



*Tatiara*  

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*the good country*

# **AGENDA**

## **Ordinary Council Meeting**

**Tuesday, 8 October 2019**

I hereby give notice that an Ordinary Meeting of Council will be held on:

**Date: Tuesday, 8 October 2019**

**Time: 5.00 pm**

**Location: Council Chambers  
43 Woolshed Street  
Bordertown**

**Anne Champness  
Chief Executive Officer**





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**WE ACKNOWLEDGE THE TRADITIONAL OWNERS OF THE LAND ON WHICH WE MEET AND PAY OUR RESPECTS TO THEIR ELDERS, BOTH PRESENT AND PAST.**

**1 APOLOGIES**

**2 DISCLOSURE OF INTERESTS**

Any Councillor or staff member with a potential conflict of interest is asked to declare it at the start of the meeting and complete a Conflict of Interest Disclosure Form.

**Material** – where any of a defined list of persons (list as per LGA Conflict of Interest Guidelines February 2018) would gain a benefit, or suffer a loss (whether directly or indirectly, personal or pecuniary) depending on the outcome of the consideration of the matter at the meeting.

**Actual** – where a Member has a Conflict of Interest (not being a material conflict of Interest) between their own interests and the public interest that might lead to a decision that is contrary to the public interest.

**Perceived** – where from the perspective of an impartial, fair-minded person it could reasonably be perceived that a Member has a Conflict of Interest in a matter.

**3 PUBLIC FORUM / DEPUTATIONS**

At the start of each Council meeting time will be set-aside (approx. 30 minutes) for any member of the public to:

- Address Council on any issue
- Ask questions of Council on any issue

As a guide, a maximum of 10 minutes per person is allowed but this is at the discretion of the Presiding Member.

- Dale Beck and Mark Verco from the Bordertown Football Club will be addressing council foreshadowing a community grant.
- Andrew Rowett from the Karting Club will be addressing council foreshadowing a community grant.
- Darryl Napper from the CFS will be addressing council regarding fire prevention.
- Ben Harding (Frances Road Resident) will be addressing Council regarding the sheep pellet production facility on Frances Road.







**4 CONFIRMATION OF THE MINUTES****4.1 MINUTES OF COUNCIL MEETING HELD 10 SEPTEMBER 2019**

**File Number:** 9/24/1

**Author:** Executive Assistant

**Authoriser:** Chief Executive Officer

**ATTACHMENTS**

1. Council Minutes - 10 September 2019  

**RECOMMENDATION**

That the Minutes of the Council Meeting held on 10 September 2019 and the Minutes of the Confidential Council Meeting held on 10 September 2019 be taken as read and confirmed as an accurate record of the proceedings of the meeting.



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# **MINUTES**

**Tuesday, 10 September 2019**  
**Ordinary Council Meeting**

## ORDINARY COUNCIL MEETING MINUTES

10 SEPTEMBER 2019

**MINUTES OF TATIARA DISTRICT COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE KEITH BOWLING CLUB, MEMORIAL AVENUE , KEITH  
ON TUESDAY, 10 SEPTEMBER 2019 AT 2.00 PM**

**PRESENT:** Mayor Graham Excell, Cr David Edwards (Deputy Mayor), Cr Liz Goossens, Cr Miles Hannemann, Cr Jamie Jackson, Cr Cathy Langley, Cr Ken McInerney, Cr Robert Mock, Cr Maureen Oliver, Cr Diana Penniment (AM)

**IN ATTENDANCE:** Anne Champness (Chief Executive Officer), Kingsley Green (Director Corporate & Community Services), Aaron Hillier (Director Infrastructure & Operations), Rocky Callisto (Director Development & Environmental Services), Judi Molineux (Finance Manager), Mandy Clarke (Executive Assistant)

The Mayor welcomed all present and acknowledged the traditional owners of the land on which we meet and pay our respects to their elders, both present and past.

**1 APOLOGIES**

Nil

**2 DISCLOSURE OF INTEREST**

Nil

**3 PUBLIC FORUM / DEPUTATIONS**

Kelly Jordan representing the Keith Kindergarten and Childcare Centre Governing Council addressed Council regarding traffic safety concerns:

- Provided statistics in relation to child pedestrian safety, “driveway deaths” and “low-speed vehicle run-overs”
- There are some concerns regarding the parking arrangements outside of the centre including:
  - Car parks where people are pulling in towards a footpath – on which children are entering/exiting the Centre.
  - Unprotected footpath outside the Centre ie. No safety fencing between the footpath and road/car parks.
  - Lots of families with large vehicles such as utes, four wheel drives, which restrict vision.
  - Cars reversing out of car parks next to where children are getting in and out of vehicles.
  - Angle parks where parents are getting their children in and out of cars i.e. cars pulling in to parks while children getting in and out.
  - Motorists unable to see whether children are present in the area or not, and therefore do not observe the road rule of 25 km/hr speed limit when children are present.
  - Wide open street which incites faster vehicle movement.
  - Poorly located speed limit signage.
  - A Centre where children are coming and going at different times – unlike school, where it is generally set hours.
  - Parents dropping off and picking up multiple children – so their hands are often full and not always able to control their children.
- Would like to work with Council to find solutions to lower the current risks and improve the protection of the children.



**ORDINARY COUNCIL MEETING MINUTES****10 SEPTEMBER 2019**

Kristy Clark and several students from the Keith Area School gave a presentation to Council regarding the White Ribbon Program:

- Spoke of the benefits of the White Ribbon Workplace Accreditation Program.
- Is a program that engenders a whole of organisation commitment to stop violence against women, meeting 15 criteria under three standards to create a safer and more respectful workplace. It recognises workplaces that are taking active steps to stop violence against women, accrediting them as a White Ribbon Workplace.

**4 CONFIRMATION OF THE MINUTES****4.1 COUNCIL MINUTES - 13 AUGUST 2019 & SPECIAL COUNCIL MINUTES 27 AUGUST 2019 & CONFIDENTIAL SPECIAL COUNCIL MINUTES 27 AUGUST 2019****RESOLUTION 2019/294**

Moved: Cr David Edwards

Seconded: Cr Ken McInerney

That the Minutes of the Council Meeting held on 13 August 2019, Special Council Meeting held on 27 August 2019 and Confidential Special Council Meeting held 27 August 2019 be taken as read and confirmed as an accurate record of the proceedings of the meeting.

**CARRIED****5 MATTERS LAID ON THE TABLE FROM PREVIOUS MEETINGS**

Nil

**6 COMMUNICATIONS BY THE MAYOR**

- Tuesday 27 August the CEO conducted a mandatory training for members at the Council Chambers.
- We called a special meeting to consider items for sale on line for the Bob Hawke memorabilia.
- Thursday 29 August the CEO and myself met with Senator Alex Antic on district matters.
- Friday 30 August the Limestone Coast EO called to have a meeting with CEO and myself. This was one of his scheduled meetings he has with Local Government Councils.
- At 1-30pm I attended the Over 50's Birthday celebration.
- Wednesday 4 September the CEO, myself and fellow councillors met with NRM representatives, Tim Collins EO, Bill Hender and the chair of NRM, Fiona Rasheed.
- Thursday 5 September the CEO and myself went to Chardonnay Lodge for dinner and socialising with other Mayors and CEOs from LCLGA. Next day we had a strategic planning meeting for the Limestone Coast LGA to set the strategic direction for the next 5 years.

**RESOLUTION 2019/295**

Moved: Mayor Graham Excell

Seconded: Cr Maureen Oliver

That the Communications by the Mayor be received.

**CARRIED**

## ORDINARY COUNCIL MEETING MINUTES

10 SEPTEMBER 2019

**7 REPORTS OF MEMBERS**

Cr Ken McNerney reported on the following:

- 27 August - Attended Elected Members Mandatory Training.
- 27 August – Attended Special Council Meeting.
- 4 September – Attended NRM meeting and site visit at Keith
- Reported that the \$5,000 donation from Rotary for the Bordertown Wildlife Park fence had been sent to Council electronically.

Cr Jamie Jackson reported on the following:

- Spoke about the road network on his recent trip to Africa.

Cr Cathy Langley reported on the following:

- 14 August – Attended Bordertown on the Move Committee Meeting.
- 19 August – Attended LGA Elected Members Leadership session.
- 26 August – Attended Bordertown Health Advisory Committee Meeting.
- 27 August – Attended Special Council Meeting and Strategic & Community Planning Informal Gathering.

Cr David Edwards reported on the following:

- 21 August – Conducted a Citizenship Ceremony for Salanieta Patterson on behalf of the Mayor.

Cr Maureen Oliver reported on the following:

- Hosted the South Coast Veterans (Fleurieu) in the Tatiara from 1 to 8 September 2019. Was a great opportunity to showcase the businesses in Keith.
- They all stayed at the Keith Caravan Park for the week. We wanted to show and tell them about the Tatiara, a district that we are very proud of. There are many hidden industries, products, tourists spots that they had no idea about. These annual 'getaway' trips are usually only from Monday to Friday, with effectively only three days to do anything. Seeing that the caravan park has a "stay for 7 days and only pay for 5" we decided to offer the full week and nearly all took up the offer of the full week. The businesses and volunteers were very generous with their time and explained all about their operations in their businesses etc. Several that we could not fit into our itinerary we promoted with literature, e.g. Good Country Hemp, and had the Pooginagoric Turkey for our Official Dinner.
- To say that they were blown away with what we have and able to show them would be an understatement. They have been sharing it on their Facebook private pages in answer to many questions they were asked by family and friends prior to coming "What on earth will you do in Keith for a week?"

Cr Liz Goossens reported on the following:

- Provided the welcome at the Bordertown Rotary 50<sup>th</sup> celebration dinner on behalf of the Mayor and Deputy Mayor who were unable to attend.
- Attended the Tatiara Retirement Village Annual General Meeting. Peter Maney is the new Chair.
- 27 August - Attended Elected Members Mandatory Training.
- 27 August – Attended Special Council Meeting and Strategic & Community Planning Informal Gathering.
- Met with Arts & Community Development Officer. Was pleased Elected Members have been given an opportunity to meet with the judges of the Tatiara Art Prize and to hear the reasons for their winning selection. Congratulations to the Arts & Community Development Officer,

**ORDINARY COUNCIL MEETING MINUTES****10 SEPTEMBER 2019**

Council is receiving great exposure as a result of the prize. There has also been a noticeable increase in sales and commissions in the Walkway Gallery.

Cr Robert Mock reported on the following:

- Seasonal conditions in the Tatiara are looking great.
- 28 August – Attended Bordertown Health Hub working party meeting.

**8 QUESTIONS ON NOTICE**

THE QUESTION ON NOTICE RECEIVED FROM CR KEN MCINERNEY AT THE COUNCIL MEETING HELD 13 AUGUST 2019 RE: SUSPECTED ILLEGAL BOARD HOUSES HAS BEEN ADDRESSED IN AGENDA ITEM 17.6 SUSPECTED ILLEGAL ROOMING HOUSES.

**9 QUESTIONS WITHOUT NOTICE**

**Question:** Cr McInerney asked whether the business producing pellets, that is operating out of the old StarTrack building, is now selling their wares to farmers. He believed that these pellets were initially produced for private use.

**Answer:** DDES answered that the development application for a pellet plant was given development approval for 500 tonnes. This has now been exceeded. The application has been out for public consultation and the submissions will now be collated and presented to the Council Development Assessment Panel to follow due process.

**10 PETITIONS**

Nil

**11 MOTIONS ON NOTICE**

Nil

**12 MOTIONS WITHOUT NOTICE**

Nil

**ADJOURNMENT OF MEETING****RESOLUTION 2019/296**

Moved: Cr Ken McInerney

Seconded: Cr Liz Goossens

That Council adjourn the meeting.

**CARRIED**

2.50 pm the meeting was adjourned for afternoon tea.

**ORDINARY COUNCIL MEETING MINUTES****10 SEPTEMBER 2019****RESUMPTION OF MEETING****RESOLUTION 2019/297**

Moved: Cr Ken McInerney

Seconded: Cr Liz Goossens

A motion was moved that Council resume the meeting.

**CARRIED**

3.13 pm the meeting resumed.

**13 REPORTS OF COMMITTEES****13.1 MINUTES OF THE KEITH INSTITUTE MANAGEMENT COMMITTEE MEETING HELD ON 19 AUGUST 2019****RESOLUTION 2019/298**

Moved: Cr Liz Goossens

Seconded: Cr Miles Hannemann

1. That the Minutes of the Keith Institute Management Committee Meeting held on 19 August 2019 be received.

**CARRIED****13.2 MINUTES OF THE BORDERTOWN ON THE MOVE COMMITTEE MEETING HELD ON 14 AUGUST 2019****RESOLUTION 2019/299**

Moved: Cr Robert Mock

Seconded: Cr Diana Penniment

1. That the Minutes of the Bordertown on the Move Committee Meeting held on 14 August 2019 be received.

**CARRIED****13.3.1 BORDERTOWN ON THE MOVE - RECREATION LAKE SIGNS****RESOLUTION 2019/300**

Moved: Cr Diana Penniment

Seconded: Cr Cathy Langley

That Council arrange for signs be prepared for the Bordertown Recreation Lake signs in accordance with the wording endorsed by the Bordertown on the Move Committee.

**CARRIED**

**ORDINARY COUNCIL MEETING MINUTES****10 SEPTEMBER 2019****13.3 MINUTES OF THE CLAYTON FARM HERITAGE MUSEUM MANAGEMENT COMMITTEE MEETING HELD ON 1 AUGUST 2019****RESOLUTION 2019/301**

Moved: Cr Liz Goossens  
Seconded: Cr Maureen Oliver

1. That the Minutes of the Clayton Farm Heritage Museum Management Committee Meeting held on 1 August 2019 be received.

**CARRIED****13.4 MINUTES OF THE TATIARA CFS GROUP MEETING HELD ON 20 AUGUST 2019****RESOLUTION 2019/302**

Moved: Cr David Edwards  
Seconded: Cr Miles Hannemann

1. That the Minutes of the Tatiara CFS Group Meeting held on 20 August 2019 be received.

**CARRIED****13.5 MINUTES OF THE LIMESTONE COAST LOCAL GOVERNMENT ASSOCIATION MEETING HELD ON 9 AUGUST 2019****RESOLUTION 2019/303**

Moved: Cr Maureen Oliver  
Seconded: Cr Robert Mock

1. That the Minutes of the Limestone Coast Local Government Association Meeting held on 9 August 2019 be received.

**CARRIED****13.6 MINUTES OF THE WORK HEALTH & SAFETY MEETING HELD ON 15 AUGUST 2019****RESOLUTION 2019/304**

Moved: Cr David Edwards  
Seconded: Cr Jamie Jackson

1. That the Minutes of the Work Health & Safety Meeting held on 15 August 2019 be received and the recommendations therein be adopted.

**CARRIED**

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**ORDINARY COUNCIL MEETING MINUTES****10 SEPTEMBER 2019**

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**14 INFORMAL GATHERINGS****14.1 INFORMAL GATHERINGS****RESOLUTION 2019/305**

Moved: Cr Maureen Oliver

Seconded: Cr Cathy Langley

That the notes from the Informal Gatherings held 13 August 2019 and 27 August 2019 be received.

**CARRIED****15 CORRESPONDENCE****15.1 PADTHAWAY WATER ALLOCATION PLAN STAKEHOLDER ADVISORY GROUP****16 REPORTS OF OFFICERS FOR DECISION****SUSPENSION OF MEETING PROCEDURES****RESOLUTION 2019/306**

Moved: Cr Maureen Oliver

Seconded: Cr Miles Hannemann

That Council suspend meeting procedures.

**CARRIED**

3.28 pm meeting procedure was suspended.

**RESUMPTION OF MEETING PROCEDURES****RESOLUTION 2019/307**

Moved: Cr Maureen Oliver

Seconded: Cr David Edwards

That Council resume meeting procedures.

**CARRIED**

3.43 pm meeting procedures were resumed.

**16.1 TATIARA COMMUNITY GRANTS REVIEW****RESOLUTION 2019/308**

Moved: Cr Ken McInerney

Seconded: Cr Robert Mock

**ORDINARY COUNCIL MEETING MINUTES****10 SEPTEMBER 2019**

That Council adopt the revised Tatiara Community Grants Guidelines, with alterations regarding ability to apply repeatedly (FAQs) and Events & Festivals Grants Program funding being a maximum of \$2,000 (not including GST) funding/financial year to a maximum of \$3,000 in any two-year period.

**CARRIED****16.2 COMMUNITY GRANTS - YOUTH SPONSORSHIP REQUEST****RESOLUTION 2019/309**

Moved: Cr David Edwards

Seconded: Cr Liz Goossens

That Council provide financial support of \$350 to Harry Schwarz to help cover costs in representing the State Under 13 State Hockey Team at the Australian Hockey Championships to be held in Hobart from the 2 to 8 October 2019.

**CARRIED****16.3 MONTHLY FINANCIAL REPORT - JULY 2019****RESOLUTION 2019/310**

Moved: Cr Robert Mock

Seconded: Cr Diana Penniment

That the Monthly Financial Comparison Statement for August 2019 be received.

**CARRIED****16.4 REQUEST FOR DISABILITY PARK NEAR KEITH CHILDCARE****RESOLUTION 2019/311**

Moved: Cr Maureen Oliver

Seconded: Cr Liz Goossens

That under the Local Government (Parking) Regulations 1991, Council establish the parking zones as per the plan "Anzac Terrace Parking" dated 7 August 2019.

**CARRIED****16.4.1 TRAFFIC SAFETY AUDIT****RESOLUTION 2019/312**

Moved: Cr David Edwards

Seconded: Cr Liz Goossens

That Council arrange for a traffic safety audit be conducted on the area outside the Keith Kindergarten on Anzac Terrace.

**CARRIED**

## ORDINARY COUNCIL MEETING MINUTES

10 SEPTEMBER 2019

## 16.5 OPEN SPACE AND PLACES FOR PEOPLE GRANT

**RESOLUTION 2019/313**

Moved: Cr Maureen Oliver

Seconded: Cr Jamie Jackson

That Council sign the Funding Agreement Amendment for the construction of Pump Tracks in Keith and Bordertown and allocate an additional \$25,000 to the job no 1640PT.

**CARRIED**

## 16.6 BORDERTOWN CHRISTMAS STREET PARTY COMMITTEE - TEMPORARY ROAD CLOSURE

**RESOLUTION 2019/314**

Moved: Cr Robert Mock

Seconded: Cr Miles Hannemann

1. That Council exercises the power pursuant to Section 33 of the Road Traffic Act 1961 and Clause F of the Instrument of General Approval and Delegations to Council of the Minister dated 22 August 2013 to:

- 1.1 Pursuant to Section 33(1) of the Road Traffic Act 1961, declare that the event described below ("the Event") that is to take place on the road described below ("the Road") is an event to which Section 33 of the Road Traffic Act 1961 applies; and

- 1.2 Pursuant to Section 33(1)(a) of the Road Traffic Act 1961, make an order directing that the Road on which the event is to be held be closed to traffic for the following periods:

- From 5.00 pm until 10.00 pm on Friday 13 December 2019.

Roads

- Woolshed Street (section between DeCoursey St and Crocker St) and Farquhar Street (section between Binnie St and Scott St) Bordertown.

Event Christmas Street Party

- 1.3 Pursuant to section 33 (1) (b) of the Road Traffic Act 1961, make an order directing that persons taking part in the event be exempted in relation to the road, from the duty to observe the Australian Road Rules specified below subject to any conditions described below and attending to the exemption.

- Rule 230: Crossing a Road - General
- Rule 238: Pedestrians travelling along a road.



## ORDINARY COUNCIL MEETING MINUTES

10 SEPTEMBER 2019

2. That Council advertise this road closure in the Border Chronicle and notify the Department of Planning, Transport and Infrastructure and SAPOL.
3. Council notify the applicant of Council's decision.

**CARRIED****16.7 KEITH INDUSTRIAL ESTATE - STAGE 2****RESOLUTION 2019/315**

Moved: Cr Jamie Jackson

Seconded: Cr Miles Hannemann

That Council authorise staff to engage the necessary personnel to prepare infrastructure designs, documentation and cost estimates for the expansion of the Keith Industrial Estate and once finalised, provide a report to Council so the next stage may be determined and a land division lodged to create additional allotments.

**CARRIED****16.8 SWIMMING POOL FEES 2019-20****RESOLUTION 2019/316**

Moved: Cr Robert Mock

Seconded: Cr Miles Hannemann

That Council adopt the 2019/20 Swimming Pool Fees for both Bordertown and Keith Swimming Pools.

	Proposed
Family (2-4)	\$220.00
Family (5+)	\$235.00
Single	\$140.00
Adult	\$8.00
Child/Student	\$3.50
Vac Swim	\$3.50
Family Day Pass – Family of 4 (maximum of 2 adults)	\$19.00
Family Day Pass – Family of 6 (maximum of 2 adults)	\$24.00
Toddler/Preschool	\$3.00
Spectator	\$2.50

**CARRIED**

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**ORDINARY COUNCIL MEETING MINUTES****10 SEPTEMBER 2019**

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**17 REPORTS OF OFFICERS FOR INFORMATION****17.1 CEO - MEETINGS AND EVENTS ATTENDED - AUGUST 2019****17.2 DCCS - MEETINGS AND EVENTS ATTENDED - AUGUST 2019****17.3 DIO - MEETINGS AND EVENTS ATTENDED - AUGUST 2019****17.4 WORKS UPDATE****17.5 DDES - MEETINGS AND EVENTS ATTENDED - AUGUST 2019****17.6 SUSPECTED ILLEGAL BOARDING HOUSES IN BORDERTOWN**

Cr McNerney thanked the DDES for his comprehensive report.

**17.7 DEVELOPMENT ACTIVITY - AUGUST 2019****18 CONFIDENTIAL ITEMS****18.1 GPS FLEET MANAGEMENT - PURCHASE RECOMMENDATION****Reason for Confidentiality**

The Council is satisfied that, pursuant to Section 90(2) & (3) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this agenda item is:

- (k) tenders for the supply of goods, the provision of services or the carrying out of works.

**RESOLUTION 2019/317**

Moved: Cr Ken McNerney

Seconded: Cr Miles Hannemann

It is recommended to Council that:

1. Pursuant to Section 90(2) & (3) of the *Local Government Act 1999*, Council orders, that the public be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential report Item 18.1 GPS Fleet Management - Purchase Recommendation, attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of Tender for the supply of services.
2. At the completion of the confidential session the meeting be re-opened to the public.

**CARRIED**

**ORDINARY COUNCIL MEETING MINUTES****10 SEPTEMBER 2019**

4.20 pm the meeting moved into confidence.

**Confidential Motion 2019/318**

4.27 pm the meeting moved out of confidence.

**RESOLUTION 2019/319**

Moved: Cr Jamie Jackson

Seconded: Cr Robert Mock

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 18.1 GPS Fleet Management - Purchase Recommendation, the minutes arising from the report, attachments and any associated documentation, having been considered by the Council in confidence under Section 90(2) & (3) (k) be kept confidential and not available for public inspection until 30/06/2020, on the basis that the information received, discussed and considered in relation to this agenda item is:  
  
tenders for the supply of goods, the provision of services or the carrying out of works.
2. Further that Council delegates the power of review, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

**CARRIED****18.2 RFT ROADSIDE SLASHING 2-19/20****Reason for Confidentiality**

The Council is satisfied that, pursuant to Section 90(2) & (3) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this agenda item is:

- (k) tenders for the supply of goods, the provision of services or the carrying out of works.

**RESOLUTION 2019/320**

Moved: Cr Liz Goossens

Seconded: Cr Jamie Jackson

It is recommended to Council that:

1. Pursuant to Section 90(2) & (3) of the *Local Government Act 1999*, Council orders, that the public be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential report Item 18.2 RFT Roadside Slashing 2-19/20, attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of tender for the supply of goods.
2. At the completion of the confidential session the meeting be re-opened to the public.

**CARRIED**

4.28 pm the meeting moved into confidence.

**Confidential Motion 2019/321**

## ORDINARY COUNCIL MEETING MINUTES

10 SEPTEMBER 2019

4.30 pm the meeting moved out of confidence.

**RESOLUTION 2019/322**

Moved: Cr Ken McInerney

Seconded: Cr Diana Penniment

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 18.2 RFT Roadside Slashing 2-19/20, the minutes arising from the report, attachments and any associated documentation, having been considered by the Council in confidence under Section 90(2) & (3) (k) be kept confidential and not available for public inspection until the contracts are signed., on the basis that the information received, discussed and considered in relation to this agenda item is:  
  
tenders for the supply of goods, the provision of services or the carrying out of works.
2. Further that Council delegates the power of review, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

**CARRIED****19 LATE ITEMS****20 URGENT ITEMS**

- Cr Hannemann asked what we are doing in preparedness for the fire danger season ahead.
- CEO referred to discussions at the last Sherwood Fire Recovery meeting and the recent Zone Emergency Management meeting in preparation for the fire season.
- DDES added that he was sure that farmers would be attending to reducing the risks on their properties and Council's Fire Prevention Officer would be taking action as appropriate in relation to fire risks across the district

**21 CLOSE**

The Meeting closed at 4.41 pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 8 October 2019.

.....  
**CHAIRPERSON**

**5        MATTERS LAID ON THE TABLE FROM PREVIOUS MEETINGS**

Nil

**6        COMMUNICATIONS BY THE MAYOR**

That the Communications by the Mayor be received.

**7        REPORTS OF MEMBERS**

**8        QUESTIONS ON NOTICE**

Nil

**9        QUESTIONS WITHOUT NOTICE**

**10       PETITIONS**

Nil

**11       MOTIONS ON NOTICE**

Nil

**12       MOTIONS WITHOUT NOTICE**

**13 REPORTS OF COMMITTEES****13.1 MINUTES OF THE BORDERTOWN ON THE MOVE COMMITTEE MEETING HELD ON 18 SEPTEMBER 2019**

**File Number:** 4/66/6

**Author:** Executive Assistant

**Authoriser:** Chief Executive Officer

**ATTACHMENTS**

1. Bordertown on the Move Minutes - 18 September 2019 [!\[\]\(661ad2fdbe8fa1392f2b194cfa45d124\_img.jpg\)](#) 

**RECOMMENDATION**

That the Minutes of the Bordertown on the Move Committee Meeting held on 18 September 2019 be received.

**Tatiara District Council****BORDERTOWN ON THE MOVE**

Meeting held on Wednesday 18 September 2019  
at Tatiara District Council Committee Room, Bordertown at 7:30pm

**MINUTES**

1. **PRESENT:** Cr D Penniment, (Chair), M Dollard (Deputy Chair),  
L Staude, B Hammond, Cr C Langley  
M Ridgway & M Ballinger
2. **APOLOGIES:** M Elsworthy, H Lovelock, L Borillo, R Beare
3. **IN ATTENDANCE:** A Hillier (TDC DIO)
4. **CONFIRMATION OF MINUTES**  
**Moved** L Staude and **seconded** Cr C Langley that the minutes of the Bordertown  
on the Move Committee meeting held 14 August 2019 be received.

**CARRIED**

5. **DISCLOSURE OF INTERESTS:**  
None

6. **BUSINESS ARISING:**

- 6.1 **Artwork on Fence at Bordertown Wildlife Park**

White Kangaroo project – Artists are having trouble finding a suitable image of a jumping Kangaroo. Attended Wildlife Park to take their own images. Hoping to have it installed by the beginning of December. A Rotary Badge will be placed on the fence.

- 6.2 **Old Shell Depot**

Still need to engage an engineer to develop a plan. Will aim to do this within the coming weeks.

- 6.3 **Sculptures/Caricatures of Wildlife**

D Penniment has spoken to Naomi who is looking at various options.

- 6.4 **Nature Playground**

Will be considered as part of the community planning

**6.5 Water Tower Land**

Potential to put light image on the tower. Ideally wait until work in the area is completed.

**6.6 Dog Parks (proposed)**

Suggest Dog Park at Gateway Park. Guidelines were circulated via email during the meeting.

**6.7 Budget Submissions**

- Upgrade Tolmer Park Toilets
- Upgrade the toilet in the recreation lake
- Slides Tolmer Park utilising the existing slope

**6.8 Pump Track**

Received ministerial approval to utilise the funds for the Keith Railway Yard through the Open Spaces for People grant on a pump track in Bordertown and Keith. Will be engaging a company to consult design and construct.

**6.9 Recreation Lake – Art Trail sign**

Discussed installation of a simple fingerboard. DIO to meet with members to discuss options.

**7. CORRESPONDENCE:**

Received from Woolshed Street Party Committee detailing the proposal for the street party. The new committee has proposed some changes to the existing party.

**Moved** M Dollard and **seconded** B Hammond that correspondence be received.

**CARRIED**

**8. REPORTS:****8.1 Parks and Gardens – T Devitt (provided to Executive Assistant)**

- Round of park mowing and maintenance
- Town mowing commenced
- Town weed spraying

**8.2 Reports of Members**

M Ballinger – Signage for the Wildlife Park on highway. DIO to follow up options with DPTI.

M Dollard – Bob Hawke Museum – would like Council to pursue this. D Penniment advised Council is waiting on advice from the federal government.

To encourage people to stop over in town would like to have shady areas to park and clean toilets.



Cr C Langley – Masters Game update - Met with Sports SA who are developing the registration website. 32 Sports currently on board. Will be attending the National Masters Games in Adelaide to promote the games in the Tatiara. Attended the Nhill Council to discuss partnerships options.

M Ridgway – Should consider a mural on the railway line underpass near Tolmer Park. Advised that this had been discussed in the past and is an issue with working so close to the railway line.

## **9. GENERAL BUSINESS:**

### **9.1 Special Effort Award**

B Hammond will develop a draft definition for the committee to consider.

#### **ITEMS REQUIRING FURTHER REVIEW** (to stay on minutes)

- Area Promotion
- Memorial Park Concept Plan
- Signage
- Sculptures/Caricatures of Wildlife

**NEXT MEETING:** 9 October 2019 at 7.30 pm  
**MEETING CLOSE:** Meeting closed at 9.05pm

**13.2 MINUTES OF THE TATIARA DISTRICT COUNCIL AUDIT COMMITTEE MEETING HELD ON 13 SEPTEMBER 2019**









**File Number:** 7/8/1  
**Author:** Executive Assistant  
**Authoriser:** Chief Executive Officer

**DISCUSSION**

Note: agenda item number 6.2 from these committee minutes being item: *Snapshot of Cash Balances* is addressed separately in agenda item 16.8 Snapshot of Cash Balances.

The policies referred to in the recommendation below are attached.

**ATTACHMENTS**

1. Tatiara District Council Audit Committee Minutes - 13 September 2019 [↓](#) 
2. 5.1 Rates Rebates Internal Control Policy [↓](#) 
3. 5.2 Grants Internal Control Policy [↓](#) 
4. 5.3 User Pay Income - Fees for Service Internal Control Policy [↓](#) 
5. 5.4 Investment/Interest Income Internal Control Policy [↓](#) 
6. 5.5 Receipting Internal Control Policy [↓](#) 
7. 5.6 Other Revenue Internal Control Policy [↓](#) 
8. 3.4 Debtors Internal Control Policy [↓](#) 

**RECOMMENDATION**

1. That the Minutes of the Tatiara District Council Audit Committee Meeting held on 13 September 2019 be received.
2. That the *following policies have been reviewed by the Audit Committee and are recommended to Council for adoption:*
  - 5.1 Rates Rebates
  - 5.2 Grants
  - 5.3 User Pay Income – Fees for Service
  - 5.4 Investment/Interest Income
  - 5.5 Receipting
  - 5.6 Other Revenue
  - 3.4 Debtors



# **MINUTES**

**Friday, 13 September 2019**  
**Tatiara District Council Audit**  
**Committee Meeting**

**TATIARA DISTRICT COUNCIL AUDIT COMMITTEE MEETING  
MINUTES****13 SEPTEMBER 2019**

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**MINUTES OF TATIARA DISTRICT COUNCIL  
TATIARA DISTRICT COUNCIL AUDIT COMMITTEE MEETING  
HELD AT THE COUNCIL CHAMBERS, 43 WOOLSHED STREET, BORDERTOWN  
ON FRIDAY, 13 SEPTEMBER 2019 AT 12.00 PM**

**PRESENT:** Cr Robert Mock, Independent Member Sonia Winter, Independent Member Jim Ker

**IN ATTENDANCE:** Graham Excell (Mayor), Anne Champness (Chief Executive Officer), Kingsley Green (Director Corporate & Community Services), Judi Molineux (Finance Manager), Tim Mulhausler (Galpins), Simon Catlow (Galpins) & Annabel Wheaton (Galpins)

**1 APOLOGIES**

Cr Liz Goossens

**2 DISCLOSURE OF INTERESTS**

Nil.

**3 CONFIRMATION OF MINUTES****COMMITTEE RESOLUTION**

Moved: Independent Member Jim Ker

Seconded: Cr Robert Mock

That the minutes of the Tatiara District Council Audit Committee Meeting held on 3 June 2019 be confirmed.

**CARRIED**

**4 BUSINESS ARISING****AUDITORS' REPORT**

Looking at an unqualified result. Have finished looking at trial balances, now reviewing the detail of financial statements. Appreciate the level of preparedness, compared to other councils that may be only 80% complete when audit commences. Going really well, no audit adjustments to any of the numbers. Good impression on the statements so far. Not expecting anything significant.

One observation around the plant hire rates – these were last reviewed in 2016/17, some of the rates are on the higher end of the scale compared to others councils. Some of this may well be legitimate as different reasons go into setting the rates. But as it has been a few years it is worth reviewing them. Our grader is about \$75/h, whereas other councils sit at \$35-45/h. Our hire rate for utes sits at \$0.70/h, whereas others may sit at \$0.50/h. So on the whole, Tatiara rates seem to be sitting at the higher end of the scale.

While the audit is not finished yet, it is all looking very positive.

Will still review leave balances, will compare to previous years.

Accumulated spend – there is good documentation around reasons for certain decisions. Revised Procurement Policy was adopted in June that further clarified accumulated spend.

**TATIARA DISTRICT COUNCIL AUDIT COMMITTEE MEETING  
MINUTES**
**13 SEPTEMBER 2019**

12.20pm – J Molineux, K Green and A Champness left the room

12.34pm – J Molineux, K Green and A Champness returned to the room

12.35pm – the Auditors Tim Mulhausler, Simon Catlow and Annabel Wheaton left the room

**5 CORRESPONDENCE**
**5.1 2018-19 FINANCIAL CONTROLS REVIEW - INTERIM MANAGEMENT LETTER**

In the Auditors' overall review of Council's internal controls, Galpins notes that overall:

*"Council demonstrated a high level of compliance with the implementation of an internal control framework consistent with the principles within the Better Practice Model." During our interim visit we noted that most of the key internal controls reviewed were in place and were operating effectively (76 out of 78 core controls reviewed)."*

Compared to the Interim Audit of 2017-18, those findings attributed to medium risk have reduced from 3 to 1, and one low risk in synergy - general ledger access.

The report is summarised below:

- **Medium Risk:**

Fixed Assets

2.1.1 Revaluations for several major asset classes are yet to occur due to staffing limitations, resulting in an "Immaterial impact".

- **Low Risk:**

Review of Synergy Access

2.2.1 Access to general ledger maintenance is restricted to authorised personnel. It was found 2 staff had access to all areas which included those areas not required in their council role. Staff has since removed access to the general ledger for both staff members.

Attendees discussed the background of the asset revaluation listed as medium risk in the report. Work was delayed due to staffing limitations but impact, as assessed by the Auditors, immaterial.

**6 REPORTS**
**6.1 INTERNAL CONTROL POLICIES**
**COMMITTEE RESOLUTION**

Moved: Independent Member Jim Ker

Seconded: Independent Member Sonia Winter

That the *following policies have been reviewed by the Audit Committee and are recommended to Council for adoption:*

- 5.1 Rates Rebates
- 5.2 Grants
- 5.3 User Pay Income – Fees for Service

**TATIARA DISTRICT COUNCIL AUDIT COMMITTEE MEETING  
MINUTES****13 SEPTEMBER 2019**

- 5.4 Investment/Interest Income
- 5.5 Receipting
- 5.6 Other Revenue
- 3.4 Debtors

**CARRIED****6.2 SNAPSHOT OF CASH BALANCES****COMMITTEE RESOLUTION**

Moved: Independent Member Jim Ker

Seconded: Independent Member Sonia Winter

That the Audit Committee recommend that a minimum further \$2m be deposited in higher interest bearing accounts.

**CARRIED****7 OTHER BUSINESS**

2018-19 Draft Financial Statements Budget v Actual.

Attendees noted the draft statements.

**8 NEXT MEETING**

Wednesday 2 October 2019, 1pm Council Chamber

**9 CLOSE**

The Meeting closed at ?????.

The minutes of this meeting were confirmed at the Tatiara District Council Audit Committee Meeting held on 2 October 2019.

.....  
**CHAIRPERSON**



## **5 Revenue**

### **5.1 Rates / Rate Rebates**

#### **Introduction**

Under section 146 of the Local Government Act, a Council may impose rates and charges of the following kinds on land within its area:

- General rates
- Separate rates
- Service rates
- Service charges

Rates generally represent the most significant source of revenue for Councils and accordingly it is imperative that Councils consider the following statutory requirements under the Local Government Act:

- Division 2 – Basis of Rating
- Division 3 – Specific characteristics of rates and charges
- Division 4 – Differential Rating and special adjustments
- Division 5 – Rebates of rates
- Division 6 – Valuation of land for the purpose of rating
- Division 7 – Issues associated with the declaration of rates
- Division 8 – The Assessment Record
- Division 9 – Imposition and Recovery of Rates and Charges.

AASB 118: Revenue also provides guidance for the disclosure of operating revenue, including rates income. For a summary of the recognition, determination and calculation of rates and rate rebates, we refer you to the following documents published by the Local Government Association:

- “Rates and Rating” in “A Framework for Local Government Financial Management”
- Model Rates Policy & Guidelines
- Model Rate Rebate Policy & Guidelines

For an analysis of the risks and controls specifically relating to the issues surrounding the associated debtors with respect to rates, please refer to ‘Debtors’ business process in Section 3.4 of this Manual.

#### **Key Issues / Risks**

In relation to Rates / Rate Rebates, the major risks faced by Council may be summarised as follows:

- Council does not raise the correct level of rate income
- Rates and rate rebates are either inaccurately recorded or not recorded at all



## INTERNAL CONTROL POLICY – 5.1 RATES REBATES

- The Property master file does not remain pertinent
- Pensioner concessions and self-funded retirees are either inaccurately recorded or not recorded at all

These risks along with other suggested risks are addressed in the following Control Assessment & Design Worksheets.

**Segregation of Duties**

Most systems of internal control rely on assigning certain responsibilities of different individuals, or “segregating” incompatible functions. Such segregation of duties is intended to prevent one person from having both.

- Access to assets; and
- Responsibility for maintaining the accountability for such assets.

For instance, throughout the revenue process, different individuals are typically responsible for:

- Recording rate revenue and rate rebates
- Approving the rate revenue and rate rebates
- Invoicing the ratepayer
- Maintaining debtor records and/or authorising adjustments to debtors
- Processing cash receipts
- Following up on debtors
- Performing independent debtors confirmation and following up on discrepancies
- Making changes to debtors master files
- Rate payer service calls, and/or complaints

If one individual has responsibility for more than one of these functions, that individual could misappropriate assets and conceal the misappropriation.

**Rates Controls**

***Council does not raise the correct level of rate income. Controls in place to prevent this occurring include the following:***

Determination of Rates

Property values are to be downloaded directly from the file provided by the Valuer General's Department onto the Council's system.

Valuations as provided by the VG department are balanced to the Council's financial system.

No valuation changes are permitted during the period of Council adopting the valuation for the Financial Year and the raising of the rates.



INTERNAL CONTROL POLICY – 5.1 RATES REBATES

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Parameters entered (ie rate/\$, minimum rate, concession etc) are to be authorised by the Finance Manager. Any changes to these parameters are to be made only by authorised persons and to be signed off by the Finance Manager.

Rate charges, amounts, minimum values and concessions are to be set by Council.

Rates are generated by the rate system, including the calculation of rate rebates. A summary report with a copy of Council's resolution is to be signed by the responsible officer.

A sample of rates data will be randomly checked prior to raising rates to ensure that:

- Correct rates have been used;
- Concessions have been correctly calculated;
- Discounts are correctly calculated;
- Name, address and rate details are correct.
- A responsible officer is to sign as evidence that this process has been completed

A sample of rates notices will be randomly checked to confirm the above process.

Notice of the declaration of a rate or service charge must be published in the Gazette and in a newspaper circulating in the area within 21 days after the date of the declaration as per Section 170 of the Local Government Act.

All updates received from the Valuer General after the raising of rates are to be promptly processed and capital values re-reconciled.

Employees are not permitted to process payment of their own rates.

Rates Notices/Generation/Rebates

Rate charges, amounts, minimum values and concessions are to be set by Council.

Rates are generated by the rate system, including the calculation of rate rebates. A summary report with a copy of Council's resolution is to be signed by the responsible officer.

A sample of rates data will be randomly checked prior to raising rates to ensure that:

- Correct rates have been used;
- Concessions have been correctly calculated;
- Discounts are correctly calculated;
- Name, address and rate details are correct.
- A responsible officer is to sign as evidence that this process has been completed

A sample of rates notices will be randomly checked to confirm the above process.

A register of exempt, rebateable properties is to be maintained and reviewed on an annual basis. This is to be signed off by a responsible officer at each review.



## INTERNAL CONTROL POLICY – 5.1 RATES REBATES

All rate rebates are to be approved by the Finance Manager in terms of Council's policy.

Employees are not permitted to process payment of their own rates.

Monthly reviews of the rates aged receivables are to be undertaken by rates staff with a signed report used as evidence of this review.

Prior to rates billing in the "live" system a test must be undertaken in a "test environment" to ensure correctness of totals and values. Total value of rates generated must be compared to the value as per the Rates Model. Large variances should be investigated.

The Rates Officer may reverse fines and interest if the fines have been raised in error (Eg. Payment received by direct debit, but not processed). All other requests must be in line with Councils Rating Policy 2014/15.

**The Assessment Record file data does not remain pertinent. Controls in place to prevent this occurring include the following:**

Property master file data is periodically reviewed at the time of loading the Valuer Generals values on to the system to ensure there are no errors between Council data and Valuer General Data.

Recorded changes to the Property master file data are to be processed only by advice from the Valuer Generals Department, LTO, Conveyancers or Change of Details / Ownership from Ratepayers.

Access to rates modules is to be restricted to nominated users.

**~~Pensioner Concessions are either inaccurately recorded or not recorded at all. Controls in place to prevent this occurring include the following:~~**

~~All pensioner concession entitlement information provided by the various Government departments is to be reviewed on an annual basis.~~

~~Any future changes can only be processed on advice from the Government departments.~~

~~A report is printed monthly of all pensioner concession updates. All updates are reviewed and signed off by the Finance Manager~~

~~A reconciliation of pensioner concession debtors and balancing accounts is to be carried out on a regular basis; management to review the reconciliation and investigate any variances.~~

#### **RECORD OF AMENDMENTS**

DATE	REVISION NO	REASON FOR AMENDMENT
25 <sup>th</sup> March 2015	Rev: 00	Draft copy
7 <sup>th</sup> July 2015	Rev: 01	Adopted Special Council Res# 370



## **5 Revenue**

### **5.2 Grants**

#### **Introduction**

As part of the normal operations, Councils may receive revenue in the form of grants from various organisations. The nature of the grant affects the accounting treatment and recognition of the amount received by Council. One issue for Council to consider is whether a grant is:

- Restricted – the grant money can only be used for specific programs or purposes
- Unrestricted – the grant money can be used for any operational purposes
- Refundable – if Council does not comply with the terms of the grant then all monies are to be refunded by Council
- Non-refundable – Council is not liable for any funds refund.

If Council does not comply with the terms of any “restricted” and/or “refundable” grant, then the monies might have to be refunded to the original provider. Accordingly it is extremely important that Councils comply with the terms of the grant when utilising the funds provided. Also, if councils are unable to secure re-current grant funding, community expectations may be established for the related service but not able to be met in future periods. For further guidance on the treatment of, recognition, and disclosure of grant income, please refer to the following:

- AASB 118: Revenue
- AASB 1049: Whole of Government and General Government Sector Financial Reporting
- AAG14: Recognition of Contributions of Local Governments.

These risks along with other suggested risks are addressed in the following Control Assessment & Design Worksheets.

#### **Key Issues/Risks**

In relation to grants, the major risks faced by Councils may be summarised as follows:

- Council loses recurrent grant funding to provide existing service
- Grant funding is not claimed by Council on a timely basis or not claimed at all
- Grants are either inaccurately recorded or not recorded at all.

These risks are addressed in the following Control assessment & Design Worksheets.

#### **Segregation of Duties**

Please refer to the ‘Rates / Rate Rebates’ business process in Section 5.1 of this Manual for a discussion of the relevant segregation of duties issues that generally relate to revenue.



## INTERNAL CONTROL POLICY – 5.2 GRANTS

**Grants Controls*****Council loses recurrent Grant funding to provide existing service:***

Any withdrawal of grant funding will require an assessment of services to determine whether the service is maintained.

***Grant funding is not claimed by Council on a timely basis or not claimed at all:***

A register is to be developed and maintained by Council to ensure that Grant funding is applied and acquitted in a timely manner and maintained to allow reporting to management on a regular basis.

**Grants are either inaccurately recorded or not recorded at all**

- Only authorized officers are permitted to apply for Grants in accordance with Council's Grants Policy.
- Copy of application/grant agreement is to be registered into records management system.
- Copy of grant agreement to Finance prior to any invoices being issued.
- Register to be maintained for all grant funding applications.
- To assist with reporting requirements all grants will have job code allocated which will cover income and expenses for each Grant project.

**Grants are applied without consideration regarding Budget or SMP**

Council resolution is required prior to grant funding being applied for amounts that have a material impact on council's budget or do not align with Councils SMP.

**RECORD OF AMENDMENTS**

DATE	REVISION NO	REASON FOR AMENDMENT
25 <sup>th</sup> March 2015	Rev: 00	Draft copy
7 <sup>th</sup> July 2015	Rev: 01	Adopted Special Council Res# 370



## INTERNAL CONTROL POLICY – 5.3 USER PAY INCOME – FEES FOR SERVICE

**5 Revenue****5.3 User Pay Income – Fees for Service****Introduction**

Councils may generate User pay Income – Fee for Services through the provision of services to the community. Typical examples of these services may be sporting and recreational facilities. When reviewing the internal control environment surrounding User Pay Income, Council should consider the following issues:

- Designating the appropriate fee to be charged to ensure that the user receives and perceives value for money in the service provided
- Appropriate controls surrounding the recording of the revenue
- Adequate access and security controls surrounding cash handling, receipting and banking.

For guidance as to the disclosure requirements in relation to User Pay Income, we refer you to AASB 118: Revenue.

For an analysis of the risks and controls in relation to debtors (i.e the collection and recovery of user pay policies), please refer to the *Debtors* Business Process in Section 3.4 of this Manual. Given that a portion of User Pay Income is represented by cash receipts, please refer to the *Receipting, Cash Floats & Petty Cash*, and *Banking* Business Processes in this Manual that deal with the specific risks and controls relating to these activities.

**Key Issues/Risks**

In relation to User pay Income, the major risks faced by Councils may be summarised as follows:

- The fee charged does not reasonably reflect the value of the services provided
- Council does not apply User Pay principles consistently
- User pay income is either inaccurately recorded or not recorded at all.

These risks are addressed in the following Control assessment & Design Worksheets.

**Segregation of Duties**

Please refer to the 'Rates / Rate Rebates' business process in Section 5.1 of this Manual for a discussion of the relevant segregation of duties issues that generally relate to Revenue.



## INTERNAL CONTROL POLICY – 5.3 USER PAY INCOME – FEES FOR SERVICE

**Fee for Service Controls**

***The fee charged does not reasonably reflect the value of the services provided:***

- Fees and charges are reviewed annually and are adopted by Council
- Cost recovery should be considered as part of any review
- Fees and Charges Policy is to be reviewed and made available for public access
- Formal agreements (eg. Licences, leases & permits) are to be in place to cover the use of Council facilities

***Council does not apply User Pay principles consistently:***

- Fees and charges are reviewed annually and are adopted by Council
- Where fees are discounted/subsidized the full cost of the charges is to be fully recognized via the financial system
- Separate codes to be used per income type (Eg. No sundry codes to apply)

***User pay income is either inaccurately recorded or not recorded at all:***

- Regular reviews to be undertaken of financial performance of past periods (monthly or quarterly) to ensure income is in line with expectations.
- Variances to be investigated
- Standard charges to be programmed into receipting module
- Paperwork from external sites is returned promptly to Finance for inputting data
- Receipting to be processed by a sequential number system

**RECORD OF AMENDMENTS**

DATE	REVISION NO	REASON FOR AMENDMENT
26 <sup>th</sup> March 2015	Rev: 00	Draft copy
7 <sup>th</sup> July 2015	Rev: 01	Adopted Special Council Res# 370





## **5 Revenue**

### **5.4 Investment / Interest Income**

#### **Introduction**

All Councils have the statutory power to invest money under its control, under section 139 (1) of the Local Government Act 1999. Investment income largely takes the form of dividends and interest.

For an analysis of the risks and controls associated with investments, please refer to the 'Investments' business process in Section 3.3 of this Manual.

#### **Key Issues/Risks**

In relation to Investment / Interest income, the major risk faced by Councils may be summarised as follows:

- Investment income is either inaccurately recorded or not recorded at all.

This risk is addressed in the following Control Assessment & Design Worksheet.

#### **Segregation of Duties**

Most systems of internal control rely on assigning certain responsibilities to different individuals, or "segregating" incompatible functions. Such segregation of duties is intended to prevent one person from having both:

- Access to assets and
- Responsibility for maintaining the accountability for such assets.

For instance, in the investment cycle, different individuals are typically responsible for:

- Recording of investment transactions
- Approving new investments
- Following up on reconciliation or confirmation of investments to statements from third parties
- Review and analysis of recorded investments transactions by means of summary reports of activities (e.g. describing liquidity, interest rate gap, dealing positions, exposure to counterparties)
- Authorised signature of payments with respect to individual transactions.

If one individual has responsibility for more than one of these functions, that individual could misappropriate assets and conceal the misappropriation.



## INTERNAL CONTROL POLICY – 5.4 INVESTMENT / INTEREST INCOME

**Investment / Interest Income Controls**

*Investment income is either inaccurately recorded or not recorded at all:*

- On receipt of statements from Investment provider, interest is to be checked and receipted promptly.
- Any discrepancies are to be investigated and corrected immediately they are identified.
- Income received is to be compared with budget on a regular basis.
- Investment/Interest income is audited by our external auditors and an external accountant.

**RECORD OF AMENDMENTS**

DATE	REVISION NO	REASON FOR AMENDMENT
26 <sup>th</sup> March 2015	Rev: 00	Draft copy
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INTERNAL CONTROL POLICY – 5.4 INVESTMENT / INTEREST INCOME

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## **5 Revenue**

### **5.5 Receipting**

#### **Introduction**

As a minimum, when reviewing the internal control environment surrounding receipting, Councils should consider the following issues:

- Timely banking of receipts
- Accurate recording of receipts
- Issuing appropriate documentation to customers.

It is widely understood that “the receipt of cash” is a high risk activity. Consideration should be given to ways and means to minimize the risk. For instance, arrangements for the payment of rates might include options for payment of the rates by credit card on-line, telephone or direct to a bank, Australia Post or some other financial institution. Receipt of payments by cheque or EFTPOS might also be encouraged. Such arrangements not only provide convenience for residents, but transfer some of the risk associated with the receipt of cash and act to minimize the risk to “staff”.

Another way to minimise the risk associated with cash receipting is to ensure that all cash received is banked on a regular basis. Ideally, this should occur on a daily basis, but staffing levels and level of cash receipts may make this impractical.

Details of further risks and controls associated with cash handling and banking are considered in the ‘Cash Floats & Petty Cash’ in Section 3.1, and the ‘Banking’ Business Process in section 3.2 of this Manual.

#### **Key Issues/Risks**

In relation to Receipting, the major risks faced by Councils may be summarised as follows:

- Receipts are either inaccurately recorded or not at all
- Receipts are not deposited at the bank on a timely basis.

These risks along with other suggested risks are addressed in the following Control Assessment & Design Worksheets.

#### **Segregation of Duties**

The following duties should be segregated within the receipting function:

- Receipting all cash payments from ratepayers/customers
- Recording all cash receipts
- Banking of cash receipts and cheques.



## INTERNAL CONTROL POLICY – 5.5 RECEIPTING

Also the opportunity for the misappropriation of funds through collusion should be minimised by the regular performance and independent review of bank reconciliations.

***Receipts are either inaccurately recorded or not recorded at all:***

- All receipting is processed via financial module provided by software provider.
- Electronic receipts are fully compliant with ATO's statutory requirements.
- Off-site receipts are processed manually with pre-numbered compliant receipt books. Paperwork is returned to Finance on a regular basis for either processing of cash/cheques or invoicing via Sundry Debtors system.
- Random audits are to be conducted at all sites to ensure that all transactions are being receipted or processed.
- Staff to be rotated (where possible) between external sites to ensure compliance with Council's policy and procedures on receipting.
- Bank statements are to be reconciled to general ledger and checked by an independent officer.
- Any surplus cash is to be cleared to a more secure area on a regular basis.
- Credit notes can only be processed once approved by an authorized officer.
- Review daily receipting transaction reports to identify any 'negative' receipts or reversals and identify reason.
- Money collected on behalf of 3<sup>rd</sup> party organisations is to be receipted and recorded via general ledger accounts.

***Receipts are not deposited at the bank on a timely basis:***

- Banking is processed on a daily basis
- Banking is to be deposited at the Bank on a daily basis or as soon as practical
- Cash is stored securely at all times
- Bank statements are to be reconciled to general ledger and checked by an independent officer

**RECORD OF AMENDMENTS**

DATE	REVISION NO	REASON FOR AMENDMENT
26 <sup>th</sup> March 2015	Rev: 00	Draft copy
7 <sup>th</sup> July 2015	Rev: 01	Adopted Special Council Res# 370



## 5 Revenue

### 5.6 Other Revenue

#### Introduction

Other Revenue received by Council typically includes:

- Donations
- Expiation Fees
- License Fees
- Permits
- Proceeds from the sale of fixed assets

For guidance as to the disclosure requirements in relation to Other Income, we refer you to AASB 118: Revenue.

For an analysis of the risks and controls in relation to Debtors (i.e. the collection and recovery of other income), please refer to the 'Debtors' Business Process in Section 3.4 of this Manual.

#### Key Issues/Risks

In relation to Other Revenue, the major risk faced by Councils may be summarised as follows:

- Other Revenue is either inaccurately recorded or not recorded at all.

This risk is addressed in the following Control Assessment & Design Worksheet.

#### Segregation of Duties

Please refer to the 'Rates / Rebates' Business process in Section 5.1 of this Manual for a discussion of the relevant segregation of duties issues that generally relate to revenue.

#### Other Revenue Controls

##### ***Other Revenue is either inaccurately recorded or not recorded at all***

- For any receipting that occurs on any off-site locations an audit trail summary (sales/banking report) is to accompany receipts
- Ensure a Recipient Created Tax Invoice is received (where possible) for disposal of items such as waste metal, etc.
- Sequentially numbered receipts are to be issued
- Revenue from this source is to be reviewed on a regular basis
- Any permits issued in Council's name to be reviewed regularly to ensure that the correct fees are collected
- All expiation fees are to be received (where possible) by Customer Service staff

INTERNAL CONTROL POLICY – 5.6 OTHER REVENUE

---

**RECORD OF AMENDMENTS**

DATE	REVISION NO	REASON FOR AMENDMENT
22 <sup>nd</sup> May 2015	Rev: 00	Draft copy
7 <sup>th</sup> July 2015	Rev: 01	Adopted Special Council Res# 370



### 3 Assets

#### 3.4 Debtors

##### Introduction

Rates represent the major source of revenue for Council and consequently the risks and controls surrounding rates and the associated debtors constitute a significant component of the internal control environment within the Council.

Council needs to ensure that rate-related and other debtors are recovered on a timely basis. If required, there are statutory guidelines for the procedure for writing off any debts. This is under section 143(1) of the Local Government Act.

##### Key Issues/Risks

The major risks faced by Council in relation to debtors are as follows:

- Debtors are either inaccurately recorded or not recorded at all.
- Rebates and credit notes to debtors are either inaccurately recorded or not recorded at all.
- An appropriate provision for doubtful debts is not recorded.
- Debtors are either not collected on a timely basis or not collected at all.
- The debtors master file does not remain pertinent.

##### Segregation of Duties

Most systems of internal control rely on assigning certain responsibilities to different individuals, or “segregating” incompatible functions. Such segregation of duties is intended to prevent one person from having both:

- Access to assets; and
- Responsibility for maintaining the accountability for such assets.

In a revenue system, different individuals are typically responsible for:

- recording revenue
- approving revenue
- invoicing the ratepayer
- maintaining accounts receivable records and or authorising adjustments to debtors
- processing cash receipts
- performing independent debtors confirmation and following up on discrepancies
- making changes to debtor master files.

If one individual has responsibility for more than one of these functions, that individual could misappropriate assets and conceal the misappropriation.



## INTERNAL CONTROL POLICY – 3.4 DEBTORS

Due to the limited ability for segregation of duties the controls put in place will concentrate on there being an independent review of the works carried out.

**Debtor Controls**

***Controls in place to prevent the above key issues/risks include the following:***

Debtors

- Rate notices/invoices are system generated using standard programmed formulas, including the calculation of discounts/rebates, if applicable
- Forms/records are maintained detailing all works undertaken which require invoicing. These records should be reviewed regularly to ensure prompt production of invoices, by the Debtors Officer.
- Debtor invoices are to be sequentially numbered (by computer) and issued strictly in order.
- Adequate records of all debtors and the transactions relating thereto shall be kept.
- Account allocations are to be made or authorised by a responsible officer.
- All rate/debtor journals raised shall be reviewed by the authorised officer.
- Reminder notices/Statements of sundry debtor accounts receivable are forwarded to customers on a monthly basis.
- Any water usage billing & debt must be compliant with the Water Industry Act 2012

Reconciliations

Debtor ledgers (rates and others) are to be reconciled monthly to the General Ledger Control Accounts. This reconciliation is to be evidenced as reviewed by an authorised officer. Any discrepancies are to be immediately investigated.

New debtor accounts are not to be opened without authorisation from the Finance Manager.

Aged debtors listings are to be regularly produced and reviewed and long outstanding debts followed up as per bad/doubtful debts.

Any credit notes for sundry debtors or journals for rates debtors are to be signed off by the independent person for both Debtors and Rates.

Debtors Budget

Debtors and revenue are compared to budget and reviewed by management. Any significant variances need to be investigated promptly.

Bad / Doubtful Debts

- The provision for doubtful debts is reviewed on a regular basis.
- Debtors ageing profile is reviewed by the Finance Manager on a regular basis and any outstanding items are investigated.
- Sundry Debtors outstanding for more than 9 months are to be reviewed by MGCS **Director Corporate & Community Services** &/or CEO on a regular basis.





## INTERNAL CONTROL POLICY – 3.4 DEBTORS

- Private works should not to be carried out where a person has outstanding debts to Council older than 9 months.
- Under Section 143(1) of the Local Government Act Council may write off any debts owed to Council:
  - a) if the council has no reasonable prospect of recovering the debts; or
  - b) if the costs of recovery are likely to equal or exceed the amount to be recovered
- Furthermore, under section 143(2), a council must not write off a debt unless the chief executive officer has certified;
  - a) that reasonable attempts have been made to recover the debt; or
  - b) that the costs of recovery are likely to equal or exceed the amount to be recovered.
- The CEO is authorised to write off bad debts under Section 143 of the Local Government Act, to the amount of \$5000 or less without referral to Council (excluding rates).
- Credit notes are to be sequentially pre-numbered and authorised in accordance with delegations.
- A listing of bad debts write offs should be maintained by Council.

Council shall follow their debt recovery process and in the absence of an adopted process use the following;

Debt Recovery (underlining procedure)

Refer to:

1. Outstanding Rates Procedure (abbreviated procedure is also held within the Rating Policy)
2. Outstanding Sundry Debtor Procedure

The Rates Officers and Finance Manager are empowered to institute on Councils behalf legal proceedings against any Debtor (Rates and Sundry Debtors) after following the above steps in the Debt Recovery Procedures.

Master File

- Access to the debtor's master file is restricted to appropriately designated personnel and is reviewed by management for accuracy and on-going pertinence.
- Recorded changes to debtor's master file data are compared to authorised source documents or confirmed with customers/ratepayers to ensure that they were input accurately.



INTERNAL CONTROL POLICY – 3.4 DEBTORS

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**RECORD OF AMENDMENTS**

DATE	REVISION NO	REASON FOR AMENDMENT
28 <sup>th</sup> July 2015	Rev: 00	Draft copy
11 <sup>th</sup> August 2015	Rev: 01	Adopted Council Res# 451



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# MINUTES

**Friday, 13 September 2019**  
**Tatiara District Council Audit**  
**Committee Meeting**

**MINUTES OF TATIARA DISTRICT COUNCIL  
TATIARA DISTRICT COUNCIL AUDIT COMMITTEE MEETING  
HELD AT THE COUNCIL CHAMBERS, 43 WOOLSHED STREET, BORDERTOWN  
ON FRIDAY, 13 SEPTEMBER 2019 AT 12.00 PM**

**PRESENT:** Cr Robert Mock, Independent Member Sonia Winter, Independent Member Jim Ker

**IN ATTENDANCE:** Graham Excell (Mayor), Anne Champness (Chief Executive Officer), Kingsley Green (Director Corporate & Community Services), Judi Molineux (Finance Manager), Tim Mulhausler (Galpins), Simon Catlow (Galpins) & Annabel Wheaton (Galpins)

**1 APOLOGIES**

Cr Liz Goossens

**2 DISCLOSURE OF INTERESTS**

Nil.

**3 CONFIRMATION OF MINUTES**

**COMMITTEE RESOLUTION**

Moved: Independent Member Jim Ker

Seconded: Cr Robert Mock

That the minutes of the Tatiara District Council Audit Committee Meeting held on 3 June 2019 be confirmed.

**CARRIED**

**4 BUSINESS ARISING**

**AUDITORS' REPORT**

Looking at an unqualified result. Have finished looking at trial balances, now reviewing the detail of financial statements. Appreciate the level of preparedness, compared to other councils that may be only 80% complete when audit commences. Going really well, no audit adjustments to any of the numbers. Good impression on the statements so far. Not expecting anything significant.

One observation around the plant hire rates – these were last reviewed in 2016/17, some of the rates are on the higher end of the scale compared to others councils. Some of this may well be legitimate as different reasons go into setting the rates. But as it has been a few years it is worth reviewing them. Our grader is about \$75/h, whereas other councils sit at \$35-45/h. Our hire rate for utes sits at \$0.70/km, whereas others may sit at \$0.50/km. So on the whole, Tatiara rates seem to be sitting at the higher end of the scale.

While the audit is not finished yet, it is all looking very positive.

Will still review leave balances, will compare to previous years.

Accumulated spend – there is good documentation around reasons for certain decisions. Revised Procurement Policy was adopted in June that further clarified accumulated spend.

12.20pm – J Molineux, K Green and A Champness left the room

12.34pm – J Molineux, K Green and A Champness returned to the room

12.35pm – the Auditors Tim Mulhausler, Simon Catlow and Annabel Wheaton left the room

## 5 CORRESPONDENCE

### 5.1 2018-19 FINANCIAL CONTROLS REVIEW - INTERIM MANAGEMENT LETTER

In the Auditors' overall review of Council's internal controls, Galpins notes that overall:

*"Council demonstrated a high level of compliance with the implementation of an internal control framework consistent with the principles within the Better Practice Model." During our interim visit we noted that most of the key internal controls reviewed were in place and were operating effectively (76 out of 78 core controls reviewed)."*

Compared to the Interim Audit of 2017-18, those findings attributed to medium risk have reduced from 3 to 1, and one low risk in synergy - general ledger access.

The report is summarised below:

- **Medium Risk:**

- Fixed Assets

- 2.1.1 Revaluations for several major asset classes are yet to occur due to staffing limitations, resulting in an "Immaterial impact".

- **Low Risk:**

- Review of Synergy Access

- 2.2.1 Access to general ledger maintenance is restricted to authorised personnel. It was found 2 staff had access to all areas which included those areas not required in their council role. Staff has since removed access to the general ledger for both staff members.

Attendees discussed the background of the asset revaluation listed as medium risk in the report. Work was delayed due to staffing limitations but impact, as assessed by the Auditors, immaterial.

## 6 REPORTS

### 6.1 INTERNAL CONTROL POLICIES

#### COMMITTEE RESOLUTION

Moved: Independent Member Jim Ker

Seconded: Independent Member Sonia Winter

That the *following policies have been reviewed by the Audit Committee and are recommended to Council for adoption:*

- 5.1 Rates Rebates
- 5.2 Grants
- 5.3 User Pay Income – Fees for Service

- 5.4 Investment/Interest Income
- 5.5 Receipting
- 5.6 Other Revenue
- 3.4 Debtors

**CARRIED**

## **6.2 SNAPSHOT OF CASH BALANCES**

### **COMMITTEE RESOLUTION**

Moved: Independent Member Jim Ker

Seconded: Independent Member Sonia Winter

That the Audit Committee recommend that a minimum further \$2m be deposited in higher interest bearing accounts.

**CARRIED**

## **7 OTHER BUSINESS**

2018-19 Draft Financial Statements Budget v Actual.

Attendees noted the draft statements.

## **8 NEXT MEETING**

Wednesday 2 October 2019, 1pm Council Chamber

## **9 CLOSE**

The Meeting closed at 1.00 pm.

The minutes of this meeting were confirmed at the Tatiara District Council Audit Committee Meeting held on 2 October 2019.

.....  
**CHAIRPERSON**

**13.3 MINUTES OF THE TATIARA DISTRICT COUNCIL EXECUTIVE COMMITTEE MEETING  
HELD ON 24 SEPTEMBER 2019****File Number: 9/24/1****Author: Executive Assistant****Authoriser: Chief Executive Officer**

Note: The recommendations from the Executive Committee are dealt with in Confidential Agenda Item 18.3 - CEO Performance Review.

**ATTACHMENTS**

- 1. Minutes of the Tatiara District Council Executive Committee Meeting held on 24 September 2019**

**RECOMMENDATION**

That the Minutes of the Tatiara District Council Executive Committee Meeting held on 24 September 2019 and Minutes of the Confidential Executive Committee Meeting held 24 September 2019 be received.



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# MINUTES

**Tuesday, 24 September 2019**  
**Tatiara District Council Executive**  
**Committee Meeting**

**MINUTES OF TATIARA DISTRICT COUNCIL  
TATIARA DISTRICT COUNCIL EXECUTIVE COMMITTEE MEETING  
HELD AT THE COUNCIL CHAMBERS, 43 WOOLSHED STREET, BORDERTOWN  
ON TUESDAY, 24 SEPTEMBER 2019 AT 4.00 PM**

**PRESENT:** Mayor Graham Excell, Cr David Edwards (Deputy Mayor), Cr Liz Goossens,  
Cr Maureen Oliver

**IN ATTENDANCE:** Anne Champness (Chief Executive Officer)

**1 APOLOGIES**

Cr Miles Hannemann

**2 DISCLOSURE OF INTERESTS**

A Champness declared an interest in item 6.1 of the agenda.

**3 CONFIRMATION OF MINUTES**

**COMMITTEE RESOLUTION**

Moved: Cr Liz Goossens  
Seconded: Cr David Edwards

That the minutes of the Tatiara District Council Executive Committee Meeting held on 2 July 2019 be taken as read and confirmed.

**CARRIED**

**4 BUSINESS ARISING**

Nil

**5 OTHER BUSINESS**

Nil

**6 CONFIDENTIAL ITEMS**

**6.1 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW**

**Reason for Confidentiality**

The Council is satisfied that, pursuant to Section 90(2) & (3) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this agenda item is:

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

**COMMITTEE RESOLUTION**

Moved: Cr Liz Goossens  
Seconded: Cr David Edwards



It is recommended to Council that:

1. Pursuant to Section 90(2) & (3) of the *Local Government Act 1999*, Council orders, that the public be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential report Item 6.1 Chief Executive Officer Performance Review, attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of employment matters.
2. At the completion of the confidential session the meeting be re-opened to the public.

**CARRIED**

4.05 pm the meeting moved into confidence.

6.13 pm the meeting moved out of confidence.

### **COMMITTEE RESOLUTION**

Moved: Cr Maureen Oliver

Seconded: Cr David Edwards

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 6.1 Chief Executive Officer Performance Review, the minutes arising from the report, attachments and any associated documentation, having been considered by the Council in confidence under Section 90(2) & (3) (a) be kept confidential and not available for public inspection until 1 December 2019, on the basis that the information received, discussed and considered in relation to this agenda item is:  
  
information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).
2. Further that Council delegates the power of review, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

**CARRIED**

## **7 NEXT MEETING**

17 December 2019

## **8 CLOSE**

**The Meeting closed at 6.20 pm.**

**The minutes of this meeting were confirmed at the Tatiara District Council Executive Committee Meeting held on 17 December 2019.**

.....  
**CHAIRPERSON**

**13.4 MINUTES OF THE TATIARA DISTRICT COUNCIL AUDIT COMMITTEE MEETING  
HELD ON 2 OCTOBER 2019**

**File Number:** 7/8/1  
**Author:** Executive Assistant  
**Authoriser:** Chief Executive Officer

**DISCUSSION**

Please note:

- Agenda item 6.1 from these Committee Minutes being item: Audited EOY Financial Statements 2018/19 is addressed separately in agenda item: Audited EOY Financial Statements 2018/19.
- Agenda item 6.2 from these Committee Minutes being item: 2018/19 Budget to Actual is addressed separately in agenda item: Audited EOY Financial Statements 2018/19.
- Agenda item 6.3 from these Committee Minutes being item: 2019/20 Budget Review 1 is addressed separately in agenda item 2019/20 Budget Review 1.

**ATTACHMENTS**

1. Minutes of the Tatiara District Council Audit Committee Meeting held on 2 October 2019

**RECOMMENDATION**

That the Minutes of the Tatiara District Council Audit Committee Meeting held on 2 October 2019 be received.



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# **MINUTES**

**Wednesday, 2 October 2019**  
**Tatiara District Council Audit**  
**Committee Meeting**

**MINUTES OF TATIARA DISTRICT COUNCIL  
TATIARA DISTRICT COUNCIL AUDIT COMMITTEE MEETING  
HELD AT THE COUNCIL CHAMBERS, 43 WOOLSHED STREET, BORDERTOWN  
ON WEDNESDAY, 2 OCTOBER 2019 AT 1.00 PM**

**PRESENT:** Cr Liz Goossens, Independent Member Sonia Winter, Independent Member Jim Ker

**IN ATTENDANCE:** Graham Excell (Mayor), Anne Champness (Chief Executive Officer), Judi Molineux (Finance Manager)

In the absence of Cr R Mock, S Winter nominated and with the agreement of all attendees took the chair.

**1 APOLOGIES**

Nil

**2 DISCLOSURE OF INTERESTS**

**3 CONFIRMATION OF MINUTES**

**COMMITTEE RESOLUTION**

Moved: Independent Member Jim Ker

Seconded: Cr Liz Goossens

That the minutes of the Tatiara District Council Audit Committee Meeting held on 13 September 2019 be taken as read and confirmed.

**CARRIED**

**4 BUSINESS ARISING**

Nil

**5 CORRESPONDENCE**

**5.1 AUDIT CLEARANCE & FINANCIAL MANAGEMENT LETTER 2019  
AUDITED EOY FINANCIAL STATEMENTS 2018/19**

**COMMITTEE RESOLUTION**

Moved: Independent Member Jim Ker

Seconded: Cr Liz Goossens

That the following correspondence from the Council's Auditors, Galpins Accountants, Auditors and Business Consultants be received.

- Audit Clearance and Financial Management Letter 2019
- Audited EOY Financial Statements 2018/19

**CARRIED**

Cr Goossens noted the positive comments in the management letter and congratulated the staff on the comprehensive preparation and successful completion of the audit, with minimal findings.

Audit Findings and Impacts:

- Attendees discussed leave balances, in particular Long Service Leave balances, and the ongoing need to monitor these balances and continue to work towards their reduction over the long term. Doing so will promote OHS, provide opportunity for upskilling of staff relieving in those positions, reduce fraud risk and the financial costs of LSL payouts.
- Plant hire rates will be reviewed in the coming months, incl. testing the market.

## **6 REPORTS**

### **6.1 AUDITED EOY FINANCIAL STATEMENTS 2018/19**

#### **COMMITTEE RESOLUTION**

Moved: Independent Member Jim Ker

Seconded: Cr Liz Goossens

That the

- Chairman of the Audit Committee be authorised to sign the Audit Certificate of Compliance – Auditor Independence.
- Council be advised that the Audit Committee has perused the 2018/19 Annual Financial Statements and recommends that Council adopt them without any alteration.

**CARRIED**

### **6.2 2018-19 BUDGET TO ACTUAL REPORT**

#### **COMMITTEE RESOLUTION**

Moved: Cr Liz Goossens

Seconded: Independent Member Jim Ker

That the Budget to Actual report for 2018/19 be received.

**CARRIED**

### **6.3 2019/2020 BUDGET REVIEW 1**

#### **COMMITTEE RESOLUTION**

Moved: Independent Member Jim Ker

Seconded: Cr Liz Goossens

That Council is advised that the Audit Committee has no comments to make about the first review of the 2019/20 budget.

**CARRIED**

**7 OTHER BUSINESS**

Nil

**8 NEXT MEETING**

9 December 2019, 11am in the Council Chamber.

**9 CLOSE**

The Meeting closed at 1.48pm.

The minutes of this meeting were confirmed at the Tatiara District Council Audit Committee Meeting held on 9 December 2019.

.....  
**CHAIRPERSON**

**14 INFORMAL GATHERINGS****14.1 INFORMAL GATHERINGS**

**File Number:** 9/24/1

**Author:** Executive Assistant

**Authoriser:** Chief Executive Officer

**INTRODUCTION**

Notes of the Informal Gatherings held 10 September 2019 and 18 September 2019.

**ATTACHMENTS**

1. Informal Gathering Notes - 10 September 2019 [!\[\]\(dce81645e0100714e86d66fe4d06ecba\_img.jpg\) !\[\]\(2f7100595fe61fbdc3e7ec71332af01e\_img.jpg\)](#)
2. Informal Gathering Notes - 18 September 2019 [!\[\]\(c642f5e2c9782d94443748a0940dbd21\_img.jpg\) !\[\]\(b82b2c4d16df374e5cf5c4302a900972\_img.jpg\)](#)

**RECOMMENDATION**

That the notes from the Informal Gatherings held 10 September 2019 and 18 September 2019 be received.



### *Tatiara District Council*

*Our Vision.....shaping a sustainable future by realising the potential of our people and region*  
*Our Mission.....to make the Tatiara a better and safer place in which to live, work and visit*

## **Designated Informal Gathering - Notes**

Notes of the designated informal gathering held on Tuesday 10 September 2019  
 in the Keith Bowling Club, Memorial Avenue, Keith  
 commencing at 4.00 pm.

### **PRESENT:**

#### **MEMBERS:**

Mayor GJ Excell  
 Cr D Edwards  
 Cr EA Goossens  
 Cr MW Hannemann  
 Cr JK Jackson  
 Cr CE Langley  
 Cr KJ McInerney  
 Cr RJ Mock  
 Cr MK Oliver  
 Cr DE Penniment

#### **GUESTS:**

nil

#### **APOLOGIES:**

nil

#### **STAFF:**

Chief Executive Officer  
 (Ms A Champness)  
 Director Infrastructure & Operations  
 (Mr A Hillier)  
 Director Corporate & Community  
 Services (Mr K Green)  
 Director Development & Environmental  
 Services (Mr R Callisto)  
 Finance Manager  
 (Mrs J Molineux)  
 Executive Assistant  
 (Mrs M Clarke)

#### **LEAVE OF ABSENCE:**

nil

### **DISCUSSION:**

The following matter was discussed:

Item	Detail	Time	
1.	<b>Tatiara District Sporting Complexes Masterplanning</b>	4.00 pm – 5.00 pm	Confidential informal discussion

Gathering closed at 5.05 pm.





### *Tatiara District Council*

*Our Vision.....shaping a sustainable future by realising the potential of our people and region*  
*Our Mission.....to make the Tatiara a better and safer place in which to live, work and visit*

## **Designated Informal Gathering - Notes**

Notes of the designated informal gathering held on Wednesday 18 September 2019  
 in Glenda Rowett's Art Studio on Cannawigara Road, Bordertown  
 commencing at 9.00 am

### **PRESENT:**

#### **MEMBERS:**

Mayor GJ Excell  
 Cr D Edwards  
 Cr EA Goossens  
 Cr MW Hannemann  
 Cr JK Jackson  
 Cr CE Langley  
 Cr KJ McInerney  
 Cr RJ Mock  
 Cr MK Oliver  
 Cr DE Penniment

#### **STAFF:**

Chief Executive Officer  
 (Ms A Champness)  
 Director Infrastructure & Operations  
 (Mr A Hillier)  
 Director Corporate & Community  
 Services (Mr K Green)  
 Executive Assistant  
 (Mrs M Clarke)

#### **GUESTS:**

nil

#### **APOLOGIES:**

Director Development & Environmental  
 Services (Mr R Callisto)

#### **LEAVE OF ABSENCE:**

nil

### **DISCUSSION:**

The following matter was discussed:

Item	Detail	Time	
1.	<b>Strategic Planning Day</b>	9.00 am – 4.30 pm	Confidential informal discussion

Gathering closed at 4.45 pm.

**15 CORRESPONDENCE****15.1 HAWKE HOUSE****File Number:** 17/64/12**Author:** Executive Assistant**Authoriser:** Chief Executive Officer**CORRESPONDENCE**

Correspondence received from the Honourable Ben Morton, Assistant Minister to the Prime Minister and Cabinet, in response to Council's letter of 31 July 2019, in relation to the acquisition and future plans of Bob Hawke House, Bordertown.


**STRATEGIC PLAN REFERENCE**

2 - Infrastructure and Assets

2.1 - Plan for and provide infrastructure appropriate to the community's needs

2.1.4 - Maintain and manage Council owned and managed land to improve the amenity and functionality of the area

**ATTACHMENTS**

1. Hon. Ben Morton letter - 10 September 2019 [!\[\]\(098e47036f78288d477e334896a43770\_img.jpg\)](#) 
2. TDC letter - 31 July 2019 [!\[\]\(85c10fe0ae97c3e2f0e940987ab0a900\_img.jpg\)](#) 



THE HON BEN MORTON MP  
ASSISTANT MINISTER TO THE PRIME MINISTER AND CABINET

Reference: MC19-049815

Ms Anne Champness  
Chief Executive Officer  
Tatiara District Council  
PO Box 346  
BORDERTOWN SA 5268

TATIARA DISTRICT COUNCIL				
18 SEP 2019				
FILE NO:	17/64/12			
Received	✓	FILED	INDEXED	
By: [Signature]				

Dear Ms Champness

Thank you for your letter of 31 July 2019 to the Prime Minister, the Hon Scott Morrison MP, regarding the childhood home of former Prime Minister, the Hon Bob Hawke AC GCL. The Prime Minister has asked me to respond on his behalf.

As the Prime Minister has stated, Bob Hawke made an extraordinary contribution to Australian life and holds a special place in the hearts of Australians. Preserving Bob Hawke's childhood home will enable current and future generations to celebrate his life, achievements and substantial role in our democratic history.

The Commonwealth Government is also working with the South Australian Government to ensure the heritage value of the Hawke House is protected so all Australians can understand and celebrate the Bob Hawke story.

As you have highlighted, Hawke House adds to the homes of former Prime Ministers already preserved for the nation, including Ben Chifley's home in Bathurst, New South Wales, John Curtin's home in Cottesloe, Western Australia, and Joe and Enid Lyons's family homes in Stanley and Devonport, Tasmania.

Thank you once again for writing to the Prime Minister.

Yours sincerely

**BEN MORTON**

10/9/2019



File: 17/64/12

31 July 2019

The Honourable Scott Morrison MP  
 Prime Minister of Australia  
 PO Box 6022  
 House of Representatives  
 Parliament House  
 Canberra ACT 2600

Dear Prime Minister,

**Re: Hawke House**

On behalf of Tatiara District Council, I would like to express Council's appreciation of the Government's recent commitment to buy and renovate Hawke House, preserving this asset for future generations.

At its July Council meeting, Council resolved:

1. *That Council write to The Honourable Scott Morrison Prime Minister of Australia MP and Member for Barker, Tony Pasin MP, welcoming the federal government's commitment to purchase and renovate Hawke House and preserve this small but significant part of our local and national history.*
2. *That Council ask the federal government to include investment in a business case that will consider potential operating models, including different functions and community/ business uses, and financial modelling."*

In considering the motion, Councillors discussed the importance of conserving part of our nation's democratic history and how such a venture may be managed, including involvement of organisations like the National Trust and University of SA's Bob Hawke Prime Ministerial Library and Hawke Centre.

The operating models of other prime ministerial homes that have been preserved, Joe and Enid Lyons's family homes in Tasmania, Ben Chifley's home in Bathurst, and John Curtin's home in Cottesloe, range from volunteer run museum to staffed museum plus education space to holiday rental. Access by the public is equally varied, from small numbers of individual travellers to school classes.

Council believes that a strong business case is essential to ensure the long-term future of not just the home itself but the broadest public access.

Bob Hawke made an extraordinary contribution to Australian life and the business case would explore the many possible forms Hawke House could take to best reflect that contribution.



**TATIARA DISTRICT COUNCIL**  
 A.B.N 69 784 251 661

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 Bordertown SA 5268  
**PHONE** (08) 8752 1044  
**EMAIL** office@tatiara.sa.gov.au  
**WEB** www.tatiara.sa.gov.au

**SUB-OFFICE**  
 34 Hender Street  
 Keith SA 5267  
**PHONE** (08) 8755 3347





Council therefore asks that the Government's commitment to Hawke House include the development of such a business case.

I can be contacted on mobile 0417 765 549, or by email to [annechampness@tatiara.sa.gov.au](mailto:annechampness@tatiara.sa.gov.au) if you would like to discuss any aspects of this letter further.

Yours faithfully,

Anne Champness  
Chief Executive Officer



**TATIARA DISTRICT COUNCIL**  
A.B.N 69 784 251 661

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**15.2 NGARKAT HIGHWAY AND FRANCES, NARACOORTE AND ROWNEY ROADS**

**File Number:** 14/50/1  
**Author:** Executive Assistant  
**Authoriser:** Chief Executive Officer

**CORRESPONDENCE**

Correspondence received from the Honourable Stephan Knoll in response to Council's letter requesting improvements to Ngarkat Highway and Frances, Naracoorte and Rowney Roads.



**STRATEGIC PLAN REFERENCE**

2 - Infrastructure and Assets

2.1 - Plan for and provide infrastructure appropriate to the community's needs

2.1.2 - Improve the safety of the community

**ATTACHMENTS**

1. The Hon. Stephan Knoll - Ngarkat Highway and Frances, Naracoorte and Rowney Roads - 15 September 2019 [!\[\]\(c580b67c7cd5c9e9e19f04ff6d5093e0\_img.jpg\)](#) 
2. TDC letter to The Hon. Stephan Knoll - Ngarkat Highway and Frances, Naracoorte and Rowney Roads - 15 September 2019 [!\[\]\(ba314389b6ecfa02b6b9fcc7005e4045\_img.jpg\)](#) 



19MTI1958  
14/50/1



Government  
of South Australia

The Hon Stephan Knoll MP  
Member for Schubert

Ms Anne Champness  
Chief Executive Officer  
Tatiara District Council  
PO Box 346  
BORDERTOWN SA 5268

Dear Ms Champness

Thank you for your letter requesting improvements to the Ngarkat Highway and Frances, Naracoorte and Rowney Roads.

Black Spot funding has been established to treat existing roads where there is either a history of crashes or where there is a present high safety risk. Assessment guidelines and criteria were established to ensure that those projects with the highest safety benefit are prioritised for funding. Each year, the Department of Planning, Transport and Infrastructure (DPTI) identifies projects which may be eligible for Black Spot funding as part of ongoing monitoring of the State's arterial road network.

The intersection of Frances and Stott Roads was subsequently assessed and prioritised against other submitted projects and found to be of a lower priority. Hence, it was not recommended for funding during the 2018-19 financial year. Notwithstanding the Council may nominate the project again, with an updated cost estimate, for the 2020-21 financial year.

It should be noted that sight distance is also obscured at this intersection as a result of vegetation. DPTI advises that the Council has been contacted regarding a palm tree in the garden of a resident and trees in the opposite direction that are the Council's responsibility.

As you have noted, in February 2018 the Ngarkat Highway was assessed in accordance with the National Heavy Vehicle Law and found to be appropriate for vehicles up to 36.5 metres. In accordance with the Performance Based Standards scheme, the impact a heavy vehicle has on road infrastructure can be influenced by many different factors including pavement and vehicle type, axle configuration, vehicle length and total combination mass which are taken into consideration.

Minister for Transport, Infrastructure and Local Government  
Minister for Planning

Roma Mitchell House Adelaide SA 5000 | GPO Box 1533 Adelaide SA 5001 DX 171  
Tel 08 7109 8430 | Email [ministerknoll@sa.gov.au](mailto:ministerknoll@sa.gov.au)



Performance Based Standards vehicles are designed in a way that can minimise the potential impacts. The increase in vehicle mass is achieved by increasing vehicle length and including additional axle groups. This means the load on a Performance Based Standards vehicle is distributed among a longer combination and a greater number of axle groups, meaning the pavement effect of each individual axle group is often less or comparable with existing prescriptive combinations.

I am also advised that DPTI continues to monitor the condition of the roads identified in your letter.

The Marshall Government is committed to improving safety and re-instating the 110 km/h speed limit on the Ngarkat Highway between Pinnaroo and Bordertown. Works are expected commence in mid-2020.

As you are aware, Frances Road, south of Naracoorte Road, has been identified for 4 km of shoulder sealing and audio tactile line marking in the 2019-20 financial year. I have also previously travelled this road with Mr Nick McBride MP, Member for MacKillop to inspect the road.

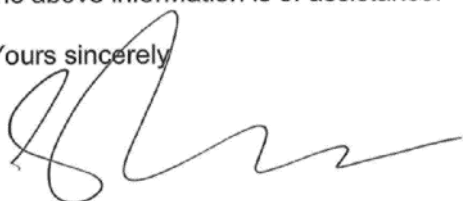
In addition approximately \$510 000 of works is being undertaken on Rowney Road, approximately 1.3 km east of Naracoorte Road. The works include shoulder sealing, hazard removal and installation of guard fence.

Other recent infrastructure works undertaken included:

- 14 km of shoulder sealing on the Riddoch Highway, between Padthaway and Naracoorte;
- the installation of Retroreflective Raised Pavement Markers on Bordertown to Naracoorte Road; and
- shoulder sealing, delineation and edgeline installation on 4 km of Naracoorte Road, between Bordertown and Naracoorte.

I appreciate the time you have taken to bring these matters to my attention and trust the above information is of assistance.

Yours sincerely



**HON STEPHAN KNOLL MP**  
**MINISTER FOR TRANSPORT, INFRASTRUCTURE AND LOCAL GOVERNMENT**  
**MINISTER FOR PLANNING**

15/10/2019

Cc: Mr Nick McBride MP, Member for MacKillop





11 June 2019

File: 14/50/1

The Hon Stephan Knoll  
Minister for Transport, Infrastructure  
and Local Government  
GPO Box 1533  
ADELAIDE SA 5001

Dear Minister,

On behalf of Tatiara District Council I would like to highlight serious concerns over the current condition and safety of the state managed roads within our district, in particular Frances Road, Naracoorte Road, Ngarkat Highway and Rowney Road.

In 2016, Council had the opportunity to raise opportunities and concerns impacting on the district at a State Country Cabinet. The safety of the above mentioned roads due to their condition, narrow width, and size of the transport vehicles utilising the roads, was one of Council's key concerns at the time. To highlight the grave concerns, Council prepared a short video and urged the government to increase funding to improve the condition of these roads.

Since this time, there has been little change to the funding provided and the condition of the roads continues to deteriorate. To make matters worse, the past two years have seen a shift from the largest permitted vehicle on these roads being a 26m B-Double to 36.5m road trains. The introduction of larger heavy freight vehicles on substandard roads is greatly increasing our community's, and Council's, concern. While Council understands and supports the economic benefits of high productivity freight vehicles, the development of new industries within our region is seeing an increase in heavy vehicle movements rather than a reduction due to higher productivity freight vehicles. The diminished tracking ability of the larger vehicles on the narrow and rough roads adds an additional risk to road users.

Council has been very proactive in addressing road safety issues, not only on our own network but also where our network intersects with state government roads. We have upgraded, at our expense, intersections on Rowney Road/ Chark Road, Six Mile Well Road/ Frances Road, and Hubl Road/ Rowney Road. All of these works were fully funded by Council.

In 2017, Council received a petition with 210 signatures requesting the upgrade and realignment of the Frances Road and Stott Road intersection. In response to community concern, Council applied to the Black Spot Program for this project but unfortunately was unsuccessful. Regardless of the Program's considerations, Council believes that the number of accidents and close calls that have occurred as a result of the intersection's poor alignment make this a high priority. Council has therefore committed further funds to the



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upgrade and realignment of this intersection of local and state government roads.

Council appreciates the recent announcement of \$780,000 from the federal government's 2019-20 Black Spot Program to improve Frances Road. However, further significant funding is required to improve the standard of state government roads within the Tatiara district. From the public response to the funding announcement it is clear that our community shares this view.

Council and our community remain concerned over the safety of these roads and consider their improvement a high priority to minimise our road toll.

I appreciate the opportunity to highlight this matter with you and urge you to increase funding to improve the above mentioned roads and to support the realignment of the Frances Road/ Stotts Road intersection.

I have included a copy of the video highlighting the current condition of the roads listed above. It can also be [viewed here](#).

On behalf of the Tatiara community and travelling public, I greatly appreciate your consideration of this matter. I would be pleased to provide further information and can be contacted on mobile 0417 765 549, or by email to [annechampness@tatiara.sa.gov.au](mailto:annechampness@tatiara.sa.gov.au).

Yours faithfully,

Anne Champness  
Chief Executive Officer



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**16 REPORTS OF OFFICERS FOR DECISION****16.1 REFORMING LOCAL GOVERNMENT IN SOUTH AUSTRALIA DISCUSSION PAPER**

**File Number:** 10/14/9

**Author:** Chief Executive Officer

**Authoriser:** Chief Executive Officer

**INTRODUCTION**

The report provides a draft submission to the state government's review of local government legislation for Council consideration.

**DISCUSSION**

The Minister for Transport, Infrastructure and Local Government is undertaking a review of local government legislation that South Australian councils operate under and is seeking comments on reform proposals.

The *Reforming Local Government in South Australia Discussion Paper* was released on 5 August 2019. The proposals for reform in the Discussion Paper are based on ideas for improvements to the system of local government in South Australia that were received following a public call in early 2019, and discussions with councils and other bodies.

The *Reforming Local Government in South Australia Discussion Paper* is attached for information.

The Discussion Paper contains over 70 major reforms to local government legislation, as well as a number of minor amendments.

Some of the key proposed reforms include a new conduct management framework for council members; an expanded role for council audit committees to provide expert, independent advice to councils on a range of critical financial and governance matters; and improvements to regulation to reduce councils' costs.

The four reform areas included in the Discussion Paper recognise that there are areas in the local government legislative framework that currently are not working as well as they should, and need to be reviewed.

In summary, the proposals for reform are—

Reform Area 1 | Stronger Council Member Capacity and Better Conduct

Reform Area 2 | Lower Costs and Enhanced Financial Accountability

Reform Area 3 | Efficient and Transparent Local Government Representation

Reform Area 4 | Simpler Regulation

A draft submission (attached) has been prepared for Council consideration.

**OPTIONS**

Council can make a submission as prepared, make alterations or additions, or not make a submission.

**STRATEGIC PLAN REFERENCE**

5 - Governance and Leadership

5.3 - Ensure that Council's plans and budgets are both responsible and sustainable

5.3.1 - To implement prudent and professional financial and operational management

5.3.1.4 - Improve service efficiency and effectiveness through regular service reviews and process improvements

**POLICY/LEGAL IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil




**RISK MANAGEMENT IMPLICATIONS**

Nil

**COMMUNICATION/CONSULTATION/ADVERTISING**

The submission will be provided to the state government in accordance with Council's resolution.

**ATTACHMENTS**

1.  20191001 Tatiara District Council Submission Reforming LG in SA Discussion Paper [↓](#)
2.  Reforming\_Local\_Government\_in\_South\_Australia\_-\_Discussion\_Paper\_-\_August\_2019 [↓](#) 

**RECOMMENDATION**

That Council make a submission to the State Government's *Reforming Local Government in South Australia Discussion Paper*, as provided in Attachment 1.) 20191001 Tatiara District Council Submission Reforming LG in SA Discussion Paper.



Reforming Local Government in South Australia  
Discussion Paper

**Submission**

October 2019

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## 1. General Comments:

Tatiara District Council welcomes local government reform and supports the aim of the reforms described in the Discussion Paper - to offer councils the support they need, provide appropriate oversight, give communities certainty of their council's good decision making, understand local needs. and operate efficiently and sustainably.

Unfortunately, not all of the reforms proposed in the Discussion Paper are able to achieve this aim. Some reforms are not far reaching enough, while others carry significant risk of achieving the opposite outcome.

More detail is provided against the four reform areas below. At this point it may suffice to say that some of the proposals will increase costs and administrative burden with little to no benefit, the introduction of a "funding policy" for example, or the requirement for the chair of a council's audit committee to report on governance standards and compliance in a council's annual report.

Other proposals seem to be based on perception and negative portrayal of local government in the media rather than evidence and real need for increased accountability and reporting.

As regional local councils, we are under intense local scrutiny and accessible to our community every day. We are discussing increases in rates with ratepayers while buying groceries at the supermarket or having a beer at the pub. We will hear prompt responses to our decisions when we go to the footy or the local show. We are very conscious not just of the limits to our community's capacity to pay rates but our own limited resources to fund the services our community requires into the future.

If we oppose some of the resource intensive reforms proposed, it is because they ultimately penalise our community for inaccurate perceptions and the actions of a few.

## 2. REFORM AREA 1 Stronger Council Member Capacity and Better Conduct

1.	Stronger Council Member Capacity and Better Conduct	Comments
1.1.	Clearly separate behavioural matters from integrity matters in the legislation.	Council supports the proposal to more clearly separate behavioural and integrity matters in the legislation.
1.2.	Include standards of behaviour in the legislation, allowing councils to adopt more detailed 'examples of behaviour'.	Including basic standards of behaviours in legislation while allowing councils to adopt more detailed examples of behaviour will support the above, while at the same time creating stronger "ownership" of the agreed to behaviours.
1.3.	Continue to give councils flexibility to deal with behavioural matters.	As above.
1.4.	Provide principal members with enhanced powers to deal with	While the need to remove an elected member from a Council meeting for disrupting the meeting has never arisen for Tatiara District Council,



1.	Stronger Council Member Capacity and Better Conduct	Comments
	disruptive behaviour at meetings.	Council supports the implementation of such powers, similar to those that may be exercised by the chair of a non-public sector entity.
1.5.	Enable escalation of serious behavioural matters to an independent body that can suspend members (including suspension of an allowance).	The Discussion Paper recognises that a mechanism for escalation of serious behavioural matters to an independent body – the Ombudsman – already exists, but expresses concern that such referrals are rarely enacted and pose the challenge of requiring a council resolution, something that may be difficult to achieve at times. However, the proposal to create a different independent body does not in fact address this concern, as it – rightly - maintains the requirement for a council resolution to refer. This being the case, the establishment of a different independent body does not appear to add any value, while creating additional costs for councils.
1.6.	Simplify the conflict of interest provisions by establishing 'material' and 'non-material' conflicts.	The current conflict of interest provisions are unnecessarily convoluted and Council supports the proposal to simplify and clarify these provisions.
1.7.	Simplify the process by which council members can be exempt from conflict of interest provisions, or seek approval to participate in a matter.	As above.
1.8.	Clarify the application of conflict of interest rules to council committees and subsidiaries.	As above.
1.9.	Establish a new conduct management framework through— Model 1 - The clarification of current legislation Model 2 - Using governance committees Model 3 - Establishing a Local Government Conduct Commissioner.	While it is difficult to comment without more detail on these models, Council does not support the establishment of governance committees or a Local Government Conduct Commissioner. Both of these models have the potential to create substantial additional costs for councils, with little practical benefit. (More on governance committees under 2.12.)
1.10.	Clarify the role of council members to recognise their responsibility to ensure good working relationships within the council, and to support the conduct management framework.	Explicitly recognising these responsibilities in the Act is a welcome sentiment, though unlikely to create actual behavioural change in those not already by their natural disposition recognising such a responsibility.
1.11.	Clarify the role of council members to recognise their obligation to complete mandatory training.	Council agrees in principle with the proposal, as mandatory training requirements already exist, but without the detail to be prescribed in regulation cannot comment further on the proposal. Any standards developed should



1.	Stronger Council Member Capacity and Better Conduct	Comments
		consider prior and professional experience/education, whether that be in returning elected members only required to undertake refresher training and/or "recognition of prior learning credits" like those in tertiary education. Standards should also be flexible enough to be able to be tailored to the specific requirements of a council.
1.12.	Clearly state the role of the principal member as a leader of the council, particularly in ensuring good working relationships within the council.	Council agrees with this proposal.
1.13.	Provide directly elected Mayors with a deliberative vote on motions before council.	Council agrees with the reform proposal to provide directly elected Mayors with a deliberative vote, as well as a casting vote.
1.14.	Establish a mandatory training scheme within the regulations.	As above.
1.15.	Establish a timeframe for the completion of mandatory training and a penalty for non-compliance.	As above.
1.16.	Require councils to receive independent advice on CEO selection and remuneration.	The proposed enforced delegation of these matters to an independent advisor contradicts the earlier proposal to build capacity of elected members. While the feedback gathered may reflect a perceived imbalance favouring CEOs, this would appear to be a matter of understanding of role (addressed in the capacity building above) rather than reality. On the basis of numbers alone (1 employee negotiating with a board of 7+ elected members) the balance or otherwise would surely be leaning the other way. Council agrees that it is good management practice to seek independent professional advice on complex HR matters such as the recruitment, remuneration or termination of senior executives, where such expertise is not held within an organisation/board/council. But it is equally good management practice to build capacity within an organisation rather than enforce – at significant cost – that key elements of a role are outsourced. This does not mean that elected members should be required to complete HR degrees, rather, that the training and development proposed earlier should cover best practice, leaving the responsibility and decision to engage, or not engage, external advisors to the council.
1.17.	Give responsibility for determining CEO remuneration to the Remuneration Tribunal of South Australia	While Council believes that the negotiation of CEO contracts and remuneration is one of its key responsibilities, it recognises that the setting of broad remuneration ranges by the Independent

1.	Stronger Council Member Capacity and Better Conduct	Comments
		Remuneration Tribunal might be useful in responding to concerns about remuneration often driven by the media. The WA example seems to show that such vocal concerns decreased significantly after the responsibility was shifted to the WA Salaries and Allowances Tribunal which handles both CEO and elected members' remuneration.
1.18.	Require councils to conduct annual performance reviews of CEOs, with independent oversight.	Council agrees with the requirement of annual performance reviews, but considers the mandatory requirement for independent oversight inappropriate (refer above).
1.19.	Require annual performance reviews to be completed before the extension of a CEO contract.	This appears superfluous if annual reviews are already enshrined in legislation.
1.20.	Require councils to receive independent advice before terminating a CEO contract.	As above.

### 3. REFORM AREA 2 - Lower Costs and Enhanced Financial Accountability

2.	LOWER COSTS AND ENHANCED FINANCIAL ACCOUNTABILITY	Comments
2.1.	Require audit committees to have a majority of independent members, and an independent chair.	Council agrees with this requirement and altered its Audit Committee's Terms of Reference to reflect this in 2018.
2.2.	Strengthen the role of audit committees in councils' external audits, through a greater role in the appointment of the auditor and determining the scope of the audit, and as the chief liaison point with the auditor processes.	Council agrees in principle with the proposed changes, pending further detail.
2.3.	Require audit committees to report on the council's approach to internal audit	Tatiara District Council's audit committee considers Council's approach to internal controls.
2.4.	Require audit committee members to have specified skills, and an induction process.	Recruiting audit committee members in regional and rural communities is at times difficult. "Specified skills" will need to include local government experience as well as financial, legal compliance, governance and risk management expertise.
2.5.	Allow councils to form regional audit committees.	This has been raised a number of times as a possible response to the difficulties in recruiting audit committee members.

2.	LOWER COSTS AND ENHANCED FINANCIAL ACCOUNTABILITY	Comments
		<p>However, while this may be a nice sentiment for both audit and the proposed governance committees, it does not hold practical merit. Councils use different financial systems, structure their accounts differently, implement entirely different internal controls, face different financial challenges and risks. The only commonality would be in the committee members themselves.</p> <p>Considering the reality of budgets, long term financial plans, audits etc. being completed at each council at different times, and therefore being presented to committees at different times, any regional committee would have to meet more often to accommodate these matters than its local counterpart would have had to. If it was possible to combine some of the meetings, the agenda of any such meeting would by necessity have to duplicate each item for each member council.</p> <p>While regional collaboration is something that this Council, and its regional neighbours, have strongly promoted over many years, there is no realistic benefit in this proposal.</p>
2.6.	Require the Auditor-General to oversight all council audits.	<p>The Discussion Paper raises this in response to “questions raised about the quality of some audits”. The comments appear to be inferring that the thoroughness of local government audits is limited based on the low fees charged by auditors. Drawing this conclusion is interesting considering the push for efficiencies and lower rates. Does this mean low general rates are then equally indicative of low quality services?</p> <p>While local government has obviously been very successful in negotiating audit fees at the lower end of the scale, fees are likely to increase substantially once this role is outsourced to the Auditor General. The Auditor General will in turn – as in other jurisdictions – outsource the work, likely to the same auditors who are currently undertaking this the audits. Experience from Victoria indicates that the results can be hit-and-miss, with at times inexperienced auditors chosen for cost alone, and the distance of the Auditor General's office from the council meaning that underperforming auditors are not managed appropriately.</p> <p>The Discussion Paper suggests that the Auditor General could “collect useful data that can form the basis for further investigations and performance audits”. It is unclear what this useful data would be, while further investigations and</p>

2.	LOWER COSTS AND ENHANCED FINANCIAL ACCOUNTABILITY	Comments
		<p>audits will again come at a significant cost to councils. The Paper proposes that the Auditor General "could routinely assess whether councils are delivering services efficiently and economically" but is silent and how the Auditor General may do this, considering the difficulties in doing so very evident in the current Inquiry into Local Government Costs and Efficiencies.</p> <p>Again, Council would flag the costs inherent in these proposals, both for the auditors to be employed and for council resources in compiling information for these investigations and audits. Faced with such increased administrative costs, which by necessity would translate to a need to increase council revenue or to reduce services on the ground, it is unlikely that the concerned ratepayers the proposal has at its heart would be in favour.</p>
2.7.	<p>Create 'audit and risk committees' that play an expanded role in councils' financial management and performance.</p> <p>This could include—</p> <ul style="list-style-type: none"> <li>• Reviewing councils' risk assessments and controls.</li> <li>• Providing comment on councils' rating policies and practices.</li> <li>• Reporting to council on its use of public resources.</li> <li>• Reporting to councils on prudential matters.</li> <li>• Performance monitoring of councils.</li> </ul>	<p>Without the detail on what these expanded roles would entail, their extent and scope, it is impossible to comment in detail.</p> <p>However, it is important to note that the expansion of the audit committee's role will further exacerbate the difficulties of attracting external members to the committee.</p> <p>Council's Audit Committee currently meets five times a year to review internal controls and external audits, financial statements, risk management, budget, annual report and other matters as required. Even with such a comparatively small commitment, it has been difficult to attract external members to the audit committee. The significantly increased responsibilities will require much more frequent meetings, reducing the already small pool of potential committee members even further. To enable members to prepare for and attend such frequent meetings, substantial allowances and reimbursements will be required, an additional cost incurred to the detriment of other council services.</p>
2.8.	<p>Require the chair of the 'audit and risk committee' to provide a report in the council's annual report on governance standards and compliance.</p>	<p>The proposal appears to rely on the addition of governance responsibilities proposed later in the Discussion Paper. The audit and risk committee does not actually review governance standards and compliance. It is unclear what this report is to entail and how the chair of the audit committee would therefore form an opinion and report on these matters? Council disagrees with the addition of governance matters to the audit committee's brief for reasons discussed under point 2.12.</p>



2.	LOWER COSTS AND ENHANCED FINANCIAL ACCOUNTABILITY	Comments
2.9.	Require councils to develop and adopt a funding policy that would be reviewed by its audit and risk committee.	There appears to be no justification for this requirement other than that it seems a good idea. This information is already provided in councils' budgets, long term financial plans and business plans. The audit committee already considers all of these. Duplicating this information in a separate policy adds no apparent value.
2.10.	Require councils to release a summary of their draft annual business plan that states the proposed increase in total general rate revenue, and the reasons for this increase	Council already provides this information in detail in its annual budget and consults extensively on this. In reality, considering the setting of its annual budget nothing gets more attention in the community than the rate increase proposed by a council. Duplicating this information adds no apparent value.
2.11.	If a council's proposed increase in total general rate revenue is above a prescribed level (such as the Local Government Price Index), require its audit and risk committee to provide a report to the council on the reasons for this increase.	To paraphrase Shakespeare, a rates cap by any other name is still a rates cap. While a council is not prohibited from going above a prescribed level of rates increase, doing so would require consideration by the audit committee and a specific report to council. The increase of rates is already subject to intense scrutiny and debate within councils and their community. Duplicating the effort already put into annual budgets, business plans and community consultation by providing a separate report adds no value to the process.
2.12.	Create 'governance committees' to provide independent advice to councils on critical management, policies, processes and actions, potentially— <ul style="list-style-type: none"> <li>• Councils' compliance and governance policies.</li> <li>• Councils' policies to improving ethical standards across councils and reduce fraud and corruption risks.</li> <li>• Councils' strategic management plans, and on progress to deliver priorities, particularly on the management of significant council projects.</li> <li>• Council member conduct—both on policies and processes to improve it, and on specific conduct matters</li> </ul>	Council opposes the establishment of governance committees, whether stand-alone or incorporated within an audit committee. The Discussion Paper proposes the establishment of governance committees, or the addition of governance matters to audit committees as a good idea already in place in some councils. It misses the fact that councils, in particular regional ones without specific governance staff, are routinely seeking advice and support on more challenging governance matters from external governance experts. The only change if a governance committee was established would be the establishment of another body for this external advice to go to rather than the advice being presented to all of council. This neither builds the skills and knowledge of the elected body, nor does it aid the timely resolution of governance matters which are notoriously urgent to resolve.

2.	LOWER COSTS AND ENHANCED FINANCIAL ACCOUNTABILITY	Comments
	<p>(as described in Reform Area 1).</p> <ul style="list-style-type: none"> <li>• CEO appointment and management (as described in Reform Area 1).</li> </ul>	<p>Additionally, regional councils will find it difficult to access the skills base to fill positions on the committee locally, and incur substantial costs in the process, duplicating the costs for the external professional advice.</p> <p>The Discussion Paper proposes that difficulties attracting members may be dealt with by establishing regional governance committees.</p> <p>While like the proposed regional audit committees this is a nice sentiment, it is even less workable for committees dealing with governance matters. While policies may be similar, setting a council's strategic priorities and monitoring them over the course of their term is the key role of elected members. Delegating this to a governance committee is contrary to building the capacity of elected members. Referring specific conduct matters to a regional committee is not going to aid the local resolution of such matters, in particular where these are the result of difficult relationships between particular members. And the appointment and management of one council's CEO through a regional committee is simply inappropriate.</p>

#### 4. REFORM AREA 3 - Efficient and Transparent Local Government Representation

3.	EFFICIENT AND TRANSPARENT LOCAL GOVERNMENT REPRESENTATION	Comments
3.1.	Change the timing of periodic council elections to the year following a state election.	Council agrees with the proposal.
3.2.	Enable ECSA to provide ballot papers electronically.	Council agrees with the proposal. However, it is disappointing that the reform proposals are not further reaching and ignore electronic ballots. In 2019, the age of MyGov, MyHealthRecord, online Census etc., and many more successful examples overseas, establishing electronic voting should not simply be placed in the too-hard basket.
3.3.	Clarify that councils are responsible for information sessions about the role of a council member, and that ECSA is responsible for election promotion.	Council agrees with the proposal.

3.	EFFICIENT AND TRANSPARENT LOCAL GOVERNMENT REPRESENTATION	Comments
3.4.	Require councils to undertake specific activities to inform property franchise holders of their need to self-enrol, OR re-introduce the automatic enrolment of property franchise holders.	Council opposes both alternative proposals. Considering previous participation in elections, both before and after the requirement for property holders not already on the state electoral roll to apply for enrolment on the CEO's voters roll was introduced, the proposals increase costs to councils while being unlikely to improve voter turnout.
3.5.	Require ECSA to receive all nominations and publish candidate profiles.	Council agrees with this proposal.
3.6.	Remove the term limit on holding the office of Lord Mayor.	No comment.
3.7.	Require candidates to 'tick a box' stating whether they live in the area they are contesting	Council agrees with this proposal.
3.8.	Require candidates to state whether they are a member of a political party or any association or body formed for political purposes, or have been within the past 12 months.	Council agrees with this proposal.
3.9.	Require ECSA to host all information on donations received by candidates.	Council agrees with this proposal.
3.10.	Require candidates to report to ECSA any single donations above a prescribed amount (for example, \$2,000) within five business days of receipt.	Council agrees with this proposal.
3.11.	Enable all candidates to request an electronic copy of the voters roll from the relevant council.	Council agrees with this proposal. The previous ability to only access hardcopies intended to provide some protection for voters from their information being misused. Since using current technology any hardcopies are easily turned into electronic copies, they may as well be provided in this format from the outset. However, inappropriate use of voter information will need to be closely managed by ECSA and result in significant penalties.
3.12.	Remove the requirement for councils to make a 'designated decision' within their caretaker policies on the use of council resources, in favour of a statement within general caretaker responsibilities that council resources must not be	Council agrees with this proposal.

3.	EFFICIENT AND TRANSPARENT GOVERNMENT REPRESENTATION LOCAL	Comments
	used to advantage particular candidates.	
3.13.	Extend the voting period by one week to better allow for postal delays.	Council agrees with this proposal.
3.14.	Change the counting method to the 'exclusion method'.	Council agrees with this proposal.
3.15.	If a vacancy on a council is created within 12 months of a periodic election, allow this to be filled through a 'countback' of candidates.	Council agrees with this proposal.
3.16.	Extend the period of time in which a vacancy does not need to be filled to 12 months before a periodic election.	Council agrees with this proposal.
3.17.	Enable councils without wards, and with at least nine members, to 'carry' two vacancies.	Council agrees with this proposal.
3.18.	Simplify representation reviews, and make public consultation requirements more flexible.	Council agrees with this proposal.
3.19.	Transfer the responsibility for representation reviews to the Local Government Boundaries Commission.	Further detail is required on this proposal. It is worth noting that the electoral structure of councils and voter representation in Victoria are reviewed by the Victorian Electoral Commission (VEC). By law, every Victorian council must be reviewed only every 12 years, though in 2017 the Victorian Government considered a proposal to abolish regular reviews and undertake reviews only by exemption when directed by the Minister, if there was marked evidence of an increase in population, an evidence based request from council or community, or in response to a recommendation from the VEC.
3.20.	Suspend council members running for State Parliament for the duration of the election campaign.	Council agrees with this proposal.

## 5. REFORM AREA 4 - Simpler Regulation

4.	SIMPLER REGULATION	Comments
COMMUNITY ENGAGEMENT		
4.1.	Replace the prescriptive community engagement requirements in the Local	Council welcomes the recognition of modern community engagement in the Discussion Paper and agrees with this proposal.



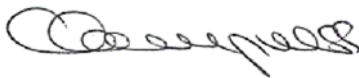
4.	SIMPLER REGULATION	Comments
	Government Act with a more flexible 'Community Engagement Charter'.	To be effective, community engagement needs to be tailored to both community and subject matter. It is expected that the proposed reforms will allow councils to do so more easily.
4.2.	Review the requirements for councils to publish notices.	Council agrees with this proposal.
INTERNAL REVIEW OF COUNCIL DECISIONS		
4.3.	Allow councils to refuse a request for an internal review of a council decision where the request is substantially similar to a matter that has been reviewed, or is under review through another process.	Compared to other jurisdictions, this appears to be an additional, resource intensive process that elsewhere is dealt with through general complaints processes. The Discussion Paper recognises the substantial cost and resourcing impost of the process, and that it is open to exploitation. Rather than "tinkering around the edges" of the process by enabling councils to decline repetitive or vexatious requests for review, more substantial reform is required. It is proposed that the internal review process as it currently exists be abolished and replaced with general complaints processes, or by way of a statutory right of review/appeal for specific statutory processes (planning approvals for example).
4.4.	Enable councils to charge a small fee for internal review requests.	As above, more substantial reform is required.
4.5.	Set a time limit on which requests for internal review of decisions can be made.	As above, more substantial reform is required.
4.6.	Require councils to consider recommendations for improved administrative practices in their annual report on internal reviews	The Discussion Paper does not provide justification for this additional requirement. While requests for internal review may have been successful, there is no evidence or suggestion that any of these were based on administrative practices that required improvement or amendment. It is difficult to see how such a link could be made and Council opposes the proposal.
INFORMAL GATHERINGS AND DISCUSSIONS		
4.7.	Remove the 'informal gatherings' provisions in the Act, in favour of establishing a new category of meetings, such as 'information or briefing sessions'.	The introduction of detailed regulations on informal gatherings proposed to ensure that decisions were not made outside formal – and publicly accessible - council meetings. Whatever the rationale behind the regulation of informal gatherings, in reality they made it more difficult to brief and inform elected members, and facilitate discussion outside of the strict council meeting procedure before an increasingly broad and complex range of matters have to be decided. Removal of these provisions is therefore welcomed.

4.	SIMPLER REGULATION	Comments
4.8.	Require councils to publish details of information sessions held, what was discussed, who attended, and whether the session was open or not.	While proposal 4.7 aims to simplify the currently onerous provisions around informal gatherings, this proposal reintroduces the existing requirement for notes of informal gatherings to be kept.
REGISTER OF INTERESTS		
4.9.	Compile all council members' registers of interest into one, simple plain English form.	Council welcomes this proposal.
4.10.	Publish council members' Register of Interests in full on the council website (with the exception of specific residential address information)	Council agrees with this proposal. However, at the same time the requirement for elected members to update the register of interest any time their interests change should be removed. The register of interest is a mechanism for ensuring veracity of council decisions. A 12 monthly update is sufficient to achieve this aim. As the register currently includes information for the preceding 12 months, adding current information as it arises would also alter records for a different time period.
PUBLICATION OF INFORMATION		
4.11.	Require councils to publish any document that is currently available at a council office on its website (with the exception of the Assessment Record)	<p>Council agrees with this requirement for those documents that are required to be made public by legislation/regulation.</p> <p>However, Council strongly opposes the list of additional material to be included in a council's annual report.</p> <p>The requirement to list travel and provide a summary of credit card use in the annual report appears to respond to perception and portrayal of a small number of inappropriate uses in the media more so than pervasive misuse and resultant need for public 'oversight'.</p> <ul style="list-style-type: none"> <li>A summary of travel undertaken by council members and staff over the year poses a substantial administrative burden. As a regional council some way distant from Adelaide, staff and elected members are forced to travel to Adelaide and regional meetings on countless occasions during the year. While we are making use of videoconferencing facilities wherever possible, many meetings, training and conferences still require travel.</li> <li>Considering travel is such a necessary part of a regional council's everyday business, to keep the administrative burden manageable, any travel summary should at least only need to show interstate or international travel (as it does for our Victorian counterparts).</li> <li>The use of credit cards is becoming more and more prevalent for purchases of materials and services across the organisation. This is not</li> </ul>

4.	Simpler Regulation	Comments
		<p>unique to local government but something that all of us experience in our daily lives.</p> <p>Due to the way many councils' finance systems currently deal with this information, compiling this data would be an incredibly labour intensive manual process, firstly extracting the information from the credit card statements, comparing it to the information held in accounts/ledgers, then compiling it into whichever summary is deemed appropriate.</p> <ul style="list-style-type: none"> <li>It is unclear what the audit committee chair's report on the governance standards of the council would entail but as previously detailed, such a report is neither required nor would the chair be the appropriate author.</li> </ul>
4.12.	Remove the requirement for councils to have documents 'available for inspection', but require them to print a copy at request (for a fee).	Council agrees with this proposal.
4.13.	Include a single list of all material to be published on a council's website in the legislation.	Council agrees with this proposal.
<b>COMMUNITY LAND REVOCATIONS</b>		
4.14.	Create two categories of community land revocation proposals within the Act ('administrative' and 'significant') and require Ministerial approval only for 'significant' proposals.	Council agrees with this proposal.
4.15.	Enable limited amendments to Schedule 8 to allow minor changes to the management of prescribed land.	Council agrees with this proposal.
4.16.	Clarify that councils do not need to undertake community land revocation proposal where the council's care, control and management of the land has been withdrawn under the Crown Land Management Act 2009.	Council agrees with this proposal.
4.17.	Enable a council to revoke the classification of land as community land where owners cannot reasonably be found.	Council agrees with this proposal.
4.18.	Provide a mechanism to allow councils to acquire private roads where the owner consents, where the owner is	Council agrees with this proposal.

4.	SIMPLER REGULATION	Comments
	deceased or where the owner cannot reasonably be found and to allow the council to retain or transfer the land to another party.	
<b>AUTHORISATIONS AND PERMITS FOR USE OF COUNCIL ROADS</b>		
4.19.	Review the public consultation requirements that apply to permits and authorisations, in line with a new community engagement approach.	Council agrees with this proposal.
4.20.	Remove specific provisions regarding mobile food vendors, in favour of a 'general right of appeal' where a council has unreasonably affected a business.	Council agrees with this proposal in principle. However, the responsibility for handling the appeal should lie with SACAT not the Small Business Commissioner. The Small Business Commissioner's role is to advocate for business, which does not lend itself to impartial decision making on these matters.

In closing, on behalf of Tatiara District Council I appreciate the opportunity to provide comment and look forward to constructive, progressive reform enabling our two levels of government to work productively and effectively together into the future.



Anne Champness  
Chief Executive Officer  
Tatiara District Council





# REFORMING LOCAL GOVERNMENT IN SOUTH AUSTRALIA DISCUSSION PAPER



**Government of South Australia**  
Department of Planning,  
Transport and Infrastructure

AUGUST 2019

# FOREWORD

Every four years, thousands of people stand for election to their local council, with more than 700 chosen to serve and lead their communities.

High expectations are rightly placed on those elected, as they take on real responsibilities for support and services in their local area. Like all governments, councils need to make decisions about the services they provide, and the revenue that they need to bring these services to life.

To achieve good outcomes for ratepayers we need the ecosystem in and around local government to be as robust as possible. From the internal structures around how councils operate, to the integrity bodies that oversee them and the media that report on them, every part of the ecosystem needs to work to deliver quality services for local communities, whilst also ensuring that ratepayer dollars are used as wisely as possible.

As Minister for Transport, Infrastructure and Local Government, I have a responsibility to ensure that this legislation offers councils the support they need, provides appropriate oversight and gives each community certainty that their council is making good decisions, understands local needs and is operating efficiently and sustainably.

This discussion paper proposes reforms to local government legislation that aims to achieve this. Some of the key reforms proposed include a new conduct management framework for council members, an expanded role for council audit committees to provide expert, independent advice to councils on a range of critical financial and governance matters, and improvements to regulation to reduce councils' costs.

I am grateful to the people who provided their ideas for reform in the first stage of the Local Government Reform program. I was impressed by the range and number of considered ideas that were submitted. Likewise, I am keen to hear as many views as possible on the reforms contained in this discussion paper. Which do you think will work? Are there other ideas for reform that should be considered?

I look forward to receiving all submissions on this discussion paper, and to work together to ensure we have local government legislation that will set the future direction for councils in our State.

**HON STEPHAN KNOLL MP**

*Minister for Transport, Infrastructure and Local Government*

*Minister for Planning*



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## WHY IS LOCAL GOVERNMENT REFORM NEEDED?

The *Local Government Act 1999* (the Act) was put in place following significant council amalgamations in the late 1990s that created our current 68 councils. In 1999, the Act recognised that councils are government bodies elected by their communities to make decisions about the services that need to be delivered for their local area.

This means that councils have serious responsibilities. The services they provide—roads, footpaths, ovals, parks, sporting grounds, waste management, libraries, community centres and community support services to name just a few—are what makes our local communities work.

The State Government also has a responsibility to ensure that the legislative framework around councils enables them to act, make decisions, and provide services in the way in which their communities expect. It 'sets the rules' for how councils are elected; what their roles and responsibilities are; how they can raise revenue; how they make decisions; and how they inform and engage their communities.

The four reform areas put forward by the Government recognise that there are areas in this legislative framework that currently aren't working as well as they should, and need to be reviewed.

These areas are—

### REFORM AREA 1



**STRONGER COUNCIL MEMBER  
CAPACITY AND BETTER CONDUCT**

### REFORM AREA 2



**LOWER COSTS AND ENHANCED  
FINANCIAL ACCOUNTABILITY**

### REFORM AREA 3



**EFFICIENT AND TRANSPARENT  
LOCAL GOVERNMENT  
REPRESENTATION**

### REFORM AREA 4



**SIMPLER REGULATION**



## REFORM AREA 1

# STRONGER COUNCIL MEMBER CAPACITY AND BETTER CONDUCT



Communities have high expectations of how their council members should behave. They are leaders in their communities, who speak and make decisions on their behalf. There are more than 700 council members in South Australia, and most meet this expectation admirably. They step forward to serve on their council, and commit considerable time and energy to make their local community a better place to live.

However, from time to time, some council members conduct themselves in a way that is not acceptable.

This can be poor behaviour, such as rudeness or a lack of respect to fellow council members or community members. It may be poor behaviour in a council meeting, through an unwillingness to engage in the respectful debate that's needed to ensure good decisions. Or it may be conduct that calls the integrity of their decisions into question, such as not managing a conflict of interest properly, or accepting gifts and other benefits that may improperly influence what they do.

Whatever the issue is, council members and their communities expect that it should be dealt with in the right way. This means that it is investigated at the right level; that sanctions are applied that fit the behaviour, and that council members who choose to repeat poor conduct receive escalating penalties.

There is a strong view that the current system for managing the conduct of council members is not delivering on these expectations. Feedback has been that councils have a desire to be better equipped to manage low-level behavioural issues on a local level, but also want a clearer pathway to resolving more serious conduct matters. Proposed reforms will create a better framework for managing and improving council member conduct and capacity. The Act will make a clear distinction between lower-level 'behavioural' matters that can be dealt with at a council level, and more serious 'integrity' matters that should be investigated and dealt with by an independent body.

The new framework will also recognise that while most behavioural matters are low-level, occasionally poor behaviour can be serious enough, or can be repeated to an extent that it causes a risk to the health and safety of others, or prevents an elected member body from acting effectively. Councils should be able to refer these 'serious behavioural matters' to an independent body for investigation and resolution as integrity breaches.

One question that this discussion paper poses is which model should be put in place to deliver this new framework. Three alternatives are proposed—a 'light touch' model that clarifies the current legislative provisions; a model that uses a new council 'governance committee' to support councils' conduct management; and a significant change through the introduction of a 'Local Government Conduct Commissioner'.



## REFORM AREA 2

# LOWER COSTS AND ENHANCED FINANCIAL ACCOUNTABILITY

It is fair to say that of all the decisions a council makes, the one that receives the most attention is setting the rates that are paid by its community. This decision is what enables councils to provide the services that we rely on—roads, waste management, libraries, and all the other council services and facilities that our communities use. It also enables councils to manage the very significant assets that underpin these services—over \$23 billion worth across the State.

Most people realise this and are prepared to contribute their fair share to these services. However, ratepayers must have confidence that their money is being raised fairly and spent sensibly. This means that their council is managing its finances responsibly, with the right level of oversight and assurance; that it makes every effort to keep costs low; and that it also provides clear and easily understood information about these critical decisions. The Act establishes clear standards of financial management and accountability, which have been reviewed and improved a number of times over the past decade.

However, given the critical importance of councils' financial position, the need for all councils to make well informed and effective decisions on revenue and expenditure, and a continuing need for independent oversight that assures both councils and their communities that councils are well managed and sustainable; another review of these standards is timely.

The discussion paper proposes several reforms to improve council auditing and oversight, to improve decision making by council member bodies and to improve the information that councils provide each year to their communities on their rating decisions.

Feedback on all proposals is welcome. However, it should also be noted that the State Government has charged the SA Productivity Commission (SAPC) to undertake an inquiry into cost pressures and efficiencies in the local government sector. It is likely that any recommendations the SAPC makes in its final report in November 2019 will have a significant impact on reforms in this area.

## REFORM AREA 3

# EFFICIENT AND TRANSPARENT LOCAL GOVERNMENT REPRESENTATION



It is the election of our councils that makes them a government.

Like State and Federal Government elections, Local Government elections give us the ability to choose who we want to represent us, to lead our communities, and to make decisions about the services that are available to us. Many aspects of these elections are the same. They are run by an independent body, which for councils and the State Government is the Electoral Commission of South Australia (ECSA). They are based on a fundamental principle of 'one vote, one value'—that is, that each vote held by each voter is equal.

However, there are also unique features of council elections in South Australia. Most notably, voting for councils is voluntary, and done by a postal vote. The franchise is different—property owners, as well as residents, can vote. The method of voting and counting is also different in council elections. Other differences are in the role of formal political parties, which is much less apparent in council elections; and how voters learn about the candidates that are standing for election.

In the call for reform ideas, council elections attracted the most submissions and comments. Many contributors asked for the introduction of online voting, to make voting more convenient and to improve the numbers of people choosing to vote. There is general agreement that online voting is desirable, however, a range of technological challenges must be overcome before its introduction to ensure the security of our elections. This is why this discussion paper does not propose this reform.

Other calls for improvement to local government elections centred on clarifying the roles of ECSA and councils in elections; particularly for people who wish to nominate for council, and then become candidates. There was also a widespread view that candidates should be required to provide more information that would be of interest to people considering whether to vote for them—any political affiliations the candidate may have; whether they live in the area for which they are standing; and any significant donations they may have received.

The reforms in the discussion paper therefore propose a greater role for ECSA in receiving nominations and publishing information on candidates—all online, to provide a more convenient, centralised service for both candidates and voters. The reforms also propose greater information disclosure by candidates in an easily accessible form.



## REFORM AREA 4

### SIMPLER REGULATION

Councils are required to act within a range of regulations that are put in place to deliver or protect the public interest. For example, they are required to undertake a specific, regulated process before they decide to revoke the community land status of some of their land. This regulation is in place to ensure that councils fully consider all aspects of this decision, to provide assurance that this decision is made in their community's best interest.

However, it also must be recognised that regulations can be costly—in time and resources. This is why regulation is often referred to as 'red tape'—or perceived only as a barrier to timely and effective actions. There's no question that regulation should be regularly examined to ensure that it delivers on the public good it aims to protect. Every dollar that a council spends on compliance is a dollar that must be raised by rates or not spent on a local service. It's therefore essential that regulations are regularly reviewed to ensure that the cost of compliance is justified by the benefits they deliver.

The many ideas for local government reform received suggested a number of areas where regulation can be simplified. This paper therefore proposes reforms to a range of current regulations. These include a more modern approach to community engagement; a faster process for simple community land revocation proposals; clarifying councils' ability to hold workshops and information sessions for its council members; reducing regulations that apply to permits for use of council roads; and improving aspects of council meetings.





## HOW TO MAKE A SUBMISSION

This discussion paper puts forward a range of proposals for local government reform.

In some instances, these include a number of potential models for discussion and debate. In other cases, a single proposal is put forward for comment.

We are seeking your views on the proposed reforms. Which do you think would best address the issues that have been identified? Are there changes that you would make to the proposals? And are there any new ideas and alternative proposals that you think we should consider?



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## REFORM AREA 1



**STRONGER COUNCIL  
MEMBER CAPACITY  
AND BETTER CONDUCT**

## 1 INTRODUCTION

Under the *Local Government Act 1999* (the Act), a council is a body corporate and consists of members elected to the council. A council's elected member body is made up of a principal member who is known as either a 'Mayor' (elected to the position) or a 'Chairperson' (appointed by the other elected members, although may also be referred to as a 'Mayor') and several council members often referred to as 'Councillors'

The reforms proposed in this discussion paper aim to improve the legislative framework to support and promote better conduct and stronger capacity of council members, while recognising the status of council members as democratically elected representatives, who are primarily accountable to their communities and will ultimately be judged at local government elections.

## 2 COUNCIL MEMBER CONDUCT

### BACKGROUND

2.1

Council members are elected to council to make decisions for, and to act in the best interests of, their community. Being a council member is a position of trust bestowed on them by their local communities.

Because local governments today have many complex responsibilities and a great deal of discretion, their communities understandably have high expectations of standards of behaviour, integrity and performance. As representatives and leaders of their communities, council members are generally expected to act ethically, diligently, respectfully, honestly and with integrity.

Generally, the South Australian community is well served by those who serve as council members in local government, who overwhelmingly conduct themselves in accordance with the high standards expected of them. However, from time to time, inappropriate or improper conduct by council members can lead to council dysfunction, impairment of local government integrity and performance, and a reduction in community trust and confidence.

State legislation plays an important role in council member conduct. It can set the standards of behaviour, and provide arrangements for dealing with breaches across all areas of conduct.

This is a spectrum of behaviour that ranges from lower-level behavioural matters, such as how council members relate to others, to more serious matters that may affect the integrity of council members' decisions, such as poor

management of conflicts of interest, or the inappropriate acceptance of gifts and benefits. At the highest, or most serious, end of this spectrum is criminal conduct and corruption<sup>1</sup>.

The various pieces of legislation that make up the council member conduct framework are intended to operate as an escalating system that addresses the varying levels of seriousness of poor behaviour with increasing levels of sanctions and penalties.

The chief parts of the current council member conduct management framework are set out below.

## THE CODE OF CONDUCT FOR COUNCIL MEMBERS

### 2.1.1

The Act requires council members to observe a Code of Conduct that is set in regulation. When people think about the 'rules' that apply to the conduct of council members, this Code of Conduct is often what comes to mind. The Code of Conduct has several functions. One is to establish the standards of behaviour and integrity that council members should adhere to. Reflecting the spectrum of conduct, the Code has three core 'levels' of standards.

The first of these is a statement of high-level principles of behaviour that council members are expected to demonstrate, such as a commitment to serving the best interests of the community, to discharging duties conscientiously, to work together constructively and to uphold the values of honesty, integrity, accountability and transparency.

The second is to set out the specific behaviours that council members should adhere to, in Part 2 of the Code—the 'Behavioural Code'. These range from more general statements about behavioural standards (such as 'act in a way that generates community trust and confidence in the Council'), to more detailed instructions on particular behaviours (such as 'ensure that personal comments to the media or other public comments on Council decisions and other matters, clearly indicate that it is a private view and not that of Council').

The third level is contained within Part 3 of the Code, 'Misconduct'. This section contains matters that, if breached, could affect the integrity of council decisions, such as the poor management of conflict of interest, or the inappropriate acceptance of gifts and benefits. Many of these matters are also contained within the Act.

An appendix to the Code outlines the most serious conduct matters—those that could be criminal conduct or corruption.

Along with 'setting the standards', the Code also establishes the process by which alleged breaches of these standards are investigated. The high-level principles are not intended to be enforceable, as these express the broader expectations of council members. The Code is clear that breaches of 'behavioural matters' in Part 2 should be dealt with at a council level, but allows each council to determine a process to do so that best fits their own needs.

<sup>1</sup>NOTE: This paper does not consider 'corruption' or 'serious and systemic misconduct or maladministration', which is within the jurisdiction of the Independent Commissioner Against Corruption (ICAC) and the Office of Public Integrity (OPI). Any reasonable suspicion of corruption, misconduct or maladministration in public administration should be reported to OPI—which is responsible to ICAC—in the first instance. It is noted that misconduct and maladministration complaints or reports may be referred by the ICAC to the Ombudsman for investigation.



Alleged breaches of Part 3, 'Misconduct', are referred to the Ombudsman, as integrity matters should be investigated by an independent statutory body. The Code of Conduct also allows for repeated breaches of the 'Behavioural Code', or non-co-operation with a council investigation or finding under the Behavioural Code, to be elevated to the Ombudsman.

Any suspected breaches of the most serious criminal matters should, of course, be referred to the Independent Commissioner Against Corruption (ICAC).

Finally, the Code of Conduct and Act set the penalties or sanctions that can apply when it has been breached. Again, these are designed to escalate in accordance with the seriousness of the breach.

**IF A COUNCIL FINDS THAT A MEMBER HAS BREACHED PART 2 (THE BEHAVIOURAL CODE) IT MAY—**



Pass a censure motion in respect of the council member.



Request a public apology, whether written or verbal.



Request the council member to attend training on the specific topic found to have been breached.



Resolve to remove or suspend the council member from a position within the council (not including the member's elected position on council).



Request the member to repay monies to the council.

**IF THE OMBUDSMAN HAS INVESTIGATED A MEMBER, HE MAY MAKE THE FOLLOWING RECOMMENDATIONS TO THE COUNCIL TO—**



Reprimand the member (including by means of a public statement).



Require the member to attend a specified course of training or instruction, to issue an apology in a particular form or to take other steps.



Require the member to reimburse the council a specified amount.



Ensure that a complaint is lodged against the member with the South Australian Civil and Administrative Tribunal (SACAT).

If a council member fails to comply with a requirement made by a council on the Ombudsman's recommendation, then the council must lodge a complaint against the member with the South Australian Civil and Administrative Tribunal (SACAT). This could result in stronger sanctions for the member, including their suspension or disqualification from office.

## OTHER CONDUCT MATTERS IN THE LOCAL GOVERNMENT ACT

2.1.2

Along with establishing the Code of Conduct, the Act includes a number of specific conduct requirements that apply to council members.

In summary, these requirements are—



To act honestly, and with reasonable care and diligence in the performance of official duties;



Not to disclose information that is confidential;



To declare all financial and non-financial interests in the 'Register of Interests';



To properly manage any conflict of interest.



Not to make improper use of their position, or of information they have gained through this position, for their own advantage or to cause detriment to the council;

## OTHER CONDUCT MATTERS IN THE LOCAL GOVERNMENT ACT

2.1.3

Other pieces of legislation that form part of the council member conduct framework include the *Independent Commissioner Against Corruption Act 2012* and the *Ombudsman Act 1972* (which provide for the powers and functions of the integrity agencies in South Australia) and the *Criminal Law Consolidation Act 1935* (which covers serious criminal offences by 'public officers').

## ISSUES

2.2

There is general agreement from the local government sector and the community more widely that the current conduct management system is not working as effectively as it should.

One key issue identified is that the use of the Code of Conduct, particularly the 'Behavioural Code', results in an overly formal process that exacerbates conflicts between elected members, and creates a long, difficult and costly process for councils to resolve behavioural matters.

Before the current Code of Conduct was introduced, each council had its own code of conduct for council members that it was required to review within 12 months after each general election. The intent of the uniform, regulated Code of Conduct was to provide consistent standards of behaviour across all councils. However, feedback has been that formally regulating detailed behavioural matters can result in an excessively combative or legalistic approach to these matters.

Both the ICAC and the Ombudsman have raised public concerns about the number of Code of Conduct complaints they receive from council members against each other, particularly when the complaints stem from disagreements or personality clashes between the members.

Recent statistics from the Ombudsman indicate that almost half of the Code of Conduct complaints he receives are from an elected member against another elected member. Both the ICAC and the Ombudsman have been publicly encouraging council members to stop lodging 'trivial' or 'petty' complaints, which are a waste of public money and resources. The Ombudsman has stated that much of his time has been taken up by internal council complaints that have proved to be costly and time-consuming.

Additionally, continual trivial or petty complaints can be very destructive at a council level. It is very difficult for a council to operate effectively if its members are unable to overcome personal differences and are continually lodging Code of Conduct complaints against each other.

These concerns have also been raised by councils, who have noted a lack of deterrence for 'trivial, frivolous and vexatious' complaints. Councils do not feel that they have the right tools to deal with minor behavioural matters quickly, fairly, and effectively.

Another key area of concern is how serious behavioural issues can be dealt with—behaviour that may cause a risk to another person's health and safety. While the current Code of Conduct recognises bullying and harassment, and provides for a mechanism for repeated behavioural breaches to be escalated from council level to the Ombudsman, there is a strong view that this mechanism is not effective; and that the sanctions available to deal with these matters are not adequate.

It is also essential to ensure that the health and safety of council staff and members is properly protected. There may therefore be a need to enable a position (such as a principal member or CEO), or a body (such as a council governance committee) to give immediate, limited directions to council members in circumstances where this health and safety is at risk.

Other concerns have been raised about the overlap and duplication between the Code of Conduct and conduct matters within the Act. These include duplication of expectations of behaviour in the Code of Conduct and in the section of the Act that sets out the 'General Duties' of members, conflict of interest matters, and the management of confidential information.

While the Code of Conduct was intended to create a 'one-stop shop' that described all conduct matters, and therefore included matters also in the Act, the conclusion is that this approach causes confusion and uncertainty as to the appropriate body to investigate alleged breaches.

Councils have also argued that the conflict of interest provisions in the Act, which were introduced in 2016 are considered 'complex' and 'confusing', making it difficult for council members to adhere to the rules.

## PROPOSALS FOR REFORM

2.3

It was clear from the response received through the call for reform ideas that the community generally considers that there should be rules of behaviour or conduct that council members should abide by.

It was also clear that there is support for a review of the current system to create a 'clearer', 'simpler', 'stronger', 'well-defined' conduct management framework. Ideas received on how this could be achieved, however, were diverse.

Ideas about how disagreements between council members should be managed ranged from dealing with them 'in-house' within the council to having an external, independent body to manage all complaints.

Other suggestions were that it is the responsibility of the Mayor and/or the elected member body and/or CEO (i.e. the 'leadership' roles) to manage disputes and find appropriate resolutions. A number of submissions advocated for a mechanism to resolve behavioural issues without having to resort to external complaints management bodies.

Many councils endorsed the approach put forward by the Local Government Association (LGA), which stated that "It is important that local government is empowered to self-determine the expectations of acceptable behaviour that align with community expectations."

Following on from this, one of the LGA's proposals is for an "increase in devolution of responsibility to councils to handle behaviour matters internally, with expedient ways to escalate serious misconduct matters as appropriate". The LGA submission also seeks a broadening of the range of penalties so that effective action can be taken commensurate with the circumstance of each case, and clearer classifications of 'misconduct', along with definitions for 'bullying and harassment' and 'sexual harassment'.

The Local Government Reform process provides an opportunity to review the conduct framework to provide clearer roles and responsibilities and a broader (and proportionate) range of tools and sanctions for managing different categories of elected council member conduct.

Noting the complexity of this issue, there are three conduct management framework models proposed in this paper. All of these models, however, contain a number of 'common features' that, like the current system, reflect the spectrum of member conduct.

## COMMON FEATURES PROPOSED

2.3.1

## A CLEAR 'HIERARCHY' OF CONDUCT

A new conduct management framework will establish a much clearer hierarchy of conduct that clearly separates 'behavioural matters' from 'integrity matters'. This will create clearer responsibilities and pathways and enable council members and members of the community to understand which body is responsible for managing aspects of council member conduct.

The Local Government legislation will continue to be the primary documents that establish the standards of behaviour and of conduct that affects integrity for council members. It is proposed that detailed behavioural matters are removed from a 'Code of Conduct' in favour of setting appropriate standards of behaviour in the legislation.

Councils will be empowered to determine—if they choose to do so and consider it helpful—more detailed examples of these behaviours (in a policy adopted by the council), which supports and is consistent with the standards in the legislation.

The legislation will also clarify which conduct matters are 'integrity matters'. These may include—



A requirement to act honestly in the performance of official functions and duties.



Release and disclosure of confidential information.



Misuse of information to gain benefit or cause detriment.



Misuse of position to gain benefit or cause detriment.



Register of interests.



Conflicts of interest.



Directing or influencing council staff.



Gifts and benefits.



Only using official council communication methods (e.g. e-mails) for official council functions and duties.



Breaching any communication (or other) protocol set up by the council or CEO for staff or council members to address risks to health and safety allegedly caused by a council member.



Misuse of meeting management powers by the presiding member.

## COUNCILS WILL CONTINUE TO BE RESPONSIBLE FOR 'BEHAVIOURAL MATTERS'

Councils will continue to be responsible for managing council member behaviour, as they currently are under the Code of Conduct.

The current Code of Conduct enables councils to decide for themselves the most suitable mechanism for dealing with behavioural matters by elected members. Complaints may be investigated and resolved in any manner that a council deems appropriate in its process for handling alleged breaches of the Behavioural Code. This can include, but is not limited to: a mediator or conciliator; the Local Government Governance Panel; a regional governance panel; or an independent investigator. A complaint within this process may be considered trivial, vexatious or frivolous and accordingly not investigated.

It is proposed that councils will continue to be required to have a process for handling complaints and an internal resolution process, but will also continue to have the autonomy to decide on the resolution mechanisms that are most suitable to that council.

Councils will also continue to be able to apply the sanctions for breaches of 'behavioural matters' that are contained within the current Code of Conduct, however, it is proposed that this be strengthened to enable councils to direct or require (rather than 'request') the actions.

It is also proposed that the principal member have enhanced powers to deal with disruptive behaviours at meetings.

## AN ESCALATION PROCESS FOR 'SERIOUS BEHAVIOURAL MATTERS'

It is recognised that certain behaviours or circumstances can require escalation to an independent body for investigation or intervention if they are serious enough to be considered as an integrity breach.

The current Code of Conduct recognises this and provides for certain matters to be referred from a council to the Ombudsman for investigation. These matters include—

1. Failure of a council member to cooperate with the council's process for handling alleged breaches.
2. Failure of a council member to comply with a finding of an investigation adopted by the council.
3. Repeated or sustained breaches of the Behavioural Code (Part 2) by the same council member may be referred, by resolution of the council.



These referral mechanisms, however, have rarely been utilised by councils. Feedback has been that it can be difficult to escalate issues about a council member's behaviour where there are factions within the council, or where divided views amongst council members on the conduct in question mean that they are unable to agree to refer the matter to the Ombudsman.

It is proposed that a better process is put in place to escalate serious behavioural matters from a council to an independent body for investigation, where there is a view that these matters are an integrity breach.

The matters which could be considered for escalation to an independent body could include—

1. Repeated and unreasonable behaviour by a council member that creates a risk to health and safety, such as bullying or harassment. This may specifically include 'sexual harassment'.
2. Behaviour that is not repeated, but still creates a risk to health and safety.
3. Behaviour that is repeated and does not create a risk to health and safety, but is serious 'unreasonable' behaviour. This could be circumstances where, despite a council's reasonable, multiple efforts to address behaviour, a council member continues to be unreasonable and unmanageable, necessitating an external 'circuit breaker' to resolve the matter.

It is likely that the independent body receiving complaints about these matters would expect that the relevant council would have taken reasonable actions to address the behavior at a council level, before escalating, where possible. It is also proposed that complaints of this nature would be escalated only following a decision of the council, or by a council's governance committee.

It should be noted that any person affected by behaviour that poses risks to their safety can seek intervention orders (including an interim order) under the *Intervention Orders (Prevention of Abuse) Act 2009* (SA) for their protection. It is proposed that a council member subject to an intervention or interim intervention order relating to a council member or staff could be suspended from office for the duration of this order to properly protect members and staff.

## ENSURING THAT 'INTEGRITY MATTERS' ARE DEALT WITH BY AN INDEPENDENT BODY

A new conduct management framework will clarify that breaches of integrity matters should be dealt with by an independent body that has appropriate sanctions available to them.

This body could be the Ombudsman, or the 'Conduct Commissioner' (as discussed in the proposed models). It is also proposed that this body could apply an expanded range of sanctions that would include: the ability to suspend a member; suspend a member's allowance; or to require reimbursement to the council of costs involved in an investigation of a matter.

A number of ideas received requested a greater ability to dismiss council members, and/or prevent them from standing at future elections.

This ability is currently only held by the South Australian Civil and Administrative Tribunal (SACAT). It is appropriate that the ability to disqualify a democratically elected council member from office should be reserved for only the most serious categories of conduct, and can only be applied by a tribunal or court.

It is, however, essential that serious matters can be brought before SACAT when necessary. Accordingly, the new conduct management framework will retain the ability of the independent body investigating integrity breaches to require that complaints to SACAT be made when appropriate.

## IMPROVED CONFLICT OF INTEREST PROVISIONS

The conflict of interest provisions in the Act will be reviewed, to—



Simplify the current system by reducing the current three 'categories' of conflict (material actual and perceived) to two—'material conflict of interest' and 'non-material conflicts of interest'



Simplify the process by which council members can be exempt from conflict of interest provisions, or seek approval to participate in a matter. This will include a review of the 'ordinary business matters'.



Clarify the application of conflict of interest rules to council committees and subsidiaries to remove the current complex regulations that deal with this matter.

### OPTIONS OF PROPOSED MODELS FOR COUNCIL MEMBER CONDUCT FRAMEWORK

2.3.2

The three models of the conduct management framework that are proposed are detailed below. It is proposed that all of these models would include the common features described above. Additionally, the models are not mutually exclusive. Elements of any of the three could be incorporated into any final model.

## MODEL 1 - CLARIFICATION OF CURRENT LEGISLATION

This proposed model would have the common features described above but would require a council resolution to refer 'bullying and harassment' complaints to the Ombudsman. That is, the council as a body has to be satisfied that the definition or threshold for 'bullying and harassment' has been met.

This model would also require the council to report on conduct matters in the annual report.



## MODEL 2 - UTILISATION OF GOVERNANCE COMMITTEES

This proposed model utilises a council 'governance committee' (with requisite skillsets) to have a role in relation to council member conduct. The concept of a 'governance committee' is explored in Reform Area 2. In summary, it would be an independent body that is empowered to advise the council on a range of governance issues.

This model would—



Require governance committees to assess complaints of alleged 'bullying and harassment' by council members, and, if determined that alleged behaviour meets the definition/threshold, to lodge the complaint with the Ombudsman.



Enable (but not require) councils to use governance committees to consider behavioural matters.



Require governance committees to report on conduct matters in the annual report.

## MODEL 3 - ESTABLISH A LOCAL GOVERNMENT CONDUCT COMMISSIONER

This model would create an additional integrity body with a specific responsibility to oversee all aspects of council member conduct. This body would—



Have a specific role in the prevention of improper conduct through providing training, advice and practice guidelines to council members.



Be able to consider and investigate alleged breaches of behavioural standards at the request of the relevant council.



Have responsibility for considering and investigating bullying and harassment allegations, if the council/governance committee agrees to the referral of this complaint to them.



Have responsibility for the investigation of all alleged breaches of integrity matters (rather than the Ombudsman).



Have appropriate disciplinary or sanction powers except for the powers that will remain with SACAT (e.g. disqualification powers).



At council request, may undertake a range of services on a cost-recovery model including specific training, counselling, mediation and conciliation.

It is expected that this model would be funded by the local government sector, including cost recovery fees for specific services.

While the detail of the operation of a 'Local Government Conduct Commissioner' would be developed in accordance with its potential functions, it is expected that it would—



Require the appointment of a suitably qualified and experienced person as the Commissioner, noting that this role would have similar responsibilities to those currently held by the Ombudsman to investigate members and apply sanctions. This is likely to be a full time, or near full-time position.



Require a core administrative unit to be established to support the Commissioner, and to undertake investigations.



Enable the Commissioner to appoint training facilitators, mediators, and additional investigators as required.

This model would enable the Ombudsman to focus on the administrative acts of councils (not including conduct) as is the case with most other Australian jurisdictions.

### 3 COUNCIL MEMBER CAPACITY

#### ROLES WITHIN LOCAL GOVERNMENT - OVERVIEW

A brief overview of the roles of the various components that make up local government is set out below—

#### THE COUNCIL

A group of members (led by a mayor or chairperson) elected by the community and is the governing body of a local government. Councils are responsible for the governance of their local government's affairs and functions. This includes oversight of the planning and allocation of finances and resources and the determination of local government policies.

## CHIEF EXECUTIVE OFFICER (CEO)

Employed by the council to head the administration and manage the day-to-day operations, or executive functions, of the local government and to implement lawful council policies and decisions.

## COUNCIL STAFF

Employed by the CEO to perform the functions of the local government.

## 3.1 ROLE OF COUNCIL MEMBERS

### BACKGROUND

3.1.1

Council members are elected to represent the interests of their community through participation in important local decisions and are expected to act with the highest standards of integrity.

To effectively perform this role, council members are also expected to work together constructively and deal with disagreements, conflicts or personality differences in a professional manner, for the best interests of their community. They must also make every effort to ensure that their skills and knowledge enable them to perform their roles, and are continually improved.

The Act recognises the role of council members, and provides some specific details on expectations, that this role is—

### AS A MEMBER OF THE GOVERNING BODY OF THE COUNCIL—



Participate in the deliberations and civic activities of the council.



Keep the council's objectives and policies under review to ensure that they are appropriate and effective.



Keep the council's resource allocation, expenditure and activities, and the efficiency and effectiveness of its service delivery, under review.



Ensure, as far as is practicable, that the principles set out in section 8 of the Act are observed.

### AS A PERSON ELECTED TO THE COUNCIL—



Represent the interests of residents and ratepayers.



Provide community leadership and guidance.



Facilitate communication between the community and the council.

## ISSUES

3.1.2

While the role of a council member details the tasks and responsibilities of a council member's functions and duties, the Act is currently silent on expectations of a council member's behaviour, and on their obligations to promote a good working relationship amongst their council.

Feedback was also received that the importance of mandatory training for council members is not well recognised within the Act. Some concern has been raised within the local government sector that there is a perception in the community, however, that training or ongoing training and development of council members is a waste of public resources

## PROPOSALS FOR REFORM

3.1.3

There is an opportunity to strengthen council members' capacity and improve their conduct through better description of their role in the Act.

It is proposed to further clarify the role of council members, in particular, to recognise their responsibility both individually and collectively to ensure (as far as reasonably practicable) good working relationships within the council, and to support the effectiveness of a new conduct management framework.

It is also proposed to clarify that the role of a council member recognise their obligation to complete mandatory training requirements within the required timeframes and have a commitment to the continuous development of knowledge and skills.

The role of a council member in the Act will be clarified to include—



Ensure (as far as is practicable) constructive working relationships within the council including with other council members, the principal member and council employees.



Ensure completion of mandatory training within the specified timeframes and to have a commitment to ongoing training and development of skills relevant to the role of a council member and the roles and functions of the council body.



Act with integrity.



Recognise and support the role of the principal member as specified in the Act.

To better recognise the importance of council member training, it is also proposed to clarify its mandatory nature in the Act, and to revise the presentation of the mandatory training scheme in the regulations (see below for further discussion).

### 3.2

## THE ROLE OF THE PRINCIPAL MEMBER

### BACKGROUND

#### 3.2.1

The Act also defines the specific role of the principal member of a council (that is, the Mayor or Chairperson), which is in addition to their role as a council member.

These additional duties and responsibilities are to preside at (chair) council meetings, to perform certain civic and ceremonial duties, to act as the principal spokesperson for the council, and to provide advice to the CEO on the implementation of a decision of a council.

### ISSUES

#### 3.2.2

While the role of the principal member as described in the current Act recognises the particular responsibilities of a principal member, it does not sufficiently reflect expectations that Mayors and Chairpersons are a leader of their elected body; and should demonstrate and lead the standards of behaviour and decision making that are critical to the effectiveness and reputation of their council.

Good governance relies on constructive working relations between council members. The principal member, as the leader of the council, is expected to promote and foster positive relationships and to support members in resolving disagreements or conflicts that arise. Promoting and leading good relations between council members before contentious issues arise increases the likelihood that these issues can be dealt with robustly but without becoming divisive in a way that damages the reputation of the council.

It is also recognised that, in addition to these expectations, principal members have limited tools available to them to support behavioural standards and working relationships between elected members. In particular, it has been identified that principal members need greater powers to manage poor behaviour in the context of council meetings.

Currently, under the *Local Government (Procedures at Meetings) Regulations 2013*, a council member can only be excluded (suspended) for part of or the remainder of a meeting by a council resolution. This is unworkable where there are factions within a council or where there are disagreements creating high tensions that result in inappropriate and impeding behaviour.

Finally, a number of concerns have also been voiced about the working relationship between principal members and councils' chief executive officers. For a council to be effective, these two leaders must work together in a complementary way, providing mutual support and ensuring productive interaction between the elected council and its administration.

## PROPOSALS FOR REFORM

### 3.2.3

It is proposed that the Act should clearly state expectations of the role of the principal member as a leader of the council. These could include—



Presiding at meetings of the council and exercising the powers as prescribed under the regulations.



Providing guidance to council members about what is expected of a council member.



Supporting council members' understanding of the separation of responsibilities between the elected and administrative arms of the council.



Promoting and supporting good, constructive working relationships and high standards of behaviour and integrity in the council.



Where necessary, taking a leadership role in resolving differences in the elected member body.

It is also proposed that the presiding member of the council meeting (which is usually the principal member) be given enhanced powers to manage disruptive behaviour by council members in a council meeting, through a power to exclude council members for part of or for the remainder of council meetings.

Any misuse of this power would be considered as an integrity breach, within the new conduct framework.



Mayors cannot vote on most council motions as they are currently restricted to a casting vote only when members' votes are tied. Feedback from Mayors is that this limitation does not reflect community expectations of their leadership role within a council. Therefore, it is proposed to give directly elected Mayors a deliberative vote in council meetings while retaining their ability to make a casting vote.

## 3.3

**MANDATORY TRAINING REQUIREMENTS****BACKGROUND****3.3.1**

Currently, the imposition of mandatory training for council members is through the requirement in section 80A of the Act and Regulation 8AA of the *Local Government (General) Regulations 2013* that councils must prepare and adopt a training and development policy for its members that complies with the *LGA training standards* approved by the Minister. The *LGA training standards* require mandatory training.

**ISSUES****3.3.2**

There is a significant amount of support from the community for mandatory training requirements for council members.

However, the LGA, with support from the local government sector, has raised an issue regarding how the mandatory training for council members is currently imposed through the training standards. A number of submissions proposed that there could be more clarity in the legislation on the training that is required, and on the consequences for members that choose not to comply with the mandatory training requirements.

Ideas have been received to change the requirements to a competency-based assessment (rather than attendance-based) and consideration of online training capabilities. Many suggestions were also received in regard to the topics that should be covered in mandatory training.

**PROPOSALS FOR REFORM****3.3.3**

It is proposed to amend the Act to replace the requirement for councils to have a training and development policy with a mandatory training scheme established in regulations.

It is also proposed that the requirement for mandatory training for council members to be completed (within a specified timeframe) be prescribed in the legislation and that there be a consequence for non-compliance. Specific sanctions may apply for a failure to comply with these mandatory training requirements, or this failure could be considered as a breach of an 'integrity matter'.

The details of minimum training requirements and standards will be considered as part of the development of a regulation package in a later stage of the reform process.

## **4 THE ROLES AND RELATIONSHIPS BETWEEN THE COUNCIL ELECTED MEMBER BODY AND THE CEO**

### **BACKGROUND**

**4.1**

The effectiveness of a local government is largely dependent on the relationship that a council (and its individual elected members) has with its administration, primarily the chief executive officer (CEO). The role of the CEO is outlined in the Act—in summary, CEOs must implement council policies and lawful decisions, be responsible for the day-to-day management of the council, and provide good advice and information to the council.

CEOs answer to their council—and it is, therefore, the council's responsibility to properly manage them. However, while the Act includes requirements for appointing (employing) a CEO, and sets some procedures for appointment and grounds for termination, the Act does not have any specific requirements about performance reviews or management.

### **ISSUES**

**4.2**

Feedback received raised concerns about a perceived imbalance of power in local government in South Australia. There is a view that the council as a governing body and the individual elected members are overly reliant on the administration, particularly the CEO, in their decision making.

Concerns have also been raised that council CEOs have a disproportionate advantage in negotiating their own contractual conditions and that there is insufficient oversight of their performance. Conversely, other feedback argued that CEOs can be vulnerable to poor assessments of their performance, and poor decisions regarding their future employment. The role of a CEO in a council is of critical importance, and therefore, so is their performance. However, council members do not always have the expertise to set performance standards, contractual conditions and appropriate remuneration, or to conduct effective and timely performance monitoring and management.

Further, the review of a CEO's performance can be particularly difficult when relationships between the council and its CEO are not professional—both hostile and overly friendly relationships between a council and its CEO can be equally problematic.



## PROPOSALS FOR REFORM

4.3

A number of ideas were received on the performance of the CEO, and the role and relationships between the CEO and the council. These ideas included revising the process by which CEOs' positions are advertised, appointed, renewed and released.

It is proposed that councils be required to involve independent advice in a CEO appointment process. This could be a requirement to receive independent advice or to include independent members on the CEO selection panel that makes recommendations to the council on the appointment and employment of a CEO, including employment conditions. An additional proposal could be to give the responsibility for determining appropriate CEO remuneration to the Remuneration Tribunal of South Australia (which currently sets council members' allowances).

It is also proposed that councils be required to conduct annual performance reviews of their CEO. These could include independent membership (noting that it is common for councils currently to use CEO performance committees), which may be linked to the council's governance committee, if this reform is implemented, or separate independence advice.

Finally, it is proposed that a CEO's contract cannot be extended without the council completing a performance review; and that the CEO's contract cannot be terminated without the council gaining specialist industrial/employment contract advice.

## REFORM AREA 1

### STRONGER COUNCIL MEMBER CAPACITY AND BETTER CONDUCT SUMMARY OF REFORM PROPOSALS

#### COUNCIL MEMBER CONDUCT

- 1.1** Clearly separate behavioural matters from integrity matters in the legislation.
  - 1.2** Include standards of behaviour in the legislation, allowing councils to adopt more detailed 'examples of behaviour'.
  - 1.3** Continue to give councils flexibility to deal with behavioural matters.
  - 1.4** Provide principal members with enhanced powers to deal with disruptive behaviour at meetings.
  - 1.5** Enable escalation of serious behavioural matters to an independent body that can suspend members (including suspension of an allowance).
  - 1.6** Simplify the conflict of interest provisions by establishing 'material' and 'non-material' conflicts.
  - 1.7** Simplify the process by which council members can be exempt from conflict of interest provisions, or seek approval to participate in a matter.
  - 1.8** Clarify the application of conflict of interest rules to council committees and subsidiaries.
- Establish a new conduct management framework through—
- 1.9**
    - Model 1 - The clarification of current legislation
    - Model 2 - Using governance committees
    - Model 3 - Establishing a Local Government Conduct Commissioner.

**COUNCIL MEMBER CAPACITY**

- 1.10** Clarify the role of council members to recognise their responsibility to ensure good working relationships within the council, and to support the conduct management framework.
- 1.11** Clarify the role of council members to recognise their obligation to complete mandatory training.
- 1.12** Clearly state the role of the principal member as a leader of the council, particularly in ensuring good working relationships within the council.
- 1.13** Provide directly elected Mayors with a deliberative vote on motions before council.
- 1.14** Establish a mandatory training scheme within the regulations.
- 1.15** Establish a timeframe for the completion of mandatory training and a penalty for non-compliance.
- 1.16** Require councils to receive independent advice on CEO selection and remuneration.
- 1.17** Give responsibility for determining CEO remuneration to the Remuneration Tribunal of South Australia
- 1.18** Require councils to conduct annual performance reviews of CEOs, with independent oversight.
- 1.19** Require annual performance reviews to be completed before the extension of a CEO contract.
- 1.20** Require councils to receive independent advice before terminating a CEO contract.

## REFORM AREA 2



**LOWER COSTS AND  
ENHANCED FINANCIAL  
ACCOUNTABILITY**





## 1 INTRODUCTION

Councils in South Australia collectively manage an annual budget in excess of \$2.2 billion and are responsible for more than \$24 billion worth of infrastructure and other assets. To manage these responsibilities, councils can raise tax—council rates—and impose other fees and charges on their communities.

It is essential that councils, as public bodies, meet the right standards of accountability for public sector administration and management of public funds.

The reforms proposed in this paper aim to enhance financial accountability and improve efficiency within the local government sector by delivering greater confidence in council audits, improving council decision making, financial reporting, and making information about council financial performance more accessible.

Many submissions made through the call for ideas argued that a system of benchmarking or service reviews across local government would help councils and communities to better understand the costs of services, and how efficiencies may be achieved.

The South Australian Government has directed the South Australian Productivity Commission (the SAPC) to undertake an inquiry into local government costs and efficiency to identify options to improve efficiency and financial accountability and reduce costs for ratepayers.

The inquiry will involve state-wide consultation with councils, community groups and relevant professionals in the public, private and professional bodies as part of the public engagement process, before the release of a draft report in August 2019, and a final report on 22 November 2019. It is expected that this work will inform future directions on the potential use of benchmarking and other service review mechanisms across local government.

Further information on the SAPC's work is available at—  
[www.sapc.sa.gov.au/inquiries/inquiries/local-government-inquiry/consultation](http://www.sapc.sa.gov.au/inquiries/inquiries/local-government-inquiry/consultation)

COUNCILS MANAGE AN ANNUAL BUDGET OF  
**\$2.2 BILLION**  
 AND ARE RESPONSIBLE FOR  
**\$24 BILLION**  
 WORTH OF ASSETS



## 2 FINANCIAL ACCOUNTABILITY

### BACKGROUND

2.1

The *Local Government Act 1999* (the Act) sets the standards for councils' administrative and financial accountability, largely in Chapter 8 of the Act. This framework reflects the broader local government policy that has been in place for South Australia for some time, that is, that councils have a responsibility to abide by the statutory framework, and are accountable to their communities for doing so, without detailed compliance oversight from the State Government.

However, the State does have a responsibility to ensure that the statutory framework sets appropriate standards. Significant legislative amendments have therefore been made over a number of years to improve the financial management and accountability of councils in South Australia.

In 2007, amendments to the Act improved the accountability of councils as well as strengthening their financial governance, asset management, rating practices and auditing arrangements.

These improvements included the requirement for councils to—



Prepare and adopt long-term financial plans.



Prepare and adopt infrastructure and asset management plans.



Establish audit committees.



Adopt several measures to strengthen the independence of external auditors.



Adopt a consistent and improved reporting format for annual financial statements.

Additional amendments in 2009 further improved the legislative framework for internal and external review of council administration and financial management, including changes to improve council external audits and strengthen internal controls.

These changes included—



New requirements for an auditor to audit a council's internal controls and provide an opinion on whether those internal controls provide a reasonable assurance that the financial transactions of the council have been conducted properly and in accordance with law.



Expanding the matters that council auditors must report to the Minister.



Increased guidance about what council policies, procedures and practices must be designed to achieve in key areas such as prudential management and contracts and tendering.

In addition, amendments were made to the *Public Finance and Audit Act 1987* in 2013 to enable the Auditor-General to conduct an examination of a publicly funded body (which includes a council, a subsidiary of a council or a regional subsidiary) and the efficiency, economy and effectiveness of its activities.

The Auditor-General may also examine the accounts relating to a publicly-funded project and the efficiency and cost-effectiveness of the project. The Auditor-General must conduct an examination if requested to do so by the Treasurer or the Independent Commissioner Against Corruption.

## COUNCIL AUDITS

2.2

Auditing is the independent examination of the financial report of an organisation. Audits are critical to ensuring confidence in councils' financial position and operations, as they assess compliance with the standards set out in the Act and Regulations.

External audits in the South Australian local government sector have traditionally been focused on an independent assurance that a council's annual financial statements present a true and fair view of the financial position of the council and comply with prescribed requirements.

These audits now also examine and report on the adequacy of a council's internal controls, which are the measures put in place by councils to ensure that a council's resources, operations and risk exposures are effectively managed.

Auditors must undertake an audit on the controls put in place by a council in relation to the receipt, expenditure and investment of money, the acquisition and disposal of property and the incurring of liabilities, and provide a report to the council as to whether these controls are sufficient to provide reasonable assurance that the financial transactions have been conducted properly and in accordance with law.

In forming such an opinion on a council's internal controls, the auditor must assess them according to the criteria in the LGA's *Better Practice Model – Internal Financial Controls*, which is a tool that assists a council to assess, mitigate against and reduce risks in its day-to-day operations.

Organisations commonly undertake an internal audit process to assess and report on internal controls, however, an internal audit function is not prescribed for councils in South Australia. Many councils do have an internal audit function of some kind in place to provide assurance to their audit committee that internal controls are in place and effective.

Along with a requirement to undertake an audit, the Local Government Act also provides some direction on how auditors should be appointed, and how audits should be undertaken.

All councils contract registered company auditors to audit their annual financial statements, applying the relevant Auditing Standards. Under the Act—



Councils are required to appoint an auditor who must either be a registered company auditor or a firm comprising at least one registered company auditor.



Auditors are appointed by councils on the recommendation of a council's audit committee.



The term of an appointment of an auditor must not exceed five years.

As described above, external auditors must undertake annual auditing of a council's financial statements and internal controls exercised by the council, and then provide, to the council, an opinion on the financial statements and the adequacy of the internal financial controls.

In practice, many councils have a majority of independent members on their audit committees, and many also extend the role of their committees to provide independent advice on a range of matters, such as procurement and prudential reporting.



Additionally, a council may request its auditor, or some other person determined by the council to be suitably qualified in the circumstances, to examine and report on any matter relating to financial management, or the efficiency and economy with which the council manages or uses its resources to achieve its objectives.

It is worth noting the critical role that councils' audit committees play in their financial reporting framework, including auditing. South Australia was one of the first States in Australia to require councils to establish an audit committee, as a body that provides independent advice to a council on auditing and related matters.

Currently, audit committees are required to—



Review annual financial statements to ensure that they fairly present the state of affairs of the council.



Propose, and provide information relevant to a review of the council's strategic management plans or annual business plan.



Have a role in an investigation of a council's financial management, or its efficiency and effectiveness, if this investigation is requested by the council.



Liaise with the council's auditor.



Review the adequacy of the accounting, internal control, reporting and other financial management systems and practices of the council on a regular basis.

An audit committee must have between three and five members and must include at least one external independent member with financial experience as determined by the council.

## ISSUES

2.3

It is critical that audits are an effective financial management tool for councils, and that they generate public confidence in their operation.

Increasingly, there is an expectation for audits to provide improved financial management, fiscal responsibility, public accountability and greater community confidence in a council's administration of public money.

While significant improvements have been made to the provisions in the Act regarding council financial management and audits, there are concerns about the present arrangements for the external audit of councils. While there appears to be a consensus that the legislative framework is sound, questions have been raised about the quality of some audits. There also have been calls for greater external oversight.

A report released by the LGA in 2016, *Who Should Audit Local Governments in South Australia?* identified a number of issues regarding local government audit arrangements.

These issues included the limited scope of many council audits (the depth of an audit performed), lack of audit oversight, inconsistency in the interpretation and application of accounting standards and auditing standards, the thoroughness of audits (in light of the generally low audit fees charged by auditors), and the independence of the relationship between auditor and council.

Additionally, an examination of the District Council of Coober Pedy completed by the Auditor-General in late 2018 concluded that this Council's financial position was unsustainable, the Council's financial performance was inadequate and that the Council's accounting systems and records were significantly deficient and unable to support effective financial management of the Council's operations.

While this examination was of a single council, its results raise the question of why the Council's own external audit process apparently did not reveal any irregularities in the Council's accounting practices or management of its financial affairs, or identify the multiple breaches of the Act that had been occurring.

## PROPOSALS FOR REFORM

2.4

It is timely to consider improvements to the Act to ensure that councils' financial management framework is both robust and consistent.

Potential improvements centre on two reform proposals—strengthening the role of audit committees and expanding the role of the Auditor-General.

## IMPROVING AUDIT COMMITTEES

### 2.4.1

As noted above, audit committees play a critical role in the standard of councils' financial management practice and auditing processes.

The value of audit committees is widely recognised in the local government sector. Many councils have taken additional steps, beyond those required by the Act, to improve the independence and standard of audit committee members, and to expand its role.

It is generally acknowledged within the local government sector that having more than one independent member, including an independent chair, is best practice. Many councils also give their audit committees responsibilities and oversight that extend beyond those currently required under the Act, to include risk management and fraud prevention, financial and non-financial performance, and compliance with council policies and legislation.

A simple improvement to audit committees would be to require all committees to have a majority of independent members and an independent chair.

However, it may also be timely to strengthen the role of the audit committee. It is essential to ensure that the relationship between the council and its auditor is independent, and that council audits are not compromised by limited scope and reduced costs.

This could be achieved through establishing a clearer role for audit committees in the appointment of a council's auditor; to ensure that the scope of the council's audit parallels the scope of public sector audits undertaken by the Auditor-General, and clarify an audit committee's role as the council's chief liaison point with the auditor.

Additionally, given the importance of a strong internal control regime in councils, it is proposed that the responsibility of an audit committee to comment on these be strengthened, to form an opinion on the council's internal audit requirements and a recommended course of action, recognising the diversity of councils with regard to size, needs, budget and complexity of operations.

It is critical that the audit committee's membership contains the right skillsets and knowledge, particularly if the role is to be expanded. For example, an audit committee should have at least one member with financial qualifications and experience, in addition to experience in risk management, financial and legal compliance, governance, and a local government background. An appropriate induction should also be provided to committee members.

It is also proposed to amend the Act to clarify the policy intent for an audit committee to be active and carry out its responsibilities. It is therefore suggested that audit and risk committees be mandated to meet regularly, for example, at least four times a year.

It is acknowledged that there are concerns regarding the ability to attract suitably qualified and skilled members to audit committees, particularly in regional areas.

Amendments to the Act in 2009 permitted each council to determine, or allow its committees to determine for themselves that some committee meetings may include participation by telephone or other electronic means, provided that there is still a place that is open to the public where the conduct of the meeting can at least be heard, even when all participants are not physically in that place.

It is proposed that an expansion of audit committees' responsibilities and roles would be accompanied by an ability for councils to establish regional audit committees as they choose.

## EXPANDING THE ROLE OF THE AUDITOR-GENERAL

### 2.4.2

Currently, South Australia is the only Australian state where the Auditor-General does not have some role in the annual council audit process.

In every other jurisdiction (with the exception of the Northern Territory), the Auditor-General is the external auditor for councils. All also enable the Auditor-General, at his or her discretion to undertake a broad scope or performance audit of councils or the local government system.

The council audit process in most interstate jurisdictions has developed in recent years into a mechanism for addressing and improving financial and asset management. This is well illustrated by the reforms in local government seen interstate, in particular in Victoria and New South Wales.

Further, in interstate jurisdictions where the Auditor-General's mandate encompasses the audit of local government authorities, the Auditor-General submits the results of these audits in reports to Parliament. These reports include comparative analysis, including analysis of financial performance and sustainability, and key issues and trends relating to local government. Further information on interstate arrangements is available in a separate document from the Office of Local Government website [dpti.sa.gov.au/local\\_government\\_reform](http://dpti.sa.gov.au/local_government_reform)

The proposal that the South Australian Auditor-General should have a similar role for councils here has been put forward previously, through—

The Economic and Finance Committee of Parliament's 2016 *Final Report on the Inquiry into Local Government Rate Capping Policies*, which recommended that councils be subject to a thorough auditing process under the auspices of the Auditor-General, consistent with section 36 of the *Public Finance and Audit Act 1987*, and that councils be required to publish, on an annual basis, these audits.



The LGA's 2016 *Who Should Audit Local Governments in South Australia?* report, which concluded that transferring local government audits under the auspices of the Auditor-General should be considered as a serious alternative to the current system.

The South Australian Local Excellence Expert Panel's 2013 report *Strengthening South Australian Communities in a Changing World*, which recommended that the Auditor-General assume responsibility for local government auditing on a basis to be agreed between the LGA and State Government, noting that this would add to the legitimacy and autonomy of local government by making it subject to the same scrutiny and accountability to both the community and the Parliament as other spheres of government.



It is acknowledged that, as is the case interstate, the Auditor-General would appoint and oversee councils' external auditors, rather than undertake the audits 'in house'. However, this oversight would ensure that council audits are undertaken to the same standards as the audits of all State government bodies, which would improve the scope and quality of the audit process in many councils.

It would also provide a level of oversight from outside of the council body that is currently lacking. While, as detailed above, audit committees were put in place to ensure that councils' 'self-assessment' scheme under the Act is subject to independent oversight, in order to deliver high quality audits across all councils, this previous reform has not quite achieved that aim. Improving the membership and role of the audit committees, while valuable, may continue to pose a risk that a body that is established by and is subordinate to councils may not deliver the level of independent oversight that is critical for public bodies.

The Auditor-General's involvement in council audits would ensure that all audits are undertaken uniformly and to a high standard. It would also allow for the collection of useful data that can form the basis for further investigations and performance audits.

It is important that councils are aware of what services they provide, the cost of those services, and how they can improve delivery to achieve cost efficiency. Unlike the terms of reference for audits traditionally developed by most councils, an audit by the Auditor-General could routinely assess whether councils are delivering services efficiently and economically.

Finally, establishing a role for the Auditor General in council audits would also provide a consistent approach to the oversight of all public bodies in South Australia, as is already largely the case with the other integrity bodies in the State, the Ombudsman and the Independent Commissioner Against Corruption.

It is recognised that the costs of audits would be likely to increase under the mandate of the Auditor-General. This cost should be weighed, however, against the benefits of improvements to the scope and quality of many council audits, and of better, consistent data and analysis and increased public confidence in councils' financial position, management and decisions.

### **3 IMPROVING GOVERNANCE STANDARDS AND DECISION MAKING**

#### **BACKGROUND**

**3.1**

Councils are established as democratically elected governments to make representative, informed and responsible decisions in the interests of local communities, for which they are ultimately accountable at elections. As local governments, councils must meet the standards of accountability appropriate for public sector administration and management of public funds.

The Act sets out the primary legislative framework for the system of local government and the operation of local governing authorities, including financial governance. For example, the Act requires each council to develop and adopt a number of key documents, including strategic management plans, an annual business plan and budget, and annual report.

#### **ISSUES**

**3.2**

While councils are independent spheres of government that answer to their communities for the decisions that they make, it is critical that these decisions are made within a legislative framework that sets high standards of accountability and transparency.



Concerns have been raised regarding council decision making and accountability. It is essential that the legislative framework supports elected member bodies to make decisions that are well informed and that these decisions are effectively communicated to members of the public. This includes improvements to financial reporting to ensure that information about councils' finances and budget decisions are both accessible and easily understood.

### 3.3 PROPOSALS FOR REFORM

#### CREATING 'AUDIT AND RISK COMMITTEES'

3.3.1

As noted above, a number of councils have expanded the role of their audit committees to provide advice to them on a range of matters beyond those detailed within the Act. They do this to ensure that the council has an independent and thorough assessment of various matters to help the council to make good decisions, and to provide assurances to their communities that critical processes and decisions have been subject to independent oversight and assessment.

It is therefore proposed that audit committees be expanded to become 'audit and risk committees' that would play a critical role in improving councils' financial management and performance. An expanded role could include—



Reviewing councils' risk assessments and controls.



Providing comment on councils' rating policies and practices.



Reporting to councils on its use of public resources.



Reporting to councils on prudential matters.



Performance monitoring of councils.

It is also suggested that the chair of each audit and risk committee provide a report or statement in the council's annual report on prescribed matters including compliance with financial governance and related statutory obligations..

The expansion of their current role would assist with increased accountability, improved decision-making, and compliance with legislation, policies and procedures. As highlighted above, it is critical that the committee's membership contains diverse skillsets, particularly if the role is to be expanded.



While councils are required to develop a rating policy, the Act does not require councils to adopt a funding policy that sets out approaches to the funding of services. Some councils, however, have adopted a formal funding policy. The LGA's local government reform agenda highlights that funding policies would create a single point of reference to enable the community to understand how a council proposes to pay for each of its services and infrastructure over a period of time, taking into account rates, grants fees and charges and commercial activities.

An additional proposal is therefore that councils should be required to develop and adopt a funding policy that would be reviewed on an annual basis, as part of a council's annual business plan. Audit and risk committees could also be required to review and report to councils on this policy before its adoption.

In response to concerns regarding the transparency of rating decisions and their impact, it is proposed that councils be required to release a summary with their draft annual business plan each year that details the expected increase in councils' total general rate revenue and the reasons for this increase. If the increase is above a prescribed level, the council's audit and risk committee could be required to report to the council on the necessity for the increase, before a final decision on the matter.

### CREATING 'GOVERNANCE COMMITTEES'

### 3.3.2

Along with audit committees, many councils also establish a range of committees to advise them on critical council business and decisions. These can be governance and corporate management committees, strategic planning committees, policy committees, or committees to assist councils to appoint and manage its chief executive officer (CEO). Often these committees consist entirely of council members, or members and staff.

The advice that independent audit committees provide to councils can be invaluable. They can be a critical source of support for members, to provide additional assessment and assurances to inform their decisions, beyond that which is provided by council administration.

It is proposed to capture the benefits delivered by independent audit committees to apply to other, equally important matters before councils. To undertake their roles properly, councils need good governance standards. This extends beyond their financial management and position to encompass management, policies, processes, guidance and actions that councils rely on to make their decisions. These can be improved and strengthened through independent advice on matters that could include—



Councils' compliance and governance policies.



Councils' policies for improving ethical standards across councils and reducing fraud and corruption risks.



Councils' strategic management plans, and on progress to deliver priorities, particularly on the management of significant council projects.



Council member conduct—both on policies and processes to improve it, and on specific conduct matters (as described in Reform Area 1).



CEO appointment and management (as described in Reform Area 1).

This additional 'governance role' could be incorporated into the overall role of an 'audit and risk committee' (potentially creating an 'audit, risk and improvement committee'), or established as a separate 'governance committee'.

Alternatively, an approach could be to allow councils to decide whether to establish two, smaller committees, or one slightly larger committee to deliver all responsibilities. As with the proposed expansion of the audit committees, enabling councils to establish regional committees could assist regional councils to appoint members with the necessary expertise and experience.

## 4 ADDITIONAL PROPOSALS

The reform program provides an opportunity to progress a number of other issues that have been identified.

### LONG TERM FINANCIAL PLANS — CONTENT

4.1

Section 122(1a) of the Act requires each council to develop and adopt a long-term financial plan covering a period of at least 10 years, along with an infrastructure and asset management plan also covering a period of at least 10 years. These plans form part of a council's strategic management plans. The Act and Regulations set out content requirements for long-term financial plans and the LGA's Financial Sustainability Information Paper includes guidance material.

It is proposed that the requirements in the Act and Regulations should be more detailed. For example, councils should be required to clearly state whether their infrastructure and asset management plan is based on maintaining existing service levels, or whether service level reductions or improvements are planned.

### LONG TERM FINANCIAL PLANS — CONSULTATION

4.2

The Act requires councils to review their long-term financial plans, and any other elements of its strategic management plans as soon as practicable after adopting its annual business plan for a particular financial year.

To ensure that long-term financial plans are improved and updated as frequently as practical, it is proposed to amend the Act to clarify that public consultation is not required for a review of a long-term financial plan unless significant changes are being proposed.

It is also proposed to clarify that long-term financial plans must be reviewed at least once a year, rather than the requirement for the review to be undertaken as soon as practicable after the CEO reports on the council's long-term financial performance and position

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**CEO REPORT ON THE COUNCIL'S LONG TERM FINANCIAL PERFORMANCE AND POSITION** 4.3

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The Act requires a council CEO to report, each year, on the sustainability of a council's long-term financial performance and position. As the content and quality of such reports vary significantly, it is proposed to strengthen the legislative provisions by ensuring that the report is presented in a manner in which supports council members and the community to understand it.

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**APPROVAL OF COUNCIL BORROWINGS** 4.4

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A report released by the Auditor-General in late 2018, concerning the District Council of Coober Pedy, could be interpreted to suggest that councils are required to pass a separate resolution every time a borrowing is undertaken. It is proposed to amend the Act to ensure that a budget adopted by a council may include approval of an amount of new borrowings or other forms of financial accommodation which may be undertaken for the financial year.

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**ADOPTION OF AN ANNUAL BUSINESS PLAN** 4.5

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Currently, councils are unable to adopt their annual business plans and budgets before 1 June each year, but must do so before 31 August (except in a case of extraordinary administrative difficulty). It is proposed to simplify this requirement, and recognise that most councils adopt their annual budgets in July, by requiring councils to adopt their annual business plan and budget by 15 August each year.

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**INTERNAL FINANCIAL CONTROLS** 4.6

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It is proposed to require all councils to comply with the LGA's *Better Practice Model – Internal Financial Controls*. This would support councils to meet their obligations under the Act to maintain policies, practices and procedures of internal control.

It would also resolve a current inconsistency between the requirements for internal controls under section 125 of the Act, and the scope of internal controls required to be considered by a council's external auditor under section 129(3)(b) of the Act. Unless a council has voluntarily agreed to adopt and comply with the *Better Practice Model – Internal Financial Controls* framework, an external auditor may be put in the position of being required to give an opinion on a council's compliance with a framework that a council is not required to comply with.

**REFORM AREA 2**LOWER COSTS AND ENHANCED FINANCIAL ACCOUNTABILITY  
SUMMARY OF REFORM PROPOSALS**FINANCIAL ACCOUNTABILITY**

- 2.1** Require audit committees to have a majority of independent members, and an independent chair.

- 2.2** Strengthen the role of audit committees in councils' external audits, through a greater role in the appointment of the auditor and determining the scope of the audit, and as the chief liaison point with the auditor

- 2.3** Require audit committees to report on the council's approach to internal audit processes.

- 2.4** Require audit committee members to have specified skills, and an induction process.

- 2.5** Allow councils to form regional audit committees.

- 2.6** Require the Auditor-General to oversight all council audits.

## IMPROVING GOVERNANCE STANDARDS AND DECISION MAKING

Create 'audit and risk committees' that play an expanded role in councils' financial management and performance.

This could include—

- 2.7**
- Reviewing councils' risk assessments and controls.
  - Providing comment on councils' rating policies and practices.
  - Reporting to council on its use of public resources.
  - Reporting to councils on prudential matters.
  - Performance monitoring of councils.

- 2.8** Require the chair of the 'audit and risk committee' to provide a report in the council's annual report on governance standards and compliance.

- 2.9** Require councils to develop and adopt a funding policy that would be reviewed by its audit and risk committee.

- 2.10** Require councils to release a summary of their draft annual business plan that states the proposed increase in total general rate revenue, and the reasons for this increase.

- 2.11** If a council's proposed increase in total general rate revenue is above a prescribed level (such as the Local Government Price Index), require its audit and risk committee to provide a report to the council on the reasons for this increase.

Create 'governance committees' to provide independent advice to councils on critical management, policies, processes and actions, potentially—

- 2.12**
- Councils' compliance and governance policies.
  - Councils' policies to improving ethical standards across councils and reduce fraud and corruption risks.
  - Councils' strategic management plans, and on progress to deliver priorities, particularly on the management of significant council projects.
  - Council member conduct—both on policies and processes to improve it, and on specific conduct matters (as described in Reform Area 1).
  - CEO appointment and management (as described in Reform Area 1).







## 1 INTRODUCTION

Every four years, all councils across South Australia are elected. Just like State and Federal elections, Local Government elections establish our government. They give us the ability to choose who we want to represent us, to lead our communities, and to make decisions about the services that are available to us.

The details of an election process are therefore critically important. Many aspects of council elections are unique, differing from State and Federal elections to reflect their essentially local nature.

It is fair to say that the way in which we vote for our councils is a matter of great importance to all people with an interest in local government. It's critical that this process is fair, transparent, run independently, provides the right information at the right time, and encourages participation from potential council members and voters alike.

*IT'S CRITICAL THAT THIS PROCESS IS FAIR, TRANSPARENT, RUN INDEPENDENTLY, PROVIDES THE RIGHT INFORMATION AT THE RIGHT TIME, AND ENCOURAGES PARTICIPATION FROM POTENTIAL COUNCIL MEMBERS AND VOTERS ALIKE.*

This Reform Area provides a range of proposals aimed at improving the local government elections in South Australia. As election processes can be technical, this Reform Area breaks this process into smaller parts, that progressively work through the 'stages' of an election; from its basis to its final result, to assist further discussion and debate on these proposals.

This Reform Area also covers matters of representation that sit outside a general council election process—supplementary elections; and the role of representation reviews that consider councils' internal structure.

Finally, a number of additional (technical) amendments to the *Local Government (Elections) Act 1999* are proposed. These have largely been requested by the Electoral Commissioner of South Australia (ECSA) to remove inconsistencies and address technical issues that have arisen during previous Local Government elections.

Note: Many aspects of Local Government elections are the responsibility of the 'returning officer'. The returning officer is currently ECSA. References to ECSA throughout this paper should, therefore, be read in this context.

## 2 BASIS OF ELECTIONS

### BACKGROUND

2.1

Local Government elections are held in November every four years. Currently, local government elections are held in the same year as State elections. In 2018, the State election was held in March and Local Government Elections were held in November.

Unlike State and Federal elections where voting is compulsory, voting for your council is voluntary in South Australia.

Voting is postal. Ballot papers are sent to voters, and, if they are choosing to vote, voters complete the ballot papers, and return them via post or to a council office.

The voting franchise extends beyond residents, to include property owners.

It should be noted that these elements of Local Government elections vary across Australian jurisdictions. For example, voting for your council is compulsory in New South Wales, and voting there is also by 'attendance'—that is, at a polling booth.

### ISSUES

2.2

While many ideas and suggestions to improve local government elections have been made, the chief issue that is raised is voter turnout. A statewide average of 32.94% of enrolled voters chose to vote in their council elections in the 2018 elections. This is a proportion that has been fairly consistent since the introduction of postal voting for the 2000 Local Government elections.

### PROPOSALS FOR REFORM

2.3

During the call for reform ideas, the most popular idea received was to introduce electronic—online—voting for councils. However, there are a range of technological challenges that must be overcome before online voting can be introduced. For this reason, it is not proposed to change the current postal voting system.

ECSA has, however, requested an ability to provide ballot papers to electors electronically in some instances (with them returned electronically) to avoid delays in receiving the completed votes.

It is also not proposed to move to compulsory voting. Enforcing compulsory voting in a postal voting system is difficult and resource intensive. This may be a reform best explored at a time when online voting is possible.

However, it may be timely to consider changing the timing of council elections, to move them away from a State election year. If this proposal is to proceed, it is suggested that Local Government elections would be held the following year from State elections. If this is the desired change, the next local government elections will be held as scheduled in November 2022, followed by the next periodic elections in November 2027 (ie a five-year term), then reverting to four-year terms.

It is also proposed to clarify the respective roles that ECSA and the local government sector play in promoting local government elections. To allow for clear and timely messages to be provided to both encourage people to nominate for councils and to encourage people to vote, it is suggested that councils are responsible for information sessions about their role and opportunities for potential members; and that ECSA is solely responsible for the promotion of the election.

## 3 ENROLMENT

### BACKGROUND

3.1

Before receiving ballot papers, voters must be on their council's voters roll.

In South Australia, voters who are already on the State Electoral roll in their council area to vote in State elections are automatically included on the Council voters roll and receive ballot papers in the post. However, landlords, business lessees or resident non-Australian citizens who wish to vote in Local Government elections must enrol for each council election by completing an enrolment form. The application for enrolment on a voters roll must be made to the CEO of the council, who is responsible for the maintenance of the voters roll for the council area.

This was a change made after an extensive review of local government elections in 2008. From 2000-2008, property owners—like residents—automatically received ballot papers in the post, without having to 'self-enrol'.

However, the 2008 *Review of Local Government Elections* found that the costs of maintaining a separate council voters roll, comprising those voters who are landlords, business lessee or resident non-Australian citizens, was high. Councils at that time were spending around \$1 million across the sector to maintain the roll. Additionally, the voter turnout from property franchise holders was very poor. Slightly less than 19% of these voters chose to exercise their vote in the 2006 local government elections, dropping as low as 10.2% in previous elections.

## ISSUES

3.2

When the requirement to automatically enrol property franchise holders was removed, councils were required to notify people who were not on the House of Assembly roll in their areas of the need to self-enrol if they wished to receive ballot papers. It has become apparent, however, that many people are not aware of this requirement, and are unhappy when they do not receive ballot papers in the post.

There have therefore been a number of requests from councils and from members of the public to re-introduce the requirement to automatically enrol property franchise holders.

However, some councils have also expressed concerns that this could have significant resource implications. Additionally, ECSA have advised that the re-introduction of the automatic enrolment of property franchise holders must include a requirement for groups and body corporates to nominate a natural person to exercise its vote, before receiving ballot papers. This will enable councils to ensure that a person is not voting twice in a council election, but will add to the costs of managing the roll.

## PROPOSALS FOR REFORM

3.3

Two proposals are suggested to improve participation in local government elections by property franchise holders—

1. Require councils to undertake specific activities to inform property franchise holders of their need to self-enrol before an election (and introduce a penalty for non-compliance).
2. Re-introduce automatic enrolment of property franchisees, with each body corporate and group required to nominate an eligible natural person as a 'designated person' in order to receive ballot papers.

## 4 NOMINATIONS

### BACKGROUND

4.1

Nomination is the process that enables a person who wishes to be elected to their council to put themselves forward as a candidate.

Before making this decision, people can attend information sessions and obtain nomination kits, which are made available by ECSA two weeks before nominations open.

Once they have decided to nominate, that person must complete a form declaring their eligibility to stand as a candidate in their nominated election. Their nomination is then lodged with the council in which the individual is standing for election. The nomination must be accompanied by a 'candidate profile' that includes a short (150 word) description of themselves and the reasons why people should vote for them.

Prior to the close of nominations, those nominations that are accepted (ie not rejected by ECSA) are displayed in council offices for the public's information. The front page of this form includes the candidate's enrolled address, and address of the rateable property, if different from their enrolled address.

Within five business days of the close of nominations, a candidate may also provide a 'candidate's statement', which is subsequently published on the Local Government Association's website. This differs from the candidate profile as candidates are allowed to make direct statements about the council and its members in this statement.

Candidate profiles are also provided to all voters with their ballot papers.

## ISSUES

4.2

A number of councils have expressed concerns regarding their involvement in receiving and publishing nominations. This can place pressure on council staff, and give rise to an impression that staff are assisting or benefiting some candidates over others.

There was also some confusion expressed about the intent of the candidate profile and the candidate statement. It was also noted that the need to provide a platform for candidates to promote their candidature has been largely superseded by the accessibility of social media, which allows candidates to communicate information to voters in a dynamic, responsive manner, which the website is unable to achieve.

A specific issue regarding nominations for the position of Lord Mayor has also been raised. The *City of Adelaide Act 1998* prevents any person from holding office as Lord Mayor for more than two consecutive terms. No other council office—and no office within State or Commonwealth Parliament—has a similar limit.

## PROPOSALS FOR REFORM

4.3

It is proposed that ECSA, as the returning officer, take a clearer and more centralised role in receiving nominations and publishing candidate profiles—

- ECSA will be responsible for the nominations process, will manage an online nomination process and provide councils (and publish online) a list of accepted nominations relevant to their council area within 24 hours after close of nominations.
- ECSA will publish candidates' profiles, including the profile statements on its website. The maximum length of the profile statements will be amended from 150 words to 1000 characters, to provide a more consistent and accurate count. These 1000 characters may include directions to find further information about a candidate (such as social media).
- The provisions relating to the candidate's statement will be removed, along with the corresponding requirement for the LGA to subsequently publish these on a website.

It is also proposed that the term limit on holding the office of Lord Mayor be removed.

## 5 CANDIDATES

### BACKGROUND

5.1

Once a person has had their nomination accepted, they become a candidate standing for election. At this point, a candidate can commence campaigning.

Many candidates in the 2018 local government elections campaigned via social media. Others used more traditional methods of campaigning, such as door-knocking and letterbox drops. 'Meet the candidates sessions' run by councils also help voters to learn who is running for their council, and what their views are.

Candidates may place election signs on road infrastructure (eg light poles and stobie poles) during the campaign, but these signs must comply with legislated guidelines. Election signs may be put in place no earlier than four weeks before the close of voting, and must be removed within 48 hours of the close of voting.

Council resources such as offices, staff, equipment or stationery must not be used during any candidates' campaign.



## ISSUES

5.2

A range of issues and ideas about requirements placed on candidates were raised in the call for reform ideas.

A number of these centred on the information that is required to be provided by candidates to voters. As described above, candidates currently must provide a 150-word profile (which is included with the ballot papers posted to voters), and may make a candidate statement.

A number of people also raised concerns that candidates who are members of political parties can access a copy of the voters roll in electronic form, which is not available to candidates who are not political party members.

There was also a range of views expressed on whether or not candidates should be required to have a particular qualification, or undergo training relevant to being a council member, to improve the quality of candidates and better prepare candidates to becoming a council member.

While it was widely agreed that council resources should not be used to advantage any candidate for election—whether they be an incumbent member or not—there was also a strong view that the requirements within councils' caretaker policies do not express this obligation well.

## PROPOSALS FOR REFORM

5.3

It is proposed that candidates be required to state—

- Whether they live within the ward or council area that they are contesting. This would be a simple 'yes/no' or tickbox, to avoid risks associated with the release of candidate addresses.
- Their membership of any political party, or any association or body formed for political purposes, of which the candidate is a member or has been a member within the past 12 months.

It is also proposed that the responsibility for receiving information on donations received by candidates, and enforcing candidates' compliance with campaign donations returns requirements, is transferred from council CEOs to ECSA, which will publish all returns online.

This will include a requirement for candidates to report to ECSA any single donations above a prescribed amount (for example, \$2000), or donations totalling above a prescribed amount from a single person or entity, or gifts worth above a prescribed amount, within five business days of receipt. ECSA must publish a report of these donations within two business days of receipt on its website.



It is proposed that all candidates be entitled to an electronic copy of the voters roll on request to their council, with significant penalties (\$10 000) for use of the roll for any purpose other than campaigning in the local government election for which the candidate has nominated.

While views about candidate training and qualifications were considered, it is not proposed that these will be required, given concerns about enforcement and the impact requirements may have on the range and number of people choosing to stand for their council.

Finally, it is proposed that the requirement for councils to make a 'designated decision' within their caretaker policies regarding the use of council resources for the advantage of a particular candidate or group of candidates be removed. It is more appropriate for this requirement to be simply stated within the general caretaker responsibilities of councils.

## 6 RECEIVING AND COUNTING VOTES

### BACKGROUND

6.1

Voting packs are distributed to enrolled voters in the mail at least two weeks prior to the close of voting. In addition to ballot papers, each pack includes information about the candidates standing for election. Votes must be received by ECSA no later than the day and time noted on the postal voting guide included in the ballot package.

This guide explains how voters need to complete their ballot papers. In the South Australian system, voters must mark numerical preference for at least the number of candidates to be elected, and can continue to number if desired. This voting system is called 'partial preferential voting'.

When counting votes, ECSA use a system called 'Proportional Representation'. This system requires candidates to reach a determined quota, calculated by dividing the number of formal ballot papers (votes) by the number of vacancies to be filled.

It is a counting method designed to ensure that vacant positions are allocated as nearly as possible in proportion to the votes received. A candidate is elected after obtaining a quota or proportion of the formal vote.

ECSA must then declare the provisional result of the poll once the result becomes apparent. The election result must be finalised following a period of 72 hours for any recount requests, and results published within one month of the close of voting.

## ISSUES

6.2

For the November 2018 local government elections, there were additional expense and delays in the posting of ballot papers as a result of changes to Australia Post fees and delivery policies. This raised some concerns about the voting period (2 weeks), and voters' ability to post a vote that would be received by ECSA before the end of this period.

There have also been some requests for changes to the system of voting, particularly to change to optional preferential voting in Local Government elections, to encourage voter participation. A number of requests were also received to accelerate the counting process, so that results can be known sooner after the close of voting.

## PROPOSALS FOR REFORM

6.3

It is proposed that the voting period be extended by an additional week to accommodate Australia Post delivery timeframes. This will assist in bringing forward the current date for reissue of voting material and to provide for its return before the close of voting.

Changes to the voting method were considered, particularly the proposal to move to optional preferential voting. However, it should be noted that a large proportion of voters in elections where optional preferential voting applies only put a number '1'. If a voter's preferred candidate is not elected, but excluded, their ballot paper cannot be distributed as they have no further preferences marked—their vote is exhausted. Therefore, the partial preferential voting method should be retained.

It is, however, proposed to change the counting method. While the current method is assessed as a 'fair' system for counting votes, it is also recognised as a more complex counting process than other systems, and one that takes considerably longer to finalise. A simpler, faster method of counting is the exclusion method. This excludes at each count the candidate who has received the fewest votes until the number of candidates continuing in the count is equal to the number of vacancies to be filled.

The more simplified counting method will remove the requirement for complex counting software, and reduces the risk posed by any lack of access to this software.

To determine the potential effects on election results from this proposed reform, ECSA conducted recounts of ballot papers from six council elections using the simpler exclusion count method. The only change to any of the elected candidates was one case, where the final position in a ward that had six nominations for three positions, was changed. In this instance, the candidate elected through the exclusion method obtained significantly more first preference votes than the candidate elected through the current method.

## 7 SUPPLEMENTARY ELECTIONS

### BACKGROUND

7.1

If an elected member resigns or passes away, a casual vacancy arises in the council. Supplementary elections are held when it is necessary to fill a casual vacancy on a council.

ECSA must begin a supplementary election, once advised by a council's CEO that their council has a vacancy, unless this vacancy has occurred on or after 1 January in a periodic election year, or within seven months before polling day of a general election.

Where a council does not have wards, they may adopt a policy to not fill a single vacancy until the next periodic election. However, if a subsequent vacancy occurs, a supplementary election must be held to fill all vacancies. These provisions do not extend to mayoral vacancies which must be filled as soon as practicable.

### ISSUES

7.2

Supplementary elections must be funded by councils and can involve substantial expense. Where a supplementary election is required more than once during a term of the council, costs for a council can be significant. Notably, voter participation in supplementary elections is in the range of 5–7% lower than at periodic elections.

VOTER TURNOUT AT SUPPLEMENTARY ELECTIONS		
YEAR	NUMBER OF SUPPLEMENTARY ELECTIONS	AVERAGE PARTICIPATION RATE
2015–16	10 supplementary elections to fill 12 vacancies <sup>1</sup>	24.32%
2016–17	11 supplementary elections	27.9%
2017–18	10 supplementary elections	25.7%
2018	November 2018 Local Government elections	32.94%

Seven months after the conclusion of the November 2018 Local Government elections, three supplementary elections have been held, or will be held, for four elected member positions.

<sup>1</sup>As no nominations were received for the vacancy of councillor for Flinders Ward, in the District Council of Streaky Bay, the election failed. Accordingly, the council was required to appoint an eligible person to fill the position, under the provisions of section 8(1) of the *Local Government (Elections) Act 1999*, following the failure of the supplementary election. Source: ECSA Annual Report 2015–16.

## PROPOSALS FOR REFORM

7.3

It is proposed to reduce the impact of supplementary elections on councils and their communities by allowing the last excluded candidate at the most recent periodic election to be elected, if the vacancy they are filling was created within twelve months of this periodic election. Of course, the candidate would still need to meet the eligibility criteria and be willing to accept the position. This may apply to all positions, or exclude directly elected mayoral positions.

It is also proposed that the period in which a vacancy does not need to be filled be extended to twelve months prior to the next periodic election or a general election.

It may also be possible to allow councils to 'carry' greater numbers of vacancies. It is, however, important to balance the cost of supplementary elections against the cost of under-representation of the community during council decision making processes. And, as councils have varying numbers of elected members, the impact of reduced numbers is felt differently.

For those councils that have relatively small numbers of members (6–7) allowing two vacancies would result in a very small number of elected members carrying responsibility for all council decisions. For example, some councils have a total of six elected members, and can carry one vacancy under the current provisions. If allowed to carry an additional vacancy, council decisions would be voted on by four elected members. This may also make it difficult for councils to form a quorum when members are absent.

With this in mind, it is proposed to allow a council without wards to carry a maximum of two vacancies where that council has a total of nine or more elected members, not including a directly elected mayor.

## QUORUM REQUIRED FOR REDUCED NUMBER OF ELECTED MEMBERS

If councils were allowed to carry an additional vacancy, it is possible that a council could end up carrying more than two vacancies if an elected member resigned during the prescribed period leading up to a periodic or general election.

ORIGINAL NUMBER OF ELECTED MEMBERS	NUMBER OF ELECTED MEMBERS AFTER 2 VACANCIES	QUORUM REQUIRED
8	6	4
9	7	4
10	8	5
11	9	5

## 8 REPRESENTATION REVIEWS

### BACKGROUND

8.1

Representation reviews require councils to regularly consider their composition—essentially its number of council members—and their structure—primarily whether or not it has wards.

Section 12 of the *Local Government Act 1999* sets out requirements that all councils must follow when conducting a representation review, including how councils must undertake and consider public consultation.

Councils must release a 'representation options paper' that examines the advantages and disadvantages of the various options to alter the composition of the council or its ward structure and, in particular, if the council is divided into wards, consider whether this should be the case.

The council must then invite submissions on this paper. After the public consultation period, the council must prepare a report that provides information on the public consultation, responds to issues arising from the submissions it has received, and sets out a proposal. If the council has decided not to adopt any change under consideration that was part of the representation options paper, the council must set out the reason for its decision. This report must then be made available for a 'second round' of public consultation.

Before any changes can be made to a council's composition, ECSA must determine that the requirements of the Act have been satisfied, and provide the council with a certificate. Once a council has this certificate, it can gazette the change to its composition or wards.

### ISSUES

8.2

Over the last two council terms (2010–2018), all councils have completed representation reviews. Following this, there has been a request to review and simplify the requirements in the Act that apply to this important process.

In particular, there is a view that the process guiding councils' public consultation on their representation reviews is unnecessarily prescriptive, and prevents councils from properly responding to—or adopting—changes to proposals that may arise through this consultation.

On a more fundamental level, there is also a view that council members have—or are seen to have—an inherent conflict of interest when making a decision on the right representative structure for their council. Elected members may be reluctant to make any changes which would affect them and their chance to be re-elected at the next election, or may be perceived to be acting in their own interests rather than that of the council and its community.

## PROPOSALS FOR REFORM

8.3

There are two proposals for reform of representation reviews—

1. Review the current provisions, to make the public consultation requirements more flexible, and to make other simplifications and improvements that may be identified, or
2. Give responsibility to the Boundaries Commission to regularly review the internal structure of councils, including council representation (eg the number of elected members) and nature of representation (eg ward vs area councillors) as is appropriate for each community. This would be done on a cost-recovery basis for each council.

## 9

## ELECTED MEMBERS CONTESTING STATE ELECTIONS

### BACKGROUND

9.1

From time to time, members of councils may choose to run for political office in another sphere of government. These candidates continue in their role as a council member throughout the campaign for State or Federal Parliament.

### ISSUES

9.2

The issue that has been raised is whether it is appropriate for these candidates to be in a position as a council member if they are running for another office, or whether they should be required to take a leave of absence.

The principal argument for requiring council members to take a leave of absence while campaigning is that it is not appropriate for council members to use their position in local government to promote their candidacy for another sphere of government. It is argued that this raises perceptions that these members have a conflict of interest, or that the interests of their campaign takes precedence over their role as a council member.

While existing rules prevent council members from using council resources for their personal benefit (which would include a campaign), there may also be a perception that the resources available to council members do in fact give them an advantage in this campaign against other candidates who are not council members.



## PROPOSALS FOR REFORM

9.3

It is proposed that council members standing for election to State Parliament are suspended from their position as council members during the election period. This would mean that the members would not—



Undertake any official functions or duties over this time, including attending council meetings.



Be provided with council meeting agendas or other materials as a council member.



Have any access to council facilities or services that is not available to members of the public.



Receive their allowance for this period.

This proposal only applies to State elections, as Commonwealth legislation prevents its application to elections to the Commonwealth parliament<sup>2</sup>.

## 10 ADDITIONAL PROPOSALS

The Local Government Reform program provides an opportunity to make a range of other amendments to the *Local Government (Elections) Act 1999*.

Other proposals for reform are—

## SUPPLEMENTARY ELECTIONS

10.1

Allow for the close of voting for supplementary elections to be at a time determined by the Returning Officer, allowing the Returning Officer to set both polling day [under section 6(6)] and the time for the close of voting on that day. Such a determination would be made by the Returning Officer when setting all other dates for the supplementary election including the Close of Rolls and Close of Nominations.

## COUNCILS HOLDING POLLS UNDER THE LOCAL GOVERNMENT ELECTIONS ACT

10.2

Require councils to provide notice of a polling day on its website, and allow for the close of voting for a council poll to be 5 pm on polling day.

<sup>2</sup>Section 327(3) of the *Commonwealth Electoral Act 1918* provides that state or territory laws that discriminate against local government members in Federal elections have no effect.



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**THE VOTERS ROLL** 10.3

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Remove the reference to 'purchase' of the voters roll, to provide consistency with section 15(14).

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**PUBLICATION OF MISLEADING MATERIAL** 10.4

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Require the publication of a retraction to be prominently placed in the early pages of *The Advertiser* and other local press.

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**BALLOT PAPERS** 10.5

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Allow for drawing of lots as soon as practicable after noon (rather than waiting for 4 pm).

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**ISSUE OF POSTAL VOTING PAPERS** 10.6

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Align the cut-off for both an application by post and in person to be by 5 pm on the fourth business day before polling day.

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**ARRANGING POSTAL PAPERS** 10.7

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Remove the reference to the close of voting at noon for an election or poll (consist with amendments to the close of voting).

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**METHOD OF COUNTING AND PROVISIONAL DECLARATIONS** 10.8

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Alter the method to that used when conducting an optional preferential count.

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**DISPUTED RETURNS** 10.9

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Allow the Electoral Commissioner as returning officer to petition the Court of Disputed Returns in circumstances where the validity of the result must be challenged due to error.

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PROPOSALS FOR LOCAL GOVERNMENT REFORM

**EFFICIENT AND TRANSPARENT LOCAL GOVERNMENT REPRESENTATION**

65

**REFORM AREA 3**EFFICIENT AND TRANSPARENT LOCAL GOVERNMENT REPRESENTATION  
SUMMARY OF REFORM PROPOSALS

- 3.1** Change the timing of periodic council elections to the year following a state election.
- 3.2** Enable ECSA to provide ballot papers electronically.
- 3.3** Clarify that councils are responsible for information sessions about the role of a council member, and that ECSA is responsible for election promotion.
- 3.4** Require councils to undertake specific activities to inform property franchise holders of their need to self-enrol, OR re-introduce the automatic enrolment of property franchise holders.
- 3.5** Require ECSA to receive all nominations and publish candidate profiles.
- 3.6** Remove the term limit on holding the office of Lord Mayor.
- 3.7** Require candidates to 'tick a box' stating whether they live in the area they are contesting.
- 3.8** Require candidates to state whether they are a member of a political party or any association or body formed for political purposes, or have been within the past 12 months.
- 3.9** Require ECSA to host all information on donations received by candidates.
- 3.10** Require candidates to report to ECSA any single donations above a prescribed amount (for example, \$2,000) within five business days of receipt.

**3.11** Enable all candidates to request an electronic copy of the voters roll from the relevant council.

**3.12** Remove the requirement for councils to make a 'designated decision' within their caretaker policies on the use of council resources, in favour of a statement within general caretaker responsibilities that council resources must not be used to advantage particular candidates.

**3.13** Extend the voting period by one week to better allow for postal delays.

**3.14** Change the counting method to the 'exclusion method'.

**3.15** If a vacancy on a council is created within 12 months of a periodic election, allow this to be filled through a 'countback' of candidates.

**3.16** Extend the period of time in which a vacancy does not need to be filled to 12 months before a periodic election.

**3.17** Enable councils without wards, and with at least nine members, to 'carry' two vacancies.

**3.18** Simplify representation reviews, and make public consultation requirements more flexible.

**3.19** Transfer the responsibility for representation reviews to the Local Government Boundaries Commission.

**3.20** Suspend council members running for State Parliament for the duration of the election campaign.



## 1 INTRODUCTION

Councils play an important role in our local communities and make many decisions that have a real impact on our day to day life. While councils are independent governments in their own right, their operations and decisions must comply with broader rules. These are the various pieces of legislation that apply to councils, that set out the processes by which they make decisions; consult with their communities and release information.

These rules and regulations seek to protect the interests of the community, by making sure that councils operate with transparency and accountability, and that their decisions and actions are, and are seen to be, in the public interest.

However, we must always be aware that compliance with these rules costs councils time and money. If regulation is inefficient, or ineffectively designed or administered, it imposes unnecessary costs on councils, businesses and the community. That is why regulation must be regularly reviewed, to ensure that the rules are justified by the benefits they deliver.

The Local Government Reform process provides an opportunity to look at improvements to the regulations that apply to councils, with the intention to better enable councils to focus on the services their communities value most.

Opportunities for simpler regulation include—



Modernising and streamlining requirements for consulting with communities.



Clarifying the provision and publication of information that is relevant and informative to our communities.



Clarifying obligations around informal gatherings.



Simplifying community land and road management requirements to assist State and Local Government, as well as reducing red tape for businesses.

## 2 PUBLIC CONSULTATION

### BACKGROUND

2.1

Community consultation is an important channel for governments to engage with their community. They can exchange information and ideas, and make sure that councils hear views on projects, policies, issues and plans.

Perhaps most importantly, strong and effective engagement gives communities confidence in the decisions



that their councils make. They know that their council has used the insights, skills, knowledge and experience to understand the impact of their decisions, and how services can be improved.

Since its commencement, the Local Government Act 1999 (the Act) has recognised the importance of community consultation, as it stipulates that councils must prepare and adopt a public consultation policy.

The Act also lists 19 decisions, actions and policies that councils must consult on, in accordance with their community consultation policy. These range from critical annual decisions, such as determining the annual business plan and budget, to decisions that happen less regularly, such as a decision to remove the community land status from council land.

When councils are consulting on these matters, they must publish a notice on their website, and in a newspaper circulating within the area of the council, and allow at least 21 days for people to make a submission. Councils may also choose to follow their public consultation policies whenever they are of the view that it is of value to their decisions and actions.

### EXAMPLES OF MATTERS THAT REQUIRE COUNCILS TO UNDERTAKE COMMUNITY CONSULTATION



Representation reviews, including the composition and wards of the Council



Status of Council or change of name.



Principal office of the Council (places and times the office is open to the public).



Prudential requirements for certain activities.



Public consultation policy.



Access to meetings and documents code of practice.



Strategic management plans.



Annual Business Plans and Budgets.



Basis of rating.



Basis of differential rates.



Passing by-laws.



Order making policies.



Planting of vegetation on roads.



Community land: classification; revocation of classification; proposed management plans; amendment or revocation of Management plans; alienation by lease or licence.



Certain authorisations for the alteration of public roads and permits for business purposes on public roads.

## ISSUES

2.2

The current legislative requirements for councils' community consultation are now 20 years old. There is a clear view that these provisions are outdated; excessively prescriptive; and can lead councils to take a 'tick the box' approach to consultation, rather than thinking creatively about engagement that best suits their community.

The Act also assumes that one process for community consultation fits all needs. Whether it is a critical decision such as a council's rating policies that affects all people in a council area, or a decision that has more impact on a local level, such as a permit for working on a council road, the process is the same. Councils are only required to publish the notice for 21 days—not to determine how best to reach the people that these decisions affect.

## PROPOSALS FOR REFORM

2.3

A lot has changed over the past two decades—how we communicate, hear ideas, and provide our views to each other. It is time for the Act to 'catch up with the times', and support councils to develop flexible, contemporary public engagement practices.

It is proposed that the current, prescriptive public consultation obligations in the Act are replaced with a contemporary approach that sets minimum notification and consultation standards in the Regulations but also enables councils to design and deliver the engagement that is the 'best fit' for their decisions and actions. This approach could be to develop a Community Engagement Charter, similar to the Charter now in place within the *Planning, Development and Infrastructure Act 2016*, to deliver a consistent but flexible platform for community consultation for all councils.

# 3 INTERNAL REVIEWS OF COUNCIL DECISIONS

## BACKGROUND

3.1

The decisions that councils make can have a great impact on our everyday lives. It's important that people in the community have confidence in these decisions, and know that they can question them at any time.

For this reason, section 270 of the Act requires all councils to have a process in place for any community member to apply for an internal review of any council decision. When requested, councils should consider the process by which it made a decision, and the various factors and views that informed it.

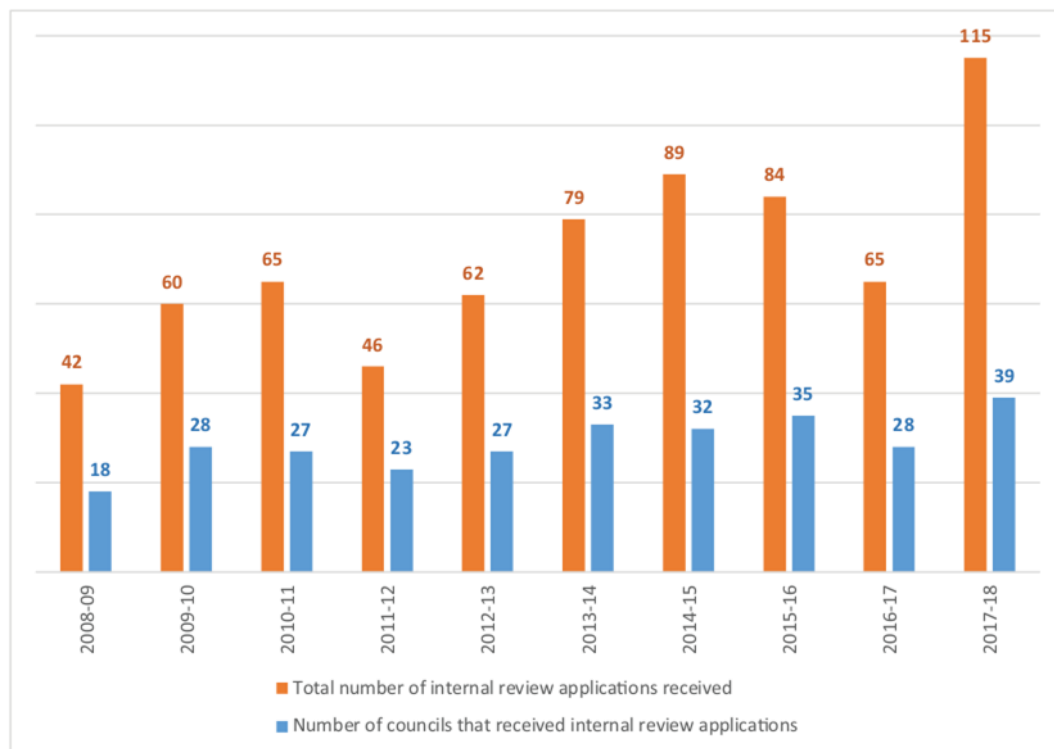
This process should not only give communities surety that councils are making well-considered decisions, but also enable councils to identify improvements in their own processes and practices.



This obligation is part of the broader set of requirements to have policies, practices and procedures in place for dealing with requests for services, and also for responding to complaints about the actions of the council, employees of the council, or other people acting on behalf of the council.

Councils are currently required to consider, on an annual basis, a report relating to applications for internal reviews. This report is required to be included in the council's annual report and also to be published on the council's website.

### INTERNAL REVIEW APPLICATIONS, 2008-09 TO 2017-18



Source: SA Local Government Grants Commission.

## ISSUES

3.2

There is a general consensus that a review of council internal review provisions is required. A number of councils commented that the current system does not provide sufficient benefits to their communities to justify the high level of costs and other resources that are necessary to undertake the reviews.

There is also a view that the system is open to exploitation by people who refuse to accept a reasonable decision of council, but use large amounts of council time and resources to question and challenge it. There is some evidence to support this view as while the total number of internal review applications received by councils fluctuates each year, the number of councils that receive applications has remained more consistent.

Over the past decade, the State Ombudsman has undertaken a number of reviews of councils' internal review processes.

Most recently, the Ombudsman published *Right of Review: An Audit of Local Government Internal Review of Council Decisions Procedures* in November 2016. This examined some of the key issues for councils in delivering a fair internal review of decision process. It also explored how councils can use internal reviews to drive their administrative improvement and service excellence. In summary, the Ombudsman recommended that all councils—

- Highlight a direct link on their website homepage to a plain English description of the procedure available for making an application for internal review of a council decision.
- Ensure that their internal review of decisions procedure is fully compliant with the requirements of the Act.
- Include a reference to a six-month time limit for accepting internal review of council decision applications in a revised version of their internal review of decisions procedure. Consideration should also be given to the exercise of discretion by councils to allow a longer time limit to apply in particular cases.
- Revise the part of their internal review of decision procedure that deals with matters outside the scope of the policy and procedures to explicitly state that matters that fall outside statutory appeals procedures will be considered for the conduct of a section 270 review on the merits of the individual application.
- Consider developing regional panels of independent reviewers who can assist councils with complex review matters.
- Periodically evaluate their section 270 review investigations and document learning outcomes relevant to their administrative practices and functional responsibilities.

## PROPOSALS FOR REFORM

3.3

It is proposed to extend the Act's current allowance for councils to refuse an internal review of decisions if the request is vexatious or frivolous, to situations where the request is substantially similar to a matter that has already been reviewed or is under review, by the council or by other means.

It is also proposed to allow councils to charge a prescribed fee to undertake an internal review. It is anticipated that this fee would be small (in the order of the current \$35 cost for a Freedom of Information enquiry) to deter vexatious complaints, rather than be a 'cost recovery' mechanism. Councils would not be required to charge this fee, and would also be able to waive it at their discretion.

It is also proposed to set a time limit in which requests for internal review of decisions can be made—potentially within six months of the relevant decision (councils would have the discretion to extend this on a case-by-case basis).

To ensure that councils continue to analyse internal review outcomes, it is proposed that the annual internal review of decisions report that councils are required to consider should include recommendations to improve its administrative practices.

## 4 INFORMAL GATHERINGS AND DISCUSSIONS

### BACKGROUND

4.1

For communities to have confidence in their councils' decisions, they need to understand why these decisions are made, and what their council members' views are. That is why the Act makes it clear that all council meetings are to be open to the public, except in 'special circumstances'.

A number of these 'special circumstances' refer to particular matters that should be discussed in confidence. These include matters that include confidential commercial information, or matters that can affect the security of the council, or its members or employees.

The Act also recognises that council members often get together to discuss council business and other matters outside of council meetings, such as having planning sessions, or briefing and training sessions. These 'informal gatherings' can help council members be better informed on important matters, and enable them to properly plan for the conduct of council business. However, the Act also makes it clear that these meetings should not be used to effectively make a decision outside of a council meeting.

## ISSUES

4.2

Some years ago, it became apparent that a number of councils were using their ability to hold informal gatherings in a way that gave rise to concerns that they were, in fact, making council decisions outside of formal council meetings.

For example, some councils were holding regular closed meetings to go through their agenda papers immediately before a council meeting. While these meetings may have simply been 'information sessions' the fact that they were held behind closed doors gave the perception at least that they were being used to avoid public debate on council decisions.

In response to these concerns, the Act was amended in 2015 to require councils to have policies to guide their informal gatherings. These policies must comply with the regulations, which currently include detailed instructions to councils on how they may hold informal gatherings, when they should be open to the public and how councils should release information about them.

While these reforms were intended to provide a clearer framework for councils, and assure communities that councils are not making decisions behind closed doors, feedback from some councils has been that the regulations are onerous, difficult to understand, and place an administrative burden on councils that is not justified.

It has also been reported that the legislation gives rise to a view that it is not appropriate for council members to discuss council business between themselves; or cannot hold social gatherings. This has never been the intent of the legislation.

## PROPOSALS FOR REFORM

4.3

The Local Government Reform process provides an opportunity to re-think how the Act should guide councils when they are holding information, training or briefing sessions for council members.

It is proposed to establish a new category of council 'meeting' (possibly calling these 'information' or 'briefing' sessions) within the Act. These would be sessions called by the council or CEO, inviting any number of council members, for the purpose of providing information on council matters, or to undertake training on any aspect of the members' official functions and duties.

The Act will continue to state that these sessions should not replace open discussion and decision making at formal council meetings. Sessions discussing matters that are on a council or council committee agenda must only be discussed at a session open to the public, subject to the meeting confidentiality provisions of the Act.

Councils will also be required to publicly release information about these sessions, where practical before the session, detailing when the session will be/was held, what will be/was discussed, attendees, and whether the session was/will be open to the public. If the session was/will be closed to the public, this record would state the reasons why the council consider that it is appropriate to close the meeting.

## 5 REGISTER OF INTERESTS (PRIMARY AND ORDINARY RETURNS)

### BACKGROUND

5.1

It is critically important that all of the decisions that council members make are made in the public interest, and not to benefit or affect them personally in any way. This requirement is largely managed through the conflict of interest processes (discussed in Reform Area 1 of this paper).

Along with managing conflicts of interest that may arise, council members are also required to provide a 'Register of Interests' that lists a range of information about themselves and their interests. These interests include things such as property ownership, sources of income, and membership of political organisations and associations.

Similar requirements also apply to council CEOs and other council staff members.

Council members' Registers of Interest are made available to members of the public at council offices; and large parts are also required to be published on a council website. Council members are also required to let their CEO know when the information on the Register changes or needs to be added to, so that the Register is kept updated at all times.

There are also requirements for council members to complete a Register of Interests under other legislation, for example, council members that sit on Development Assessment Panels under the *Planning, Development and Infrastructure Act 2016*.

## ISSUES

5.2

A number of comments have been received saying that the current returns forms are lengthy and confusing to complete. Additionally, the requirement to extract some of the information for publication on the council's website is seen as an administrative burden.

Some people also noted that the requirement to complete several different Registers of Interest to capture essentially the same information is unnecessarily burdensome for council members.

## PROPOSALS FOR REFORM

5.3

While the Register of Interests is an important mechanism for ensuring the veracity of council decisions, there may be scope to streamline and standardise the form and method of returns used to maintain them.

It is proposed that the various requirements and forms are compiled into one simple, plain English document that meets a suitable standard (potentially the Australian Accounting Standards)

It is also proposed that councils be required to publish council members' Register of Interests in full on their website (with the removal of any specific residential address information in the interests of safety).

# 6 PUBLICATION OF INFORMATION

## BACKGROUND

6.1

Having full and easy access to a range of important council information means that communities are informed about their council's actions, decisions and policies; and encourages them to engage more fully with their council's work.

The Act lists a range of documents that must be made available to the public—



Documents listed in section 132(3) of the Act are required to be made available on the council website.



Documents listed in Schedule 5 of the Act are only required to be made available at the council office.

However, councils generally go well past these legislative requirements and do a good job in providing full and complete information on policies, decisions, meetings, current consultations and a range of other matters, generally on their website.

## ISSUES

6.2

Councils have advised that having two lists within the Act is confusing to both councils and members of the public, as it is not clear what needs to be provided on a website and/or in paper form. The Act creates an unnecessary burden on local government to navigate the separate requirements.

Additionally, the requirement to have material available at a council office does meet current community expectations that information should be available on a website, enabling access at all hours of the day. Councils must spend time and money printing material that is now rarely accessed in this form.

## PROPOSALS FOR REFORM

6.3

There is an opportunity to simplify and improve the requirements that apply to the release of information by councils.

It is proposed that any document that is required to be made public must be published on council websites (a council's Assessment Record would be exempt from this requirement for commercial and safety reasons).

This would remove the requirement to have physical documents available at a council's principal office, and the requirement to fix and pay a fee for documents. Councils may be required to print a copy of any document and allowed to charge a fee for this service.

It is also proposed that the Act include a single list of the documentation required to be available on a council's website.

This list will include all documentation/reports associated with agendas or minutes of council or council committee meetings, subject to the related motion's confidentiality orders (noting that the vast majority of councils make this information available already).



## REGISTERS OR ANNUAL REPORT? HOW COUNCILS RELEASE INFORMATION

Councils are required to record some information on registers that are updated on a continual basis. This is information that may have an impact on council members' decision making, or is not available in other council material.

These registers include—



The register of remuneration, salaries and benefits—containing information about salaries and employment benefits paid by the council. This includes details of the chief executive officer's salary package.



The register of interests for council members and the council's chief executive officer and identified senior officers.



The register of allowances and benefits paid to council members.



The register of community land in the council area.



A register recording gifts and benefits received by council members above a prescribed amount (currently \$50).



The register of the council's by-laws.

It is proposed to amend the Act to require council registers to be placed on the council's website. Councils must also publish an annual report at the end of the financial year. This annual report is required to include a range of information such as—



The council's audited financial statement.



A report on freedom of information requests received by the council.



A report on the council's performance in implementing its strategic management plans, and its performance against its annual business plan.



Training and development activities for members of the council during the year.

Annual reports are easily found on council websites, and are therefore a convenient source of information about council activities, processes and expenditure. They ensure transparency without the administrative burden of constantly updating and maintaining multiple registers.

It is proposed to increase the material required to be included in a council's annual report to include—



A summary of travel undertaken by council members and staff over the year and the relevant costs.



A summary of credit card expenditure by council members and council staff, and remunerations claimed by members and staff.



A report from the Chair of the council's audit/governance committee on the governance standards of the council.

## 7 COMMUNITY LAND REVOCATIONS

### BACKGROUND

7.1

The Act establishes a framework for the classification of most land owned by a council or under a council's care, control and management as 'community land'.

The community land framework aims to ensure a consistent, strategic and flexible approach to the administration and management of local government land, with the objective of protecting community interests in land for current and future generations.

Once classified as community land the land—



Cannot be disposed of, except in prescribed cases.



May require the preparation and adoption of a management plan.



Can be leased or licensed but only in accordance with prescribed requirements.



Can be used for business or commercial purposes, subject to the use being authorised in an approved management plan for the land.

Section 194 of the Act sets out the process for the revocation of community land classification. Councils must prepare a report outlining the reasons for the proposal, stating their intention in regard to the future use of the land, and capturing any implications of the decision. Councils must also consult on the proposal, in line with the council's public consultation policy.

This report, and any matters that arose during public consultation, must be submitted to the Minister responsible for the Act for approval. Once this approval is received, the council makes the final decision to revoke community land classification.

The Act also safeguards the community land classification of certain land of significant community value. Schedule 8 of the Act contains provisions relating to specific pieces of land where the land's community land classification is irrevocable. These provisions also often include site-specific land use and management requirements that must remain in place for the benefit of the community. These can be as specific as caring for a particular tree, or requirement to maintain a caravan park or other community facility.

## ISSUES

7.2

The process outlined above is a 'one size fits all' approach to revoking community land classification. It does not consider the level of impact on a community that a revocation would have, but requires all proposals to undergo the same process before requesting ministerial approval

In some cases, the cost and effort of the revocation process outweighs the benefit of the outcome, as a proposal may have little to no impact on the community. For example, a proposal may be to revoke the community land status of an unmade road that passes through private property, or of a small portion of land purely used for operational reasons. However, in other circumstances, the revocation of community land is contentious.

In more significant proposals, the future use of land may be a relevant consideration before a council's proposal is approved by the Minister. Currently, there is no general ability to impose conditions on an approval (unless State Government financial assistance was previously given to the council to acquire the land).

Concerns were also raised that the Act prevents councils changing the management of a piece of land where the owner of the land cannot be found, particularly given that councils can take actions to sell land for unpaid rates when this is the case.

Ideas were also submitted that the requirements set out in Schedule 8 of the Act that apply to specific pieces of land are too restrictive, and do not allow councils to modify their management of this land to meet modern community expectations.

## PROPOSALS FOR REFORM

7.3

It is proposed to introduce a streamlined process for the revocation of community land status, by establishing two 'categories' of proposals within the Act. Administrative, or minor, proposals would not require ministerial approval. General, or more significant, proposals would continue to require ministerial approval. The Minister would also be provided with the ability to attach conditions to the approval of a general proposal.

It is proposed to enable limited amendments to Schedule 8 to allow minor changes to the management of prescribed land. These amendments would be made by regulation, however, regulations would not be able to change the community land status, or the chief use of these pieces of land.

It is proposed to clarify that a council does not need to undertake the process to revoke the community land classification of Crown land where the council's care, control and management of the land has been withdrawn under the *Crown Land Management Act 2009*.

It is proposed to enable a council to revoke the classification of land as community land where owners cannot reasonably be found.

Finally, it is proposed to provide a mechanism to allow councils to acquire private roads where the owner consents, where the owner is deceased or where the owner cannot reasonably be found and to allow the council to retain or transfer the land to another party.

## 8

## AUTHORISATIONS AND PERMITS FOR USE OF COUNCIL ROADS

### BACKGROUND

8.1

Councils manage most of the roads across our State—they are a core service that councils provide to their community. While roads, and infrastructure associated with a road, such as footpaths and stormwater drainage, are provided for the public's use, there are times when people or businesses need access to them, or need to make changes to them for their own purposes.

Accordingly, the Act allows councils to provide authorisations for the alteration of a public road, and permits for the use of a public road for business purposes.

Authorisations for road alterations are commonly provided for activities such as building driveway crossovers; landscaping a road verge; and laying stormwater and other pipes under roads.

Permits for the use of a road for business purposes enables activities such as footpath dining; food trucks; flower sales and ride-sharing operations. Permits and authorisations are also provided to enable property development, such as the use of a crane or concrete truck when needed.

Councils have a free hand to decide whether or not they should grant an authorisation or permit and, if they do, they can apply conditions as they see fit. One exception to this is the permits that are provided to food trucks. Following changes to the Act in 2017, councils must issue permits to food trucks, and are required to establish policies and guidelines that comply with the regulations.

## ISSUES

8.2

Issues raised by councils in regard to these sections of the Act focused on what they perceive to be a heavy-handed approach, particularly in regard to the requirement that councils must consult with their communities before issuing permits or authorisations for activities that would impede traffic on the road to 'a material degree'.

This consultation must include a notification in a newspaper circulating in the council area; notification on the council's website; and allow at least 21 days for submissions. While this may be appropriate for significant works, councils have raised concerns that it this process may be required in circumstances where works are minimal, such as the need to block a road for a short period of time. The consultation period is seen as both excessive and impractical in these instances.

Councils have also raised concerns regarding the current rules about food trucks, and have sought more flexibility for councils to determine whether or not to provide permits to food trucks, and to apply conditions freely.

However, other comments about permits and authorisations reflect a view that councils' ability to grant permits and authorisations as they see fit, and to apply whatever conditions they wish, results in inconsistent approaches across councils that can be onerous, and subject to change at short notice. This can result in additional costs for businesses and their customers, and, in some instances, place the future of a business at risk.

## PROPOSALS FOR REFORM

8.3

It is proposed that the consultation requirements for issuing permits and authorisations be reviewed in accordance with a review of councils' public consultation more widely (as discussed earlier in this Reform Area).

It is also proposed that the specific provisions relating to mobile food vendors be removed. These would be replaced by a general 'right of appeal' where a council has unreasonably issued or refused to issue a permit or authorisation to a business (including food trucks), or a council's use of permits or authorisations has unreasonably impacted business. This appeal could be made to the Small Business Commissioner, who has an existing role to manage any conflicts between food trucks and other businesses.

## 9 MISCELLANEOUS REFORMS

The Local Government Reform process also allows for a number of inconsistencies within the Act to be addressed, and for provisions to be updated where necessary.

Other proposals to simplify regulations are therefore to—

1. Repeal section 269 of the Act that requires a report to be prepared between 30 June 2002 and 31 August 2002 and tabled in Parliament.
2. Clarify that certain documents may be served on or by a council by electronic communication when indicated or agreed by a party. Remove references to 'facsimile transmission' and 'facilities of a document exchange' (for example, sections 83(6), 279 and 280 of the Act).
3. Amend the meeting regulations to achieve better integration between Regulation 12(3) and Regulation 21. This will clarify that a council's CEO can submit a report to a council meeting recommending revocation or amendment of a previous council resolution.
4. Standardise the requirement of a council to review its optional meeting code of practice to match the review requirements of its Access to meetings and documents—code of practice (section 92 of the Act).



### REFORM AREA 3

#### SIMPLER REGULATION SUMMARY OF REFORM PROPOSALS

##### COMMUNITY ENGAGEMENT

- 4.1** Replace the prescriptive community engagement requirements in the Local Government Act with a more flexible 'Community Engagement Charter'.

- 4.2** Review the requirements for councils to publish notices.

##### INTERNAL REVIEW OF COUNCIL DECISIONS

- 4.3** Allow councils to refuse a request for an internal review of a council decision where the request is substantially similar to a matter that has been reviewed, or is under review through another process.

- 4.4** Enable councils to charge a small fee for internal review requests.

- 4.5** Set a time limit on which requests for internal review of decisions can be made.

- 4.6** Require councils to consider recommendations for improved administrative practices in their annual report on internal reviews.

##### INFORMAL GATHERINGS AND DISCUSSIONS

- 4.7** Remove the 'informal gatherings' provisions in the Act, in favour of establishing a new category of meetings, such as 'information or briefing sessions'.

- 4.8** Require councils to publish details of information sessions held, what was discussed, who attended, and whether the session was open or not.

##### REGISTER OF INTERESTS

- 4.9** Compile all council members' registers of interest into one, simple plain English form.

- 4.10** Publish council members' Register of Interests in full on the council website (with the exception of specific residential address information)



## PUBLICATION OF INFORMATION

- 4.11** Require councils to publish any document that is currently available at a council office on its website (with the exception of the Assessment Record)
- 4.12** Remove the requirement for councils to have documents 'available for inspection', but require them to print a copy at request (for a fee).
- 4.13** Include a single list of all material to be published on a council's website in the legislation.

## COMMUNITY LAND REVOCATIONS

- 4.14** Create two categories of community land revocation proposals within the Act ('administrative' and 'significant') and require Ministerial approval only for 'significant' proposals.
- 4.15** Enable limited amendments to Schedule 8 to allow minor changes to the management of prescribed land.
- 4.16** Clarify that councils do not need to undertake community land revocation proposal where the council's care, control and management of the land has been withdrawn under the *Crown Land Management Act 2009*.
- 4.17** Enable a council to revoke the classification of land as community land where owners cannot reasonably be found.
- 4.18** Provide a mechanism to allow councils to acquire private roads where the owner consents, where the owner is deceased or where the owner cannot reasonably be found and to allow the council to retain or transfer the land to another party.

## AUTHORISATIONS AND PERMITS FOR USE OF COUNCIL ROADS

- 4.19** Review the public consultation requirements that apply to permits and authorisations, in line with a new community engagement approach.
- 4.20** Remove specific provisions regarding mobile food vendors, in favour of a 'general right of appeal' where a council has unreasonably affected a business.

## REFORMING LOCAL GOVERNMENT

### IDEAS FOR REFORM CONSULTATION SUMMARY

#### WHAT WE RECEIVED



Over 80 submissions received



170 yourSAy surveys completed



37 ideas shared through yourSAy online discussion



Over 700 ideas for reform

#### WHO WE HEARD FROM



**51%**  
Public



**31%**  
Councils



**11%**  
Elected Members



**7%**  
Professional Body

#### WHAT AREAS INTERESTED YOU MOST



**24%**  
Council member capacity and conduct



**19%**  
Lower costs and enhanced financial accountability



**29%**  
Local Government representation



**28%**  
Simpler regulation

#### WHAT YOUR IDEAS WERE ABOUT

REFORM AREA ONE	<b>48%</b>	Code of conduct	<b>15%</b>	Council member training
	<b>24%</b>	Conflict of interest	<b>13%</b>	Council member performance
REFORM AREA TWO	<b>23%</b>	Financial management	<b>20%</b>	Benchmarking
	<b>21%</b>	Audit committees	<b>16%</b>	Auditing
	<b>20%</b>	Rating		
REFORM AREA THREE	<b>31%</b>	Voting method	<b>9%</b>	Representation reviews
	<b>19%</b>	Candidate disclosure	<b>8%</b>	Elections
	<b>15%</b>	Nominations	<b>8%</b>	Supplementary elections
	<b>10%</b>	Candidacy		
REFORM AREA FOUR	<b>25%</b>	Council meetings	<b>19%</b>	Section 270 reviews
	<b>23%</b>	Consultation/ engagement	<b>11%</b>	Transparency
	<b>22%</b>	Informal gatherings		

#### TIMELINE FOR REFORM

##### STAGE ONE

**MARCH — APRIL**

Call for ideas consultation

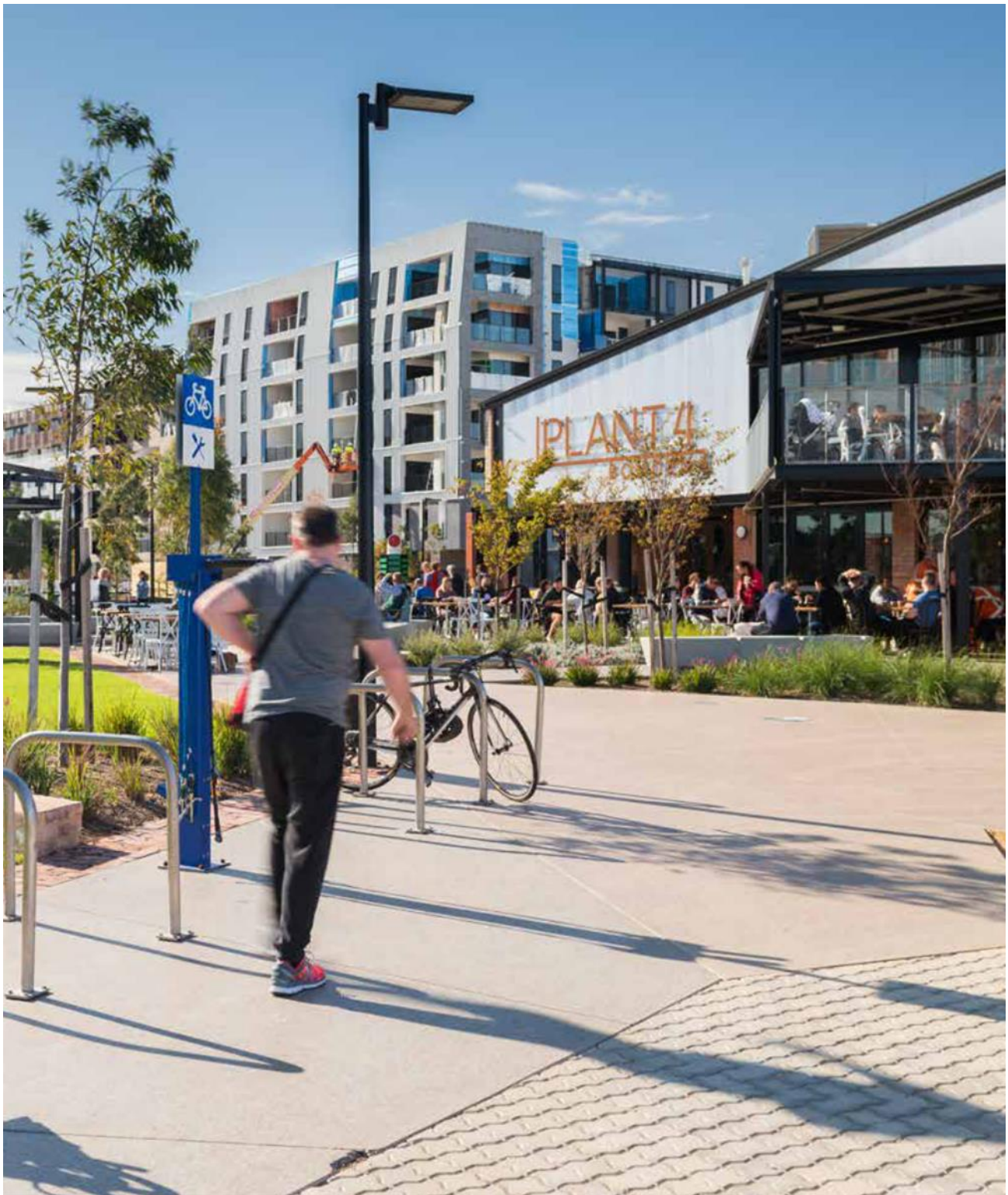
##### STAGE TWO

**JULY — AUGUST — NOVEMBER — 2020**

Release of discussion paper

Engagement on proposals

Release of Draft Bill



**Government of South Australia**  
Department of Planning,  
Transport and Infrastructure

PROPOSALS FOR LOCAL GOVERNMENT REFORM  
AUGUST 2019 - DISCUSSION PAPER

**16.2 CODE OF PRACTICE ACCESS TO COUNCIL AND COMMITTEE MEETINGS AND DOCUMENTS**

**File Number:** 7/64/2  
**Author:** Chief Executive Officer  
**Authoriser:** Chief Executive Officer

**INTRODUCTION**

A council must prepare and adopt a code of practice relating to the principles, policies, procedures and practices that the council will apply for the purposes of public access to meetings, documents and minutes of Council and Committee meetings. Council is required to review this Code within 12 months after the conclusion of each periodic election.

**DISCUSSION**

Section 92 of the *Local Government Act 1999* (the Act), *Access to meetings and documents — code of practice*, provides that,

- (1) *A council must prepare and adopt a code of practice relating to the principles, policies, procedures and practices that the council will apply for the purposes of the operation of Parts 3 and 4.*
- (2) *A council must, within 12 months after the conclusion of each periodic election, review the operation of its code of practice under this section.*
- (3) *A council may at any time alter its code of practice, or substitute a new code of practice.*
- (4) *A code of practice must include any mandatory provision prescribed by the regulations.*
- (5) *Before a council adopts, alters or substitutes a code of practice under this section it must—*
  - (a) *make copies of the proposed code, alterations or substitute code (as the case may be) available for inspection or purchase at the council's principal office and available for inspection on a website determined by the chief executive officer; and*
  - (b) *follow the relevant steps set out in its public consultation policy.*
- (6) *A person is entitled to inspect (without charge) the code of practice of a council at the principal office of the council during ordinary office hours.*
- (7) *A person is entitled, on payment of a fee fixed by the council, to a copy of the code of practice.*

Council's current Code of Practice was first adopted in December 2000. It is based on the Local Government Association's Model Code of Practice and over time has been updated in accordance with legislative requirements. However, at the last review in 2015, not all of the alterations to the Model Code of Practice were incorporated in Council's Code. The attached draft Code of Practice includes these revisions.

While the Code has not changed materially, wording has been updated as indicated in the draft to more closely reflect the Model Code of Practice. The example of confidentiality provisions has been updated to reflect the wording used in Council's agenda program, Infocouncil. Duplications, repetitions of provisions of the Act (Appendix 1 for example), or provisions contained in regulations or Council's *Meeting Procedure Code of Conduct* have been removed in the draft.

The draft *Code of Practice Access to Council and Committee Meetings and Documents* is attached for consideration. Before Council can alter its Code of Practice in accordance with the draft, it must make copies of the proposed alterations publicly available and follow the relevant steps set out in its public consultation policy.

As provided by the current Code of Practice, a report on the use of sections 90(2) and 91(7) by the Council and Council committees must be included in the Annual Report, and this information be included in any review of the Code. (This last provision has been removed as superfluous in the



draft Code, considering the use of sections 90(2) and 91(7) is already reported annually in accordance with the Act.)

Accordingly, the following table provides an overview of the use of sections 90(2) and 91(7) by the Council and Council committees in 2018/19:

Date	Subject	Reasons	Remaining in Confidence
10/07/2018	Purchase and delivery of Bulk Fuel Tender	90 (3) (k)	Released 13/07/18
10/07/2018	15-17/18 CWMS Maintenance Contract	90 (3) (k)	Released 9/11/18
24/07/2018	CEO Performance Review	90 (3) (d)	Released 23/5/19
11/09/2018	10-18/19 Roadside Tree Trimming Contract	90 (3) (k)	Released 12/11/18
11/09/2018	9-18/19 Rubble Raising Contract	90 (3) (k)	Released 12/11/18
11/09/2018	CEO Performance Review	90 (3) (a)	Released 23/05/19
20/11/2018	Grader Purchase Recommendation	90 (3) (k)	Released 30/1/19
20/11/2018	China National Sword Policy Impact	90 (3) (d)	Released 23/5/19
20/11/2018	Offer to Purchase Allotment 11 Riches Street, Bordertown Industrial Estate	90 (3) (d)	Released 23/5/19
20/11/2018	Executive Committee	90 (3) (a)	Yes
11/12/2018	Cleaning Tenders	90 (3) (k)	Released 30/01/19
11/12/2018	Bordertown Health Hub Working Group	90 (3) (k)	Released 30/01/19
12/02/2019	Waste Collection Services Contract - Recycling Processing Fee Variation	90 (3) (d)	Yes
12/02/2019	Waste Management Services Contract - Breach of Terms and Conditions	90 (3) (d)	Yes
12/03/2019	Vogelsang Road Traffic Calming Installation Purchase Recommendation	90 (3) (k)	Released 29/8/19
12/03/2019	Service Road Keith Stormwater Installation Purchase Recommendation	90 (3) (k)	Released 29/08/19
12/03/2019	Recycling Reprocessing	90 (3) (d) (ii)	Released 23/5/19
26/03/2019	Bordertown Caravan Park	90 (3) (b) (i) & (ii)	Yes
9/04/2019	14-18/19 Supply of Emulsion to Bordertown Council Depot	90 (3) (k)	Yes
23/04/2019	Keith & District Hospital	90 (3) (d) (i) & (ii)	Released 29/08/19
14/05/2019	Economic Development and Tourism Strategy Next Steps	90 (3) (d) (i) & (ii)	Yes
11/06/2019	Recycling Reprocessing Contract	90 (3) (k)	Yes
11/06/2019	Bordertown Caravan Park Extension of Lease	90 (3) (b) (i) & (ii)	Yes

## OPTIONS

Council can update its *Code of Practice Access to Council and Committee Meetings and Documents* in accordance with the draft proposed, make further alterations, or remain with the current Code of Practice, with or without alterations.

## STRATEGIC PLAN REFERENCE

5 - Governance and Leadership

5.2 - Maintain a clear and effective short, medium and long term planning framework

5.2.3 - Manage risk to the Council

5.2.3.2 - Undertake an annual legislative compliance audit, commencing with key areas of risk identified under the Risk Management Framework

**POLICY/LEGAL IMPLICATIONS**

The *Code of Practice* has been drafted in accordance with s92 and 90 of the *Local Government Act 1999* (the Act). Before Council can alter its Code of Practice in accordance with the draft, it must make copies of the proposed alterations publicly available and follow the relevant steps set out in its *Public Consultation Policy*.

**FINANCIAL IMPLICATIONS**

Nil

**RISK MANAGEMENT IMPLICATIONS**

Removing provisions covered in other legislation, regulation or Council policies reduces the risk of changes being missed or not carried through in all relevant documentation.

**COMMUNICATION/CONSULTATION/ADVERTISING**

The draft *Code of Practice Access to Council and Committee Meetings and Documents* must be made publicly available and the relevant steps set out in Council's public consultation policy followed, before the Code can be adopted. In accordance with the policy, Council will advertise the drafting of the Code and opportunity for public comment in the local media, display the information in Council offices (Bordertown, Keith, Padthaway Store) and libraries, on Council's webpage and Facebook page.

Once adopted, the public may inspect or obtain a copy of the Code at the Council offices. The Code will also be made available on Council's website.

**ATTACHMENTS**

1. **Code of Practice - Access to Council Meeting and documents (Rev 08 - 1 Oct 2019)** [!\[\]\(609f3372828e3526d7ce4ba9a1b5248e\_img.jpg\)](#)

**RECOMMENDATION**

That Council adopt the draft *Code of Practice Access to Council and Committee Meetings and Documents* Revision 8 (1 October 2019) for public consultation in accordance with its *Public Consultation Policy*.



CODE OF PRACTICE – ACCESS TO COUNCIL MEETINGS & DOCUMENTS



## TATIARA DISTRICT COUNCIL

# ACCESS TO COUNCIL AND COMMITTEE MEETINGS AND DOCUMENTS CODE OF PRACTICE





## CODE OF PRACTICE – ACCESS TO COUNCIL MEETINGS &amp; DOCUMENTS

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## CODE OF PRACTICE – ACCESS TO COUNCIL MEETINGS &amp; DOCUMENTS

**Statement of Principle**

- (1) The Tatiara District Council supports the principle that the procedures to be observed at a meeting of Council or a Council Committee should contribute to open, transparent and informed decision-making and encourage appropriate community participation in the affairs of Council.
- (2) However, Council also recognises that on a limited number of occasions it may be necessary, in the broader community interest, to restrict public access to discussion/~~decision and~~/or documents.

**Objectives**

- (1) The objectives of this code are to:
  - (a) Clearly outline to the community for what purpose and on what basis Council may apply the provisions of the Local Government Act 1999 to restrict public access to meetings or documents;
  - (b) Provide information on Council's code of practice to the community; and
  - (c) Summarise the legal position relating to public access to Council and committee meetings and documents.
- (2) These guidelines relate to the provisions of the Local Government Act, 1999. (See Appendix 1).

**Introduction**

- (1) The Code sets out Tatiara District Council's commitment to provide public access to Council and Council committee meeting and documents and outlines the policies and procedures contained within ~~is intended to provide clear guidance as to the application of the provisions in the Local Government Act 1999 to restrict public access to meetings or documents. It also includes information on:~~ **The Code includes:**
  - (a) Information on the relevant provisions in the Act;
  - (b) Council's policy on public access and participation; ~~Adopted policy on the use of these provisions;~~
  - (c) The process that ~~will be used where public access to a meeting or document is restricted; is utilised to restrict public access when this is considered necessary;~~
  - (d) Grievance procedures to be followed if a member of the public believes that the Council has unreasonably restricted public access on a particular matter.
  - (e) The Council contact officer should additional information be required, and
  - (f) Refers to a process for dealing with any grievances.
- (2) It sets out the policy of Council for access to meetings and documents. It includes information relating to:
  - (a) Access to the agenda for meetings;
  - (b) Public access to meetings;
  - (c) **The** process to exclude the public;
  - (d) Matters for which Council, or a committee, can order that the public be excluded;
  - (e) How Council will approach the use of the confidential provisions in the act;



## CODE OF PRACTICE – ACCESS TO COUNCIL MEETINGS &amp; DOCUMENTS

- (f) Public access to documents including minutes;
- (g) Review of confidentiality orders;
- (h) Accountability and reporting to the community, and the Code's availability; and
- (i) Grievances about the use of the Code by Council.

**Public Access to the Agenda for Meetings**

- (1) At least three clear days before a Council and Council committee meeting (unless it is a special meeting) the Chief Executive Officer (CEO) must give written notice of the meeting to all Council/ Committee Members setting out the date, time and place of the meeting. The notice must contain or be accompanied by the agenda for the meeting.
- (2) The notice of meeting and agenda will be placed on public display at the principal office of Council (Bordertown) and on Council's website [www.tatiara.sa.gov.au](http://www.tatiara.sa.gov.au). Copies of the Council agenda will also be available at the Keith office in Hender Street and at the Bordertown and Keith Libraries.
- (3) Items listed on the agenda are to be described accurately and in reasonable detail. with reasonable particularity and accuracy. The practice of Council is to place on public display 3 days prior to the meeting a list of the items of business plus any documents and reports relating to these matters (with the exception of any matters that might be indicated as subject potentially to the making of an order of confidentiality). Further copies are made available to the public at the meeting of the council/committee.
- (4) The notice and agenda will be kept on public display and continue to be published on the website until the completion of the relevant Council or Council committee meeting.
- (5) These provisions apply to Council meetings, committees that have as part of their responsibility some regulatory activities and those other committees to which Council has determined these procedures will apply. Where a committee is not performing a regulatory activity these procedures may be varied, e.g. notice may be given in a form decided by the committee, and need not be given for each meeting separately. Public notice may be given at a place determined by the CEO taking into account the nature and purpose of the committee.
- (6) 'Clear days' means that the time between the giving of the notice and the meeting is to be determined excluding the day on which the notice was given and the day of the meeting eg. Notice is given on a Thursday for a following Monday meeting, the clear days being Friday, Saturday and Sunday.
- (7) Distribution of agenda papers to members of Council, or members of a committee, may include advice from the CEO of Council (after consultation with the principal member of Council, or in the case of a committee, the presiding member) that a document or report on a particular matter may be considered in confidence with the public to be excluded. Where this occurs, the Chief Executive Officer must specify the basis under which such an order could be made.



## CODE OF PRACTICE – ACCESS TO COUNCIL MEETINGS &amp; DOCUMENTS

- (7) The following is an example (this could be included in the copy that is placed on public display):
- (a) The Council Engineering Committee is to consider tenders for the provision of electrical services. The document outlining the tenders received and the agenda item are clearly marked by the CEO to indicate that they may need to be considered in confidence under clause 90 (3)(k) – tenders for the supply of goods, provision of services or the carrying out of works.
- (8) Should the council not confirm, and thereby not place an order of confidentiality on an item that the CEO has indicated may be considered as such, then a copy of the document will be available to the public at the meeting (publicly tabled) and placed on public display the next working day.
- (8) Copies of the agenda documents and non-confidential reports that are to be considered at the meeting will be made available to members of the public in attendance. A reasonable number of copies will also be available for public inspection as soon as practicable after they are supplied to the Members of Council.
- (9) Members of the public may obtain a copy of the agenda and any particular reports for a fee to cover the costs of photocopying, in accordance with a Council's schedule of fees and charges.
- (10) Where the CEO of the Council (after consultation with the principal member of the Council, or in the case of a Committee - the presiding member) believes that a document or report on a particular matter should be considered in confidence with the public to be excluded, the basis under which the order could be made in accordance with section 90(3) of the Act will be specified.

## Public Access to Meetings

- (1) Council and Council committee meetings are open to the public and attendance is encouraged, except where Council (or the Council committee) believes it is necessary in the broader community interest to exclude the public from the discussion (and, if necessary, decision) of a particular matter.
- (2) The public will only be excluded when considered proper and necessary i.e. the need for confidentiality outweighs the principle of open decision making. The following is an example:
- (a) Council is intending to bid at an auction to acquire land and would not want others involved, such as the vendor to have prior knowledge of what Council was setting as an upper limit to bid at the auction, as to do so would prejudice the position of Council and disadvantage the community.
- (6) Council encourages public attendance at meetings of the Council and Committees by public notice of meetings through promotion Details of meeting dates and times are listed in the Council news section of in the Border Chronicle, and on Council's web site [www.tatiara.sa.gov.au](http://www.tatiara.sa.gov.au), and on its Facebook page.



## CODE OF PRACTICE – ACCESS TO COUNCIL MEETINGS &amp; DOCUMENTS

- (7) In accordance with section 90 of the Act, it is not unlawful for members of Council, a Committee and staff to participate in **informal gatherings** or discussion provided that a matter which would ordinarily form part of the agenda for a formal meeting is not dealt with in such a way as to obtain, or effectively obtain, a decision outside a formally constituted meeting of Council or Committee. **The Council is not bound to hold an informal gathering open to the public in accordance with section 90(1) of the Act as openness to the public only applies to Council and Council Committee meetings. This means that section 90(2) to exclude the public has no role to play.**
- (8) The following are examples of informal gatherings or discussions that may be held in accordance with section 90(8): **(listed in the Act):**
- (a) Planning sessions associated with the development of policies and strategies;
  - (b) Briefing or training sessions;
  - (c) Workshops;
  - (d) Social gatherings to encourage informal communication between members or between members and staff.

#### Process to Exclude the Public from a Meeting

- (1) Before a meeting orders that the public be excluded to enable the receipt, discussion and consideration of a particular matter, the meeting must, **in public**, formally determine if this is necessary and appropriate, and then pass a resolution to exclude the public while dealing with that particular matter. If this occurs then the public must leave the room. This means that all members of the public (including staff), unless exempted by being named in the resolution as entitled to remain, are required to leave the room. For the operation of section 90(2) a member of the public does not include a member of Council.
- (2) Once Council, or committee, has made the order, it is an offence for a person, **who** knowing that an order is in force, to enter **s** or remain **s** in a room in which such a meeting is being held. It is lawful for an employee of Council or a member of the police force to use reasonable force to remove the person from the room if he or she fails to leave on request.
- (3) Once discussion on that particular matter is concluded, the public are **then** permitted to re-enter the meeting. If there is a further matter that needs to be considered in confidence, it is necessary to again undertake the formal determination process and to resolve to exclude the public as above
- (3) Please note that Council, or the **Council** committee, can by inclusion within the resolution permit a particular person or persons to remain in the meeting. An example would be allowing a ratepayer who is suffering personal hardship to remain in the meeting when their circumstances concerning the payment of rates is being discussed.
- (4) It is the **practice policy** of Council that for the convenience of the public present at a meeting, where it is resolved to consider a matter in confidence, that this matter, **unless there are pressing reasons as to why it should be debated at that point of the meeting, will** **may** be deferred until all other business has been dealt





## CODE OF PRACTICE – ACCESS TO COUNCIL MEETINGS &amp; DOCUMENTS

with. This is the preferred option of Council rather than asking the public to leave the room and to wait around for however long it takes until the matter is concluded and then invite them back to the meeting room, possibly with the same process being repeated for a subsequent matter.

### Matters from which the Public can be Excluded

- (1) In accordance with the requirements of section 90(3) of the Act, Council, or a Council committee may order that the public be excluded in the following circumstances:
  - (a) Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
  - (b) Information the disclosure of which –
    - (i) Could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
    - (ii) Would, on balance, be contrary to the public interest;
  - (c) Information the disclosure of which would reveal a trade secret;
  - (d) Commercial information of a confidential nature (not being a trade secret) the disclosure of which –
    - (i) Could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
    - (ii) Would, on balance, be contrary to the public interest;
  - (e) Matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person;
  - (f) Information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;
  - (g) Matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;
  - (h) Legal advice;
  - (i) Information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council;
  - (j) Information the disclosure of which –
    - (i) Would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
    - (ii) Would, on balance, be contrary to the public interest;
  - (k) Tenders for the supply of goods, the provision of services or the carrying out of works;
  - (m) Information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Development Plan



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*Amendment proposal relating to the amendment is released for public consultation under that Act;*

- (n) *Information relevant to the review of a determination of a council under the Freedom of Information Act 1991.*
- (2) The Act provides for a definition of “personal affairs”, being a person’s financial affairs, criminal records, marital or other personal relationships, personal qualities, attributes or health status, or that person’s employment records, employment performance or suitability for a particular position, or other personnel matters relating to the person, but does not include the personal affairs of a body corporate.
- (3) ~~Council, or a committee, cannot make an order that the public be excluded from a meeting only on the basis~~ *In considering whether an order should be made under section 90(2), it is irrelevant that discussion of a matter in public may:*
  - (a) Cause embarrassment to Council or the committee concerned, or to members or employees of the Council: or
  - (b) Cause a loss of confidence in the Council or the council committee.
- (4) If a decision to exclude the public is taken, Council or the **Council** committee is required to make a note in the minutes of the making of the order and the grounds on which it was made. *Sufficient detail of the grounds on which the order was made will be included in the minutes.*

#### Approach to the Use of the Confidentiality Provisions

- (1) Any consideration of the use of the confidentiality provisions to exclude the public from the discussion of a particular matter at a meeting will require the identification of one or more of the grounds listed within **section 90(3) of the Act and the factual reasons for the relevance and application of the ground(s) in the circumstances. the Local Government Act 1999.** These are listed in the previous section of this Code *(Matters from which the Public can be Excluded)*. **They are referred to as section 90(3).**
- (2) The policy approach of the Tatiara District Council is that:
  - (a) The principle of open and accountable government is strongly supported;
  - (b) Confidentiality provisions will only be utilised after careful consideration and when considered proper and necessary;
  - (c) Information of the grounds on which an order to exclude the public is made will be conveyed to the public at the time of them being ordered to leave the meeting – *the public will not be excluded until after a confidentiality motion has been debated and passed and sufficient reasons for the need to exclude the public given;*
  - (d) Once discussion of the matter is concluded, the meeting will then consider if it is necessary to make an order that a document associated with this agenda item *(including minutes)* remain confidential. In determining this, the meeting shall have regard to the provisions of section 91 and in particular section 91 (8) which details when a council must not order that a document remain confidential;
  - (e) If the meeting determines that it is proper and necessary to keep a document confidential, then a resolution for an order to this effect is





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required to be carried by the meeting in accordance with section 91(7) of the Act;

- (f) Once discussion of the matter is concluded and the public have returned, the decision of the meeting in relation to this matter will be made publicly known unless Council has resolved to order that some information remain confidential, eg the price to which Council is prepared to bid for land yet to be auctioned. Details relating to any order to keep information or a document confidential in accordance with section 91(7) are also to be made known. When making an order the meeting must specify the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed. If the section 91(7) order is to apply for a period exceeding 12 months, then this order must be reviewed every 12 months from the date it was made. This along with the making of the order pursuant to section 90(2) and the grounds pursuant to section 90(3) on which it was made are also to be recorded in the minutes;
- (g) In all cases the objective is that the information be made publicly available at the earliest possible opportunity and that the community is informed of any Council order and the associated implications; and
- (h) Where a person provides information to Council and requests that it be kept confidential, the Council is not able to even consider this request unless the matter is one that falls within section 90(3). If this is the case, Council will then be in a position to consider the request on its relative merits.
- (i) The use of all confidentiality provisions will be reported in Council's Annual Report.

## Public Access to Minutes

- (1) Minutes of a meeting of Council or a Council committee will be publicly available, including on Council's website [www.tatiara.sa.gov.au](http://www.tatiara.sa.gov.au), within 5 days after the meeting

## Public Access to Documents

- (1) Various documents are to be available for inspection and purchase (for a fee) by the public. Council may also make a document available in electronic form and place it on the Internet for public access.
- (2) Council or the Council committee will only make an order that a document associated with a discussion from which the public is are excluded is to will remain confidential if it is considered proper and necessary in the broader community interest.
- (3) Council or the Council committee can only resolve to keep minutes and/or documents confidential under section 91(7) if they were considered in confidence pursuant to sections 90(2) and 90(3). make such orders in relation to documents that are considered in confidence under section 90(3).
- (4) Once a matter has been dealt with, Council/ the committee may order that a document relating to the matter considered in confidence is to be kept



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- ~~confidential. There are some exceptions. In accordance with section 91(8), the Council or the Council committee must not make an order to prevent:~~
- ~~(a) The disclosure of the remuneration or conditions of service of an employee of the Council after the remuneration or conditions they have been set or determined; or~~
  - ~~(b) The disclosure of the identity identification of a successful tenderer for the supply of goods or the provision of services (including the carrying out of works), or any reasons adopted by the Council as to why a successful that tenderer has been selected; or~~
  - ~~(c) The disclosure of the amount or amounts payable by the Council under a contract for the supply of goods or the provision of services (including the carrying out of works) to, or for the benefit of, the Council after the contract has been entered into by all parties to the contract; or~~
  - ~~(d) The disclosure of the identity of land that has been acquired or disposed of by Council, or of any reasons adopted by the Council as to why land has been acquired or disposed of by the Council acquisition or disposal has occurred.~~
- (4) Where keeping a document confidential is considered proper and necessary, a resolution to this effect is required, which shall include
- (a) The grounds for confidentiality; and
  - (b) The duration of the order or the circumstances in which the order will cease to apply, or a period after which when the order must be reviewed– if the order has a duration of more than 12 months, the order must be reviewed at least once in every year;
  - (c) (If applicable) whether the power to revoke the order will be delegated to an employee of the Council.
- (5) ~~The resolution will also indicate whether any delegation is given to an employee to revoke the order and if relevant, any conditions associated with this delegation.~~
- (6) ~~The following is an example (this could be included in the copy placed on public display):~~
- ~~(a) Council decided to bid \$100,000 at auction for a parcel of land. An order that the discussion be confidential could be made in accordance with section 90(2). Council resolved that the document containing information on the value of the land remain confidential in accordance with section 91(7). Council could delegate to the CEO the authority to make this information public following the completion of the acquisition in accordance with section 91(9)(c).~~
- (7) ~~The minutes shall record the relevant grounds and duration of the order and any delegation to revoke the order, should this be applicable.~~
- (8) Requests to access Council and Council committee documents can be made under the *Freedom of Information Act 1991*. Any inquiries in relation to the process for seeking access to documents held by Council should be directed to Council's nominated Freedom of Information Officer, Anne Champness, CEO who is Robert Harkness, telephone (08) 8752 1044.



## CODE OF PRACTICE – ACCESS TO COUNCIL MEETINGS &amp; DOCUMENTS

**Example of Confidentiality Provisions**

The Tatiara District Council will record in the minutes of any Council and Council committee meetings the making of an order in accordance with sections 90(2) and (3) and section 91(7) as follows:

**Section 90(3)(a) Order**Pursuant to s.90(3)(a)

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public<sup>NB</sup>, except **[insert names and job title for staff members present and/or names of any other person i.e. consultant/external advisor]** be excluded from attendance at the meeting for Agenda Item [...] **[Brief Description of Agenda Item]**.

The Council is satisfied that, pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being **[insert name of person]** because **[insert reasons]**.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because **[insert reasons]**.

The Council is satisfied that, pursuant to Section 90(2) & (3) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this agenda item is:

**[insert reasons]**

- (1) Pursuant to Section 90(2) & (3) of the *Local Government Act 1999*, Council orders, that the public be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential report Item **[xxxxxxx Title of Report]**, attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions (*reasons*).
- (2) At the completion of the confidential session the meeting be re-opened to the public.

**Section 91(7) Order:**Pursuant to s.91(7)

That having considered Agenda Item [...] **[Brief Description of Agenda Item]** in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of that Act orders that the **[identify the**



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~~documents and/or minutes relevant to Agenda Item X] be retained in confidence [for a period of (insert period of time i.e. 6 months, 18 months) or until (trigger can be an event i.e. the contract has been signed, a public announcement has been made)] and that this order be reviewed every 12 months [if the confidentiality period is longer than 12 months in duration].~~

- (1) In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report (Title), the minutes arising from the report, attachments and any associated documentation, having been considered by the Council in confidence under Section 90(2) & (3) (k) be kept confidential and not available for public inspection until (insert date), on the basis that the information received, discussed and considered in relation to this agenda item is:

**[insert reasons]**

- (2) Further that Council delegates the power of review, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

#### Review of Confidentiality Orders

- (1) A confidentiality order made under section 91(7) of the Act must specify the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed. In any event, any order that operates for a period exceeding 12 months must be reviewed at least once in every year.
- (2) An order will lapse if the time or event specified has been reached or carried out. There is no need for the Council to resolve for the confidential order to be lifted. Once the order has lapsed, the minutes and/or documents automatically become public.
- (3) A review of the reports or documents that were considered under the provision of sections 90(3) and 91(7) of the Act will be conducted every July to ensure that items are released in accordance with the resolution of Council, when the confidential provision no longer applies
- (4) Orders that exceed 12 months must be reviewed annually and the Council must assess whether the grounds for non-disclosure are still relevant and, if so, provide the relevant grounds and reasons for the minutes and/or documents remaining confidential. The conduct of the annual review can be delegated to the Chief Executive Officer and sub-delegated to an employee of the Council if appropriate. If there are any items that require a fresh confidentiality order because the original order is about to expire, then the reviewer will prepare a report to Council making recommendations with respect to each item to be retained in confidence. Each item must then be addressed separately and assessed against section 90(3) and section 91(7) of the Act. While a Council may delegate the power to undertake an annual review, the Council cannot delegate the power to apply sections 90(3) and 91(7) of the Act.





## CODE OF PRACTICE – ACCESS TO COUNCIL MEETINGS &amp; DOCUMENTS

- (5) A Council may resolve to exclude the public from a meeting to discuss and undertake consideration of the recommendations arising from the annual review in confidence, subject to the application of the relevant ground under section 90(3) of the Act. Section 90(3) of the Act must be applied separately to each item and not en bloc.
- (6) If there is no longer any need for the confidentiality order, then the Council or Council Committee may delegate to an employee of the Council the power to revoke an order made in accordance with section 91(7) of the Act. The Council or Council committee may also include in the resolution whether any delegation is given to an employee to revoke the order and if relevant, any conditions associated with the delegation

**Accountability and Reporting to the Community**

- (1) A report on the use of sections 90(2) and 91(7) by the Council and Council committees must be included in the annual report of a Council as required by Schedule 4 of the Act. This supports commitment to the principle of accountability to the community. The reporting should include the following information, separately identified for both Council and Council committees:
  - (a) Number of occasions each of the provisions of section 90(3) were utilised;
  - (b) Number of occasions each of the provisions of section 90(3) and section 91(7) were utilised, expressed as a percentage of total agenda items considered;
  - (c) An indication of any particular issues that contributed to the use of confidentiality provisions on more than one occasion e.g. a proposal to acquire a parcel of land was considered on 3 separate occasions;
  - (d) Number of occasions that information originally declared confidential has subsequently been made publicly available; and
  - (e) Number of occasions that information declared confidential has **still** not **subsequently** been made publicly available and the reason for this in each case.
- (2) **Council will make this information available for inspection by the public at each of Council's offices annually and a summary will be included in the Annual Report. This information will also be included in any review of the code.**

**Availability of Code**

- (1) The public may inspect a copy of the Code, without charge, at the offices of Council during office hours, and may obtain a copy for a fee fixed by Council. The Code is also available on the Internet at [www.tatiara.sa.gov.au](http://www.tatiara.sa.gov.au).

**Review of the Code**

- (1) Council **is required** **will** review this code within 12 months of the conclusion of a periodic election. **The next scheduled review is due to occur by October 2019.** However, Council **may** **has the ability to** review this code at any time if **it so chooses.** **considered desirable.**



## CODE OF PRACTICE – ACCESS TO COUNCIL MEETINGS &amp; DOCUMENTS

**Grievance**

- (1) Council ~~has~~ **is required to** established ~~ed~~ procedures for the review of decisions **under section 270 of the Act for:**
  - (a) Council, and its committees;
  - (b) Employees of the Council; and
  - (c) Other persons acting on behalf of the Council.
- (2) Should a person be aggrieved about public access to either a meeting or a document, ~~then~~ they can lodge an application for **review of that decision consideration** under the **review of decisions** procedures established by Council. A copy of the procedures adopted by Council is available from the **Director Manager** Corporate & Community Services, telephone (08) 8752 1044 and on Council's website [www.tatiara.sa.gov.au](http://www.tatiara.sa.gov.au).
- (3) ~~In the first instance, an application for a review of decision should be expressed in writing, addressed to:~~

~~\_\_\_\_\_~~ The Chief Executive Officer  
~~\_\_\_\_\_~~ Tatiara District Council  
~~\_\_\_\_\_~~ PO Box 346  
~~\_\_\_\_\_~~ Bordertown SA 5268
- (4) ~~A person may also lodge a complaint with the Ombudsman, who may carry out an investigation if it appears (to the Ombudsman) that Council (or committee) may have unreasonably:~~
  - (a) ~~Excluded members of the public from a meeting; or~~
  - (b) ~~Prevented access to documents.~~

**Revoking or Amending Previous Resolutions**

- (1) ~~Subject to some circumstances, Council and Council committees can pass resolutions that amend or revoke resolutions previously adopted. Whilst this is not a regular practice it can happen where for example new information is presented.~~

**Information**

- (1) The **Director Manager** Corporate & Community Services can assist in providing or obtaining information and can be contacted on (08) 8752 1044.

**Adoption of the Code**

- (1) Council adopted the original version of this code on 12 December 2000.

**Record of Amendments**

DATE	REVISION NO	REASON FOR AMENDMENT
24 November 2000	Rev: 00	Draft Copy

Rev 07 (20<sup>th</sup> January 2015)

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TATIARA DISTRICT COUNCIL





## CODE OF PRACTICE – ACCESS TO COUNCIL MEETINGS &amp; DOCUMENTS

12 December 2000	Rev: 01	Adopted by Council Res No 154
14 August 2001	Rev: 02	Annual Review
9 September 2003	Draft Public Cons	Review after Council Election
9 September 2003	OK for public cons	Removed the word involvement pg 6
12 December 2006	Rev: 04	Reviewed after November 06 Council Election
8 September 2009	Rev: 05	Code reviewed and adopted
18 January 2011	Rev: 06	Reviewed after November 2010 Council Election. Minor changes in line with LGA's revised model code.
20 January 2015	Rev: 07	Reviewed after November 2014 Council Election
1 October 2019	Draft Public Cons	Review after 2018 Council Election



## CODE OF PRACTICE – ACCESS TO COUNCIL MEETINGS &amp; DOCUMENTS

**Appendix 1****1. Local Government Act 1999 Provisions**

- (1) Chapter 6 of the Local Government Act sets out arrangements for meetings of council and committees. It requires that all council and council committee meetings are to be held in public except where special circumstances exist as prescribed in the Act and a council or committee orders that the public be excluded.
- (2) There are very strict circumstances in which a discussion or document considered in a council or council committee meeting can be kept confidential. These provisions are included in the following sections:
  - (a) 83 (5) Council & 87 (10) Committee
  - (b) the Chief Executive Officer (CEO) may, after consultation with the principal member of council, or in the case of a committee the presiding member, indicate on a document or report (or on a separate note) provided to members of council or committee, as the case may be, that the matter may, if the council or committee so determines, be considered in confidence. The CEO is required to specify at the same time the basis on which such an order can be made.
  - (c) 87(15) & 88(7) – the provisions of these sections may be modified if the council committee is not performing a regulatory function. Regulations 23 & 24 of the Local Government (Procedures at Meetings) Regulations 2000 enable variation to the notice of meetings for members and public notice of meetings.
  - (d) 90 (2) & (3) – circumstances where council may order that the public can be excluded from attendance at a meeting, or part of it, to enable a matter/s to be considered in confidence.
  - (e) 90 (8) – informal gatherings and discussions are not unlawful under certain circumstances.
  - (f) 91 (7) – circumstances when a document considered in confidence can be ordered to remain confidential.
  - (g) 91 (8) – circumstances where a council must not order that a document remain confidential.
  - (h) 91 (9) – the council or committee must specify the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order will be reviewed. The power to revoke an order can also be delegated to an employee of council.
  - (i) 92 – requires the council to prepare and adopt a code of practice relating to access to meetings and documents. Prior to adoption, alteration or substitution of the proposed code (or changes) must be available for



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CODE OF PRACTICE – ACCESS TO COUNCIL MEETINGS & DOCUMENTS

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inspection and purchase. Council is also required to follow the relevant steps set out in its Public Consultation Policy. Council must, within 12 months of each periodic election, review the operation of the code.

(j) 94 — provides that the Ombudsman may, on receipt of a complaint, investigate the use of these provisions.

(k) 270 — Council to establish procedures for the review of decisions.

(3) — A copy of the relevant sections of Act can be viewed at the Bordertown Council Office, 43 Woolshed Street, Bordertown or a copy provided in line with Council's Fees & Charges Policy.

**16.3 COMMUNITY GRANTS - YOUTH SPONSORSHIP REQUEST****File Number:** 17/72/2**Author:** Director Corporate & Community Services**Authoriser:** Director Corporate & Community Services**INTRODUCTION**

A letter was received from Ramesh Ghimire and Priyata Ghimire Kunwar, dated 6 September 2019, informing Council that their son, Aaryan Ghimire, has been selected in the South Australian Under 16 Regional Boys State Team to participate in the international sporting event, SingaCup 2019, from the 4 to 8 November 2019.

Ramesh and Priyata are seeking financial support from Council to help cover some of the costs for their son, Aaryan, to realise this sporting and developmental opportunity.

**DISCUSSION**

Aaryan is a student at the Bordertown High School and has demonstrated his development and sporting potential through representing the State in Soccer. Aaryan is currently playing for the Naracoorte United A-grade men's side and the Limestone Coast Under 16 team. He is the only person selected to represent the Tatiara at the junior soccer state level, and was previously introduced to Council by Tony Elletson in highlighting the important outcomes provided by the sporting excellence program held in the Limestone Coast.

This is the second time Council has received a request for financial assistance from Ramesh Ghimire and Priyata Ghimire Kunwar under the Community Grants Program, with the following motion passed by Council on Tuesday 11 September 2018.

**Res No 710 - Youth Sponsorship Request – Ramesh Ghimire** – Moved Cr Mock seconded Cr Goossens that Council provides \$500 sponsorship to Ramesh Ghimire to help cover the cost of his son Aaryan Ghimire participating at the South Australian U15 Regional Boys State Soccer Team to participate in the international sporting event, Ultimate Fiji Cup 2018, to be held in Fiji in December 2018.

**CARRIED****STRATEGIC PLAN REFERENCE**

1 - Outcome One: A Safe and Connected Community

1.1 - Provide innovative and effective community services

1.1.1 - Build community capacity and participation in community services, culture and recreation

1.1.1.1 - Acknowledge the contribution made by the community members through their individual areas of excellence, through appropriate avenues such as Australia Day Awards, Volunteer of the Year, ANZAC Day celebrations and other events

Council's strategic objective, "Community Wellbeing, recognises community wellbeing and safety being essential for social and community development. All members of our community (i.e. students, young adults, families etc.) should be able to learn and develop in safe, supportive and respectful environments. Therefore, Council has an interest to help our schools, sporting clubs, community groups and families provide safe online environments and teach children how to use technology in positive and productive ways.

The objective further states that Council must focus on building relationships and working closely with stakeholders to ensure the best result for our community.

**POLICY/LEGAL IMPLICATIONS**

In assessing and supporting this request, I have provided the relevant sections from Council's Community Grants Policy:

**Funding Stream 4 – Individual Achievement Grant**

**The maximum funding available to any one individual per financial year in this category is \$350 for attending National Events and \$500 for attending International Events (not including GST).**

The Individual Achievement Grant Program provides funding to people who are participating in a national or international event held either in this state, interstate or overseas or an approved development program. Eligible categories for funding are academic, arts and culture, environment, community leadership and ambassadors, heritage and history and sport and recreation. Funding is available by application throughout the year.

**Eligibility Criteria:**

- ✓ Requests for Grants will only be accepted from people residing in the Tatiara District.
- ✓ Not already receive substantial support from the Tatiara District Council.
- ✓ Applicants must apply in one (1) funding stream only.
- ✓ Applicants must apply only once per financial year (Individual Achievement Grants, Quick Response Grants) or once every second financial year (Events & Festivals Grants, Recreational Facilities Upgrade Grants).

**FINANCIAL IMPLICATIONS**

- Would be funded through Council's Community Grants Program.

**RISK MANAGEMENT IMPLICATIONS**

As an organisation that believes in the power of inspired young people, Council is committed to supporting opportunities for young people to participate in programs and/or events that provide them with social and developmental benefits.

**COMMUNICATION/CONSULTATION/ADVERTISING**

Nil

**ATTACHMENTS**

1. Youth Sponsorship Request - Aaryan Ghimire  

**RECOMMENDATION**

That Council provides \$500 sponsorship to Ramesh Ghimire and Priyata Ghimire Kunwar, to help cover the cost of their son, Aaryan Ghimire, to represent the South Australian Under 16 Regional Boys State Soccer Team at the SingaCup 2019, held from 4 to 8 November 2019.

Date: 06/09/2019

Tatiara District Council

Bordertown SA 5268

**Sub: Application for Individual Achievement Grants for Aaryan Ghimire**

We would like to bring to your kind attention that our son Aaryan Ghimire has been selected in the South Australian U16 Regional Boys State Team to participate in the international sporting event SingaCup 2019. The tournament is to be held in Singapore during the start of November this year and boasts the title of being the largest youth football competition in all of Asia.

Aaryan is a committed young football player from Bordertown who has been playing for the past 4 years. Prior to last year's endeavours he has participated in multiple tournaments, matches and attended 3 selection camps in order to be re-selected into the state team.

Aaryan is currently playing for the Naracoorte United A-grade men's side and the Limestone Coast U16 boys team (interleague for the Limestone Coast Football Association). He is the only boy to represent the Tatiara at the junior soccer state level which gives us the pride of him being able to represent this community.

We've attached herewith the letter of selection and also the cost to participate in the international tournaments and we would highly appreciate if we can get any financial support from the council.

Looking forward to a favourable response.

With best regards,



Ramesh Ghimire & Priyata Ghimire Kunwar

199 Victoria Parade, Bordertown 5268 SA

Tel: 0421598020

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TATIARA DISTRICT COUNCIL					
- 6 SEP 2019					
FILE NO: 7/31/3					
PROG	CEO	SES	MGES	MRES	OTHER
PROG			✓		
SES					
MGES					
MRES					
OTHER					





July 26, 2019

Coopers Stadium  
Gate 5, Holden Street  
Hindmarsh SA 5007  
PO Box 329  
Welland SA 5007

Ph: (08) 8340 3088  
Fax: (08) 8340 3188  
[www.ffsa.com.au](http://www.ffsa.com.au)

### SingaCup 2019

#### U16 Regional Boys State Team

Dear Aayran,

Congratulations on being selected to represent South Australia in the 2019 SingaCup.

FFSA Coaches have been extremely impressed with your performances during the Regional Development Camps. Your progress as a player has been noted and we look forward to seeing more improvement by inviting you to take part in an international tournament.

The tournament will be held from November 4-8, 2019 and is an important part of our Talented Player Pathway. The teams will be flying out of Adelaide on Sunday November 3 and returning Sunday November 10.

The cost for each player will be \$3390; this includes flights, accommodation, uniform and all meals and training sessions. A non-refundable deposit of \$390 is required by August 5, 2019.

The schedule for further payments is as follows:

Aug 16	\$600
Sept 2	\$600
Sept 16	\$600
Sept 30	\$600
Oct 14	\$600

The above structure coincides with payments FFSA needs to make.

Full payment is required before attendance.

If you would like organise a direct debit please contact [kim.clayden@ffsa.com.au](mailto:kim.clayden@ffsa.com.au) or 08 8340 3088.

Confirmation of your acceptance of this position is required via email no later than Friday August 2, please email [Jane.Tuohy@ffsa.com.au](mailto:Jane.Tuohy@ffsa.com.au). Full details will be sent out after confirmation of your involvement in this tournament.

Kind regards

Regional Development



## 16.4 WELCOMING CITIES

**File Number:** 17/64/16

**Author:** Community Development Officer (Migration)

**Authoriser:** Chief Executive Officer

### INTRODUCTION

Proposal that Council commits to join Welcoming Cities, a network of cities and communities that are committed to becoming more welcoming and inclusive.

### DISCUSSION

#### What is Welcoming Cities

Welcoming Cities is a national network of cities, shires, towns and municipalities who are committed to an Australia where everyone can belong and participate in social, cultural, economic and civic life. Welcoming Cities was established in recognition that local councils understand the complexity and diversity of their communities and can play an important role creating welcoming communities as brokers and leaders within their community.

Welcoming Cities is a Founding Partner of [Welcoming International](#) – a growing network of more than 250 municipalities across the world.

Welcoming Cities is an initiative of [Welcoming Australia](#), supported by the [Scanlon Foundation](#).

#### Why become a member of Welcoming Cities

Welcoming Cities recognises that, of all tiers of government, local councils are best placed to understand the complexity and diversity of their communities. However, they often engage in this work with limited resources and support. Members of Welcoming Cities have unprecedented access to a community of like-minded Local Governments and community stakeholders through:

1. **Knowledge Sharing** - supporting local governments and communities to learn from each other and access resources, research, policies, and case studies.
2. **Partnership Development** - brokering meaningful multi-sector partnerships that foster a sense of belonging and participation for all members of the community.
3. **Standard and Accreditation** - developing and accrediting The Welcoming Cities Standard to benchmark policy and practice in cultural diversity and inclusion.
4. **Celebrating Success** - showcasing leading practice through a National Award focused on responses by local government and communities to welcoming efforts.

#### Regional Councils

Welcoming Cities is increasingly working with regional councils to address the stagnating or declining population and the challenge of attracting and/or retaining newcomers. Welcoming Cities has a growing number of regional members and has produced a range of publications including: *Steps to Settlement Success*, in partnership with the Regional Australia Institute and *Welcoming Regions: an Evidence Based Approach to Migration in Regional Queensland* in partnership with Monash University and the Queensland Government.

#### Benefits to Council

- Complement, showcase and enhance the Council's commitment and leadership in cultural diversity;
- Provide Council with access to best practice evidence and examples of programs and approaches that foster inclusive communities;

- Inform / fit within Council's Migrant Action Plan;
- Provide media and publicity opportunities for Council.

### Benefits to community

- When people feel welcome they are more likely to participate in community life; and
- People's sense of belonging and connectedness is improved through greater insight and understanding of different cultures living within their community.

### Welcoming Cities Standard

*The Welcoming Cities Standard* (The Standard) is a central element of the Welcoming Cities network. The Standard establishes the framework for local councils to:

- benchmark their cultural diversity and inclusion policies and practices across the organisation;
- identify where and how further efforts could be directed; and,
- assess progress over time.

The Standard applies to all local councils in Australia. This includes cities, shires, towns, or municipalities. Councils can access and progress through the Standard according to their capacity and resources. The different levels (from lowest to highest) are described as *Committed*, *Established*, *Advanced*, *Excelling*, and *Mentoring*.

The Standard allows Council to benchmark current activity against six categories:

- Leadership;
- Social and Cultural Inclusion;
- Economic Development;
- Learning and Skills Development;
- Civic Development; and
- Places and Spaces.

The extent to which local councils measure their activity against the Standard is based on their understanding of their community's needs, noting that many local councils are already addressing elements of the Standard. The Standard validates existing efforts and recognises the connections to fostering cultural diversity and inclusion.

Whilst accreditation can bolster Council's on-going capacity and systems; it is possible to be an active member of the network without undergoing the accreditation process. That is, member councils are able to remain as a 'Committed' member and participate in the network (access to resources and practice) without going through the formal accreditation process.

It is proposed that Council consider a decision to undertake the accreditation (including any recourses required) following our formal commitment to becoming a member of the network.

Following formal commitment to the network, Council's Community Development Officer (Migration) will complete an informal benchmarking process against the Standard and then make a recommendation of accreditation level.

### How to join

To be recognised as a member, council must return a Commitment Form available to download from the Welcoming Cities website, signed by the Mayor or CEO. This form confirms Council's commitment to:

- Join, and participate in, a network of cities and communities that are committed to becoming more welcoming and inclusive;
- Identify at least one key staff contact that will liaise directly with the Welcoming Cities team;

- Communicate regularly with the Welcoming Cities team, through at least three conference calls each year and an annual in-person meeting, to progress planning, and share and learn from practices of other welcoming cities and communities.

Once the commitment form is returned and processed, members are part of the network and can begin to access a range of benefits.

### Cost

Council can either join as a “Free” or “Premium” member.

Premium members pay an annual subscription which includes additional benefits such as access to higher levels of accreditation, opportunities to present to peers and industry leaders at the annual Welcoming Cities Symposium and a suite of resources and support materials. Pricing is dependent on population, the cost for the Tatiara would be \$1,000 per year.

### Breakdown of the premium benefits

	Free	Premium
Council is formally recognised and promoted as a member of the network	✓	✓
Access to the Welcoming Cities Network	✓	✓
Free access to members group and knowledge sharing platform on Apolitical.co	✓	✓
Access to library of leading cultural diversity and inclusion research, policies, plans and research	✓	✓
Suite of images and promotional materials for social media	✓	✓
Invitation to face-to-face meetings of state based members	✓	✓
Discounted tickets to the annual Welcoming Cities Symposium	✓	✓
Access to the Established accreditation level*	✓	✓
Access to the Advanced, Excelling and Mentoring accreditation levels*	–	✓
Support to develop and promote case studies that support the council's work	–	✓
Media and publicity opportunities	–	✓
Opportunity to present and be profiled at the annual Welcoming Cities Symposium	–	✓
Consultancy support including advice, referrals, workshops and other services as needed.	–	✓

Population size	Annual Premium Membership
0-50,000	\$1,000
50,000-150,000	\$3,000
150,000+	\$5,000
Capital City	\$7,500

**OPTIONS**

Council can choose to join Welcoming Cities network as a free or premium member or choose not to join at all

**STRATEGIC PLAN REFERENCE**

1 - Outcome One: A Safe and Connected Community

1.1 - Provide innovative and effective community services

1.1.3 - Contribute to building a vibrant and diverse community

1.1.3.2 - Further expand the opportunities for members of multi-cultural communities to gather together through Council programs to support their sense of belonging and participation

**POLICY/LEGAL IMPLICATIONS**

N/a

**FINANCIAL IMPLICATIONS**

If Council chooses Premium membership cost will be \$1000. Potential costs of attending Welcoming Cities Symposium

**RISK MANAGEMENT IMPLICATIONS**

N/a

**COMMUNICATION/CONSULTATION/ADVERTISING**

Network will provide broader media and publicity options through listings on website and through symposium and networking opportunities.

**ATTACHMENTS**

1. Welcoming Cities Standard [↓](#) 

**RECOMMENDATION**

That Council

- 1) Council commit to join and participate in the Welcoming Cities network as a free member;
- 2) Following assessment and outcomes of membership consider at a later date to join network at the Premium level.

# The Welcoming Cities Standard



March 2019

 Welcoming  
Cities





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**Welcoming Cities**

102 Main Street  
Kangaroo Point  
Queensland 4169  
Australia

# Diversity is our reality.

Australia is one of the most culturally and linguistically diverse nations in the world. Australia's First Peoples represent more than 250 language groups and the oldest living and continuous culture. More than one-quarter of Australians are born overseas and almost half of all Australians have at least one parent born overseas.

Collectively, we speak more than 200 languages, and languages other than English are spoken by more than one-fifth of the population.

Amid this diversity we enjoy relative harmony. Our standards of living and levels of social cohesion rank among the highest in the world. However, the benefits of migration and multiculturalism are not being enjoyed by all.

We are a nation of disparate narratives. Australia's population and economic distribution is polarised, with communities experiencing either:

- Rapid growth; or,
- Stagnation and decline.

The continued success of multicultural Australia will depend on our ability to embrace diversity, foster social cohesion and build economic success in the face of complex population challenges.

# Inclusion is a choice.

The social, cultural, economic and civic challenge lies in how communities embrace diversity and harness its strengths. Of all tiers of government, local government are best placed to understand the complexity and diversity of their communities and facilitate a whole-of-community approach.

The Welcoming Cities Standard exists to support local councils and their communities in the advancement of Australia as a welcoming, prosperous and cohesive nation.



INTRODUCTION

THE WELCOMING CITIES STANDARD

# Welcoming Cities

## Our Objectives

1

Receiving communities are welcoming and actively engage with migrant communities.

2


Local councils and community stakeholders have networks and resources that facilitate effective planning for welcoming and inclusion.

3

Local councils have comprehensive plans and active messaging for cultural diversity and inclusion in policy, multi-sector engagement, activities and economic development approaches.

4

Local councils are committed to facilitating a whole-of-community approach to building social & cultural inclusion, economic engagement and civic participation.




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## Welcoming Cities supports local councils and community leaders through a network built around:


Local councils participate as **members** of the Welcoming Cities network, while community organisations, businesses and other government agencies can get involved as **supporters**. Both members and supporters access key offerings of the network.

Building social cohesion requires contribution and collaboration from all community stakeholders and the role of local councils is to invite and facilitate this interaction.




**Knowledge Sharing**

Supporting local governments to access evidence-based research, resources, policies and case studies.




**Partnership Development**

Facilitating & resourcing multi-sector partnerships to maximise learning, reach and impact.



**Celebrating Success**

Recognising local governments that demonstrate leading practice and innovation in welcoming efforts.



**Standard + Accreditation**

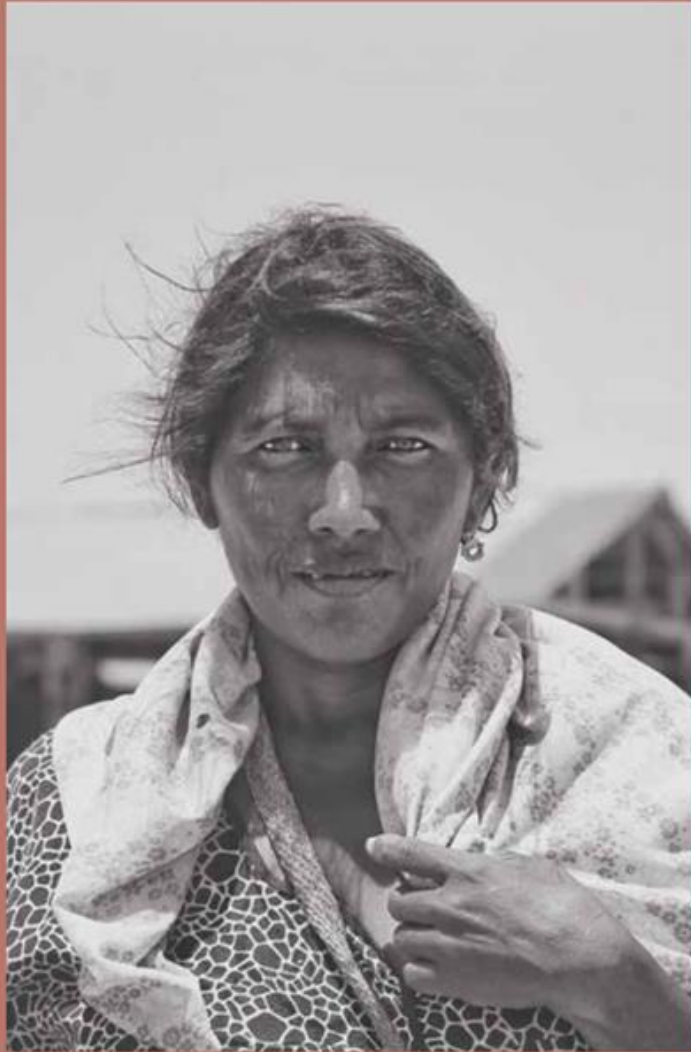
Setting the National Standard for cultural diversity and inclusion policy and practice in Local Government.

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INTRODUCTION

THE WELCOMING CITIES STANDARD



Our Mission

Supporting  
local councils and  
community leaders  
to leverage the ideas  
and innovation that  
come from being  
welcoming and  
inclusive.

THE STANDARD

THE WELCOMING CITIES STANDARD

# The Scope

The Welcoming Cities Standard is a central element of the Welcoming Cities network. The Standard establishes the framework for local councils to:

1

Benchmark their cultural diversity and inclusion policies and practices across the organisation;

2

Identify where and how further efforts could be directed; and,

3

Assess progress over time.

The other elements of the network support as well as enhance the purpose of The Standard.

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The Standard is applicable to all local councils in Australia. This includes cities, shires, towns, or municipalities. Councils can access and progress through the Standard according to their capacity and resources. We describe these stages (from lowest to highest) as **Established, Advanced, Excelling, and Mentoring** (see Assessment, p. 32).

The extent to which local councils measure their activity against the Standard will be based on their understanding of their community's needs. It is noted that local councils are already addressing elements of the Standard. The Standard validates existing efforts and recognises the connections to fostering cultural diversity and inclusion.

We also recognise the important and complementary work of various Standards, Plans, Charters and Networks. Such as, Reconciliation Actions Plans, Age-friendly Cities, Child-friendly Cities, and Rainbow Tick. Welcoming Cities Standard seeks to intersect with, rather than duplicate, their efforts.

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### Accessible Information

Information that is culturally sensitive and available to communities in many languages, including simple Australian English and in formats relying on icons, symbols, and images, to convey content and meaning. Distribution is via a wide range of channels and mediums including digital, in-language radio, community media, traditional media, printed materials, and via trusted agents within communities.

### Culturally Diverse Groups

Individuals, groups and communities that are indicative of the cultural and linguistic diversity of people in the local council area.

### Local Council/s

The local government authority (LGA) that is being assessed against the Standard. Local councils can include cities, shires, towns, or municipalities.

### Migrant/s, Migrant Community/ies

Individuals of any immigration status born overseas. They can include culturally and linguistically diverse (CALD) people, refugees, people seeking asylum, and temporary or permanent residents.

### Receiving Community/ies

All Australian-born residents not covered under the definition of migrant community. This includes Indigenous communities and previous generations of migrants.

### Social Cohension

The willingness of members of a society to cooperate with each other in order to survive and prosper. Social cohesion broadly incorporates five domains:

- Belonging;
- Social justice and equity;
- Participation;
- Acceptance and rejection legitimacy; and,
- Worth.

### Social Inclusion

The act of enabling all groups of people within a society to have a sense of belonging and to be able to participate in community life. It is based on fundamental values of equity, equality, social justice, and human rights, as well as on the principles of acceptance and embracing diversity.

### Substantive Equality

Principles that seek to address systemic discrimination in service delivery; recognising that policies and practices put in place to suit the majority of clients may appear to be nondiscriminatory but may not address the specific needs of certain groups of people. In effect they may be indirectly discriminatory, creating systemic discrimination.

### Volunteering

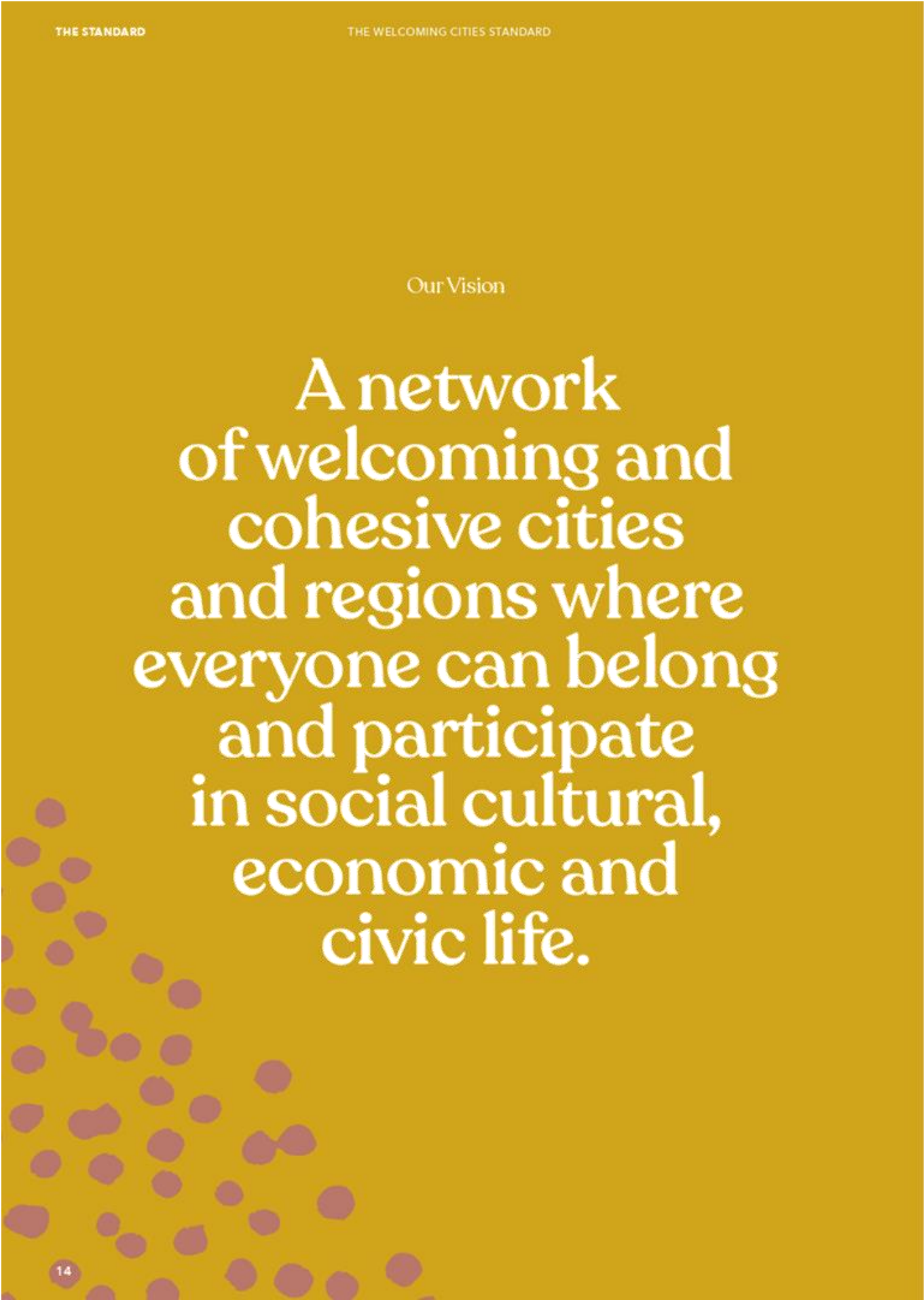
Time willingly given for the common good and without financial gain. Including, activities which are ad hoc, informal, non-organised, private or within small communities.

### Welcoming Cities

A local council that has committed to, communicated, planned, built and/or sustained a welcoming community; and is assessed against The Standard as such.







# A Guide to Reading the Standard

The Standard is organised under the following six (6) categories:

- 1.0 Leadership
- 2.0 Social and Cultural Inclusion
- 3.0 Economic Development
- 4.0 Learning and Skills Development
- 5.0 Civic Participation
- 6.0 Places and Spaces

Each category contains principles, criteria and indicators that can be applied by a local council through existing or new policies and practices.

The Standard is also framed around the local council as a facilitator of community stakeholders. It is expected that criteria will often be met through the support of, or in collaboration with, local stakeholders.



THE STANDARD THE WELCOMING CITIES STANDARD

# 1.0 Leadership

Welcoming Cities respectfully acknowledge the past, present and emerging traditional owners, the Aboriginal and Torres Strait Islander peoples, the traditional custodians of this land, and respect their culture and identity which has been a continuum with the land and sea for millennia.

Welcoming Cities seek to engage local Aboriginal and Torres Strait Islander people as leaders in welcoming activities.

Welcoming Cities recognise the importance of cultural diversity and inclusion and seek to advance and institutionalise that work through collaboration across council, the local community and other government agencies.

Welcoming Cities engage receiving communities in understanding who their new neighbours are and why welcoming work is important.

Welcoming Cities bring together the voices and experiences of both receiving and migrant communities in defining a welcoming agenda and platform.

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- 1.1 The local council recognises Aboriginal and Torres Strait Islander people as the First Peoples of this Nation and seek to engage local Indigenous communities in welcoming work. Demonstrated by:**
- 1.11** Actively working towards reconciliation with Aboriginal and Torres Strait Islander people and communities.
  - 1.12** Formally acknowledging Traditional Owners through collaboration with elders past, present and future in policies, initiatives and public events.
  - 1.13** Facilitating opportunities for migrant communities to learn about Aboriginal and Torres Strait Islander culture.
- 1.2 The local council partners with diverse stakeholders to promote a welcoming culture through advocacy and communication activities across various platforms. Demonstrated by:**
- 1.21** A public resolution declaring the local council to be a welcoming community, and an explanation of what this means.
  - 1.22** Messaging that communicates the community-wide benefit of cultural diversity and inclusion and the benefits of migration and settlement.
  - 1.23** Presenting narratives that communicate positive migrant stories and contributions.
  - 1.24** Supporting and promoting events and activities representative of the diversity of the local community.
- 1.3 The local council supports and promotes activities and initiatives that nurture connections between migrant and receiving communities. Demonstrated by:**
- 1.31** Supporting activities and initiatives that connect people from migrant communities and people from receiving communities.
  - 1.32** Identifying and facilitating opportunities that bring together representatives from migrant communities and receiving communities to discuss community issues.
- 1.4 The local council incorporates cultural diversity and inclusion in strategic, business and community plans and monitors their progress. Demonstrated by:**
- 1.41** Engaging diverse stakeholders, from both migrant communities and receiving communities, in the development, implementation and maintenance of the plans.
  - 1.42** Developing a stakeholder reference group that reflects the diversity of the community.
  - 1.43** Assessing the priorities of the local community and using that feedback to improve the plans.



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2.0

Social and Cultural Inclusion

Welcoming Cities facilitate relationships between migrant and receiving communities that address racism and promote social cohesion.

Welcoming Cities ensure that all residents have equitable access to council services and cultural assets by removing barriers to participation in community life.

Welcoming Cities facilitate diverse cultural expression and support residents to participate in the community.

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2.1

The local council's policies and practices actively include and engage both receiving and migrant communities. Demonstrated by:

2.11

Collecting and analysing demographic data to determine the cultural, religious and linguistic composition of the local community.

2.12

Ensuring that the development, implementation and review of council policies, strategies, programs and initiatives are compliant with Federal and State legislation for racial and religious nondiscrimination and take into account the principles of substantive equality.

2.13

Conducting reviews to identify and revise any policies or practices that exclude or disenfranchise migrant communities.

2.14

Providing accessible information on, or referral to, community support services and programs.

2.15

Supporting initiatives that empower individuals to prevent, and respond effectively to, racism and discrimination.

2.2

The local council facilitates diverse cultural expression through a range of activities and observances. Demonstrated by:

2.21

Celebrating community festivals, cultural events, and religious observances that represent diversity and encourage dialogue.

2.22

Encouraging programs and initiatives that bring together diverse cultures and support opportunities for cultural expression and intercultural understanding.

2.3

The local council facilitates language access. Demonstrated by:

2.31

Assessing language needs for migrant communities to increase access to services and activities.

2.32

Engaging accredited translators or interpreters in council services and related events.

2.33

Providing information on council services, and resident information guides in community languages.

2.34

Providing accessible Council feedback and complaints processes.

2.35

Providing accessible information on dispute resolution and local by-laws.

2.36

Advocating to other tiers of Government and associated agencies to ensure that essential information and services (such as emergency management information) are accessible to migrant communities.

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## THE STANDARD

## THE WELCOMING CITIES STANDARD

**2.4** The local council partners with government, business and community stakeholders to promote affordable, safe and accessible housing, health, justice and transport services for all residents. Demonstrated by:

- 2.41 Referral to accessible information on, and promotion of, preventative health programs, public health risks, and community recreational activities.
- 2.42 Advising stakeholders in the development of local community housing and affordable housing initiatives.
- 2.43 Advising stakeholders and transport services to identify accessible and affordable transportation services.
- 2.44 Advising the local police service to build positive connections with migrant communities through crime prevention information sessions and community liaison.

**2.5** The local council is committed to embedding broader diversity and inclusion approaches across the organisation and recognises that there are often additional barriers and vulnerabilities faced by Aboriginal and Torres Strait Islanders, women from migrant backgrounds, younger and older people from migrant backgrounds, people living with disability, and/or people who identify as LGBTI. Demonstrated by:

- 2.51 Cross-departmental initiatives and strategies that address barriers to access and inclusion and the additional challenges of inter-sectionality in policy and practice, across a range of areas.



Welcoming Cities  
facilitate diverse  
cultural expression  
and support residents  
to participate in the  
community.

THE STANDARD

THE WELCOMING CITIES STANDARD


# 3.0 Economic Development

Welcoming Cities recognise that economic growth relies on an inclusive economy that encourages the active participation of all its residents.

Welcoming Cities facilitate access, by both receiving and migrant communities, to opportunities for employment, business development and entrepreneurship.

Welcoming Cities value the unique talents and experiences that people of all backgrounds contribute to their communities.

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**3.1** The local council employs a workforce that is inclusive and diverse.  
Demonstrated by:

**3.11** Identifying and addressing barriers and unconscious bias, which may limit diversity and inclusion in employment practices.

**3.12** Highlighting the value of a diverse workforce and encouraging applicants from diverse backgrounds to apply.

**3.13** Exploring innovative ways of promoting job opportunities to reach a broad and diverse range of potential applicants.

**3.2** The local council advances local business sourcing and contracting.  
Demonstrated by:

**3.21** Addressing the barriers for local businesses to access council tendering and contracting opportunities.

**3.22** Reviewing procurement policies and practice and identifying opportunities to engage local suppliers.

**3.3** The local council partners with the local business community to identify strategic opportunities for economic development and to encourage local jobs for local people, including those from migrant communities.  
Demonstrated by:

**3.31** Supporting and facilitating networking events, business development workshops, mentoring and other activities that grow local skills, knowledge and commerce.

**3.32** Partnering with employers, local chambers of commerce, financial institutions, employment services, and other relevant community based organisations to identify needs and opportunities.

**3.33** Supporting and advocating for strategies to monitor and prevent labour exploitation.

**3.34** Working with employers, local chambers of commerce and other relevant community based organisations to identify and address barriers to local employment.

**3.4** The local council supports both receiving and migrant communities to advance economic development opportunities. Demonstrated by:

**3.41** Supporting and referring to business incubator, entrepreneurship programs and other initiatives to identify and grow enterprise opportunities.

**3.42** Supporting and promoting cultural initiatives and activities that draw visitors to the community.

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THE STANDARD

THE WELCOMING CITIES STANDARD

4.0

Learning and Skills Development

Welcoming Cities support both receiving and migrant communities to develop the skills, assets, and opportunities required to foster social cohesion.

Welcoming Cities facilitate partnerships with, and referrals to, local service providers that value learning and inclusion.

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- 4.1
- The local council works closely with community facilities such as schools and libraries to support learning and inclusion for migrant communities. Demonstrated by:
- 4.11

Advocating for and supporting programs and initiatives that connect diverse migrant communities to existing support services including education, health, and settlement services.
- 4.12

Facilitating programs and initiatives that ensure library and/or related services are accessible, and support targeted learning opportunities for migrant communities.
- 4.13

Supporting learning and skills development opportunities for children and young people from migrant communities through collaboration with schools and other services.
- 4.2
- The local council encourages learning and skills development opportunities that enable people from migrant communities to participate in community life. Demonstrated by:
- 4.21

Referral to information on English language learning opportunities.
- 4.22

Encouraging and supporting programs and initiatives that provide opportunities for migrant and receiving communities to share their history, ideas, knowledge and experience to grow cultural understanding.
- 4.23

Identifying and delivering professional development for council staff that increases their capacity and skills to engage with and respond appropriately and effectively to the needs of a culturally diverse community.



THE STANDARD

THE WELCOMING CITIES STANDARD

5.0

Civic Participation

Welcoming Cities actively encourage all residents to participate in civic life.

Welcoming Cities identify opportunities to engage people, such that civic leadership reflects the diversity of the community.

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- 5.1

The local council communicates their roles and responsibilities, and advances civic participation for both receiving and migrant communities. Demonstrated by:

5.11

Providing accessible information on the role and responsibilities of local councils and civic engagement opportunities.

5.12

Encouraging and supporting the participation of culturally diverse groups in public council meetings and forums.

5.13

Promoting and supporting the participation of representatives from culturally diverse groups, including young people and seniors, in council committees, advisory and reference groups.
- 5.2

The local council supports and celebrates the attainment of citizenship. Demonstrated by:

5.21

Promoting information about pathways and processes for obtaining Australian Citizenship to migrant communities.

5.22

Hosting, promoting and celebrating citizenship ceremonies (where applicable).
- 5.3

The local council supports all eligible residents to enrol to vote and participate in local government elections. Demonstrated by:

5.31

Working with the State Government and/or Electoral Commissions to eliminate barriers to voting.
- 5.4

The local council supports people from both receiving and migrant communities to celebrate and participate in volunteering. Demonstrated by:

5.41

Identifying and supporting volunteering opportunities that engage people from migrant communities and receiving communities, in order to encourage dialogue and relationship building.

5.42

Recognising and celebrating diverse volunteer contributions that may not be reflected in formal and traditional concepts of volunteering.

THE STANDARD

THE WELCOMING CITIES STANDARD

6.0

Places and Spaces

Welcoming Cities value public spaces and facilities that enhance liveability, social cohesion and inclusion of all residents.

Welcoming Cities engage all community members in design processes for urban planning.

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- 6.1 The local council ensures that public spaces and facilities are safe and accessible to all residents. Demonstrated by:
- 6.11 Consulting with culturally diverse groups to explore how council spaces and facilities may be more accessible, inclusive, and responsive to community needs and aspirations.

6.12 Assessing development applications against non-discriminatory access requirements regulated under the Building Code of Australia, and guidelines under the Disability Discrimination Act.

6.13 Ensuring that both receiving and migrant communities are consulted in the urban planning process.
- 6.2 Public spaces and facilities encourage community interaction, and facilitate diverse cultural expression and celebration. Demonstrated by:
- 6.21 Enabling the use of public spaces and facilities by people who represent the diversity of the Community.
- 6.3 The local council works to recognise Aboriginal and Torres Strait Islander and migrant heritage in public spaces and facilities. Demonstrated by:
- 6.31 Supporting initiatives that communicate the significance of cultural stories in public spaces and facilities.



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“  
Supporting  
local councils and  
community leaders  
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and innovation that  
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inclusive.”


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ASSESSMENT
THE WELCOMING CITIES STANDARD


# Assessment and Accreditation

To cater for the diversity of Local Councils, and their communities, The Welcoming Cities Standard has a range of entry and accreditation levels. There is no obligation or requirement for Councils to progress through the accreditation levels. However, accreditation expires (and can be renewed or progressed) every 3 years.



Level	Description	Assessment
<b>Committed</b>	<p>A Committed local council has publicly stated their intent to champion the principles of welcoming and inclusion.</p> <p>Committed local councils join a network of like-minded peers, and gain the benefit of support and experience to chart their progress and identify the next steps towards becoming a Welcoming City.</p>	<b>Welcoming Cities Commitment Form</b> signed by either the Mayor or CEO.
<b>Established</b>	<p>An Established Welcoming City has taken action towards becoming a more connected and cohesive community.</p> <p>Established Welcoming Cities have cemented their status as a key member of the network and driver of cultural change. They have a clear assessment of their current position.</p>	<b>Self Assessment</b> Criteria and indicators of Category 1.0 (Leadership) are met and verified by Welcoming Cities.
<b>Advanced</b>	<p>An Advanced Welcoming City is celebrating success in initiatives and policies that foster economic, social and cultural inclusion.</p> <p>Advanced Welcoming Cities are projecting their reputation as a leader of the sector and are prominent members of the network.</p>	<b>Peer Assessment</b> Criteria and indicators of the following categories are met: <ol style="list-style-type: none"> <li>1. Leadership</li> <li>2. Social and Cultural Inclusion</li> <li>3. Economic Development</li> </ol> <p>An accredited Mentoring Council verifies the assessment.</p>
<b>Excelling</b>	<p>An Excelling Welcoming City is setting and achieving targets across its full range of services and partnerships.</p> <p>Excelling Welcoming cities are achieving at a high level, and serve as an example of success for other councils.</p>	<b>External Assessment</b> Criteria and indicators of ALL categories are met.  An approved Welcoming Cities assessor verifies the assessment.
<b>Mentoring</b>	<p>A Mentoring Welcoming City is confidently embedding the framework and its principles across the organisation.</p> <p>Mentoring Welcoming Cities lead the sector by example, lending their considerable expertise to build the capacity of their peers.</p>	<b>Achievement of Excelling level and submission of Mentoring Application</b>  An approved Welcoming Cities assessor verifies the application.

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# Compliance and Good Practice

The International Social and Environmental Accreditation and Labelling (ISEAL) Alliance defines a Standard as a “document that provides, for common and repeated use, rules, guidelines or characteristics for products or related processes and production methods, with which compliance is not mandatory”.

ISEAL views a Standard as a powerful market-based approach for creating positive social, environmental, and economic change, and driving transformation in how entities deliver goods and/or services. A Standard defines what is expected and sustainable for a particular sector, drives and maintains change with a verification process, and has additional tools and activities in place for tracing certified goods and/or services. Through all of this, a Standard brings together all entities in the ecosystem and builds their capacity as they move from baseline to higher performance standards.

**Standards are living documents that reflect societal understanding of good practice for a given sector or industry. As such, the Standard will evolve over time.**

New insights gained from implementation of the standard, plus increased interest from stakeholders due to uptake of the Standard, will yield new knowledge and improvements that need to be integrated into the Standard's requirements. Common practice is to review a standard every three to five years and Welcoming Cities is committed to continuous improvement.

The development of The Welcoming Cities Standard has been guided by ISEAL's Codes of Good Practice and Credibility Principles.

In the development of this Standard, Welcoming Cities has extensively consulted international, national and local stakeholders, including peak bodies, government associations, commissions and all tiers of government.



**“ Standards are living documents that reflect societal understanding of good practice for a given sector or industry. As such, the Standard will evolve over time. ”**



REFERENCES

THE WELCOMING CITIES STANDARD

Advisory Committee

- [Chair] Dr Sev Ozdowski AM  
University of Western Sydney
- Dr Ali Nur  
Refugee Council of Australia (RCoA)
- Allan Mills  
Deloitte Australia
- Bianca Nutt  
Municipal Association of Victoria (MAV)
- Dewani Bakkum  
Settlement Council of Australia (SCoA)
- Dr Emma Campbell  
Federation of Ethnic Communities' Councils of Australia (FECCA)
- Huss Mustafa OAM  
Commonwealth Bank of Australia
- Anthea Hancocks  
Scanlon Foundation
- Mohammad Al-Khafaji  
Welcome to Australia
- Nadine Liddy  
Multicultural Youth Advocacy Network (MYAN)
- Rebecca Wickes  
Monash University
- Simone Proctor  
Reconciliation Australia

Our References

- Australian Centre of Excellence for Local Government 2015  
[Building Social Cohesion in our Communities](#)
- Australian Government Department of Social Services 2016  
[National Settlement Framework](#)
- Centre for Multicultural Youth 2007  
[Inclusive Local Government](#)
- Cities of Migration 2017  
[Building Inclusive Cities](#)
- Cultural Development Network 2016  
[Framework for Cultural Development Planning](#)
- EUROCITIES 2014  
[Integrating Cities Toolkits](#)
- Intercultural Cities Australasia 2017  
[Australian Intercultural Standards and Index](#)
- Migration Council Australia 2015  
[The Economic Impact of Migration](#)
- Multicultural Youth Advocacy Network (Australia) 2016  
[National Youth Settlement Framework](#)
- Myriad Consultants 2014  
[The Role Of Local Government In Settlement And Multiculturalism](#)
- Regional Australia Institute 2016  
[The Missing Migrants](#)
- Scanlon Foundation 2016  
[Australians Today](#)
- Victorian Government 2015  
[Strategic Framework to Strengthen Victoria's Social Cohesion and the Resilience of its Communities](#)
- Welcoming America 2017  
[The Welcoming Standard and Certified Welcoming](#)



# Acknowledgements

Welcoming Cities is an initiative of Welcoming Australia funded by the Scanlon Foundation.

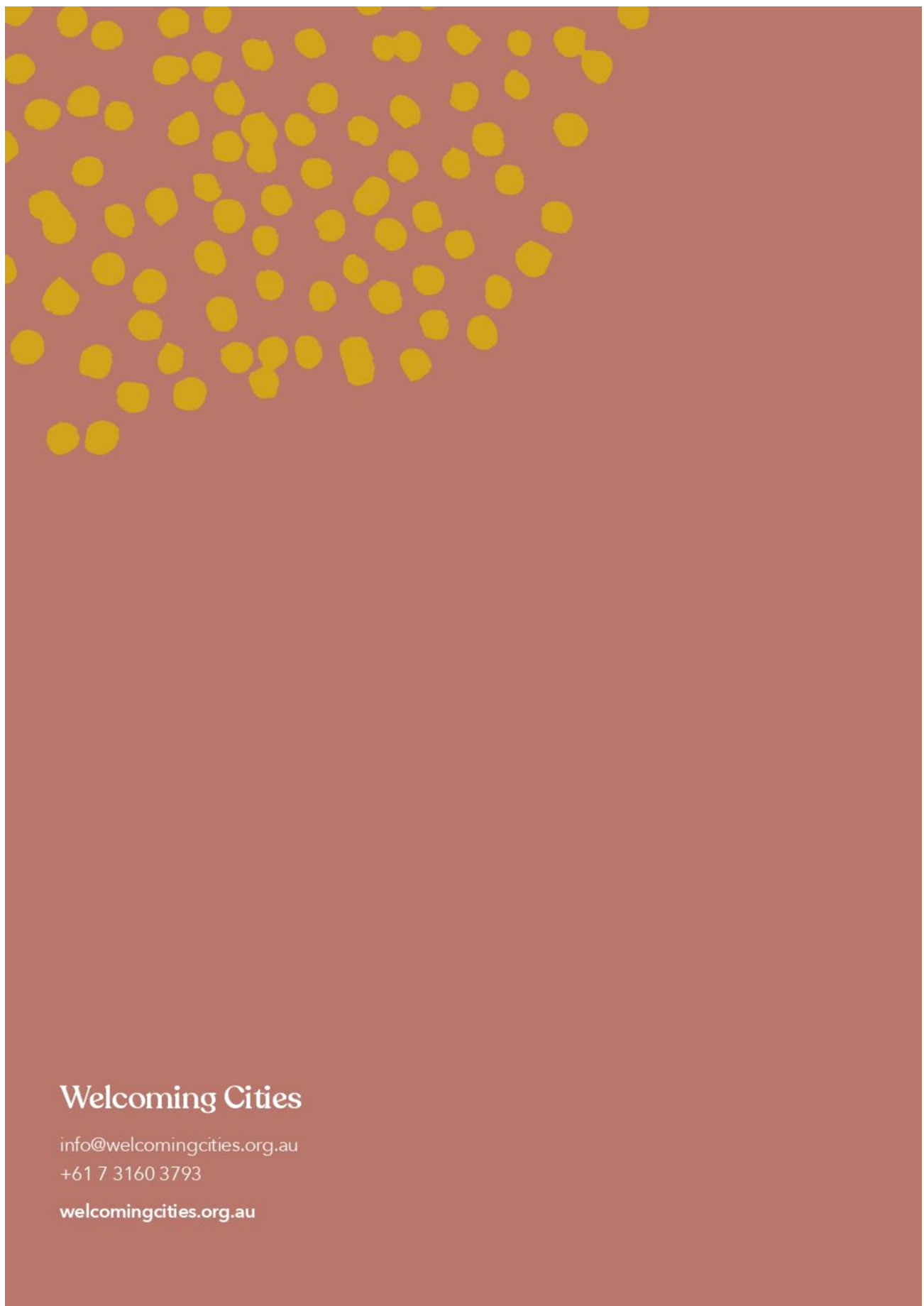


Thank you to the numerous people and organisations who have contributed to the development of The Welcoming Cities Standard.

We would particularly like to acknowledge the contributions and advice from:

- |                                       |  |   |
|---------------------------------------|--|---|
| 1. Australian Human Rights Commission | 2. Australian Multicultural Council                        | 3. Cities of Migration                                  |
| 4. Deloitte Australia                 | 5. Federation of Ethnic Communities' Councils of Australia | 6. Immigration New Zealand                              |
| 7. Monash University                  | 8. Municipal Association of Victoria                       | 9. Office of Multicultural Interests, Western Australia |
| 10. Reconciliation Australia          | 11. Refugee Council of Australia                           | 12. Regional Australia Institute                        |
| 13. Settlement Council of Australia   | 14. Victorian Government                                   | 15. Welcoming America                                   |

“  
A network  
of welcoming and  
cohesive cities  
and regions where  
everyone can belong  
and participate  
in social cultural,  
economic and  
civic life.



**16.5 MONTHLY FINANCIAL REPORT - SEPTEMBER 2019****File Number:** 7/11/1**Author:** Finance Manager**Authoriser:** Director Corporate & Community Services**INTRODUCTION**

The Monthly Budget Comparison Statement for September, 2019 can be found in Onedrive.

**DISCUSSION**

The budget report is tabled within the Budget Review 1 documents.

**OPTIONS**

Not Applicable

**STRATEGIC PLAN REFERENCE**

5 - Governance and Leadership

5.3 - Ensure that Council's plans and budgets are both responsible and sustainable

**POLICY/LEGAL IMPLICATIONS**

Section 123(10) of the *Local Government Act 1991* requires Council to have a budget aligned to the Annual Business Plan.

**FINANCIAL IMPLICATIONS**

Council's Annual Budget is monitored by Council each month and reviewed each quarter.

**RISK MANAGEMENT IMPLICATIONS**

Not Applicable

**COMMUNICATION/CONSULTATION/ADVERTISING**

Not Applicable

**ATTACHMENTS**

Nil

**RECOMMENDATION**

That the Monthly Financial Comparison Statement for September 2019 be received.

**16.6 2019/2020 BUDGET REVIEW 1****File Number: 7/11/1****Author: Finance Manager****Authoriser: Director Corporate & Community Services****INTRODUCTION**

Council staff and managers have reviewed all accounts ready for the first Budget Review adoption. Each account has been reviewed and any new information has been taken into account in revising the relevant budget lines.

There are some instances, where at the time of the rollover of the budget from 2018-19 to 2019-20 the calculations of projects that would be finished by the end of the financial year have needed some revision. There are some small variances to bring back funds that were not carried forward as a result of the timing of the projects. However, these funds are relatively small in nature.

**DISCUSSION**

Some points to note are:

Programme 10

- Rate modelling at budget adoption is calculated in net terms. Once the budget is adopted the rate model is applied to all properties. The calculation of the rating income is then shown in gross terms, showing an increase to the Rates General account line and an increase in “expense” lines to show the mandatory and discretionary rebates applied to the properties. The difference between gross rates and rebates equals the net rates calculated at adoption.
- Some redistribution of Community Grants monies, totalling \$24,700 from Round 1, have been re-named and placed in the appropriate programme. In this instance the total of funds allocated at round 1 have now been redistributed to Sub-Programme Sport and Recreation 1640.
- Notification of our total allocation from the Grant Commission for our Financial Assistance Grants has arrived. The administration FAG budget has reduced by \$50,974 from the estimate at budget adoption.
- Sub-Programme 1081 Information Technology has had an overall reduction of \$24,419, which includes a reduction of \$50,000 to allow for the successful tenderer of the System Maintenance Contract. There have been several other increases in the other IT budgets, allowing for redistribution of funds. An increase of \$10,000 for Hardware Purchases, which includes extra mobile devices, and an increase of \$14,000 in new software, which includes LG Hub for councillors – as reflected with an increase of \$6,000 in Software Maintenance.

Programme 14

- Increase of \$5,000 in Bordertown Public Toilets for a project that was not completed in 2018/19 as expected and funds were not carried forward.
- Increase of \$11,000 for inclusion of scrap metal sales at the Keith Transfer Station.
- Increase of \$6,221 and reallocation of the street sweeping activities. The calculations of extended kerb lengths had varied the current contract, which had not been allowed for at the July adoption and the budget was also under budgeted in July. The amendments have now been made to reflect the current contract.

Programme 16

- An increase of \$10,000 redistributed from the IT budget to accommodate quoted amounts for the new sound system in the Civic Hall.
- The purchase of the drinking fountains has been completed and the costs for installation are yet to be paid, resulting in a reduction of \$9,000 (which seemed appropriate).
- Increase of \$16,000 as per council resolution in August for the removal of trees in Dugan Street, Keith.
- Increase of \$75,000 (original budget \$25,000) to allow for \$50,000 for each of the pump tracks in Bordertown and Keith. The \$50,000 held in reserve for the Open Space Grant initially for the Keith Railway land has also been brought in from reserve, to be used for the pump tracks. Council received a report from the DIO in September to account for the grant to be used instead for the pump tracks and a Council resolution was passed to increase the budget by \$25,000. The total sum of the net increase to Council's bottom line is \$25,000.

Programme 20

- Review of the Construction Works Programme 2000, shows an overall increase of \$72,897.
- The major changes are detailed below:
  - Road Construction Upgrades: decrease of \$50,000 for Ramsay Tce road widening. The SLRP grant application of \$100,000 was successful, but at a reduced figure of \$75,000, hence the \$1 for \$1 grant has reduced the scope of the project.
  - Road Construction Resheets: increase of \$53,765 but a contribution of \$42,350 from West Wimmera brings the overall increase to only \$11,415.
  - Road Construction Stormwater Drainage: increase of \$78,000 for the Bruce Avenue project in Keith. This project has components of Stormwater drainage construction, Kerb & Gutter construction & Footpath Construction. A report to council by the DIO is in this council agenda, with the overall Bruce Avenue project costing an extra \$51,000.
  - Tree Maintenance Programme: Increase in budget of \$20,000 to allow for High Envelope work.
- Summary Review 1 shows a:
  - Cash Budget Surplus of \$138,949, as shown in our Cash Budget Statement.
  - Operating Deficit of \$1,124,263, as shown in the Income Statement.
- This compares to the Budget at adoption, which showed,
  - Cash Budget Surplus of \$279,895.
  - Operating Deficit of \$888,527.

**2019-2020 Budget Review – Cash Budget**

The budgetary Financial Documents are provided in One Drive.

- Budget Summary
- Transfers TO and FROM Reserve
- Budget Detail

**2019-2020 1st Budget Review – Financial Statements**

The budgetary Financial Statements are provided in One Drive.

- Income Statement

- Balance Sheet
- Cash Flow Statement
- Statement of Changes in Equity
- Uniform Presentation of Finances
- Key Financial Indicators

## OPTIONS

Elected members will have an opportunity to decide upon alterations to the budget again in June, when the May Review will be conducted.

## STRATEGIC PLAN REFERENCE

5 – Governance and Leadership

5.3 – Ensure that Council's plans and budgets are both responsible and sustainable.

## POLICY/LEGAL IMPLICATIONS

Local Government (Financial Management) Regulations 2011 Part 2 – 9 Review of Budgets: Council must at least twice between 30 September and 31 May (dates inclusive) show a revised forecast of its operating and capital investment activities for the relevant financial year, to be presented in a manner consistent with the note in the Model Financial Statements titled Uniform Presentation of Finances; a revised forecast of each item in the budgeted financial statements, and report the Financial Indicators in the manner consistent with the note in the Model Financial Statements.

## FINANCIAL IMPLICATIONS

Council needs to review the cash budget and financial statements regularly to ensure that the financial obligations set by Council at budget adoption are within the required and acceptable ranges.

## RISK MANAGEMENT IMPLICATIONS

If Council did not review its budget quarterly, the Council would not be compliant under the Local Government Act and Regulations, and not be reviewing and revising budgets in a timely and sustainable manner.

## COMMUNICATION/CONSULTATION/ADVERTISING

n/a

## ATTACHMENTS

Nil

## RECOMMENDATION

That Council adopts the 2019-20 1<sup>st</sup> Quarter Budget Review, showing a Budgeted Cash Surplus of \$138,949 and an Operating Deficit of \$1,124,263.



**16.7 AUDITED EOY FINANCIAL STATEMENTS 2018/19**

**File Number:** 7/73/1

**Author:** Finance Manager

**Authoriser:** Director Corporate & Community Services

**INTRODUCTION**

Our Auditors, Galpins, have conducted an audit of our 2018/19 Financial Position as per Section 127 of the Local Government Act. A copy of the financial statements is included with this agenda. Any “material” changes from 2017/18 to 2018/19 are normally required to be analysed by the auditors prior to the completion of the audit.

**DISCUSSION**

The 2018/19 audited financial statements have been presented to our Audit Committee on October 2nd 2019, and have been accepted as per the minutes of the meeting dated 2/10/19 (also attached in your Council agenda).

Any “material” changes from 2017/18 to 2018/19 are normally required to be analysed by the auditors prior to the completion of the audit. A copy of this document is included with this agenda.

Council is required to review its Annual Actual Results against budget for the previous financial year pursuant to Sec 10(1) of the Local Government (Financial Management) Regulations 2011

The 2018/19 budget to actual statements has been presented to our Audit Committee on October 2nd 2019, and has been accepted as per the minutes of the meeting dated 2/10/19 (also attached in this Council agenda)

**STRATEGIC PLAN REFERENCE**

5 - Governance and Leadership

5.3 - Ensure that Council's plans and budgets are both responsible and sustainable

5.3.1 - To implement prudent and professional financial and operational management

5.3.1.1 - Maintain and implement prudent financial policies and practices to ensure long term financial sustainability, including the provision of quality internal control and audit procedures

**POLICY/LEGAL IMPLICATIONS**

Local Government (Financial Management) Regulations 2011 Sec 10 (1) A Council by no later than 31 December in each year, prepare and consider a report showing the audited financial results of each item shown in the statement of comprehensive income and balance sheet of the budgeted financial statements of the council, council subsidiary or regional subsidiary (as the case may be) for the previous financial year compared with the estimated financial results set out in the budget presented in a manner consistent.

Local Government (Financial Management) Regulations 2011 Section 14 Certification of financial statements

Local Government (Financial Management) Regulations 2011 Section 22 Independence of Councils Auditor

**FINANCIAL IMPLICATIONS**

Council needs to review the cash budget and financial statements regularly to ensure that the financial obligations set by Council at budget adoption are within the required and acceptable ranges.

**RISK MANAGEMENT IMPLICATIONS**

If Council did not review quarterly its budget, the Council would not be compliant under the Local Government Act and Regulations, and to this end may not be reviewing and revising budgets in a timely and sustainable manner.

**ATTACHMENTS**

1. **Audit Clearance Letter 2018/19**  
2. **Audited Financial Statements 2018/19**  
3. **Financial Notes Comparison 2018/19**  
4. **Budget to Actual 2018/19**  

**RECOMMENDATION**

That Council

- Adopt the 2018-19 Audited Financial Statements
- Authorise the Mayor to sign the Certification of Financial Statement and that a copy of the Statements be forwarded to
  - The Minister for Local Government
  - Presiding Member of the Local Government Grants Commission;
- Having considered the report on the 2018-19 audited financial results against the budget, adopt the report.

# Galpins

Accountants, Auditors  
& Business Consultants

David Chant CA, FCPA  
Simon Smith CA, FCPA  
David Sullivan CA, CPA  
Jason Seidel CA  
Renae Nicholson CA  
Tim Muhlhausler CA  
Aaron Coonan CA  
Luke Williams CA, CPA  
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under Professional Standards Legislation

Anne Champness  
CEO  
Tatiara District Council  
43 Woolshed Street  
Bordertown SA 5268

Dear Ms Champness,

### Re: Tatiara District Council – Financial Statements Audit – 2018/19

We have recently completed our audit of the financial statements and internal controls of the Tatiara District Council and intend to issue an unmodified report for both the financial statements and the internal controls opinion.

Australian Auditing Standards require us to advise all the Immaterial Uncorrected Misstatements found during the audit. There were no Immaterial Uncorrected Misstatements found.

I confirm also my intention to sign the Statement by Auditor regarding my independence, and confirm that for the audit of the year ended 30 June 2019 I have maintained my independence in accordance with the requirements of APES 110 – Code of Ethics for Professional Accountants, Section 290, published by the Accounting Professional and Ethical Standards Board, in accordance with the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011 made under that Act.

Yours faithfully,

### GALPINS ACCOUNTANTS, AUDITORS & BUSINESS CONSULTANTS

**Tim Muhlhausler** CA Registered Company Auditor  
Partner

27 September 2019

**TATIARA DISTRICT COUNCIL**  
**General Purpose Financial Reports**  
**for the year ended 30 June 2019**

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**Galpins**

**TATIARA DISTRICT COUNCIL**  
**Annual Financial Statements**  
**for the year ended 30 June 2019**

**CERTIFICATION OF FINANCIAL STATEMENTS**

We have been authorised by the Council to certify the financial statements in their final form. In our opinion:

- the accompanying financial statements comply with the *Local Government Act 1999, Local Government (Financial Management) Regulations 2011* and Australian Accounting Standards.
- the financial statements present a true and fair view of the Council's financial position at 30 June 2019 and the results of its operations and cash flows for the financial year.
- internal controls implemented by the Council provide a reasonable assurance that the Council's financial records are complete, accurate and reliable and were effective throughout the financial year.
- the financial statements accurately reflect the Council's accounting and other records.

.....  
Anne Champness  
**CHIEF EXECUTIVE OFFICER**

.....  
Graham Excell  
**MAYOR**

Date:

**Galpins**

Page 1

**TATIARA DISTRICT COUNCIL**  
**Statement of Comprehensive Income**  
**for the year ended 30 June 2019**

	Notes	2019 \$	2018 \$
<b>INCOME</b>			
Rates	2	10,147	9,868
Statutory charges	2	126	129
User charges	2	453	517
Grants, subsidies and contributions	2	4,657	4,483
Investment income	2	272	213
Reimbursements	2	341	227
Other income	2	392	326
<b>Total Income</b>		<b>16,388</b>	<b>15,763</b>
<b>EXPENSES</b>			
Employee costs	3	4,318	4,205
Materials, contracts & other expenses	3	5,659	5,766
Depreciation, amortisation & impairment	3	5,247	5,046
Finance costs	3	95	103
<b>Total Expenses</b>		<b>15,319</b>	<b>15,120</b>
<b>OPERATING SURPLUS / (DEFICIT)</b>		<b>1,069</b>	<b>643</b>
Asset disposal & fair value adjustments	4	(105)	(287)
Amounts received specifically for new or upgraded assets	2	387	566
<b>NET SURPLUS / (DEFICIT) (transferred to Equity Statement)</b>		<b>1,351</b>	<b>922</b>
<b>Other Comprehensive Income</b>			
<i>Amounts which will not be reclassified subsequently to operating result</i>			
Changes in revaluation surplus - infrastructure, property, plant & equipment	9	2,547	4,270
<b>Total Other Comprehensive Income</b>		<b>2,547</b>	<b>4,270</b>
<b>TOTAL COMPREHENSIVE INCOME</b>		<b>3,898</b>	<b>5,192</b>

**Galpins**

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**TATIARA DISTRICT COUNCIL**  
**Statement of Financial Position**  
**as at 30 June 2019**

		2019	2018
	Notes	\$	\$
<b>ASSETS</b>			
<b>Current Assets</b>			
Cash and cash equivalents	5	14,830	12,709
Trade & other receivables	5	733	817
Inventories	5	1,208	1,028
<b>Total Current Assets</b>		<b>16,771</b>	<b>14,554</b>
<b>Non-current Assets</b>			
Financial assets	6	53	84
Infrastructure, property, plant & equipment	7	190,595	188,634
<b>Total Non-current Assets</b>		<b>190,648</b>	<b>188,718</b>
<b>Total Assets</b>		<b>207,419</b>	<b>203,272</b>
<b>LIABILITIES</b>			
<b>Current Liabilities</b>			
Trade & other payables	8	1,154	750
Borrowings	8	124	145
Provisions	8	1,049	943
<b>Total Current Liabilities</b>		<b>2,327</b>	<b>1,838</b>
<b>Non-current Liabilities</b>			
Borrowings	8	853	1,062
Provisions	8	84	115
<b>Total Non-current Liabilities</b>		<b>937</b>	<b>1,177</b>
<b>Total Liabilities</b>		<b>3,264</b>	<b>3,015</b>
<b>NET ASSETS</b>		<b>204,155</b>	<b>200,257</b>
<b>EQUITY</b>			
Accumulated Surplus		835	1,039
Asset Revaluation Reserves	9	192,039	189,492
Other Reserves	9	11,281	9,726
<b>TOTAL EQUITY</b>		<b>204,155</b>	<b>200,257</b>

This Statement is to be read in conjunction with the attached Notes.

**Galpins**

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**TATIARA DISTRICT COUNCIL**  
**Statement of Changes in Equity**  
**for the year ended 30 June 2019**

		Acc'd Surplus	Asset Rev'n Reserve	Other Reserves	TOTAL EQUITY
2019	Notes	\$'000	\$'000	\$'000	\$'000
Balance at end of previous reporting period		1,039	189,492	9,726	200,257
<b>Net Surplus / (Deficit) for Year</b>		1,351			1,351
<b>Other Comprehensive Income</b>					
Gain on revaluation of infrastructure, property, plant & equipment	9		2,547		2,547
Transfers between reserves	9	(1,555)		1,555	-
<b>Balance at end of period</b>		<b>835</b>	<b>192,039</b>	<b>11,281</b>	<b>204,155</b>

		Acc'd Surplus	Asset Rev'n Reserve	Other Reserves	TOTAL EQUITY
2018	Notes	\$'000	\$'000	\$'000	\$'000
Balance at end of previous reporting period		1,555	185,222	8,288	195,065
<b>Net Surplus / (Deficit) for Year</b>		922			922
<b>Other Comprehensive Income</b>					
Changes in revaluation surplus - infrastructure, property, plant & equipment	9		4,270		4,270
Transfers between reserves	9	(1,438)		1,438	-
<b>Balance at end of period</b>		<b>1,039</b>	<b>189,492</b>	<b>9,726</b>	<b>200,257</b>

This Statement is to be read in conjunction with the attached Notes

**Galpins**

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## TATIARA DISTRICT COUNCIL

## Statement of Cash Flows

for the year ended 30 June 2019

		2019	2018
CASH FLOWS FROM OPERATING ACTIVITIES	Notes	\$	\$
<b>Receipts:</b>			
Rates - general & other		10,139	9,859
Fees & other charges		126	139
User charges		591	427
Investment receipts		273	204
Grants utilised for operating purposes		4,657	4,819
Reimbursements		341	250
Other revenues		349	967
<b>Payments:</b>			
Employee costs		(4,206)	(4,254)
Materials, contracts & other expenses		(5,470)	(7,129)
Finance payments		(99)	(107)
<b>Net Cash provided by (or used in) Operating Activities</b>		<b>6,701</b>	<b>5,175</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>			
<b>Receipts:</b>			
Amounts specifically for new or upgraded assets		387	566
Sale of replaced assets		167	411
Sale of surplus assets		160	-
Repayments of loans by community groups		29	27
<b>Payments:</b>			
Expenditure on renewal/replacement of assets		(3,616)	(2,638)
Expenditure on new/upgraded assets		(1,477)	(1,379)
<b>Net Cash provided by (or used in) Investing Activities</b>		<b>(4,350)</b>	<b>(3,013)</b>
<b>CASH FLOWS FROM FINANCING ACTIVITIES</b>			
<b>Payments:</b>			
Repayments of borrowings		(230)	(137)
<b>Net Cash provided by (or used in) Financing Activities</b>		<b>(230)</b>	<b>(137)</b>
<b>Net Increase (Decrease) in cash held</b>		<b>2,121</b>	<b>2,025</b>
Cash & cash equivalents at beginning of period	11	12,709	10,684
<b>Cash &amp; cash equivalents at end of period</b>	11	<b>14,830</b>	<b>12,709</b>

This Statement is to be read in conjunction with the attached Notes

Galpins

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## TATIARA DISTRICT COUNCIL

### Notes to and forming part of the Financial Statements

for the year ended 30 June 2019

#### Note 1 - SIGNIFICANT ACCOUNTING POLICIES

The principal accounting policies adopted in the preparation of the financial report are set out below. These policies have been consistently applied to all the years presented, unless otherwise stated.

#### 1 Basis of Preparation

##### 1.1 Compliance with Australian Accounting Standards

This general purpose financial report has been prepared in accordance with Australian Accounting Standards as they apply to not-for-profit entities, other authoritative pronouncements of the Australian Accounting Standards Board, Interpretations and relevant South Australian legislation.

The financial report was authorised for issue by certificate under regulation 14 of the Local Government (Financial Management) Regulations 2011 dated 8<sup>th</sup> October 2019.

##### 1.2 Historical Cost Convention

Except as stated below, these financial statements have been prepared in accordance with the historical cost convention.

##### 1.3 Critical Accounting Estimates

The preparation of financial statements in conformity with Australian Accounting Standards requires the use of certain critical accounting estimates, and requires management to exercise its judgement in applying Council's accounting policies. The areas involving a higher degree of judgement or complexity, or areas where assumptions and estimates are significant to the financial statements are specifically referred to in the relevant sections of this Note.

##### 1.4 Rounding

All amounts in the financial statements have been rounded to the nearest thousand dollars (\$'000).

#### 2 The Local Government Reporting Entity

Tatiara District Council is incorporated under the SA Local Government Act 1999 and has its principal place of business at 43 Woolshed Street, Bordertown. These financial statements include the Council's direct operations and all entities through which Council controls resources to carry on its functions. In the process of reporting on the Council as a single unit, all transactions and balances between activity areas and controlled entities have been eliminated.

#### 3 Income recognition

Income is measured at the fair value of the consideration received or receivable. Income is recognised when the Council obtains control over the assets comprising the income, or when the amount due constitutes an enforceable debt, whichever first occurs.

Where grants, contributions and donations recognised as incomes during the reporting period were obtained on the condition that they be expended in a particular manner or used over a particular period, and those conditions were undischarged as at the reporting date, the amounts subject to those undischarged conditions are disclosed in these notes. Also disclosed is the amount of grants, contributions and receivables recognised as incomes in a previous reporting period which were obtained in respect of the Council's operations for the current reporting period.

In recent years the payment of untied financial assistance grants has varied from the annual allocation as shown in the table below:

	Cash Received	Payment	Annual Allocation	Difference	
2016/17	\$4,576,861		\$2,958,799	+ / -	\$1,618,062
2017/18	\$3,315,188		\$3,227,239	+ / -	\$87,969
2018/19	\$3,756,372		\$3,511,934	+ / -	\$244,438

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**TATIARA DISTRICT COUNCIL****Notes to and forming part of the Financial Statements****for the year ended 30 June 2019****Note 1 - SIGNIFICANT ACCOUNTING POLICIES (con't)**

Because these grants are untied, the Australian Accounting Standards require that payments be recognised upon receipt. Accordingly, the operating results of these periods have been distorted compared to those that would have been reported had the grants been paid in the year to which they were allocated.

The Operating Surplus Ratio and Net Liabilities Ratio disclosed in Note 15 have also been calculated after adjusting for the distortions resulting from the differences between the actual grants received and the grants entitlements allocated.

The actual amounts of untied grants received during the reporting periods (including the advance allocations) are disclosed in Note 2.

**4 Cash, Cash Equivalents and other Financial Instruments**

Cash Assets include all amounts readily convertible to cash on hand at Council's option with an insignificant risk of changes in value with a maturity of three months or less from the date of acquisition.

Receivables for rates and annual charges are secured over the subject land, and bear interest at rates determined in accordance with the Local Government Act 1999. Other receivables are generally unsecured and do not bear interest.

All receivables are reviewed as at the reporting date and adequate allowance made for amounts the receipt of which is considered doubtful.

**5 Inventories**

Inventories held in respect of stores have been valued by using the weighted average cost on a continual basis, after adjustment for loss of service potential. Inventories held in respect of business undertakings have been valued at the lower of cost and net realisable value.

**6 Infrastructure, Property, Plant & Equipment****6.1 Land under roads**

Council has elected not to recognise land under roads acquired prior to 1 July 2008 as an asset in accordance with AASB 1051 Land under Roads. Land under roads acquired after 30 June 2008 has not been recognised as in the opinion of Council it is not possible to reliably attribute a fair value, and further that such value if determined would be immaterial.

**6.2 Initial Recognition**

All assets are initially recognised at cost. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition.

All non-current assets purchased or constructed are capitalised as the expenditure is incurred and depreciated as soon as the asset is held "ready for use". Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition, including architects' fees and engineering design fees and all other costs incurred. The cost of non-current assets constructed by the Council includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overhead.

Capital works still in progress at balance date are recognised as other non-current assets and transferred to infrastructure, property, plant & equipment when completed ready for use.

**6.3 Materiality**

Assets with an economic life in excess of one year are only capitalised where the cost of acquisition exceeds materiality thresholds established by Council for each type of asset. In determining (and in annually reviewing) such thresholds, regard is had to the nature of the asset and its estimated service life. Examples of capitalisation thresholds applied during the year are given in Note 7. No capitalisation threshold is applied to the acquisition of land or interests in land.



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## TATIARA DISTRICT COUNCIL

Notes to and forming part of the Financial Statements

for the year ended 30 June 2019

### Note 1 - SIGNIFICANT ACCOUNTING POLICIES (con't)

#### 6.4 Subsequent Recognition

All material asset classes are revalued on a regular basis such that the carrying values are not materially different from fair value. For infrastructure and other asset classes where no active market exists, fair value is determined to be the current replacement cost of an asset less, where applicable, accumulated depreciation calculated on the basis of such cost to reflect the already consumed or expired future economic benefits of the asset. Further detail of existing valuations, methods and valuers are provided at Note 7.

#### 6.5 Depreciation of Non-Current Assets

Other than land, all infrastructure, property, plant and equipment assets recognised are systematically depreciated over their useful lives on a straight-line basis which, in the opinion of Council, best reflects the consumption of the service potential embodied in those assets.

Depreciation methods, useful lives and residual values of classes of assets are reviewed annually.

Major depreciation periods for each class of asset are shown in Note 7. Depreciation periods for infrastructure assets have been estimated based on the best information available to Council, but appropriate records covering the entire life cycle of these assets are not available, and extreme care should be used in interpreting financial information based on these estimates.

### 7 Payables

#### 7.1 Goods & Services

Creditors are amounts due to external parties for the supply of goods and services and are recognised as liabilities when the goods and services are received. Creditors are normally paid 30 days after the month of invoice. No interest is payable on these amounts.

#### 7.2 Payments Received in Advance & Deposits

Amounts received from external parties in advance of service delivery, and security deposits held against possible damage to Council assets, are recognised as liabilities until the service is delivered or damage reinstated, or the amount is refunded as the case may be.

### 8 Borrowings

Loans are carried at their principal amounts which represent the present value of future cash flows associated with servicing the debt. Interest is accrued over the period to which it relates, and is recorded as part of "Payables". Interest free loans are carried at their nominal amounts; interest revenues foregone by the lender effectively being a reduction of interest expense in the period to which it relates.

### 9 Employee Benefits

#### 9.1 Salaries, Wages & Compensated Absences

Liabilities for employees' entitlements to salaries, wages and compensated absences expected to be paid or settled within 12 months of reporting date are accrued at nominal amounts (including payroll based on costs) measured in accordance with AASB 119.

Liabilities for employee benefits not expected to be paid or settled within 12 months are measured as the present value of the estimated future cash outflows (including payroll based on costs) to be made in respect of services provided by employees up to the reporting date. Present values are calculated using government guaranteed securities rates with similar maturity terms.

Weighted average discount rate	1.081% (2018, 2.462%)
Weighted average settlement period	1 year (2018, 1 year)

No accrual is made for sick leave as Council experience indicates that, on average, sick leave taken in each reporting period is less than the entitlement accruing in that period, and this experience is expected to recur in future reporting periods. Council does not make payment for untaken sick leave.

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## TATIARA DISTRICT COUNCIL

Notes to and forming part of the Financial Statements

for the year ended 30 June 2019

### Note 1 - SIGNIFICANT ACCOUNTING POLICIES (con't)

#### 9.2 Superannuation

The Council makes employer superannuation contributions in respect of its employees to the Local Government Superannuation Scheme. The Scheme has two types of membership, each of which is funded differently. No changes in accounting policy have occurred during either the current or previous reporting periods. Details of the accounting policies applied and Council's involvement with the schemes are reported in Note 16.

#### 10 GST Implications

In accordance with UIG Abstract 1031 "Accounting for the Goods & Services Tax"

- Receivables and Creditors include GST receivable and payable.
- Except in relation to input taxed activities, revenues and operating expenditures exclude GST receivable and payable.
- Non-current assets and capital expenditures include GST net of any recoupment.
- Amounts included in the Statement of Cash Flows are disclosed on a gross basis.

#### 11 New Accounting Standards

Certain new accounting standards and UIG interpretations have been published that are not mandatory for the 30 June 2019 reporting period and have not been used in preparing these reports.

AASB 7	Financial Instruments – Disclosures
AASB 9	Financial Instruments
AASB 15	Revenue from Contracts with Customers
AASB 16	Leases
AASB 1058	Income of Not-for-Profit Entities

Standards containing consequential amendments to other Standards and Interpretations arising from the above - AASB 2010-7, AASB 2014-1, AASB 2014-3, AASB 2014-4, AASB 2014-5, AASB 2014-6, AASB 2014-7, AASB 2014-8, AASB 2014-9, AASB 2014-10, AASB 2015-1, AASB 2015-2, AASB 2015-3, AASB 2015-4, AASB 2015-5, AASB 2015-6 and AASB 2015-7.

(Standards not affecting local government have been excluded from the above list.)

AASB 7 Financial Instruments - Disclosures and AASB 9 Financial Instruments commenced from 1 July 2018 and have the effect that non-contractual receivables (e.g. rates & charges) are now treated as financial instruments. Although the disclosures made in Note 13 Financial Instruments have changed, there are no changes to the amounts disclosed.

All financial instruments are recognised at fair value at the date of recognition. A detailed statement of the accounting policies applied to financial instruments also form part of Note 12.

AASB 15 Revenue from Contracts with Customers and AASB 1058 Income of Not-for-Profit Entities, which will commence from 1 July 2019, affect the timing with which revenues, particularly special purpose grants, are recognised. Amounts received in relation to contracts with sufficiently specific performance obligations will in future only be recognised as these obligations are fulfilled. In these Statements, the sum of \$387,000 has been recognised as revenue, in accordance with the current Standards, but would in future be recorded as a liability "Amounts in Advance" until the performance obligations have been fulfilled.

AASB 16 Leases, which will commence from 1 July 2019, requires that the right of use conveyed by leasing contracts - except leases with a maximum term of 12 months and leases for non-material amounts - be recognised as a form of Infrastructure, Property, Plant and Equipment, and that the lease liability be disclosed as a liability.

At 30 June 2019, Council has no leases to which this treatment will need to be applied.

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**TATIARA DISTRICT COUNCIL****Notes to and forming part of the Financial Statements  
for the year ended 30 June 2019****Note 2 - INCOME**

	Notes	2019 \$	2018 \$
<b>RATES REVENUES</b>			
<u>General Rates</u>		<b>8,268</b>	8,042
Less: Mandatory rebates		(143)	(139)
Less: Discretionary rebates, remissions & write offs		(32)	(30)
		<b>8,093</b>	7,873
<u>Other Rates</u> (including service charges)			
Natural Resource Management levy		<b>537</b>	520
Waste collection		<b>635</b>	604
Community wastewater management systems		<b>836</b>	827
		<b>2,008</b>	1,951
<u>Other Charges</u>			
Penalties for late payment		<b>46</b>	44
		<b>46</b>	44
		<b>10,147</b>	9,868
<b>STATUTORY CHARGES</b>			
Development Act fees		<b>66</b>	71
Health & Septic Tank Inspection fees		<b>9</b>	10
Animal registration fees & fines		<b>37</b>	35
Sundry		<b>14</b>	13
		<b>126</b>	129
<b>USER CHARGES</b>			
Cemetery/crematoria fees		<b>53</b>	84
Visitor Information Centre		<b>19</b>	30
Truck Wash Fees		<b>84</b>	85
Sangarb Collection Fees		<b>79</b>	107
Swimming Pool Revenue		<b>115</b>	109
Ticket Sales		<b>39</b>	40
Hall & equipment hire		<b>35</b>	33
Sundry		<b>29</b>	29
		<b>453</b>	517
<b>INVESTMENT INCOME</b>			
Interest on investments:			
Local Government Finance Authority		<b>253</b>	189
Banks & other		<b>12</b>	10
Loans to community groups		<b>7</b>	14
		<b>272</b>	213

**TATIARA DISTRICT COUNCIL**  
**Notes to and forming part of the Financial Statements**  
**for the year ended 30 June 2019**

**Note 2 - INCOME (con't)**

	Notes	2019 \$	2018 \$
<b>REIMBURSEMENTS</b>			
- for private works		189	73
- other		152	154
		<u>341</u>	<u>227</u>
<b>OTHER INCOME</b>			
Insurance & other recoupments - infrastructure, property, plant & equipment		1	1
Rebates received		53	47
Tatiara United Sporting Grant Funds		52	-
Keith Service Income (Services SA, Centrelink)		118	120
Health Inspection Food Premises Audits		95	74
Sundry		73	84
		<u>392</u>	<u>326</u>
<b>GRANTS, SUBSIDIES, CONTRIBUTIONS</b>			
Amounts received specifically for new or upgraded assets		387	566
Other grants, subsidies and contributions			
Untied - Financial Assistance Grant		3,757	3,315
Roads to Recovery		-	795
Supplementary Roads Grants		839	279
Library & Communications		24	25
Sundry		37	69
		<u>4,657</u>	<u>4,483</u>
		<u>5,044</u>	<u>5,049</u>
<i>The functions to which these grants relate are shown in Note 11.</i>			
<b>Sources of grants</b>			
Commonwealth government		46	1,640
State government		4,998	3,409
		<u>5,044</u>	<u>5,049</u>

**TATIARA DISTRICT COUNCIL**  
**Notes to and forming part of the Financial Statements**  
**for the year ended 30 June 2019**

**Note 3 - EXPENSE**

	Notes	2019 \$'000	2018 \$'000
<b>EMPLOYEE COSTS</b>			
Salaries and Wages		3,928	3,756
Employee leave expense		253	268
Superannuation - defined contribution plan contributions	16	291	254
Superannuation - defined benefit plan contributions	16	102	102
Workers' Compensation Insurance		156	163
Less: Capitalised and distributed costs		(412)	(338)
<b>Total Operating Employee Costs</b>		<b>4,318</b>	<b>4,205</b>
 <b>Total Number of Employees</b>		 <b>56</b>	 <b>55</b>
<i>(Full time equivalent at end of reporting period)</i>			
 <b>MATERIALS, CONTRACTS &amp; OTHER EXPENSES</b>			
<u>Prescribed Expenses</u>			
Auditor's Remuneration			
- Auditing the financial reports		20	23
Elected members' expenses		217	215
Election expenses		29	2
Subtotal - Prescribed Expenses		<b>266</b>	<b>240</b>
 <u>Other Materials, Contracts &amp; Expenses</u>			
Contractors		1,679	1,786
Maintenance		3,056	3,208
Legal Expenses		34	34
Levies paid to government - NRM levy		538	525
Minor Capital Purchases		84	57
Fuel and Oil		331	296
Sundry		(329)	(380)
Subtotal - Other Materials, Contracts & Expenses		<b>5,393</b>	<b>5,526</b>
		<b>5,659</b>	<b>5,766</b>

(Sundry Other Expenses is in negative as a result of internal recovery income being \$415K greater than prior year in 2017/18. 2018/19 was \$29K less than 2017/18. Plant Hire Rates are to be reviewed.)

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**TATIARA DISTRICT COUNCIL**  
**Notes to and forming part of the Financial Statements**  
**for the year ended 30 June 2019**

**Note 3 - EXPENSE con't**

	2019	2018
Notes	\$'000	\$'000
<b>DEPRECIATION, AMORTISATION &amp; IMPAIRMENT</b>		
<b>Depreciation</b>		
Buildings and Other Structures	709	708
Roads	3,277	3,079
Bridges	25	25
Footways	136	122
Sewerage, Effluent Drainage	445	432
Stormwater Drainage	74	72
Other Structures	71	78
Plant & Equipment	509	530
Other Community Assets	1	-
	<u>5,247</u>	<u>5,046</u>
<b>FINANCE COSTS</b>		
Interest on Loans	95	103
	<u>95</u>	<u>103</u>

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**TATIARA DISTRICT COUNCIL**  
**Notes to and forming part of the Financial Statements**  
**for the year ended 30 June 2019**

**Note 4 - ASSET DISPOSALS AND FAIR VALUE ADJUSTMENTS**

	2019	2018
Notes	\$	\$
<b>INFRASTRUCTURE, PROPERTY, PLANT &amp; EQUIPMENT</b>		
<i><b>Assets renewed or directly replaced</b></i>		
Proceeds from disposal	167	411
Less: Carrying amount of assets sold	319	698
<b>Gain (Loss) on disposal</b>	<u>(152)</u>	<u>(287)</u>
 <i><b>Assets surplus to requirements</b></i>		
Proceeds from disposal	160	-
Less: Carrying amount of assets sold	113	-
<b>Gain (Loss) on disposal</b>	<u>47</u>	<u>-</u>
 <b>NET GAIN (LOSS) ON DISPOSAL OR REVALUATION OF ASSETS</b>	 <u>(105)</u>	 <u>(287)</u>

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**TATIARA DISTRICT COUNCIL**  
**Notes to and forming part of the Financial Statements**  
**for the year ended 30 June 2019**

**Note 5 - CURRENT ASSETS**

		2019	2018
	Notes	\$'000	\$'000
<b>CASH &amp; EQUIVALENT ASSETS</b>			
Cash on Hand and at Bank		299	342
Deposits at Call		7,831	12,367
Short Term Deposits & Bills, etc		6,700	-
		<u>14,830</u>	<u>12,709</u>
<b>TRADE &amp; OTHER RECEIVABLES</b>			
Rates - General & Other		465	457
Accrued Revenues		41	42
Debtors - general		103	241
GST Recoupment		95	52
Loans to community organisations		31	29
Total		<u>735</u>	<u>821</u>
Less: Allowance for Doubtful Debts		2	4
		<u>733</u>	<u>817</u>

*Amounts included in receivables that are not expected to be received within 12 months of reporting date.*

**INVENTORIES**

Stores & Materials	1,208	1,028
	<u>1,208</u>	<u>1,028</u>

*Aggregate write-downs and other losses recognised as an expense, and reversals of these, were not material in amount in either year. All such reversals occurred principally as a result of clerical inaccuracies during stores operations.*

**Note 6 - NON-CURRENT ASSETS**

		2019	2018
	Notes	\$'000	\$'000
<b>FINANCIAL ASSETS</b>			
<b>Receivables</b>			
Loans to community organisations		53	84
		<u>53</u>	<u>84</u>

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**TATIARA DISTRICT COUNCIL**  
**Notes to and forming part of the Financial Statements**  
**for the year ended 30 June 2019**

**Note 7 - INFRASTRUCTURE, PROPERTY, PLANT & EQUIPMENT (IPP&E)**

	Fair Value Level	2018 \$'000				2019 \$'000			
		Fair Value	Cost	Acc' Dep'n	Carrying Amount	Fair Value	Cost	Acc' Dep'n	Carrying Amount
Land - Other	2	7,040	-	-	7,040	6,927	-	-	6,927
Land - Community	3	4,273	-	-	4,273	4,273	-	-	4,273
Buildings and Other Structures Level 2	2	4,823	-	(3,768)	1,055	4,823	-	(3,808)	1,015
Buildings and Other Structures Level 3	3	25,324	73	(9,917)	15,480	25,251	73	(10,544)	14,780
Roads	3	184,747	2,218	(52,655)	134,310	184,747	11,663	(59,336)	137,074
Bridges	3	1,955	175	(917)	1,213	1,955	175	(942)	1,188
Footways	3	5,127	360	(1,347)	4,140	5,127	790	(1,515)	4,402
Sewerage, Effluent Drainage	3	25,849	408	(15,005)	11,252	25,849	1,136	(15,885)	11,100
Stormwater Drainage	3	6,356	26	(2,106)	4,276	6,356	370	(2,261)	4,465
Other Structures	3	2,468	162	(1,248)	1,382	2,468	80	(1,330)	1,218
Plant & Equipment	3	6,755	291	(2,893)	4,153	6,755	315	(2,972)	4,098
Other Community Assets		-	23	(2)	21	-	23	(3)	20
Work in Progress		-	39	-	39	-	35	-	35
<b>Total IPP&amp;E</b>		<b>274,717</b>	<b>3,775</b>	<b>(89,858)</b>	<b>188,634</b>	<b>274,531</b>	<b>14,660</b>	<b>(98,596)</b>	<b>190,595</b>
<b>Comparatives</b>		<b>170,828</b>	<b>1,065</b>	<b>(85,802)</b>	<b>186,091</b>	<b>274,717</b>	<b>3,775</b>	<b>(89,858)</b>	<b>188,634</b>

This Note continues on the following pages.

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**TATIARA DISTRICT COUNCIL**  
**Notes to and forming part of the Financial Statements**  
**for the year ended 30 June 2019**  
**Note 7 - INFRASTRUCTURE, PROPERTY, PLANT & EQUIPMENT**

CARRYING AMOUNT MOVEMENTS DURING YEAR								
2018	\$'000							
Carrying Amount	Additions		Disposals	Depreciation	Transfers		Net Revaluation	Carrying Amount
	New / Upgrade	Renewals			In	Out		
Land - Other	7,040	-	-	(113)	-	-	-	6,927
Land - Community	4,273	-	-	-	-	-	-	4,273
Buildings and Other Structures Level 2	1,055	-	-	-	(40)	-	-	1,015
Buildings and Other Structures Level 3	15,480	-	-	-	(669)	-	(31)	14,780
Roads	134,310	1,158	2,691	(54)	(3,277)	-	2,246	137,074
Bridges	1,213	-	-	-	(25)	-	-	1,188
Footways	4,140	166	20	(10)	(136)	9	213	4,402
Sewerage, Effluent Drainage	11,252	-	-	-	(445)	-	293	11,100
Stormwater Drainage	4,276	134	-	(50)	(74)	-	179	4,465
Other Structures	1,382	14	52	(18)	(71)	-	(141)	1,218
Plant & Equipment	4,153	-	853	(187)	(509)	-	(212)	4,098
Other Community Assets	21	-	-	-	(1)	-	-	20
Work in Progress	39	5	-	-	-	-	(9)	35
Total IPP&E	188,634	1,477	3,616	(432)	(5,247)	9	(9)	190,595
Comparatives	186,091	1,379	2,638	(698)	(5,046)	-	-	188,634

This note continues on the following pages.

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## TATIARA DISTRICT COUNCIL

Notes to and forming part of the Financial Statements  
for the year ended 30 June 2019

## Note 7 (con't) – INFRASTRUCTURE, PROPERTY, PLANT &amp; EQUIPMENT

## Valuation of Assets

## General Valuation Principles

**Accounting procedure:** Upon revaluation, the current new replacement cost and accumulated depreciation are restated such that the difference represents the fair value of the asset determined in accordance with AASB 13 *Fair Value Measurement*: accumulated depreciation is taken to be the difference between current new replacement cost and fair value. In the case of land, fair value is taken to be the current replacement cost.

**Highest and best use:** For land which Council has an unfettered right to sell, the "highest and best use" recognises the possibility of the demolition or substantial modification of some or all of the existing buildings and structures affixed to the land.

Much of the land under Council's care and control is Crown land or has been declared as community land under the provisions of the Local Government Act 1999. Other types of restrictions also exist.

For land subject to these restrictions, the highest and best use is taken to be the "highest and best use" available to Council, with a rebuttable presumption that the current use is the "highest and best use". The reason for the current use of a large proportion of Council's assets being other than the "highest and best use" relates to Council's principal role as the provider of services to the community, rather than the use of those assets for the generation of revenue.

For buildings and other structures on and in the land, including infrastructure, "highest and best use" is determined in accordance with the land on and in which they are situated.

**Fair value hierarchy level 2 valuations:** Certain land, and the buildings and structures thereon, are shown above as being based on fair value hierarchy level 2 valuation inputs. They are based on prices for similar assets in an active market, with directly or indirectly observable adjustments for specific advantages or disadvantages attaching to the particular asset.

**Fair value hierarchy level 3 valuations of land:** Valuations of Crown land, community land and land subject to other restrictions on use or disposal, shown above as being based on fair value hierarchy level 3 valuation inputs, are based on prices for similar assets in an active market, but include adjustments for specific advantages or disadvantages attaching to the particular asset that are not directly or indirectly observable in that market, or the number and / or amount of observable adjustments of which are so great that the valuation is more fairly described as being based on level 3 valuation inputs.

**Fair value hierarchy level 3 valuations of buildings, infrastructure and other assets:** There is no known market for these assets and they are valued at depreciated current replacement cost. This method involves:

The determination of the cost to construct the asset (or its modern engineering equivalent) using current prices for materials and labour, the quantities of each being estimated based on recent experience of this or similar Councils, or on industry construction guides where these are more appropriate.

The calculation of the depreciation that would have accumulated since original construction using current estimates of residual value and useful life under the prime cost depreciation method adopted by Council.

This method has significant inherent uncertainties, relying on estimates of quantities of materials and labour, residual values and useful lives, and the possibility of changes in prices for materials and labour, and the potential for development of more efficient construction techniques.

**Capitalisation thresholds** used by Council for a representative range of assets are shown below. No capitalisation threshold is applied to the acquisition of land or interests in land.

Buildings - new construction/extensions	\$5,000
Park & Playground Furniture & Equipment	\$5,000
Road construction & reconstruction	\$10,000
Paving & footpaths, Kerb & Gutter	\$5,000
Drains & Culverts	\$5,000
Reticulation extensions	\$5,000

**Estimated Useful Lives:** Useful lives are estimated for each individual asset. In estimating useful lives, regard is had to technical and commercial obsolescence, as well as legal and other limitations on continued use. The range of useful lives for a representative range of assets is shown below, although individual assets may have an estimated total useful life of greater or lesser amount:

## TATIARA DISTRICT COUNCIL

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS  
for the year ended 30 June 2019

## Note 7 (con't) – INFRASTRUCTURE, PROPERTY, PLANT &amp; EQUIPMENT

Plant, Furniture & Equipment	
Vehicles and Road-making Equip	2 to 50 years
Other Plant & Equipment	5 to 15 years
Building & Other Structures	
Buildings – masonry	50 to 100 years
Buildings – other construction	20 to 40 years
Park Structures – masonry	50 to 100 years
Park Structures – other construction	10 to 100 years
Playground equipment	5 to 20 years
Benches, seats, etc	10 to 20 years
Infrastructure	
Sealed Roads – Surface	17 to 25 years
Sealed Roads – Structure	3 to 50 years
Unsealed Roads	19 to 20 years
Bridges – Concrete	80 to 100 years
Paving & Footpaths, Kerb & Gutter	15 to 40 years
Drains	25 to 65 years
Culverts	80 to 100 years
Flood Control Structures	50 to 75 years
Bores	20 to 40 years
Reticulation Pipes – PVC	60 to 100 years
Reticulation Pipes – other	25 to 75 years
Pumps & Telemetry	15 to 25 years

**Land & Land Improvements**

Council being of the opinion that it is not possible to attribute a value sufficiently reliably to qualify for recognition, land under roads has not been recognised in these reports. Land acquired for road purposes during the year is initially recognised at cost, but transferred to fair value at reporting date, effectively writing off the expenditure.

Freehold land and land over which Council has control, but does not have title, is recognised on the cost basis. No capitalisation threshold is applied to the acquisition of land or interests in land.

**Buildings & Other Structures**

Buildings and other structures were revalued as at 30 June 2017 by Peta Mantzarpis FAPA and Mitch Ekonomoploulos AAPI of Maloney Field Services.

**Infrastructure**

Transportation assets were valued by Council officers at depreciated current replacement cost during the reporting period ended 30 June 2017, based on actual costs incurred during the reporting periods ended 30 June 2016 and 2017. All acquisitions made after the respective dates of valuation are recorded at cost. Data corrections were made to data following segment adjustments and more up to date information available.

Stormwater drainage infrastructure was valued by Council officers as at 30 June 2017 at depreciated current replacement cost, based on actual costs incurred during the reporting period ended 30 June 2017. All acquisitions made after the respective dates of valuation are recorded at cost.

Community wastewater management system infrastructure was valued at depreciated current replacement cost during the reporting period ended 30 June 2017 based on actual costs incurred during the reporting periods ending 30 June 2015 and 30 June 2016. All acquisitions made after the respective dates of valuation are recorded at cost.

**Plant, Furniture & Equipment**

These assets were revalued as at 30 June 2016 by Council officers with a valuation basis of modern equivalent.

**All other assets**

These assets are recognised on the cost basis.

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**TATIARA DISTRICT COUNCIL**  
**Notes to and forming part of the Financial Statements**  
**for the year ended 30 June 2019**

**Note 8 - LIABILITIES**

		2019		2018	
		\$		\$	
<b>TRADE &amp; OTHER PAYABLES</b>	<b>Notes</b>	<b>Current</b>	<b>Non-current</b>	<b>Current</b>	<b>Non-current</b>
Goods & Services		869	-	493	-
Accrued expenses - employee entitlements		236	-	199	-
Accrued expenses - other		31	-	35	-
Deposits, Retentions & Bonds		18	-	23	-
		<u>1,154</u>	<u>-</u>	<u>750</u>	<u>-</u>
<b>BORROWINGS</b>					
Loans		124	853	145	1,062
		<u>124</u>	<u>853</u>	<u>145</u>	<u>1,062</u>
<i>All interest bearing liabilities are secured over the future revenues of the Council.</i>					
<b>PROVISIONS</b>					
Employee entitlements (including oncosts)		1,049	84	943	115
		<u>1,049</u>	<u>84</u>	<u>943</u>	<u>115</u>

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**TATIARA DISTRICT COUNCIL**  
**Notes to and forming part of the Financial Statements**  
**for the year ended 30 June 2019**

**Note 9 - RESERVES**

<b>ASSET REVALUATION RESERVE</b>	<b>1-7-2018</b>	<b>Net Increments/ (Decrements)</b>	<b>Transfers, Impairments</b>	<b>30-6-2019</b>
<b>Notes</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Land - Community	63,761			63,761
Land - Other	5,121			5,121
Buildings & Other Structures	79,295	(171)		79,124
Sewerage, Effluent Drainage	3,709	293		4,002
Stormwater Drainage	2,594	178		2,772
Plant & Equipment	1,308	(212)		1,096
Roads	25,917	2,246		28,163
Footways	861	213		1,074
Bridges	6,926			6,926
<b>TOTAL</b>	<b>189,492</b>	<b>2,547</b>	<b>-</b>	<b>192,039</b>
<b>Comparatives</b>	<b>185,222</b>	<b>4,270</b>		<b>189,492</b>

<b>OTHER RESERVES</b>	<b>1-7-2018</b>	<b>Transfers to Reserve</b>	<b>Transfers from Reserve</b>	<b>30-6-2019</b>
Long Service Leave Reserve	349	7		356
Plant Replacement Reserve	406	-	(53)	353
Clayton Farm Reserve	82		(13)	69
CWMS Maintenance Reserve	6,680	640		7,320
Reserve Land Development	731		(127)	604
Reserve Keith Community Library	28	1		29
Reserve Tatiara Creek	45	1		46
Reserve Rubble Rehabilitation	307	5		312
Future Road Renewal	783	1,088		1,871
Unplanned Maintenance	254	5		259
Reserve Open Space	61	1		62
<b>TOTAL OTHER RESERVES</b>	<b>9,726</b>	<b>1,748</b>	<b>(193)</b>	<b>11,281</b>
<b>Comparatives</b>	<b>8,288</b>	<b>1,461</b>	<b>(23)</b>	<b>9,726</b>

**PURPOSES OF RESERVES**

**Asset Revaluation Reserve**

**Asset Revaluation Reserve**

The asset revaluation reserve is used to record increments and decrements arising from changes in fair value of non-current assets (less any subsequent impairment losses, where applicable).

**Tatiara 04 Long Service Leave**

The Long Service Leave Reserve is for the future cash requirements upon staff leaving Council employment.

**Tatiara 20 Plant Replacement**

The Plant Replacement reserve is for urgent unbudgeted major plant and equipment replacement.

**Tatiara 22 Clayton Farm Insurance**

The Clayton Farm Insurance reserve is to be spent towards capital to maintain Clayton Farm's heritage.

**Tatiara 05 CWMS Maintenance Reserve**

The CWMS Maintenance reserve is for future asset replacement and capital maintenance of CWMS.

**Tatiara 26 Land Development Reserve**

This reserve was established for Land Development in Keith Industrial Estate.

**Tatiara 27 Keith Community Library**

Council is acting as an agent and providing financial services for the library.

**Tatiara 28 Creek Reserve**

Money is held in this reserve to prepare for a flood event that may happen within 100 years.

**Tatiara 29 Rubble Rehabilitation**

Money put aside for future rehabilitations.

**Tatiara 30 Open Space Reserve**

Part of a development application legal requirement to put money into open space reserve.

**Tatiara 31 Future Road Renewal**

Money put aside for future road renewal works required.

**Tatiara 32 Unplanned Maintenance**

Money put aside for any unplanned/unbudgeted urgent maintenance works.

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**TATIARA DISTRICT COUNCIL**  
**Notes to and forming part of the Financial Statements**  
**for the year ended 30 June 2019**

**Note 10 - RECONCILIATION TO CASH FLOW STATEMENT**

**(a) Reconciliation of Cash**

Cash Assets comprise highly liquid investments with short periods to maturity subject to insignificant risk of changes of value. Cash at the end of the reporting period as shown in the Cash Flow Statement is reconciled to the related items in the Balance Sheet as follows:

	Notes	2019 \$	2018 \$
Total cash & equivalent assets	5	14,830	12,709
Balances per Cash Flow Statement		14,830	12,709

**(b) Reconciliation of Change in Net Assets to Cash from Operating Activities**

Net Surplus (Deficit)	1,351	922
Non-cash items in Income Statement		
Depreciation, amortisation & impairment	5,247	5,046
Net increase (decrease) in unpaid employee benefits	112	(49)
Change in allowances for under-recovery	(2)	(4)
Grants for capital acquisitions treated as Investing Activity	(387)	(566)
Net (Gain) Loss on Disposals	105	287
	6,426	5,636
Add (Less): Changes in Net Current Assets		
Net (increase) decrease in receivables	88	(173)
Net (increase) decrease in inventories	(180)	(242)
Net increase (decrease) in trade & other payables	367	(46)
<b>Net Cash provided by (or used in) operations</b>	<b>6,701</b>	<b>5,175</b>

**(c) Financing Arrangements**

Unrestricted access was available at balance date to the following lines of credit:

Bank Overdrafts	350	350
Corporate Credit Cards	10	10
LGFA Cash Advance Debenture facility	80	62

The bank overdraft facilities may be drawn at any time and may be terminated by the bank without notice.

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# TATIARA DISTRICT COUNCIL

Notes to and forming part of the Financial Statements  
for the year ended 30 June 2019

## Note 11 - FUNCTIONS

INCOMES, EXPENSES AND ASSETS HAVE BEEN DIRECTLY ATTRIBUTED TO THE FOLLOWING FUNCTIONS & ACTIVITIES

	INCOME		EXPENSES		OPERATING SURPLUS (DEFICIT)		GRANTS INCLUDED IN INCOME		TOTAL ASSETS HELD (CURRENT & NON-CURRENT)	
	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	2019	2018	2019	2018
	2019	2018	2019	2018	2019	2018	\$	\$	\$	\$
Administration	12,346	11,683	1,004	905	11,342	10,778	3,174	2,805	61,023	59,802
Public Order & Safety	42	39	202	184	(160)	(145)	-	1	170	167
Health	111	93	164	149	(53)	(56)	-	-	127	125
Social Security and Welfare	64	53	318	201	(254)	(148)	5	-	272	267
Housing and Community	1,628	1,643	2,619	2,508	(991)	(865)	4	-	3,131	3,068
Protection of the Environment	-	-	1	1	(1)	(1)	-	-	-	-
NEC	292	269	2,492	2,604	(2,200)	(2,335)	24	34	1,459	1,430
Sporting and Recreation	3	23	596	591	(593)	(568)	-	20	380	373
Agricultural Services	66	72	(21)	179	87	(107)	-	-	347	340
Mining Manufacturing and Construction	1,589	1,644	5,867	5,761	(4,278)	(4,117)	1,435	1,596	133,011	130,351
Transport and Communications	23	23	280	219	(257)	(196)	-	-	1,165	1,142
Economic Affairs NEC	224	221	1,797	1,818	(1,573)	(1,597)	15	27	6,334	6,207
Other Purposes NEC										
<b>TOTALS</b>	<b>16,388</b>	<b>15,763</b>	<b>15,319</b>	<b>15,120</b>	<b>1,069</b>	<b>643</b>	<b>4,657</b>	<b>4,483</b>	<b>207,419</b>	<b>203,272</b>

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**TATIARA DISTRICT COUNCIL**  
**Notes to and forming part of the Financial Statements**  
**for the year ended 30 June 2019**

**Note 11 (con't) - COMPONENTS OF FUNCTIONS**

The activities relating to Council functions are as follows:

The activities relating to Council functions are as follows:

**Administration**

Governance, Administration n.e.c., Elected Members, Organisational, Support Services, Accounting/Finance, Payroll, Housing for Council Employees, Human Resources, Information Technology, Communication, Rates Administration, Records, Occupancy, Contract Management, Customer Service, Other Support Services, Revenues, LGGC – General Purpose, and Separate and Special Rates.

**Public Order and Safety**

Supervision of various by-laws, fire and prevention and animal control.

**Health**

Food control, operation of community health programs.

**Social Security and Welfare**

Volunteer Services.

**Housing and Community Amenities**

Rubbish collection services, operation of tip, effluent drainage, public toilets, street cleaning and lighting, town planning, stormwater drainage, land development, maintenance of cemeteries.

**Protection of the Environment NEC**

Foreshore protection, flood protection.

**Sport and Recreation**

Parks and Gardens, Sports Facilities – Indoor, Sports Facilities – Outdoor, Swimming Centres – Indoor, Swimming Centres – Outdoor, and Other Recreation.

**Agricultural Services**

Pest Plant Services.

**Mining, Manufacturing and Construction**

Building Act Requirements, quarry operations.

**Transport and Communications**

Aerodrome, Bridges, Bus Service, Footpaths and Kerbing, Roads – sealed, Roads – formed, Roads – natural formed, Roads – unformed, Traffic Management, LGGC – roads (formula funded), and Other Transport.

**Economic Affairs NEC**

Land Development Activities, caravan park operations, off street parking, tourism.

**Other Purposes NEC**

Public Debt transactions, plant and machinery operations, depot expenses, vandalism costs and private works.

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**TATIARA DISTRICT COUNCIL**  
**Notes to and forming part of the Financial Statements**  
**for the year ended 30 June 2019**

**Note 12 - FINANCIAL INSTRUMENTS**

All financial instruments are categorised as *loans and receivables*.

**Accounting Policies - Recognised Financial Instruments**

<b>Bank, Deposits at Call, Short Term Deposits</b>	<p><b>Accounting Policy:</b> Carried at lower of cost and net realisable value; Interest is recognised when earned.</p> <p><b>Terms &amp; conditions:</b> Deposits are returning fixed interest rates between 1.25% and 1.5% (2018: 1.5% and 1.75%). Short term deposits have an average maturity of 365 days and an average interest rates of 1.87%.</p> <p><b>Carrying amount:</b> approximates fair value due to the short term to maturity.</p>
<b>Receivables - Rates &amp; Associated Charges (including legal &amp; penalties for late payment)</b>	<p><b>Accounting Policy:</b> Carried at nominal values less any allowance for doubtful debts. An allowance for doubtful debts is recognised (and re-assessed annually) when collection in full is no longer probable.</p> <p><b>Terms &amp; conditions:</b> Secured over the subject land, arrears attract interest of 0.55% (2018: 0.56%) Although Council is not materially exposed to any individual debtor, credit risk exposure is concentrated within the Council's boundaries in the State.</p> <p><b>Carrying amount:</b> approximates fair value (after deduction of any allowance).</p>
<b>Receivables - Fees &amp; other charges</b>	<p><b>Accounting Policy:</b> Carried at nominal values less any allowance for doubtful debts. An allowance for doubtful debts is recognised (and re-assessed annually) when collection in full is no longer probable.</p> <p><b>Terms &amp; conditions:</b> Unsecured, and do not bear interest. Although Council is not materially exposed to any individual debtor, credit risk exposure is concentrated within the Council's boundaries.</p> <p><b>Carrying amount:</b> approximates fair value (after deduction of any allowance).</p>
<b>Receivables - other levels of government</b>	<p><b>Accounting Policy:</b> Carried at nominal value.</p> <p><b>Terms &amp; conditions:</b> Amounts due have been calculated in accordance with the terms and conditions of the respective programs following advice of approvals, and do not bear interest. All amounts are due by Departments and Agencies of State and Federal Governments.</p> <p><b>Carrying amount:</b> approximates fair value.</p>
<b>Liabilities - Creditors and Accruals</b>	<p><b>Accounting Policy:</b> Liabilities are recognised for amounts to be paid in the future for goods and services received, whether or not billed to the Council.</p> <p><b>Terms &amp; conditions:</b> Liabilities are normally settled on 30 day terms.</p> <p><b>Carrying amount:</b> approximates fair value.</p>
<b>Liabilities - Interest Bearing Borrowings</b>	<p><b>Accounting Policy:</b> Carried at the principal amounts. Interest is charged as an expense as it accrues.</p> <p><b>Terms &amp; conditions:</b> secured over future revenues, borrowings are repayable . Interest is charged at fixed rates between 6.8% and 6.8% (2018: 5.15% and 6.8%)</p> <p><b>Carrying amount:</b> approximates fair value.</p>

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## TATIARA DISTRICT COUNCIL

Notes to and forming part of the Financial Statements  
for the year ended 30 June 2019

## Note 12 - FINANCIAL INSTRUMENTS (con't)

## Liquidity Analysis

2019	Due < 1 year	Due > 1 year ≤ 5 years	Due > 5 years	Total Contractual Cash Flows	Carrying Values
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Financial Assets</b>					
Cash & Equivalents	14,830	-	-	14,830	14,830
Receivables	738	56	2	796	786
<b>Total</b>	<b>15,568</b>	<b>56</b>	<b>2</b>	<b>15,626</b>	<b>15,616</b>
<b>Financial Liabilities</b>					
Payables	887	-	-	887	887
Current Borrowings	189	-	-	189	124
Non-Current Borrowings	-	756	283	1,039	853
<b>Total</b>	<b>1,076</b>	<b>756</b>	<b>283</b>	<b>2,115</b>	<b>1,864</b>

2018	Due < 1 year	Due > 1 year; ≤ 5 years	Due > 5 years	Total Contractual Cash Flows	Carrying Values
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Financial Assets</b>					
Cash & Equivalents	12,709	-	-	12,709	12,709
Receivables	364	87	8	459	448
<b>Total</b>	<b>13,073</b>	<b>87</b>	<b>8</b>	<b>13,168</b>	<b>13,157</b>
<b>Financial Liabilities</b>					
Payables	516	-	-	516	516
Current Borrowings	224	-	-	224	145
Non-Current Borrowings	-	840	478	1,318	1,062
<b>Total</b>	<b>740</b>	<b>840</b>	<b>478</b>	<b>2,058</b>	<b>1,723</b>

The following interest rates were applicable to Council's borrowings at balance date:

	30 June 2019		30 June 2018	
	Weighted Average Interest Rate	Carrying Value	Weighted Average Interest Rate	Carrying Value
	%	\$'000	%	\$'000
Overdraft	0	-	4%	18
Fixed Interest Rates	6.80%	977	6.21%	1,189
		<u>977</u>		<u>1,207</u>

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**TATIARA DISTRICT COUNCIL**  
**Notes to and forming part of the Financial Statements**  
**for the year ended 30 June 2019**

**Note 12 - FINANCIAL INSTRUMENTS (con't)**

**Net Fair Value**

All carrying values approximate fair value for all recognised financial instruments. There is no recognised market for the financial assets of the Council.

**Risk Exposures:**

Credit Risk represents the loss that would be recognised if counterparties fail to perform as contracted. The maximum credit risk on financial assets of the Council is the carrying amount, net of any allowance for doubtful debts. All Council investments are made with the SA Local Government Finance Authority and are guaranteed by the SA Government. Except as detailed in Notes 5 & 6 in relation to individual classes of receivables, exposure is concentrated within the Council's boundaries, and there is no material exposure to any individual debtor.

Market Risk is the risk that fair values of financial assets will fluctuate as a result of changes in market prices. All of Council's financial assets are denominated in Australian dollars and are not traded on any market, and hence neither market risk nor currency risk apply.

Liquidity Risk is the risk that Council will encounter difficulty in meeting obligations with financial liabilities. In accordance with the model Treasury Management Policy (LGA Information Paper 15), liabilities have a range of maturity dates. Council also has available a range of bank overdraft and standby borrowing facilities that it can access.

Interest Rate Risk is the risk that future cash flows will fluctuate because of changes in market interest rates. Council has a balance of both fixed and variable interest rate borrowings and investments. Cash flow fluctuations are managed holistically in seeking to minimise interest costs over the longer term in a risk averse manner.

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**TATIARA DISTRICT COUNCIL**  
**Notes to and forming part of the Financial Statements**  
**for the year ended 30 June 2019**

**Note 13 - COMMITMENTS FOR EXPENDITURE**

	2019	2018
Notes	\$	\$
<b>Other Expenditure Commitments</b>		
Other non-capital expenditure commitments in relation to Other Expenditure:		
Waste Management Services	1,889	1,886
Employee Remuneration Contracts	2,450	1,631
Padthaway Gardening	36	36
Audit Contract	41	61
Roadside Slashing	-	47
Roadside Tree Trimming	482	-
Street Cleaning	125	69
IT Contract	313	28
	<u>5,336</u>	<u>3,758</u>
 These expenditures are payable:		
Not later than one year	1,667	1,716
Later than one year and not later than 5 years	3,669	2,042
	<u>5,336</u>	<u>3,758</u>

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**TATIARA DISTRICT COUNCIL**  
**Notes to and forming part of the Financial Statements**  
**for the year ended 30 June 2019**

**Note 14 - FINANCIAL INDICATORS**

	2019	2018	2017
<b>Operating Surplus Ratio</b>			
<u>Operating Surplus</u>	7%	4.1%	12.3%
Total Operating Income			

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

**Net Financial Liabilities Ratio**

<u>Net Financial Liabilities</u>	-75%	-67.0%	-48.0%
Total Operating Income			

Net Financial Liabilities are defined as total liabilities less financial assets. These are expressed as a percentage of total operating revenue.

**Adjustments to Ratios**

In recent years the Federal Government has made advance payments prior to 30th June from future year allocations of financial assistance grants, as explained in Note 1. These **Adjusted Ratios** correct for the resulting distortion in key ratios for each year and provide a more accurate basis for comparison between years.

<b>Adjusted Operating Surplus Ratio</b>	5%	4.6%	12.9%
<b>Adjusted Net Financial Liabilities Ratio</b>	-64%	-56.0%	-38.0%

**Asset Renewal Funding Ratio**

<u>Net Outlays on Existing Assets</u>	117%	72.0%	105.0%
Net Asset Renewals - IAMP			

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

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**TATIARA DISTRICT COUNCIL**  
**Notes to and forming part of the Financial Statements**  
**for the year ended 30 June 2019**

**Note 15 - UNIFORM PRESENTATION OF FINANCES**

The following is a high level summary of both operating and capital investment activities of the Council prepared on a simplified Uniform Presentation Framework basis.

All Councils in South Australia have agreed to summarise annual budgets and long-term financial plans on the same basis.

The arrangements ensure that all Councils provide a common 'core' of financial information, which enables meaningful comparisons of each Council's finances

	2019		2018
	\$		\$
Income	16,388		15,763
Expenses	(15,319)		(15,120)
<b>Operating Surplus / (Deficit)</b>	<b>1,069</b>		<b>643</b>
<b>Net Outlays on Existing Assets</b>			
Capital Expenditure on renewal and replacement of Existing Assets	(3,616)		(2,638)
Add back Depreciation, Amortisation and Impairment	5,247		5,046
Proceeds from Sale of Replaced Assets	167		411
	<b>1,798</b>		<b>2,819</b>
<b>Net Outlays on New and Upgraded Assets</b>			
Capital Expenditure on New and Upgraded Assets <i>(including investment property &amp; real estate developments)</i>	(1,477)		(1,379)
Amounts received specifically for New and Upgraded Assets	387		566
Proceeds from Sale of Surplus Assets <i>(including investment property and real estate developments)</i>	160		-
	<b>(930)</b>		<b>(813)</b>
<b>Net Lending / (Borrowing) for Financial Year</b>	<b>1,937</b>		<b>2,649</b>

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**TATIARA DISTRICT COUNCIL**  
**Notes to and forming part of the Financial Statements**  
**for the year ended 30 June 2019**

**Note 16 – SUPERANNUATION**

The Council makes employer superannuation contributions in respect of its employees to Statewide Super (formerly Local Government Superannuation Scheme). There are two types of membership, each of which is funded differently. Permanent and contract employees of the South Australian Local Government sector with Salarylink benefits prior to 24 November 2009 have the option to contribute to the Accumulation section and/or Salarylink. All other employees (including casuals) have all contributions allocated to the Accumulation section.

**Accumulation only Members**

Accumulation only members receive both employer and employee contributions on a progressive basis. Employer contributions are based on a fixed percentage of ordinary time earnings in accordance with superannuation guarantee legislation (9.50% in 2018-19; 9.50% in 2019-20). No further liability accrues to the Council as the superannuation benefits accruing to employees are represented by their share of the net assets of the Fund.

**Salarylink (Defined Benefit Fund) Members**

Salarylink is a defined benefit scheme where the benefit payable is based on a formula determined by the member's contribution rate, number of years and level of contribution and final average salary. Council makes employer contributions to Salarylink as determined by the Fund's Trustee based on advice from the appointed Actuary. The rate is currently 6.3% (6.3% in 2017-18) of "superannuation" salary.

In addition, Council makes a separate contribution of 3% of ordinary time earnings for Salarylink members to their Accumulation account. Employees also make member contributions to the Salarylink section of the Fund. As such, assets accumulate in the Salarylink section of the Fund to meet the member's benefits, as defined in the Trust Deed, as they accrue.

The Salarylink section is a multi-employer sponsored plan. As the Salarylink section's assets and liabilities are pooled and are not allocated by each employer, and employees may transfer to another employer within the local government sector and retain membership of the Fund, the Actuary is unable to allocate benefit liabilities, assets and costs between employers. As provided by AASB 119.32(b), Council does not use defined benefit accounting for these contributions.

The most recent actuarial investigation was conducted by the Fund's actuary, Louise Campbell, FIAA, of Willie Towers Watson as at 30 June 2017. The Trustee has determined that the current funding arrangements are adequate for the expected Salarylink liabilities. However, future financial and economic circumstances may require changes to Council's contribution rates at some future time.

**Contributions to Other Superannuation Schemes**

Council also makes contributions to other superannuation schemes selected by employees under the "choice of fund" legislation. All such schemes are of the accumulation type, where the superannuation benefits accruing to the employee are represented by their share of the net assets of the scheme, and no further liability attaches to the Council.

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**TATIARA DISTRICT COUNCIL**  
**Notes to and forming part of the Financial Statements**  
**for the year ended 30 June 2019**

**Note 17 - CONTINGENCIES & ASSETS & LIABILITIES NOT RECOGNISED IN THE  
STATEMENT OF FINANCIAL POSITION**

The following assets and liabilities do not qualify for recognition in the Balance Sheet but knowledge of those items is considered relevant to user of the financial report in making and evaluating decisions about the allocation of scarce resources.

**1. LAND UNDER ROADS**

As reported elsewhere in these Statements, Council is of the opinion that it is not possible to attribute a value sufficiently reliably for these assets to qualify for recognition, and accordingly land under roads has not been recognised in these reports. Land acquired for road purposes during the year is initially recognised at cost, but transferred to fair value at reporting date, effectively writing off the expenditure.

**Galpins**

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**TATIARA DISTRICT COUNCIL**  
**Notes to and forming part of the Financial Statements**  
**for the year ended 30 June 2019**

**Note 18 - RELATED PARTY DISCLOSURES**

**KEY MANAGEMENT PERSONNEL**

The Key Management Personnel of the Council include the Mayor, Councillors, CEO and certain prescribed officers under section 112 of the Local Government Act 1999. In all, 15 persons were paid the following total compensation:

	<b>2019</b>	<b>2018</b>
	<b>\$</b>	<b>\$</b>
Salaries, allowances & other short term benefits	747,280	828,178
<b>TOTAL</b>	<b>747,280</b>	<b>828,178</b>

Other than amounts paid as ratepayers or residents (e.g. rates, swimming pool entry fees, etc.), Council received the following amounts in total:

	<b>2019</b>	<b>2018</b>
	<b>\$</b>	<b>\$</b>
Planning and building applications fees	416	185
<b>TOTAL</b>	<b>416</b>	<b>185</b>

**PARTIES RELATED TO KEY MANAGEMENT PERSONNEL**

KMP and relatives of KMPs own retail businesses from which various supplies were purchased as required either for cash or on 30 day account. Total purchases from any of these individual businesses did not exceed \$75,000 during the year.

Key management personnel or close family members (including related parties) lodged a total of one planning and building application during the year. In accordance with the Local Government Act 1999, these persons declared conflicts of interest and took no part in the assessment or approval processes for these applications.

One Key management personnel has two close family members employed by Council during the reporting term. In accordance with the Local Government Act 1999, these persons declared conflicts of interest and took no part in discussions associated with Employees.

Two planning and building approvals, with and without conditions, were granted during the year. Total fees for these applications (all of which are payable on lodgement) amounted to \$416.

One Key Management Personnel is a member of the Keith War Memorial Sports Centre Committee. In Accordance with the Local Government Act 1999, this person declares an interest in matters relating to Keith War Memorial Sports Centre. During the year the Sports Centre received payment of its insurance.

**Galpins**

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One Key Management Personnel is a member of the Willalooka Progress Association. In Accordance with the Local Government Act 1999, this person declares an interest in matters relating to Willalooka Progress Association. During the year the Willalooka Progress Association received a payment of \$5,000.

### **TATIARA DISTRICT COUNCIL**

#### **Notes to and forming part of the Financial Statements for the year ended 30 June 2019**

##### **Note 18 - RELATED PARTY DISCLOSURES con't**

One Key Management Personnel is a member of the Bordertown RSL Sub Branch. In Accordance with the Local Government Act 1999, this person declares an interest in matters relating to Bordertown RSL Sub Branch. During the year the Bordertown RSL received \$5,000 from Council.

One Key Management Personnel is a member of the Rotary. In Accordance with the Local Government Act 1999, this person declares an interest in matters relating to Rotary.

One Key Management Personnel are member of the Keith War Memorial Community Centre Committee. In Accordance with the Local Government Act 1999, these people declare an interest in matters relating to Keith War Memorial Community Centre.

One Key Management Personnel is a member of Borderton KNT Netball Club Inc. In Accordance with the Local Government Act 1999, this person declares an interest in matters relating to Bordertown KNT Netball Club Inc.

One Key Management Personnel is a member of Borderton Dolphins Amateur Swimming Club Inc. In Accordance with the Local Government Act 1999, this person declares an interest in matters relating to Dolphins Amateur Swimming Club Inc.

One Key Management Personnel is a member of the Mundulla Football Club . In Accordance with the Local Government Act 1999, this person declares an interest in matters relating to Mundulla Football Club.

One Key Management Personnel is a member of the Stand Like Stone Foundation . In Accordance with the Local Government Act 1999, this person declares an interest in matters involving Stand Like Stone Foundation. During the year the Stand Like Stone Foundation received \$2,000 from Council.

One Key Management Personnel is a member of the Bordertown Primary School Governing Council . In Accordance with the Local Government Act 1999, this person declares an interest in matters involving Bordertown Primary School Governing Council.

One Key Management Personnel is a member of the Tatiara Water Allocation Committee, representing Mudulla Grape Growers. In Accordance with the Local Government Act 1999, this person declares an interest in matters involving Tatiara Water Allocation Committee.

One Key Management Personnel is a member of the Bordertown Health Foundation, representing Mudulla Grape Growers. In Accordance with the Local Government Act 1999, this person declares an interest in matters involving Bordertown Health Foundation.

**Galpins**

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**TATIARA DISTRICT COUNCIL**  
**Annual Financial Statements**  
**for the year ended 30 June 2019**

**CERTIFICATION OF AUDITOR INDEPENDENCE**

To the best of our knowledge and belief, we confirm that, for the purpose of the audit of Tatiara District Council for the year ended 30 June 2019, the Council's Auditor, Galpins, Accountants, Auditors and Business Consultants, has maintained its independence in accordance with the requirements of the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011* made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22(3) *Local Government (Financial Management) Regulations 2011*.

.....  
Anne Champness  
CHIEF EXECUTIVE OFFICER

.....  
Robert Mock  
PRESIDING MEMBER  
AUDIT COMMITTEE

Date:

**Galpins**

**TATIARA DISTRICT COUNCIL**  
**Annual Financial Statements**  
**for the year ended 30 June 2019**

**STATEMENT BY AUDITOR**

I confirm that, for the audit of the financial statements of Tatiara District Council for the year ended 30 June 2019, I have maintained my independence in accordance with the requirements of APES 110 – Code of Ethics for Professional Accountants, Section 290, published by the Accounting Professional and Ethical Standards Board, in accordance with the *Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011* made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22 (5) *Local Government (Financial Management) Regulations 2011*.

**Timothy Muhlhausler**

**Galpins, Accountants, Auditors and Business Consultants**

Dated this       day of       2019

**Galpins**

## Explanatory Notes to Accompany Financial Statements for the Year Ended 30 June 2018

2019	2018	2017
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**NOTE 2 : INCOME**

<b>Rate Revenues</b>				
General Rates	8093	7,873	7,693	Budgeted increase of 2.8% (Including New Development).
Other Rates	2008	1,951	1,921	Budgeted increases in NRM, CWMS and Waste Collection charges
Other Charges	46	44	54	Fines on Rates slight increase
<b>Statutory Charges</b>				
Development Act Fees	66	71	48	Slightly decreased Development Activity resulting in decreased Planning income
Health & Septic Tank Inspection Fees	9	10	8	Remained constant
Animal Registration fees & fines	37	35	32	Expiation fees are slightly higher and general increase in fees
Other licences, fees & Fines	14	13	13	Represents Search fees which remained steady
<b>User Charges</b>				
Cemetery/Crematoria Fees	53	84	81	Burials decreased
Visitor Information Centre	19	30	25	Commission on ticket sales decreased (mainly bus tickets)
Truck Wash Fees	84	85	74	Remained constant
Gangarb Collection Fees	79	107	51	Sale of Scrap Metal that did not occur in 2018/19 as it did in 2017/18
Swimming Pool Revenue	115	109	100	Increase in Bordertown Pool Season Ticket Sales
Ticket Sales	39	40	58	Cinema ticket sales remained constant
Hall & Equipment Hire	35	33	34	Hall hire remained constant
Sundry	29	29	24	Remained constant
<b>Investment Income</b>				
Local Government Finance Authority	253	189	149	Increased Cash available for investment & higher interest bearing accounts held for \$4.7mill
Banks & Other	12	10	9	Interest has remained constant
Loans to Community Groups	7	14	12	Repayments in accordance with Loan Agreements
<b>Reimbursements</b>				
For Roadworks		-	2	Remained constant (immaterial)
For Private Works	189	73	51	Increased reimbursements from private customers, including East Tce Bordertown, Brown Tce Bordertown, Hodgsons Road
Other	152	154	174	Remained constant (immaterial)
<b>Other Income</b>				
Insurance & Other Recoupments	1	1	1	Remained Constant
Rebates Received	53	47	91	Workers Comp rebate is now being offset at the time of invoice rather than a rebate cheque being received separately
Tatiara United Sporting Grant Funds	53			Funds brought in from Reserve for Hockey Cricket Soccer Clubrooms
Keith Service Income	118	120	120	Commission Remained constant
Health Inspection Food Premises Audits	95	74	74	Food Audits increased
Sundry	73	84	166	Remained Constant
<b>Grants, Subsidies and Contributions</b>				
Amounts Received Specifically for New or Upgraded Assets	387	566	375	Grant Received for special local roads projects
Other Grants, Subsidies and contributions	4,270	4,483	5,953	All Roads to Recovery Money was received and spent in 2016/17

## Explanatory Notes to Accompany Financial Statements for the Year Ended 30 June 2018

2019	2018	2017
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**NOTE 3 : EXPENSES**

<b>Employee Costs</b>				
Salaries and Wages	3,928	3,756	3,901	Replacement of staff was not done fully in 2017/18
Employee Leave Expenses	253	268	179	Cost of leave taken or accrued through the year .
Superannuation	393	356	347	Due to the slight increase in wages
Workers Compensation	156	163	219	Workers Comp insurance is now netted off at the time of invoice instead of receiving rebate cheque at a later time
Less: Capitalised and distributed costs	(412)	(338)	(441)	Capital works carried out by staff
<b>Materials, Contracts &amp; Other Expenses</b>				
Auditor's Remuneration	20	23	23	External Auditors fees in accordance with agreement
Bad and Doubtful Debts	-	-	-	
Elected Members Expenses	217	215	212	Elected Members expenses remained constant
Election Expenses	29	2	2	Election Expenses - cyclic every 4 years
Contractors	1,659	1,786	1,643	Relatively constant
Maintenance	3,056	3,208	2,857	Relatively constant
Legal Expenses	34	34	26	Remained constant
Levies paid to government - NRM Levy	538	525	531	As per NRM advice
Minor Capital Purchases	84	57	37	As per the Plant Machinery replacement programme
Fuel & Oil	331	296	319	Fuel price increase
Sundry	(329)	(380)	23	Internal recovery costs are greater than 2017/18, advised to revise plant hire rates
<b>Finance Costs</b>				
Interest on Borrowings	95	103	111	Loan repayments in accordance with Loan agreements
<b>Depreciation</b>				
Buildings & Other Structures	709	786	676	Relatively constant
Infrastructure	4,028	3,730	3,719	Increase in Depreciation as a result of construction of new assets
Plant & Equipment	509	530	545	Lower depreciation as assets come towards the end of their useful lives
Other Community Assets	1	-	-	
<b>Net Gain (Loss) on disposal or revaluation of Assets</b>				
Assets renewed or directly replaced	(152)	(287)	(45)	Loss on disposal of assets as a result of replacement



## Explanatory Notes to Accompany Financial Statements for the Year Ended 30 June 2018

2019	2018	2017
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**NOTE 5 : CURRENT ASSETS**

<b>Cash and Cash Equivalents</b>				
Cash on Hand and At Bank	14,830	12,709	10,684	Increase in cash on hand. This is mainly due to 2 years in advance of the Supplementary Roads Grant
<b>Trade &amp; Other Receivables</b>				
Rates - General & Other	465	457	448	General Rates Outstanding
Accrued Revenues	41	42	33	Accrual of interest receivable to 30 June
Debtors - general	103	293	138	in 2017/18 a large grant for 'Residents Win Grant' Application For Tatiara District Council's Vogelsang Road, Padthaway Project \$132,660 outstanding at the end of the year
Loans to Community Organisations	31	29	27	Current instalments for community group loans which fall due in the next financial year
<b>Inventories</b>				
Stores & Materials	1,208	1,028	786	Council has significant Rubble Stocks
<b>Financial Assets</b>				
Loans to Community Groups	53	84	113	As per Loan Repayment Schedules

**NOTE 7 : INFRASTRUCTURE, PROPERTY, PLANT & EQUIPMENT**

<b>Infrastructure, Property, Plant &amp; Equipment</b>				
		188,634	186,091	Asset additions and disposals during the course of operations.

**NOTE 8 : LIABILITIES**

<b>Trade and Other Payables</b>				
Goods and Services	869	493	533	
Accrued Expenses - Employee Entitlements	236	199	198	Full pay period
Accrued expenses - other	31	35	39	Remained Constant
Deposits, Retentions & Bonds	18	23	25	Remained Constant
<b>Borrowings</b>				
Borrowings	977	1,207	1,344	Decrease in Loan liabilities due to repayment in accordance with repayment schedules
<b>Provisions</b>				
Employee Entitlements	1,133	1,058	1,108	Increase in Employee entitlements

**NOTE 9 : RESERVES**

<b>Reserves</b>				
Asset Revaluation Reserve	192,039	189,492	185,222	Reflects Asset Revaluations carried out
Other Reserves	11,281	9,726	8,288	Increase in Other Reserves due to money being collected for CWMS, monies transferred to Land Development & Road Renewal Reserves

**TATIARA DISTRICT COUNCIL**  
**BUDGET versus ACTUAL 2018/2019**

INCOME STATEMENT						
ACTUAL 2015/16 \$	ACTUAL 2016/17 \$	ACTUAL 2017/18 \$	INCOME	2018/19 BUDGET \$	MAY REVIEW 2018/19 BUDGET \$	2018/19 ACTUAL \$
9,298,000	9,668,000	9,868,000	Rates	10,149,542	10,137,585	10,147,000
96,000	101,000	129,000	Statutory Charges	85,800	125,200	126,000
417,000	432,000	517,000	User Charges	407,730	400,046	453,000
						(9,415)
						(800)
						(52,954)
2,656,000	5,953,000	4,483,000	Grants Subsidies and Contributions	3,659,543	4,137,597	4,657,000
						(519,403)
208,000	170,000	213,000	Investment Income	171,500	245,788	272,000
						(26,212)
217,000	227,000	227,000	Reimbursements	150,485	195,816	341,000
						(145,184)
545,000	467,000	326,000	Other	426,714	483,965	392,000
						91,965
-	-	-	Share of profit - joint ventures and associates	-	-	-
						-
13,437,000	17,018,000	15,763,000	TOTAL REVENUES	15,051,294	15,725,997	16,388,000
						(662,003)
			EXPENSES			
4,079,000	4,205,000	4,205,000	Wages and Salaries	4,199,433	4,117,706	4,318,000
						(200,294)
5,161,000	5,673,000	5,766,000	Materials, contracts & other expenses	6,351,347	6,621,000	5,859,000
138,000	111,000	103,000	Finance Costs	97,460	99,096	95,000
5,063,000	4,940,000	5,046,000	Depreciation, amortisation & impairment	4,940,000	5,046,000	5,247,000
						962,000
						4,096
						(201,000)
-	-	-	Share of loss - joint ventures & associates	-	-	-
						-
14,441,000	14,929,000	15,120,000	Total Expenses	15,588,240	15,883,802	15,319,000
						564,802
			OPERATING SURPLUS/(DEFICIT) BEFORE CAPITAL AMOUNTS			
(1,004,000)	2,089,000	643,000		(536,946)	(157,805)	1,069,000
						(1,226,805)
(85,000)	(45,000)	(287,000)	Net gain (loss) on disposal or revaluation of assets	-	-	(105,000)
452,000	375,000	566,000	Amounts specifically for new or upgraded assets	461,000	386,000	387,000
	-	-	Physical resources received free of charge	-	-	-
						105,000
						(1,000)
						-
(637,000)	2,419,000	922,000	NET SURPLUS/(DEFICIT)	(75,946)	228,195	1,351,000
						(1,122,805)
			Other Comprehensive Income			
-	-	-	Changes in revaluation Surplus	-	-	2,547,000
						(2,547,000)
(637,000)	2,419,000	922,000	NET SURPLUS/(DEFICIT)	(75,946)	228,195	3,898,000
						(3,669,805)

30/09/2019

**TATIARA DISTRICT COUNCIL**  
**BUDGET versus ACTUAL 2018/2019**

CASH FLOW STATEMENT						
ACTUAL 2015/16	ACTUAL 2016/17	ACTUAL 2017/18	2018/19 BUDGET \$ Inflows (Outflows)	MAY REVIEW 2018/19 BUDGET \$ Inflows (Outflows)	2018/19 ACTUAL \$ Inflows (Outflows)	BUDGET V ACTUAL VARIANCE \$
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>						
<b>RECEIPTS</b>						
13,565,000	19,057,000	16,461,000	14,879,794	15,480,209	16,203,000	(722,791) Refer income statement above
206,000	172,000	204,000	171,500	245,788	273,000	(27,212) More funds invested
<b>PAYMENTS</b>						
(10,220,000)	(11,699,000)	(11,383,000)	(10,550,780)	(10,738,706)	(9,676,000)	(1,062,706) Refer income statement above
(142,000)	(114,000)	(107,000)	(97,400)	(99,096)	(99,000)	(961)
3,409,000	7,416,000	5,175,000	4,403,054	4,888,195	6,701,000	(1,812,805)
<b>Net Cash provided by (or used in) Operating Activities</b>						
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>						
<b>RECEIPTS</b>						
452,000	375,000	566,000	461,000	396,000	387,000	(1,000)
190,000	327,000	411,000	-	326,956	327,000	(44)
34,000	36,000	27,000	-	-	29,000	(29,000) Not included in budget
<b>PAYMENTS</b>						
-	-	-	-	-	-	-
(5,355,000)	(4,723,000)	(4,017,000)	(6,483,000)	(5,836,397)	(5,093,000)	(743,397)
(4,676,000)	(3,985,000)	(3,013,000)	(6,022,000)	(5,123,441)	(4,350,000)	(773,441)
<b>Net Cash provided by (or used in) Investing Activities</b>						
<b>CASH FLOWS FROM FINANCING ACTIVITIES</b>						
<b>RECEIPTS</b>						
-	-	-	-	-	-	-
<b>PAYMENTS</b>						
(132,000)	(131,000)	(137,000)	(116,135)	(201,094)	(230,000)	28,906 Payments made in accordance with schedules
(132,000)	(131,000)	(137,000)	(116,135)	(201,094)	(230,000)	28,906
<b>NET CASH USED IN FINANCING ACTIVITIES</b>						
(1,399,000)	3,300,000	2,025,000	(1,735,141)	(436,340)	2,121,000	(2,557,340)
8,783,000	7,384,000	10,684,000	11,205,518	12,709,000	12,709,000	-
7,384,000	10,684,000	12,709,000	9,470,377	12,272,660	14,830,000	(2,557,340)
<b>NET INCREASE (DECREASE) IN CASH HELD</b>						
<b>CASH AT BEGINNING OF YEAR</b>						
<b>CASH AT END OF YEAR</b>						

30/09/2019

**TATIARA DISTRICT COUNCIL**  
**BUDGET versus ACTUAL 2018/2019**

BALANCE SHEET								
ACTUAL 2015/16	ACTUAL 2016/17	ACTUAL 2017/18		2018/19 BUDGET	MAY REVIEW 2018/19 BUDGET	2018/19 ACTUAL	BUDGET V ACTUAL VARIANCE	
			<b>ASSETS</b>					
			<b>CURRENT ASSETS</b>					
7,384,000	10,684,000	12,709,000	Cash and cash equivalents	9,470,377	12,272,860	14,830,000	(2,557,340)	Grants in Advance not budgeted for Supplementary Rds \$559k & \$245k Fags, of \$887k, 743K lower capital works spend.
691,000	638,000	817,000	Trade & other receivables	638,000	817,000	733,000	84,000	
880,000	796,000	1,028,000	Inventories	786,000	1,028,000	1,208,000	(180,000)	
-	-	-	Other Financial Assets	-	-	-	-	
8,955,000	12,108,000	14,554,000	Non-Current Assets held for Sale	10,894,377	14,117,860	16,771,000	(2,653,340)	
8,955,000	12,108,000	14,554,000	<b>TOTAL CURRENT ASSETS</b>	10,894,377	14,117,860	16,771,000	(2,653,340)	
			<b>NON-CURRENT ASSETS</b>					
141,000	113,000	84,000	Financial Assets	113,000	84,000	53,000	31,000	Payments received from Sporting Funds not budgeted for.
-	-	-	Equity accounted investments in Council businesses	-	-	-	-	
-	-	-	Investment Property	-	-	-	-	
186,357,000	179,187,000	188,634,000	Infrastructure, Property, Plant & Equipment	180,541,819	189,097,441	190,595,000	(1,497,559)	Ongoing updates to valuation data to ensure we have the most up to date unit rates etc. Offset by lower capital spend then budgeted and increased depreciation expense
-	-	-	Other Non-current Assets	-	-	-	-	
186,498,000	179,300,000	188,718,000	<b>TOTAL NON-CURRENT ASSETS</b>	180,654,819	189,181,441	190,648,000	(1,486,559)	
195,453,000	191,408,000	203,272,000	<b>TOTAL ASSETS</b>	191,549,196	203,299,301	207,419,000	(4,119,899)	
			<b>LIABILITIES</b>					
			<b>CURRENT LIABILITIES</b>					
602,000	795,000	750,000	Trade & Other Payables	795,000	750,000	1,154,000	(404,000)	\$272K Rubble Crushing invoice, \$140K Pathway Traffic Calming invoices unpaid at the end of June 19 that were not outstanding June 18
132,000	136,000	145,000	Borrowings	136,000	145,000	124,000	21,000	
1,006,000	1,010,000	943,000	Short-term Provisions	1,010,000	943,000	1,049,000	(106,000)	
-	-	-	Other Current Liabilities	-	-	-	-	
1,740,000	1,941,000	1,838,000	Liabilities relating to Non-current Assets held for Sale	1,941,000	1,838,000	2,327,000	(489,000)	
1,740,000	1,941,000	1,838,000	<b>TOTAL CURRENT LIABILITIES</b>	1,941,000	1,838,000	2,327,000	(489,000)	
			<b>NON-CURRENT LIABILITIES</b>					
1,343,000	1,208,000	1,062,000	Trade & Other Payables	-	-	-	-	
47,000	98,000	115,000	Long-term Borrowings	984,806	800,906	853,000	7,908	
-	-	-	Long-term Provisions	98,000	115,000	84,000	31,000	
-	-	-	Other Non-current Liabilities	-	-	-	-	
1,390,000	1,306,000	1,177,000	<b>TOTAL NON-CURRENT LIABILITIES</b>	1,082,806	975,906	937,000	38,908	
3,130,000	3,247,000	3,015,000	<b>TOTAL LIABILITIES</b>	3,023,806	2,813,906	3,264,000	(450,094)	
192,323,000	188,161,000	200,257,000	<b>NET ASSETS</b>	188,525,390	200,485,395	204,155,000	(3,669,605)	
			<b>EQUITY</b>					
365,000	1,555,000	1,039,000	Accumulated Surplus	1,188,547	137,788	835,000	(697,212)	Refer Statement of Changes in Equity
184,532,000	178,318,000	188,492,000	Asset Revaluation	178,318,000	188,492,000	192,039,000	(2,547,000)	Ongoing updates to valuation data to ensure we have the most up to date unit rates etc.
7,426,000	8,288,000	9,726,000	Other Reserves	9,019,043	10,855,407	11,281,000	(425,593)	Refer Statement of Changes in Equity
192,323,000	188,161,000	199,257,000	<b>TOTAL EQUITY</b>	188,525,390	200,485,195	204,155,000	(3,669,605)	

30/09/2019

**TATIARA DISTRICT COUNCIL**  
**BUDGET versus ACTUAL 2018/2019**

STATEMENT OF CHANGES IN EQUITY							
ACTUAL 2015/16	ACTUAL 2016/17	ACTUAL 2017/18		2018/19 BUDGET \$	MAY REVIEW 2018/19 BUDGET \$	2018/19 ACTUAL \$	BUDGET V ACTUAL VARIANCE \$
1,898,000	(2,000)	1,555,000	<b>ACCUMULATED SURPLUS</b>				
			Balance at end of previous reporting period	(530,657)	(572,744)	1,039,000	(1,611,744)
(637,000)	2,419,000	922,000	Net Result for Year	(75,948)	228,195	1,351,000	(1,122,805)
812,000	-	23,000	Transfer From Reserves	2,439,996	2,366,948	193,000	2,173,948
(1,508,000)	(862,000)	(1,461,000)	Transfer To Reserves	(644,846)	(1,894,511)	(1,748,000)	(136,511)
365,000	1,555,000	1,039,000	<b>BALANCE AT END OF PERIOD</b>	1,188,547	137,788	835,000	(897,212)
			<b>ASSET REVALUATION RESERVE</b>				
157,399,000	184,899,000	185,222,000	Balance at end of previous reporting period	178,318,000	189,492,000	189,492,000	-
27,133,000	(6,581,000)	4,270,000	Gain on revaluation of infrastructure, property, plant & equipment	-	-	2,947,000	(2,547,000)
-	-	-	Transfer to Accumulated Surplus on sale of infrastructure, property, plant & equipment	-	-	-	-
184,532,000	178,318,000	189,492,000	<b>BALANCE AT END OF PERIOD</b>	178,318,000	189,492,000	192,039,000	(2,547,000)
			<b>Tatiara United Football Grant</b>				
-	-	-	Balance at end of previous reporting period	-	52,348	-	52,348
-	-	-	Transfer to reserve from accumulated surplus	-	-	-	-
-	-	-	Transfer from reserve to accumulated surplus	-	(52,348)	-	(52,348)
-	-	-	<b>BALANCE AT END OF PERIOD</b>	-	-	-	-
			<b>Carry Forward Funds Reserve</b>				
-	-	-	Balance at end of previous reporting period	1,559,396	1,559,396	-	1,559,396
-	-	-	Transfer to reserve from accumulated surplus	-	-	-	-
-	-	-	Transfer from reserve to accumulated surplus	(1,559,396)	(1,559,396)	-	(1,559,396)
-	-	-	<b>BALANCE AT END OF PERIOD</b>	-	-	-	-
			<b>Keith Community Library</b>				
37,000	31,000	28,000	Balance at end of previous reporting period	28,000	28,000	28,000	-
1,000	-	-	Transfer to reserve from accumulated surplus	-	-	1,000	(1,000)
(7,000)	(3,000)	-	Transfer from reserve to accumulated surplus	-	-	-	-
31,000	28,000	28,000	<b>BALANCE AT END OF PERIOD</b>	28,000	28,000	29,000	(1,000)
			<b>Long Service Leave Reserve</b>				
314,000	329,000	344,000	Balance at end of previous reporting period	344,000	349,000	349,000	-
15,000	15,000	5,000	Transfer to reserve from accumulated surplus	-	-	7,000	(7,000)
-	-	-	Transfer from reserve to accumulated surplus	-	-	-	-
329,000	344,000	349,000	<b>BALANCE AT END OF PERIOD</b>	344,000	349,000	356,000	(7,000)
			<b>Plant Replacement Reserve</b>				
6,000	140,000	142,000	Balance at end of previous reporting period	202,000	406,000	406,000	-
134,000	2,000	264,000	Transfer to reserve from accumulated surplus	-	-	-	-
-	-	-	Transfer from reserve to accumulated surplus	(60,000)	(60,000)	(63,000)	(7,000)
140,000	142,000	406,000	<b>BALANCE AT END OF PERIOD</b>	142,000	346,000	353,000	(7,000)
			<b>Clayton Farm Insurance</b>				
109,000	111,000	105,000	Balance at end of previous reporting period	80,400	82,000	82,000	-
2,000	-	-	Transfer to reserve from accumulated surplus	-	-	-	-
-	(6,000)	(23,000)	Transfer from reserve to accumulated surplus	-	(14,504)	(13,000)	(1,504)
111,000	105,000	82,000	<b>BALANCE AT END OF PERIOD</b>	80,400	67,496	69,000	(1,504)

Budget reflects Carry forward adjustments. This is not reflected in actual totals as it is a book entry only.

As above under Income Statement

Budget reflects Carry forward adjustments. This is not reflected in actual totals as it is a book entry only.

Amounts transferred to reserves for future years

Ongoing updates to valuation data to ensure we have the most up to date unit rates etc.

Money not reflected in 17/18

not reflected in financial statements

**TATIARA DISTRICT COUNCIL**  
**BUDGET versus ACTUAL 2018/2019**

## STATEMENT OF CHANGES IN EQUITY CONTINUED

ACTUAL 2015/16	ACTUAL 2016/17	ACTUAL 2017/18		2018/19 BUDGET \$	MAY REVIEW 2018/19 BUDGET \$	2018/19 ACTUAL \$	BUDGET V ACTUAL VARIANCE \$
			<b>CED Maintenance Reserve</b>				
5,886,000	5,715,000	5,836,000	Balance at end of previous reporting period	6,445,429	6,680,000	6,680,000	-
834,000	121,000	844,000	Transfer to reserve from accumulated surplus	644,846	609,161	640,000	(30,839)
(805,000)	-	-	Transfer from reserve to accumulated surplus	-	-	-	-
5,715,000	5,836,000	6,680,000	<b>BALANCE AT END OF PERIOD</b>	7,090,275	7,289,161	7,320,000	(30,839)
			<b>Reserve Future Road Renewal</b>				
-	350,000	654,000	Balance at end of previous reporting period	774,600	783,000	783,000	-
350,000	304,000	129,000	Transfer to reserve from accumulated surplus	-	915,210	1,088,000	(172,790)
-	-	-	Transfer from reserve to accumulated surplus	(120,600)	(120,600)	-	(120,600)
350,000	654,000	783,000	<b>BALANCE AT END OF PERIOD</b>	654,000	1,577,610	1,871,000	(293,390)
			<b>Reserve Land Development</b>				
340,000	347,000	571,000	Balance at end of previous reporting period	722,368	731,000	731,000	-
7,000	224,000	160,000	Transfer to reserve from accumulated surplus	-	360,140	-	360,140
-	-	-	Transfer from reserve to accumulated surplus	(500,000)	(500,000)	(127,000)	(373,000)
347,000	571,000	731,000	<b>BALANCE AT END OF PERIOD</b>	222,368	591,140	604,000	(12,860)
			<b>Reserve Tatara Creek</b>				
43,000	44,000	44,000	Balance at end of previous reporting period	44,000	45,000	45,000	-
1,000	-	1,000	Transfer to reserve from accumulated surplus	-	-	1,000	(1,000)
-	-	-	Transfer from reserve to accumulated surplus	-	-	-	-
44,000	44,000	45,000	<b>BALANCE AT END OF PERIOD</b>	44,000	45,000	46,000	(1,000)
			<b>Rubble Rehab</b>				
184,000	298,000	302,000	Balance at end of previous reporting period	302,000	307,000	307,000	-
114,000	4,000	5,000	Transfer to reserve from accumulated surplus	-	-	5,000	(5,000)
-	-	-	Transfer from reserve to accumulated surplus	(150,000)	(10,000)	-	(10,000)
298,000	302,000	307,000	<b>BALANCE AT END OF PERIOD</b>	152,000	297,000	312,000	(15,000)
			<b>Reserve Open Space</b>				
11,000	11,000	11,000	Balance at end of previous reporting period	61,000	61,000	61,000	-
-	-	50,000	Transfer to reserve from accumulated surplus	-	-	1,000	(1,000)
-	-	-	Transfer from reserve to accumulated surplus	(50,000)	(50,000)	-	(50,000)
11,000	11,000	61,000	<b>BALANCE AT END OF PERIOD</b>	11,000	11,000	62,000	(51,000)
			<b>Reserve Unplanned Spend</b>				
-	50,000	251,000	Balance at end of previous reporting period	251,000	254,000	254,000	-
50,000	201,000	3,000	Transfer to reserve from accumulated surplus	-	-	5,000	(5,000)
-	-	-	Transfer from reserve to accumulated surplus	-	-	-	-
50,000	251,000	254,000	<b>BALANCE AT END OF PERIOD</b>	251,000	254,000	259,000	(5,000)
<b>192,323,000</b>	<b>188,161,000</b>	<b>200,257,000</b>	<b>TOTAL EQUITY AT END OF REPORTING PERIOD</b>	<b>188,525,590</b>	<b>200,485,195</b>	<b>204,155,000</b>	<b>(3,669,805)</b>

Did not pay back to DPTI

30/09/2019



**TATIARA DISTRICT COUNCIL**  
**BUDGET versus ACTUAL 2018/2019**

## UNIFORM PRESENTATION OF FINANCES

ACTUAL 2015/16	ACTUAL 2016/17	ACTUAL 2017/18		2018/19 BUDGET \$	MAY REVIEW 2018/19 BUDGET \$	2018/19 ACTUAL \$	BUDGET V ACTUAL VARIANCE \$
13,437,000	17,018,000	15,763,000	Operating Revenues	15,051,294	15,725,997	16,388,000	(632,003)
(14,441,000)	(14,929,000)	(15,120,000)	Less: Operating Expenses	(15,588,240)	(15,883,802)	(15,319,000)	(564,802)
(1,004,000)	2,089,000	643,000	Operating Surplus / (Deficit) before Capital Amount:	(536,946)	(157,805)	1,069,000	(1,226,805)
			<b>Less Net Outlays in Existing Assets</b>				-
3,663,000	3,161,000	2,638,000	Capital Expenditure on renewal and replacement of Existing Assets	3,265,785	3,515,913	3,616,000	(100,087)
(5,063,000)	(4,940,000)	(5,046,000)	Less: Depreciation, Amortisation and Impairment	(4,940,000)	(5,046,000)	(5,247,000)	201,000
(159,300)	(327,000)	(411,000)	Less: Proceeds from Sale of Replaced Assets	-	(326,956)	(167,000)	(159,956)
(1,593,000)	(2,196,000)	(2,819,000)		(1,674,215)	(1,857,943)	(1,798,000)	(59,043)
			<b>Less Net Outlays on New and Upgraded Assets</b>				-
1,692,000	1,562,000	1,379,000	Capital Expenditure on New and Upgraded Assets	3,217,275	2,320,484	1,477,000	843,484
(452,000)	(375,000)	(566,000)	Less: Amounts received specifically for New and Upgraded Assets	(461,000)	(386,000)	(387,000)	1,000
-	-	-	Less: Proceeds from Sale of Surplus Assets	-	-	(160,000)	160,000
1,240,000	1,187,000	813,000		2,756,275	1,934,484	930,000	1,004,484
(651,000)	3,008,000	2,649,000	Net Lending / (Borrowing) for Financial Year	(1,619,006)	(235,246)	1,937,000	(2,172,246)

These Financial Indicators have been calculated in accordance with Information Paper 9 - Local Government Financial Indicators prepared as part of the LGA Financial Sustainability Program for the Local Government Association of South Australia. Detailed methods of calculation are set out in the SA Model Statements.

(1,004,000)	2,089,000	643,000	Operating Surplus (Adopted target balance to surplus)	(536,946)	(157,805)	1,069,000
Being the operating surplus (deficit) before capital amounts:						
(7%)	12%	4%	Operating Surplus Ratio (Adopted target 0 to +10%) Operating Surplus Operating Revenue	(5%)	(2%)	7%
This ratio expresses the operating surplus as a percentage of general and other rates, net of NRM levy.						
(5,086,000)	(8,188,000)	(10,595,000)	Net Financial Liabilities (Adopted target 65% of Rev - \$7)	(7,197,771)	(10,359,754)	(12,352,000)
Net Financial Liabilities are defined as total liabilities less financial assets (excluding equity accounted investments in Council businesses).						
(38.00%)	(48.00%)	(56.00%)	Net Financial Liabilities Ratio (Adopted target 0 - 65% of OR) Net Financial Liabilities Total Operating Revenues	(47.82%)	(65.88%)	(75.37%)
(0.54%)	(0.35%)	(0.71%)	Interest Cover Ratio (Adopted target 0 - 5.5%) Net Interest Expense Total Operating Revenue less NRM levy less Investment	(0.50%)	(0.95%)	(1.10%)
112.00%	105.00%	72.00%	Asset Renewal Ratio (Adopted target 90 - 110%) Net Asset Renewals Infrastructure & Asset Management Plan Required Expenditure	101.39%	88.85%	117.00%
69.00%	62.00%	44.13%	Asset Sustainability Ratio (Adopted target 90 - Net Asset Renewals Depreciation Expense	66.11%	63.20%	65.73%

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

30/09/2019

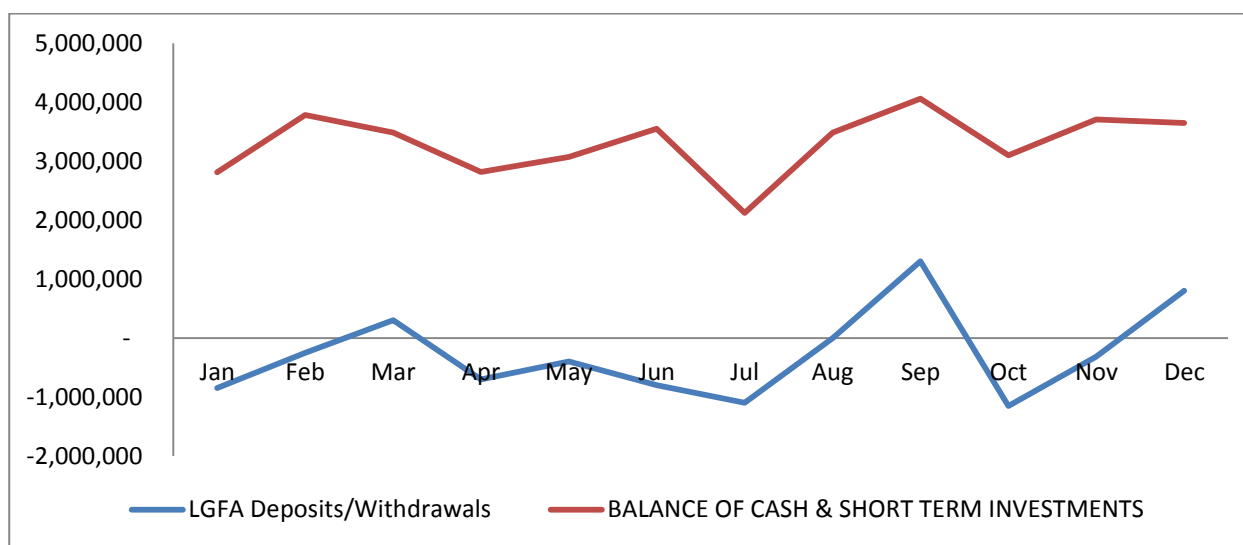
**16.8 SNAPSHOT OF CASH BALANCES****File Number:** 7/1/11**Author:** Finance Manager**Authoriser:** Director Corporate & Community Services**INTRODUCTION**

Council is responsible for the periodic review of its investment of funds and maintaining operational cash in accordance with its *Treasury Management Policy* (adopted on 11<sup>th</sup> December 2018). At the last Audit Committee Meeting in June 2019, a snapshot of Council's cash balances was requested by the Independent Member, Mr Jim Kerr, to determine if more funds could be diverted to higher interest bearing accounts.

**DISCUSSION**

To determine the correct amount of cash for Council's operations, the cyclic nature of expenses and revenue are monitored on a fortnightly basis. Which are impacted by Council's fortnightly payroll and creditor functions, quarterly rates revenue payment cycles and monthly BAS and PAYG commitments.

In summary, Council's operating requirements for cash varies from as little as \$300,000 to in excess of \$1million per month. The following figure shows for 2018/19, Council's net movements - deposits (rates) less payments (payroll and creditors) – excluding direct deposits from Grant Commission funds and interest from reserves.



To operate Council's financial commitments, as shown above and in the 2018-19 cash & reserves table and graph (attached), a minimum of \$2mill at any point in time is regarded as mandatory. The red line shows the buffer of funds at any point in time. Also documented in the table and graph (attached) are the movements in and out of higher interest bearing accounts.

Currently Council has invested \$6.7mill in 12 month investments, with \$2mill expiring in January 2020 and \$4.7mill expiring in June 2020.

For the 2019/20 financial year, there are 4 reserves which have considerable funds which could be invested into higher interest bearing accounts, in addition to the \$6.7mill of funds already invested.

1. CWMS Reserve current balance \$612k
2. Plant Machinery Reserve current balance \$354k
3. Land Development Reserve current balance \$904k
4. Road Renewal Reserve current balance \$1.8mil

The current 2019/20 budget indicates:

1. CWMS reserve is held for future asset plans, but not budgeted to spend this financial year. Funds available for investing would be \$600k, for at least 12 months.
2. Plant Machinery reserve is held for peaks of expenditure over a 10 year plan, with an expected spike in 2020/21, requiring \$200k to be brought into the 2020/21 budget. Hence, \$300k could be invested for 9-12 months
3. Land Development funds for the Keith Industrial Estate 2<sup>nd</sup> Stage – only design at this stage unless the design is completed early and infrastructure works can commence, close to the end of the financial year. Our 3 year plan indicates that we may draw on our reserve to fund the 2<sup>nd</sup> Stage, and most likely in 2020/21.
4. Road Renewal Reserve:
  - \$335,210 – Victoria Parade Bridge, funds held for bridge upgrade which “may” happen in 2019/20
  - \$300,000 – funds brought forward from 2018/19 budget to be spent in 2019/20
  - \$279,655 – funds paid in Advance for Supplementary Roads funding for expenditure in 2019/20
  - \$279,655 – funds paid in advance for Supplementary Roads funding for expenditure in 2020/21

The calculations for this reserve of unallocated funds for 2019/20 are most likely to be \$800,000, which could be invested into a higher interest bearing account.

In calculating the above, an estimation of the unallocated funds of \$2.3million to higher interest bearing amounts would seem prudent – attracting a higher return on our investment strategy.

## OPTIONS

There are some options regarding where council deposits surplus operating funds. Currently Council holds funds within the Local Government Finance Authority (LGFA) and Bendigo Bank at Keith.

The LGFA has historically been a safe and well positioned banking commodity for Council, providing consistent interest returns with an annual bonus and competitive borrowing facilities. The criteria and ease for Council's to borrow from the LGFA has been exceptional.

Recently, Council decided to deposit \$2mill with our local community bank, Bendigo Bank in Keith. Whilst the bank offers a very slightly favourable interest rate, the borrowing terms are not as favourable. However, it is important to note that the community bank recently agreed to a \$3,000 sponsorship of the 2020 Tatiara Masters Games.

The current interest rates as of 27<sup>th</sup> August 2019 are tabled below:

	Principal	Interest Rate	Plus 0.35% for bonus	Term	Interest for term including bonus	Annualised Interest	End of Term	Reserve
LGFA	2,300,000	1.25	0.35	0.75	27,600	36,800	1/05/2020	Various
LGFA	2,300,000	1.25	0.35	0.25	9,200	36,800	1/12/2019	Various
Bendigo	2,300,000	1.60		0.75	27,600	36,800	1/05/2020	Various
Bendigo	2,300,000	1.75		0.25	10,063	40,250	1/12/2019	Various

While Council has no immediate or short term plans to borrow ‘significant’ funds, it seems appropriate to place the surplus funds into higher interest bearing deposits – thus maximising Council's investment strategy.

## STRATEGIC PLAN REFERENCE

5 - Governance and Leadership

5.3 - Ensure that Council's plans and budgets are both responsible and sustainable

5.3.2 - Provide leadership and advocacy to improve the financial position of the Tatiara Council

5.3.2.1 - Advocating for legislative change including constitutional recognition for local government and improved funding models to lessen the reliance on rates as an income stream

### **POLICY/LEGAL IMPLICATIONS**

*Local Government Act 1999*; Chapter 9 Finances, Part 4 – Investment, Section 139 – Investment Powers

*Treasury Management Policy* Rev 02 - 11/12/19

*Internal Control Policy* 3.3 - Investments

### **FINANCIAL IMPLICATIONS**

The investment of funds into higher interest bearing accounts for periods of less than 12 months makes good economic sense for council's bottom line. The current economic environment indicates a lowering of interest rates for longer term deposits.

### **RISK MANAGEMENT IMPLICATIONS**

There are three points to highlight:

1. Council's *Treasury Policy* states that funds to be invested for periods greater than 1 year requires a Council resolution.
2. The impact to Council's cash flow to meet its operational expenditure is assessed as "low".
3. Council is not maximising its investment strategy by seeking opportunities to gain a better return on its cash deposits.

### **COMMUNICATION/CONSULTATION/ADVERTISING**

n/a

### **ATTACHMENTS**

1. 2018-19 Reserves Table  
2. 2018-19 Reserves Graph  

### **RECOMMENDATION**

That Council agrees to deposit \$2,000,000 into higher interest bearing accounts.

## TATIARA DISTRICT COUNCIL : Net Reconciled Cash Position

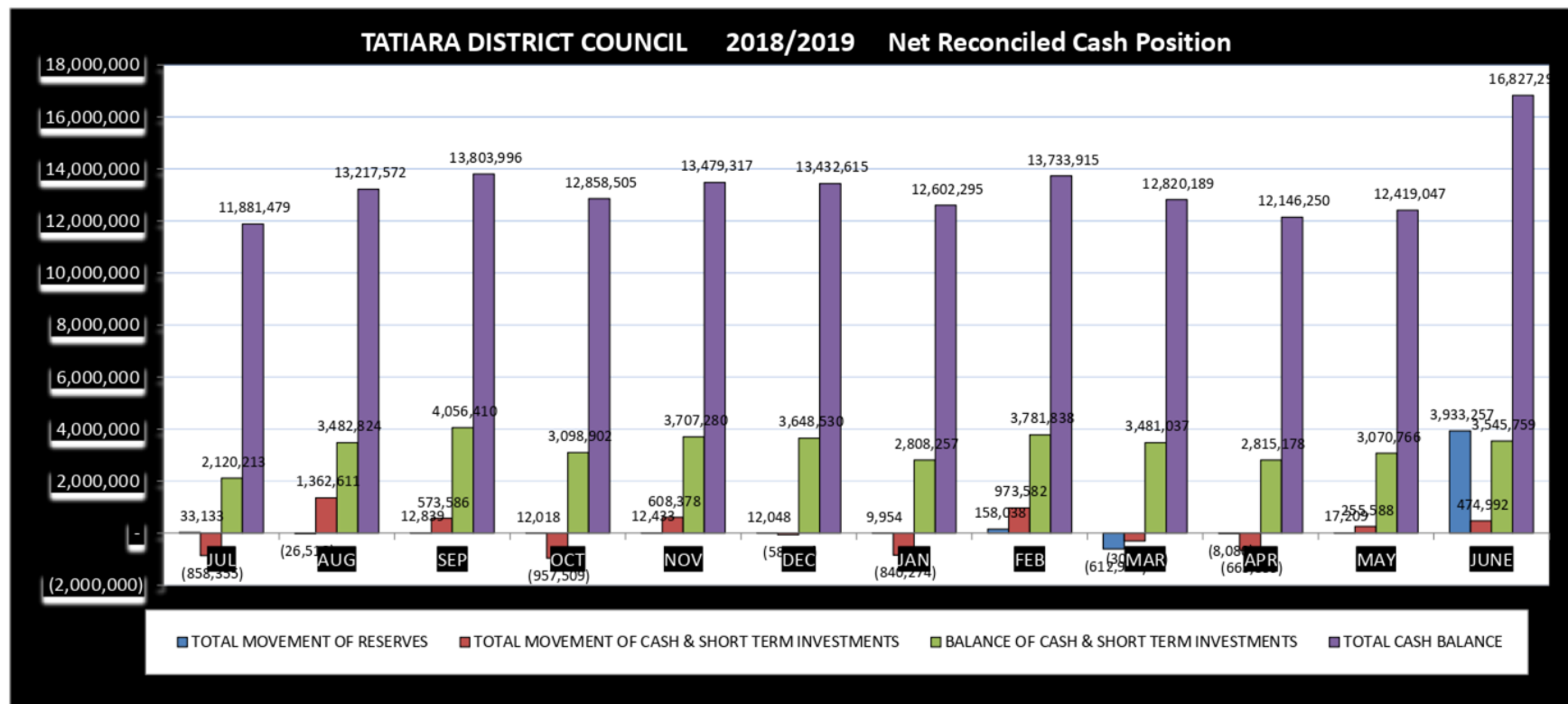
PRINTED: 27 August 2019

TOTAL RESERVES 2018/2019																	
LGFA/BANK No.	Cash Reserves	Op. Bal. 1/7/18	JUL ACTUAL \$	AUG ACTUAL \$	SEP ACTUAL \$	OCT ACTUAL \$	NOV ACTUAL \$	DEC ACTUAL \$	JAN ACTUAL \$	FEB ACTUAL \$	MAR ACTUAL \$	APR ACTUAL \$	MAY ACTUAL \$	JUNE ACTUAL \$	TOTAL ACTUAL \$	Higher Interest Accounts	At Call
Tatiara 04	Long Svc Leave	349,500	1,307	447	448	434	449	435	450	450	487	(196)	1,640	292	356,141	-	356,141
Tatiara 05	CWMS Reserve	6,680,229	22,631	(30,415)	8,937	8,237	8,522	8,258	(1,993,967)	1,413	18,047	(7,652)	5,975	2,589,294	5,319,511	4,700,000	619,511
Bendigo	CWMS Reserve	-	-	-	-	-	-	-	2,000,000	-	-	-	-	-	2,000,000	2,000,000	-
Tatiara 20	Plant Replacement	406,760	1,521	520	521	505	522	506	523	(59,476)	495	(199)	1,637	290	354,125	-	354,125
Tatiara 22	Clayton Farm Insurance	82,028	382	105	105	102	105	102	106	106	(14,408)	91	85	88	68,996	-	68,996
Tatiara 26	Land Development	731,050	2,373	934	936	907	938	909	940	161,081	(498,996)	182	2,099	200,299	603,652	-	603,652
Tatiara 27	Keith Comm Library	28,248	106	36	36	35	36	35	36	36	33	37	35	37	28,746	-	28,746
Tatiara 28	Tatiara Creek	44,964	168	57	58	56	58	56	58	58	52	58	56	58	45,758	-	45,758
Tatiara 29	Rubble Rehabilitation	306,599	1,147	392	393	380	393	381	395	395	397	72	985	317	312,246	-	312,246
Tatiara 30	Open Space	61,666	52	79	79	76	79	77	79	79	72	79	77	80	62,574	-	62,574
Tatiara 31	Road Renewal	783,456	2,499	1,001	1,003	971	1,005	974	1,008	1,009	(119,527)	(408)	3,235	1,195,059	1,871,285	-	1,871,285
Tatiara 32	Unplanned Maint	253,632	948	324	325	315	326	316	326	327	362	(212)	1,319	195	258,503	-	258,503
Tatiara 34	Tatiara United Football	-	-	-	-	-	-	-	-	52,559	60	67	65	(52,752)	-	-	-
TOTAL MOVEMENT OF RESERVES		9,728,133	33,133	(26,519)	12,839	12,018	12,433	12,048	9,954	158,038	(612,925)	(8,080)	17,209	3,933,257	11,281,537	6,700,000	4,581,537

TOTAL CASH RESERVES & SHORT TERM INVESTMENTS																	
ANZ	Cash At Bank	340,081	233,452	493,258	(1,028,936)	187,882	633,431	(755,526)	5,213	671,874	(578,808)	29,770	104,010	(38,649)	297,053		
LGFA	Short Term Investmts	2,638,487	(1,091,807)	869,353	1,602,522	(1,145,391)	(25,053)	696,777	(845,487)	301,707	278,007	(695,630)	151,579	513,641	3,248,705		
TOTAL MOVEMENT OF CASH & SHORT TERM INVESTMENTS		2,978,567	(858,355)	1,362,611	573,586	(957,509)	608,378	(58,749)	(840,274)	973,582	(300,801)	(665,859)	255,588	474,992	3,545,759		
BALANCE OF CASH & SHORT TERM INVESTMENTS		2,978,567	2,120,213	3,482,824	4,056,410	3,098,902	3,707,280	3,648,530	2,808,257	3,781,838	3,481,037	2,815,178	3,070,766	3,545,759			
Total Cash Movement		12,706,701	(825,221)	1,336,093	586,425	(945,491)	620,811	(46,702)	(830,320)	1,131,620	(913,726)	(673,939)	272,797	4,408,249			
TOTAL CASH BALANCE		12,706,701	11,881,479	13,217,572	13,803,996	12,858,505	13,479,317	13,432,615	12,602,295	13,733,915	12,820,189	12,146,250	12,419,047	16,827,296	14,827,296		

Last updated 30/06/2019

	Principal	Interest Rate	Plus 0.35 % for bonus	Term	Interest pa (annualised)	End of Term	Reserve	
LGFA	2,700,000	2.15	0.35	0.50	67,500	Jun-19	Tat 05	Matured 19/6/19 and reinvested for 12 months
LGFA	2,000,000	1.75	0.35	0.25	42,000	Jun-19	Tat 05	Matured 19/6/19 and reinvested for 12 months
LGFA	300,000	2.15	0.35	0.25	7,500	May-19	Tat 04	Matured 14/5/19
LGFA	300,000	2.15	0.35	0.25	7,500	May-19	Tat 20	Matured 14/5/19
LGFA	400,000	2.15	0.35	0.25	10,000	May-19	Tat 26	Matured 14/5/19
LGFA	150,000	2.15	0.35	0.25	3,750	May-19	Tat29	Matured 14/5/19
LGFA	600,000	2.15	0.35	0.25	15,000	May-19	Tat 31	Matured 14/5/19
LGFA	250,000	2.15	0.35	0.25	6,250	May-19	Tat 32	Matured 14/5/19
Sub Total		6,700,000						
BENDIGO	2,000,000	2.60		1	52,000	Jan-20	Tat 05	
Total		8,700,000		Total	211,500			





**16.9 BRUCE AVENUE, KEITH - FOOTPATH AND KERB UPGRADE****File Number:** Road R158**Author:** Director Infrastructure & Operations**Authoriser:** Director Infrastructure & Operations**INTRODUCTION**

Council allocated funds in this year's budget to construct kerb and gutter and a concrete footpath along Bruce Avenue, Keith. Survey and design works have been completed, and due to the requirement to install additional stormwater the cost estimates are significantly higher than what was budgeted. This report provides the options available to Council.

**DISCUSSION**

Council allocates approximately \$80,000 annually for kerb upgrade projects and another \$110,000 for footpath/bicycle path upgrade projects within the townships of the Tatiara. This year the funds were allocated towards installing kerb and gutter and a concrete footpath along Bruce Avenue in Keith.

Initial budgets are based on preliminary scoping of the project. After adoption of the budget, a detailed survey and design is carried out. Cost estimates are then updated based on the detailed design. In this instance, there is significantly more stormwater drainage requirements to complete the Bruce Avenue project than initially estimated.

Council made the following allowances in the 2019/20 budget:

Asset	Budget	Comment
Kerb & Gutter	\$100,000	Includes \$30k allowance for stormwater
Footpath	\$80,000	Concrete footpath
<b>TOTAL</b>	<b>\$180,000</b>	

A breakdown of the estimated costs are detailed in the table below.

Item No	Description	Unit	Quantity	Unit Rate	Estimated Cost	Asset
1	Kerb	m	272	\$280.00	\$76,160	Kerb
2	Stormwater Pits	item	6	\$1,500.00	\$9,000	Stormwater
3	Tree Removal	item	3	\$500.00	\$1,500	Footpath
5	Service Locations	item	1	\$1,500.00	\$1,500	Stormwater
6	Pipe Installation	m	110	\$300.00	\$33,000	Stormwater
7	Hume Ceptor (install)	Item	2	\$8,000.00	\$16,000	Stormwater
8	Bore installation	Item	2	\$9,300.00	\$18,600	Stormwater
9	Footpath (conc)	m2	464	\$160.00	\$74,240	Footpath
<b>Total</b>					<b>\$230,000</b>	

The above costs are based on Council staff carrying out the work.

The installation of stormwater infrastructure includes two humeceptor and drainage bores to discharge excess stormwater. Once installed these will facilitate the installation of kerb and gutter on the northern side of the road with only minimal underground stormwater required to cross the road.

## OPTIONS

Council has the following options available:

1. Increase the budget to allow for the additional stormwater.
2. Complete the kerb and gutter and stormwater portion of the works this financial year and construct the footpath next year.
3. Elect not to carry out the proposed works due to the escalating cost.

## STRATEGIC PLAN REFERENCE

2 - Infrastructure and Assets

2.1 - Plan for and provide infrastructure appropriate to the community's needs

2.1.2 - Improve the safety of the community

2.1.2.2 - Provide and promote walking and cycling trails for the health and wellbeing for recreation and commuter use

## POLICY/LEGAL IMPLICATIONS

Infrastructure projects and construction standards should meet the minimum standards expressed in the various guides and Australian Standards to reduce liability for Council.

### Transport Asset Management Plan

The Transport Asset Management Plan is currently under comprehensive review and includes a proposed 5 year kerb and gutter and footpath upgrade program. The program aims to spread new kerb and footpath works throughout the townships of the Tatiara. New kerb and gutter and footpath works are prioritised based on Council's Asset Management Plan, which states the following:

#### **Upgrade to kerbing in township streets**

*Consideration of new kerbing upgrade works will be prioritised based on the following criteria:*

- *The location with higher priority given to CBD areas and heavy residential areas;*
- *Repair of drainage problems with priority given to the highest severity.*

#### **Upgrading of footpaths within townships**

*Consideration of footpaths to be upgraded works will be prioritised based on the following criteria:*

- *The provision of access to the CBD areas of the township and high foot traffic areas of schools, and community facilities;*
- *To facilitate and encourage walking within and around townships;*
- *In consideration with any strategic footpath/bicycle path plans.*

The aim of this infrastructure project is to improve safety for pedestrians by providing an off road footpath, improve drainage and improve the aesthetics of the streetscape. The long term aim was to continue to install kerb and gutter throughout Keith. Unfortunately, due to being extremely flat, the installation of kerb in Keith also requires expensive stormwater drainage infrastructure which will limit Council's ability to provide kerbing for all urban roads in Keith. Council also received a number of requests to install kerb and gutter on March Street. Bruce Avenue was considered a higher priority as the residential properties have been established for longer and likely higher pedestrian numbers being located close to the Keith school.



*Image: map showing existing kerbing in the township of Keith*

## FINANCIAL IMPLICATIONS

When considering any infrastructure upgrade project, the long-term cost of owning and maintaining the infrastructure should be considered. An estimate of the long-term cost of the infrastructure is detailed the table below:

Asset	Sum of Est Cost	Est Useful life	Annual Depreciation	Est Ongoing Annual Maintenance Cost	Total Annual Cost	Total Lifecycle Costs
Footpath	\$75,740	50	\$1,515	\$159	\$1,674	\$83,689
Kerb	\$76,160	65	\$1,172	\$1,146	\$2,318	\$150,681
Stormwater	\$78,100	100	\$781	\$717	\$1,498	\$149,815
<b>Grand Total</b>	<b>\$230,000</b>		<b>\$3,467</b>	<b>\$2,023</b>	<b>\$5,490</b>	<b>\$384,186</b>

All costs are based in today's dollars and estimated ongoing annual maintenance are based on current budgets apportioned across the network and therefore are indicative only.

**RISK MANAGEMENT IMPLICATIONS**

All infrastructure projects have a risk of budget overruns due to unforeseen circumstances. Completing the detailed design allows for improved cost estimates reducing the risk of major cost overruns.

There has been some feedback from the community questioning the need for infrastructure works on Bruce Avenue. Given the increased cost of the project, consultation with the residents along Bruce Avenue should be carried out to ascertain the community value for the project. If Council wishes to proceed with the works with the increased cost, the residents should be consulted prior to giving final approval for the works.

**COMMUNICATION/CONSULTATION/ADVERTISING**

The outcome from this report will be communicated to the residents along Bruce Avenue to advise what works will be completed.

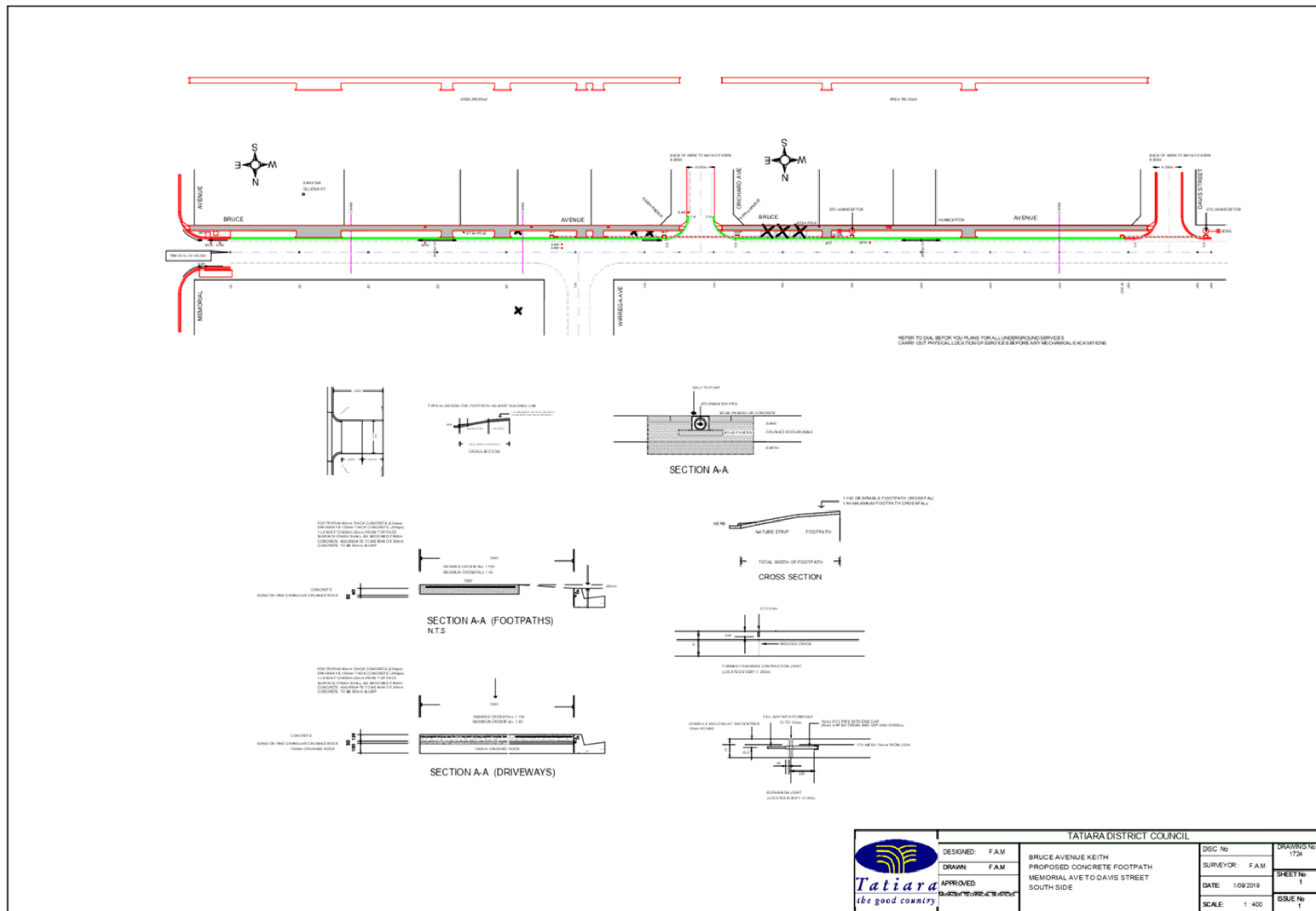
**ATTACHMENTS**

1. Bruce Ave Keith - Detail Design 2  

**RECOMMENDATION**

That Council

1. Increase the budget by \$51,000 to complete the proposed kerb and gutter, stormwater drainage and footpath project on Bruce Avenue in Keith.
2. Consult with the residents on Bruce Avenue to ascertain the community value for the project and report back to Council prior to giving final approval for the project to proceed.





**16.10 FRANCES ROAD & STOTT ROAD INTERSECTION SAFETY IMPROVEMENT**

**File Number:** 7/41/5

**Author:** Director Infrastructure & Operations

**Authoriser:** Director Infrastructure & Operations

**INTRODUCTION**

There has been ongoing public concern over the safety of the intersection of Frances Road with Stott Road, Pooginagoric Road and Hutchings Road. This report details the options available to improve the safety of the intersections and funding options.

**DISCUSSION**

Approximately 18km south of Bordertown on the Frances Road a three way intersection (Stott Road, Pooginagoric Road and Hutchings Road) is located on a sweeping bend. Frances Road is controlled by DPTI and the intersecting roads are controlled by Council.



A petition was received from the community in 2017 with 208 signatures requesting Council investigate the realignment of Frances Road and Stott Road intersection due to its very poor sight distance.

A road safety audit was completed on the intersections in 2017. A summary of the main issues identified by the audit are:

- Insufficient Safe Intersection Sight Distance (SISD) for junction of Frances Road and Pooginagoric Road, junction of Frances Road and Stott Road and junction of Frances Road and Hutchings Road.
- Insufficient seal width on Frances Road as a PBS Level 2A route.



- Insufficient carriageway width on Stott Road as a PBS Level 2A route.
- Poor junction geometries at junction of Frances Road and Stott Road and junction of Frances Road and Hutchings Road.
- Steep and high batters along some sections of Frances Road and Hutchings Road.
- Trees within clear zone on Pooginagoric Road, Stott Road and Hutchings Road.

Various options to improve safety were investigated including realignment of Stott Road. This option at the time, was disregarded due to the requirement to remove a significant amount of vegetation. Advice has been received there is nearby native vegetation within the road reserve listed as Nationally Endangered under the Federal Environment Protection and Biodiversity Conservation Act (EPBC Act). Under this legislation it does not appear the vegetation can't be removed but the clearance application is likely to be elevated to the Federal Government level for approval. This may include financial offset costs at both the State level and the Federal level.

Subsequently to improve safety on the curve, a design was completed which involved carrying out road widening works along the length of the curve on Frances Road (see attached Concept Plan 1). The aim of this treatment was to provide additional seal for turning vehicles and allow errant vehicles to recover. The proposed works does not address the issue of insufficient Safe Intersection Sight Distance (SSID).

Council applied unsuccessfully for Black Spot Funding to carry out the abovementioned works.

In an effort to further improve safety by improving sight distance, a consultant was engaged to revisit the original concept plan. A new concept plan (see concept plan 2) that involves realigning the intersecting roads and high level costings have been received. The preliminary designs do require significant native vegetation clearance and some land acquisition. Due to the likely presence of Nationally Endangered Species a native vegetation survey would need to be completed to ascertain what native vegetation is present, potential offset costs and more certainty in the timeframes for approval.

## **Funding Options**

### **Eligible Black Spot Funding**

Black Spot Funding applications close 17 October 2019.

Funding is mainly available for the treatment of Black Spot sites, or road lengths, with a proven history of crashes. Project proposals should be able to demonstrate a benefit to cost ratio of at least 2 to 1.

For individual sites such as intersections, mid-block or short road sections, there should be a history of at least three casualty crashes over a five-year period. For lengths of road, there should be an average of 0.2 casualty crashes per kilometre per annum over the length in question over five years.

The requirement of a history of crashes ensures that those sites that have a recurrent problem are targeted first for treatment.

The Black Spot Program also recognises that there are road locations that could be considered as 'accidents waiting to happen'. Therefore, some program funds may be used to treat sites where road traffic engineers have completed a Road Safety Audit and found that remedial work is necessary. This allows an opportunity for proactive safety works to be undertaken before casualties occur.

Federally funded projects receive 100% of the project costs.

The intersection of Frances Road and Stott Road does not have a history of crashes to meet the eligibility criteria and therefore the nomination needs to be applied as a proactive project with a Road Safety Audit.

Eligible projects not successful under the program will be considered for funding under the State Funded Program (funded by the South Australian Government) through DPTI. For Council projects, work under the State Funded Program require the Council to contribute a minimum payment of one-third of the total project cost.

#### DPTI Budget Consideration

Council may submit a request to DPTI to fund a portion of the project under its annual budget process outside of the Black Spot Program

#### Other Grants

Council staff will continue to monitor other grant opportunities that the project may be eligible for.

### **OPTIONS**

1. Council elects to re-apply for the Black Spot funding for concept plan 1. This does not address the inadequate sight distance issue but will improve safety.
2. Council elects to proceed with a Native Vegetation Assessment in the areas affected within concept plan 2 to progress the option of realigning the roads. This would involve holding off on the Black Spot Funding application for this year but would provide more certainty in the available options to improve safety on these intersections. Funding could then be sought through other grant funding opportunities if they become available, submitting an application to DPTI to consider contributing to the realignment costs as part of their annual budget and/or applying for Black Spot Funding in 20/21.

### **STRATEGIC PLAN REFERENCE**

2 - Infrastructure and Assets

2.1 - Plan for and provide infrastructure appropriate to the community's needs

2.1.1 - Prudently review and manage Council's AMPs with its LTFP

2.1.1.3 - Deliver works to develop and maintain Council's physical assets for long-term sustainability, amenity and safety

### **POLICY/LEGAL IMPLICATIONS**

Removal of native vegetation must comply with the Native Vegetation Act 1991 and the Federal Environment Protection and Biodiversity Conservation Act 1999.

Design of the intersection must comply with the various standards and guidelines including Australian Standards and Austroads Guides:

- Austroads Guide to Traffic Engineering Practice Series;
- Austroads Guide to Road Design Series (GRD); and
- Austroads Guide to Traffic Management Series.

**FINANCIAL IMPLICATIONS****Concept Plan 1**

The initial road widening works for concept plan 1 were estimated to cost \$200,000.

**Concept Plan 2**

Concept plan 2 including road realignment preliminary cost estimates prepared by the consultant indicate a cost of \$1,298,000 for the entire works. This does not include land acquisition costs and further revision based on local costs would lower this estimate.

To reduce the initial upfront costs, a staged approach could be undertaken, with stage 1 comprising the realignment of Watson Road and Stott Road followed by stage 2 involving the realignment of Hutchings Road and widening of Pooginagoric Road. The cost estimates are also based on sealing the intersections. The cost could also be significantly reduced by leaving the approach roads unsealed. The estimated cost for stage 1 is in the vicinity of \$500,000 subject to native vegetation offset costs which are unknown at this point.

The cost to engage a consultant to carry out a Native Vegetation Survey in the affected area is estimated to be \$4000.

**RISK MANAGEMENT IMPLICATIONS**

Concept plan 1 does not address the inadequate sight distance issue leaving a high residual risk. It is possible that even with widening Frances Road there will continue to be public pressure to realign the intersections in the future.

Concept Plan 2 addresses the majority of safety issues identified through the Road Safety Audit but there is a risk that this option is not viable due to not receiving approval to remove native vegetation or excessive offset costs. Applying for Black Spot funding for concept plan 2 in this round has a high risk the estimated costs are inaccurate due to the unknown cost of native vegetation removal and may need to be withdrawn if approval is not granted to remove the native vegetation.

Investigating options to realign the road and subsequent native vegetation removal approval could take significant time leaving the risk of an accident on the intersection as high in the interim

There will also be some land acquisition on both sides of Stott Road. Both landholders have been contacted and have indicated they are happy to consider the proposal.

There is currently some vegetation adjacent to residential premises located on the road reserve that is decreasing sight distance. Staff will seek to have this removed to improve sight distance in the interim.

**COMMUNICATION/CONSULTATION/ADVERTISING**

Consultation has commenced with the landholders that may be affected by the land acquisition.

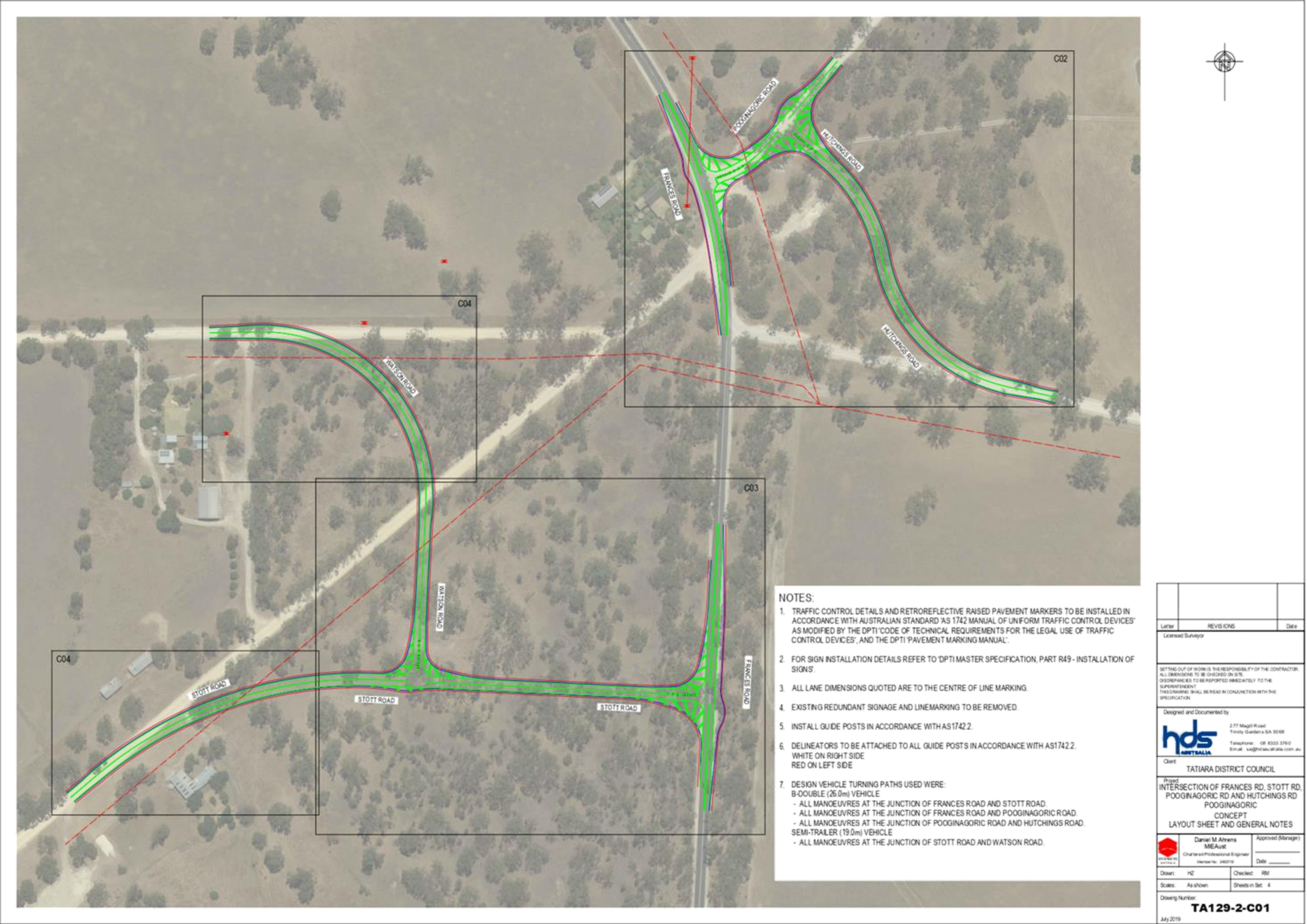
**ATTACHMENTS**

1. **Concept Plan 2** [↓](#) 

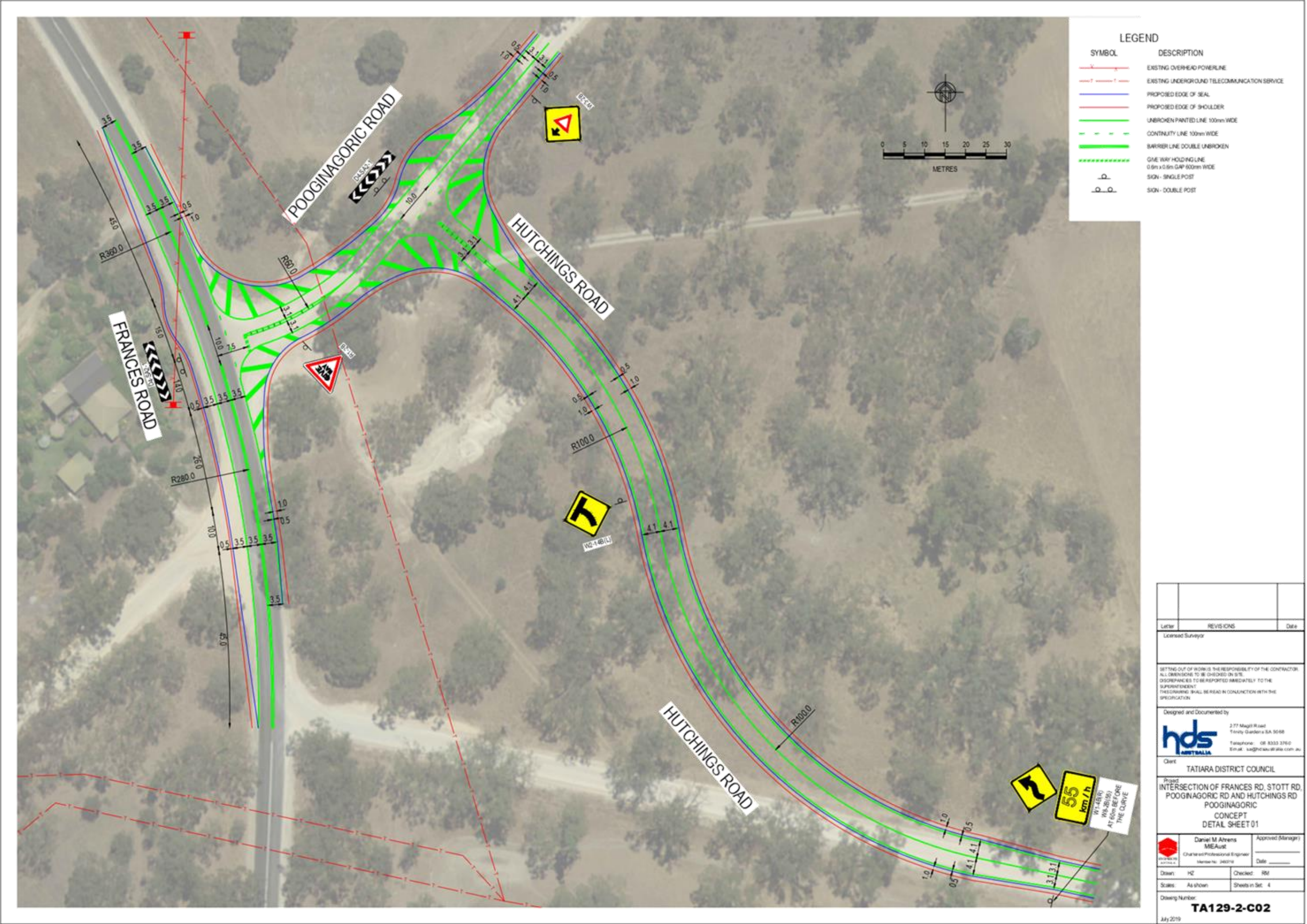
**RECOMMENDATION**

That Council staff continue to investigate the options to realign the Frances Road and Stott Road intersection and engage a consultant to carry out a Native Vegetation survey of the areas impacted by the proposed intersection realignment of Stott Road, Watson Road and Frances Road.

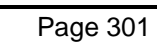




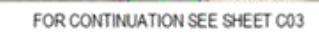












Letter	REVISIONS	Date
Licensed Surveyor		
SETTING OUT OF WORK IS THE RESPONSIBILITY OF THE CONTRACTOR. ALL DIMENSIONS TO BE CHECKED ON SITE. DIMENSIONS TO BE REPORTED IMMEDIATELY TO THE SUPERINTENDENT. THIS DRAWING SHALL BE READ IN CONJUNCTION WITH THE SPECIFICATION.		
Designed and Documented by		
	277 Muggil Road Finley Gardens SA 5068 Telephone: 08 8353 376-0 Email: <a href="mailto:rajghosh@hdsaustralia.com.au">rajghosh@hdsaustralia.com.au</a>	
Client		
TATIARA DISTRICT COUNCIL		
Project INTERSECTION OF FRANCES RD, STOTT RD, POOGINAGORIC RD AND HUTCHINGS RD POOGINAGORIC CONCEPT DETAIL SHEET 03		
	Daniel M Atkins MEAust Chartered Professional Engineer Member No: 240370	Approved (Manager)  Date: _____
Drawn: HZ	Checked: RM	
Scale: As shown	Sheets in Set: 4	
Drawing Number:		
<b>TA129-2-C04</b>		
July 2019		





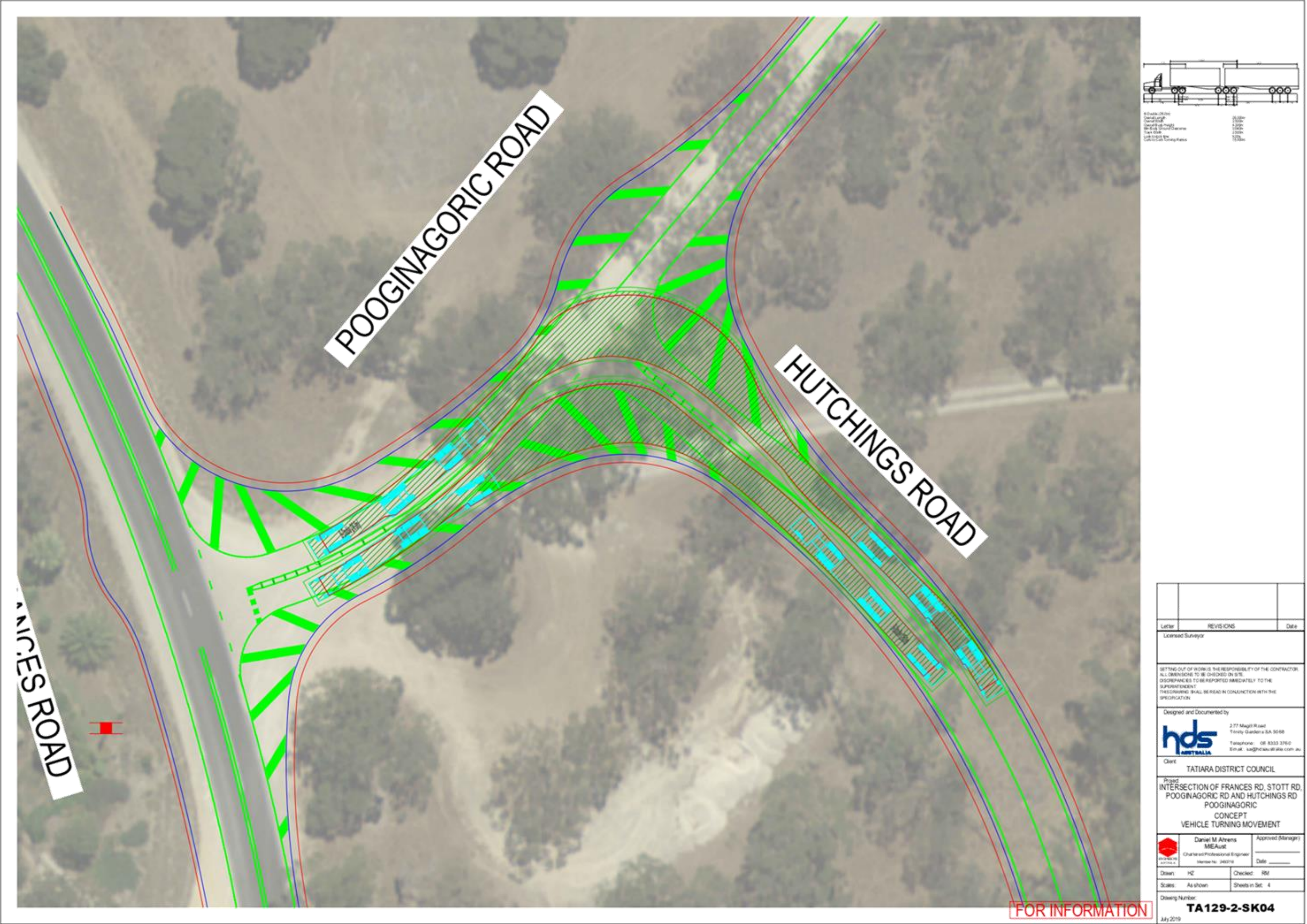




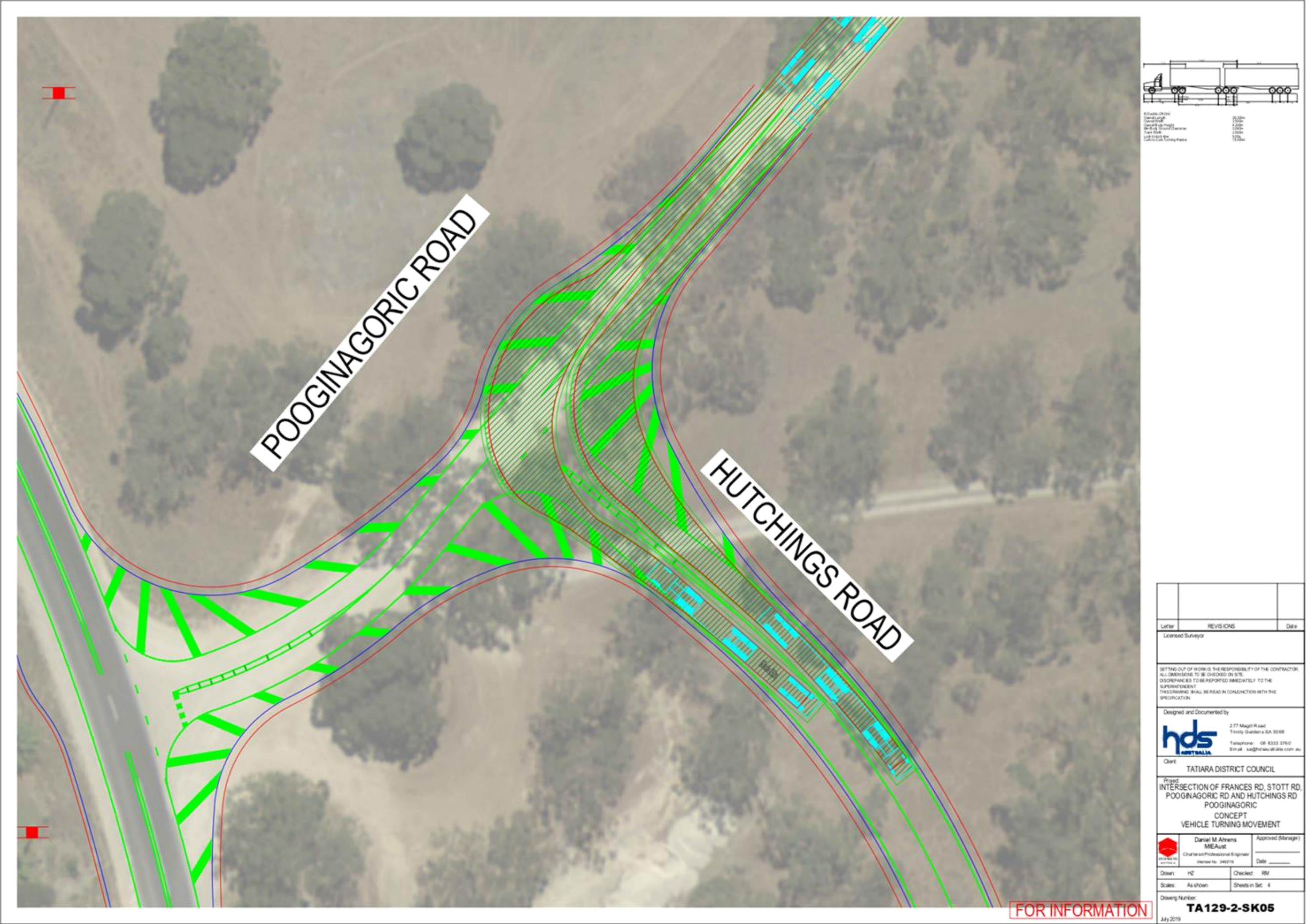




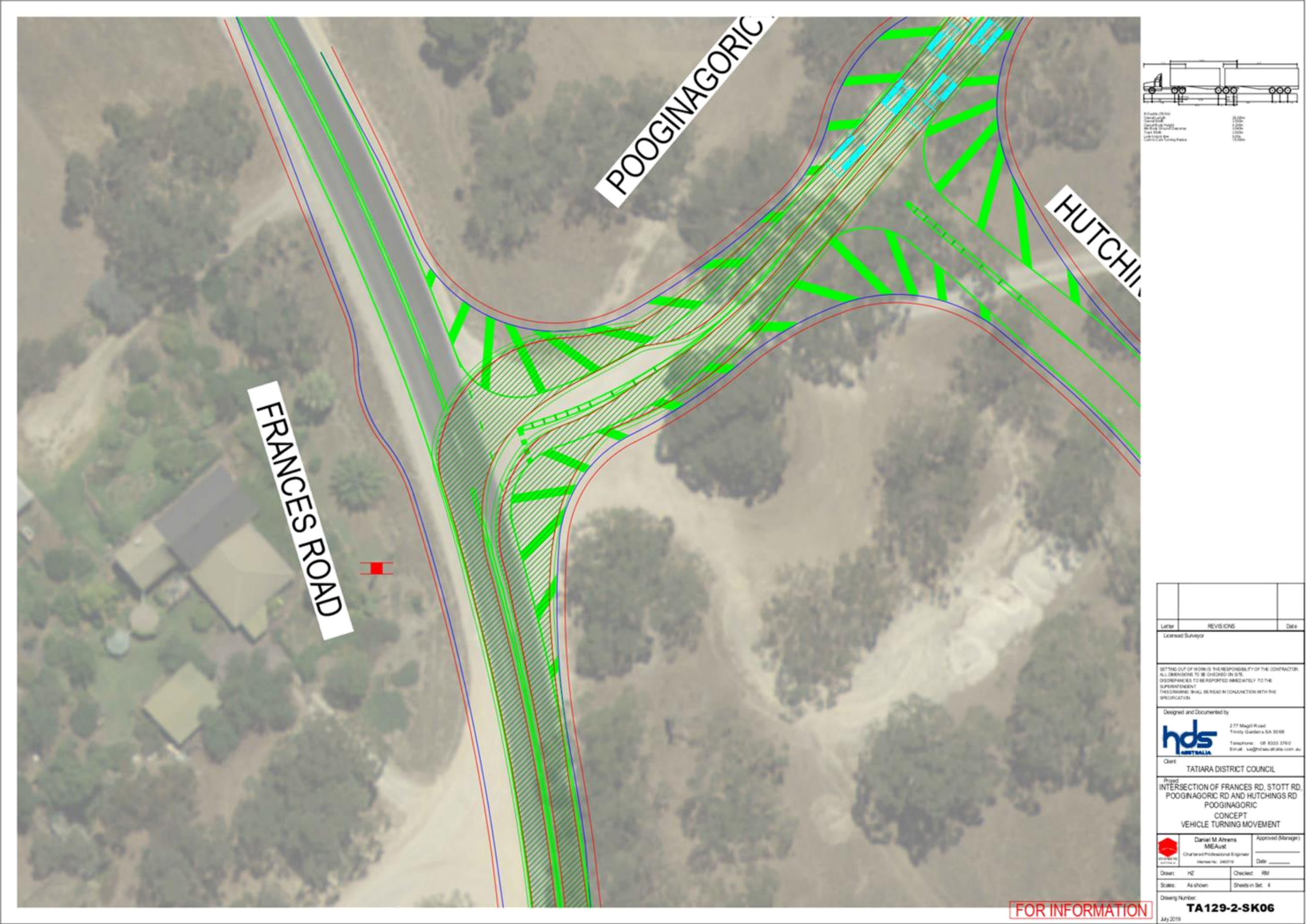




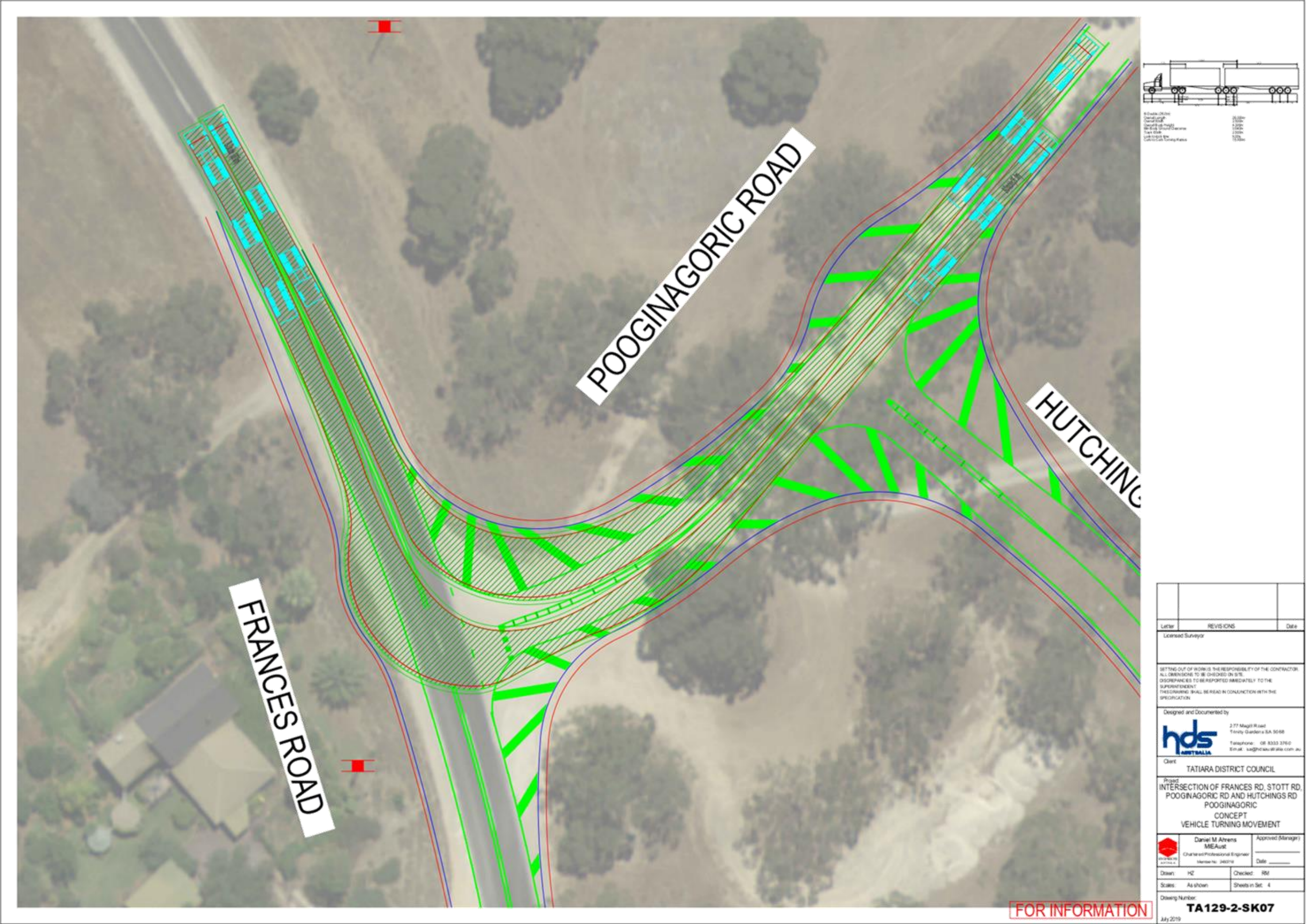




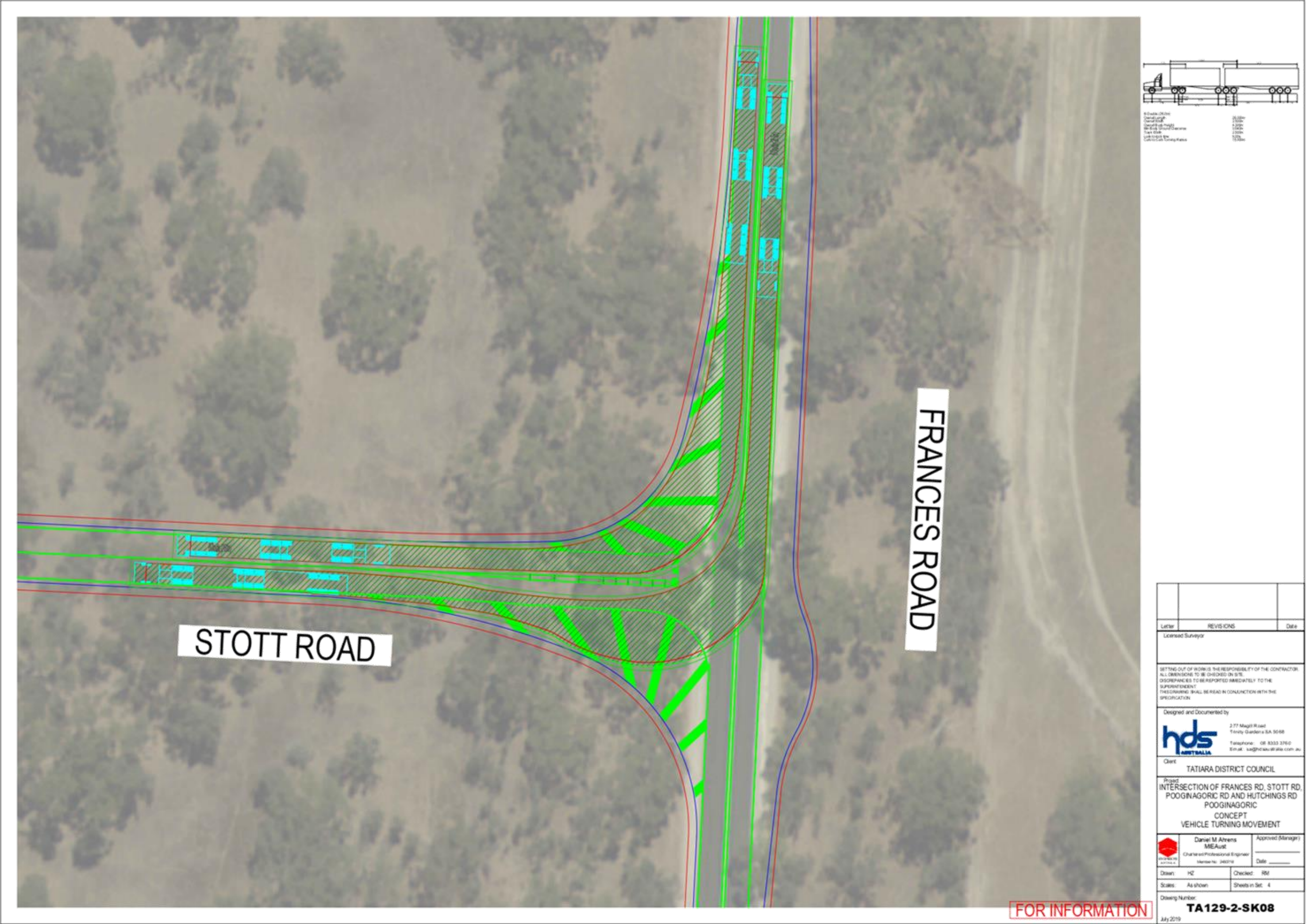




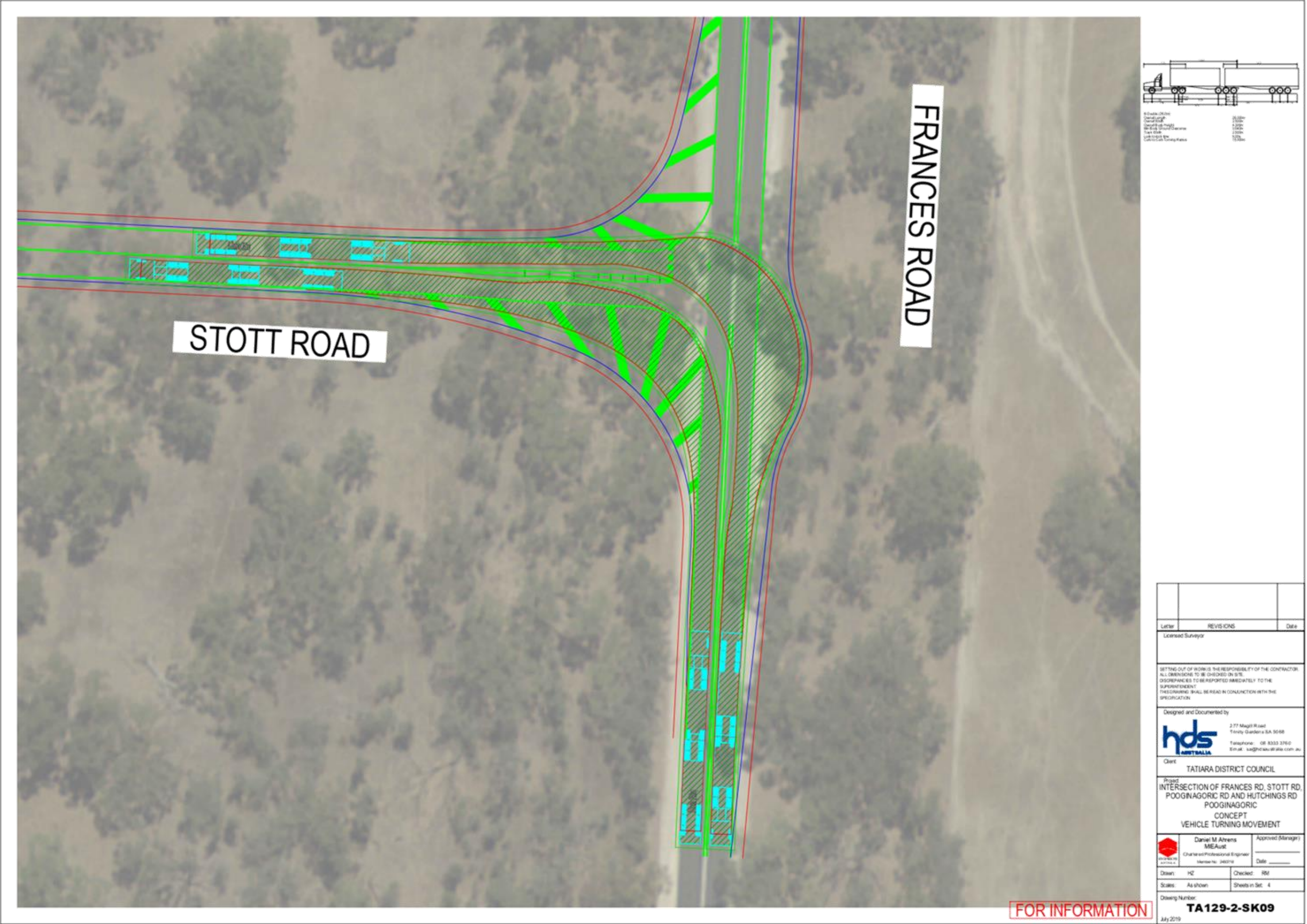




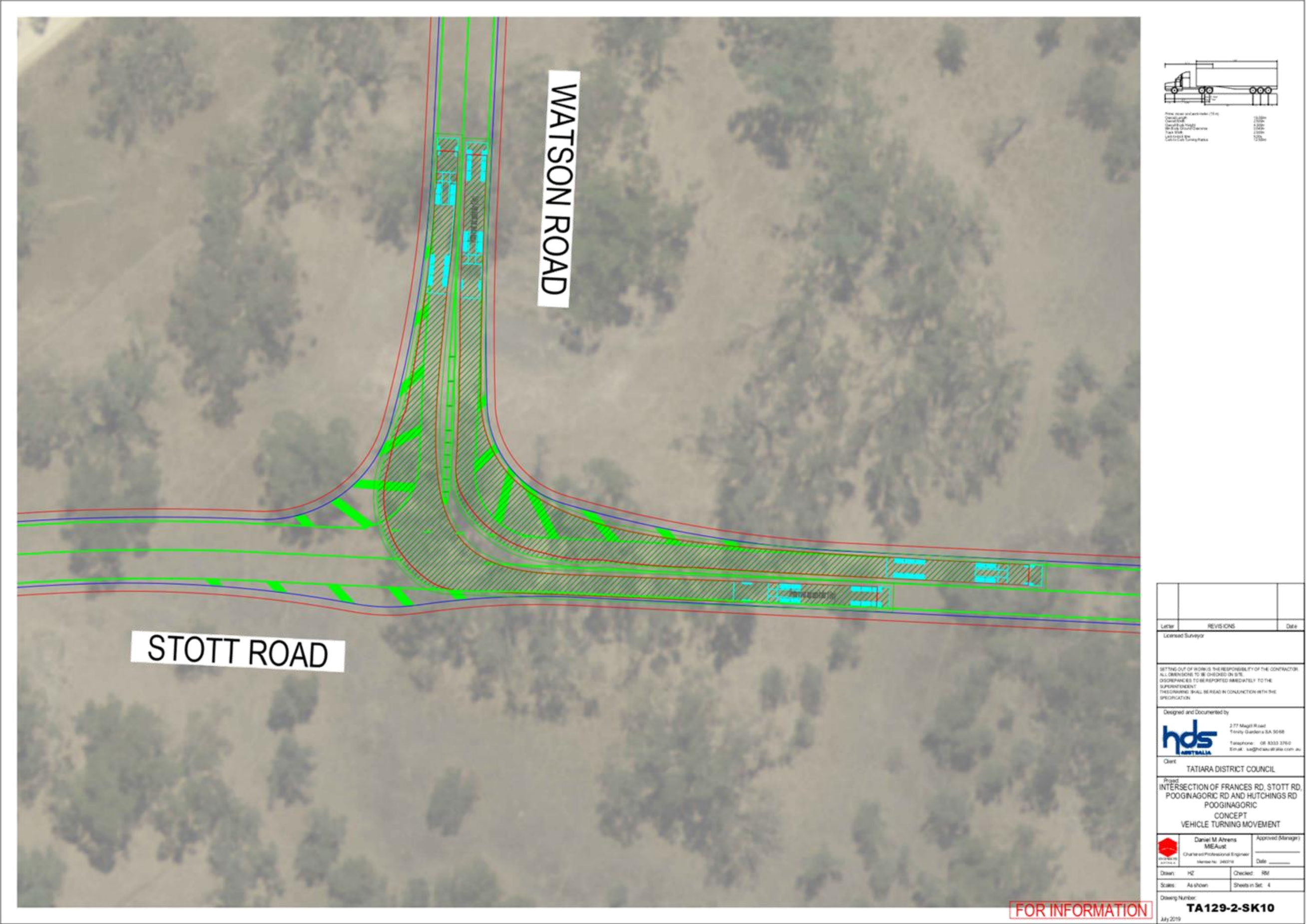




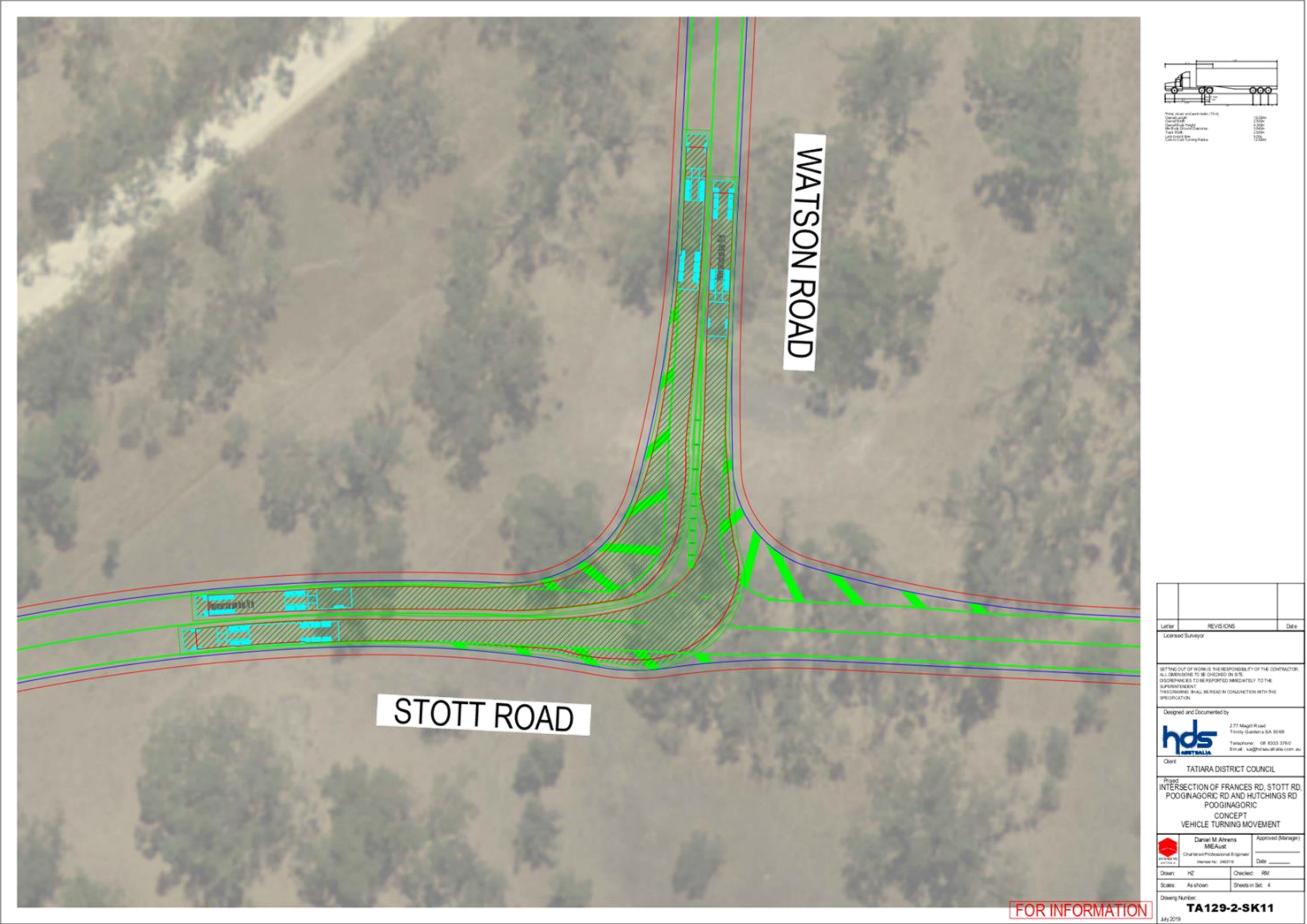




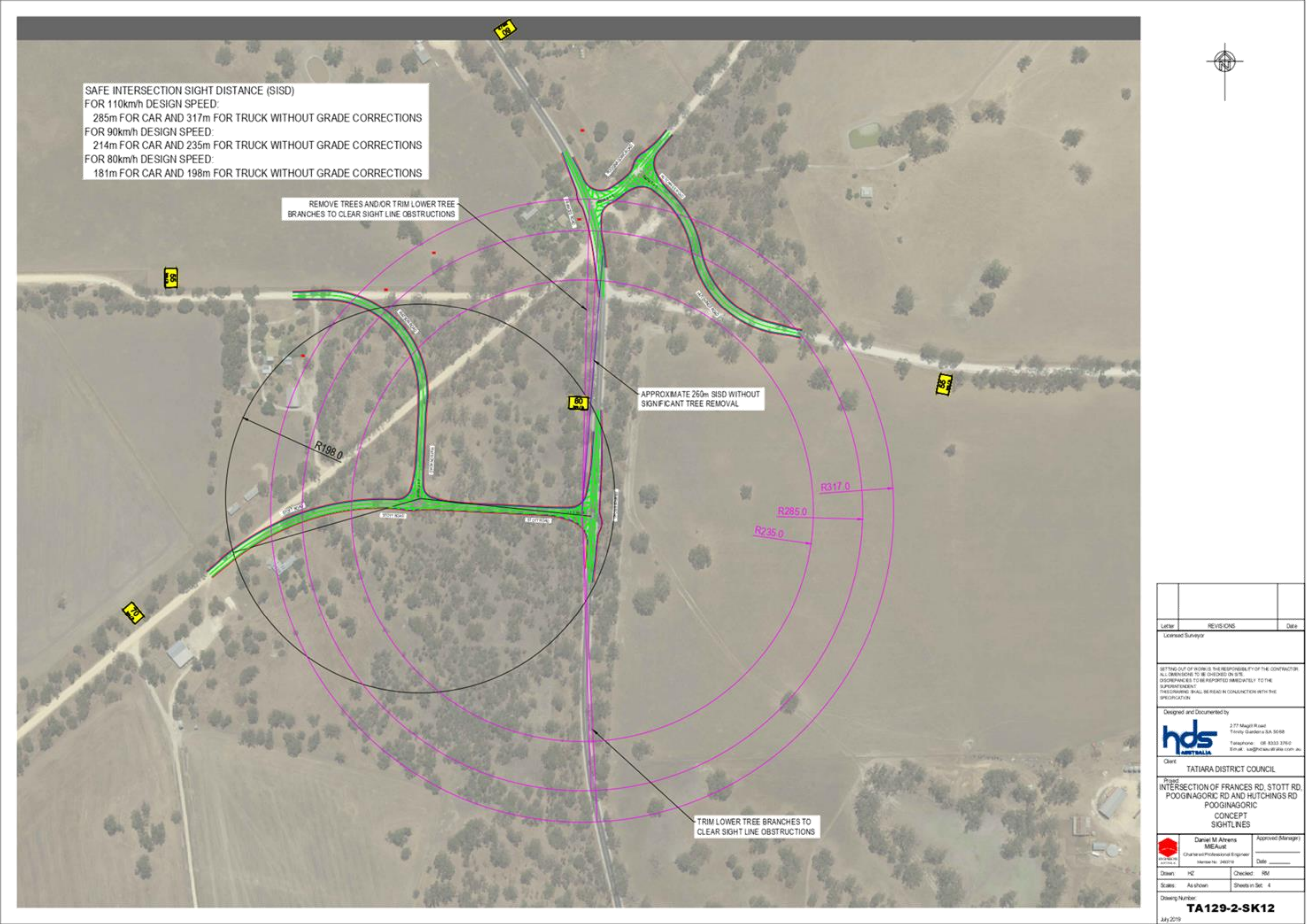




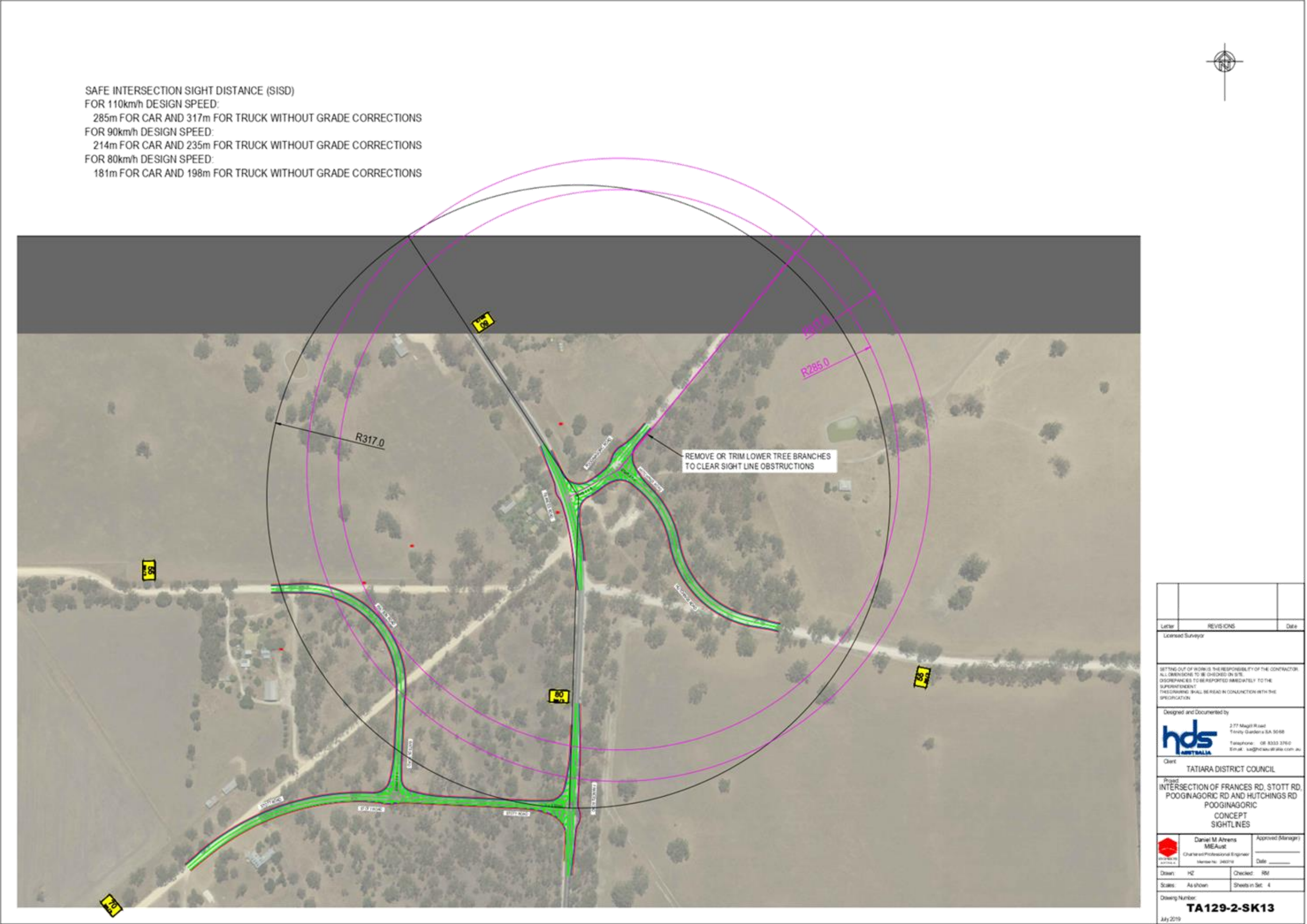














**16.11 KEITH WAR MEMORIAL COMMUNITY CENTRE - BOOK EXCHANGE - DON MOSELEY PARK KEITH**

**File Number:** 16/55/25

**Author:** Director Infrastructure & Operations

**Authoriser:** Director Infrastructure & Operations

**INTRODUCTION**

Correspondence has been received from the Keith War Memorial Community Centre requesting Council install two new picnic tables to assist with the development of a book exchange area within Don Moseley Park in Keith.

**DISCUSSION**

The Keith War Memorial Community Centre (KWMCC) currently have a lease over Don Moseley Park in Keith and have responsibility for maintaining the area. They have proposed to create a book exchange in an unused area of Don Moseley Park. The works comprise of paving a small area, installation of a small shelter, extending the irrigation system, landscaping with selected plantings and bark chips and installation of two picnic tables.

The area was originally paved to provide access into the kindergarten, however, this access was not being used and when footpath was re-paved the area was left as bare ground.



The KWMCC are happy to fund the majority of works but have requested Council's assistance to install the two picnic tables as per the attached plan. There are currently four tables and seats within Don Moseley Park but are some distance from the proposed book exchange.

### OPTIONS

Council elects to support installation of one or two park benches within Don Moseley Park.

Council elects not to install the park benches or consider it as part of Council's annual budget process.

### STRATEGIC PLAN REFERENCE

2 - Infrastructure and Assets

2.1 - Plan for and provide infrastructure appropriate to the community's needs

2.1.4 - Maintain and manage Council owned and managed land to improve the amenity and functionality of the area

2.1.4.2 - Undergrounding of power, development/improvement of parking and the improved amenity of parks (i.e. along Heritage Street, Keith; Padthaway)

### POLICY/LEGAL IMPLICATIONS

Generally requests for upgrades are considered as part of Council's annual budget process, however, the KWMCC have requested the works be completed by the end of the year for families and travellers who stop and enjoy the park over the summer period.

### FINANCIAL IMPLICATIONS

The cost to install the two picnic tables including a 3x3m concrete slab is estimated to be \$6000. The picnic tables selected match the existing tables within Don Moseley Park. The picnic tables have an estimated useful life of 25 years and the concrete slab 50 years. This equates to an annual depreciation cost of \$200.

There will be some minor ongoing maintenance which can be accommodated within Council's existing operational budget.

### RISK MANAGEMENT IMPLICATIONS

There is a minor risk Council may receive similar requests from community groups/members with an expectation the works are approved outside of the normal budget process.

### COMMUNICATION/CONSULTATION/ADVERTISING

Council's decision will be communicated to the KWMCC

### ATTACHMENTS

1. Letter form KWMCC  
2. Proposed Plan  
3. KWMCC History  

### RECOMMENDATION

That Council allocate \$6,000 in this year's budget to install two picnic tables in Don Moseley Park as per the proposed plan supplied by the KWMCC dated Sept 2019.



KWMCC

30th September 2019

**KEITH WAR  
MEMORIAL  
COMMUNITY**

PO Box 7  
Keith, SA. 5267  
President: Anna Young  
Phone: 0417 856 960  
Secretary: Ronda Watts  
Phone: 0409 551 346  
E-mail: kwmccsec@gmail.com

Aaron Hillier  
Tatiara District Council  
Woolshed Street  
BORDERTOWN SA 5267

Dear Aaron,

Book Exchange—Don Mosely Park Keith

Keith War Memorial Community Centre have been working on a small project in the Don Moseley Park in Keith.

We are proposing to landscape the area near the Kindy and the War Memorial gate that is currently looking a bit sad and neglected. Please see attached plans of the area and the proposed book exchange. We would like to request that the Tatiara District Council consider funding seating to be installed as per the attached plan for locals and visitors to use and enjoy.

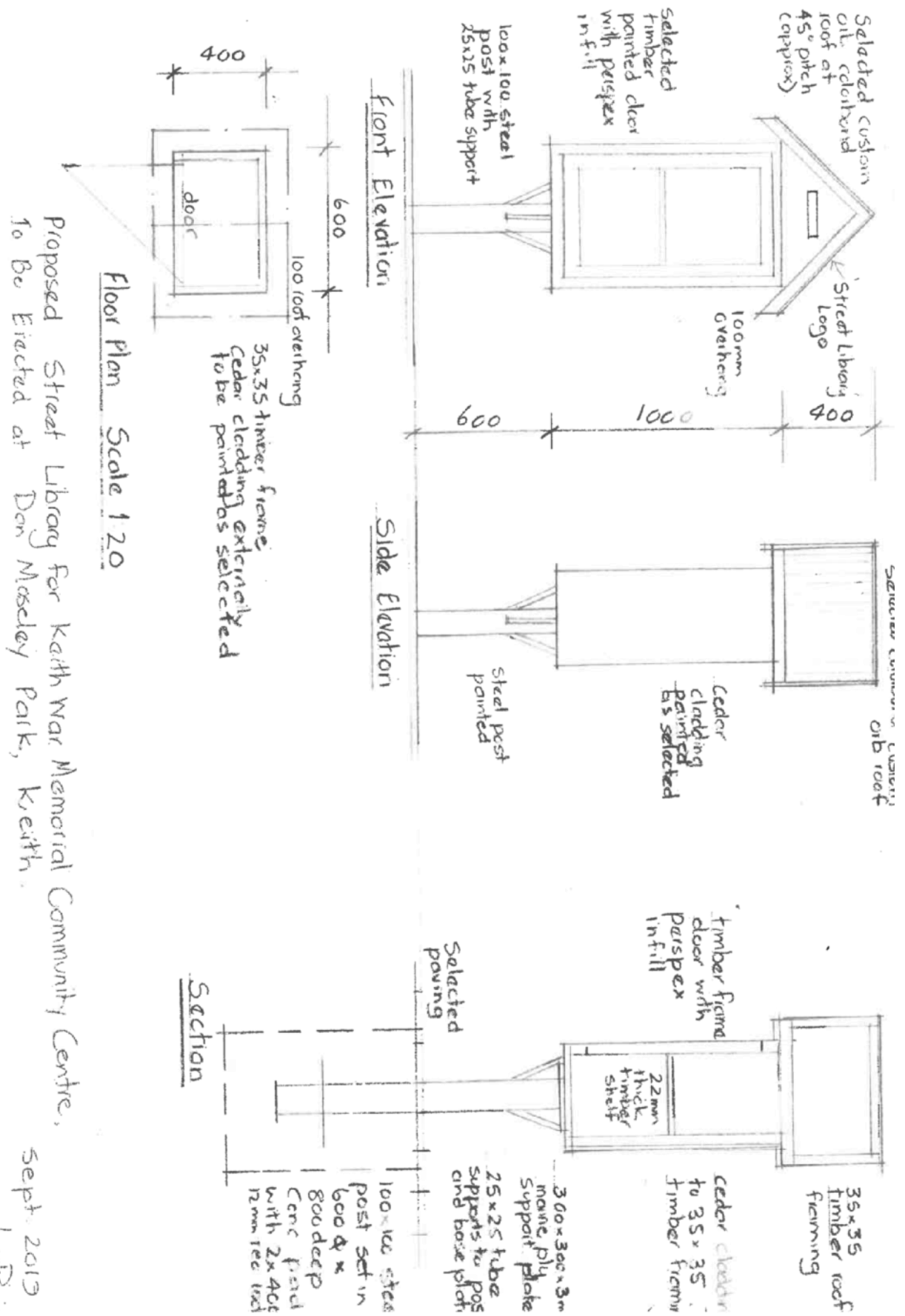
Keith War Memorial Community Centre has been established for 75 years which we plan to celebrate on Australia Day next year. This community organisation has been responsible for planning developing and supporting many of the local clubs and groups in this time. I have also attached a short history of the KWMCC for your information. As well as founding most of the groups such as Keith Show, Basketball, Netball, Tennis, Football, Bowls, Cricket, Hockey and swimming clubs. KWMCC continues to support via grants and small loans many of these local groups and sponsoring local students and young achievers.

We ask that the Tatiara District Council help us to upgrade, and beautify this corner of the Don Mosley Park. By the installation of two Park seats. We have had community support and local contractors to help with this project.

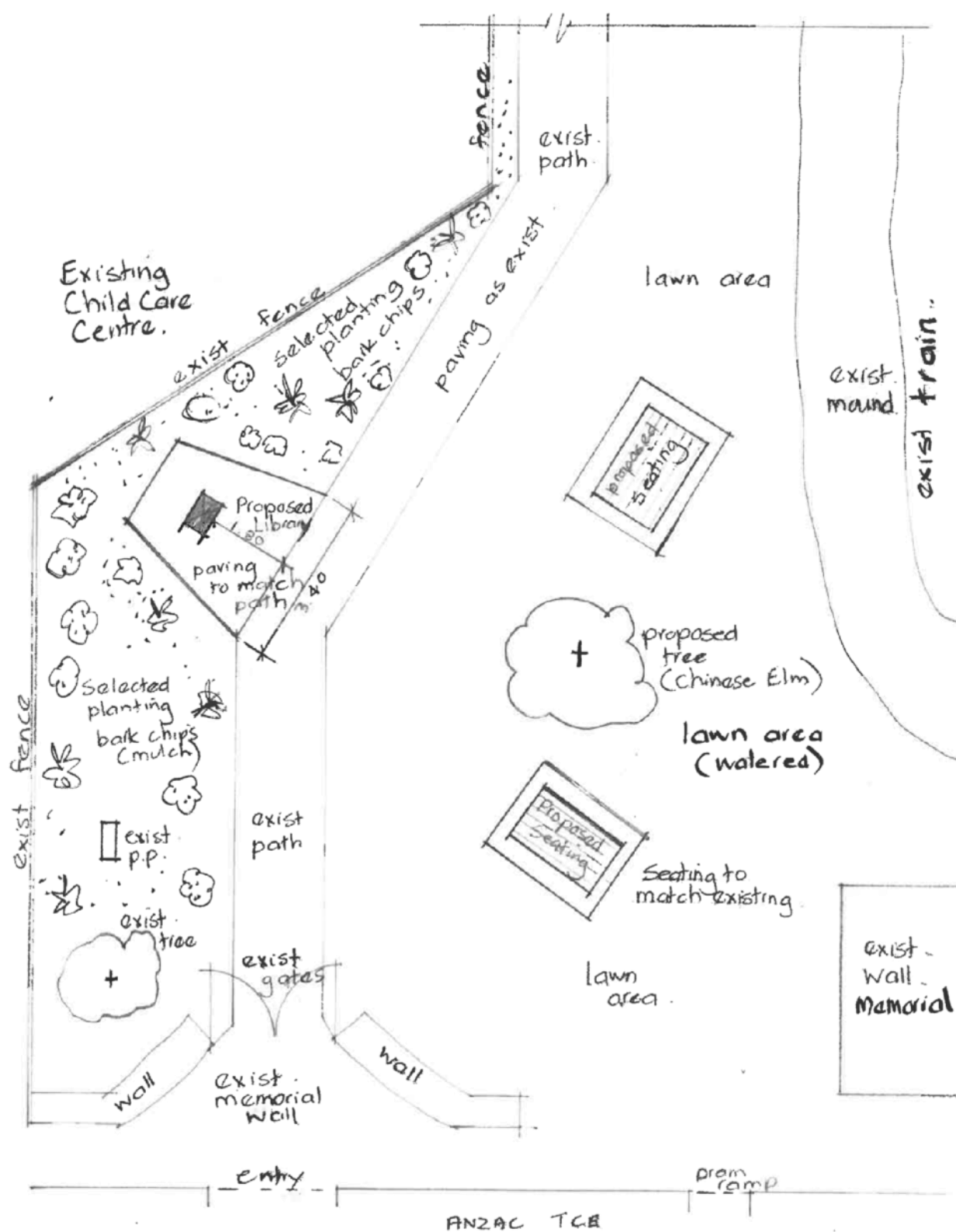
We would really like the area to be complete by the end of the school year to enable it to be used by the many families and travellers who stop and enjoy this very popular park area.

Yours sincerely

Ronda Watts  
Secretary  
for and on behalf of  
Anna Young  
President







Site Plan 1:100

Proposed Street Library for KWMCC  
To be Erected at Don Moseley Park, Keith.

Sept. 2019  
L.D.



## The Story of the KWMCC

This committee was formed in 1945 to develop and maintain a public fund to create facilities for sporting, recreation, cultural, educational and physical development for the local residents.

The inclusion of "War Memorial" was a tribute to the soldiers' service as initial funding was made up of £100 of War Bonds, generously donated by the local residents. Fundraising activities added to this sum.

It was proposed to establish a football oval, swimming pool, tennis/netball courts, bowling green, playground and a caravan park on the area of parklands handed to it by the Tatiara District Council.

Soon work began: the oval formed, clubrooms built and the tennis courts established. KWMCC also ran and maintained the caravan park and the annual show. Sporting clubs paid an annual rental and were assisted by KWMCC with low cost loans and generous repayment terms in developing their facilities.

Along with the many monetary donations, a very generous donation of 33 acres west of Memorial Ave was received. The land was subdivided and sold off in the early years, with the last portion sold to Tatiara District Council for future housing.

In those early years with no township water supply, KWMCC sank a bore near the playground, yielding 12,000 GPH. This was made available to the sporting clubs and the school.

With the rapid increase in population, KWMCC built and staffed the original kindergarten. As a government run facility, the KWMCC lease was recently forfeited to enable a redevelopment of the site for the addition of a childcare centre.

In 1952, 163 acres were purchased southeast of Park Tce. Forty nine building blocks were surveyed and sold, adding to the KWMCC capital. The balance of land was later sold to the Tatiara District Council to develop the industrial estate, with a smaller portion to the school for a farm and the remainder leased to the Tatiara Meat Company, which has subsequently been sold. Also in 1952, KWMCC leased land originally ear marked for the swimming pool, to the Bowling Club and later, the Government provided land opposite the School for the swimming pool.

In the mid 1960's, a separate Annual Show committee was formed and the Show moved to the Northeast Parklands. Similarly the Caravan Park moved to the current site alongside the swimming pool. Both have been assisted in their subsequent development by KWMCC funding. The lease on the South Parklands was utilised by the Hockey Club and the School for a Wildlife Park.

A long term project of the Committee has been the development of the Don Moseley Playground for the enjoyment of locals and travellers alike.

At the time when many banks were closing country branches, KWMCC purchased the State Bank property and leased it to Tatiara District Council. The Council Office provides a point of contact for local residents and access to other government services. It also extended Westpac Bank's presence in Keith by many years.

A donation of \$50,000 to the Keith War Memorial Sports Centre in 2014 indicates the success of the original concept: with foresight, hard work and prudent management by the Keith War Memorial Community Centre committees over the past 70+ years.

Recently KWMCC purchased the property at 16 McBain Street and sponsored the Men's Shed development. Currently KWMCC has loans to Keith Show Society, Keith and District Hospital, Keith Bowling Club and Keith Caravan Park committee and have made grants to individuals for interstate competitions, Keith Area School awards, Keith R.S.L. Sub Branch (Centurion Tank display) and the Keith Theatre Group.

**17 REPORTS OF OFFICERS FOR INFORMATION****17.1 CEO - MEETINGS AND EVENTS ATTENDED - SEPTEMBER 2019****File Number:** 12/62/11**Author:** Chief Executive Officer**Authoriser:** Chief Executive Officer**DISCUSSION**

Meetings and Events attended by CEO during September 2019:

<b>Date</b>	<b>Details</b>
<b>SEPTEMBER 2019</b>	
03/09/2019	Daniel Newson (LGA) – Council Ready Action Plan meeting
04/09/2019	NRSE – Management of Soils, Weeds & Vermin meeting - Keith
04/09/2019	Bordertown Lions Club Dinner
05/09/2019	LCLGA Strategic Planning Dinner - Coonawarra
06/09/2019	LCLGA Strategic Planning Workshop - Coonawarra
10/09/2019	Meeting with Nick Davis – Morning Loaf Bakery re: garden
10/09/2019	Council meeting at Keith
10/09/2019	Informal Gathering – Sporting Complexes Masterplanning
13/09/2019	LCLGA CEO's meeting
13/09/2019	Audit Committee meeting
16/09/2019	Meeting with Bob Buckley, Wolseley Community Garden
16/09/2019	SE East Regional Affordable Housing Project Steering Group
16/09/2019	Mundulla on the Move meeting
17/09/2019	Cross Border Tourism Collaboration - Nhill
18/09/2019	Council Strategic Planning Retreat
20/09/2019	Afternoon tea with Tatiara Art Prize Judges
20/09/2019	Tatiara Art Prize – official announcement and opening
24/09/2019	Limestone Coast Economic Development Meeting
24/09/2019	Meeting with Bec Weller – Padthaway Caravan Park
24/09/2019	Executive Committee meeting
25/09/2019	LGRS Annual Special Distribution meeting
26/09/2019	Citizenship Ceremony
30/09/2019	Heritage Tourism Workshop webinar

**ATTACHMENTS**

Nil

**17.2 DCCS - MEETINGS AND EVENTS ATTENDED - SEPTEMBER 2019****File Number:** 12/62/11**Author:** Director Corporate & Community Services**Authoriser:** Director Corporate & Community Services**INTRODUCTION**

Meetings and Events attended by DCCS during September 2019.

<b>Date</b>	<b>Details</b>
<b>SEPTEMBER 2019</b>	
02/09/2019	Annual Leave
03/09/2019	Meeting with Natalie Moore – Bordertown Christmas Street Party
03/09/2019	Meeting with Sue Wurst – Volunteering for the Masters Games
04/09/2019	Keith Office
05/09/2019	Clayton Farm Heritage Museum Management meeting
10/09/2019	Council Meeting at Keith
10/09/2019	Informal Gathering – Sporting Complexes Masterplanning
11/09/2019	Road Trip – Masters Games
13/09/2019	Audit Committee meeting
16/09/2019	Meeting at Bordertown High School
18/09/2019	Strategic Planning Retreat
18/09/2019	Telephone call to Michelle den Dekker re: Masters Games
24/09/2019	Meeting with Helen Smith – SAFECOM re: Emergency Service Volunteers
26/09/2019	Meeting with Principal – Bordertown Primary School re: Masters Games
26/09/2019	Meeting with Shane Orrock –Bordertown High School re: Masters Games
26/09/2019	Telephone call with Sports Centre re: Masters Games
27/09/2019	Met with representatives from Wolseley re: Volunteer Gardening
27/09/2019	Meeting with Brian Peach re: Masters Games (Bowls)
30/09/2019	Annual Leave

**ATTACHMENTS****Nil**

**17.3 DIO - MEETINGS AND EVENTS ATTENDED - SEPTEMBER 2019****File Number:** N/A**Author:** Director Infrastructure & Operations**Authoriser:** Director Infrastructure & Operations**INTRODUCTION**

Meeting and Events attended by DIO during September 2019.

<b>Date</b>	<b>Details</b>
<b>SEPTEMBER 2019</b>	
06/09/2019	Meeting with Andrew Smedley – Bordertown Football Club
09/09/2019	Annual Leave
10/09/2019	Council meeting at Keith
10/09/2019	Informal Gathering – Sporting Complexes Masterplanning
10/09/2019	Carew Road inspection
13/09/2019	Beeamma Parsons Road inspection
16/09/2019	Keith Office
18/09/2019	Strategic Planning Retreat
20/09/2019	Annual Leave
23/09/2019	Meeting with Bordertown on the Move members to discuss Bordertown Recreation Lake signage.
23/09/2019	Meeting with Jamie Edwards
24/09/2019	Meeting with Chris – Green Frog Systems
26/09/2019	Carpark and tree assessment Mundulla
30/09/2019	Keith Office
30/09/2019	Tatiara Road Safety Group meeting

**ATTACHMENTS**

Nil





**Resheets**

Resheets have commenced for this year and the crews have completed a 4.8km section of East Shaugh Road and a 3.5km section of Colwill Road. Colwill Road is a shared border road and West Wimmera Shire have agreed to contribute 50% of the cost.

**Road Reconstructions/Constructions**

Pine Hill Road – the construction crew have completed reconstructing the pavement on a 700m segment of failed roadway in preparation for sealing later in the year.

Grosser Road construction is underway and will be complete in the coming weeks. The construction crew will then move onto the Carew Road reconstruction.

**Kerb Renewal**

A segment of kerbing on Binnie Street adjacent to the Caltex service station is being reconstructed. The works involve removal of the existing kerbing, pouring new kerbing and reinstating the adjacent roadway to complete the project.

**Parks and Gardens**

Gardening staff are working on the following projects:

- Roadside and reserve mowing in Bordertown, Wolseley and Keith
- Roadside weed spraying
- Tolmer Park garden maintenance
- Prepared exclusion zones under trees in the Apex Padthaway
- Park Furniture maintenance in Padthaway
- Completed round of park mowing and maintenance in Bordertown and Keith
- Mowed shell depot in Bordertown



**Image 1: Exclusion zone around base of gum trees in Apex Park in Padthaway. The area will be mulched.**

### **Plant & Machinery**

Quotes have been received for the replacement of the John Deere 4x4 tractor (P5537). See separate report.

Quotes have been sought for the replacement of two tip trucks (2 tonne) with 3 tonne tip trucks which are utilised by the gardeners. One truck will have an automated tree watering system.

### **Grants**

#### SA Water Smart Water Fountain Program

Installation of the Smart Water Fountain in Don Moseley in Keith has been completed by SA Water.





**Image 2: SA Water Smart Drinking Fountain installed by SA Water under the Smart Drinking Fountain grant scheme**

#### Black Spot Funding

Formal advice has been received calling for nominations for infrastructure projects aimed at significantly reducing serious casualties on South Australian roads for funding in 2020-21. A separate report is provided.

#### Regional Transport Relief Fund

The objective of the fund is to enable local councils to temporarily off-set some of the total costs associated with its provision of kerbside recycling services and to support ongoing, uninterrupted delivery of kerbside recycling services. The program is a temporary relief fund only.

Staff prepared a submission towards the fund and have subsequently received a funding offer of \$6,457.68. This is comprised of \$3,914.64 upfront and a further estimated \$2,543.04 based on forecast recycling volumes.

#### Special Local Roads Grant Applications

Advice has been received that all four applications have been successful in receiving funding. The projects include:

- Cannawigara Road widening
- Creecoona Terrace and Tatiara Road intersection upgrade
- Ramsay Terrace widening (stage 3)
- Tatiara Road widening

The projects have been included in the works program to be delivered this year.

Bicycle Paths – Cannawigara Road Bicycle Track Survey

A grant application has been submitted for an off road bicycle path along Cannawigara Road. Advice on the outcome is expected in the coming weeks.

Open Spaces and Places for People Grant

A request was submitted to DPTI to reallocate the \$50,000 received to the development of pump tracks in Keith and Bordertown which has been accepted.

Bridges Renewal Funding

The parameters and opening date for Round Five have not yet been decided, however, it is expected nominations will be called later in the year.

A consultant has been engaged to assess the condition of the Victoria Parade bridge to ascertain if there has been further degradation of the structure over the past year and whether there is a need to expedite the replacement of the bridge or hold off to seek funding opportunities.

**OPTIONS**

N/A

**STRATEGIC PLAN REFERENCE**

2 - Infrastructure and Assets

2.1 - Plan for and provide infrastructure appropriate to the community's needs

2.1.1 - Prudently review and manage Council's AMPs with its LTFP

2.1.1.3 - Deliver works to develop and maintain Council's physical assets for long-term sustainability, amenity and safety

**POLICY/LEGAL IMPLICATIONS**

N/A

**FINANCIAL IMPLICATIONS**

See attachment




**RISK MANAGEMENT IMPLICATIONS**

N/A

**COMMUNICATION/CONSULTATION/ADVERTISING**

N/A

**ATTACHMENTS**

1. Project Status Report [↓](#) 
2. Budget Summary [↓](#) 
3. Budget Summary Detail [↓](#) 





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Monthly Status Report Sep 1920.xlsx  
as at 1/10/2019

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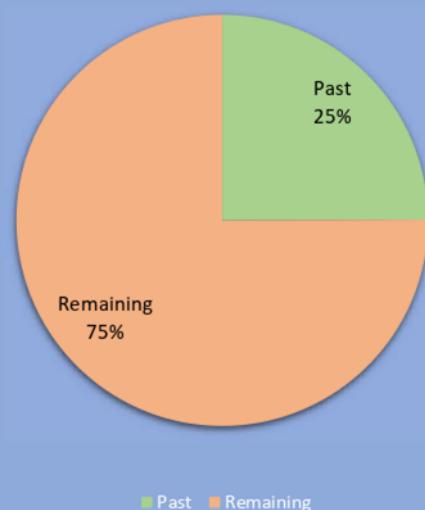
SP	Sub-Programme Description	Description	Original Budget	YTD Budget	YTD Actual	Variance (%)	Expenditure Progress	Status
2000	Road Construction	ROAD CONSTRUCTION - UPGRADES						
2000	Road Construction	Wirrega North Rd - Reconstruct & Seal	\$220,000.00	\$220,000.00	\$0.00	-100.00%	<div></div>	Planned
2000	Road Construction	Tatiara Road Widening	\$200,000.00	\$200,000.00	\$2,600.62	-98.70%	<div></div>	Planned
2000	Road Construction	Rd Construction - Ramsay Tce - Cannawigara To Pigeon Flat	\$200,000.00	\$200,000.00	\$8,327.63	-95.84%	<div></div>	Planned
2000	Road Construction	Rd Construction - Service Road Keith Adj To Duke Highway	\$53,000.00	\$53,000.00	\$7,650.96	-85.56%	<div></div>	Commenced
2000	Road Construction	Road Constr. - Wols.Railway Tce South	\$10,000.00	\$10,000.00	\$7,737.96	-22.62%	<div></div>	Commenced
2000	Road Construction	Pine Hill North Road - Sealed Road Renewal	\$86,000.00	\$86,000.00	\$45,025.03	-47.65%	<div></div>	Planned
2000	Road Construction	Beeamma Parson Road - Sealed Road Renewal	\$30,000.00	\$30,000.00	\$0.00	-100.00%	<div></div>	Planned
2000	Road Construction	Carew Road - Sealed Road Renewal	\$104,000.00	\$104,000.00	\$4,814.54	-95.37%	<div></div>	Planned
2000	Road Construction	Grosser Road Construct Rubble Road	\$200,000.00	\$200,000.00	\$4,111.96	-97.94%	<div></div>	Commenced
2000	Road Construction	Rd Constr. - Creecoona Tce & Victoria Pde Intersection	\$200,000.00	\$200,000.00	\$0.00	-100.00%	<div></div>	Planned
2000	Road Construction	Rd Constr. - Cannawigara Rd Widening	\$200,000.00	\$200,000.00	\$2,939.55	-98.53%	<div></div>	Planned
2000	Road Construction	ROAD CONSTRUCTION - RESHEETS						
2000	Road Construction	Various Resheets	\$1,050,000.00	\$1,050,000.00	\$76,112.00	-92.75%	<div></div>	Commenced
2000	Road Construction	ROAD CONSTRUCTION - RESEALS						
2000	Road Construction	Reseals	\$820,000.00	\$820,000.00	\$1,800.00	-99.78%	<div></div>	Planned
2000	Road Construction	CONSTRUCTION - STORMWATER DRAINAGE						
2000	Road Construction	Keith - Stormwater Drainage Cnr Makin & Heritage	\$100,000.00	\$100,000.00	\$0.00	-100.00%	<div></div>	Planned
2000	Road Construction	Keith Drainage - Heritage Street Spoon Drain	\$8,368.00	\$8,368.00	\$0.00	-100.00%	<div></div>	Planned
2000	Road Construction	CONSTRUCTION - KERB & GUTTER						
2000	Road Construction	Kerb & Gutter - Bruce Ave	\$100,000.00	\$100,000.00	\$0.00	-100.00%	<div></div>	Planned
2000	Road Construction	K&G Reconstruction	\$80,000.00	\$80,000.00	\$0.00	-100.00%	<div></div>	Commenced
2000	Road Construction	CONSTRUCTION - FOOTPATHS						
2000	Road Construction	Footpath - Street Furniture Development	\$5,000.00	\$5,000.00	\$377.26	-92.45%	<div></div>	Planned
2000	Road Construction	Btn East Tce Footpath - Btn Hotel	\$2,510.00	\$2,510.00	\$0.00	-100.00%	<div></div>	Planned
2000	Road Construction	Constr. Footpaths - Btn Recreation Lake To Cbd	\$30,000.00	\$30,000.00	\$0.00	-100.00%	<div></div>	Planned
2000	Road Construction	Constr. Footpaths - Btn East Tce To Wildlife Park	\$40,000.00	\$40,000.00	\$0.00	-100.00%	<div></div>	Planned
2000	Road Construction	Constr. Footpaths - Kth Ross Ave	\$40,000.00	\$40,000.00	\$0.00	-100.00%	<div></div>	Planned
2000	Road Construction	Constr. Footpaths - Kth Bruce Ave	\$80,000.00	\$80,000.00	\$593.69	-99.26%	<div></div>	Planned
2000	Road Construction	CONSTRUCTION - TRAFFIC CONTROL & CARPARKS						
2000	Road Construction	Carpark Renewals	\$32,000.00	\$32,000.00	\$0.00	-100.00%	<div></div>	Planned
2000	Road Construction	Carparks Keith - Railway Land - Beautify	\$83,250.00	\$83,250.00	\$0.00	-100.00%	<div></div>	Planned
2000	Road Construction	CONSTRUCTION - OTHER						
2000	Road Construction	Land Aquisition & Survey Costs	\$5,000.00	\$5,000.00	\$0.00	-100.00%	<div></div>	Planned
2000	Road Construction	Bike Tracks - Bordertown Cannawigara Road	\$100,000.00	\$100,000.00	\$0.00	-100.00%	<div></div>	Planned
2000	Road Construction	Mundulla - Truck Parking Wirrega Road	\$12,000.00	\$12,000.00	\$0.00	-100.00%	<div></div>	Planned

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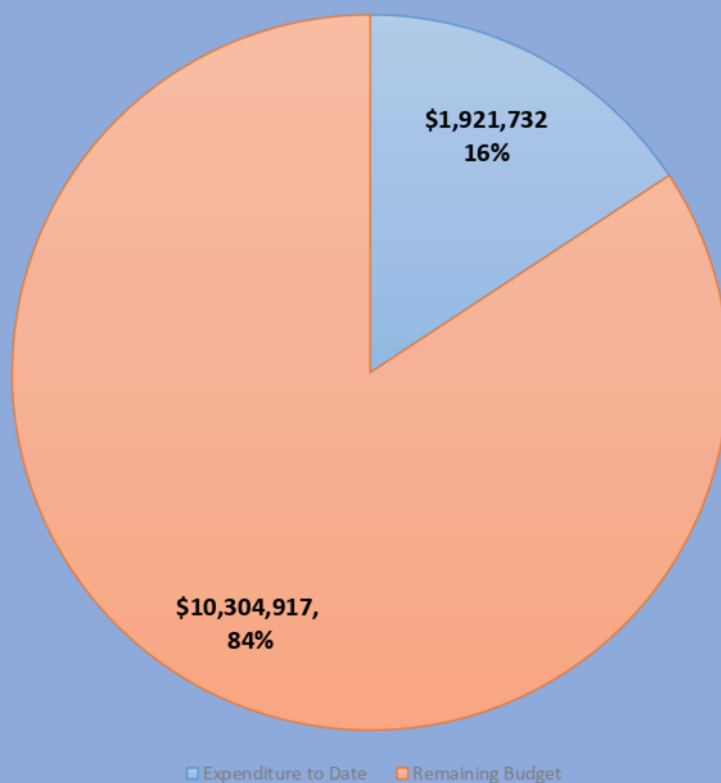
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### Progress through the year (Days)



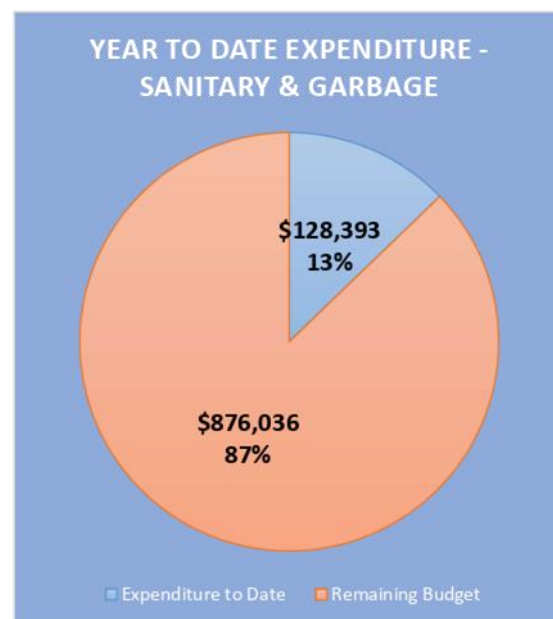
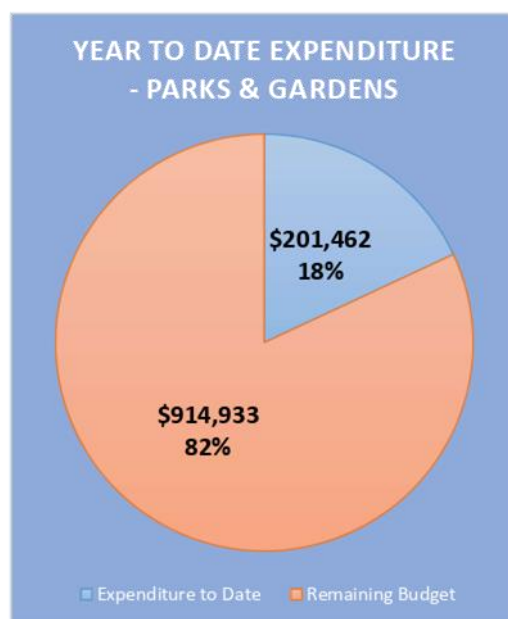
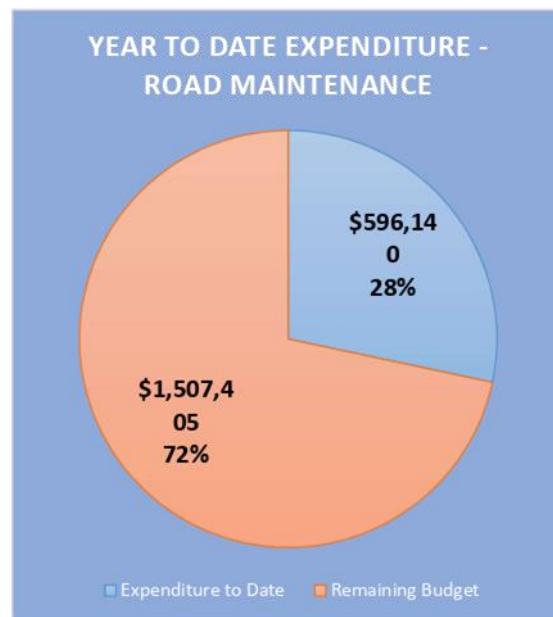
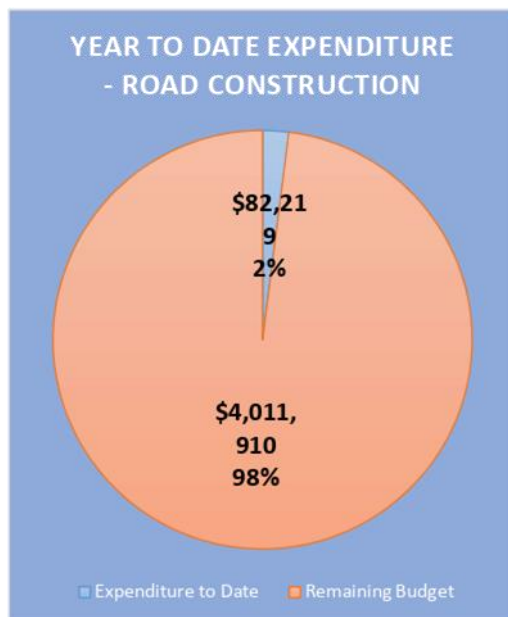
### YEAR TO DATE EXPENDITURE



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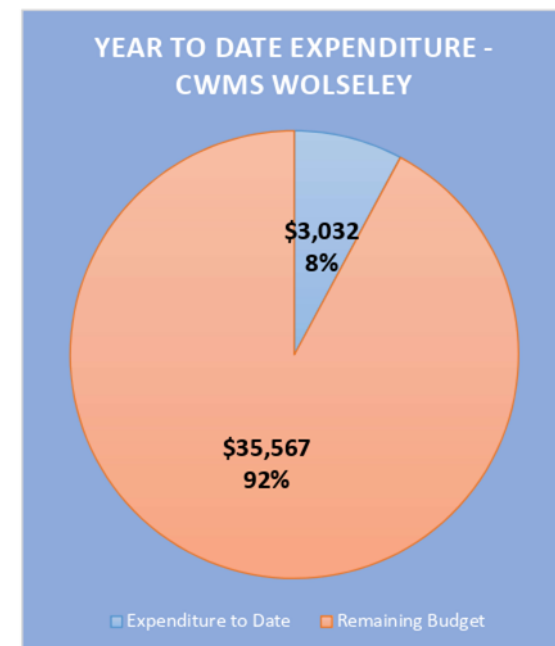
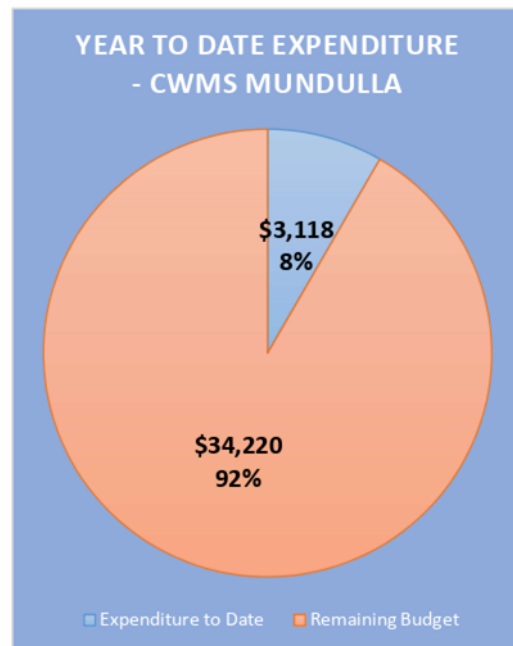
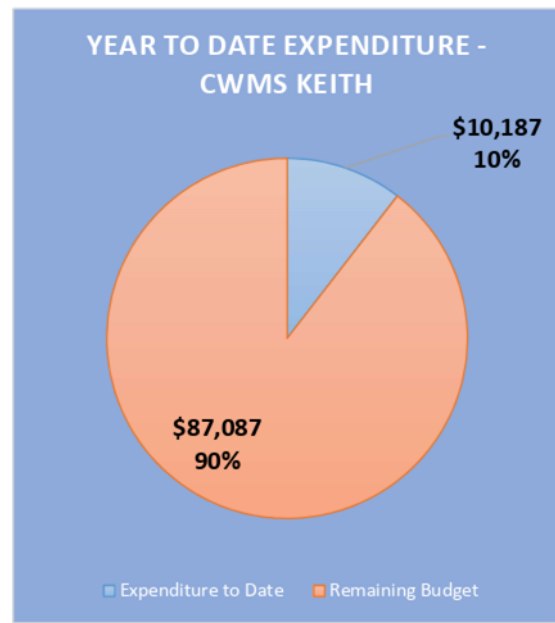
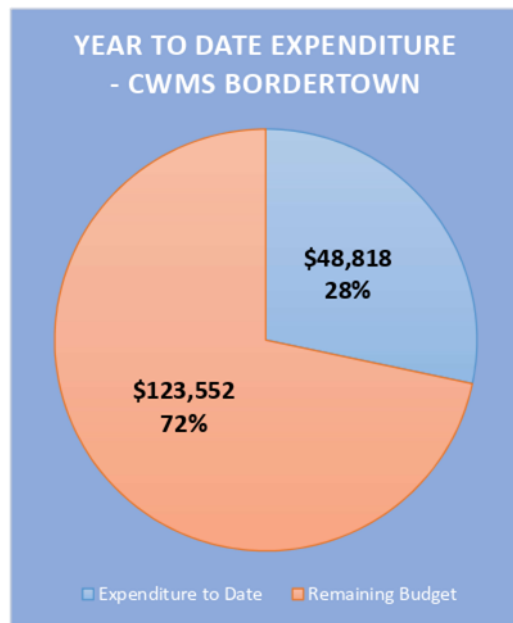
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**17.5 DDES - MEETINGS AND EVENTS ATTENDED - SEPTEMBER 2019****File Number:** 3/3/2**Author:** Customer Service / Development**Authoriser:** Director Development & Environmental Services**INTRODUCTION**

Meetings and Events attended by DDES during September 2019.

<b>Date</b>	<b>Details</b>
<b>SEPTEMBER 2019</b>	
04/09/2019	Building surveyors meeting in Penola
09/09/2019	Inspect BP Keith
13/09/2019	Planning Information Session- Livestream
16/09/2019	Regional Health meeting in Naracoorte
18/09/2019	Disability workshop at Bio Science Centre
20/09/2019	SEB Mundulla Common meeting
24/09/2019	Meeting with Laura Nash

**ATTACHMENTS****Nil**

**17.6 DEVELOPMENT ACTIVITY - SEPTEMBER 2019****File Number:** 3/3/2**Author:** Customer Service / Development**Authoriser:** Director Development & Environmental Services**DISCUSSION**

<b>Reference Number</b>	<b>Description</b>	<b>Locality</b>	<b>\$ Value</b>
400/114/19	Attached Pergola	Lot 60 Ramsay Terrace, Bordertown	\$ 37,950
400/113/19	Hay Shed	Lot 1 Hd Tatiara	\$ 38,500
400/118/19	Hay Shed	Section 85 Hd Willalooka	\$ 36,000
400/108/19	Private Garage	Lot 435 West Terrace Bordertown	\$ 12,000
400/080/19	Roof Cover for vehicles	Lot 6, Barclay Street Keith	\$ 7,000
400/122/19	Hay Shed	Lot 2, 1474 Carew Road Keith	\$ 99,000
400/119/19	Machinery Shed	Section 60 Hd Laffer	\$ 125,000
400/121/19	Personal Training Facility in existing garage	Lot 211 Patterson Street Bordertown	\$ -
400/126/19	Change of use from bank to shop	Lot 469 Woolshed Street Bordertown	\$ 1,000
			<b>\$ 356,450</b>

**ATTACHMENTS****Nil**

**18 CONFIDENTIAL ITEMS****18.1 REPLACEMENT OF JOHN DEERE 6530 4X4 TRACTOR****Reason for Confidentiality**

The Council is satisfied that, pursuant to Section 90(2) & (3) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this agenda item is:

- (k) tenders for the supply of goods, the provision of services or the carrying out of works.

**RECOMMENDATION**

It is recommended to Council that:

1. Pursuant to Section 90(2) & (3) of the *Local Government Act 1999*, Council orders, that the public be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential report Item 18.1 Replacement of John Deere 6530 4x4 tractor, attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of tender for the supply of goods.
2. At the completion of the confidential session the meeting be re-opened to the public.

**RECOMMENDATION**

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 18.1 Replacement of John Deere 6530 4x4 tractor, the minutes arising from the report, attachments and any associated documentation, having been considered by the Council in confidence under Section 90(2) & (3) (k) be kept confidential and not available for public inspection until after the purchase is finalised, on the basis that the information received, discussed and considered in relation to this agenda item is:  
  
tenders for the supply of goods, the provision of services or the carrying out of works.
2. Further that Council delegates the power of review, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

**18.2 SERVER REPLACEMENT AND CONFIGURATION AND ONGOING IT MAINTENANCE, MAINTENANCE AND SUPPORT - REDISTRIBUTION OF FUNDS****Reason for Confidentiality**

The Council is satisfied that, pursuant to Section 90(2) & (3) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this agenda item is:

- (k) tenders for the supply of goods, the provision of services or the carrying out of works.

**RECOMMENDATION**

It is recommended to Council that:

1. Pursuant to Section 90(2) & (3) of the *Local Government Act 1999*, Council orders, that the public be excluded from attendance at so much of the meeting as is necessary to receive,

discuss and consider in confidence, information contained within the confidential report Item 18.2 Server Replacement and Configuration and Ongoing IT Maintenance, Maintenance and Support - Redistribution of Funds, attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of To discuss tender in confidence.

2. At the completion of the confidential session the meeting be re-opened to the public.

#### RECOMMENDATION

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 18.2 Server Replacement and Configuration and Ongoing IT Maintenance, Maintenance and Support - Redistribution of Funds, the minutes arising from the report, attachments and any associated documentation, having been considered by the Council in confidence under Section 90(2) & (3) (k) be kept confidential and not available for public inspection until Until contracts are signed, on the basis that the information received, discussed and considered in relation to this agenda item is:  
tenders for the supply of goods, the provision of services or the carrying out of works.
2. Further that Council delegates the power of review, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

### 18.3 CONFIDENTIAL MINUTES OF THE TATIARA DISTRICT COUNCIL EXECUTIVE COMMITTEE MEETING HELD ON 24 SEPTEMBER 2019

#### Reason for Confidentiality

The Council is satisfied that, pursuant to Section 90(2) & (3) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this agenda item is:

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

#### RECOMMENDATION

It is recommended to Council that:

1. Pursuant to Section 90(2) & (3) of the *Local Government Act 1999*, Council orders, that the public be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential report Item 18.3 Confidential Minutes of the Tatiara District Council Executive Committee Meeting held on 24 September 2019, attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of unreasonable disclosure of information concerning the personal affairs of any person..
2. At the completion of the confidential session the meeting be re-opened to the public.

#### RECOMMENDATION

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council

orders that the report 18.3 Confidential Minutes of the Tatiara District Council Executive Committee Meeting held on 24 September 2019, the minutes arising from the report, attachments and any associated documentation, having been considered by the Council in confidence under Section 90(2) & (3) (a) be kept confidential and not available for public inspection until December 2019, on the basis that the information received, discussed and considered in relation to this agenda item is:

information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

2. Further that Council delegates the power of review, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.



- 19      LATE ITEMS**
- 20      URGENT ITEMS**
- 21      CLOSE**