riverland High School’s Drone Challenge. A substantial first prize will be offered to the winning school which involves students setting up a real life scenario dealing with a citrus orchard infected by an unknown pest or disease. Another example of immersing local students in the latest innovative technology and expanding their horizons for career options.

• Digital Media: RDA have partnered with a local High School to have senior digital media students prepare social media pages for local businesses. By demonstrating to students the real world examples of how business operates and demands placed on them, hopefully allows students to examine career pathways and opportunities in the future.

• River Murray Study Hub: Riverland site of the Study Hub will start taking students in 2020, but already Year 12 local students are being surveyed about study options, career choices etc. Flinders University and Central Queensland University are at the heart of this exciting development which will give local students more choices about future study. Not all courses will be offered, but hopefully there’s a wide enough selection to allow many locals opportunities to stay in region and complete tertiary education.

• Jobs For Riverland: Part of a Federal Govt. initiative that will kick off in the second half of this year and be aimed at medium to long term unemployed people in region and connect them with job outcomes. A range of local businesses are on board and hopefully a number of positions can be sourced.

• Domestic Violence: RDA is working closely with the local Domestic Violence team to try and source grant funding for another case worker as the service is in crisis mode at present and has been that way for the past 10 months. There is a raft of issues facing the unit, but if we can get another staff member on board it will mean more cases can be dealt with locally and not pushed to Adelaide because there is no capacity locally to deal with them.

The Chair thanked Mr Mellet for the update.

6.2 PIRSA update – Ms Barbara Cowey

Ms Cowey provided an update to Members.

Points noted:
• Update on the progression of the Food & Wine submissions was provided. PIRSA is the lead agency with Ernst & Young developing the business case.

• Drought update provided with information provided on the federal program offering Emergency Stock Grants of up to $25,000 for emergency water for stock. Requested if Council could include drought flyers into their rates notices.

• Murraylands & Mallee Community Action Group update with the appointment of Sharon Starick as Chair. Issues the group are discussing ranges from processes for obtaining destruction permits for kangaroos, lambing issues and lack of stock, health and well being of farmers including spouses.

• Dr Adam Clay, Clinical Psychologist will be providing a day targeted specifically for farmers and the mental health effects the drought is incurring. PIRSA encouraged interested people to attend.
Recently spent a weekend in Horsham to attend the release of an interim findings report on regional communities some of the highlighted topics were:
- Regional communities best served regionally
- Youth retention
- Interest in South Australia Fruit Fly program
- Tree/sea change transition
- Cross border freight route
- Potential to transfer some of the findings and learnings to the Riverland

Trial of ecological program at Calperum, with potential of 9-10 students attending, held over 2 nights. The program is in the process of scoping and is to be offered to private high schools to participate in the program.

Update on the recent Federal budget announcements 19/20
- Building Better Regions Fund
- Farm and Natural Disaster support

Corella control was discussed with Members requesting that it be brought back to the forum for further discussion.

Water opening allocation announcement expected on 15/4/19.

The upcoming predicted drought was discussed in detail between Members.

The Chair thanked Ms Cowey for her update.

6.3 MRLGA update – Mayor Peter Hunt and Mr Peter Bond

Mayor Peter Hunt was congratulated on his appointment as the new President of the Murraylands and Riverland Local Government Association.

Points noted:
- Announcement of the recent resignation of current CEO, Mr Peter Bond
- CEO job applications submissions close Friday 5th April, selection process commencing 15th April
- Last day of employment for Peter Bond is 30 June 2019
- Future visits to all Councils in the Murraylands and Riverland by the President and CEO will be scheduled in the upcoming months.

Peter Bond thanked the members for their support highlighting milestones during the last 4 years of his tenure being:
- Leaving the association with a healthy budget position that will allow the MRLGA Board a sustainable path forward
- Establishment and delivery on a range of regional priorities
- Community well-being alliance to improve regional well-being of your communities
- Currently working on the Social Issues report.

Mr Peter Bond continued to update Members on the MRLGA’s activities;
- Federal Budget announcements
  - Continuation of Special Local Roads Supplementary funding
  - Roads to Recovery increase funding by 25%
  - Mobile Blackspot funding increase of $1.5million
  - Bridge Funding program to continue
  - Roads of Strategic Importance – Gawler to Renmark
  - National Freight and Supply Chain Strategy
- Heavy Vehicle Safety Program funding
- Currently working on the Annual Report and a range of other priority deliverables leading to 30 June 2019.

On behalf of the Riverland Local Government Forum Members, Mayor Hunt formally thanked and acknowledged CEO, Mr Peter Bond for all his help and support to the Riverland Councils over the last 4 years and wished him the best in his future endeavours.

Mr Bond left the meeting at 1.50pm.

6.4 Destination Riverland (DR) update – written report from the General Manager, Ms Caroline Phillips was tabled at this meeting; Ms Phillips was an apology for this meeting.

Points noted:
- Investments requests for 19/20 currently with all Councils for consideration
- DR have been successful in securing a BBRF of 20K for the development of a Riverland Tourism Plan 2030
- DR are also involved in a group of 8 SA regions who have secured 40K funding through BBRF for a digital capability project to upskill industry
- Tourism publications survey currently in market seeking feedback from advertisers on The Riverland Visitor Guide and Rivertime
- SATC board visit in May, currently working on itinerary which will include an industry function.

6.5 Riverland G3 Alliance update – District Council Loxton Waikerie CEO Mr Beaton provided an update.

Points noted:
- Deputation from Messrs Jeff Tate and Myles Somers on the Riverland Planning Agreement Business Case, Potential Collaboration on Environmental Services and next steps. Reports to Councils in April/May
- Deputation from CAMMS representatives provided an introduction and demonstration of the management of CAMMS Strategy and Project/Portfolio Management Solutions
- Riverland Councils agreed jointly to support the Riverland CCTV project
- Street Lighting LED Program Support budget bid for LED street lighting replacement for all 3 Councils
- Delegations & Authorisations Review approved by the G3 Alliance Members
- Riverland Social Indicators strategy funding approved from the Building Better Regions Round 3 Community Stream
- Potential Joint Collaborations
  - Aerial Photography
  - Building Conditions Assessment
  - Leases and Licences
- Alignment of BBC, RPC and DCLW’s H/R policies and procedures as a joint project.

7. Other Business:

Federal Budget 19/20 announcements were discussed between members. Other items discussed were future water allocations, drought implications, funding streams and the positive announcements of roads funding.
8. **Next Meeting:** First Wednesday of every 2nd month  
   5 June 2019 (TBC) Berri Barmera Council

9. **Closure** – 2.11pm.
Riverland G3 Alliance
Notes of a meeting held at the Renmark Paringa Council
Wednesday 3 April 2019, commencing at 9.33 am.

1. **Present**
   - David Beaton, Chief Executive Officer, District Council of Loxton Waikerie Council – Chair
   - Karyn Burton, Acting Chief Executive Officer, Berri Barmera Council
   - Peter Bond, Chief Executive Officer, Murraylands & Riverland Local Government Association
   - Matthew Morgan, Chief Executive Officer, Karoonda East Murray Council
   - Gordon Thomson, Director Corporate Community Services, District Council of Loxton Waikerie Council
   - Peter Bull, Acting Director Corporate & Community Services, Renmark Paringa Council
   - Cheryle Pedler, Manager Environmental Services, Loxton Waikerie Council
   - Terri Hentschke, Acting Executive Assistant, District Council of Loxton Waikerie, note taker

2. **Apologies:** Tony Siviour, Chief Executive Officer, Renmark Paringa Council

3. **Confirmation of notes of previous meeting held 13 December 2018**
   Noted that there was no business arising from previous G3 Alliance meeting held on 13 December 2018 or amendments required.

4. **Deputations**

   4.1 **Joint Planning Board**
   The chair welcomed Jeff Tate and Myles Somers to the meeting at 9.35 am
   
   Mr Tate and Mr Somers provided a PowerPoint presentation titled ‘Riverland Planning Agreement Business Case, Potential Collaboration on Environmental Services; Next Steps’. Points noted from presentation;
   
   - Our area is half way through the process of completing the business case for the Joint Planning Board Module (JPB)
   - Highlighted level of control councils will have depends on option selected to progress with the JPB module (refer to flow chart from presentation)
   - Decision/agreement to be made around, which option to pursue (refer to flow chart from presentation)
   
   Discussion and questions followed noting that environmental services will not be included in the JPB and will have its own plan developed.

   The chair thanked Mr Tate and Mr Somers for their attendance and they left the meeting at 10.31 am.
P Bull moved K Burton seconded
That options 1 and 2 from the report be accepted by the G3 Alliance as follows;

1. That elected member workshops are arranged for April/May to provide a summary of Joint Planning Board Pilot Program/Business Case and revisit objectives.
2. That potential legislative reform allowing alternatives to forming a Joint Planning Board for the purposes of preparation of a Regional Plan, are pursued directly with relevant Minister and Chief Executive DPTI.

CARRIED

K Burton moved P Bull seconded
That options 3 and 4 from the report be accepted by the G3 Alliance as follows;

1. That G3 CEO’s advise staff on the level of priority for investigation into environmental services regional delivery models and business case.
2. That G3 CEO’s support regional collaboration for implementation of administrative and legislative changes under the Planning Development and Infrastructure Act and Regulations to include sharing of information and development of common template, procedures and standards.

CARRIED

Further to the above motion the G3 Alliance work together to investigate the environmental services business case.

4.2 Camms – Strategy & Project/Portfolio Management Solutions (Agendas & Minutes)
The chair welcomed Mr Murfitt, Director and Mr Scanlon, Project Officer to the meeting at 10.34 am

Mr Murfitt provided an introduction and demonstration on the management of Camms’s Strategy & Project/Portfolio Management Solutions.

Discussion and questions followed demonstration

The following was noted from the demonstration/presentation;

- Camms have been working with other councils that use Civica Modules
- Implementation support provided by Camms with training to staff
- On going support will be offered through a service level agreement
- They have standard business processes that can be detailed to suit councils requirements
- Program phased out in stages
- Will need data entry support from council staff
- Technical support provided by Camms
- A ‘Champion’ will need to be identified (end users) for auditing and monitoring of system use and modifications
- Can integrate with Civica programs
- A joint subscription would be offered to the three councils, procurement processes to be followed
- Program can work with Synergy IT Vision, which is used by BBC & RPC
- Cost for G3 councils and as individual councils to be obtained/provided
- Councils can view program on Camden and City of Casey councils websites

Notes - Riverland G3 Alliance meeting 3 April 2019
Berri Barmera Council-Agenda for Ordinary Council Meeting to be held 23 April 2019
The chair thanked Mr Murfitt and Mr Scanlon for their attendance and they left the meeting at 11.07 am.

Further noted that councils talk to Rural City of Murray Bridge who are users of Camms suites and that Cascade and Visio are other similar products that could be investigated.

Further discussion involving deputation 4.1 continued with Karoonda East Murray advising they would be interested in the JPB and also interest/involvement to be sought from Southern Mallee Council.

5. Investment Requests

5.1 Corporate/Economic & Community Panel

5.1.1 Riverland CCTV

K Burton moved P Bull Seconded
That the G3 Alliance endorse and support the Riverland CCTV Project.

CARRIED

RPC identified as the lead council for the project.

5.2 Investment Requests outstanding - Corporate/Economic & Community Panel - Nil

5.3 WHS Risk & Emergency Management - Nil

5.4 Investment Requests outstanding – WHS Risk & Emergency Management - Nil

5.5 Infrastructure & Environment Panel

5.5.1 Street Lighting LED Program Support (LWDC – Greg Perry)
Noted that BBC have conducted an audit on their street lighting.

K Burton moved P Bull seconded
That the G3 approve the budget bid of $15,000 for the LED Street Lighting Replacement for BBC, RPC and DCLW.

CARRIED

5.6 Investment Request Outstanding – Infrastructure & Environmental Panel
Nil

6 One Page Project Reports

6.1 Corporate/Economic & Community Panel

6.1.1 Riverland STARCLUB
Nil

6.1.2 Riverland CCTV
As discussed in item 5.1.1
6.1.3 **Delegations & Authorisations Review (Kelledy Jones Lawyers)**
Noted that;

- Reviews have been undertaken by all three councils
- Delegations need to be issued correctly and staff training provided
- Cost to be obtained on a regional approach
- Step two from the Kelledy Jones report has been undertaken. No action taken on step 1
- On-going review to be built into the option and to be undertaken on a yearly basis
- DCLW identified as the lead council for the project

_D Beaton moved K Burton seconded_

1. That Kelledy Jones (as the author of the initial review) on behalf of the G3 Alliance, undertake a full review of each council’s delegations as a joint project.
2. That this include an on-going review conducted on an annual basis.

**CARRIED**

6.1.4 **Riverland Trails**
DCLW advised that they will not be party to the in the Riverland Trails Project consultancy. BBC to advise of their involvement.

6.1.5 **ICT Strategy – Commercial in Confidence**
Nil

6.1.6 **Elected Member Training**
Nil

6.1.7 **Governance Frameworks Flowchart**
DCLW will update flowchart and present at next meeting.

One Page Reports outstanding

6.1.8 **Regional Support for Project Policy (RPC)** - Nil

6.1.9 **Riverland Social Indicators Report (RPC)**
P Bull advised that they have received funding from Building Better Regions Round 3 Community Stream to develop a Social Indicators Strategy.

6.1.10 **Destination Riverland/Tourism Coordination (DCLW)** - Nil

Completed Projects

6.1.11 **Election Preparation (DCLW)**
Nil

6.2 **WHS Risk & Emergency Management**

One Page Reports Received - Nil

One Page Reports outstanding – Nil
6.2.1 **WHS & Risk Implementation (BBC)** - Nil

6.3 **Infrastructure & Environment Panel**

One Page Reports Received

6.3.1 **Joint Planning Board Feasibility Investigations (BBC)**

Nil

6.3.2 **LoRaWAN Project (LWDC)**

Waiting on outcome of funding application. Details of what project entails explained.

6.3.3 **Possible Joint Collaborations**

**Aerial Photography**

DCLW need to update their aerial photography and proposed that this be a G3 joint project. BBC and DCKEM advised they are interested. Interest to be sought from Southern Mallee Council.

RPC advised it would consider if it required aerial photography and would advise LWC once determined.

DCLW identified as the lead council.

**Building Conditions Assessment**

DCKEM, BBC and RPC advised their interest in a joint building conditions assessment being undertaken for council owned buildings. DCLW to obtain costings. DCLW identified as the lead council.

**Leases & Licences**

That the leases and licences templates for the G3 councils, including DCKEM and Southern Mallee Councils be updated as joint project. DCLW identified as the lead council.

One Page Reports Outstanding

6.3.4 **Joint Purchasing (BBC)**

Nil

6.4 **Completed Projects**

Nil

7. **Any Other Business**

7.1 **G3 Annual Report (BBC)**

Report inclusion content to be forwarded to J Lang at BBC by COB Thursday 18 April 2019.

7.1.1 **HR Policy & Procedures**

K Burton moved P Bull seconded

That investigations continue into aligning BBC, RPC and DCLW’s HR policies and procedural documents as a joint project.
Further to the above, Manager Human Resources and Risk from BBC has obtained three quotes as part of this process. BBC identified as the lead council.

8. **Next Meeting** 1\textsuperscript{st} Wednesday of every 2\textsuperscript{nd} month (prior to RLGF)
   5 June 2019 hosted by Berri Barmera Council

9. **Closure** – 11.51 am
SUMMARY:
A request has been received from Mr Ken Grundy of Naracoorte, asking for his item of correspondence to be placed on the Council Agenda for members information.

REPORT:
Background:
N/A

Discussion:
Attached for members information is an item of correspondence received from Mr Ken Grundy, in which Mr Grundy has requested be tabled for members information.

The Legislation that describes the requirements for enrolment is The Local Government (Elections) Act 1999, with Section 14 – Qualifications for enrolment outlining the eligibility criteria and is attached as Attachment 2 to this report.

RECOMMENDATION:
That Council having considered Report 13.7 titled “Local Government Elections – Correspondence from Mr Ken Grundy” presented to the ordinary council meeting, receive and note the report.

ATTACHMENTS: Yes List
Attachment 1 – Correspondence from Mr Ken Grundy
Attachment 2 – Section 14, Local Government (Elections) Act 1999
The CEO
Berri Barmera Council
Dear Sir/Madam

Prior to the last Council elections, very few people were aware of a clause in the Local Government Act which provides for non-Australian citizens to vote at Council elections.

It was well known that every Australian citizen in SA, over the age of 18 years was on the State Electoral roll and was therefore automatically enrolled to vote at Council elections. It was only when the banners about the election were displayed that it became evident that people other than those automatically enrolled, may also be entitled to vote.

To qualify, a non-Australian citizen would need to meet the Council CEO and verify that he or she had been living at a residence within the Council area for at least 30 days.

The generally accepted protocol across all administrative bodies in Australia is that it is the members alone who are entitled to vote and elect the personnel who administer the body. This applies to sporting clubs, trade unions, industry groups, service clubs and corporations etc.

Our State and Federal elections are open only to Australian citizens.

Why would Council elections be different? Those desiring a vote are welcome to become citizens.

There is a campaign to amend the Local Government Act to be consistent with voting for the other levels of Government which require voters to be Australian citizens. It will require State Parliamentary approval.

I would appreciate the matter being placed on your meeting agenda because your elected members are closest to the scene. I would hope they prefer to see consistency across voting for all levels of Government and I encourage your Council to contact the local MP and Minister Knoll seeking the amendment.

Yours faithfully

Ken Grundy

Box 177

Naracoorte SA 5271

March 4 2019
13—Costs and expenses

All costs and expenses incurred by the returning officer in carrying out official duties must be defrayed from funds of the council.

13A—Information, education and publicity for general election

(1) The returning officer may, after consultation with the LGA conducted in such manner as the returning officer thinks fit, arrange advertising (the costs of which are recoverable from councils in accordance with a scheme determined by the returning officer) for the purposes of—

(a) informing electors on access to information relating to candidates; and
(b) encouraging voting at elections; and
(c) informing electors about postal voting and the method of voting; and
(d) advising potential electors (other than those referred to in section 14(1)(a)) of the requirement to apply to be enrolled on the voters roll.

(2) Each council—

(a) must, in a year in which a periodic election is to be held, during the period commencing on 1 January of that year and ending on the day fixed by the returning officer for the close of the roll, inform potential electors in its area (other than those referred to in section 14(1)(a)) of the requirement to apply to be enrolled on the voters roll; and

(b) may arrange advertising relating to any matters referred to in subsection (1).

Part 4—Enrolment

14—Qualifications for enrolment

(1) Subject to this Act—

(a) a natural person is entitled, without application, to be enrolled on the voters roll for an area or ward if that person is enrolled as an elector for the House of Assembly in respect of a place of residence within the area or ward; and

(ab) a natural person (not being a person referred to in paragraph (a)), who is of or above the age of majority, is entitled, on application to the chief executive officer under this section, to be enrolled on the voters roll for an area or ward if that person—

(i) is resident at a place of residence within the area or ward and has been so resident for a continuous period of at least 1 month immediately preceding the date of the application for enrolment; or

(ii) is a ratepayer in respect of rateable property within the area or ward and is the sole owner of that rateable property; or

(iii) is a ratepayer in respect of rateable property within the area or ward, is the sole occupier of that rateable property, and is not a resident in respect of that rateable property; and
(b) a body corporate is entitled, on application to the chief executive officer under this section, to be enrolled on the voters roll for an area or ward if it is a ratepayer in respect of rateable property within the area or ward and is the sole owner or sole occupier of the rateable property; and

(c) a group of persons (consisting of natural persons, bodies corporate or partly of natural persons and partly of bodies corporate) is entitled, on application to the chief executive officer under this section, to be enrolled as a group on the voters roll for an area or ward if—

(i) the members of the group are all ratepayers in respect of rateable property within the area or ward; and

(ii) the members of the group are joint owners, owners in common or joint occupiers of the rateable property; and

(iii) at least one member of the group (being a natural person of or above the age of majority or a body corporate) is not enrolled on the relevant voters roll under paragraph (a), (ab) or (b), and no member of the group is enrolled on the relevant voters roll under paragraph (a) or (ab)(i) as a resident in respect of the rateable property; and

(iv) no member of the group who is an occupier of the rateable property but not an owner is a resident in respect of the rateable property.

(1a) A natural person is entitled, without application, to provisional enrolment on the voters roll for an area or ward if he or she is provisionally enrolled as an elector for the House of Assembly in respect of a place of residence within the area or ward.

(2) No enrolment will be made on the voters roll on the basis of a claim or application received between the time at which rolls for an election or poll close and polling day for the election or poll.

(3) If—

(a) a person has been enrolled as an elector under subsection (1)(ab)(i) on the basis of residence at a particular place of residence; and

(b) the chief executive officer sends a notice to the relevant address asking the elector to indicate whether he or she is still resident at that address; and

(c) the chief executive officer receives no reply within 28 days of the date of the notice or receives a reply indicating that the elector is no longer resident at that address,

it may be presumed, for the purposes of the revision of the voters roll, that the elector is not still resident in the area or ward.

(3a) Except as otherwise provided in this Act, the name of a person, body corporate or group must not be added to the voters roll for an area or ward except in accordance with an application for enrolment.

(3b) An application for enrolment on the voters roll for an area or ward must—

(a) be in a form approved by the returning officer; and

(b) be signed and witnessed as required by the returning officer; and

(c) be made to the chief executive officer of the council.
(3c) If an application for enrolment in respect of an area or ward is received by a chief executive officer, the chief executive officer must enrol the applicant unless—

(a) the chief executive officer believes the applicant is not entitled to be enrolled; or

(b) —

(i) in the case of an application made in respect of an entitlement under subsection (1)(ab)—the natural person is already on the voters roll for the area or ward by virtue of another entitlement to vote; or

(ii) in the case of an application made in respect of an entitlement under subsection (1)(b) or (1)(c)—the designated person of the body corporate or group is already on the voters roll for the area or ward (whether as a designated person or by virtue of another entitlement to vote).

(6) The chief executive officer may determine the name of a group for the purposes of the voters roll.

(7) The name of a group must include the word "Group" at the end.

(8) For the purposes of subsection (1)(ab)(iii) and (c)(iv), the chief executive officer is entitled to assume (in the absence of any information in the hands of the chief executive officer to the contrary) that a ratepayer in respect of rateable property used for residential purposes who is a natural person and who is (or who appears to be) an occupier but not an owner of that rateable property is a resident in respect of that rateable property (and the voters roll may have effect accordingly).

(9) A person must not make a statement that is false or misleading in a material particular (whether by reason of the inclusion or omission of any particular) in any information provided under this section.

Maximum penalty: $10 000.

Note—

1 Subsection (1) does not apply to the Crown (see section 302 of the Local Government Act 1999).

15—The voters roll

(1) The chief executive officer is responsible for the maintenance of a voters roll for the area.

(2) Subject to this section, the voters roll must set out in relation to each person, body corporate or group enrolled—

(a) in the case of a natural person—the full name of the person and the address of the person's place of residence; and

(b) in the case of a body corporate or group—the full name of the body corporate or group and the full name, residential address and date of birth of the designated person for the body corporate or group; and

(c) the address of the place of residence or rateable property (as the case may be) by virtue of which the person, body corporate or group is entitled to be enrolled; and
13.8 Lake Bonney Caring for Country Advisory Group – Draft Terms of Reference

REPORT AUTHOR: AO
RESPONSIBLE MANAGER: ACEO
RECORDS REF: N/A
STRATEGIC LINKS: Yes; Confident and Contributing Community; Objective 1
FINANCIAL IMPLICATIONS: Impact Yes
                      Budget Description Various
                      Allocation $146,000
                      Expenditure to Date $13,393

SUMMARY:
This report presents a committee structure to apply for the 2018-2022 council term to support council decision making.

REPORT:
Background: N/A

Discussion:
The report seeks endorsement of the committee structure and terms of reference for the Lake Bonney Caring for Country Advisory Group by council, the determination of committee membership and appointment of a chairman once established.

Conclusion: N/A

RECOMMENDATION:
That Council:
1. having considered Report 13.8 titled “Lake Bonney Caring for Country Advisory Group – Draft Terms of Reference”, as presented to the ordinary council meeting, receive and note the report.
2. endorse the Terms of Reference of the Lake Bonney Caring for Country Advisory Group.
3. appoint Crs ................, ........................., ......................... and ..................... to Lake Bonney Caring for Country Advisory Group.
4. seek expressions of interest from members of the public who would like to be considered as an independent representative on the Lake Bonney Caring for Country Advisory Group.
5. invite the First Peoples (River Murray Aboriginal Corporation Inc) to nominate a representative and proxy to be a member of the Lake Bonney Caring for Country Advisory Group.
6. receive a report at the completion of the expression of interest process to confirm and endorse the non-elected members of the Lake Bonney Caring for Country Advisory Group.

ATTACHMENTS: Yes

List
Attachment 1 - Terms of Reference: Lake Bonney Caring for Country Advisory Group
1. **Name**

1.1. Pursuant to section 41(1) of the Local Government Act 1999, the Berri Barmera Council (Council) resolved on 27 November 2018 to establish a sub-committee to be known as Lake Bonney Caring for Country Management Plan Advisory Group (the Sub-committee).

2. **Functions of the Sub-Committee**

2.1. The Committee has the following functions:

2.1.1. Support the implementation of the Lake Bonney Caring for Country Management Plan

2.1.2. Make recommendations to the Environment and Sustainability Committee regarding implementation and review of Lake Bonney Caring for Country Management Plan

2.1.3. Promote involvement of community stakeholders in partnership with Council, First Peoples (River Murray and Mallee Aboriginal Corporation Inc) and other formal stakeholders involved in the delivery of Lake Bonney Caring for Country Management Plan

3. **Membership**

3.1. The members of the Sub-committee shall be appointed or removed by resolution of Council and will consist of.

   a) Up to 4 Elected Members

   b) One representative from First Peoples (River Murray Aboriginal Corporation Inc)

   c) Up to 6 community members including landholders of property adjacent to the Management Plan lands; Barmera Primary School and other community Members with particular relevant interests

3.2. The Mayor is an ex officio member of the Committee.

3.3. Term of membership will expire at each Periodic Council Election (or at cessation of Sub-committee upon a decision of Council).

3.4. The Presiding Member shall be nominated by the Sub-committee and subject to approval, appointed by Council.

3.5. Only members of the Sub-committee are entitled to vote in Sub-committee meetings. Unless otherwise required by the Act not to vote, each member must vote on every matter that is before the Sub-committee for decision.

3.6. Council staff may attend any meeting as directed by the Chief Executive Officer for the provision of advice or the conduct of administrative functions, but are not entitled to vote.

4. **Quorum**

4.1. A quorum shall consist of (half plus one) 6 members.

5. **Members liability**

5.1. No civil Liability shall attach to a member of the Sub-committee for an honest act or omission in the exercise performance or discharge or purported exercise, performance or discharge of the members or committee’s functions or duties. A liability that would but for the foregoing attach to a member of a committee, attaches instead to the Council.

5.2. Any liability or risk management issues must be communicated within the Council.
6 Conflict of interest
6.1 The provisions of sections 73, 74, 75, 75A and 75B the Local Government Act 1999 will apply to all members of the Committee.

7 Register of interest
7.1 The provisions of sections 73, 74, 75, 75A and 75B the Local Government Act 1999 will apply to all members of the sub-committee.

8 Proceedings the Sub-committee meetings
8.1 The Committee shall be subject to the provisions of the Local Government (Procedures at Meetings) Regulations 2000, Part 2.
8.2 The Committee shall meet three (3) times per year, with authority to convene additional meetings, as circumstances require.
8.3 A notice of meeting and agenda shall be provided to each committee member at least 3 clear days before each meeting.
8.4 Special Meetings may be held at any time, at the request of the Presiding Member of the Sub-committee or at least four members of the Sub-committee.
8.5 All resolutions of the Sub-committee shall act as recommendations to the Environment and Sustainability Committee or Council.
8.6 A question arising for decision at a meeting of the Sub-committee will be decided by a majority of the votes cast by the members present at the meeting and entitled to vote on the question.
8.7 All members of the Sub-committee who are present at a meeting shall have a deliberative vote.
8.8 The Presiding Member shall also have a casting vote if required.
8.9 In accordance with the principles of open, transparent and informed decision making, Sub-committee meetings must be conducted in a place open to the public. The agenda and minutes of Sub-committee meetings are also required to be made available to the public, subject to any items that are discussed in confidence under Section 90 of the Local Government Act 1999 and subsequently retained as confidential under Section 91 of the Act.

9 Duties of the Presiding Officer
9.1 The duties of the Presiding Officer of the Sub-committee are:
a) to preside at meetings of the Sub-committee
b) preserve order at meetings so that the business may be conducted in due form and with propriety
c) upon confirmation of the minutes, sign them in the presence of the meeting
d) responsibility to the Council for the proper observance of these Terms of Reference
e) if requested, to provide advice to the Responsible Officer between committee meetings on the implementation of the decisions of the Sub-committee
f) to act as the principal spokesperson of the Sub-committee
g) to exercise other functions of the Sub-committee as the Council determines

10 General Duties of Members of the Sub-committee
10.1 Members are expected to:
a) act honestly and within the law at all times
b) act in good faith and not for improper or ulterior motives
c) act in a reasonable, just and non discriminatory manner
d) undertake their role with reasonable care and diligence
e) conduct their ongoing relationship with fellow Council members, Council employees and the public with respect, courtesy and sensitivity
f) use information in a careful and prudent manner.
11 Casual Vacancies
11.1 The position of member on the Sub-committee becomes vacant if the member:
   a) resigns by notice in writing to the Chairman of the Sub-committee; or
   b) is removed from office by the Council on the grounds that he or she has been absent without
      leave of the Sub-committee from three or more consecutive meetings, the first of which having
      been held three months or more before the last; or
   c) is removed by the Council at its sole discretion; or
   d) is declared a bankrupt or applies for the benefit of the law for the relief of insolvent debtors; or
   e) is convicted of an indictable offence punishable by imprisonment
11.2 The Sub-committee shall forthwith inform the Council if any member forfeits their seat in such a
    manner.
11.3 In respect of disqualification by reason of absence for three months or more, the member
    forfeiting their seat under these circumstances shall however be eligible for re-election to the Sub-
    committee of which they were a member.
11.4 If a casual vacancy occurs on the Sub-committee, the CEO shall determine the process to fill that
    vacancy.
11.5 In the event that four (4) positions become vacant concurrently for whatever reason, the Sub-
    Committee must immediately suspend the performance of its duties and obligations conferred by
    this Term of Reference and forthwith inform the Chief Executive Officer of the Council, who shall
    give consideration to the cause of the casual vacancies and seek determination from Council.

12 Reporting & accountability
12.1 Administrative support will be provided by Council through direction of the Chief Executive
    Officer.
12.2 Council will provide a Responsible Officer by direction of Chief Executive Officer.
12.3 A copy of the agenda and minutes of every meeting shall be provided to the Chief Executive
    Officer for inclusion in the agenda of the next Council meeting, provided for public display and on
    council’s website.
12.4 Where a particular matter requires a specific resolution or the attention of the Council, the
    minutes will adequately reflect a recommendation to be considered by Council.
12.5 The Sub-committee is accountable to the Berri Barmera Council in all things.

13 Disputes
13.1 Should a dispute arise over any matter, the matter shall be handled in accordance with Council’s
    Grievance Procedures; however the decision of the Council will be final.
13.2 The Council is committed to transparent decision making processes and to providing access to a
    fair and objective procedure for the hearing of review of decisions. Grievances may arise as a
    result of dissatisfaction with a decision about a policy, procedure, service or fee.

14 Review and amendment to terms of reference
14.1 Council may at any time amend or alter these terms of reference by resolution of the Council. The
    Sub-committee shall at least annually, review these Terms of Reference to ensure that they
    properly reflect the role and function of the committee.

15 Cessation of the committee
15.1 The Sub-committee may be dissolved upon a decision of Council.

| Adopted:                           |                           |
| Terms of Reference                |                           |
| First meeting and Appointment of Presiding Member |   |
Summary:
This report provides to members the Minutes of the Murraylands and Riverland Local Government Association (MRLGA) from the meeting held 5 April 2019.

Report:
Background:
N/A

Discussion:
The Minutes of the Murraylands and Riverland Local Government Association meeting held 5 April 2019 are attached at Appendix for members’ information. The meeting was attended by Berri Barmera Council representatives Mayor Peter Hunt, Deputy Mayor Rhonda Centofanti, Proxy Cr Ella Winnall and Acting CEO Karyn Burton (as observer).

The next Murraylands and Riverland LGA General meeting is scheduled for Friday 5th April 2019 at Karoonda commencing at 9.30am.

Recommendation:
That Council:
1. having considered Report 13.9 titled “Murraylands and Riverland Local Government Association - Minutes from meeting held 5 April 2019” as presented to the ordinary Council meeting, receive and note the report.
2. receive the Murraylands and Riverland Local Government Association’s Minutes from meeting held 5 April 2019.

Attachments:
Yes

Attachment 1 – Minutes of the Murraylands & Riverland Local Government Association meeting held 5 April 2019.
Contents

1. PRESENT ..................................................................................................................................3
   1.1. MRLGA Board Delegates .................................................................................................3
   1.2. Council Members (Proxy Delegates) ...............................................................................3
   1.3. MRLGA Representatives, Guests and Observers ..........................................................3

2. APOLOGIES ..................................................................................................................................4

3. DISCLOSURE OF INTERESTS .................................................................................................4

4. MINUTES OF MEETINGS .........................................................................................................4

5. MATTERS ARISING FROM MINUTES. ....................................................................................5
   5.1. MRLGA CEO Network Group - MRLGA Subscription Model ......................................5

6. GENERAL MEETING ..................................................................................................................5
   6.1. NOTICE OF MOTION ......................................................................................................5
   6.2. MRLGA PRESIDENT’S REPORT ....................................................................................5
   6.3. COMMITTEES OF THE SUBSIDIARY ..............................................................................8
       6.3.1. MRLGA Regional Public Health Committee ........................................................8
       6.3.2. MRLGA CEO Network Group ...............................................................................8
   6.4. GENERAL REPORTS .......................................................................................................8
       6.4.1. SAROC ..................................................................................................................8
           6.4.1.1. SAROC Meeting Minutes ...............................................................................8
           6.4.1.2. SAROC 2019 - 2020 Annual Business Plan ...................................................8
       6.4.2. MRLGA Chief Executive Officer’s Report ..............................................................9
       6.4.3. Local Government Association of SA .....................................................................9
       6.4.4. Office of Local Government (OLG) .......................................................................10
       6.4.5. Murray Darling Association (MDA) ......................................................................11
           6.4.5.1. Activity Update Reports .................................................................................11
           6.4.5.2. MDA Basin Communities Leadership Program and Murray Darling Basin Plan ..................................................................................................................................11
   6.5. OUTSIDE ORGANISATIONS AND COMMITTEES ..........................................................14
       6.5.1. Regional Development Australia Murraylands and Riverland ................................14
       6.5.2. SA MDBNRM Board .............................................................................................15
       6.5.3. Murray Mallee Local Service Area, SAPOL ..........................................................15
       6.5.4. PIRSA Regions SA ..................................................................................................15
       6.5.5. Riverland Local Government Forum (RLGF) .........................................................15
       6.5.6. Murray River Alliance SA Meeting ........................................................................16
   6.6. STRATEGIC MATTERS .....................................................................................................16
       6.6.1. Policies of the Murraylands and Riverland Local Government Association ..........16
       6.6.2. Appointment of External Auditor ...........................................................................16
       6.6.3. MRLGA Budget Workshop and Special Meeting ..................................................17
   6.7. FINANCIAL REPORTS .....................................................................................................17
       6.7.1. Profit and Loss Statement, Balance Sheet, Bank Reconciliation and Operating
          Budget Budget
6.8. GENERAL BUSINESS. (including DISCUSSION ITEMS etc.) ........................................ 18
6.8.1.Around the Table ........................................................................................................ 18
6.8.2.Opportunity for Members of Parliament to Present on topical issues .................... 18
6.9. CORRESPONDENCE .................................................................................................... 20
6.9.1.Correspondence for Information - Inwards and Outwards .................................... 20
6.9.2.Correspondence for MRLGA Board Determination; ....................................................... 20
6.10. GUEST SPEAKERS ....................................................................................................... 20
6.10.1.Michael Cutting SAMDB NRM Sustainable Irrigation Team Leader ...................... 20
6.11. CONFIDENTIAL ITEMS ............................................................................................... 20
6.12. CLOSE AND DATE OF NEXT MEETING: ................................................................. 21

APPENDICES

APPENDIX 1 SA MDBNRM BOARD MARCH 2019 UPDATE
APPENDIX 2 MURRAY-DARLING BASIN WATER INFRASTRUCTURE PROGRAM
MRLGA PRESIDENT’S WELCOME

Mayor Peter Hunt, President welcomed all those in attendance, making special mention of guests present and declared the Meeting open at 9.30 am.

Mayor Caroline Phillips, District Council of Karoonda East Murray welcomed all to the Karoonda East Murray area. Mayor Phillips made mention of:

- Karoonda Farm Fair being held over next two days and all welcome to attend,
- Council Highlights Newsletter as a new Council initiative to inform its community,
- New Childcare Centre currently in construction phase and to be opened soon,
- Colour-Up Karoonda Event scheduled for 16th June 2019 including live music, silo art and a street market.

1. PRESENT

1.1. MRLGA Board Delegates

Cr Rhonda Centofanti, Deputy Mayor, Berri Barmera Council (Proxy)
Mayor Paul Simmons, Coorong District Council
Mayor Caroline Phillips, District Council of Karoonda East Murray
Mayor Leon Stasinowsky, District Council of Loxton Waikerie
Mayor Dave Burgess, Mid Murray Council (Vice President)
Mayor Brenton Lewis, Rural City of Murray Bridge
Acting Mayor Maria Spano, Renmark Paringa Council
Mayor Andrew Grieger, Southern Mallee District Council

1.2. Council Members (Proxy Delegates)

Cr Ella Winnall, Berri Barmera Council
Cr ‘Tank’ Arthur, Deputy Mayor, Coorong District Council
Cr Sharon Bland, Coorong District Council
Cr Trevor Norton, Deputy Mayor, District Council of Loxton Waikerie
Cr Kevin Myers, Deputy Mayor, Mid Murray Council
Cr Allan Maddocks, Renmark Paringa Council

1.3. MRLGA Representatives, Guests and Observers

Mayor Peter Hunt, Berri Barmera Council, MRLGA President
Peter Bond, CEO & Minute Taker
Tony Pasin MP, Member for Barker (arrived at 10.35am)
Lea Bacon, Director Policy, LGA
Jo Podoliak, CEO, RDA Murraylands & Riverland
Barb Cowie, Coordinator MR, PIRSA Regions SA
Di Davidson, Presiding Member, SA MDB NRM Board
Michael Cutting SAMDB Team Leader SA MDB NRM (arrived at 11.30am)
Mike Williams, Regional Director, DEW
Karyn Burton, Acting CEO, Berri Barmera Council
Vincent Cammell, CEO, Coorong District Council
Matthew Morgan, CEO, District Council of Karoonda East Murray
David Beaton, CEO, District Council of Loxton Waikerie
John Coombe, Acting CEO, Mid Murray Council
Jason Taylor, CEO, Southern Mallee District Council
2. APOLOGIES

Senator Anne Ruston
The Hon. John Dawkins, Member of the Legislative Council (MLC)
The Hon. Tim Whetstone, MP, Member for Chaffey
Adrian Pederick, MP, Member for Hammond
Alex Hart, Office of Local Government
Superintendent James Blandford, SAPOL, Murray Mallee LSA
Mayor Neil Martinson, Renmark Paringa Council
Cr Peter Hunter, Deputy Mayor, Renmark Paringa Council
Tony Siviour, CEO, Renmark Paringa Council
Michael Sedgman, Rural City of Murray Bridge

**BBC Moved**

“That the apologies be accepted”

*Seconded by SMDC and CARRIED*

3. DISCLOSURE OF INTERESTS

<table>
<thead>
<tr>
<th>Item No &amp; Title</th>
<th>CEO MRLGA Recruitment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Peter Bond, CEO</td>
</tr>
<tr>
<td>Nature of Interest</td>
<td>Non - Pecuniary Interest</td>
</tr>
<tr>
<td>Manner in which conflict will be dealt with</td>
<td>No action necessary</td>
</tr>
<tr>
<td>Name</td>
<td>Peter Bond, CEO</td>
</tr>
<tr>
<td>Nature of Interest</td>
<td>Pecuniary Interest</td>
</tr>
<tr>
<td>Manner in which conflict will be dealt with</td>
<td>Will remove himself from discussion where tender bids are an item.</td>
</tr>
</tbody>
</table>

4. MINUTES OF MEETINGS

4.1. Confirmation of the Minutes of the MRLGA General Meeting held at Mannum on Wednesday 30th January 2019.

**DCLW Moved**

“That the Minutes of the MRLGA General Meeting held at Mannum on Wednesday 30th January 2019 be accepted as a true and correct record of the proceedings at that meeting.”

*Seconded by MMC and CARRIED*
5. MATTERS ARISING FROM MINUTES.

Business arising from the Minutes of the General Meeting held at Mannum on Wednesday 30th January 2019.

5.1. MRLGA CEO Network Group - MRLGA Subscription Model

Agenda Report

In reviewing the minutes from the CEO MRLGA Network Group meeting held Monday 21st January 2019 the MRLGA Board adopted the recommendation of that group to endorse “in principle” the MRLGA Subscription Model subject to a consultation process with member Councils prior to roll-out in the 2019/20 financial year.

All member Councils have been formally written to with an outline of a “Value Proposition” in support of the draft MRLGA Subscription Model. To date the following feedback has been received;

- RCMB have a Council resolution supporting the subscription model,
- DCKEM have a Council resolution supporting the subscription model,
- RPC have a Council resolution supporting the subscription model,
- CDC are proposing to workshop the proposal as part of their Council Annual Business Planning process,
- SMDC support the proposal and are proposing to deal with the matter through their budgetary process,
- MMC indicated support for the proposal and are proposing to deal with the matter through their budgetary process,
- BBC have a Council resolution supporting the subscription model,
- DCLW indicated support for the proposal and are proposing to deal with the matter through their budgetary process.

The CEO MRLGA Network Group has requested the CEO prepare a one page Value Proposition that can be used by delegates when outlining a case in support of the draft MRLGA Subscription Model.

6. GENERAL MEETING

6.1. NOTICE OF MOTION

Nil

6.2. MRLGA PRESIDENT’S REPORT

Report

I am very pleased to present my President’s Report to March 2019. The President’s report is summarised as follows;

2019 Council Best Practice Showcase and LGA OGM - The 2019 Council Best Practice Showcase and LGA Ordinary General Meeting will be held at the Adelaide Entertainment Centre on 11 & 12 April 2019.

Day 1 will commence with a keynote address from Craig Reucassel, a writer and comedian who is best known for his work with the ABC on The Chaser and The War on Waste series. After morning tea delegates will have a choice of two concurrent streams, with the first highlighting a range of best practice projects from across SA Councils in areas such as service transformation, leadership programs, tourism, disability access and inclusion planning, SA Coastal Council Alliance and financial and asset management. The alternate stream will have a waste and recycling focus, noting the current efforts to establish a circular economy in South Australia.
Day 2 will include the Ordinary General Meeting, and prior to this a keynote address, followed by the Minister's Excellence in Public Health Awards.

The LGA will again recognise currently serving elected members who have served local government for 20 years or more at the Showcase Networking Dinner on 11 April.

**State Planning Policies** - The State Government has approved South Australia’s inaugural State Planning Policies, which are now in effect. These policies set out the state-wide vision for land use in South Australia, and must be considered when:

- preparing or amending designated instruments such as Regional Plans or Planning and Design Codes,
- when establishing an infrastructure scheme, and
- when assessing an environmental impact statement.

The LGA consulted extensively with members on these policies, which included holding several workshops and providing a submission to the Government.

**Federal Election** - The LGA has written to all Federal parties and independent MPs to highlight the unfair share of Commonwealth road funding South Australia receives, and seek their support for the continuation of supplementary road funding for our State. Securing an extension of this funding well beyond the current financial year will be the LGA's key priority in the lead up to the election, and the 2018/19 Federal Budget. The LGA are also encouraging all members to raise this issue with their local Federal representatives, to ensure that Councils have the funding they need to maintain the roads their communities use every day.

**Local Government Reform**

On Wednesday 20 February 2019, Mayors and chairs from across SA met with the Premier and the Minister in Adelaide to discuss local government reform.

This is a pivotal time for us, with the Government committed to reviewing and updating the Local Government Act this year, in collaboration with Councils.

As an Association and a sector, the LGA have identified their own ideas for change, which are outlined in a briefing paper. The LGA look forward to hearing more of our ideas, and will be sharing details shortly on how they will be working with Councils to further develop a reform agenda over the coming months.

**Landscape South Australia Bill** - The Landscape South Australia Bill has now been introduced to Parliament and made publicly available. This represents an important step forward for the State Governments intention to reform the way natural resources are managed in South Australia.

The Bill is intended to create a new framework for natural resources management that focuses on a simpler and more accessible system that delivers for local communities and the natural environment. The legislation (if passed) will replace the Natural Resource Management Act 2004.

The timeframes for debate of the Bill by Parliament is currently unclear. However, the LGA will keep the sector informed of progress via LGA Circular, and will also provide councils with an analysis of aspects of the proposed legislation relevant to the local government sector in the coming weeks.
Minister Speirs has made the Landscape SA Bill, Summary of the Bill and a map of proposed boundaries of regional landscape boards available for perusal (documents linked above).

**Mobile Black Spot Program** - there is a joint announcement from State & Federal around Round 4 of the federal Government’s Mobile Black Spot Program.

29 new base stations around South Australia will be funded, with 7 of them in our region, representing a 24% hit rate which is fantastic. Those that are included in this round are:

- Wunkar (Telstra)
- Nildottie (Optus)
- Mypolonga (Optus)
- Murtho South (Telstra)
- Murtho (Telstra)
- Marama (Optus)
- Etterick (Optus)

This investment will see some of our major freight & tourism routes now covered with mobile communications coverage. Whilst not solving all of our mobile black-spots, it is a positive step forward.

**ICAC** - The Independent Commissioner Against Corruption (Commissioner) has released draft Reporting Directions and Public Interest Disclosure Guidelines for public consultation.

The Public Interest Disclosure Act 2018 (PID Act) will replace the Whistleblowers Protection Act 1993. While a date has not been set for commencement of the PID Act it is expected to come into operation in 2019. Section 14 of the PID Act provides that the Commissioner may publish guidelines for the purpose of the PID Act. In anticipation of the commencement of the PID Act, draft guidelines have been developed.

The draft guidelines are available on the ICAC website here: https://icac.sa.gov.au/draft-reporting-directions-pid-guidelines

Comments are due to the Commissioner by no later than 5:00pm on 5th April 2019.

**MMC Moved**

“That the MRLGA President’s Report be received”

*Seconded by DCLW and CARRIED*
6.3. COMMITTEES OF THE SUBSIDIARY

6.3.1. MRLGA Regional Public Health Committee

Agenda Report
The minutes of the MRLGA Regional Public Health Committee meeting held on Monday 18th March 2019 at Berri are provided attached.

**RPC Moved**

“That the MRLGA receive the Minutes of the MRLGA Regional Public Health Committee meeting held on Monday 18th March 2019 at Berri as presented.”

*Seconded by DCKEM and CARRIED*

6.3.2. MRLGA CEO Network Group

Agenda Report
The notes of the CEO MRLGA Network Group meeting held on Monday 18th March 2019 in Berri are provided attached.

**CDC Moved**

“That the notes from the CEO MRLGA Network Group meeting held on Monday 18th March 2019 in Berri be received and the recommendation as follow be endorsed by the MRLGA Board;

*Item 5.2. Priority Task/Project Listing and MRLGA Budget Review*

“That the MRLGA CEO Network Group defer amendments to the adopted 2018/19 Budget based on consideration of any amendments being referred to a MRLGA Board Budget workshop scheduled for Friday 24th May 2019.”

*Seconded by DCLW and CARRIED*

6.4. GENERAL REPORTS

6.4.1. SAROC

6.4.1.1. SAROC Meeting Minutes

The Minutes of the SAROC Meeting held on Wednesday 6th March 2019 in Adelaide are provided attached.

**CDC Moved**

“That the MRLGA receive and note the SAROC Minutes for meeting held on Wednesday 6th March 2019 in Adelaide.”

*Seconded by DCLW and CARRIED*

6.4.1.2. SAROC 2019 - 2020 Annual Business Plan

Following the discussion at the SAROC Committee meeting on 6th March 2019, the LGA Secretariat undertook further refinement of the 2019 - 2020 Annual Business Plan to reflect discussion at the earlier workshop and the priority projects identified with the assistance of the Regional Executive Officers. A copy of the draft Annual Business Plan is attached for your review and comment.
The LGA Board of Directors is required to approve the Strategic Plan and Annual Business Plan at its meeting in June 2019. It will be necessary therefore for the SAROC Committee to approve the Strategic Plan and Annual Business Plan at its meeting on 16th May 2019.

The SAROC Terms of Reference requires that SAROC consult with Councils on both of these plans. It is proposed that consultation will commence on 1st April 2019 for a five week period, closing at 5pm on 3rd May. This will enable the LGA Secretariat to consider comments received and provide the plans with recommended amendments to SAROC on 16th May 2019.

Members will note that budget allocations for actions are still required to be developed and will be part of the Board of Directors annual budget considerations.

To enable this timeframe to be achieved the draft ABP has been tabled at this meeting to allow for delegates to provide any further feedback you may have relating to the document.

6.4.2 MRLGA Chief Executive Officer's Report

MMC Moved

“That the MRLGA CEO’s Report be received and the recommendation as follow be endorsed by the MRLGA Board;

- That the MRLGA Board endorse the attendance of the President and CEO MRLGA at the 2019 LGA Showcase and Ordinary General Meeting to be held at the Adelaide Entertainment Centre on 11 & 12 April 2019, inclusive of registration, accommodation and associated expenses and to be within allocated budget limits.”

Seconded by DCLW and CARRIED

6.4.3 Local Government Association of SA

Agenda Report

The LGA Secretariat was represented by Lea Bacon, Director Policy who provided a verbal report on topical issues outlined in the LGA Presidents and CEO Circulars and are summarised as follows;

- Financial Assistance Grants - Commonwealth ‘Financial Assistance Grants’ (FAGs) for South Australian Councils are estimated at $165.4 million in 2019-20. Approximately $82.7 million of these grants will be paid in advance and received by Councils in June 2019. The underlying allocation of $165.4 million compares with an underlying allocation of $160.2 million in 2018-19. The increase would have been marginally higher but for an ongoing reduction in South Australia's population share relative to other jurisdictions,

- Supplementary Local Roads Program - The Commonwealth's 'Supplementary Local Roads' Program for South Australia was reinstated in the 2017-18 Federal Budget at $20 million per annum for two financial years (i.e. 2017-18 and 2018-19). The 2019-20 Budget papers include an extension of this Program, at $20 million per annum, for a further two years (with the $40 million of funding expected to be paid to councils in June 2019). The Program originally was introduced in 2004-05 to rectify South Australia's unfair share of the local roads component of FAGs funding,
• A 25% increase in the Roads to Recovery funding in 2019-20 and each of the three following years, which will translate to additional funding for SA Councils of approximately $7.5 million per year,
• ALGA Communications Project,
• Drought Communities Program - As part of the Commonwealth’s overall $1.8 billion Drought Support Package, the Drought Communities Program is providing 22 rural Councils in South Australia with up to $1 million each to support regional communities through the drought. This funding is intended to provide immediate short-term support to communities facing hardship, including by providing employment for people whose work opportunities have been adversely affected by the drought. Applications to the Commonwealth by most councils close on 30th June 2019 and no matching funding is required. Rural City of Murray Bridge and Berri Barmera Council have recently received funding through this program,
• Local Government Reform - The LGA is seeking feedback from members on local government reform ideas to inform a sector-wide submission to the State Government on the sensible and effective changes that are supported by the local government sector,

Lea Bacon also provided a brief update in relation to the proactive approach the LGA is taking in providing a submission to the State Government in relation to their forthcoming budget.

MMC Moved

“That the LGA Report be received and noted and the MRLGA Board extend its thanks to the LGA for the success of their advocacy program.”

Seconded by BBC and CARRIED

6.4.4. Office of Local Government (OLG)

Agenda Report
The Manager of the Office of Local Government, Alex Hart will be an apology for this meeting. The CEO conveyed a message from the OLG in relation to Local Government Reform initiatives. The OLG advised that Minister Knoll has started a Local Government Reform Program, that will be running over 2019, with an intention to have reform legislation in Parliament in the first quarter of 2020.

There’s more information on the Reform Program on our website – https://www.dpti.sa.gov.au/local_govt/local_government_reform

In summary, it will have two stages – Stage One is ‘Ideas for Reform’, during which we are seeking reform ideas from councils and the community. All ideas are welcome, however, the Minister has identified four ‘Reform Areas’ where reform is needed:

1. Stronger council member capacity and better conduct
2. Lower costs and enhanced financial accountability
3. Efficient and transparent local government representation
4. Simpler regulation

The Minister has written to all Council members, and have a ‘YourSAy page’ requesting ideas (there’s a ‘due date’ of Friday 26th April). These will contribute to discussion papers that we will release in July, that will contain ‘Reform Proposals’. The second stage of the process will be to discuss and debate these proposals to inform a reform Bill.
The OLG is keen to engage with the Regional LGA's as a good way to keep regional Councils up to date with what is happening. Alex Hart has suggested that an OLG person (either the Manager or David Whiterod) come out to an MRLGA meeting on these dates:

- **10th July 2019** – to provide an overview of the ideas that OLG have received, and to flag what is likely to be included in the Discussion Paper
- **9th October 2019** – to give an overview of the Discussion Paper, and (if there is time) for discussion on the reform proposals.

**SMDC Moved**

“That the MRLGA invite the OLG to MRLGA Board meetings scheduled for 10th July 2019 and 9th October 2019 to provide an overview of the Local Government Reform Discussion Paper.”

*Seconded by DCKEM and CARRIED*

### 6.4.5. Murray Darling Association (MDA)

#### 6.4.5.1. Activity Update Reports

**Agenda Report**

MDA Region 6 had their Annual General Meeting on Friday 15th February 2019 at Goolwa. The minutes from that AGM as well as minutes from the MDA Region 6 Ordinary meeting held on the same day are provided attached for reference.

**RCMB Moved**

“That the minutes from that MDA AGM as well as minutes from the MDA Region 6 Ordinary meeting held on Friday 15th February 2019 at Goolwa be received and noted.”

*Seconded by SMDC and CARRIED*

#### 6.4.5.2. MDA Basin Communities Leadership Program and Murray Darling Basin Plan

**Agenda Report**

**Objective:** To secure adequate recurrent funding from State and Commonwealth governments to enable local government through its national peak body the Murray Darling Association (MDA) to provide and enhance its service delivery.

**Key Arguments:** The Murray Darling Association (MDA) is seeking recurrent funding from State and Commonwealth governments to continue to provide and enhance services as a reliable, independent and trusted conduit through which Basin governments and agencies can engage effectively and directly with Basin communities through their local representatives.

Effective representation of local government and communities at state and federal level in the development of policy and the management of Murray-Darling Basin resources is essential to the effective implementation of the Murray-Darling Basin Plan.

Without such policy direction and the equitable management of our Basin water resources; the social, economic and environmental sustainability of Basin communities is compromised.
The absence of effective collaboration with local communities has seen trust eroded, communities fractured, investments and initiatives undermined, governments compromised, and the entire Basin Plan put at risk.

Both the Productivity Commission’s Murray-Darling Basin Plan, five-year assessment inquiry report, and the Murray-Darling Basin Royal Commission Report have made findings on the need for effective consultation and engagement, and the need to restore trust.

They have also recognised that the success of the Murray Darling Basin Plan, and the long-term viability of our Basin communities is dependent on all governments working together.

By definition, and in practice, this must include local government, which requires resourcing and capacity.

Local government as a sector has the capacity, expertise, and local knowledge (including respect at the local community and industry level) required to understand, balance, plan for, and serve the various and often competing needs and interests that exist within and across our local communities. By extension, the MDA carries forward this as the singular peak Local Government representative group for the Basin.

In this environment, Local Government across the Basin has united under the leadership of an experienced national peak body. Local representatives have provided stability and a calming voice across communities, have provided leadership and good governance. Councils have worked tirelessly, through the MDA to provide an effective, responsible and constructive conduit across and between communities, states, governments, agencies and political parties.

Detailed local knowledge, informed advocacy and a means for governments to engage directly with communities through their local representatives will be essential to ensure

- Integrated delivery of the package of supply measures
- Adequate community consultation to underpin the water resource plans
- Delivery capacity and constraint issues associated with changes in water use and trade
- Ensure supply projects offer value for money
- Strategy for recovering the additional 450GL
- Processes for coordinating event-based watering decisions
- Assistance to communities suffering adverse impacts from water recovery.

Services provided by the MDA ensure that state and federal governments have a trusted and reliable ‘single point of contact’ for accessing information and engaging with councils at the Basin scale, at the regional level, and individually.

Provision of this service requires capability and resourcing, the cost of which should be borne by local, state and federal governments. Failure to adequately resource the capability is an exercise in cost shifting, undermining the financial sustainability of the local government sector and the Murray-Darling Basin Plan.
**Background:** The Murray Darling Association is a membership-based peak representative organisation representing local government and the communities we serve across the Murray-Darling Basin since 1944.

Built on strong foundations of good governance and high standards of accountability and integrity, the performance of the MDA compares favourably with our LGA peers across the sector, and with other levels of government.

The MDA works with and for member Councils engaging also with National and state based local government associations, Regional Organisations of Councils, Joint Organisations and other local government affiliations.

Operation of the MDA is *parliamentary* in nature, having the executive power vested in a board composed of members of the regions, individually and collectively responsible to the membership, and each of whom are democratically elected. The MDA includes membership of Councils from all 4 Basin states and has a focus solely on Basin related issues. The MDA has a unique capacity to bring a “whole of Basin” perspective to planning matters and community engagement, while also contributing a wealth of local knowledge and solutions to Basin wide issues.

**Financials:** The MDA is currently funded solely through membership fees and income from the National Conference. Membership fees are charged to member Councils calculated on a sliding scale based on population.

The 2018/19 fee schedule is $0.32 cents per head of population, capped at $6,334.50 (plus GST). Total income from 2017/18 was $282,000.

Through an extensive and representative Strategic Planning session held at Moama on 1 to 3 February 2019, it is clear that the ability and will is there to continue to drive the MDA forward to assist the State and Federal Governments in continuing to improve Basin outcomes.

However, the current financial model does not allow the resources to be able to effectively increase the outputs of the MDA. Given the State and Federal Governments look to and respect the MDA as the key Local Government reference group, at the Basin level, and that the Basin plan is ultimately the responsibility of the Federal Government, it is considered reasonable that the MDA should be able to access recurrent funding from the State and Federal Governments. The increased resourcing will only further the ability of the MDA to assist in more acceptable outcomes to communities across the Basin.

The MDA is currently finalising a business case seeking funding of $5 Million over 4 years for submission to the 2019 federal budget.

Further details of the financing projections will be in the business case.
RPC Moved

“That the MRLGA supports the Murray Darling Association (MDA) in its objective to ensure local government has a role in informing the decisions that impact our local communities under the Murray Darling Basin Plan, and in their bid to secure recurrent funding for the provision of effective consultation and engagement with councils within the Murray-Darling Basin communities through their local representatives.

In providing that support the MRLGA will;

(i) Write to our local state and federal MPs encouraging them to support State and Federal Governments contributing to the ongoing funding of the MDA.

(ii) Write to those Councils within our region, encouraging them to join the MDA and support the activation and development of advocacy priorities of this region.”

Seconded by RCMB and CARRIED

6.5. OUTSIDE ORGANISATIONS AND COMMITTEES

6.5.1. Regional Development Australia Murraylands and Riverland

Jo Podoliak, Chief Executive, RDA Murraylands and Riverland was present and provided a verbal report to the meeting in the following areas;

- **Mobile Black Spot Program** - advised of a joint announcement from State & Federal around Round 4 of the federal Government’s Mobile Black Spot Program that 29 new base stations around South Australia will be funded, with 7 of them in our region. Those that are included in this round are:
  - Wunkar (Telstra)
  - Nildottie (Optus)
  - Mypolonga (Optus)
  - Murtho South (Telstra)
  - Murtho (Telstra)
  - Marama (Optus)
  - Etterick (Optus)
- **RDA MR Infrastructure Report** has been released in draft format. RDA MR is now keen to finalise the report and any further feedback from Councils is now required;
- **Townships of the Future** - the project will see reports created for each town across the Riverland and Murraylands. RDA MR are looking for input from both community and business residents, to help build each of the reports and have launched an online survey asking residents about each township, what its strengths and challenges are, what draws people to visit, what the job markets like, what services exist, along with a range of other questions;
- The Government of South Australia is currently finalising the details of two **Designated Area Migration Agreements (DAMAs)** with the Australian Department of Home Affairs. One of South Australia’s DAMAs includes the South Australian Regional Workforce Agreement, which focuses on South Australia’s regional high growth industries including agribusiness, forestry, health and social services, tourism and hospitality, construction and mining. The DAMAs will enable South Australian employers to sponsor skilled overseas workers for positions they are unable to fill with local workers. The DAMAs will provide access to additional occupations and concessions to the standard migration program;
• RDA MR through their CEO extended their appreciation to member Council Executive staff for their initiative in accessing grants and the work involved in preparing submissions.

6.5.2. **SA MDBNRM Board**

Di Davidson, Presiding Member, SA Murray Darling Basin Natural Resources Management Board was present and spoke to the SA MDBNRM Board March 2019 Update provided attached.

*Refer APPENDIX 1 - SA MDBNRM BOARD MARCH 2019 UPDATE*

6.5.3. **Murray Mallee Local Service Area, SAPOL**

Superintendent James Blandford will be an apology for this meeting.

6.5.4. **PIRSA Regions SA**

Barb Cowey, Coordinator MR Region was present and provided a verbal report to the meeting in the following areas:
- **Drought** - The Federal Government has exempted the sale of livestock from the income test and provided $4.2 million to BOM for the preparation of a National Drought Map;
- **Primary Health Care Network** has received funding for a mental health care program in Tailem Bend;
- **Little Corella’s** - PIRSA to contact DEW in relation to the problem;
- **Riverland Food and Wine Centre** presentations have been concluded;
- Irrigation allocations to be known shortly. The River Murray Water Allocation Plan will now be the guideline for that allocation;
- **Fruit Fly** - An outbreak of Queensland fruit fly (Q-fly) was declared in Loxton following a detection of seven flies in the area on 6th December 2018. Properties and businesses within the outbreak area receive information from Biosecurity SA about the outbreak and associated restrictions. A 15km suspension area has also been established beyond the outbreak area. The quarantine and suspension areas will remain in place until at least 29th April 2019.

**BBC Moved**

“That MRLGA receive and note the reports as presented by RDA MR, SA MDB NRM and PIRSA Regions SA and extends its appreciation to the presenters for taking the time and effort to attend and present at the MRLGA meeting.”

Seconded by CDC and CARRIED

6.5.5. **Riverland Local Government Forum (RLGF)**

The Riverland Local Government Forum scheduled for Wednesday 6th February 2019 at Waikerie was cancelled. The minutes for the subsequent meeting held on Wednesday 3rd April 2019 at Renmark will be circulated upon receipt.

**MMC Moved**

“That the MRLGA Board note the report relating to the Riverland Local Government Forum held on Wednesday 3rd April 2019 at Renmark.”

Seconded by SMDC and CARRIED
6.5.6. Murray River Alliance SA Meeting

The Murray River Alliance SA meeting was held on Friday 8th March 2019 at Murray Bridge. Notes from that meeting will be distributed to MRLGA Board delegates once received.

MMC Moved

“That the MRLGA Board note the report relating to the Murray River Alliance SA meeting held on Friday 8th March 2019 at Murray Bridge.”

Seconded by DCLW and CARRIED

6.6. STRATEGIC MATTERS


Agenda Report

The MRLGA Financial Policies 1 to 5 and Policy 9 were last presented to the MRLGA Board at the January 2018 meeting for review. The MRLGA Board resolved that the revised policies as presented be noted and referred back to the next meeting of the MRLGA CEO Network Group for necessary amendments.

The MRLGA CEO Network Group reviewed MRLGA Financial Policies 1 to 5 and Policy 9 in January 2019 and asked that the CEO review and update the policies as required and with tracked changes circulate to members of the group for comment. Once comment has been received and amendments made, a Summary Table of policy amendments will be presented to the MRLGA Board at a workshop and special meeting proposed for Friday 24th May 2019.

RCMB Moved

“That the MRLGA Board receive and note the report relating to the MRLGA Policies update”

Seconded by BBC and CARRIED

6.6.2. Appointment of External Auditor.

Agenda Report

In accordance with the MRLGA’s Purchasing and Tendering Policy the CEO has called for tenders for the provision of external audit services consistent with the provisions of the MRLGA Charter.

The CEO will provide a recommending report to the MRLGA CEO Network Group meeting scheduled for Monday 20th May 2019 and it is anticipated that endorsement for the appointment of an external auditor will occur at a Special MRLGA Board meeting on Friday 24th May 2019.

RCMB Moved

“That the report relating to the provision of External Audit Services to the MRLGA be received and noted.”

Seconded by BBC and CARRIED
6.6.3. MRLGA Budget Workshop and Special Meeting

Agenda Report
The MRLGA Board are reminded that the AGM for the Subsidiary will be held on Wednesday 10th July 2019 at Karoonda. In accordance with the MRLGA Boards current Charter provisions under Clause 7.4, the following actions will be undertaken leading up the the AGM;

- Before 31 May 2019 a proposed annual program and budget detailing the estimated revenues and costs for the forthcoming Financial Year 2019-2020 shall be submitted by the Chief Executive Officer to the Board;
- This will occur by way of workshop and special MRLGA Board meeting on Friday 24th May 2019 at Karoonda, unless determined otherwise by the Board;
- The proposed annual program and the budget will be referred to the Constituent Councils at the same time as the Chief Executive Officer of the Subsidiary submits them to the Board members;
- A Constituent Council may comment in writing to the Chief Executive Officer of the Subsidiary on the annual program and the budget at least three (3) business days before the meeting at which they will be considered by the Board or, alternatively, may comment through its Board members at the meeting of the Board.

The Board will then proceed to adopt the 2019-2020 MRLGA Annual Business Plan and Long Term Financial Plan at its Annual General Meeting scheduled for 10th July 2019.

DCLW Moved

“That the MRLGA Board endorse the process for delivering the 2019-2020 Annual Business Plan by way of a budget workshop and special meeting of the MRLGA Board on Friday 24th May 2019 at Karoonda.”

Seconded by SMDC and CARRIED

6.7. FINANCIAL REPORTS

6.7.1. Profit and Loss Statement, Balance Sheet, Bank Reconciliation and Operating Budget

Agenda Report
As the MRLGA Board meeting is being held so close to end of month, the end of month financial reports for March 2019 will not be able to be included within the agenda papers.

Once received from the RDA MR, they will be circulated to MRLGA Board delegates prior to the meeting. In the interim I have provided a copy of the financial reports to 28th February 2019 for information.

RCMB Moved

“That the MRLGA Board receives the Profit and Loss Statement, Balance Sheet, Bank Reconciliation and Operating Budget Report as at 28th February 2019.”

Seconded by DCLW and CARRIED
6.8. GENERAL BUSINESS. (including DISCUSSION ITEMS etc.)

6.8.1. Priority Task/Project Listing and MRLGA Budget Review

**Agenda Report**

The MRLGA Board adopted its Annual Business Plan on 11th July 2018 which included the financial budget for the 2018/19 financial year.

For the MRLGA CEO Network Group to consider any budget review, it is important first to have an understanding of resource commitments and priorities through to 30th June 2019. This hopefully will provide a better insight into any required changes to the adopted budget to allow for alignment with resource capability.

These committed tasks have been extrapolated from the various tracking documents provided to the MRLGA Board during the course of the year and are summarised in the table provided as Appendix 9.

A budget review report will be prepared and provided to the MRLGA CEO Network Group at their next meeting scheduled for 20th May 2019.

6.8.2. Around the Table

- **Deputy Mayor Trevor Norton, DCLW** is the MRLGA Board’s representative on the QFly Steering Committee. Trevor updated the Board on current developments related to Fruit Fly as follows;
  - Fruit Fly outbreaks can have negative impacts on the economy and community lifestyle;
  - South Australia is currently Fruit Fly free because of the ongoing trapping program;
  - The Fruit Fly program is a $15-million State Government initiative designed to protect a $200-million horticultural industry;
  - The current outbreak at Loxton has caused major logistical problems. If no further Fruit Fly are found, the area should receive Fruit Fly Free status in April 2019;
  - Local Government can assist through education of visitors, by supporting State Government initiatives and by reviewing policy in relation to street tree plantings to ensure street trees are not contributing to the problem.

- **Mayor Dave Burgess, MMC** paid tribute to Russell Peate who has resigned as CEO of Mid Murray Council effective 15th February 2019 to take up as similar role with the Copper Coast Council. Before Mid Murray Council, Russell was the Chief Executive Officer of the District Council of Grant and prior to that the Deputy Chief Executive Officer of Rockhampton City Council. Russell Peate has been a long standing advocate for the MRLGA and has been very active in promoting collaborative opportunities across the region.

6.8.3. Opportunity for Members of Parliament to Present on topical issues

- **Tony Pasin MP, Federal Member for Barker** provided an update on federal matters as follows;
  - With the federal election looming this is an ideal time for Councils to be pursuing program funding partnerships with the Federal Government;
- The Murray–Darling Basin Economic Development Program has recently been announced to assist communities hit by water recovery to put forward projects creating jobs in their regions. The program provides up to $20 million over 4 years to 2021-22 to boost communities most impacted by water recovery under the Basin Plan. This program is part of the ‘Basin Plan Commitments Package’ announced on 7 May 2018. The ‘Basin Plan Commitments Package’ is a $3.3 billion package of initiatives as part of its investment of more than $13 billion to implement the Murray–Darling Basin Plan.

- The Government will invest $1 billion to deliver a range of road upgrades along the Princes Highway corridor from NSW through to SA to support the implementation of the Princes Highway Corridor Strategy. Investment is expected to include safety upgrades such as road widening, overtaking lanes and duplication along key sections;

- The current Federal Government will if elected deliver an additional $2.2 billion in road safety funding. Whilst road safety is everyone’s responsibility the Federal Government has a key role to play in delivering safer roads and vehicles. The Government has announced an additional $1.1 billion in funding for local governments under the Roads to Recovery program, as well as an extra $550 million for the successful Black Spot Program, which targets known high-risk locations and reduces serious crashes by 30 per cent on average. They will also deliver a further $571.1 million to improve the safety and efficiency of heavy vehicle operations through the Bridges Renewal Program, Heavy Vehicle Safety and Productivity Program and Heavy Vehicle Safety Initiatives (HVSI).

- The Morrison Government have committed $220 million to upgrade three critical South Australian freight corridors through the Roads of Strategic Importance Initiative. The investment will target the economically critical corridors between Cockburn and Burra, Renmark and Gawler and the South Australian section of the Perth to Port Augusta corridor along the Eyre Highway. The investment included a $70 million funding commitment for the corridor between Renmark and Gawler;

- The Barker electorate can now look forward to improved mobile phone coverage thanks to the Morrison Government’s $220 million Mobile Black Spot Program. Barker will receive ten new base stations under the fourth round of the program: Murtho, Wunkar, Murtho South, Mount Mary, Ettrick, Marama, Tower Rd (Riddoch Hwy), Nildottie, Mypolonga and Compton. Those areas that missed out in round four will have further opportunities given the Morrison Governments commitment to a further two rounds, with an additional investment of $160 million to address more blackspots in more regions.

- Patients in the Riverland will now be able to access lifesaving scans for cancer, stroke, heart and other medical conditions, with the announcement of a new MRI licence for the Riverland General Hospital in Berri.

- The Drought Communities Program supports communities in the most drought-affected regions of Australia and builds on more than $7 billion of Liberal and Nationals Government drought support measures.

RCMB Moved

“That the MRLGA Board extend a sincere vote of thanks and appreciation for the efforts in supporting communities within his electorate.”

Seconded by DCLW and CARRIED
6.9. CORRESPONDENCE

6.9.1. Correspondence for Information - Inwards and Outwards
Correspondence Register to 31st March 2019

Many of these correspondence items will have been received directly by member Councils. Should any delegate wish to access any correspondence items listed, but not included with this agenda, they can be made available by contacting the MRLGA Chief Executive Officer.

6.9.2. Correspondence for MRLGA Board Determination;

I2019-0301 Karyn Burton, Acting CEO, Berri Barmera Council. Re Nomination for Proxy to MRLGA

Writing to advise that the Berri Barmera Council has resolved that Cr Ella Winnall has been appointed to the position of proxy representative to the MRLGA Board.

**DCLW Moved**

“That the MRLGA Board notes the appointment of Cr Ella Winnall, BBC as an additional proxy representative to the MRLGA Board and conveys its welcome to Cr Winnall in her new role.”

_Seconded by BBC and CARRIED_

**RCMB Moved**

“That correspondence as outlined in the Correspondence Register to 31st March 2019 be received and noted by MRLGA Board with the exception of those items that carry their own resolution.”

_Seconded by DCKEM and CARRIED_

6.10. GUEST SPEAKERS

6.10.1. Michael Cutting SAMDB NRM Sustainable Irrigation Team Leader

The SAMDB NRM Board was successful in tendering for the Murray Darling Basin Water Infrastructure Program. This program provides an opportunity for Local Councils that have a water license to become involved in the program with possibilities including water infrastructure upgrade, storm water reuse.

Michael Cutting provided the meeting with information about the program, the opportunities for Councils and how Councils could get involved.

*Refer APPENDIX 2 - MURRAY-DARLING BASIN WATER INFRASTRUCTURE PROGRAM*

6.11. CONFIDENTIAL ITEMS

Nil
6.12.CLOSE AND DATE OF NEXT MEETING:

The President thanked all those who attended the meeting and the District Council of Karoonda East Murray for the provision of meeting facilities and declared the meeting closed at 12.02 pm.

Minutes taken as read and confirmed this day of July 2019.

.................................. ........................................
PRESIDENT                      CHIEF EXECUTIVE OFFICER

The next MRLGA General meeting including the Annual General meeting is to be held on Wednesday 10th July 2019 at Karoonda commencing at 9.30am.

Acceptances and apologies to MRLGA Chief Executive Officer Peter Bond
Phone 0411 406799 or Email ceomrlga@outlook.com
South Australian Murray-Darling Basin Natural Resources Management Board update for Murraylands and Riverland LGA
March 2019

River Murray water allocation plan adopted

An updated Water Allocation Plan for the River Murray Prescribed Watercourse (the WAP) was adopted by the Minister for Environment and Water on 28 February 2019. This is the culmination of many years of effort as the South Australian Murray-Darling Basin Natural Resources Management Board (the Board) worked closely with the River Murray Advisory Committee, key stakeholders and the broader community to consider management of the River Murray water resource in South Australia.

Changes to the WAP in 2017 reflected what the Board heard from the community – that water users needed more transparency about allocation decisions, especially during dry times, and that the WAP should incorporate the learnings from the Millennium drought. Changes were required to make sure the WAP is consistent with Basin Plan requirements, and to revise some policies based on updated information.

The WAP manages the take and use of water for the South Australian portion of the River Murray and includes provisions such as an allocation framework setting out how water is shared, a private carryover policy, salinity management, rules for pumping infrastructure to support water level variability, and rules on trading water. Existing water rights and approvals will remain the same and the adoption of the WAP does not impact on the ability to use or trade water.

Extended dry conditions across the Murray-Darling Basin are impacting on water availability and the Board is working with the Department for Environment and Water to help water users prepare for the 2019-20 water use year. Regular updates on conditions and tools such as probability outlooks for allocation scenarios will be provided to help businesses prepare. Water availability and allocation information will be provided on the DEW website www.environment.sa.gov.au/topics/river-murray
Karoonda Farm Fair 2019

The SA Murray-Darling Basin Natural Resources Management Board will be hosting a marquee at the Karoonda Farm Fair. There will be lots to see and do for children and adults. Our Mallee and Coorong District staff will be available to provide advice on pest and weed management with a particular focus on fox control this year. There will also be information on sustainable farming, bush foods, national parks, citizen science, water management and water licensing. The children will be entertained with opportunities to touch native animals while learning about the tracks and scats that animals leave in the bush. The Mallee and Coorong NRM group will be there to promote the community project work that is happening across the district.

PIRSA will also have several displays in the NRM tent related to Sheep Connect, farm biosecurity, the Farm and Business Support program and the SA Suicide Prevention Network. Regional extension officers from the Murray-Darling Basin Authority will be on hand to answer questions about the Basin Plan. Murray Mallee Local Action Planning group will be there to promote what people can do to be a bee friendly farm and maximise pollination services as well as regenerative farming and conservation of Malleefowl. The Farm Forestry Landcare Network will also be present in the tent.

Pest predation workshops and fox bait distribution program

During February 2019, Natural Resources SAMDB staff conducted a series of 6 pest predation workshops followed by fox bait distribution days at selected sites across the SAMDB region, including Parilla and Karoonda.

The focus of the workshops was to educate land managers about the impacts of pests on livestock, particularly sheep. Information on best practice management guidelines for control of rabbits and foxes was presented by District Officers to improve land manager knowledge and understanding of the importance of correct baiting techniques and optimum timing of seasonal baiting programs. PIRSA animal health veterinarian, Jeremy Rogers, was present to give a detailed demonstration of how to conduct an autopsy on lambs and determine cause of death.

The workshops were followed by fox bait distribution days at 14 strategic sites including Karoonda, Wanbi, Lameroo, Geranium, Wunkar, and Pinnaroo. District officers encouraged landholders to conduct baiting on a coordinated basis by laying baits at the same time to maximise baiting impact. Summary of baits distributed is as follows;

Total baits sold across the 14 sites 13000+
Baits sold in MRLGA area 6800+
Participating landholders in MRLGA Over 50
SAMDB NRM Board Business Plan 2019/20 to 2021/22

While the new Landscapes South Australia legislation is in development, the South Australian Murray-Darling Basin Natural Resources Management (SAMDB NRM) Board continues to operate in accordance with the NRM Act, which requires the development of a 3 year Business and Operational Plan (the BOP). The BOP reflects the community driven strategies and actions in the region’s NRM Plan and Regional Action Plan, and demonstrates how the income of the SAMDB NRM Board is being used to deliver on key natural resources issues.

Public consultation on the draft BOP occurred from 10 December 2018 to 25 January 2019, and resulted in the Board receiving only 2 submissions. No substantial changes were made to the draft BOP as a result of the public consultation.

At the time of public consultation, the SAMDB NRM Board had not received any confirmation from the Australian Government about the level of National Landcare Program funding that might be expected beyond 2018-2019 so this was unable to be included in the BOP. The Board now has confirmed Regional Land Partnerships funding from the Australian Government’s National Landcare Program. The BOP has been updated and this information is reflected in Table 5.1 – the Investment Proposal and Table 6.1 – the Income Proposal.

The final version of the 2019-20 to 2021-22 Business and Operational Plan was approved by the Minister for Environment and Water on 2 April 2019.

Regional Land Partnerships

In February 2018, the SAMDB NRM Board submitted a tender to the Australian Government to be the service provider for the SAMDB Management Unit for the Regional Land Partnership program (part of the National Landcare Program). This was executed as an agreement in July 2018 to provide project and core services for the SAMDB Management Unit. Funding has been confirmed by the Australian Government for the delivery of core services over a five year period.

The Australian Government and the SAMDB NRM Board have now executed four project work orders which are:

- Enhanced management of farm soils and vegetation for improved resource sustainability and productive capacity
- Collaboration to restore the Iron-grass Natural Temperate Grassland of South Australia
- Improving habitat viability and other recovery actions for EPBC listed Mallee woodland birds including Malleefowl, red-lobed whistler and black-eared miner
- Restoring the ecological character of the Ramsar wetlands of the SA Murray-Darling Basin

Implementation of these projects has commenced and will be completed by 30 June 2019. Projects will be delivered with a range of partners including local landholders, community groups and other
organisations. The Australian Government and the SAMDB NRM Board are still negotiating other projects for implementation between now and 30 June 2019, as well as projects for years 2 to 5 of the Regional Land Partnership program.

State Planning Commission consultations for new Planning and Design Code

Consultation for new planning and design codes has been active for several months. The SAMDB NRM Board and staff of Natural Resources SAMDB have reviewed and responded to the suite of discussion papers, in particular the Natural Resources and Environment discussion paper covering biodiversity, water security and water quality. The board has been taking an active approach by providing submissions to the various discussion papers about the planning policy and how it could be improved.

A Board position paper identified the key messages, principally that water security, climate change and biodiversity were essential for maintaining a growing and productive economy in the region.

Planning staff requested closer alignment of terminology with the current requirements of the NRM Act relating to water affecting activities, general statutory duties and the new approach to approving ‘elements’ of development.

The board still has concerns that cumulative assessment of impacts of developments was not included.

Planning and Design Code implementation is now in Phase 1, with the first public consultation on the draft code for land not within a council area. This affects part of the northern section of SAMDB so planning staff have been reviewing and contributing to an agency led response. The code sets out desired outcomes, for which performance based outcome policy statements are matched with deemed to satisfy requirements (if relevant). This first version of the new outcome based assessment approach does create opportunity for better environmental planning outcomes, particularly through the use of overlays and subsidiary policies, however it requires amendment to fit with State Planning Policies and the outcomes of the previous discussion papers.

DEW consultation on dams and levee banks

There has been a series of current consultations on Yoursay by DEW as State Flood Hazard leader, seeking improvements to flood management, dams and levee banks, in particular the risk management associated with possible failure of these structures. Flood risk management for large dams was highlighted as an issue which needed clearer direction and management. This will be relevant to several of our regional councils. The Board encourages local government to review the consultation papers and make their own submissions. The Board has previously provided feedback to the department about changes to the management of the risks related to flooding, dams and levees and will be providing further comments on the current consultation as part of a formal response next month. The consultation closes on 15 April 2019, with the documents available here: Improving Flood Management, dams and levee banks.
Murray-Darling Basin
Water Infrastructure Program (MDBWIP)

What is the new program?
Funding available from the Commonwealth Government to fund Water Efficiency Projects.

As a delivery partner the South Australian Murray-Darling Basin Natural Resources Management Board (SAMDNRBM) will be responsible for working with applicants to design, manage & implement projects. This includes ensuring proposals are technically feasible, suitable for the property and ensure the transfer of eligible water entitlements.

What is different from previous irrigation programs?

- **Value of the Water** – funding available for infrastructure relates to the volumes of water to be transferred in exchange, and is based on contemporary water market prices and agreed funding multipliers
- **Applications** – accepted at any time for consideration
- **Smaller Minimum Water Return** - 3ML minimum water transfer
- **Water** – must have been owned for 3 years minimum

How does the program work?
An assessment of each individual project proposal will take place to determine the water savings generated by the Water Efficiency Project and to ensure the proposal meets the agreed socio-economic criteria.

There are no funding rounds – proposals are submitted whenever they are ready.

Agreed water savings will be transferred to the Commonwealth Environmental Water Holder.

What types of projects are eligible?

- installing new or upgrading existing irrigation infrastructure for water delivery such as
  - conversion to drip irrigation
  - drip replacement
  - filtration new or upgrade
  - mainline replacement
  - soil moisture monitoring
- installing new or upgrading existing irrigation infrastructure or technology, such as automation and variable speed drives (VSD)
- improving the water use efficiency of a farm such as
  - increase to night watering
  - netting or windbreaks,
  - temperature mitigation strategies to reduce overwatering
  - frost protection measures that reduce watering needs
  - soil treatments that improve water holding capacity and nutrients/quality such as manuring, fertilising, composting, pH treatments, etc.
  - water harvesting
  - reconfiguring or diversifying crops, or changing cropping times to reduce water use
  - changing water supply from river water to recycled, desalinated or groundwater
- changing land or environmental management such as
  - intense production systems
  - permanent plantings that improve water efficiencies, such as water efficient root stock
  - installing new or upgrading existing water-related farm infrastructure such as
    - solar power systems
    - structures to protect your equipment eg pump housings
- other activities that improve the water efficiency of the water delivery system

For more information
Please contact Natural Resources SA Murray-Darling Basin:

P: Above Lock 1 - (08) 8580 1800
P: Below Lock 1/Eastern Mt Lofty Ranges - (08) 8536 5619

Natural Resources
SA Murray-Darling Basin

Government of South Australia
13.10 Policy Review - Elections - Casual Vacancy

REPORT AUTHOR: EA
RESPONSIBLE MANAGER: ACEO
RECORDS REF: N/A
STRATEGIC LINKS: Yes; Strong Internal Capability and Capacity; Objective 2
FINANCIAL IMPLICATIONS:
- Impact: No
- Budget Description: N/A
- Allocation: N/A
- Expenditure to Date: N/A

SUMMARY:
This report provides to members a policy review of the “Elections - Casual Vacancy” Policy.

REPORT:
Background:
N/A

Discussion:

RECOMMENDATION:
That Council:
1. having considered Report 13.10 titled “Policy Review - Elections - Casual Vacancy” as presented to the ordinary Council meeting, receive and note the report.
2. adopt the Elections - Casual Vacancy Policy as presented.

ATTACHMENTS:
Yes
List
Attachment 1 – Elections - Casual Vacancy Policy
Keywords: Supplementary Elections, Vacancy, Vacancies, Elected Members, Councillors

<table>
<thead>
<tr>
<th>Corporate Plan:</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Classification:</td>
<td>Executive Services – Governance – “Elections – Casual Vacancies”</td>
</tr>
<tr>
<td>First Issued/Approved:</td>
<td>23 January 2001</td>
</tr>
<tr>
<td>Review Frequency:</td>
<td>Annually (to amend to reflect any changes that may have been made to the Local Government (Elections) Act 1999)</td>
</tr>
<tr>
<td>Last Reviewed:</td>
<td>8 August 2017</td>
</tr>
<tr>
<td>Next Review Due:</td>
<td>Annually - 2020</td>
</tr>
<tr>
<td>Responsible Officer(s):</td>
<td>CEO</td>
</tr>
<tr>
<td>Council File Reference:</td>
<td>Council Policies (P)</td>
</tr>
<tr>
<td>Applicable Legislation:</td>
<td>Part 2, 6 of the Local Government (Elections) Act 1999</td>
</tr>
<tr>
<td>Relevant Policies:</td>
<td>In accordance with Local Government (Elections) Act, Section 6</td>
</tr>
<tr>
<td>Related Procedures:</td>
<td>This Policy is not subject to Public Consultation</td>
</tr>
<tr>
<td>Delegations:</td>
<td>Berri Barmera Council Delegations</td>
</tr>
</tbody>
</table>

**Purpose**

The purpose of this policy is to outline the principles and procedures that the Council will follow in regard to the calling of a supplementary election as set out in Part 2, 6 of the Local Government (Elections) Act 1999.

**Objectives**

The objective of Councils Supplementary Election Policy is to comply with the requirements of the Act, and to ensure the efficient allocation of Council resources in the event of a vacancy occurring.

**Policy**

Council has resolved (Council Meeting date insert date) that:

(a) If one vacancy occurs in the membership of Council prior to the next general elections, then no Supplementary Election will be held.

(b) If two or more vacancies should occur at any one time, then a Supplementary Election will be held to fill both/all vacancies.
Council’s policy has been formed in accordance with the Local Government (Elections) Act 1999, in particular **Pt 6 – Supplementary Elections** (as follows):

**6 – Supplementary elections**

(1) **Subject to this section, if-**

(a) an election (other than a supplementary election) wholly or partially fails or is declared void; or

(b) a casual vacancy occurs in the office of a member of a council,

a supplementary election will be held to fill the office or offices not filled by the election,

or the office that has become vacant.

(2) **A supplementary election will not be held to fill a casual vacancy if-**

(a) the vacancy occurs

(i) on or after 1 January of a year in which a periodic election is due to be held and before the date on which nominations for that election are invited under section 18; or

(ii) within seven (7) months before polling day for a general election (other than a periodic election) (the date of that polling day being known at the time of the occurrence of the vacancy); or

(b) (i) the vacancy is for an office other than mayor; and

(ii) the area of the council is not divided into wards; and

(iii) there is no other vacancy in the office of a member of the council (disregarding the office of mayor); and

(iv) it is a policy of the council that it will not fill such a casual vacancy until the next general election.

(3) **However; if –**

(a) a vacancy has not been filled due to the operation of subsection (2)(b); and

(b) another vacancy occurs in the office of a member; and

(c) the other vacancy has not occurred -

(i) on or after 1 January of a year in which a periodic election is due to be held and before the date on which nominations for that election are invited under section 18; or

(ii) within 7 months before polling day for a general election (other than a periodic election) (the date of that polling day being known at the time of the occurrence of the vacancy),

Then a supplementary election must be held to fill the vacant offices.

(4) **If –**

(a) a casual vacancy has occurred; and

(b) a supplementary election is not to be held by virtue of the operation of subsection (2)(b)

any subsequent revocation or alteration of a policy of the council in force for the purposes of Part 2)(b) cannot have effect so as to require the casual vacancy to be filled before the next general election.

(5) **Subject to this Act, a supplementary election must be held as soon as practicable after the occasion for the election arises.**

(6) **The returning officer must, by public notice, fix a day as polling day for the supplementary election.**
(7) A notice under subsection (6) must also fix a day for the close of the voters roll for the purposes of the election (the closing date).

(8) Voting at a supplementary election will close at 12 noon on polling day.

Electronic version on the Intranet is the controlled version. Printed copies are considered uncontrolled. Before using a printed copy, verify that is the current version.
13.11 Funding Agreement – RDA Murraylands and Riverland

REPORT AUTHOR: ACEO
RESPONSIBLE MANAGER: ACEO
RECORDS REF: N/A
STRATEGIC LINKS: Strong Internal Capability and Capacity; Objective 3
FINANCIAL IMPLICATIONS:
- Impact: Yes
- Budget Description: RDA Funding
- Allocation: to be determined 19/20
- Expenditure to Date: nil

REPORT:

Background:
The current 3 year funding agreement between Regional Development Australia Murraylands and Riverland (RDAMR) and the Berri Barmera Council finishes on 30th June 2019.

Discussion:
Attached please see request from Ms Jo Podoliak, CEO of RDAMR for a one year extension to the existing funding agreement with Berri Barmera Council. The request is also for an increase of 1.8% on the 18/19 funding to $48,407 ($856 increase).

Ms Podoliak further outlines in the attached correspondence the core KPI’s of the agreement of which RDAMR will continue to deliver on behalf of Council.

RECOMMENDATION:

That Council:
1. having considered Report 13.11 titled “Funding Agreement RDA Murraylands and Riverland” presented to the ordinary council meeting, receive and note the report.
2. endorse the 1 year extension to the RDAMR funding agreement and endorses inclusion of funding for RDAMR within the 2019/2020 budget at $48,407.

ATTACHMENTS: Yes

List
Attachment 1 - Correspondence – Ms Jo Podoliak CEO - RDAMR
Dear Karyn,

The current 3 year funding agreement between RDA and the Berri Barmera Council currently finishes on the 30th June this year. We would very much like to continue this valued relationship.

The Board has asked me to request that Council consider a 1 year extension to our current contract (1 July 2019 – 30 June 2020) with the fee indexed by CPI (1.8%), as has previously been the case. This would allow any new Councillors and senior staff to work again collaboratively with RDA over the next twelve months before proposing a longer term contract.

The amount being proposed for 2019/20 is $48,407 (exclusive of GST) and is an increase of $856 on the current agreement. This funding would allow the RDA team to deliver on behalf of Berri Barmera Council the core KPI’s of the agreement being:

1. Facilitate and support economic development initiatives that align with the Council’s Economic Development Strategy/Strategic Plan
   KPI – number of initiatives support and actioned
2. Businesses assisted, the dollar value of investment within and into the region and the jobs created
   KPI – Business numbers, investment value, job creation
3. Advocate for services and infrastructure that is required to improve the economic prosperity of the region.
   KPI – provide information regarding the number of initiatives supported and actioned.
4. Facilitate and support projects and programs that improve the profile of the region and its premium produce, product and services.
   KPI – provide information regarding the projects and programs supported.
5. Foster, facilitate and promote innovation and collaboration for regional benefit.
   KPI – provide information regarding the number and listing.

These core services ensure all Councils across the region are funding on a consistent per head of population, at an amount of $4.50 per person. With the latest 2016 Population Censes now available, this leaves funding of $954 within the 19/20 contract extension for agreed nominated projects for Berri Barmera Council this financial year and we look forward to discussing relevant opportunities for this in 2019/20 should a 1 year extension be acceptable.

In summary:

<table>
<thead>
<tr>
<th>Request: Berri Barmera Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current contract 18/19 Annual Fee</td>
</tr>
<tr>
<td>$</td>
</tr>
</tbody>
</table>

I look forward to discussing this opportunity further with you to seek Councils approval.

Kind regards,
Jo.

Jo Podoliak
Chief Executive Officer
SUMMARY:
In accordance with the Local Government (Financial Management) Regulations 2011 and Council’s Annual Budget Policy a budget review has been conducted as at 31 March 2019.

REPORT:
Discussion:
A budget review has been conducted as at 31 March 2019.

Managers have reviewed their department budgets and are satisfied that operational activities are tracking according to budget allocations. Included at attachments is a Budgeted Income Statement with an additional column showing Actual YTD for nine months ending 31 March 2019 for information as a comparison to budget.

When preparing budget estimates early in 2018 it was anticipated that the construction of the Solar Project would be completed and operational for the second half of 2018/2019. It is evident that this will not be the case and has meant the operating activities of the Solar Project within the Budgeted Financial Statements have been removed for the 2018/2019 financial year. At this stage the capital construction costs of the Solar Project have remained within budget estimates pending presentation of a revised business model to Council and decision.

The adjustments listed below have an effect on our budgeted operating result whereby there is now a forecast of a deficit of $381,006 (after adjusting for the FAGS early payment). It is expected savings can be found between now and 30 June 2019 to reduce this deficit in particular within the salary component of Council’s operating expenditure.

Key financial indicators are –

- Operating Surplus (Deficit) ($1,716,329). Adjusted for early FAGS payment – ($381,006) deficit
- Net Financial liabilities ratio - 201% (this is with the inclusion of borrowings for the Solar Project and is a short term situation as the commercial revenue derived from the facility in subsequent years will repay loan borrowings as well as recover interest due).
- Interest Cover Ratio – 0.8%
- Asset sustainability ratio remains at 100% as Council are replacing assets at the rate required within the Infrastructure and Asset Management Plans.
The following alterations are recommended:

<table>
<thead>
<tr>
<th>Budget Line</th>
<th>From</th>
<th>To</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grants Commission – General Purpose</td>
<td>($1,209,330)</td>
<td>($1,125,741)</td>
<td>adjustment per advice Grants Commission</td>
</tr>
<tr>
<td>Grants Commission – Roads</td>
<td>($222,395)</td>
<td>($201,914)</td>
<td>as above</td>
</tr>
<tr>
<td>Community event – Football Federation</td>
<td>$3,000</td>
<td>Nil</td>
<td>G3 project not continued</td>
</tr>
<tr>
<td>Interest on Loans</td>
<td>$82,952</td>
<td>Nil</td>
<td>adjustment for Solar Project deferral</td>
</tr>
<tr>
<td>Solar Project operating costs, depn,</td>
<td>$819,905</td>
<td>Nil</td>
<td>Project has not commenced as expected</td>
</tr>
<tr>
<td>interest on loans</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Solar Project – Commercial Income</td>
<td>($1,596,000)</td>
<td>Nil</td>
<td>Project has not commenced as expected</td>
</tr>
<tr>
<td>Wastewater Contract Trility</td>
<td>$2,556,000</td>
<td>$2,500,000</td>
<td>adjustment to actual</td>
</tr>
<tr>
<td>Environmental Services Project – Martin Bend Committee projects</td>
<td>$23,500</td>
<td>Nil</td>
<td>Project to be carried over to 19/20</td>
</tr>
<tr>
<td>Infrastructure Services Project – Dump Rehab Loveday</td>
<td>$20,000</td>
<td>Nil</td>
<td>Project to be carried over to 19/20</td>
</tr>
<tr>
<td>Infrastructure Services Project – Artificial Turf Barwell Roundabout</td>
<td>$20,000</td>
<td>Nil</td>
<td>Project to be carried over to 19/20</td>
</tr>
<tr>
<td>Transfer Projects to Work In Progress Reserve to carry fwd to 19/20</td>
<td>$128,000</td>
<td>Nil</td>
<td></td>
</tr>
<tr>
<td>Capital</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bonney Theatre – solar panels</td>
<td>$37,500</td>
<td>Nil</td>
<td>Project to be carried over to 19/20</td>
</tr>
<tr>
<td>Berri Oval Grandstand Viewing Mound</td>
<td>$50,000</td>
<td>Nil</td>
<td>Project to be carried over to 19/20</td>
</tr>
<tr>
<td>Berri Marina Bank Stabilisation</td>
<td>$80,000</td>
<td>Nil</td>
<td>Project to be carried over to 19/20</td>
</tr>
<tr>
<td>Special Local Roads Funding (Jury Rd)</td>
<td>($495,000)</td>
<td>($497,000)</td>
<td>Correction to funding amount.</td>
</tr>
<tr>
<td>Stormwater Upgrade Ahern Street</td>
<td>$38,700</td>
<td>$68,700</td>
<td>Reallocate s/water works Motion SAMPC25/19</td>
</tr>
<tr>
<td>Stormwater Upgrade Rosenthal</td>
<td>$120,000</td>
<td>$60,000</td>
<td>Reallocate s/water works Motion SAMPC25/19</td>
</tr>
<tr>
<td>Stormwater Upgrade Jarvis Street</td>
<td>$15,335</td>
<td>$45,335</td>
<td>as above Motion SAMPC25/19</td>
</tr>
<tr>
<td>Capitalised FCA</td>
<td>$989,420</td>
<td>$922,725</td>
<td>adjustment due to above changes.</td>
</tr>
</tbody>
</table>

Included at attachments are Budgeted Financial Statements with the construction as well as the operational activities of the Solar Project completely removed from all estimates (including payback of the grant received). This has an effect on the operating result by way of capitalised full cost attribution calculations flowing back as operating expense in the Income Statement.

The exercise of removing the Solar Project is to provide information to Council of the implications to the budgeted operating result and cash flow statement and will be the basis moving forward with the 2019/2020 Annual Business Plan and Budget preparations.
RECOMMENDATION:
That Council:
2. adopt the Budget Review as at 31 March 2019 as presented.

ATTACHMENTS: Yes
List
Attachment 1 - 31 March 2019 budgeted financial statements
Attachment 2 - 31 March 2019 budgeted financial statements (excluding Solar Project)
### BERRI BARMERA COUNCIL
### BUDGETED INCOME STATEMENT
### FOR THE YEAR ENDING 30 JUNE 2019

#### OPERATING REVENUES

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Rates - General</td>
<td>7,667,637</td>
<td>7,927,233</td>
<td>7,927,233</td>
<td>7,863,618</td>
</tr>
<tr>
<td>Rates - Other</td>
<td>4,147,594</td>
<td>4,183,951</td>
<td>4,183,951</td>
<td>4,194,456</td>
</tr>
<tr>
<td>Statutory Charges</td>
<td>310,676</td>
<td>279,700</td>
<td>279,700</td>
<td>226,251</td>
</tr>
<tr>
<td>User Charges</td>
<td>191,250</td>
<td>160,804</td>
<td>160,804</td>
<td>108,953</td>
</tr>
<tr>
<td>Operating Grants &amp; Subsidies</td>
<td>3,090,082</td>
<td>1,542,961</td>
<td>1,438,900</td>
<td>1,077,043</td>
</tr>
<tr>
<td>Investment Income</td>
<td>50,945</td>
<td>76,389</td>
<td>109,016</td>
<td>109,649</td>
</tr>
<tr>
<td>Reimbursements</td>
<td>747,951</td>
<td>1,049,669</td>
<td>1,186,804</td>
<td>667,728</td>
</tr>
<tr>
<td>Commercial Activity Revenue</td>
<td>-</td>
<td>1,632,272</td>
<td>36,272</td>
<td>23,237</td>
</tr>
<tr>
<td>Other</td>
<td>506,927</td>
<td>40,026</td>
<td>40,026</td>
<td>3,815</td>
</tr>
<tr>
<td><strong>TOTAL OPERATING REVENUE</strong></td>
<td><strong>16,713,062</strong></td>
<td><strong>16,893,005</strong></td>
<td><strong>15,362,696</strong></td>
<td><strong>14,274,750</strong></td>
</tr>
</tbody>
</table>

#### OPERATING EXPENSES

<table>
<thead>
<tr>
<th></th>
<th>$</th>
<th>$</th>
<th>$</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee Costs</td>
<td>4,637,904</td>
<td>5,198,959</td>
<td>5,171,665</td>
<td>3,628,010</td>
</tr>
<tr>
<td>Contractual Services</td>
<td>4,769,562</td>
<td>5,742,852</td>
<td>5,367,558</td>
<td>3,579,357</td>
</tr>
<tr>
<td>Materials</td>
<td>1,478,581</td>
<td>1,563,684</td>
<td>1,514,651</td>
<td>1,112,096</td>
</tr>
<tr>
<td>Finance Charges</td>
<td>252,597</td>
<td>641,147</td>
<td>228,443</td>
<td>139,461</td>
</tr>
<tr>
<td>Depreciation</td>
<td>3,316,534</td>
<td>3,744,625</td>
<td>3,502,100</td>
<td>2,543,572</td>
</tr>
<tr>
<td>Other</td>
<td>1,635,031</td>
<td>1,307,718</td>
<td>1,294,607</td>
<td>1,004,684</td>
</tr>
<tr>
<td><strong>TOTAL OPERATING EXPENDITURE</strong></td>
<td><strong>16,090,209</strong></td>
<td><strong>18,198,985</strong></td>
<td><strong>17,079,025</strong></td>
<td><strong>12,007,179</strong></td>
</tr>
</tbody>
</table>

#### OPERATING SURPLUS/(DEFICIT) Before Capital Revenue

<table>
<thead>
<tr>
<th></th>
<th>$</th>
<th>$</th>
<th>$</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>OPERATING SURPLUS/(DEFICIT) Before Capital Revenue</strong></td>
<td><strong>622,853</strong></td>
<td><strong>(1,305,980)</strong></td>
<td><strong>(1,716,329)</strong></td>
<td><strong>2,267,571</strong></td>
</tr>
</tbody>
</table>

#### CAPITAL REVENUES

<table>
<thead>
<tr>
<th></th>
<th>$</th>
<th>$</th>
<th>$</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asset Disposal &amp; fair value adjustments</td>
<td>(667,232)</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Amounts Received for New/Upgraded Assets</td>
<td>2,398,168</td>
<td>895,000</td>
<td>6,331,000</td>
<td>5,450,742</td>
</tr>
<tr>
<td>Physical Resources received free of charge</td>
<td>1,730,936</td>
<td>895,000</td>
<td>6,331,000</td>
<td>5,450,742</td>
</tr>
<tr>
<td><strong>NET SURPLUS/(DEFICIT) RESULTING FROM OPERATIONS</strong></td>
<td><strong>2,353,789</strong></td>
<td><strong>(410,980)</strong></td>
<td><strong>4,614,671</strong></td>
<td><strong>7,718,313</strong></td>
</tr>
</tbody>
</table>

Operating Surplus/(Deficit) Before Capital Revenue 654,509 29,343 (381,006) 3,602,894 - note adjustment showing result prior to early payment of Federal Government Assistance Grants
### BERRI BARMERA COUNCIL
### BUDGETED BALANCE SHEET
### FOR THE YEAR ENDING 30 JUNE 2019

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CURRENT ASSETS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash and Cash Equivalents</td>
<td>4,382,830</td>
<td>886,001</td>
<td>3,463,822</td>
</tr>
<tr>
<td>Trade and other Receivables</td>
<td>2,284,666</td>
<td>3,805,323</td>
<td>2,293,963</td>
</tr>
<tr>
<td>Other Financial Assets</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inventory</td>
<td>311,891</td>
<td>518,656</td>
<td>319,688</td>
</tr>
<tr>
<td><strong>TOTAL CURRENT ASSETS</strong></td>
<td>6,979,387</td>
<td>5,209,980</td>
<td>6,077,472</td>
</tr>
<tr>
<td><strong>CURRENT LIABILITIES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trade and Other Payables</td>
<td>6,926,726</td>
<td>2,057,123</td>
<td>7,099,895</td>
</tr>
<tr>
<td>Short Term Provisions</td>
<td>1,210,735</td>
<td>1,159,852</td>
<td>1,239,003</td>
</tr>
<tr>
<td>Short Term Borrowings</td>
<td>392,479</td>
<td>3,949,519</td>
<td>1,735,890</td>
</tr>
<tr>
<td><strong>TOTAL CURRENT LIABILITIES</strong></td>
<td>8,529,940</td>
<td>7,166,494</td>
<td>10,074,788</td>
</tr>
<tr>
<td><strong>Net Current Assets/(Current Liabilities)</strong></td>
<td>(1,550,553)</td>
<td>(1,956,514)</td>
<td>(3,997,316)</td>
</tr>
<tr>
<td><strong>NON CURRENT ASSETS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Financial Assets</td>
<td>968,828</td>
<td>(49,258)</td>
<td>875,744</td>
</tr>
<tr>
<td>Capital Works In Progress</td>
<td>1,471,595</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Infrastructure, Property, Plant &amp; Equipment</td>
<td>127,958,744</td>
<td>170,105,192</td>
<td>165,319,574</td>
</tr>
<tr>
<td><strong>TOTAL NON CURRENT ASSETS</strong></td>
<td>130,399,167</td>
<td>170,055,934</td>
<td>166,195,318</td>
</tr>
<tr>
<td><strong>NON CURRENT LIABILITIES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Long Term Provisions</td>
<td>203,998</td>
<td>289,073</td>
<td>209,098</td>
</tr>
<tr>
<td>Long Term Borrowings</td>
<td>3,237,603</td>
<td>30,093,196</td>
<td>26,596,220</td>
</tr>
<tr>
<td><strong>TOTAL NON CURRENT LIABILITIES</strong></td>
<td>3,441,601</td>
<td>30,382,269</td>
<td>26,805,318</td>
</tr>
<tr>
<td><strong>NET ASSETS</strong></td>
<td>125,407,013</td>
<td>137,717,151</td>
<td>135,392,684</td>
</tr>
<tr>
<td><strong>EQUITY</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retained Earnings</td>
<td>25,640,503</td>
<td>30,412,092</td>
<td>30,533,187</td>
</tr>
<tr>
<td>Asset Revaluation</td>
<td>96,898,310</td>
<td>104,444,901</td>
<td>102,269,310</td>
</tr>
<tr>
<td>Reserves</td>
<td>2,868,200</td>
<td>2,660,158</td>
<td>2,590,187</td>
</tr>
<tr>
<td><strong>TOTAL EQUITY</strong></td>
<td>125,407,013</td>
<td>137,717,151</td>
<td>135,392,684</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>----------------------------</td>
<td>--------------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td><strong>ACCUMULATED SURPLUS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Balance at beginning of period</td>
<td>23,366,399</td>
<td>30,574,150</td>
<td>25,640,503</td>
</tr>
<tr>
<td>Net Surplus (Deficit) resulting from Operations</td>
<td>2,353,789</td>
<td>(410,981)</td>
<td>4,614,671</td>
</tr>
<tr>
<td>Transfers from Reserves</td>
<td>3,523,866</td>
<td>3,529,205</td>
<td>3,773,205</td>
</tr>
<tr>
<td>Transfers to Reserves</td>
<td>(3,603,567)</td>
<td>(3,280,282)</td>
<td>(3,495,192)</td>
</tr>
<tr>
<td><strong>BALANCE AT END OF PERIOD</strong></td>
<td>25,640,503</td>
<td>30,412,092</td>
<td>30,533,187</td>
</tr>
<tr>
<td><strong>ASSET REVALUATION RESERVE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Balance at beginning of period</td>
<td>93,556,903</td>
<td>98,822,901</td>
<td>96,898,310</td>
</tr>
<tr>
<td>Transfer to Reserve from Accumulated Surplus</td>
<td>3,341,407</td>
<td>5,622,000</td>
<td>5,371,000</td>
</tr>
<tr>
<td>Transfers from Reserves to Accumulated Surplus</td>
<td>259,621</td>
<td>145,622</td>
<td>232,532</td>
</tr>
<tr>
<td><strong>BALANCE AT END OF PERIOD</strong></td>
<td>96,898,310</td>
<td>104,444,901</td>
<td>102,269,310</td>
</tr>
<tr>
<td><strong>LAND DEVELOPMENT RESERVE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Balance at beginning of period</td>
<td>1,481,969</td>
<td>1,668,646</td>
<td>1,683,038</td>
</tr>
<tr>
<td>Transfers from Reserves to Accumulated Surplus</td>
<td>(58,552)</td>
<td>(25,000)</td>
<td>(25,000)</td>
</tr>
<tr>
<td>Transfer to Reserve from Accumulated Surplus</td>
<td>259,621</td>
<td>145,622</td>
<td>232,532</td>
</tr>
<tr>
<td><strong>BALANCE AT END OF PERIOD</strong></td>
<td>1,683,038</td>
<td>1,789,268</td>
<td>1,890,570</td>
</tr>
<tr>
<td><strong>DISTRICT STEDS RESERVE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Balance at beginning of period</td>
<td>1,009,258</td>
<td>1,165,542</td>
<td>865,570</td>
</tr>
<tr>
<td>Transfers from Reserves to Accumulated Surplus</td>
<td>(3,347,634)</td>
<td>(3,271,400)</td>
<td>(3,515,400)</td>
</tr>
<tr>
<td>Transfer to Reserve from Accumulated Surplus</td>
<td>3,203,946</td>
<td>3,134,660</td>
<td>3,134,660</td>
</tr>
<tr>
<td><strong>BALANCE AT END OF PERIOD</strong></td>
<td>865,570</td>
<td>1,028,802</td>
<td>484,830</td>
</tr>
<tr>
<td><strong>WORK IN PROGRESS RESERVE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Balance at beginning of period</td>
<td>295,500</td>
<td>273,105</td>
<td>317,800</td>
</tr>
<tr>
<td>Transfers from Reserves to Accumulated Surplus</td>
<td>(117,700)</td>
<td>(232,805)</td>
<td>(232,805)</td>
</tr>
<tr>
<td>Transfer to Reserve from Accumulated Surplus</td>
<td>140,000</td>
<td>-</td>
<td>128,000</td>
</tr>
<tr>
<td><strong>BALANCE AT END OF PERIOD</strong></td>
<td>317,800</td>
<td>40,300</td>
<td>212,995</td>
</tr>
<tr>
<td><strong>OPEN SPACE, STREET TREES, FOOTPATHS RESERVE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Balance at beginning of period</td>
<td>1,788</td>
<td>1,788</td>
<td>1,792</td>
</tr>
<tr>
<td>Transfers from Reserves to Accumulated Surplus</td>
<td>4</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>BALANCE AT END OF PERIOD</strong></td>
<td>1,792</td>
<td>1,788</td>
<td>1,792</td>
</tr>
<tr>
<td><strong>TOTAL EQUITY BALANCE AT END OF REPORTING PERIOD</strong></td>
<td>125,407,013</td>
<td>137,717,151</td>
<td>135,392,684</td>
</tr>
</tbody>
</table>
BERRI BARMERA COUNCIL
BUDGETED CASHFLOW STATEMENT
FOR THE YEAR ENDING 30 JUNE 2019

<table>
<thead>
<tr>
<th></th>
<th>Actual (Audited)</th>
<th>Adopted Budged</th>
<th>Revised Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CASH FLOWS FROM OPERATING ACTIVITIES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Receipts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating Receipts</td>
<td>19,225,583</td>
<td>16,723,803</td>
<td>15,196,563</td>
</tr>
<tr>
<td>Investment Receipts</td>
<td>50,945</td>
<td>76,389</td>
<td>109,016</td>
</tr>
<tr>
<td>Payments</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating payments</td>
<td>(14,193,423)</td>
<td>(13,742,349)</td>
<td>(13,149,742)</td>
</tr>
<tr>
<td>Finance payments</td>
<td>(194,259)</td>
<td>(641,147)</td>
<td>(228,443)</td>
</tr>
<tr>
<td><strong>NET CASH USED IN OPERATING ACTIVITIES</strong></td>
<td>4,888,846</td>
<td>2,416,696</td>
<td>1,927,395</td>
</tr>
<tr>
<td><strong>CASHFLOWS FROM INVESTING ACTIVITIES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Receipts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amounts specifically for new or upgraded assets</td>
<td>7,432,168</td>
<td>895,000</td>
<td>6,331,000</td>
</tr>
<tr>
<td>Sale of replaced assets</td>
<td>208,715</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Sale of surplus assets</td>
<td>2,466,943</td>
<td>527,500</td>
<td>1,161,910</td>
</tr>
<tr>
<td>Sale of real estate developments</td>
<td>253,182</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Repayments of loans by community groups</td>
<td>34,168</td>
<td>99,411</td>
<td>140,904</td>
</tr>
<tr>
<td>Payments</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expenditure on renewal/replacement of assets</td>
<td>(2,496,117)</td>
<td>(3,164,932)</td>
<td>(3,737,248)</td>
</tr>
<tr>
<td>Expenditure on new/upgraded assets</td>
<td>(6,120,217)</td>
<td>(31,108,037)</td>
<td>(31,444,997)</td>
</tr>
<tr>
<td>Development of real estate for sale</td>
<td>(30,591)</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Loans made to community groups</td>
<td>(1,050,000)</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>NET CASH USED IN INVESTMENT ACTIVITIES</strong></td>
<td>698,251</td>
<td>(32,751,058)</td>
<td>(27,548,431)</td>
</tr>
<tr>
<td><strong>CASH FLOWS FROM FINANCING ACTIVITIES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Receipts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Proceeds from Borrowings</td>
<td>1,050,000</td>
<td>25,136,000</td>
<td>25,136,000</td>
</tr>
<tr>
<td>Payments</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Repayments of Borrowings</td>
<td>(2,802,766)</td>
<td>(1,023,095)</td>
<td>(433,972)</td>
</tr>
<tr>
<td><strong>NET CASH USED IN FINANCING ACTIVITIES</strong></td>
<td>(1,752,766)</td>
<td>24,112,905</td>
<td>24,702,028</td>
</tr>
<tr>
<td><strong>NET INCREASE (DECREASE) IN CASH HELD</strong></td>
<td>3,834,331</td>
<td>(6,221,457)</td>
<td>(919,008)</td>
</tr>
<tr>
<td><strong>CASH &amp; CASH EQUIVALENTS AT BEGINNING OF PERIOD</strong></td>
<td>548,499</td>
<td>7,107,459</td>
<td>4,382,830</td>
</tr>
<tr>
<td><strong>CASH &amp; CASH EQUIVALENTS AT END OF PERIOD</strong></td>
<td>4,382,830</td>
<td>886,002</td>
<td>3,463,822</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>----------------------------</td>
<td>--------------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td>Income</td>
<td>16,713,062</td>
<td>16,893,005</td>
<td>15,362,696</td>
</tr>
<tr>
<td>less Expenses</td>
<td>16,090,209</td>
<td>18,198,985</td>
<td>17,079,025</td>
</tr>
<tr>
<td>Operating Surplus/(Deficit)</td>
<td>622,853</td>
<td>(1,305,980)</td>
<td>(1,716,329)</td>
</tr>
<tr>
<td>less Net Outlays on Existing Assets</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capital Expenditure on renewal and replacement of Existing Assets</td>
<td>2,496,117</td>
<td>3,164,932</td>
<td>3,737,248</td>
</tr>
<tr>
<td>less Depreciation</td>
<td>3,316,534</td>
<td>3,744,625</td>
<td>3,502,100</td>
</tr>
<tr>
<td>less Proceeds from Sale of Replaced Assets</td>
<td>208,528</td>
<td>-</td>
<td>235,148</td>
</tr>
<tr>
<td></td>
<td>(1,028,945)</td>
<td>(579,693)</td>
<td>235,148</td>
</tr>
<tr>
<td>less Net Outlays on New and Upgraded Assets</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capital Expenditure on New and Upgraded Assets</td>
<td>6,150,808</td>
<td>31,108,037</td>
<td>31,444,997</td>
</tr>
<tr>
<td>less Amounts received specifically for New and Upgraded Assets</td>
<td>2,398,168</td>
<td>895,000</td>
<td>6,331,000</td>
</tr>
<tr>
<td>less Proceeds from Sale of Surplus Assets</td>
<td>2,720,312</td>
<td>527,500</td>
<td>1,161,910</td>
</tr>
<tr>
<td></td>
<td>1,032,328</td>
<td>29,685,537</td>
<td>23,952,087</td>
</tr>
<tr>
<td>Net Lending / (Borrowing) for Financial Year</td>
<td>619,470</td>
<td>(30,411,824)</td>
<td>(25,903,564)</td>
</tr>
</tbody>
</table>
## Berri Barmera Council

### BUDGETED INCOME STATEMENT

**FOR THE YEAR ENDING 30 JUNE 2019**

### WITHOUT SOLAR PROJECT

<table>
<thead>
<tr>
<th>Operating Revenues</th>
<th>Actual (Audited)</th>
<th>Adopted Budget</th>
<th>Revised Budget</th>
<th>Actual YTD - 31/03/18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rates - General</td>
<td>7,667,637</td>
<td>7,927,233</td>
<td>7,927,233</td>
<td>7,863,618</td>
</tr>
<tr>
<td>Rates - Other</td>
<td>4,147,594</td>
<td>4,183,951</td>
<td>4,183,951</td>
<td>4,194,456</td>
</tr>
<tr>
<td>Statutory Charges</td>
<td>310,676</td>
<td>279,700</td>
<td>279,700</td>
<td>226,251</td>
</tr>
<tr>
<td>User Charges</td>
<td>191,250</td>
<td>160,804</td>
<td>160,804</td>
<td>108,953</td>
</tr>
<tr>
<td>Operating Grants &amp; Subsidies</td>
<td>3,090,082</td>
<td>1,542,961</td>
<td>1,438,890</td>
<td>1,077,043</td>
</tr>
<tr>
<td>Investment Income</td>
<td>50,945</td>
<td>76,389</td>
<td>109,016</td>
<td>109,649</td>
</tr>
<tr>
<td>Reimbursements</td>
<td>747,951</td>
<td>1,049,669</td>
<td>1,186,804</td>
<td>667,728</td>
</tr>
<tr>
<td>Commercial Activity Revenue</td>
<td>-</td>
<td>1,632,272</td>
<td>36,272</td>
<td>23,237</td>
</tr>
<tr>
<td>Other</td>
<td>506,927</td>
<td>40,026</td>
<td>40,026</td>
<td>3,815</td>
</tr>
<tr>
<td><strong>TOTAL OPERATING REVENUE</strong></td>
<td><strong>16,713,062</strong></td>
<td><strong>16,893,005</strong></td>
<td><strong>15,362,696</strong></td>
<td><strong>14,274,750</strong></td>
</tr>
</tbody>
</table>

### OPERATING EXPENSES

<table>
<thead>
<tr>
<th>Operating Expenses</th>
<th>Actual (Audited)</th>
<th>Adopted Budget</th>
<th>Revised Budget</th>
<th>Actual YTD - 31/03/18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee Costs</td>
<td>4,637,904</td>
<td>5,198,959</td>
<td>5,273,113</td>
<td>3,628,010</td>
</tr>
<tr>
<td>Contractual Services</td>
<td>4,769,562</td>
<td>5,742,852</td>
<td>5,402,606</td>
<td>3,579,357</td>
</tr>
<tr>
<td>Materials</td>
<td>1,478,581</td>
<td>1,563,684</td>
<td>1,522,238</td>
<td>1,112,096</td>
</tr>
<tr>
<td>Finance Charges</td>
<td>252,597</td>
<td>641,147</td>
<td>228,443</td>
<td>139,461</td>
</tr>
<tr>
<td>Depreciation</td>
<td>3,316,534</td>
<td>3,744,625</td>
<td>3,502,100</td>
<td>2,543,572</td>
</tr>
<tr>
<td>Other</td>
<td>1,635,031</td>
<td>1,307,718</td>
<td>1,359,783</td>
<td>1,004,684</td>
</tr>
<tr>
<td><strong>TOTAL OPERATING EXPENDITURE</strong></td>
<td><strong>16,090,209</strong></td>
<td><strong>18,198,985</strong></td>
<td><strong>17,288,283</strong></td>
<td><strong>12,007,179</strong></td>
</tr>
</tbody>
</table>

### OPERATING SURPLUS/(DEFICIT) Before Capital Revenue

<table>
<thead>
<tr>
<th>Operating Surplus/(Deficit) Before Capital Revenue</th>
<th>Actual (Audited)</th>
<th>Adopted Budget</th>
<th>Revised Budget</th>
<th>Actual YTD - 31/03/18</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>622,853</td>
<td>(1,305,980)</td>
<td>(1,925,587)</td>
<td>2,267,571</td>
</tr>
</tbody>
</table>

### CAPITAL REVENUES

<table>
<thead>
<tr>
<th>Capital Revenues</th>
<th>Actual (Audited)</th>
<th>Adopted Budget</th>
<th>Revised Budget</th>
<th>Actual YTD - 31/03/18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asset Disposal &amp; Fair Value Adjustments</td>
<td>(667,232)</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Amounts Received for New/Upgraded Assets</td>
<td>2,398,168</td>
<td>895,000</td>
<td>1,297,000</td>
<td>5,450,742</td>
</tr>
<tr>
<td>Physical Resources Received Free of Charge</td>
<td>1,730,936</td>
<td>895,000</td>
<td>1,297,000</td>
<td>5,450,742</td>
</tr>
<tr>
<td><strong>NET SURPLUS/(DEFICIT) Resulting From Operations</strong></td>
<td><strong>2,353,789</strong></td>
<td><strong>(410,980)</strong></td>
<td><strong>(628,587)</strong></td>
<td><strong>7,718,313</strong></td>
</tr>
</tbody>
</table>

*Operating Surplus/(Deficit) Before Capital Revenue*  
- note adjustment showing result prior to early payment of Federal Government Assistance Grants

<table>
<thead>
<tr>
<th>Operating Surplus/(Deficit) Before Capital Revenue</th>
<th>Actual (Audited)</th>
<th>Adopted Budget</th>
<th>Revised Budget</th>
<th>Actual YTD - 31/03/18</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>654,509</td>
<td>29,343</td>
<td>(590,264)</td>
<td>3,602,894</td>
</tr>
</tbody>
</table>
## BERRI Barmera Council
### Budgeted Balance Sheet
#### For the Year Ending 30 June 2019

**WITHOUT SOLAR PROJECT**

<table>
<thead>
<tr>
<th></th>
<th>Actual (Audited)</th>
<th>Adopted Budget</th>
<th>Revised Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CURRENT ASSETS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash and Cash Equivalents</td>
<td>4,382,830</td>
<td>886,001</td>
<td>257,477</td>
</tr>
<tr>
<td>Trade and other Receivables</td>
<td>2,284,666</td>
<td>3,805,323</td>
<td>2,293,963</td>
</tr>
<tr>
<td>Other Financial Assets</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inventory</td>
<td>311,891</td>
<td>518,656</td>
<td>319,688</td>
</tr>
<tr>
<td><strong>TOTAL CURRENT ASSETS</strong></td>
<td>6,979,387</td>
<td>5,209,980</td>
<td>2,871,127</td>
</tr>
<tr>
<td><strong>CURRENT LIABILITIES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trade and Other Payables</td>
<td>6,926,726</td>
<td>2,057,123</td>
<td>2,056,586</td>
</tr>
<tr>
<td>Short Term Provisions</td>
<td>1,210,735</td>
<td>1,159,852</td>
<td>1,239,003</td>
</tr>
<tr>
<td>Short Term Borrowings</td>
<td>392,479</td>
<td>3,949,519</td>
<td>1,735,890</td>
</tr>
<tr>
<td><strong>TOTAL CURRENT LIABILITIES</strong></td>
<td>8,529,940</td>
<td>7,166,494</td>
<td>5,031,479</td>
</tr>
<tr>
<td><strong>NON CURRENT ASSETS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Financial Assets</td>
<td>968,828</td>
<td>(49,258)</td>
<td>875,744</td>
</tr>
<tr>
<td>Capital Works In Progress</td>
<td>1,471,595</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Infrastructure, Property, Plant &amp; Equipment</td>
<td>127,958,744</td>
<td>170,105,192</td>
<td>140,103,352</td>
</tr>
<tr>
<td><strong>TOTAL NON CURRENT ASSETS</strong></td>
<td>130,399,167</td>
<td>170,055,934</td>
<td>140,979,096</td>
</tr>
<tr>
<td><strong>NON CURRENT LIABILITIES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Long Term Provisions</td>
<td>203,998</td>
<td>289,073</td>
<td>209,098</td>
</tr>
<tr>
<td>Long Term Borrowings</td>
<td>3,237,603</td>
<td>30,093,196</td>
<td>8,460,220</td>
</tr>
<tr>
<td><strong>TOTAL NON CURRENT LIABILITIES</strong></td>
<td>3,441,601</td>
<td>30,382,269</td>
<td>8,669,318</td>
</tr>
<tr>
<td><strong>NET ASSETS</strong></td>
<td>125,407,013</td>
<td>137,717,151</td>
<td>130,149,426</td>
</tr>
<tr>
<td><strong>EQUITY</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retained Earnings</td>
<td>25,640,503</td>
<td>30,412,092</td>
<td>25,289,929</td>
</tr>
<tr>
<td>Asset Revaluation</td>
<td>96,898,310</td>
<td>104,444,901</td>
<td>102,269,310</td>
</tr>
<tr>
<td>Reserves</td>
<td>2,868,200</td>
<td>2,860,158</td>
<td>2,590,187</td>
</tr>
<tr>
<td><strong>TOTAL EQUITY</strong></td>
<td>125,407,013</td>
<td>137,717,151</td>
<td>130,149,426</td>
</tr>
</tbody>
</table>
## BERRI BARMERA COUNCIL
### BUDGETED STATEMENT OF CHANGES IN EQUITY
#### FOR THE YEAR ENDING 30 JUNE 2019

**WITHOUT SOLAR PROJECT**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ACCUMULATED SURPLUS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Balance at beginning of period</td>
<td>23,366,399</td>
<td>30,574,150</td>
<td>25,640,503</td>
</tr>
<tr>
<td>Net Surplus (Deficit) resulting from Operations</td>
<td>2,353,789</td>
<td>(410,981)</td>
<td>(628,587)</td>
</tr>
<tr>
<td>Transfers from Reserves</td>
<td>3,523,886</td>
<td>3,529,205</td>
<td>3,773,205</td>
</tr>
<tr>
<td>Transfers to Reserves</td>
<td>(3,603,567)</td>
<td>(3,280,282)</td>
<td>(3,495,192)</td>
</tr>
<tr>
<td><strong>BALANCE AT END OF PERIOD</strong></td>
<td>25,640,503</td>
<td>30,412,092</td>
<td>25,289,929</td>
</tr>
<tr>
<td><strong>ASSET REVALUATION RESERVE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Balance at beginning of period</td>
<td>93,556,903</td>
<td>98,822,901</td>
<td>96,898,310</td>
</tr>
<tr>
<td>Transfer to Reserve from Accumulated Surplus</td>
<td>3,341,407</td>
<td>5,622,000</td>
<td>5,371,000</td>
</tr>
<tr>
<td>Transfers from Reserves to Accumulated Surplus</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>BALANCE AT END OF PERIOD</strong></td>
<td>96,898,310</td>
<td>104,444,901</td>
<td>102,269,310</td>
</tr>
<tr>
<td><strong>LAND DEVELOPMENT RESERVE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Balance at beginning of period</td>
<td>1,481,969</td>
<td>1,668,646</td>
<td>1,683,038</td>
</tr>
<tr>
<td>Transfers from Reserves to Accumulated Surplus</td>
<td>(58,552)</td>
<td>(25,000)</td>
<td>(25,000)</td>
</tr>
<tr>
<td>Transfer to Reserve from Accumulated Surplus</td>
<td>259,621</td>
<td>145,622</td>
<td>232,532</td>
</tr>
<tr>
<td><strong>BALANCE AT END OF PERIOD</strong></td>
<td>1,683,038</td>
<td>1,789,268</td>
<td>1,890,570</td>
</tr>
<tr>
<td><strong>DISTRICT STEDS RESERVE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Balance at beginning of period</td>
<td>1,009,258</td>
<td>1,165,542</td>
<td>865,570</td>
</tr>
<tr>
<td>Transfers from Reserves to Accumulated Surplus</td>
<td>(3,347,634)</td>
<td>(3,271,400)</td>
<td>(3,515,400)</td>
</tr>
<tr>
<td>Transfer to Reserve from Accumulated Surplus</td>
<td>3,203,946</td>
<td>3,134,660</td>
<td>3,134,660</td>
</tr>
<tr>
<td><strong>BALANCE AT END OF PERIOD</strong></td>
<td>865,570</td>
<td>1,028,802</td>
<td>484,830</td>
</tr>
<tr>
<td><strong>WORK IN PROGRESS RESERVE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Balance at beginning of period</td>
<td>295,500</td>
<td>273,105</td>
<td>317,800</td>
</tr>
<tr>
<td>Transfers from Reserves to Accumulated Surplus</td>
<td>(117,700)</td>
<td>(232,805)</td>
<td>(232,805)</td>
</tr>
<tr>
<td>Transfer to Reserve from Accumulated Surplus</td>
<td>140,000</td>
<td>-</td>
<td>128,000</td>
</tr>
<tr>
<td><strong>BALANCE AT END OF PERIOD</strong></td>
<td>317,800</td>
<td>40,300</td>
<td>212,995</td>
</tr>
<tr>
<td><strong>OPEN SPACE, STREET TREES, FOOTPATHS RESERVE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Balance at beginning of period</td>
<td>1,788</td>
<td>1,788</td>
<td>1,792</td>
</tr>
<tr>
<td>Transfers from Reserves to Accumulated Surplus</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfer to Reserve from Accumulated Surplus</td>
<td>4</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>BALANCE AT END OF PERIOD</strong></td>
<td>1,792</td>
<td>1,788</td>
<td>1,792</td>
</tr>
<tr>
<td><strong>TOTAL EQUITY BALANCE AT END OF REPORTING PERIOD</strong></td>
<td>125,407,013</td>
<td>137,717,151</td>
<td>130,149,426</td>
</tr>
</tbody>
</table>
# BERRI BARBERA COUNCIL
## BUDGETED CASHFLOW STATEMENT
### FOR THE YEAR ENDING 30 JUNE 2019

### WITHOUT SOLAR PROJECT

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

### CASH FLOWS FROM OPERATING ACTIVITIES

**Receipts**
- Operating Receipts: 19,225,583
- Investment Receipts: 50,945

**Payments**
- Operating payments: (14,193,423)
- Finance payments: (194,259)

**NET CASH USED IN OPERATING ACTIVITIES**

<table>
<thead>
<tr>
<th></th>
<th>4,888,846</th>
<th>2,416,696</th>
<th>1,718,137</th>
</tr>
</thead>
</table>

### CASHFLOWS FROM INVESTING ACTIVITIES

**Receipts**
- Amounts specifically for new or upgraded assets: 7,432,168
- Sale of replaced assets: 208,715
- Sale of surplus assets: 2,466,943
- Sale of real estate developments: 253,182
- Repayments of loans by community groups: 34,168

**Payments**
- Expenditure on renewal/replacement of assets: (2,496,117)
- Expenditure on new/upgraded assets: (6,120,217)
- Development of real estate for sale: (30,591)
- Loans made to community groups: (1,050,000)

**NET CASH USED IN INVESTMENT ACTIVITIES**

<table>
<thead>
<tr>
<th></th>
<th>698,251</th>
<th>(32,751,058)</th>
<th>(12,409,518)</th>
</tr>
</thead>
</table>

### CASH FLOWS FROM FINANCING ACTIVITIES

**Receipts**
- Proceeds from Borrowings: 1,050,000

**Payments**
- Repayments of Borrowings: (2,802,766)

**NET CASH USED IN FINANCING ACTIVITIES**

<table>
<thead>
<tr>
<th></th>
<th>(1,752,766)</th>
<th>24,112,905</th>
<th>6,566,028</th>
</tr>
</thead>
</table>

**NET INCREASE (DECREASE) IN CASH HELD**

|                      | 3,834,331 | (6,221,457) | (4,125,353) |

**CASH & CASH EQUIVALENTS AT BEGINNING OF PERIOD**

|                      | 548,499 | 7,107,459 | 4,382,830 |

**CASH & CASH EQUIVALENTS AT END OF PERIOD**

|                      | 4,382,830 | 886,002 | 257,477 |

---

Berri Barmera Council-Agenda for Ordinary Council Meeting to be held 23 April 2019
## WITHOUT SOLAR PROJECT

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Income</td>
<td>16,713,062</td>
<td>16,893,005</td>
<td>15,362,696</td>
</tr>
<tr>
<td>less Expenses</td>
<td>16,090,209</td>
<td>18,198,985</td>
<td>17,288,283</td>
</tr>
<tr>
<td>Operating Surplus/(Deficit)</td>
<td>622,853</td>
<td>(1,305,980)</td>
<td>(1,925,587)</td>
</tr>
</tbody>
</table>

less Net Outlays on Existing Assets

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Expenditure on renewal and replacement of Existing Assets</td>
<td>2,496,117</td>
<td>3,164,932</td>
<td>3,737,248</td>
</tr>
<tr>
<td>less Depreciation</td>
<td>3,316,534</td>
<td>3,744,625</td>
<td>3,502,100</td>
</tr>
<tr>
<td>less Proceeds from Sale of Replaced Assets</td>
<td>208,528</td>
<td>-</td>
<td>235,148</td>
</tr>
<tr>
<td></td>
<td>(1,028,945)</td>
<td>(579,693)</td>
<td>235,148</td>
</tr>
</tbody>
</table>

less Net Outlays on New and Upgraded Assets

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Expenditure on New and Upgraded Assets</td>
<td>6,150,808</td>
<td>31,108,037</td>
<td>6,228,775</td>
</tr>
<tr>
<td>less Amounts received specifically for New and Upgraded Assets</td>
<td>2,398,168</td>
<td>895,000</td>
<td>(3,746,309)</td>
</tr>
<tr>
<td>less Proceeds from Sale of Surplus Assets</td>
<td>2,720,312</td>
<td>527,500</td>
<td>1,161,910</td>
</tr>
<tr>
<td></td>
<td>1,032,328</td>
<td>29,685,537</td>
<td>8,813,174</td>
</tr>
</tbody>
</table>

Net Lending / (Borrowing) for Financial Year

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Net Lending / (Borrowing)</td>
<td>619,470</td>
<td>(30,411,824)</td>
<td>(10,973,909)</td>
</tr>
</tbody>
</table>
13.13 Status of Resolutions, April 2019

REPORT AUTHOR: CEO
RESPONSIBLE MANAGER: CEO/SMT
RECORDS REF: N/A
STRATEGIC LINKS: Yes; Strong Internal Capability and Capacity; Objective 2
FINANCIAL IMPLICATIONS:

<table>
<thead>
<tr>
<th>Impact</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Budget Description</td>
<td>N/A</td>
</tr>
<tr>
<td>Allocation</td>
<td>N/A</td>
</tr>
<tr>
<td>Expenditure to Date</td>
<td>N/A</td>
</tr>
</tbody>
</table>

SUMMARY:
The "Status of Resolutions" document detailing the progress of resolutions passed at previous meetings of Council is attached for information of Members.

RECOMMENDATION:
That Council, having considered Report 13.13 titled “Status of Resolutions, April 2019” as presented to the Council meeting, receive and note the report.

ATTACHMENTS: Yes
List
Attachment 1 – Status of Resolutions – April 2019
<table>
<thead>
<tr>
<th>Date of Meeting</th>
<th>Officer</th>
<th>Dept.</th>
<th>Subject</th>
<th>Motion No.</th>
<th>(Report etc.) No.</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>MES</td>
<td>MES</td>
<td>Council Signage for Facilities/Projects</td>
<td>4022/15</td>
<td>13.3</td>
<td>Installation has been completed for all but two signs. Glossop sign on Accolade site progressing. Winkie directional (finger) sign location approved by Council at August Council Meeting. Winkie town sign locations under investigation with report to be tabled when suitable location identified (significant underground services impacting this process). Council’s Infrastructure Team managing final installations. <strong>COMPLETED</strong> – reported to SGAM Committee meeting held 9/4/2019</td>
</tr>
<tr>
<td></td>
<td>CEO</td>
<td>MIS</td>
<td>Car Park at Rear of Council Building and On Street Parking</td>
<td>4041/15</td>
<td>13.3</td>
<td>Assessing stormwater disposal. Reviewing Wallbridge &amp; Gilbert Coneybeer Street stormwater investigations which may impact carpark construction. Project dependant on future of RSL location as discussed at Strategic Gov. &amp; Asset Committee (10/11/15) As per discussions at Strategic Gov. &amp; Asset Committee (9/2/16) Refer to 2018/2019 budget process when stormwater upgrade is completed. 2019/2020 budget considerations Project on hold until decision is made in regards to RSL building</td>
</tr>
<tr>
<td>Date of Meeting</td>
<td>Officer</td>
<td>Dept.</td>
<td>Subject</td>
<td>Motion No.</td>
<td>(Report etc.)</td>
<td>Status</td>
</tr>
<tr>
<td>-----------------</td>
<td>---------</td>
<td>-------</td>
<td>-------------------------------------------------------------------------</td>
<td>------------</td>
<td>--------------</td>
<td>-------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| 22 November 2016 | CEO     | Executive | Berri Town Beautification Committee – Minutes from meeting held 10 November 2016  
  • Old Sturt Highway Rocks – Aboriginal Art  
  That the Story of the Rainbow Serpent be acknowledged on a plaque and installed on site. | 4573/16    | 16.4         | Painting completed. Final sealing coat being investigated and storyboard to be ordered and installed. |
| 22 May 2018     | CEO / MCD | Exec | Martin Bend Recreation Area Committees – 12 December 2016 & 13 February 2017  
  That Council’s Manager of Infrastructure is requested to investigate and plan for a solution for the stabilisation of the riverbank adjacent the marina | 4990/18    | 13.4         | Needs investigation underway, Stakeholder workshop planned in August delayed subject to SAPOL/risk services availability. Preliminary Legislative Requirements reviewed. Safer Community Fund (Federal) currently open however without evidence based research unlikely to have a complying application by closing date of Nov 2018. Future grant opportunities - Crime Prevention and Community Safety Grant (State) - April 2019. Grant submitted via G3 project |
| 28 August 2018  | CEO     | Exec | Strategic Planning and Asset Management – Cr Centofanti  
  That a Strategic Planning Day be held with the newly elected council and senior leaders in the 2019 new year to discuss, review and prioritise all council projects. | 5060/18    | 10.1         | To remain active as per Motion 5222/19 February 2019 Council meeting |
<table>
<thead>
<tr>
<th>Date of Meeting</th>
<th>Officer</th>
<th>Dept.</th>
<th>Subject</th>
<th>Motion No.</th>
<th>(Report No. etc.)</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>23 October 2018</td>
<td>MIS</td>
<td>Inf</td>
<td>Council Accommodation Review</td>
<td>5075/18</td>
<td>16.2</td>
<td>Grieve Gillet Architect have been engaged to provide design services for the refurbishment of office accommodation at 19 Wilson Street. A workshop is proposed with both staff and councillors to explore space function requirements to guide the design team in Q4, 2018. Concept design and cost estimates expected to be presented to council for consideration during May 2019.</td>
</tr>
<tr>
<td>23 October 2018</td>
<td>MIS</td>
<td>Inf</td>
<td>MOTIONS WITH NOTICE: Disabled Parking – Denny Street, Cr Centofanti That Council investigate the need for designated disabled parking spaces within the CBD of Berri.</td>
<td>5098/18</td>
<td>10.1</td>
<td>A Parking review including disabled parking Included in 2019/20 Budget bid process</td>
</tr>
<tr>
<td>23 October 2018</td>
<td>MIS</td>
<td>Inf</td>
<td>Barmera Town Beautification Committee – Minutes from meeting held 11 October 2018 Item 5.2 That a 3rd Stratco shelter including awning at the cost of $5,660 inc GST, be erected on the Lakefront. Item 5.4 That the Barmera Town Beautification Committee recommend to Council the installation of proposed shelter 2 and 3 approximately 40m &amp; 88m east of the existing shelter as marked on the below plan, with exact siting having regard to irrigation points.</td>
<td>5109/18</td>
<td>13.9</td>
<td>Shelter ordered from Stratco on 30 October 2018 Waiting on availability of volunteer to erect shelters Shelters currently being erected</td>
</tr>
<tr>
<td>Date of Meeting</td>
<td>Officer</td>
<td>Dept.</td>
<td>Subject</td>
<td>Motion No.</td>
<td>(Report No. etc.)</td>
<td>Status</td>
</tr>
<tr>
<td>----------------</td>
<td>---------</td>
<td>-------</td>
<td>---------</td>
<td>------------</td>
<td>------------------</td>
<td>--------</td>
</tr>
<tr>
<td>27 November 2018</td>
<td>CEO</td>
<td>Executive</td>
<td>Governance and Management Structure</td>
<td>5135/18</td>
<td>5.9</td>
<td>COMPLETED</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>That Council:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>4. seek expressions of interest from members of the public who would like to be considered as an independent representative on the Environment and Sustainability Committee.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>5. invite Department of Environment and Water, Berri Barmera Landcare and Crown Lands to nominate a representative and proxy to be a member of the Environment and Sustainability Committee.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>6. receive a report at the completion of the expression of interest process to confirm and endorse the non-elected members of the Environment and Sustainability Committee.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>That Council:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>3. approach current community members to ascertain their interest in continuing membership on the Berri Improvement Committee.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>4. seek expressions of interest from members of the public who would like to be considered as a community representative on the Berri Improvement Committee.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>5. receive a report at the completion of the expression of interest process to confirm and endorse the community member representatives of the Berri Improvement Committee.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>That Council:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>3. approach current community members to ascertain their interest in continuing membership on the Friends of Bonney Theatre Working Group.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>4. seek expressions of interest from members of the public who would like to be considered as a community representative on the Friends of Bonney Theatre Working Group.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>5. receive a report at the completion of the expression of interest process to confirm and endorse the community member representatives of the Friends of Bonney Theatre Working Group.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>See Report 13.4 re Berri Improvement Committee membership</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>EOI for Friends of Bonney Theatre to be released prior to the end of March 2019.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>See Report 16.5 re Friends of Bonney Theatre Working Group membership</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date of Meeting</td>
<td>Officer</td>
<td>Dept.</td>
<td>Subject</td>
<td>Motion No.</td>
<td>(Report No. etc.)</td>
<td>Status</td>
</tr>
<tr>
<td>-----------------</td>
<td>---------</td>
<td>-------</td>
<td>---------</td>
<td>------------</td>
<td>------------------</td>
<td>--------</td>
</tr>
<tr>
<td>27 November 2018</td>
<td>CEO</td>
<td>Executive</td>
<td>MOTIONS WITHOUT NOTICE: Council area image library – Cr Kassebaum</td>
<td>5158/18</td>
<td>12.2</td>
<td>2. Initial Administrative discussions have been held in relation to the image requests from the public.</td>
</tr>
</tbody>
</table>

That Council:
3. seek expressions of interest from members of the public who would like to be considered as the community representative on the Cemetery Advisory Group.
4. receive a report at the completion of the expression of interest process to confirm and endorse the community member representative of the Cemetery Advisory Group.

That Council:
2. receive a report in early 2019 with the proposed Terms of Reference for the Lake Bonney Caring for Country Advisory Group, the call for elected member and chairperson appointments and the process to be undertaken to invite and appointment community and special interest representatives.

5139/18
5142/18

The EOI for
- Cemetery Advisory and
- Lake Bonney Caring for Country Management Plan committees will commence April/May 2019
<table>
<thead>
<tr>
<th>Date of Meeting</th>
<th>Officer</th>
<th>Dept.</th>
<th>Subject</th>
<th>Motion No.</th>
<th>(Report No. etc.)</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>18 December 2018</td>
<td>MIS</td>
<td>Infrastructure</td>
<td>Seating Request for Link SA Bus users</td>
<td>5177/18</td>
<td>15.2</td>
<td>Installation of bench and moving of bus stop to be undertaken by end of January 19. New report for Feb 19 meeting Shelter has been ordered</td>
</tr>
<tr>
<td>18 December 2018</td>
<td>MES/MP</td>
<td>Environmental</td>
<td>Riding For The Disabled Association SA Inc., Riverland Branch</td>
<td>5181/18</td>
<td>16.3</td>
<td>Lease to be finalised following public notification commencing week of January 14th 2019. Anticipated finalisation mid February. Lease ready for signing Lease sent to RDA Adelaide for signing</td>
</tr>
<tr>
<td>21 December 2018</td>
<td>MCD</td>
<td>Community</td>
<td>Citizen and Community Awards Selection Panel</td>
<td>5182/18</td>
<td>3.1</td>
<td>Initial Costings reviewed. Small project of less than $3000 depending on final material. Can be funded from existing Australia Day and Events budget lines. Concepts to be compiled and submitted to Council for direction.</td>
</tr>
<tr>
<td>22 January 2019</td>
<td>MCS</td>
<td>Corporate</td>
<td>New vehicle and equipment purchasing - Cr Trevor Scott</td>
<td>5188/19</td>
<td>11.1</td>
<td>Audit Committee meeting scheduled for 27 March 2019 See Report 13.4 COMPLETED</td>
</tr>
<tr>
<td>Date of Meeting</td>
<td>Officer</td>
<td>Dept.</td>
<td>Subject</td>
<td>Motion No.</td>
<td>(Report No. etc.)</td>
<td>Status</td>
</tr>
<tr>
<td>-----------------</td>
<td>---------</td>
<td>-------</td>
<td>-------------------------------------------------------------------------</td>
<td>------------</td>
<td>-----------------</td>
<td>-------------------------------------------------------------------------</td>
</tr>
<tr>
<td>22 January 2019</td>
<td>MCD</td>
<td>Comm</td>
<td>13.6 STARCLUB Community Development Officer Role</td>
<td>5195/19</td>
<td>13.6</td>
<td>Support Letter provided and Expression of Interest submitted by RPC to funding body.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>That Council:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>3. Endorse Renmark Paringa Council to submit an expression of interest on behalf of all three Riverland Council’s for funding for a full time two year contract role through the Office of Recreation, Sport and Racing STARCLUB Field Officer Program.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26 March 2019</td>
<td>CEO</td>
<td>Exec</td>
<td>Riverfront Development – Cr Sindos</td>
<td>5242/19</td>
<td>10.1</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>That the Berri Barmera Council;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1. amend Council’s Public Consultation and Community Engagement Policy to incorporate an extended public consultation period of 28 days for major public infrastructure developments.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2. Council review delivery methods of public consultation and community engagement for major projects.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26 March 2019</td>
<td>MES/MP</td>
<td>Envi</td>
<td>Motions Without Notice – Riverland Regional Innovation and Sports Precinct; Air Conditioning – Cr Winnall</td>
<td>5264/19</td>
<td>18.3</td>
<td>Awaiting advice from contractor as of April 2019 on alternative solution and cost.</td>
</tr>
</tbody>
</table>
14: **COMMUNITY SERVICES:**

14.1 Community Development Activities Update

**REPORT AUTHOR**: MCD  
**RESPONSIBLE MANAGER**: MCD  
**RECORDS REF**: Report – Comm  
**STRATEGIC LINKS**: Yes; Confident and Contributing Community: *Objectives 1,2,3,6; Smart Infrastructure: Objectives 2,3,5; Diverse Economy: Objectives 8*  
**FINANCIAL IMPLICATIONS**: Impact N/A  
Budget Description Various  
Allocation NA  
Expenditure to Date NA

---

**SUMMARY:**  
To provide an update of community development department activities and support requests received from the previous month.

**REPORT:**

**Community Grants/ Requests**
- Community grant acquittals received this month:
  - Berri Swimming Club - $1,000 – the funds were to assist with an upgrade of the canteen.

- Community Development Grants program
  - Round 2 closes 23 April 2019
  - 12 community members attended the workshop 3 April 2019.
  - Grants Selection Committee meeting is scheduled for Wednesday 15 May 2019.

**Council Electronic Communications**
- Facebook postings for the month of March.
  - Council’s primary Facebook page is close to 2,700 followers, with 42 posts last month
  - Lost & Found Pet’s has 971 followers and continues to be a highly engaged network that supports many lost animals finding their way home
  - The combined Library Services page continues to grow with a following of 256

- The highest engagement posts for the month of March from Councils Facebook Page are provided below:
RECOMMENDATION:
That Council, having considered Report No. 14.1 titled “Community Development Activities Update” as presented to the Council meeting, receive and note the report.

ATTACHMENTS: No
14.2 Community Grant Program

REPORT AUTHOR: MCD
RESPONSIBLE MANAGER: MCD
RECORDS REF: Report – Comm
STRATEGIC LINKS: Yes; Confident and Contributing Community: Objectives 1,2; 3; Smart Infrastructure: Objectives 2;
FINANCIAL IMPLICATIONS: Impact Nil
Budget Description Community Grants
Allocation $45,000
Expenditure to Date $17,800

SUMMARY:
To nominate a Grant Selection Panel for the current round of the Community Grants Program for 2018/2019.

REPORT:
Background
At Council’s meeting of 26 June 2018, the Community Grant Policy and the associated Grant Implementation Guidelines were endorsed and committee members endorsed.

MOTION: (5025/18)
1. That Council adopts the Community Grants and Assistance Policy and endorses the Grants Implementation Guidelines for the Community Grants Program 2018 - 2019
2. That the Selection Panel for Round One of the 2018 -2019 Community Grants Program will consist of the Mayor and Crs Centofanti, Lynch, Evans, Scott, Waterman.
3. That Council delegates pursuant to section 44 of the Local Government Act 1999 the power to allocate the Community Grants.

Discussion:
Due to a new Council being elected in November 2018, two of the Selection Panel are no longer Elected Members and therefore not eligible to be on the Panel.

As per the attached Community Grants and Assistance Policy, the Grant Selection Panel is to consist of a minimum of two Elected Members plus the Mayor.

At this stage, with the current membership, there is no requirement to replace the former members; however the opportunity to join the panel for the final round of this financial year is offered to the current Council Members. Further nominations may be received from the floor.

Should it be required, it is noted that in the past when the panel has consisted of more than half the current elected body, the Council has then delegated the power to allocate the Community Grants to the selection panel. The following motion could be used for this purpose:

That Council delegates, pursuant to section 44 of the Local Government Act 1999, the
Grants Selection Committee the power to allocate the distribution of Community Grants.

Should the Selection Panel’s membership be less than the previous round, the Council may also wish to formally remove the previously endorsed delegation.

RECOMMENDATION:
That Council,
1. having considered Report “14.2” titled “Community Grant Program” as presented to the Council meeting, receive and note the report.
2. Endorses that the Selection Panel for Round Two of the 2018-2019 Community Grants Program will consist of the Mayor and Crs ____________________

ATTACHMENTS: Yes List
Attachment 14.2.1 – Community Grant Policy
Attachment 14.2.2 – Grant Implementation Guidelines
Keywords: Community Grants, Sponsorships, Projects, Events, Youth, In-kind support, Community Organisations

Reference Number: N170919-15
Corporate Plan: CCC1, CCC2, CCC6, DE8, SI2
Classification: Public – Community Services
First Issued/Approved: August 2011
Review Frequency: Annually
Last Reviewed: 26 June 2018 (Council)
Next Review Due: July 2019
Responsible Officer(s): MCD
Council File Reference: Community Grants
Applicable Legislation: Local Government Act 1999
Local Government Financial Management Regulations 1999
Related Policies: This Policy replaces one formally named ‘Community Grants Policy’
Related Procedures: Grants Assessment Guidelines
Grant Allocation and Implementation Schedule
Delegations: Chief Executive Officer

BACKGROUND:
Each financial year, Berri Barmera Council allocates funds to support local initiatives conducted by non-profit community groups in developing community service projects, community events, social welfare and other community purposes.

These cash and in-kind amounts are allocated towards one-off projects or services on an annual basis as set down by Council within budget constraints.

Through its Community Grants and Assistance Program, Berri Barmera Council provides the opportunity for community groups and organisations to participate in and contribute to the community and cultural life of the District by developing projects, programs and activities that are innovative and offer a sustainable approach to meeting community needs.

Council Programs covered by this policy include:
1) Community Development Grants
   o Capital Improvement Grants
   o Community Project Grants
   o Community Events Sponsorship
2) Iconic Events Support
3) Financial Assistance Program
   - Youth Sport and Cultural Donations
   - Minor Support Funding
     - Quick Response Donation
     - Organisation Support Donation
     - Services Support Donation

**PURPOSE**
To provide financial assistance in a consistent, equitable and transparent manner that meets the requirements of the Local Government Act 1999.

**PRINCIPLES**
The objectives of Berri Barmera Council’s Community Grants and Assistance Program are to:
- Encourage community led development of services, facilities and events, which meet and enhance identified community needs and objectives of the Berri Barmera Council.
- Promote the active participation of local residents in community initiatives and the development of their skills, knowledge and opportunities.
- Recognise the need for equality of access to services and the need to target particular groups that are under-serviced when providing assistance.
- Recognise that both cash and in-kind support provided by Council has a financial impact on Council’s budget.

Particular interest will be given to projects that address some of Berri Barmera Council’s Community support principles:
- We will reward groups that have a strong self help culture to work in partnership to maximise the benefit from limited funds
- We will promote and support Community Events, recognition activities and festivals that bring the community together.
- We will be “Young Family Friendly” with areas and events that support community involvement to make it easier for families to move and stay in the region
- Other Community Goals
  - Support activities for our diverse and aging population
  - Community engagement and involvement
  - Increases in shared facility use and reduction in duplicated services and assets
  - Increased physical activity opportunities, especially non structured recreation infrastructure
  - Community Safety initiatives
  - Sustainable environment activities

**COMMUNITY DEVELOPMENT GRANT OPERATIONS**
- The Grants Selection Panel will oversee the Community Development Grants processes, assess the applications, and make recommendations to Council.
- The release date(s), funding limits, criteria and grant documentation shall be reviewed annually by the Manager Community Development (Grant Implementation Guidelines) and endorsed by the Council
- Council will receive and approve the Grants Selection Panel funding recommendations twice per year.
- Applications for Community Development Grants must be submitted on the forms supplied for this purpose.
- The Grants Selection Panel can request additional information be supplied by the applicants at any time.
• Council’s Annual Report will contain a summary of expenditure for all grants issued to community organisations.
• Unsuccessful applicants will be sent a letter outlining the main reasons that their application was not approved.

GRANTS SELECTION PANEL
The Grants Selection Panel will oversee the Community Development Grants processes, assess the applications, and make recommendations to Council. The Selection Panel shall consist of:
  • Mayor (Chairperson)
  • A minimum of two Elected Members (appointed by Council prior the first round of the yearly program)
  • Senior Staff members (as required - subject to the content of the applications)
  • Manager Community Development
  • Community Support Officer (Minutes)

Selection Panel voting rights are limited to Elected Members.

ICONIC EVENTS SUPPORT GRANT OPERATIONS
• Iconic events are considered to be free community events that have been running for 3 or more years, provide significant social or economic return and have become imbedded into the districts annual calendar.
• The Council will oversee the Iconic Events Support Grants processes, assess the applications, and approve during its annual Budget deliberations.
• Council will receive and approve the Iconic Events funding applications once per year.
• Applications for Iconic Events Support must be submitted on the forms supplied for this purpose.
• The Council can request additional information be supplied by the applicants at any time.
• Council’s Annual Report will contain a summary of expenditure for all grants issued to community organisations.

FINANCIAL ASSISTANCE PROGRAM OPERATIONS
• The CEO is delegated to review and approve applications under the Financial Assistance Program.
• The funding limits, criteria and grant documentation shall be reviewed annually by the Manager Community Development (Grant Implementation Guidelines) and endorsed by the Council.
• Applications for Minor Support Funding and Youth Sport and Cultural Donations will be received and approved at any time through the year.
• Applications for Financial Assistance may be submitted on the form supplied or via letter, providing the letter addresses all the information required on the application form.
• The CEO can request additional information be supplied by the applicants at any time.
• The Manager Community Development will assess applications to ensure that they meet relevant criteria and appropriate conditions.
• Applicants will be advised of the application outcome as soon as practicable following approval by the CEO.
• Council will be advised of support approved through this process within the monthly activity reports of the Manager Community Development.
• Council’s Annual Report will contain a summary of expenditure for all sponsorships issued to community organisations.
• Unsuccessful applicants will be sent a letter outlining the main reasons that their application was not approved.

DELEGATIONS
The CEO is delegated to review and approve applications under the Financial Assistance Program, under the criteria endorsed by Council in the Community Grants Implementation Guidelines. This program includes applications for:
  o Youth Sport and Cultural Donations
  o Minor Support Funding

VERSION CONTROL
The electronic version of this policy stored on the website is the controlled version. Printed copies are considered uncontrolled.

Before using a printed copy, verify that it is the current version.

LIST OF AMENDMENTS
2012 – Inclusion of In-kind assistance
2013 – Category and program headings adjusted to create consistency of terms and minor editing.
2014 – Minor adjustment to create uniform terms throughout document, inclusion of iconic events support, and update strategic plan links. Inclusion of a statement regarding the content of unsuccessful letters as per Council resolution 3848/14.
2015 – Minor editing. Added definition of Iconic Events, inclusion of Iconic Events Support in the Background’s list of programs; change of controlled version being located on the intranet to the website
2016 – Updating of Strategic Plan outcomes
2017 – Minor edits and formatting
2018 – Minor reference edits and formatting
Grant Implementation Guidelines

Community Grants Program 2018/2019

ANNUAL ALLOCATIONS AND GRANT OPERATIONS

1. OVERVIEW

1.1. The purpose of Berri Barmera Council’s Community Grants Program is to:

1.1.1. Encourage the development of services, facilities and events, which meet and enhance identified community needs and objectives of the Berri Barmera Council.

1.1.2. Promote the active participation of local residents in community initiatives and the development of their skills, knowledge and opportunities.

1.1.3. Recognise the need for equality of access to services and the need to target particular groups that are underserviced when providing assistance.

1.2. Particular interest will be given to projects that address some of Berri Barmera Council’s Strategic principles:

1.2.1. We will reward groups that have a strong self help culture to work in partnership to maximise the benefit from limited funds

1.2.2. We will promote and support Community Events, recognition activities and festivals that bring the community together.

1.2.3. We will be “Young Family Friendly” with areas and events that support community involvement to make it easier for families to move and stay in the region

1.2.4. Other Community Goals

- Support activities for our diverse and aging populations
- Community engagement and involvement
- Increases in shared facility use and reduction in duplicated services and assets
- Increased physical activity opportunities, especially non structured recreation infrastructure
- Community Safety initiatives
- Sustainable environment activities

2. TYPES OF GRANTS

2.1. Community Development Grants

2.1.1. Capital Development Grants

2.1.2. Community Program Grants

2.1.3. Community Events Funding

2.2. Iconic Events Support

2.3. Financial Assistance Program

2.3.1. Youth Sport & Cultural Sponsorship

2.3.2. Minor Support Funding

- Quick Response Donation
- Organisational Support Donation
- Services Support Donation

3. GRANT OPERATIONS

3.1. The Manager Community Development will oversee the Community Grants Program processes, review and make preliminary assessment of the applications, and make recommendations:

3.1.1. In the case of all Community Development Grants to the Grant Selection Committee.

3.1.2. In the case of all Iconic Events Support Grants to the Council as part of Annual Budget Preparation.

3.1.3. In the case of Youth Sport & Cultural Sponsorship, Quick Response Donation, Organisational Support Donation and Services Support Donation to the CEO or delegated officer, with a listing of supported organisations included in the quarterly Community Services Reports.

3.2. The release date(s), funding limits, criteria and Grant Implementation Guidelines shall be reviewed and endorsed by Council annually.

3.3. Council will receive and approve the Grant Selection Committee funding recommendations twice per year.

3.4. Applications for Community Grants must be submitted on the forms supplied for this purpose.

3.5. The Grant Selection Committee can request additional information to be supplied by the applicants at any time.
4. PROMOTION

4.1. All grants will be promoted across the Council area in a manner that will allow maximum opportunities for organisations and individuals to apply for funds.

4.2. The timing of grants are as follows:
   4.2.1. Community Development Grants - 6 monthly.
   4.2.2. Iconic Events Support Grants – Annually as part of the budget process
   4.2.3. Minor Support Funding
      o Quick Response Donation – year round.
      o Organisational Support Fund – year round but approved annually as part of the budget process.
      o Services Support Donation- year round.
   4.2.4. Youth Sport & Cultural Sponsorship – year round.

4.3. Invitations to apply for Community Development Grants will appear in/on:
   4.3.1. A Riverland Newspaper,
   4.3.2. The Berri Barmera Council web and Social Media sites,
   4.3.3. The Council offices, and
   4.3.4. Via Community and Council Connect.

4.4. Details regarding the application process and criteria for the Financial Assistance Program will be available on the Council website and in each Council office.

5. GENERAL INELIGIBLE APPLICATIONS

5.1. For individuals (except for Youth Sport & Cultural Sponsorships);
5.2. Commercial venture or political activities;
5.3. Recurrent costs associated with day-to-day operations (except in the case of the Organisational Support Donation);
5.4. Projects that do not focus on the Berri Barmera community;
5.5. Retrospective funding (except for Youth Sport & Cultural Sponsorships). This includes activities that have already occurred, reimbursement of funds already spent, or that have been invoiced prior to notification of the outcome of the application;
5.6. For the employment of staff or the support of activities undertaken by paid positions;
5.7. For the production of Business Plans/Feasibility Studies, etc;
5.8. For services that are a primary funding responsibility of either the State or Federal Government (i.e. schools are generally ineligible as they are a primary funding responsibility of State Government, however, applications may be accepted where the activity provides significant community benefit);
5.9. Proposals that will lead to a dependence on Council funds;
5.10. Unsatisfactory or incomplete reporting on any previous funding allocation received from Council;
5.11. Where individuals/organisations are not fulfilling existing legal obligations with Council in regard to leasing, or any other financial obligation with Council;
5.12. Fundraising or activities that have a primary aim of supporting a charity (however, in kind support may be provided);
5.13. For sporting equipment (i.e. disposable items of low cost and a short life, unless integral to the activity applied for)
5.14. For clubs/organisations that receive substantial income from other sources, such as commercial sponsorship(s) or ongoing government funding for their core activities;
5.15. For organisations that have poker machines and/or hold a liquor licence; and
5.16. Activities, programs or projects which seek to make a financial profit for the organisation or group.
5.17. For undertaking training or education courses that result in a vocational or tertiary qualification.
5.18. Applications which have been submitted after the closing date (late applications will not be considered).
5.19. Incomplete applications will not be accepted.
6. RECURRENT FUNDING OF GRANTS

6.1. Applications for the continuation of projects/activities that have previously been funded under a Community Grants Program, will:
   6.1.1. Not be guaranteed ongoing funding, and
   6.1.2. Be subject to the conditions relating to eligible and ineligible applications.

6.2. Applications will need to include:
   6.2.1. An appropriate report (organisational status) from the previous financial year, if applicable, indicating how previous funds received from Berri Barmera Council were spent;
   6.2.2. Summary of how the funds for the current year have been spent;
   6.2.3. A budget for spending the funds sought; and
   6.2.4. Information and rationale to meet the selection criteria.

6.3. Previous funding of a project will in no way guarantee any subsequent success. All applications will be assessed and prioritised against the current rounds criteria.

6.4. Unspent Funds

6.4.1. It is expected that projects will be completed within 12 months of grant allocation, with any unspent funds at the conclusion of the 12 months being returned to Council.

6.5. Balance of Budget

6.5.1. Where the assessment process of the Grant Selection Committee results in less than a total allocation of budget, any surplus budget remaining may be re-allocated based on the recommendations of the Grant Selection Committee.

7. SELECTION CRITERIA

7.1. Each application (excluding Youth Sport & Cultural Sponsorship) will be assessed against the following criteria:
   7.1.1. The funding request directly supports a demonstrated need or gap within the community; (25%)
   7.1.2. The project provides a direct (or strong indirect) and ongoing benefit for residents in the community; (25%)
   7.1.3. Demonstrated ability to meet current financial obligations; include quotes, budget and financial statement; (10%)
   7.1.4. Has been designed to foster ongoing community development which increases the skills, knowledge, awareness and participation of community members; (10%)
   7.1.5. Demonstrate that attempts have been made to raise funds from other sources; and that project sustainability has been considered (20%)
   7.1.6. The applicant organisation is making a contribution to the project; (10%)
   7.1.7. All eligibility criteria have been met (essential).

7.2. These criteria are subject to change and may vary in strength between categories.

8. ACKNOWLEDGEMENT OF FUNDING (APPLIES TO ALL GRANT CATEGORIES)

8.1. Berri Barmera Council requests acknowledgement of its support for any project/ service/activity for which funding is provided under any part of this program. This could include one or a combination of the following:
   8.1.1. acknowledgement of the Council’s support on all printed materials related to the project or program; or
   8.1.2. Opportunities for a representative of the Berri Barmera Council to speak at key activities; or
   8.1.3. Inclusion of sponsor messages in any program or project related publicity.

9. GRANT SELECTION PANEL

9.1. The Selection Panel shall consist of:
   9.1.1. Mayor (Chairperson)
   9.1.2. A minimum of two Elected Members (appointed by Council prior to each funding round)
   9.1.3. Manager Community Development
   9.1.4. Community Support Officer (Minutes)

9.2. Selection Panel voting rights are limited to Elected Members

10. DELEGATIONS

10.1. That the allocations of Youth Incentive Grants and Minor Support Funding for the purpose of providing one-off donations for various activities be dealt with by the relevant staff under delegation from the Chief Executive Officer.
10.2. That the Grant Selection Panel be responsible for approving applications for Community Development Grants.
Category Guidelines

COMMUNITY DEVELOPMENT GRANTS FOR COMMUNITY GROUPS

11. Community Program Funding

11.1. Overview

11.1.1. As one of three categories under the Community Development Grants stream, the Berri Barmera Council has committed funds specifically for the purpose of supporting programs within the community by a range of organisations.

11.1.2. Grants are available under this category to develop the capacity of organisations (i.e. marketing, volunteer development, junior/youth development, equipment purchases) or to develop innovative programs to meet the needs of local residents.

11.1.3. Grants may also be available to assist new groups to be established or begin to operate. This support will be subject to justifying the need for such a group to be established and its affects on similar groups operating in the region.

11.2. Specific Eligibility

11.2.1. The organisation shall in general meet the criteria of the overarching eligibility criteria for the Community Grants Program, but applicants in this category should also note:

- The activity must be located within the Berri Barmera Council area and Berri Barmera Council must form at least 25% of its members/activities;
- Recognition will be given for seeding grants for newly formed groups where it can be demonstrated that a need exists for that group or for the services it can offer;
- Councils focus is on supporting groups or organisations who are actively engaged in helping themselves and can demonstrate the capacity to contribute to the project with either in-kind or financial support.

11.3. Project Criteria

11.3.1. Activities shall meet the general eligibility criteria for the Community Grants Program but preference will be given to:

- Applications that widen the range of activities available in the community and encourage the inclusion of all groups within the community;
- Applications that can demonstrate that the activity or project will be ongoing in nature;
- Organisations or groups who have been unable to obtain other grant funds.

11.4. Application Criteria

11.4.1. All applicants must complete the official application form (Form A of the Community Grants Program).

11.4.2. Applications must be received by the closing dates listed in this document.

11.4.3. In the case of funding for project activities, Council must receive a written report on the appropriate proforma, describing the outcomes of the project including a budget statement, within 12 months of the receipt of the grant.

11.5. Support Amounts

11.5.1. Grants up to a maximum of $1500 (inclusive of cash and in-kind) will be paid for each approved application for community programs. These amounts are reviewed and set annually by Council and subject to availability of budget allocation.
12. Capital Improvement Funding

12.1. Overview

12.1.1. As one of three categories under the Community Development Grants stream, the Berri Barmera Council committed funds for the purpose of improving community based facilities (and for large equipment items) that are essential to the operations of organisations in the Berri Barmera District.

12.1.2. Grants under this category are to assist with minor upgrading/expansion of buildings, sports fields and other venues.

12.2. Specific Eligibility

12.2.1. The organisation shall meet the general eligibility criteria for the Community Grants Program, but applicants in this category must also show that:

- The facility is located within the Berri Barmera Council area, or
- Equipment will be located (or used predominantly) within the Berri Barmera Council area
- Berri Barmera Council residents must form at least 25% of its members/activity participants;
- The Group or organisation are actively engaged in helping themselves and can demonstrate the capacity to contribute (50%) to the project with in-kind and financial support;
- They can demonstrate that the facility is adequately used and that sharing of resources is encouraged.

12.3. Project Criteria

12.3.1. Activities of the project shall meet the criteria of the general eligibility criteria for the Community Grants Program but preference will be given to:

- Applications with a strong contribution from the other sources towards the project;
- Applications resulting in improved accessibility to buildings or activities and/or improvements in the capacity of volunteers to deliver activities or undertake maintenance activities;
- Applications that widen the range of activities available at a facility and encourage the inclusion of all groups within the community;
- Applications that can demonstrate that future replacement and repair contingencies have been established.

12.3.2. Where the asset could/should receive partial funding through another Government program then successful applications will be subject to additional funding from those sources.

12.4. Application Criteria

12.4.1. All applicants must complete the official application form (Form B of the Community Grants Program).

12.4.2. Applications must be received by the closing dates listed.

12.4.3. Facility Projects must include preliminary sketches and quote/estimates.

12.4.4. Copies (where relevant) of permits, approvals and land use consent, are included.

12.4.5. Council must receive a written report on the appropriate proforma, describing the outcomes of the project including a budget statement, within 12 months of the receipt of the grant.

12.5. Support Amounts

12.5.1. Grants of up to $4,000 maximum (inclusive of cash and in-kind) will be paid for each approved application for capital improvements. These amounts are reviewed and set annually by Council and subject to availability of budget allocation.
13. Community Events Funding

13.1. Overview

13.1.1. Great events have the capacity to raise community spirit, showcase our region and create an economic return to local business's and community groups.

13.1.2. As one of three Categories under the Community Development Grants, the Berri Barmera Council has committed limited funds for the purpose of supporting community events that aspire to the above goals.

13.2. Specific Eligibility

13.2.1. The organisation shall meet the general eligibility criteria for the Community Grants Program, but applicants in this category must also show that:
   - The event meets one of the strategic principles listed in the grant guidelines;
   - The event is located within the Berri Barmera Council area (except where the event is deemed regional in nature, where it may be considered after consultation with the other Riverland Councils);
   - Either there is a considerable economic return for the Berri Barmera District or a significant social wellbeing benefit to participants who are residents of the Berri Barmera Council;
   - The group or organisation are actively engaged in helping themselves and can demonstrate the capacity to contribute to the event with in-kind and financial support;
   - They can demonstrate that the event is significant enough not to be part of their core business activities;
   - If the event is not a ‘one off’ activity then the long term sustainability strategies have been considered and will be implemented within the first few years.

13.2.2. Where the event could/should receive partial funding through another Government program then successful applications will be subject to additional funding from those sources.

13.3. Application Criteria

13.3.1. All applicants must complete the official application form (Form C of the Community Grants Program).

13.3.2. Applications must be received by the closing dates listed in this document.

13.3.3. Event proposals should clearly address a community need and reflect a clear community benefit.

13.3.4. Council must receive a written report on the appropriate proforma, describing the outcomes of the event, including a budget statement, within 12 months of the receipt of the grant.

13.4. Supporting Amounts

13.4.1. Grants of up to $1,500 maximum (in-kind support may extend this amount to a combined maximum of $2,500) will be paid for each approved application for community event funding. These amounts are reviewed and set annually by Council and subject to availability of budget allocation.

13.4.2. Major events requiring support above that specified in 13.4.1 will be required to submit an application with significant detail, during budget preparations (February – March) prior to the commencement of the financial year in which the event is scheduled.
14. Iconic Events Support

14.1. Overview

14.1.1. Great events have the capacity to raise community spirit, showcase our region and create an economic return to local business's and community groups.

14.1.2. It is recognised that a number of events have become embedded in the annual calendar for the District. Council may choose to provide regular support to long term and/or major community events that are providing strong benefit to the Berri Barmera District.

14.1.3. Berri Barmera Council has the capacity to commit limited funds towards Iconic events as part of the budget process, or support through these via the Community Grants Program

14.2. Specific Eligibility

14.2.1. The organisation shall in general meet the criteria for the Community Grants Program and specific Community Events Category requirements, but applicants in this category must also show that:
   - There is a proven strong economic return for the Berri Barmera District or a significant participation and social wellbeing benefit to residents of the Berri Barmera Council;
   - The group or organisation are actively engaged in helping themselves and can demonstrate strong contributions to the event themselves, and/or via other partners with both in-kind and financial support;
   - They can demonstrate that the event is significant enough not to be part of their core business activities;
   - The event has been operating for more than 3 years

14.2.2. Where the event could/should receive partial funding through another Government program, Industry partnership or sponsorship sources then successful grants will be subject to additional funding from those sources being secured.

14.3. Assessment Criteria

   - All applicants should complete the official ‘Community Events’ application form or provide a detailed proposal.
   - Event applications and proposals should clearly describe the outcomes of the previous event, including a budget statement, and provide targets for improvement for the next event
   - Applications must be received during the initial budget consideration period (February-March) for the following financial year (or in the Grant round at least 6 months prior to the event date)

14.4. Supporting Amounts

   - Maximum Grants amounts will be at the discretion of Council and will be inclusive of in-kind support required. It is anticipated most grants will be up to a maximum of $1,500 in cash or $2,500 inclusive of in-kind support.
   - Major events requiring additional support above that suggested above are expected to submit an application with significant detail, ideally including a plan outlining event targets and strategies for improvements in the future.
YOUTH INCENTIVE GRANTS

15. Youth Sports and Cultural Sponsorships

15.1. A portion of the Community Grants budget is allocated each financial year for Youth Incentive Grants for the purpose of providing one-off donations for individuals to attend National or International representative activities. Activities may include, sporting or cultural endeavours.

15.2. Preference will be given to individuals who may not otherwise be able to attend the function without this support. The Youth Sports and Cultural Sponsorships will be provided on the following basis;

15.2.1. To be eligible for sponsorship, applicants will need to be:
   - A resident of the Berri Barmera Council area;
   - Reliant on parental support (as a general rule);
   - Aged 21 years or under at the time of the sponsored event or competition;
   - Participating in sporting competitions or cultural events representing the State or the country; or
   - Attending an activity which would benefit the Berri Barmera community (as a general rule);
   - Your application will require endorsement (or proof) of the representative nature of your activity.

15.3. Conditions:

15.3.1. Youth Sports and Cultural Sponsorships will be processed throughout the year, as they are received, under the delegated authority of the Chief Executive Officer.

15.3.2. A report shall be provided by the administration to the Council, advising all fund allocations made under delegation.

15.3.3. Applications may be made for past events within three months of the event.

15.3.4. Only one application per person/organisation per 12 month financial year period.

15.3.5. Applications should be made on the official application form, setting out the details of the representation.

15.3.6. Approval is subject to annual budgetary limitations.

15.3.7. Sponsorship will not be available to applications whose club receives substantial commercial sponsorship.

15.3.8. Other criteria at the discretion of Council.
FINANCIAL ASSISTANCE PROGRAM

16. Quick Response Grants

16.1. Applications for funding will be received between the six monthly rounds of the Community Development Grants in special circumstances only if urgency can be determined.

16.2. The Quick Response Grants application process shall;
   16.2.1. Adhere to the above Annual Allocations and Grant Operations.
   16.2.2. May be written as a letter, however our preference is the Council Application Form.
   16.2.3. Be processed throughout the year, as they are received, under the delegated authority of Council to the Chief Executive Officer.

16.3. A report shall be provided by the administration to the Council, advising of all funding allocations made under the delegation.

17. Organisation Support Fund

17.1. Applications for general funding of local community groups will be received annually during February and March for sponsorship of local organisations who provide a high level of community service and may not be able to operate without the support of this Council or for regional groups; the combined Riverland Councils.

17.2. The Organisational Support Fund application process shall;
   17.2.1. Adhere to the Eligibility Criteria and more loosely to the Selection Guidelines of the Community Development Grants
   17.2.2. May be written as a letter, however our preference is the Council Application Form
   17.2.3. If required be processed throughout the year, as they are received, under the delegated authority of Council to the Chief Executive Officer.
       17.2.3.1. Amounts above the maximum amount may be applied for, however; these will have to be considered as the subject of a report to a monthly Council meeting. It should be noted that this may extend the time period for notification
       17.2.3.2. A report shall be provided by the administration to the Council, advising of all funding allocations made under this delegation.

17.3. Specific project or activity criteria are not essential but applicants must prove that they provide a strong community service and have a limited capacity to raise funds in the provision of those activities.

17.4. Applicants should indicate how they are attempting to ensure financial sustainability in the future.

18. Services Support Donation

18.1. Local Community groups and organisations can access the donation of Council Services/Fees to assist with their delivery of Community Service activities for items such as outlined below:
   18.1.1. Hire of rooms/facilities (from Council) and/or;
   18.1.2. Equipment (such as chairs/trestles/bollards) for small community events;
   18.1.3. Minor building works/materials (undertaken by Council);
   18.1.4. A series of smaller activities listed above occurring across the year.

18.2. May be written as a letter, however our preference is the Council Application Form
Grant Operations Guidelines

ANNUAL ALLOCATIONS & IMPLEMENTATION SCHEDULE

Budget Total - Community Grants

Last year’s Expenditure: $44,643 (inc. $4,500 in-kind)
2017/2018 allocation: $45,000

It is recommended that this budget be allocated in the following manner:
   a) A minimum of $15,000 per round of Community Development Grants;
   b) A maximum of $2,000 towards Youth Sport and Cultural Donations
   c) A maximum of $3,000 towards Minor Support (Cash) Funding
   d) A maximum of $1,500 of advertising across the two rounds of the grant program

Individual Grant Maximums

Community Development Grants
   o Capital Development Grants up to a maximum of $4,000
   o Community Programs Grants up to a maximum of $1,500
   o Community Events Grants up to a maximum of $1,500 (or $2,500 inclusive of in-kind)

Iconic Events Support Grants at the discretion of Council but anticipated to be up to a maximum of $1500 (or $2,500 inclusive of in-kind)

Financial Assistance Grants
   o Youth Sport and Cultural Donations to a maximum of $500 (see below for detail)
   o Minor Support Funding
      • Quick Response Donation $500
      • Organisational Support Donation $500
      • Services Support Donation $500

Individual Sponsorship amounts under the Youth Incentive Grants will be:
   a) If, up to and including, 3 members of the same club, competing at the same event applies, then the sponsorship amount (per competitor) shall be:
      o Up to a maximum of $50 if state competitions are held within South Australia,
      o Up to a maximum of $100 if state competitions are held interstate,
      o Up to a maximum of $200 if competitions are held overseas.
   b) If more than 3 members of the same club, competing at the same event apply, then the sponsorship amount (to be shared equally between all applicants) shall be:
      o $150 if state competitions are held within South Australia,
      o $300 if state competitions are held interstate,
      o $500 if competitions are held overseas.

Implementation Schedule: 2018/2019

<table>
<thead>
<tr>
<th></th>
<th>Round One</th>
<th>Round Two</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grant Program opens</td>
<td>Monday July 2nd 2018</td>
<td>Monday, March 11th 2019</td>
</tr>
<tr>
<td>Grant Information and Application Writing Workshop</td>
<td>Thursday, July 19th Barmera Library</td>
<td>Wednesday, April 3rd Len Mahoney Room, Berri Town Hall</td>
</tr>
<tr>
<td>Grant Program Closes</td>
<td>Monday, 6th August</td>
<td>Monday, April 22nd</td>
</tr>
<tr>
<td>Grant Selection Committee Meeting</td>
<td>Tuesday, August 21st</td>
<td>Tuesday, 14th May</td>
</tr>
<tr>
<td>Council meeting – final report</td>
<td>Tuesday, August 28th</td>
<td>Tuesday, 28th May</td>
</tr>
<tr>
<td>Notification of results sent to Applicants</td>
<td>29th August – 3rd September</td>
<td>29th May – 3rd June</td>
</tr>
</tbody>
</table>
14.3 Adelaide Guitar Festival Regional Program

REPORT AUTHOR: MCD
RESPONSIBLE MANAGER: MCD
RECORDS REF: Report – Comm
STRATEGIC LINKS: Yes; Confident and Contributing Community: Objectives 1,2; Diverse Economy: Objective 8
FINANCIAL IMPLICATIONS: Impact Within current Budget
Budget Description Community Partnerships Program
Allocation $9,350
Expenditure to Date $1,664

SUMMARY:
To confirm Council’s commitment to partner with the Adelaide Guitar Festival to pilot the “Guitars in Bars” regional program in our District.

REPORT:

Report:
Council has been approached to partner with the Adelaide Guitar Festival to bring their regional outreach program to the Riverland. This is modelled on a program that has been in place in Mount Gambier for the past couple of years.

The regional outreach will bring three of the festival’s performers to our District and has the potential to broaden to multiple days and become self-sustaining, as more venues sign onto support.

The proposed timetable for this year (between 28/7 – 31/7):

Day 1 - Morning Arrival
Day 1 - Afternoon School Workshop
Day 1 - Evening Public Performance
Day 2 - Morning Resonance
Day 2 - Afternoon Depart

The school workshop will be a 90-minute session for up to 30 participants and offered to High School and Primary School guitarists. Whilst the Resonance is a performance in a low mobility aged care facility 3 x 20 minute set each with 10-20 capacity. The Berri Hotel would host a free public performance from the three visiting guitarists.

This year’s program would be delivered based on a budget cost of $4390 and the Berri Hotel has indicated their interest in partnering with the project with a financial contribution of a $2000 including the meals and accommodation for the five 5 guitarists/staff.

It is proposed that the activity would be funded from existing Community Partnerships Budget allocation for this year. In future, the program would expand to more venues, and introduce opportunities for performances and mentoring of local emerging artists.
Conclusion:
It is believed that this pilot program will bring some great guitar based entertainment and good mentoring opportunities to the district. By supporting the initial program, Council would seed the future expansion of this State Festival, allowing a broader range of venues, local performer workshops and performance opportunities in the future.

RECOMMENDATION:
That Council:

1. having considered Report “14.3” titled “Adelaide Guitar Festival Regional Program” as presented to the Council meeting, receive and note the report.
2. Supports the Partnership with the Adelaide Guitar Festival to establish the regional outreach program in our District

ATTACHMENTS: No
14.4 Livvi’s Place

REPORT AUTHOR: MCD
RESPONSIBLE MANAGER: MCD
RECORDS REF: Report – Comm
STRATEGIC LINKS: Yes; Confident and Contributing Community: Objectives 1,2; 6: Smart Infrastructure: Objectives 2, 4; Diverse Economy: Objective 8
FINANCIAL IMPLICATIONS: Impact: Probably Future Needs
Budget Description: N/A
Allocation: N/A
Expenditure to Date: N/A

SUMMARY:
To progress the desire for the community to plan, fund and construct an inclusive play space in our district.

REPORT:

Background
The concept of Livvi’s Place was presented during a deputation to the 26th February 2019 Council meeting by community member Ms Kelsey Wade.

The following motion was then endorsed:

*MOTION: (5231/19) That Council supports Kelsey Wade to pursue further investigations and begin fundraising for a Livvi’s Place in Berri, with in principle support for a specific location be subject to master planning outcomes.*

Discussion:
Further to the initial presentation, Ms Wade has been working with “Variety – The Children’s Charity” to further the project. However, to allow for Variety to fully commit to the project in our district, they have requested that Council sign a MOU (example attached) to show a strong level of commitment to the project.

This level of support is also the minimum expectation of a number of State and Federal grant bodies that will need to be targeted to secure the funding required to undertake further planning for the proposed project.

The MoU doesn’t commit Council providing direct financial support at this time, but does require in-kind commitment in participating in a project control committee that will progress the preliminary planning. The proposal is to keep this high-level steering committee small (suggested 2-3 district members) with other representative groups established to do general planning and consultation. It proposed that, should Council approve the progression to an MoU for this project, that the representatives on the Project Control Committee include the lead community representative Kelsey Wade, Manager Community Development and an Elected Member.
Conclusion:
The opportunity for Council to confirm a strong commitment to the community aspiration for establishing an Inclusive Playspace in our District, provides the community representatives and other stakeholders to confidently pursue the planning and fundraising options to further the concept of establishing a Livvi’s Place in the Berri Barmera Council area.

RECOMMENDATION:
That Council,
1. having considered Report “14.4” titled “Livvi’s Place” as presented to the Council meeting, receive and note the report.
2. Endorse administration to negotiate the details and sign, a MOU with Variety to commit to working collaboratively towards establishing an inclusive play space to be known as ‘Variety Livvi’s Place’.
3. Endorses that the District’s representation on the Project Control Committee should consist of Kelsey Wade (community member), Cr _________ and the Manager Community Development.

ATTACHMENTS: Yes List
Attachment 14.4.1 – Example Draft MoU
**MEMORANDUM OF UNDERSTANDING**

1. **Parties**

   Variety – The Children’s Charity NSW ABN 38 003 354 934 of 47 Herbert Street, Artarmon, NSW 2064

   and

   Berri Barmera Council ABN of

   **Address** (the Council)

   (individually, a party, collectively the parties)

2. **Rationale and Scope**

   (a) Variety’s primary purpose is to support children and families who are facing many challenges through sickness, disadvantage or living with a disability.

   (b) The Council is the owner of the land situated at **Name of site**

   (c) The parties wish to collaboratively work together to establish an inclusive play space to be known as ‘Variety Livvi’s Place’ to promote inclusive play and enable children of all abilities and ages to play side by side (**Project**).

   (d) This memorandum of understanding (**MOU**) sets out the framework for the parties to work together (**Collaboration**) and will, amongst other things, document the Collaboration Principles and Project Governance and set up processes for managing the working relationship between the parties.

3. **Term**

   This MOU commences on **Date** and continues until the earlier of:

   (a) 31 December 2021;

   (b) the Project ends or is otherwise terminated.

4. **Collaboration Principles**

   The parties acknowledge the following statement of principles to guide the Collaboration:

   (a) The relationship between the parties is one of mutual respect;

   (b) The parties will demonstrate, through their action, a willingness to make the Project succeed; and

   (c) The parties share a common vision, values and understanding of their role and responsibilities under this MOU.

   When interpreting this MOU, a construction that will promote the Collaboration will be preferred to a construction that would not
5. **Project Governance**

The governance of the Project will be overseen by the Project Control Group.

The Project Control Group is accountable for:

- (a) fostering collaboration;
- (b) removing obstacles to the successful delivery of the Project;
- (c) maintaining at all times the focus on the agreed Project scope, outcomes and benefits; and
- (d) monitoring and managing the factors outside the Collaboration’s control that are critical to its success.

The membership of the Project Control Group will commit to:

- (a) attending all scheduled Project Control Group meetings;
- (b) championing the Collaboration and Project within and outside of work areas;
- (c) sharing all communications and information across all Project Control Group members;
- (d) making timely decisions and take action so as to not unnecessarily delay the Project;
- (e) notifying members of the Project Control Group, as soon as practical, if any matter arises which may be deemed to affect the development and/or advancement of the Project; and
- (f) attending all meetings and, if necessary, nominating a proxy.

Members of the Project Control Group expect:

- (a) that each member will be provided with complete, accurate and meaningful information in a timely manner;
- (b) to be given reasonable time to make key decisions;
- (c) to be alerted to potential risks and issues that could impact the Project, as they arise;
- (d) open and honest discussions; and
- (e) ongoing ‘health checks’ to verify the overall status and ‘health’ of the Collaboration and Project.
The composition of the Project Control Group will include:

(a) Bec Ho, Executive Officer, Touched by Olivia and Variety NSW/ACT;
(b) Name, Manager Recreation Planning and Design, Berri Barmera Council;
(c) Name, Coordinator Recreation Planning and Design, Berri Barmera City Council
(d) Lisa Whinnen, Inclusive Play Project Manager, Variety NSW/ACT

The parties acknowledge the composition of the Project Control Group may change as the Project moves through its various phases or stages, to ensure the best expertise and experience are represented and contributing to the Project. Any change to composition of the Project Control Group must be notified in advance to the Chair.

6. Meetings

(a) All meetings will be chaired by a representative nominated by Berri Barmera Council.

(b) A meeting quorum will be 3 members of Project Control Group.

(c) Decisions will be made by consensus (that is, members are satisfied with the decision even though it may not be their first choice). If not possible, the Chair of the Project Control Group will make the final decision.

(d) Meeting agendas and minutes will be provided by Berri Barmera Council, who will:

   i. prepare and circulate agendas and supporting papers; and

   ii. prepare minutes of the meeting.

(e) Meetings will be held monthly and will be facilitated electronically.

(f) If required, meetings may be arranged outside of these times at such dates and times as the parties mutually agree.

7. Conflict Resolution

If a dispute under this MOU arises:

(a) the party claiming that a dispute has arisen must give written notice to the other party indicating the nature of the dispute (Notice of Dispute);

(b) within 5 business days of receipt of the Notice of Dispute, a senior representative of each party must meet and attempt to resolve the dispute within 10 business days of receipt of
the Notice of Dispute;

(c) if the parties fail to resolve the dispute within 10 business days of receipt of the Notice of Dispute, the Chief Executive Officer (or equivalent) of each party (or his or her nominee) must meet and attempt to resolve the dispute within 15 business days of receipt of the Notice of Dispute; and

(d) if the parties fail to resolve the dispute within 15 business days of receipt of the Notice of Dispute, the parties may take whatever action they consider necessary to resolve the dispute.

8. **Effect of MOU and Governing Law**

Neither party will have the right or authority to bind or act on behalf of the other party. Neither party is an employee or agent of other party. Notwithstanding the parties’ collaborative working relationship, the parties are not in partnership. In this clause, partnership has the meaning given in the *Partnership Act 1892* (NSW) or any other applicable statute in force from time to time in Australia whether made by a State, Territory, Commonwealth or a local government, rule of common law or equity or any other legal sense of the word.

This MOU sets out the current understanding of the parties, and the parties expressly agree that the MOU is not intended to create any contractual or legally binding relationship except for this paragraph 8 and paragraph 9.

9. **Governing Law**

This MOU is governed by the law in force in New South Wales and the parties submit to the non-exclusive jurisdiction of the courts of New South Wales and courts of appeal from them.

Signed without reliance or intent to create legal relations.

For Variety NSW ACT ................................. .................................

For Berri Barmera Council .................................

Print Name: ........................................ .................................

Position: ........................................ .................................

Date: ........................................ .................................
14.5 Section 41 Committee Membership - Friends of Bonney Theatre Working Group

REPORT AUTHOR: AOCD
RESPONSIBLE MANAGER: MCD
RECORDS REF: Report – Comm
STRATEGIC LINKS: Yes; Confident and Contributing Community: Objectives 1, 6;
Smart Infrastructure: Objective 2;
FINANCIAL IMPLICATIONS: Impact Nil
Budget Description Friends of Bonney Theatre
Allocation $10,000
Expenditure to Date $ 454

SUMMARY:
This report review membership of the Friends of Bonney Theatre Working Group and their Terms of Reference (TOR).

REPORT:

Background
At the Council Meeting of 27 November 2018 Council adopted the committee and sub-committee (working and advisory group) structure for the term of Council. Council also adopted the Terms of Reference for each of the committees which specifies the membership of each committee.

It was further resolved that upon completion of the expression of interest process for membership a report would be presented to Council to endorse the non-elected members of each committee.

Discussion:
The terms of reference for the Friends of Bonney Theatre Complex requires there be external representation. Expressions of interest have been sought from the community and invitations extended to the user groups and suggested stakeholders.

Nominations from the following community members have been received, nomination forms are included at Attachment 1 for information –

<table>
<thead>
<tr>
<th>Committee</th>
<th>Nomination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Friends of Bonney Theatre Working Group</td>
<td>Gill Rickard</td>
</tr>
<tr>
<td></td>
<td>Judy Cottam</td>
</tr>
<tr>
<td></td>
<td>John Dawes</td>
</tr>
</tbody>
</table>

The next meeting is proposed for Tuesday 7th May in the Soldiers Memorial Hall, Barmera.
RECOMMENDATION:
That Council:
1. having considered Report 14.5 titled “Section 41 Committee Membership - Friends of Bonney Theatre Working Group” as presented to the ordinary council meeting, receive and note the report.
2. confirms the external committee membership representatives as nominated and as presented within report 14.5
3. endorse the amendments to the Terms of Reference of the Friends of Bonney Theatre Working Group as tabled in Attachment 2 to this report.

ATTACHMENTS: Yes
List
Attachment 1 - Section 41 Committee Nomination Forms for Friends of Bonney Theatre Working Group
Attachment 2 - Terms of Reference, Friends of Bonney Theatre Working Group
1. Name
1.1. Pursuant to section 41(1) of the Local Government Act 1999, the Berri Barmera Council (Council) resolved on 27 November 2018 to establish a sub-committee to be known as the Friends of Bonney Theatre Working Group (the Sub-committee).

2. Functions of the Sub-committee
2.1 The Sub-committee has the following functions:
2.1.1 Support Council in the strategic planning and ongoing asset management of Bonney Theatre complex including Soldiers Memorial Hall and Hawdon Chambers.
2.1.2 Promote the facility and foster broad, co-ordinated, co-operative and varied uses that maximise overall benefit to the community.
2.1.3 Assist in providing comment on proposals from external groups or individuals related to new uses of the facility.
2.1.4 Support the economic vitality of Barmera and surrounding districts by attracting residents and visitors to the facility for performing arts and other events.
2.1.5 Support Council in pursuing fundraising opportunities.

2. Membership
2.1 The members of the sub-committee shall be appointed or removed by resolution of Council and will consist:
   - up to 4 Councillors.
   - a representative of Bonney Theatre Art Gallery plus proxy
   - a representative of the National Trust Barmera Branch plus proxy
   - a representative of the Riverland Musical Society plus proxy
   - up to 5 members of the community with relevant skills, interest, experience or participation in community groups, networking, engagement to advance the responsibilities of the sub-committee.
2.2 The Mayor is an ex officio member of the sub-committee.
2.3 Term of membership will expire at each periodic Council Election (or at cessation of the sub-committee upon a decision of Council).
2.4 The Presiding Member shall be elected by the sub-committee
2.5 Only members of the sub-committee are entitled to vote in sub-committee meetings. Unless otherwise required by the Act not to vote, each member must vote on every matter that is before the sub-committee for decision.
2.6 Council staff may attend any meeting as directed by the Chief Executive Officer for the provision of advice or the conduct of administrative functions, but are not entitled to vote.

3. Quorum
3.1 A quorum shall consist of half plus one of the endorsed committee members.
4 **Members liability**

4.1 No civil liability shall attach to a member of the sub-committee for an honest act or omission in the exercise performance or discharge or purported exercise, performance or discharge of the members or sub-committee’s functions or duties. A liability that would but for the foregoing attach to a member of a sub-committee, attaches instead to the Council.

4.2 Any liability or risk management issues must be communicated within the Council.

5 **Conflict of interest**

5.1 The provisions of sections 73, 74, 75, 75A and 75B the Local Government Act 1999 will apply to all members of the sub-committee.

6 **Register of interest**

6.1 The provisions of section 68 of the Local Government Act 1999 will not apply to members of the sub-committee.

6.2 Pursuant to Section 72(1) of the Local Government Act 1999, the register of interest provisions as described in the Division 2, “Register of Interest” do not apply to the sub-committee members.

7 **Proceedings the sub-committee meetings**

7.1 The sub-committee shall be subject to the provisions of the Local Government (Procedures at Meetings) Regulations 2000, Part 2.

7.2 The sub-committee shall meet **three (3) times a year**, with authority to convene additional meetings, as circumstances require.

7.3 A notice of meeting and agenda shall be provided to each sub-committee member at least 3 clear days before each meeting.

7.4 Special Meetings may be held at any time, at the request of the Presiding Member of the sub-committee or at least five members of the sub-committee.

7.5 All resolutions of the sub-committee shall act as recommendations to the Strategy, Assets and Major Projects Committee or Council.

7.6 A question arising for decision at a meeting of the sub-committee will be decided by a majority of the votes cast by the members present at the meeting and entitled to vote on the question.

7.7 All members of the sub-committee who are present at a meeting shall have a deliberative vote.

7.8 The Presiding Member shall also have a casting vote if required.

7.9 In accordance with the principles of open, transparent and informed decision making, sub-committee meetings must be conducted in a place open to the public. The agenda and minutes of sub-committee meetings are also required to be made available to the public, subject to any items that are discussed in confidence under Section 90 of the Local Government Act 1999 and subsequently retained as confidential under Section 91 of the Act.

8 **Duties of the Presiding Officer**

8.1 The duties of the Presiding Officer of the sub-committee are:

a) to preside at meetings of the sub-committee

b) preserve order at meetings so that the business may be conducted in due form and with propriety

c) upon confirmation of the minutes, sign them in the presence of the meeting

d) responsibility to the Council for the proper observance of these Terms of Reference

e) if requested, to provide advice to the Responsible Officer between sub-committee meetings on the implementation of the decisions of the sub-committee

f) to act as the principal spokesperson of the sub-committee

g) to exercise other functions of the committee as the Council determines
9 General Duties of Members of the Sub-committee

9.1 Members are expected to:
   a) act honestly and within the law at all times
   b) act in good faith and not for improper or ulterior motives
   c) act in a reasonable, just and non-discriminatory manner
   d) undertake their role with reasonable care and diligence
   e) conduct their ongoing relationship with fellow Council members, Council employees and the public with respect, courtesy and sensitivity
   f) use information in a careful and prudent manner.

10 Casual Vacancies

10.1 The position of member on the sub-committee becomes vacant if the member:
   a) resigns by notice in writing to the Presiding Officer of the sub-committee; or
   b) is removed from office by the Council on the grounds that he or she has been absent without
      leave of the sub-committee from three or more consecutive meetings, the first of which having
      been held three months or more before the last; or
   c) is removed by the Council at its sole discretion; or
   d) is declared a bankrupt or applies for the benefit of the law for the relief of insolvent debtors; or
   e) is convicted of an indictable offence punishable by imprisonment.

10.2 The sub-committee shall forthwith inform the Council if any member forfeits their seat in such a
     manner.

10.3 In respect of disqualification by reason of absence for three months or more, the member
     forfeiting their seat under these circumstances shall however be eligible for re-election to the
     committee of which they were a member.

10.4 If a casual vacancy occurs on the committee, the Chief Executive Officer shall determine the
     process to fill that vacancy.

10.5 In the event that four (4) positions become vacant concurrently for whatever reason, the sub-
     committee must immediately suspend the performance of its duties and obligations conferred by
     this Term of Reference and forthwith inform the Chief Executive Officer of the Council, who shall
     give consideration to the cause of the casual vacancies and seek determination from Council.

11 Reporting & accountability

11.1 Administrative support will be provided by Council through direction of Chief Executive Officer
     Council will provide a Responsible Officer by direction of Chief Executive Officer.

11.2 A copy of the agenda and minutes of every meeting shall be provided to the Chief Executive
     Officer for inclusion in the agenda of the next Council meeting, provided for public display and on
     council’s website.

11.3 Where a particular matter requires a specific resolution or the attention of the Council, the
     minutes will adequately reflect a recommendation to be considered by Council.

11.4 The sub-committee is accountable to the Berri Barmera Council in all things.

12 Disputes

12.1 Should a dispute arise over any matter, the matter shall be handled in accordance with Council’s
     Grievance Procedures, however the decision of the Council will be final.

12.2 The Council is committed to transparent decision making processes and to providing access to a
     fair and objective procedure for the hearing of review of decisions. Grievances may arise as a
     result of dissatisfaction with a decision about a policy, procedure, service or fee.
13 **Review and amendment to terms of reference**

13.1 Council may at any time amend or alter these terms of reference by resolution of the Council.

14 **Cessation of the Sub-committee**

14.1 The Sub-committee shall be dissolved upon a decision of Council.

<table>
<thead>
<tr>
<th>Committee History</th>
<th>Date</th>
<th>Motion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establishment of the Friends of Bonney Theatre Committee and adoption of Terms of Reference</td>
<td>Council Meeting: 22 March 2016</td>
<td>4363/16</td>
</tr>
<tr>
<td>Appointment of Chairperson</td>
<td>Council Meeting: 24 May 2016</td>
<td>4418/16</td>
</tr>
<tr>
<td>Terms of Reference amendment.</td>
<td>Council Meeting: 27 November 2018</td>
<td></td>
</tr>
</tbody>
</table>
SECTION 41 COMMITTEE NOMINATION FORM

Committee Community Representative

Complete this form to nominate to be a representative on one of Berri Barmera Council’s Section 41 Committees. If you require further room please staple additional pages to this form.

The form should be completed in full and returned attention to the Chief Executive Officer (Section 41 Committee Nomination):

- By post:
  Berri Barmera Council
  PO Box 229
  BERRI SA 5343

- By email:
  bbc@bbc.sa.gov.au

- In person:
  19 Wilson Street, Berri
  Barmera Library, Barwell Avenue, Barmera

Nominations close at 5.00pm on Tuesday 16 April, 2019.

For more information call 8582 1922.

I wish to nominate for the Friends of Bonney Theatre Working Group

Qualifications and Experience

Name: ...Gill Rickard

Address: 23 Farmer St, Barmera

Phone: 0437 722 674

Mobile: ..................................................

Email: gill_wayne@yahoo.com.au
Nomination Form: Committee Community Representative

Why would you like to be a member of this committee?

Profile attached:

☐ Yes ☐ No

Other comments:

I have read the Terms of Reference for the relevant committee(s) I have nominated for.

Signature: G E Rickard

Date: 5/4/2019

'Please note that all nominations will form a report to Council and be a public document.'
SECTION 41 COMMITTEE NOMINATION FORM

Committee Community Representative

Complete this form to nominate to be a representative on one of Berri Barmera Council’s Section 41 Committees. If you require further room please staple additional pages to this form.

The form should be completed in full and returned attention to the Chief Executive Officer (Section 41 Committee Nomination):

- **By post:**
  Berri Barmera Council
  PO Box 229
  BERRI SA 5343

- **By email:**
  bbc@bbc.sa.gov.au

- **In person:**
  19 Wilson Street, Berri
  Barmera Library, Barwell Avenue, Barmera

Nominations close at 5.00pm on Friday 12 April, 2019.
For more information call 8582 1922.

Name: ...Judy Cottam..................

Address: ...81 Garrett Rd.
Glossop S.A. 5344............... 

Phone: ........................................
Mobile: 0418840016..............
Email: ...judy.cottam @ bigpond.com

I wish to nominate for the Friends of Bonney Theatre Working Group

Qualifications and Experience

I was a member of the last F of the B Th Working Grp representing the Bonney Theatre Art & Craft Gallery; have been nominated by the members to continue representing them on the working group...

Thanking you in anticipation...
Judy Cottam
Sec. Theatre Gallery...........

........................................................................................................
........................................................................................................
........................................................................................................
........................................................................................................
Nomination Form: Committee Community Representative

Why would you like to be a member of this committee?

Profile attached:

☐ Yes ☐ No

Other comments:

I have read the Terms of Reference for the relevant committee(s) I have nominated for.

Signature: .................................................................

Date: ..........11..... / ......4..... / ......2019......

'Please note that all nominations will form a report to Council and be a public document.'
SECTION 41 COMMITTEE NOMINATION FORM

Berri Barmera Council - Agenda for Ordinary Council Meeting to be held 23 April 2019

Committee Community Representative

Complete this form to nominate to be a representative on one of Berri Barmera Council’s Section 41 Committees. If you require further room please staple additional pages to this form.

The form should be completed in full and returned attention to the Chief Executive Officer (Section 41 Committee Nomination):

- **By post:**
  Berri Barmera Council
  PO Box 229
  BERRI SA 5343

- **By email:**
  bbc@bbc.sa.gov.au

- **In person:**
  19 Wilson Street, Berri
  Barmera Library, Barwell Avenue, Berri

Nominations close at 5.00pm on Friday 12 April, 2019.
For more information call 8582 1922.

I wish to nominate for the Friends of Bonney Theatre Working Group

Qualifications and Experience

- Former Town Manager
- Owned & Operated Business for 14 Years
- Committee Member of Riverland Musical Ballet
  10+ Years
- Board Member RYT
  30+ Years
- Founder of S.T. 2+ Years

Name: John Daines

Address: PO Box 560
          BARMERIA SA 5345

Phone: 0417602113

Mobile:

Email: johndaines1962@bigpond.com
Nomination Form: Committee Community Representative

Why would you like to be a member of this committee?

RMS is one of the major users of the Donkey Theatre and it is important that an RMS member is on the committee to both contribute to and be aware of any plans and proposals in relation to the theatre.

Profile attached:

☐ Yes ☐ No

Other comments:

_________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________
SUMMARY:
To provide an update of Berri Barmera Library Services with activities and projects for the month of March 2019.

REPORT:
Discussion:

Special Events & Displays
• Live Streaming of Writers’ Week - Adelaide Writers’ Week is held annually in March and is free to all, but distance prevents many in the Riverland from attending. Barmera Library was pleased to offer front row seats to Writers’ Week events on 4th, 5th and 6th March, streamed live to our Smart TV from the Pioneer Women’s Memorial Garden in Adelaide. Many of the books by Writers’ Week authors are in our Barmera and Berri Libraries or available from other SA libraries and publicity around the event sparked increased interest in these authors and their works.
• Child and Family Health – At Berri Library we conducted a library orientation for the Child and Family Health babies group on 6th March. This is a regular visit and orientation we conduct for parents and carers about the importance of public libraries and reading to babies and children and we generally do this at least 4 sessions per year.
• Displays – At Barmera Library Sue John created a very comprehensive display for ANZAC Day, focussing on the role of nurses during the war. Models in uniform were sourced from the Barmera Branch of the National Trust, and the lives of three nurses were chronicled in pictures, stories and war service records. Jodie Bannear created a bright and colourful display highlighting our Easter collection. At Berri Library, Breanna Freeman created a window display highlighting Australian Women authors and their autobiographies and Sue Fisher organised a great display on life after school for the GHS students.

Libraries Board of SA Visits
• Members of The Libraries Board of SA, along with Geoff Strempel, Director of the State Library, Jo Bayly and Veronica Mathews from Public Library Services, visited both Barmera and Berri Libraries on 18th March. Prior to the visits, Board members had been provided with briefing reports from Peter Ison and Peg Germein which provided background information and statistics about both libraries. The Board members were impressed with the changes they could see at both libraries and were pleased to be able to chat to Councillors and
library staff on the day.

- At Barmera, Councillors Margaret Evans and Mike Fuller joined with Library Manager Peter Ison, Peg Germein and Jodie Bannear to welcome the visitors. Peter Ison spoke about the changes to the libraries since the last Board visit in 2012. Afternoon Tea was provided at the Barmera Library and the Board and visitors then headed off to the Berri Library.

- At Berri Library, the Board met Councillors Margaret Evans and Rhonda Centofanti and the staff who were rostered on at the time. They then took part in a brief tour and were particularly interested in how the library was adjusting to the new courier arrangements that have been implemented across the One Card network.

- The visits were a great opportunity to showcase our libraries and highlight the importance of the libraries’ roles in our community.

**Staffing, Training and Meetings**

- Natalie Bradford-Marshall, our school based trainee at the Berri Library, has been settling in well and she works every Thursday with us while studying her SACE and a Certificate III in Library and Information Services. She has now been working with us for three months and attended a Council employee induction session on 21st March.

- A Barmera Improvement Committee (previously Barmera Beautification Committee) meeting was held at Barmera Library in March. The last meeting was in October 2018 and the next meeting is scheduled for May 2019.

**RECOMMENDATION:**

That Council having considered Report No 14.6 titled Library Services Monthly Report as presented to the Council meeting, receive and note the report.

**ATTACHMENTS:**

No
15: INFRASTRUCTURE SERVICES:

15.1 Works Status April 2019

REPORT AUTHOR: TO
RESPONSIBLE MANAGER: A/MIS
RECORDS REF: -
STRATEGIC LINKS: Goal 1: Confident and Contributing Community; Objectives 2, 6 & 7
Goal 2: Diverse Economy; Objectives 6&7
Goal 5: Strong Internal Capability and Capacity; Objective 2

FINANCIAL IMPLICATIONS:
Impact No
Budget Description -
Allocation $-
Expenditure to Date $-

SUMMARY:
A brief overview of works undertaken since the previous Ordinary Meeting of Council.

REPORT:
Discussion
Capital Projects
Berri Riverfront Retrofit Consultation –
- 54 Submissions were received from community members up to the close of the consultation period on Thursday 28 March 2019.
- Administration and Infrastructure staff have been working through each and every submission for consideration and response.
- A full report to Council will be provided once all submissions have been considered and reviewed by external traffic experts providing Council with options, costings and assurance of compliance.

- Kerbing Replacement 2018/19 – Fairway Ave yet to be completed, all others have been backfilled and sealed.
- Berri Riverfront Wharf – Front wall sheet piles have been fully installed with structural works continuing. Concrete pouring has commenced.
- Jury Road Upgrade – Landbrokers, Herron White and Todd are continuing negotiations on Council’s behalf for land acquisitions.
- Berri Oval Grandstand Viewing Mound upgrade – This project has been deferred due to the commencement of the football season.
- Lake Bonney Foreshore Reconstruction - The laying of geofabric sand bags along the section of foreshore from Yacht Club to Barmera Caravan Park will be undertaken by Scherer Contractors with work to start in the next couple of weeks due to delays.
- Roads – Lock 3 and Comley Roads have been sealed.
- Reseals –Riverview Drive will require further base works as reported to the Strategy, Asset and Major Projects Committee.
- Plant Replacement – 6 tonne tipper replacement has experienced a slight delay and is expected to be delivered early May. Tenders have been received and are being reviewed for the 3.5 tonne truck replacement.

General Projects /Maintenance
- Parks and Gardens:
  - General mowing and maintenance works.
  - Contractors have removed a tree and undertaken trimming in Spriggs Street for garbage truck and bus access.
  - Dead wood has been removed from trees along Langdon Terrace, from the VIC to Ritchie Street. This will be ongoing and will continue along Langdon Terrace.
• Street tree requests have been ongoing.

• **Playgrounds:**
  • Monash Adventure Park – Contractors are due to complete the installation of the rubber softfall under the Burmese bridge shortly.
    A contractor has been sourced to assist with the management of the duck population and we are awaiting permitting from the relevant authorities.

• **Irrigation** - General mainline blow out repairs.

• **Cemeteries** – A contractor has been engaged for the Berri Cemetery Cremation Garden and works are set to commence in the first week of June.

• **Community Events** – Bins provided for small events.

• **Line Marking** – Nil.

• **Sign Maintenance** – Maintenance staff member is continuing with the installation of white guide posts as per the RAA Road Audit.

• **Waste** – Investigations continuing.

• **Road Maintenance:**
  • Henwood Road has been completed and Woolmer Road is awaiting a final trim.
  • Roadside tree trimming is currently being undertaken with Winkie completed and moving on to focus on intersections to the north of the highway.
  • Dry grading has been completed within the district. This is not preferred but has been unavoidable due to dry weather conditions.

**RECOMMENDATION:**
That Council, having considered Report 15.1 titled “Works Status April 2019” as presented to the 23 April 2019 Council meeting, receive and note the report.

**ATTACHMENTS:** No
16: ENVIRONMENTAL SERVICES:

16.1 Environmental Services and Major Projects – March Activity Report

REPORT AUTHOR: MES/MP
RESPONSIBLE MANAGER: MES/MP
RECORDS REF: N/A
STRATEGIC LINKS: Goal 5: Strong Internal Capability & Capacity Objectives 2 & 4
FINANCIAL IMPLICATIONS: Impact No
Budget Description Various
Allocation $ various
Expenditure to Date $ multiple

SUMMARY:
The following represents the Building Rules and Development Plan consents that were undertaken by Environmental Services and Major Projects Team over the March period.

REPORT:
Discussion:

Riverland Regional Assessment Panel
The minutes of the March meeting of the RAP are attached for members information.

Building Rules Consents:
The following table provides statistics for development approvals to the end of March 2019.

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>No.</th>
<th>Value $</th>
<th>YEAR TO DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>No.</td>
</tr>
<tr>
<td>Dwelling</td>
<td>2</td>
<td>659,241</td>
<td>3</td>
</tr>
<tr>
<td>Dwelling Ext/Reovictions</td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Commercial</td>
<td>1</td>
<td>107,526</td>
<td>2</td>
</tr>
<tr>
<td>Commercial Ext/Reovictions</td>
<td>2</td>
<td>177,768</td>
<td>2</td>
</tr>
<tr>
<td>Health Services</td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Industrial &amp; Wine Storage</td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Industrial Ext/Reovictions</td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Yerandah/Carpets</td>
<td>3</td>
<td>40,995</td>
<td>9</td>
</tr>
<tr>
<td>Yerandah/Carport Ext/Reovictions</td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Garages/Sheds</td>
<td>1</td>
<td>5,776</td>
<td>6</td>
</tr>
<tr>
<td>Garage/Shed Ext/Reovictions</td>
<td>1</td>
<td>4,000</td>
<td>1</td>
</tr>
<tr>
<td>Swimming/Spa Pools</td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Signs</td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Churches</td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Special</td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Demolition</td>
<td>2</td>
<td>15,000</td>
<td>4</td>
</tr>
<tr>
<td>TOTAL:</td>
<td>12</td>
<td>$1,016,705</td>
<td>28</td>
</tr>
</tbody>
</table>

Berri Barmera Council-Agenda for Ordinary Council Meeting to be held 23 April 2019 260
**Development Plan Consents:**
The following applications were granted development plan consent in March 2019.

<table>
<thead>
<tr>
<th>Application No.</th>
<th>Applicant/Owner</th>
<th>Address</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>752/018/19</td>
<td>JMA ENGINEERING PTY LTD</td>
<td>1378 OLD STURT HIGHWAY BERRI SA</td>
<td>Freestanding Carport for Demonstration (New) Vehicles</td>
</tr>
<tr>
<td>752/161/18</td>
<td>SCOTT MEEK</td>
<td>LOT 62 RIVERVIEW DRIVE BERRI</td>
<td>Extension to existing caravan park for tourism development providing additional tourist accommodation: Five (5) two-storey buildings each containing four (4) tourist accommodation units car parking and associated landscaping.</td>
</tr>
<tr>
<td>752/009/19</td>
<td>BERRI MEDICAL CLINIC</td>
<td>LT 101/829 MCGILTON ROAD BERRI</td>
<td>Integrated medical centre including fifteen (15) consulting rooms - offices - shop (pharmacy) - single-storey building containing six (6) short term workers accommodation units and common areas - two (2) under-canopy advertising signs - one (1) freestanding illuminated pylon advertising sign - car park that includes seventy-nine (79) car parking spaces - and associated civil works and landscaping.</td>
</tr>
<tr>
<td>752/D011/18</td>
<td>SOTIRIOS KOLLAS</td>
<td>122 DALZIEL ROAD GLOSSOP</td>
<td>Land Division - One (1) allotment into two (2) to create one (1) additional allotment.</td>
</tr>
<tr>
<td>752/D008/18</td>
<td>BERRI RESORT HOTEL</td>
<td>45 SHIELL ROAD BERRI</td>
<td>Land division - realignment of boundary</td>
</tr>
<tr>
<td>752/031/19</td>
<td>STRATCO PTY LTD RIVERLAND</td>
<td>14 PHILLIPS ROAD BERRI</td>
<td>Outbuilding (Shed)</td>
</tr>
<tr>
<td>752/028/19</td>
<td>MATTHEW JOHN WATKINS</td>
<td>15 MORRIS STREET LOVEDAY</td>
<td>Alterations and additions to an existing dwelling including a deck.</td>
</tr>
<tr>
<td>752/026/19</td>
<td>RIVERLAND STEEL</td>
<td>30 BARWELL AVENUE BARMERA</td>
<td>Verandah attached to an existing office (bank)</td>
</tr>
<tr>
<td>752/023/19</td>
<td>JOHN PATSIS</td>
<td>58 THELMA ROAD BARMERA</td>
<td>Extension to an existing outbuilding</td>
</tr>
<tr>
<td>752/011/19</td>
<td>STALLARD MEEK ARCHITECTS</td>
<td>2-10 CRAWFORD TERRACE BERRI SA</td>
<td>Alteration to an existing school building and signage</td>
</tr>
<tr>
<td>752/160/18</td>
<td>BIG RIVER DEVELOPMENTS</td>
<td>17 MADISON AVENUE MONASH</td>
<td>Demolition of existing clubroom building and construction of a single-storey building (community centre) for use a clubroom including kitchen and amenities.</td>
</tr>
<tr>
<td>752/D010/18</td>
<td>GARRY BRUCE MANHIRE</td>
<td>31 FORWARD AVENUE LOVEDAY</td>
<td>Land division - One (1) allotment into two (2) to create one (1) additional allotment.</td>
</tr>
<tr>
<td>752/036/17</td>
<td>BERRI BARMERA COUNCIL</td>
<td>Various locations</td>
<td>Town entrance signage for Cobdogla Winkie Monash Glossop &amp; Overland Corner</td>
</tr>
</tbody>
</table>

**RECOMMENDATION:**
That Council having considered Report 16.1 titled Environmental Services and Major Projects February as presented to the ordinary Council meeting, receive and note the report.

**ATTACHMENTS:**
Yes

List
Attachment 1 – RAP minutes
ITEM 1 WELCOME:
Mr Ballantyne welcomed the Panel members and Council staff, and members of the public who were present.

ITEM 2 PRESENT:
Panel members
Council staff
Messrs D Grieve (Senior Development Officer – Planning, Berri Barmera Council), J.G. Hunt (Development Officer – Planning, District Council of Loxton Waikerie), R. Semrau (Principal Planner, Renmark Paringa Council), Mrs C.G. Pedler (Assessment Manager).

ITEM 3 APOLOGIES:
Ms J.A. Lewis

ITEM 4 CONFIRMATION OF MINUTES
The minutes of the meeting held February 21 2019 are attached at appendix for members information and adoption.

MOTION (RRAP 047/19):
That the minutes of the meeting held February 21 2019 be taken as read and confirmed.
Messrs G.D. Parsons / T.J. Norton CARRIED

ITEM 5 BUSINESS ARISING FROM THE PREVIOUS MINUTES
Nil

ITEM 6 DECLARATION OF INTEREST BY MEMBERS OF PANEL:
Nil

ITEM 7 HEARING OF REPRESENTATIONS:
Nil

ITEM 8 REPORTS:

The Berri Barmera Council, District Council of Loxton Waikerie, Renmark Paringa Council
Minutes of the meeting of the Riverland Regional Assessment Panel held
Thursday March 21 2019 at 1.30 PM at the
District Council of Loxton Waikerie Council Chamber, 29 East Terrace, Loxton.

The Berri Barmera Council, District Council of Loxton Waikerie, Renmark Paringa Council
Minutes of the meeting of the Riverland Regional Assessment Panel held
Thursday March 21 2019 at 1.30 PM at the
District Council of Loxton Waikerie Council Chamber, 29 East Terrace, Loxton.

The Berri Barmera Council, District Council of Loxton Waikerie, Renmark Paringa Council
Minutes of the meeting of the Riverland Regional Assessment Panel held
Thursday March 21 2019 at 1.30 PM at the
District Council of Loxton Waikerie Council Chamber, 29 East Terrace, Loxton.

The Berri Barmera Council, District Council of Loxton Waikerie, Renmark Paringa Council
Minutes of the meeting of the Riverland Regional Assessment Panel held
Thursday March 21 2019 at 1.30 PM at the
District Council of Loxton Waikerie Council Chamber, 29 East Terrace, Loxton.

The Berri Barmera Council, District Council of Loxton Waikerie, Renmark Paringa Council
Minutes of the meeting of the Riverland Regional Assessment Panel held
Thursday March 21 2019 at 1.30 PM at the
District Council of Loxton Waikerie Council Chamber, 29 East Terrace, Loxton.

The Berri Barmera Council, District Council of Loxton Waikerie, Renmark Paringa Council
Minutes of the meeting of the Riverland Regional Assessment Panel held
Thursday March 21 2019 at 1.30 PM at the
District Council of Loxton Waikerie Council Chamber, 29 East Terrace, Loxton.
Item 8.1  Development Application 752/117/16 – Mr R Nobile Ms D Hooper

<table>
<thead>
<tr>
<th>Application No:</th>
<th>752/117/16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council:</td>
<td>Berri Barmera Council</td>
</tr>
<tr>
<td>Relevant Authority:</td>
<td>Berri Barmera Council</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Raffaelle Nobile and Danielle Hooper</td>
</tr>
<tr>
<td>Owner:</td>
<td>Raffaelle Nobile and Danielle Hooper</td>
</tr>
<tr>
<td>Lodgement date:</td>
<td>19 September 2016</td>
</tr>
<tr>
<td>Description of development:</td>
<td>Shop (retail) and associated store within a shed building, separate amenities building, rainwater tanks and car park.</td>
</tr>
<tr>
<td>Property details:</td>
<td>Lot 1 Sturt Highway, Monash, as contained in Certificate of Title Volume 6009 Folio 335</td>
</tr>
<tr>
<td>Officer:</td>
<td>Dylan Grieve</td>
</tr>
<tr>
<td>File reference:</td>
<td>A6388</td>
</tr>
</tbody>
</table>

MOTION (RRAP 048/19):

Messrs G.D. Parsons / J.B. McVicar  CARRIED

Item 8.2  Development Application 752/D004/18 – Mr and Mrs Jury

<table>
<thead>
<tr>
<th>Application No:</th>
<th>752/D004/18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council:</td>
<td>Berri Barmera Council</td>
</tr>
<tr>
<td>Relevant Authority:</td>
<td>Berri Barmera Council</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Peter Jury</td>
</tr>
<tr>
<td>Owner:</td>
<td>Peter and Jennifer Jury</td>
</tr>
<tr>
<td>Lodgement date:</td>
<td>27 June 2018</td>
</tr>
<tr>
<td>Description of development:</td>
<td>Land division – one (1) allotment into two (2) to create one (1) additional allotment (non-complying).</td>
</tr>
<tr>
<td>Property details:</td>
<td>274 Jury Road, Glossop, as contained in Certificate of Title Volume 5842 Folio 774 and Crown Record Volume 6033 Volume 312</td>
</tr>
<tr>
<td>Officer:</td>
<td>Dylan Grieve</td>
</tr>
<tr>
<td>File reference:</td>
<td>A6502</td>
</tr>
</tbody>
</table>

MOTION (RRAP 049/19):
1. The Riverland Regional Assessment Panel determines that Development Application 752/D004/18 is not seriously at variance with the Berri Barmera Council Development Plan.
2. The Riverland Regional Assessment Panel determines to grant Development Plan Consent and Land Division Consent to Development Application 752/D004/18 subject to the following conditions and notes:

Council conditions:
1. Development is to take place in accordance with the supporting documentation and plans relating to Development Application Number 752/D004/18, except as modified by any conditions attached to this Decision Notification, specifically:

<table>
<thead>
<tr>
<th>Plan type</th>
<th>Reference</th>
<th>Dated</th>
<th>Received</th>
<th>Prepared By</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Land Division &amp; Re-designation of Parcel Plan</td>
<td>03518PRO PrevA</td>
<td>16/04/18</td>
<td>27/06/18</td>
<td>Anderson Surveyors Pty Ltd</td>
</tr>
</tbody>
</table>
**Land division conditions:**

1. The financial requirements of the SA Water Corporation shall be met for the provision of water supply. (SA Water H0074456)

   On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.

   SA Water advises on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.

2. All internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.

3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

**Notes:**

1. The development must be substantially commenced within 12 months of the date of this Notification, unless this period has been extended by Council.

2. You are advised that any act or work authorised or required by this Notification must be completed within three years of the date of the Notification unless this period is extended by the Council.

3. The applicant is reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.

4. The River Murray and many of its tributaries and overflow areas have abundant evidence of Aboriginal occupation. Under Section 20 of the *Aboriginal Heritage Act 1988* (The Act), as an owner or occupier of private land, or an employee or agent of such an owner or occupier, must report the discovery on the land of any Aboriginal sites, objects and remains to the Minister for Aboriginal Affairs and Reconciliation, as soon as practicable, giving the particulars of the nature and location of the Aboriginal sites, objects or remains. Penalties may apply for failure to comply with the Act.

5. It is an offence to damage, disturb or interfere with any Aboriginal site or damage any Aboriginal object (registered or not) without the authority of the Minister for Aboriginal Affairs and Reconciliation (the Minister). If the planned activity is likely to damage, disturb or interfere with a site or object, authorisation of the activity must be first obtained from the Minister under Section 23 of the Act.

6. Should any removal or trimming of native vegetation be intended at any stage, the application should consult the Native Vegetation Council to ascertain relevant requirements under the *Native Vegetation Act 1991* and its Regulations.

7. The applicant shall contact the pipeline operator for any proposed dwellings or buildings within 40 metres of the pipeline.

Messrs J.B. McVicar / T.J. Norton  
**CARRIED**
Item 8.3 Development Application 551/005/13 - A-Culture Holdings Pty Ltd

<table>
<thead>
<tr>
<th>Application No:</th>
<th>551/005/13</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council:</td>
<td>District Council of Loxton Waikerie</td>
</tr>
<tr>
<td>Relevant Authority:</td>
<td>District Council of Loxton Waikerie</td>
</tr>
<tr>
<td>Applicant:</td>
<td>A-Culture Holding Pty Ltd</td>
</tr>
<tr>
<td>Owner:</td>
<td>District Council of Loxton Waikerie</td>
</tr>
<tr>
<td>Lodgement date:</td>
<td>12 December 2012</td>
</tr>
<tr>
<td>Description of development:</td>
<td>Prawn and fin fish farm, hatchery, grow out and processing facility, comprising of three stages (land based Aquaculture)</td>
</tr>
<tr>
<td>Property details:</td>
<td>37 Ekins Road, Waikerie, Deposited Plan: 89736, as contained in Certificate of Title Volume 6098 Folio 671</td>
</tr>
<tr>
<td>Officer:</td>
<td>Jordan Hunt</td>
</tr>
</tbody>
</table>

MOTION (RRAP 050/19):
1. The Riverland Regional Assessment Panel determines to grant an extension of 5 years to the commencement date for Development Application 551/005/13 to 19 April 2024.
2. The Riverland Regional Assessment Panel determines to grant an extension of 15 years to the completion date for Development Application 551/005/13 to 19 April 2034.

Messrs T.J. Norton / J.B. McVicar CARRIED

Item 8.4 Development Application 753/018/19 - Mr P James-Young

<table>
<thead>
<tr>
<th>Application No:</th>
<th>753/018/19</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council:</td>
<td>Renmark Paringa Council</td>
</tr>
<tr>
<td>Relevant Authority:</td>
<td>Renmark Paringa Council</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Peter James-Young</td>
</tr>
<tr>
<td>Owner:</td>
<td>Peter James-Young</td>
</tr>
<tr>
<td>Lodgement date:</td>
<td>30 January 2019</td>
</tr>
<tr>
<td>Description of development:</td>
<td>Carport forward of dwelling</td>
</tr>
<tr>
<td>Property details:</td>
<td>Lot 37, 36 Nineteenth Street, Renmark, SA, contained in Certificate of Title Volume 5365 Folio 686</td>
</tr>
<tr>
<td>Officer:</td>
<td>Ralph Semrau</td>
</tr>
<tr>
<td>File reference:</td>
<td>A2435</td>
</tr>
</tbody>
</table>

MOTION (RRAP 051/19):
1. The Riverland Regional Assessment Panel determines that Development Application 753/018/19 for a carport forward of dwelling at Lot 37, 36 Nineteenth Street, Renmark CT: 5365/686 is not seriously at variance with the Renmark Paringa Council Development Plan.
2. The Riverland Regional Assessment Panel determines to REFUSE Development Plan Consent to Development Application 753/018/19 for a carport forward of dwelling at Lot 37, 36 Nineteenth Street, Renmark CT: 5365/686 for the following reasons:
   a. The application is at variance with Principle of Development Control 9 of the Residential Zone provisions as it is not set back in accordance with the parameters.
   b. The application is at variance with Principle of Development Control 16 of the Residential Development General Section provisions as it has no design and detail to complement it with the existing dwelling.
   c. The application is at variance with Principle of Development Control 17(a) of the Residential Development provisions of the General Section, as the proposed carport dominates the streetscape by being located only 500mm from the front property boundary.
d. The application is at variance with Objective 1 and Principle of Development Control 3(b) of the Design and Appearance provisions of the General Section, as it is a basic structure with no real high architectural standards, has no matching colour scheme and also does not contribute positively towards the streetscape.

Messrs G.D. Parsons / T.J. Norton  CARRIED

ITEM 9  OTHER BUSINESS:
9.1  SA Planning Reforms

ITEM 10  NEXT MEETING:
To be advised

ITEM 11  CLOSE:

Date: ___________________________ 2019 Signed

__________________________________________
Mr B.G. Ballantyne
16.2 Environment and Sustainability Committee – Minutes from meeting held 12 March 2019

SUMMARY:
The minutes of the meeting of the Environment and Sustainability Committee held 12 March 2019.

REPORT:
Background:
N/A

Discussion:
This is the first meeting of the Environment and Sustainability Committee held on the 12 March 2019, the minutes of the committee is attached to be received by Council. The Committee put forward several recommendations for Council decision.

The next meeting is scheduled for Tuesday 14 May 2019.

Conclusion:
N/A

RECOMMENDATION:
That Council:
1. having considered report 16.2 “Environment and Sustainability Committee – Minutes from meeting held 12 March 2019” as presented to the Ordinary Meeting of Council, receive and note the report.
2. receive the Minutes of the Environment and Sustainability Committee meeting held 12 March 2019.
3. adopt the following recommendations of the Committee:
   Item 5 Time/Place of Meetings
   MOTION: (ESC1/19)
   That the Environment and Sustainability Committee meetings be held on bi-monthly on the 2 Tuesday at Berri Barmera Council Chambers at 5.30pm.
   Item 10 Business:
   MOTION (ESC2/19)
   Manager of Environmental Services, Myles Somers to lodge the expressions of interest for Communities Environment Program on behalf of the Environment and Sustainability Committee with Tony Pasin’s Office.

ATTACHMENTS:
Yes
Attachment 1 – Environment and Sustainability Committee Minutes – 12 March 2019
1: **WELCOME (Cr Fuller)**

2: **PRESENT:**

   (NOTE): Committee Members are:
   
   Council: Cr Fuller (Chair), Cr
   Fullcr, Cr Centofanti, Mayor P Hunt, Cr Winnall, Cr Little,
   Younglandcare: S Schrapel
   Crown Lands: M May
   Community: S Rodley, D
   Dr M Bailey,
   Waterman, D Waterman arrived 7pm

3: **APOLOGIES: Mark May, Steve Rodley, Toni Beviss**

4: **CONFIRMATION OF MINUTES:**

   (Note: first meeting no minutes to confirm)

5: **TIME/PLACE/DAY OF MEETINGS:**

   MOTION (ESC 1/19):
   
   That the Environment and Sustainability Committee meetings be held on bi-monthly on the 2
   Tuesday at Berri Barmera Council Chambers at 5.30pm.

   Crs R Centofanti/A Little Carried

6: **MEMBERS DECLARATION OF INTEREST:** Nil

7: **CONFIDENTIAL ITEMS CONSIDERATION:** Nil

8: **DEPUTATION:** Nil

9: **QUESTIONS/MOTIONS WITH NOTICE:** Nil

10: **BUSINESS:**

   10.1 Terms of Reference – Committee role and purpose

   10.2 Members objectives - what do you want to achieve?

   Dr M Bailey – salinity issues re grape varieties, who, what where water is used, developing high temp
   furnace opportunities for post irrigation tubing for recycling of chemicals – demand & level for this service.
   Martin to put a 1 page concept for council

   Cr A Little – water quality, salinity Lake Bonney, revegetation, waste composing – digestive compositor's,
   council assets sustainability,
Cr M Fuller – Lake Bonney lots of issues on water quality – salinity level (proposal by P Symens- pipeline)
weir pool manipulation, guest speakers to attend meetings – students, experts and interested community
members (schools have youth environment leaders)

Cr E Winnall – creating a culture in the community re waste reduction – thru men’s shed, business waste,
education and communication salt tolerant, council leading by example - effective recycling at events -
around world environment days etc, solar, rain water on council buildings, whole street garage sales

Cr R Centofanti – great things being put forward, LBCFCMP, invite a representative from RMMAC to attend
the meetings

Mayor P Hunt – make priorities, not to many and have success with the one we have

Mr D Otto de Grancy – discussions with infrastructure green waste composting – very early stages

Observers comments – Cr T Scott – part of the discussion, not putting up fences, obtainable and useable

10.3 Environment and Sustainability Strategy 2020
• Pinpoint where we are going to invest
• Funding application
• Quote for Environment and Sustainability Strategy (links to Corporate Strategy)

*Council activity in Environment and Sustainability – Lake Bonney Caring for Country Management Plan;
Solar Farm; Recycling ; Weed and Pest animal Control; Martin Bend Recreation Area; Information portal
(Wetlands rewatering), Proposed roadside vegetation Plan (subject to 2019/2020 budget approval –
Infrastructure Services)

2019/20 Council Budget if approved E&S Strategy to be delivered by March 2020

10.4 Tony Pasin – Communities Environment Programme – EOI due in 2 weeks

MOTION (ESC 2/19):
Manager of Environmental Services, Myles Somers to lodge the expressions of interest for
Communities Environment Program on behalf of the Environment and Sustainability Committee
with Tony Pasin’s Office.

M Fuller/M Bailey Carried

10.5 Buffel grass – council working with external agencies, plants have been removed and bagged up as
required, sites being monitored. NRM is actively working on the problem.

11: OTHER ITEMS: Nil

12: NEXT MEETING: 14 May 2019, 5.30pm

13: CLOSURE: 7.20pm
16.3 Master Planning Delivery Strategy

SUMMARY:
MASTER PLAN DELIVERY STRATEGY-OUTSOURCING VS INSOURCING
A report was requested from Cllr. Winnall on risks and benefits of outsourced vs insourced delivery models for the proposed Master Plans. Such considerations are rather complex and decision making around resourcing of services should not be done in isolation unless an organisation has already undertaken a comprehensive organisational wide resource strategy which guides such decisions. In absence of such an undertaking, any isolated decision could have unintended consequences in other areas of Council which have not yet been reviewed.

The following information is presented to support the management recommendation to outsource key professional inputs for preparation of the proposed Master Plans. The information has been prepared with regard to submitted tenders for preparation of the proposed master plans which have further justified the intent for delivery proposed by management. In presenting the information inclusion has been made of basic but important background material including an explanation of the Master Planning process and disciplines / skill sets involved

REPORT:
WHAT IS MASTER PLANNING
A Master Plan determines a broad vision for an area and outlines a number of projects and strategies that are required to be implemented to achieve the new vision.

Project Aim, Objectives and Scope
Using the Coombe Terrace Precinct as an example the main aim of the master plan is to determine the best use and development of the community lands in accordance with stakeholder requirements and community expectations. The objectives of the master plan study are;

- To assess the layout and condition of the existing sporting and recreational facilities, and propose possible uses and development in consideration of the needs of community and stakeholders
- To assess the land in consideration of possible future infrastructure developments (sporting, social, commercial) that meets the needs of the user groups and the local community
- To provide a design concept which integrates sporting facilities and establishes a framework for the future direction for the use and development of the reserve
- To apply innovation and efficiency to design and configuration concepts, and comply with legislation ensuring universal design principles are considered
- To develop design concepts that can be staged, and make recommendations relating to various costing options and timing of these stages

The scope of the master plan study includes;

- Consult with the community and stakeholder groups to understand current and future needs for recreation and open space provision in the reserve including social and commercial infrastructure
- Provide a clear strategic direction for the use of the land and the development of infrastructure, which clearly articulates the required facilities and location within the reserve
• Assess and address the key requirements of the community and key stakeholders in consideration of the following:
  o Better integration and connectivity of sporting facilities
  o New, expanded and additional sport facilities
  o Opportunities for informal and passive recreation
  o Opportunities for social (convention) and commercial infrastructure
  o Public toilets
  o Landscaping, native vegetation and general aesthetics
  o Sustainability principles and practices
  o Car parking
• Provide design concepts to meet the project’s aims and objectives
• Provide a costed and prioritised action plan for implementation, including specific actions to be undertaken and timelines
• Provide innovative ideas and actions to drive the reserve towards becoming a highly appreciated community asset and one of the town’s leading sporting and recreational areas.

WHAT IS INVOLVED IN MASTER PLANNING PROCESS

Master Planning Process – (example Coombe Terrace Precinct)
A number of research and consultative processes will inform the master plan development including:
• Review of relevant background reports
• Analysis of demographic information relating to the local district
• Review and assessment of the existing sporting and recreation facilities by the consultat team
• Consult with local residents, the regular user groups including swimming club, council, Berri Improvement Committee and other stakeholders. Wider community consultation via several committee means such as social media, public meetings and manned displays in local shopping centres
• Analysis of issues and opportunities for the reserve and the preparation of the concept plans for review by project stakeholders
• Preparation of the final draft Coombe Terrace Reserve Master Plan
• Final combined meeting with the resident groups, the regular user groups, Council, Berri Improvement Committee and other stakeholders (including local residents) to review the final draft master plan
• Preparation of the final draft Coombe Terrace Reserve Master Plan and study report

SKILLS SETS REQUIRED
Typically the areas of expertise required to prepare a Master Plan for a Precinct include:
• Landscape Architect
• Architect (Buildings) or highly experienced Draftsmen
• Civil engineer
• Quantity Surveyor
• Stakeholder and Community Engagement expert
• Legal expertise (leases, property issues, sporting association management agreements etc).
• Traffic Engineer
• Project Manager
• Surveyor

WHY OUTSOURCE MASTER PLANNING
Outsourcing is more frequently used for Master Planning precincts due to the specialised nature of the work and it being non-operational and non-core activity. In addition the specialist inputs vary in duration and timing throughout the Master Planning process. Hence buying resources on an as needs basis proves more financially efficient than employing in such resources and having redundant capacity both during and after the master planning process. A tenderer for the master plans has indicated that by using a multi-disciplinary team 3 community precincts plans can be completed in a 20 week period. This illustrates significant efficiencies which cannot be matched by insourcing options. Estimated costs cannot be advised at this stage as the tender review process has not been completed, however the cost for the 3 original Master Plans will be substantially under projected draft budget allocation.
OUTSOURCING VS INSOURCING GENERAL PRINCIPLES

In general outsourcing is chosen for non-core activities, whilst core activities are most often resourced through full or part time employees funded through operational budget provisions. It is extremely important to consider outsourcing or insourcing with direct regard to the organisational wide financial model, given that employees are funded through operational budgets. Outsourcing can often be achieved without impact upon operational cost centres if projects can be capitalised. In SA a reasonable KPI target for FTEs is 6.4 per 1,000 residents (PWC) whilst Berri Barmera Council functions above this figure at 7.5. Hence, the importance of considering any decision to either employ staff or outsource non-core activities must take into account a whole of organisation view.

<table>
<thead>
<tr>
<th>INSOURCING BENEFITS</th>
<th>INSOURCING RISKS</th>
<th>OUTSOURCING BENEFITS</th>
<th>OUTSOURCING RISKS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retain internal skill sets post completion of tasks / project.</td>
<td>Redundant skill sets retained post completion of tasks / project</td>
<td>Targeted skill sets engaged for specific task duration and nil redundancy.</td>
<td>Premium paid for short term engagement of persons with specific skill sets.</td>
</tr>
<tr>
<td>Potential denial of another area of Council due to limitation on operational budgets to employ staff and maintain sound overall financial position of council.</td>
<td>Outsourcing strategy driven by Organisational Financial and Structural perspectives allow priority areas to be resourced with staff and non core areas to be efficiently resourced through outsourcing.</td>
<td>Efficiencies given resources and duration periods vary considerably.</td>
<td>Premium paid for short term engagement of persons with specific skill sets. Does not readily enable internal capacity building in desired ongoing skill set areas.</td>
</tr>
<tr>
<td>Particularly suited as an option for larger organisations or conglomerations with economies of scale that overcome risks.</td>
<td>Not suited to smaller organisations such as Berri Barmera Council due to diseconomies of scale</td>
<td>Particularly suited to smaller organisations which are restricted by diseconomies of scale.</td>
<td>Exacerbates risks in larger organisations or regional conglomerations which have greater opportunity cost to consider given underlying economies of scale.</td>
</tr>
</tbody>
</table>

RECOMMENDATION:
That Council
1. having considered Report 16. titled “Master Planning Delivery Strategy” as presented to the Ordinary Meeting of Council, receive and note the report.
2. That Coombe Terrace Berri and Barmera Foreshore Precincts Master Plans are delivered in 2019/20 and a further review of scheduling of other precinct master Plans occur as part of 2020/21 Draft Budget deliberations.

ATTACHMENTS: No List
16.4 South Australian Planning System Reforms

**REPORT AUTHOR:** MES

**RESPONSIBLE MANAGER:** MES / SDO

**RECORDS REF:** N/A

**STRATEGIC LINKS:** Yes; Strong Internal Capability and Capacity; Objectives 3 & 4

**FINANCIAL IMPLICATIONS:**

<table>
<thead>
<tr>
<th>Impact</th>
<th>To be confirmed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Budget Description</td>
<td>Joint Planning Board / PDI Act Implementation</td>
</tr>
<tr>
<td>Allocation</td>
<td>$15,000</td>
</tr>
<tr>
<td>Expenditure to Date</td>
<td>$2,053</td>
</tr>
</tbody>
</table>

**SUMMARY:**

The report provides advice on the South Australian Planning System Reforms under the Planning Development and Infrastructure Act 2016, impacts, risks and implementation measures proposed by Council staff and management.

Council officers are supportive of efforts to reform the planning system to streamline it and enhance efficiency. However, there are a number of concerns with the planning reforms and the new system. Certain provisions work against a regional collaboration and in particular the Riverland Regional Assessment Panel administrative processes. This is a result of legislative drafting with unintended consequences in combination with a one size fits all approach by DPTI, resulting in regional disadvantage. A combined Riverland regional response to draft regulations has been submitted to DPTI.

A majority of the aspects of the new system are expected to be “switched on” by the end of the 2019 calendar year. A key focus of the Riverland Councils will be to continue to prepare as best as possible for the upcoming significant changes. At the April 3 meeting of the Riverland G3 Forum the three CEOs agreed on a project to deliver regional collaboration in implementation of the PDI Act and Regulations. In a similar fashion as the establishment of the Regional Assessment Panel and the harmonising of the three Council Development Plans, the Riverland Councils will jointly develop strategy and responses around the numerous tasks involved in transitioning our Councils and communities from the ‘old’ to the ‘new’ planning system. This project will commence immediately and be resourced primarily by internal resources but may require some external resource input during 2019/20. Budget provisions for these activities have been factored into the draft 2019/20 Budget.

**REPORT:**

**Background:**

SOUTH AUSTRALIAN PLANNING SYSTEM REFORMS

**Purpose**

To provide the Council with information and an update regarding changes to the planning system in South Australia, including reference to associated increased costs.

**Background**

The previous South Australian State Government initiated a review of the planning system in 2013. They established an Expert Panel on Planning Reform which examined the system in detail and provided three reports. The third and final report contained a series of recommendations to the State Government for reform of the system.
In March 2015 the Government released its response to the report, adopting a majority of the recommendations. It decided the existing legislation which sets the framework for the planning system (the Development Act 1993) should be replaced with new and updated legislation – in April 2016 the Planning, Development & Infrastructure Act 2016 was created to fulfil this aim.

There are substantial complexities in creating a brand new planning system and it is not possible to simply “switch off” the old system and “switch on” a new one – hence a program of transition was initiated. Currently both systems are partially operating in parallel, with different sections of the new Act being activated and section of the old Act deactivated over time.

The work set out in the sections that follow demonstrates the complexity and convoluted nature of the changes proposed as councils and the private sector grapple with them. Currently there is uncertainty in what the system will ultimately deliver and whilst primary legislation has been enacted and is being brought into operation, the secondary legislation that confirms the detail is not being delivered early enough for councils to put effective pro-active transition mechanisms of their own into place. Given this uncertainty, the financial implications are therefore a best guess of contemporary implications. The transition is generational; it is unlikely to happen again for another 20 to 25 years. Hence given the complexity and pure volume of changes, a staged transition process is unavoidable.

**Proposal**

While there will be similarities between the “old” and “new” systems, there will also be substantial differences. Table 1 below summarises some of the key differences between the two systems that Council need to be aware of:

**TABLE 1: SUMMARY OF KEY DIFFERENCES**

<table>
<thead>
<tr>
<th>SYSTEM COMPONENT</th>
<th>CURRENT SYSTEM</th>
<th>NEW SYSTEM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lodgement</td>
<td>Currently development applications are lodged with Council in either hard copy or electronic format.</td>
<td>All development applications must be lodged through a State Government operated electronic system called the Planning Portal Councils will have to assist applicants who may not have the skills, expertise or resources to use the online Portal placing an additional impost on our resources.</td>
</tr>
<tr>
<td>Funding of Planning Portal</td>
<td>N/A</td>
<td>Council may be required to contribute towards funding the portal and will be invoiced annually (BBC exempted for initial period due to relatively small nos. of applications processed annually).</td>
</tr>
</tbody>
</table>
| Relevant Authorities | The Council is a relevant authority responsible for assessing development applications for planning consent, building consent and development approval | The Council is now only an authority for issuing building approval and development approval, not for planning approval. Planning approvals can now only be granted by:  
  • The Minister  
  • The State Planning Assessment Commission  
  • Regional Assessment Panel  
  • Assessment Manager (Currently DCLW Manager Environmental Services) NOTE issue being taken up with DPTI in that legislation has not catered for Regional Assessment Panel’s.  
  • Accredited Professional (Council planning staff or private certifier) |
| Accredited Professionals Scheme | N/A | Riverland Regional Assessment Panel Members (with the exception of the Elected Member representative), Assessment Manager and Planning Staff must all be accredited under the new system. This will involve regular training requirements and an approval process, subject to annual review and fees. There will be an impact on Council resources as a direct result of this including:
|                             |     | - An estimated $2,500 impact on the training budget to ensure staff meet their continuing professional development (CPD) requirements
|                             |     | - An estimated $1,500 in fees for DPTI accreditation of relevant Council personnel.
|                             |     | - Accreditation and training fees for RAP members to enable accreditation and the ongoing functionality of the Panel. Recommended that Sitting fees increase to cover costs and ensure RAP retains high quality members (included in 2019/20 Budget provisions). This could be paid by way of an allowance, depending upon how many Panels each member is a part of.
| Assessment Pathways | Under the current system, a Development Application is assessed through one of the following pathways:
|                             |     | - Exempt
|                             |     | - Sch 1A (planning approval not required)
|                             |     | - Complying
|                             |     | - Merit
|                             |     | - Non-complying
|                             |     | - S 49 / Sch 10 (State Government decision) | The new assessment pathways will be:
|                             |     | - Exempt (no approval required)
|                             |     | - Accepted (building approval only with possible minor planning assessment)
|                             |     | - Deemed to Satisfy
|                             |     | - Performance Assessed
|                             |     | - Restricted Development
|                             |     | - Impact Assessed (by Regulations)
|                             |     | - Impact Assessed (by Minister).
| Environment and Food Production Areas | N/A | Whilst no EFPAs exist in the Council district it is appropriate to be aware that for those that do exist in areas such as Adelaide Hills the creation of additional allotments for residential purposes is banned and cannot take place.
| Planning & Design Code | The Development Plan is the document against which a majority of all Development Applications are assessed. | The Development Plan will be replaced with the Planning & Design Code. A new document applicable state-wide (with some local variations applicable to certain council or geographical areas) against which a majority of Development Applications will be assessed. The Planning and Design Code is still being drafted. The document will be much larger than the current Development Plan and will only be able to used effectively online (where the Portal will “filter through” the Code and find the applicable sections.
| Community Engagement Charter | N/A | A document which provides for a number of “guiding principles” with which engagement with the community must comply. The Charter is applicable to the development of Regional Plans, the Planning & Design Code and any subsequent amendments to it. It is not applicable to development assessment (see next line).
| Development Assessment Public | Currently development applications are assessed as Category 1 (no notification) | Public notification will be linked to assessment pathways, but the Planning & Design Code will stipulate when notification is and is not required.
**Notification**
Category 2 (written notice to adjoining owners) or Category 3 (written notice to adjoining owners and advertisement in the local paper). The categories are not linked to the assessment pathways.

Written notification will still be given to adjoining owners, but Council will now (where requested by an Applicant) be responsible for erecting a physical sign on the land advising of the development (and documenting this has occurred). This will have an impact on Council resourcing. Advertisements in the local newspaper will no longer take place.

**Infrastructure Schemes**
Do not currently exist. Upgrades to infrastructure are negotiated and secured through legally binding agreements with appropriate security provided where necessary with accompanying documents such as Land Management Agreements.

Two new Infrastructure Schemes will be introduced – Basic Infrastructure Schemes (to secure infrastructure such as stormwater and roads) and General Infrastructure Schemes (to secure infrastructure such as schools, public transport etc.). The Regulations regarding the operation of the schemes are yet to be published.

**Regional Plans**
Currently Berri Barmera Council is part of the Murray and Mallee Region Plan. This plan sets the broad planning framework for development within the Council area and region.

New Regions will be proclaimed under the PDI Act – however that is yet to occur. It is anticipated that for the first production of Regional Plans under the new Planning system, there will be no changes to SA Planning regions; however this is yet to be confirmed. Where Council is a party to a Joint Planning Agreement (refer point below) the Joint Planning Board will be responsible for authoring the Regional Plan. If no Joint Planning Agreement is in place DPTI will be responsible for authoring the Regional Plan.

**Joint Planning Arrangements**
The Riverland Councils have a history of collaboration in regards Development policy and procedures along with a well established and successful Regional Assessment Panel. The Riverland Councils have participated in a Pilot Program which has developed a toolkit for groups of Councils considering forming a Joint Planning Board. The Councils also have prepared a Business Case for JPB which is referred to further in the report.

Councils can join together to form a Joint Planning Agreement with each other and the Minister for Planning. Where this occurs a Joint Planning Board must be established and they must prepare a Regional Plan within two years of forming. There is also scope for the Joint Planning Board to engage staff and conduct other activities such as development assessment. (Refer further information in following report).

---

**Joint Planning Arrangements**
A presentation was made at the Riverland G3 meeting on April 3 to provide an update on the Joint Planning Arrangements Business Case outcomes. It has been explained that whilst financially establishing a Joint Planning Board (JPB) need not be an expensive exercise, it does involve establishing an independent body under a legal agreement with the Minister for Planning. The primary objective taking such action would be to allow the Riverland Councils to undertake preparation of a Regional Plan as dictated by legislation. Resource sharing and regional service delivery can be considered under a number of different models which may be superior to the JPB model.

Rather than proceed further with the JPB Business Case at this stage, the G3 CEO Group moved that it be recommended to the respective Councils that correspondence be issued to both Minister of Planning Hon Stephan Knoll and Minister for Regional Development Hon Tim Whetstone and DPTI Chief Executive Officer advising the legislative provisions are effectively onerous and unnecessary and presenting an alternative strategy. It is considered that a legislative amendment would allow a
simpler yet still robustly controlled process for groups of Councils preparing their own Regional Plan under DPTI endorsed processes. This alternative would likely lead to better overall outcomes given wider take up of the opportunity to collaborate without forming a separate independent authority. Suggested alternative provisions include MOU with DPTI, utilisation of template Regional Plan processes and potential delivery through existing established regional bodies such as Riverland G3 or MRLGA.

Financial Implications
A majority of the fees and charges for the new system are still yet to be published. Similarly Council has not yet been provided with the necessary information to fully assess and understand the financial implications of the new system. However, discussions across Local Government are continuing and financial impacts of the legislation are being estimated. Provisions have been made in 2019/20 draft budget for increased costs associated with the implantation of the ‘new planning system. The cost areas to be aware of include:

- Additional fees, charges and training requirements, largely associated with the Accredited Professionals Scheme, for Council Officers and Regional Assessment Panel members;
- Additional consultation requirements (largely relating to the Community Engagement Charter and public notification requirements under the Planning & Design Code);
- Additional planning policy work (to amend policy in preparation for and in response to the Planning & Design Code);
- Equipment (to facilitate and accommodate the effective use of the Planning Portal is being costed and included in G3 ICT Project);
- The Planning Portal annual fee (tba).
- Legal advice, appeals, review proceedings etc. as a result of a new system being ‘tested’; and
- Uncertainty surrounding the new infrastructure schemes and Council’s potential funding responsibilities under a new infrastructure scheme.

At this stage, it is envisaged that to continue to make development decisions, Council Officers and Regional Assessment Panel members will need to become accredited under the Planning, Development and Infrastructure Act by November 30 2019. Once accredited, those affected will need to undertake a regular annual training program.

Risk
There are numerous risks associated with the implementation of the new planning system in South Australia. To mitigate Council’s exposure to risk, all consultation documents are being examined and responded to and staff have attended available training sessions. Establishing a regional PDI Act implementation project will significantly address major risks such as lack of preparedness.

WHS
There are no WHS implications as a result of this report. However, the risks associated with staff erecting and monitoring signage on development sites (e.g. alongside the Highway) will need to be examined as part of the implementation process.

Communication Strategy
The Department of Planning, Transport and Infrastructure (or the State Planning Commission as the case may be) are responsible for managing the rollout of the new planning system, including the consultation process surrounding the key elements, such as the Planning and Design Code. The Riverland Councils intend to collaborate in complementing the DPTI communications and ensuring widespread dissemination of information to local developers and wider communities.
RECOMMENDATION:
That Council,
1 having considered Report titled “South Australian Planning System Reforms” as presented to the Ordinary Meeting of Council, receive and note the report.
2 That Elected Member Workshops are arranged for May to provide a summary of Joint Planning Board Pilot Program / Business Case and revisit objectives for joint planning arrangements.
3 That Council notes the need to ensure Regional Assessment Panel Members are appropriately reimbursed for out of pocket expenses including travel, training and accreditation costs.
4 That the current sitting fee of $350 for independent Panel members is increased to $400, and the current fee of $700 for Independent Presiding Member is increased to $750, from July 1st 2019.
5 That out of pocket accreditation and training costs for Professional Accreditation for Independent Members and Presiding Member are reimbursed to a limit of $1,000 per annum including pro-rata based provisions for Members on more than one Regional or Council Assessment Panel.
6 That the sitting fee for the Elected Member representative, remain at $350 with no allowance provided.
7 That potential legislative reform allowing alternatives to forming a Joint Planning Board for the purposes of preparation of a Regional Plan are pursued directly with relevant Ministers and Chief Executive Department Planning Transport and Infrastructure by the Riverland Councils.

ATTACHMENTS: No
17: QUESTIONS WITHOUT NOTICE:

18: MOTIONS WITHOUT NOTICE:
CONFIDENTIAL ITEMS:

19.1 Confidential Minute Book – Release of Confidential Minutes – “Lake Bonney Environs”

RECOMMENDATION (EXCLUSION):
That pursuant to Sections 90(2) and 90(3)(j)(1)(ii) of the Local Government Act 1999 the Council orders that the public be excluded with the exception of the Chief Executive Officer, Manager Corporate Services, Manager Infrastructure Services, Manager Environmental Services, Manager Community Development and Executive Assistant on the basis that it will receive, consider and discuss correspondence relating to the “Release of Confidential Minutes - Lake Bonney Environs” and the Council is satisfied that the principle, being that the meeting should be conducted in a place open to the public, is outweighed in relation to the matter because receiving, considering and discussing the matter involves:

• 90(3)(j) ….. information the disclosure of which:
  (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council) and;
  (ii) would, on balance, be contrary to the public interest.

_The report contains documents provided to Council that have been marked as “confidential” and therefore will be treated as such at this time._

19.1.1 Confidential Minute Book – Release of Confidential Minutes – “Lake Bonney Environs”

CONFIDENTIAL REPORT

RECOMMENDATION (ORDER):
1: That having considered Agenda Item 19.1.1 Confidential Minute Book – Release of Confidential Minutes – “Lake Bonney Environs” in confidence under section 90(2) and (3)(j)(i)(ii) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that a portion of the documents remain confidential for a period of 12 months.

RESUMPTION OF OPEN COUNCIL:
The Council Meeting resumed open Council after considering Confidential Report Item 19.1.1
19.2 Food Riverland

RECOMMENDATION (EXCLUSION):
That pursuant to Sections 90(2) and 90(3)(d) of the Local Government Act 1999 the Council orders that the public be excluded with the exception of the Chief Executive Officer, Manager Environmental Services/Major Projects, Manager Infrastructure Services and Executive Assistant on the basis that it will receive, consider and discuss correspondence relating to the “Food Riverland” and the Council is satisfied that the principle, being that the meeting should be conducted in a place open to the public, is outweighed in relation to the matter because receiving, considering and discussing the matter involves:

90 (3)(d) “commercial information of a confidential nature (not being a trade secret) the disclosure of which—

(i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and

(ii) would, on balance, be contrary to the public interest;”

The report contains information provided to Council that is “confidential” and therefore will be treated as such at this time.

19.2.1 Food Riverland

CONFIDENTIAL REPORT

RECOMMENDATION (ORDER):
1 That having considered Agenda Item 19.2 Food Riverland in confidence under section 90(2) and (3)(d) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that the documents and minutes relevant to Agenda Item 19.2 remain confidential for a period of six months.

2 Pursuant to section 91(9)(c) of the Act the Council delegates to the Chief Executive Officer the power to revoke this order.

RESUMPTION OF OPEN COUNCIL:
The Council Meeting resumed open Council after considering Confidential Report Item 19.2.1
20: CLOSURE: