



## **AGENDA SPECIAL MEETING**

**Friday 14 AUGUST 2020 9.30am**

Attendance via Zoom and to register

<https://us02web.zoom.us/j/84312432266?pwd=M0VNVWl0RkkxRW9oUHlHa0Nhc3Rldz09>

Meeting ID: 843 1243 2266

Passcode: 061215

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Notice is given that a Special Meeting of the Legatus Group will be held on Friday 14 August 2020 commencing at 9.30am via Zoom meeting

Note the Charter allows for the contemporary linking together by telephone, audio-visual or other instantaneous means ('telecommunications meeting') of the Board Members provided that at least a quorum is present, is deemed to constitute a meeting of the Board. Each of the Board Members taking part in the telecommunications meeting, must at all times during the telecommunications meeting be able to hear and be heard by each of the other Board Members present. At the commencement of the meeting, each Board Member must announce his/her presence to all other Board Members taking part in the meeting. A Board Member must not leave a telecommunications meeting by disconnecting his/her telephone, audio-visual or other communication equipment, unless that Board Member has previously notified the Chair of the meeting.

As meetings of the Board are open to the public this agenda including the links to the meeting which has been published on the Legatus Group Website and distributed to all Constituent Councils,

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Simon Millcock

Chief Executive Officer

### **I. MEETING PRELIMINARIES**

## MEETING ATTENDANCE AND APOLOGIES

The online meeting procedures will be outlined

### Meeting Attendance

A roll call will be held at the start of the meeting to confirm attendance.

**Apologies:** CEO Peter Ackland (Port Pirie)

### Reports for Discussion

From: Simon Millcock, CEO, Legatus Group

**Recommendation: For information**

## 2. 2020/2021 Legatus Group Business Plan and Budget approval

### Reports for Discussion

From: Simon Millcock, CEO, Legatus Group

**Recommendation: The Legatus adopts the 2020/2021 business plan and budget noting that all Constituent Councils have approved the draft 2020/2021 business plan budget.**

### Background

The unconfirmed minutes of the Legatus Group meeting held on 5 June 2020 included that the Legatus Group hold a meeting on Friday 3 July 2020 to consider any comments from Constituent Councils and to adopt the draft 2020/2021 Annual Business Plan and Budget. The motion from the meeting was:

- 1) *That the Legatus Group agrees in principal to the draft Business Plan and Budget for 2020/2021 subject to endorsement by all Constituent Councils.*
- 2) *That all Constituent Councils who have not responded regarding the draft 2020/2021 Business Plan and Budget and Strategic Plan and three-year Action Plan provide their response by Friday 26 June 2019.*
- 3) *That the Legatus Group CEO provides a response to The Barossa Council on their resolution regarding the Legatus Group Business Plan and Budget from their meeting held on 19 May 2020.*

The unconfirmed minutes of the Legatus Group Special meeting held on Friday 3 July 2020 show that a report and discussions were held on the progress of the 2020/2021 Business Plan and Budget since the Legatus Group Ordinary meeting held on 5 June 2020. The meeting noted approval from Northern Areas and Barunga West Councils took the approval of the business plan and budget to 14 of the 15 constituent councils and that The Barossa Council had received the responses to their questions and that they would meet in July to provide a response. The motion from the 3 July 2020 meeting was:

*That the meeting notes the report including that the Legatus Group is able to operate after 1 July 2020 without the adoption of a budget due to the reference to the Legatus Group Charter with specific requirements that must be considered outlined at: Clause 5.1.2, the budget must be adopted within 6 weeks of endorsement of the draft budget by all of the Constituent Councils and Clause 5.1.3 Legatus Group may incur expenditure before adoption of its budget for the year but the spending must be provided for in the appropriate budget for the year. In that event, any spending which is expected to be*

*incurred after 1 July 2020 which has not been approved by all of the Constituent Councils in an adopted budget, must be provided for in the budget which is to be adopted by the Constituent Councils.*

On the 23 July 2020, the Legatus Group CEO received the following correspondence from the Barossa Council:

**Re: The Legatus Annual Business Plan and Budget**

As you may already be informally aware, The Barossa Council considered and debated a report at its meeting of 21 July 2020 in relation to the Legatus Annual Business Plan and Budget and as such have resolved the following:

MOVED Cr Johnstone that Council:

1. Noting the responses from Legatus and the undertaking of a review of the Charter in November 2020 approve the Annual Business Plan and Budget for the 2020-21 financial year.
2. Place on notice for the next ordinary meeting of Legatus Board of Management that the impending review include the review of the strategic role of Legatus, all projects be assessed as to duplication with any other State or not-for-profit agencies such as Regional Development Boards and the proposal for how Legatus intends to reduce its extensive cash reserves over the long term financial plan period.

Seconded Cr de Vries CARRIED 2018-22/175

I ask on behalf of The Barossa Council that you place on notice for the next ordinary meeting of the Legatus Board of Management that the impending review include the review of the strategic role of Legatus, all projects be assessed as to duplication with any other State or not-for-profit agencies such as Regional Development Boards and the proposal for how Legatus intends to reduce its extensive cash reserves over the long term financial plan period.

Sincerely,



Bim Lange OAM Mayor, The Barossa Council

The Legatus Group CEO provided the following response on 23 July 2020.

Dear Mayor Lange.

I will provide the response on the budget in my report with the agenda item 20/21 Business Plan and Budget for the forthcoming Special Meeting listed for the 14 August 2020.

The correspondence will be provided as an agenda item under 'Items Referred by Councils' for the Ordinary Meeting to be held on Friday 4 September 2020 (as requested) plus I will include the correspondence as an agenda item on the Legatus Group Audit and Risk Management Committee meeting 21 August 2020.

Please let me know if you are not ok with that approach.

For your information and as part of the background in my comments regarding the correspondence on duplication I will be noting that all projects being undertaken in the Business Plan have come through the approved reports, Legatus Advisory Groups / Committees, via consultation / partnership and or support with the Landscape Board and 3 x

Regional Development Australia organisations. Plus, they have come from SAROC Strategic and Business Plans and the Regional Plan and Climate Change Sector Agreement which are both joint plans between RDAYMN, Legatus Group and Northern and Yorke Landscape Board.

They are reported on or discussed at the Regional Alliance meetings and RDA Barossa Light Gawler Adelaide Plains have recently attended Alliance meetings. The RDA Barossa Light Gawler Adelaide Plains CEO has indicated they are now likely to partner with the new Northern and Yorke Climate Change Sector Agreement so there will be increased dialogue. Whilst noting that the RDA Barossa Light Gawler Adelaide Plains CEO is kept informed of all projects undertaken and invited to all Legatus Group meetings including the offer to present. They have advised that for the Road, Transport & Infrastructure Advisory and the Visitor Information Services Advisory Committee which have RDA positions they were comfortable with having one of the other RDAs as a representative. To date the only indication of duplication I have been advised of could relate to the Creative Industries from RDA Barossa Light Gawler Adelaide Plains (as the Legatus part funded the Barossa Music Officer position) and the offer has been made that some Legatus Group funds could be utilised by them but this has not yet been taken up.

### **3. Charter variations re budget**

#### **Reports for Discussion**

From: Simon Millcock, CEO, Legatus Group

**Recommendation: The Legatus Group notes that a simple majority of Constituent Councils have approved the variation to the Legatus Group Charter Item 5.1 The Budget and that Councils who have yet to respond are encouraged to do so.**

#### **Background**

The Legatus Group meeting of 5 June 2020 endorsed a change to the Legatus Group Charter Item 5.1 The Budget and the Legatus Group CEO distributed this information to Legatus Group members on the 12 June 2020. At the 3 July 2020 Legatus Group Special meeting the Legatus Group CEO provided an update on the responses being received from Constituent Council.

As of 3 August 2020, the following 8 Councils have approved the variation: The Barossa, Copper Coast, Flinders Ranges, Goyder, Light, Mt Remarkable, Port Pirie and Wakefield. There have yet to be received responses from other councils. The Charter outlines that the charter may be amended by a resolution passed by a simple majority of the Constituent Councils.

### **4. 2020/2021 Business Plan Project Update**

#### **4.1 Grant applications**

#### **Reports for Discussion**

From: Simon Millcock, CEO, Legatus Group

#### **Recommendation:**

- a. The Legatus Group notes the SA Community Wellbeing and Resilience Grants for a SA Central Region Community Connections Program was submitted.**
- b. The Legatus Group notes the continued work being undertaken in partnership with the Northern and Yorke Landscape Board on the Drought Futures Fund.**
- c. The Legatus Group supports the approach for grant funding for (1) LGA R&D Grant Regional and Remote Community Development Capacity Building and**

## **Training Program and (2) LGA R&D Script Development for Training Course re Community Wastewater Management Schemes**

### **Background**

The 3 July 2020 Legatus Group Special meeting supported the Legatus Group CEO progressing with a regional approach for an application to the Community Wellbeing and Resilience Grants as outlined in the file note to that meeting. This application was submitted with 5 letters of support and response is expected by the end of August 2020.

Re the Drought Futures Fund the 5 June 2020 Legatus Group Ordinary meeting and the 3 July 2020 Legatus Group Special meeting were provided updates and the report by Edge Consulting. The Legatus Group approved support subject to the 2020/2021 Legatus Group Budget being approved and that the Smart Irrigation Scheduling and Temperature Sensor System Project and Stormwater Harvesting Project are included in a proposed Regional Future Drought Fund Application. On the 31 July 2020, the Hon David Littleproud MP, Minister for Agriculture, Drought and Emergency Management announced the commencement of the new Future Drought Fund Natural Resource Management Drought Resilience Program – Landscapes. The Legatus Group CEO continues to progress with the Northern and Yorke Landscape Board and others on possible regional application/s with consideration of contracting Edge Consulting to support the development of the application/s for accessing drought relief funding.

The LGA R&D Grant round closed on 21 July 2020 and two projects identified in the 2020/2021 Legatus Group Business Plan and Budget were submitted for funding and they are:

1. The development and delivery of a training program for Local Government Officers that focuses on building their knowledge and skills base for the delivery of a community capacity building using the basis of the Brighter Futures Program which has been co-developed by the Department of Human Services and Dr Kristine Peters of KPPM Strategy, and trialed in the Legatus Group Region.
2. To develop the script required for the production and hosting of an on-line training course (via LGA Training) which is specifically designed for South Australian Council owned and operated Community Wastewater Management Schemes.

### **4.2 CWMS Remote Condition Monitoring**

#### **Reports for Discussion**

From: Simon Millcock, CEO, Legatus Group

**Recommendation: The Legatus Group approves an allocation of up to \$7,000 from the 20/21 Legatus Group budget to support the Asset Management by Remote Sensing project.**

#### **Background**

The minutes of the Legatus Group CWMS Advisory Group meeting of 26 May 2020 were presented at the Legatus Group Ordinary meeting on 5 June 2020 and included a recommendation that the Legatus Group partners with the Copper Coast Council including an allocation of up to \$7,000 from the 20/21 Legatus Group budget to support the Asset Management by Remote Sensing project.

The CWMS Advisory Committee minutes indicated general support for the development of this proposal from all parties: The Advisory Committee, the University of SA, the Copper Coast Council and the independent company, IPACS. Parties have indicated their willingness to proceed to develop the proposal. It was recognised that, before it commits funds, the Copper Coast Council is seeking an estimate of the potential savings of condition monitoring and this

work is yet to be done. It was also recognised that the results of this work would be of benefit to all Councils.

The Legatus Group at their meeting on 5 June 2020 considered the proposal to undertake remote condition monitoring of CWMS pumps. The proposal may have created some confusion through a lack of definition. This report is designed to provide a clearer description and reports on investigations, both of which show that this proposal is a new technique for Local Government and different from all current SCADA applications.

Current SCADA applications are focussed on emergency alerts and aim to monitor basic elements of machine operation such as flow meters and overflow alerts. The remote condition monitoring proposal is more complicated. It involves initial machine learning during which data on the condition of pumps under operation are collected. These data come from elements such as bearings, casing vibrations, etc to give a base line of normal operation. The sensors then alert operators of statistically significant changes from that base line.

The aim of this monitoring is not to provide emergency alerts, although it will do that too. Instead, this proposal monitors performance condition with the aim of optimising maintenance expenditure. Too often equipment is serviced unnecessarily or breaks down unexpectedly. This application can minimise both.

Since the 5 June 2020 meeting the Legatus Group CWMS Project Officer has collected evidence regarding the proposal in regional SA via:

- Discussion with The Barossa Council which has confirmed they do not use this level of machine learning and condition monitoring in their SCADA systems.
- Advice from the CWMS Manager at the LGA is that she knows of no Council applying this technology.
- No evidence of use of this technology has emerged in discussions of equipment in the Communications Sessions currently being run in each Regional LGA.
- The number of firms that can offer this in SA is extremely limited and from research the Project Officers understands that none work with Local Government.
- The proprietary system proposed for this collaborative work is not used by Local Government.

There may have also been some confusion regarding where the funds were to come from re this project as there is no request for the funding to come from members fees. The Legatus Group has been approved funding to extend the Joint CWMS Services Arrangements by the LGA CWMS Management Committee who have provided funding. This includes the MoU with UniSA on research into waste, wastewater, remote sensing and asset management in CWMS and to continue to identify areas of research that will benefit the sector. This is included under the heading of Resource Sharing and that the Legatus Group will oversee a demonstration/research project in remote sensing as part of a larger move to work on asset management.

The reason for bringing this to the board to gain approval for expending these funds is that the amount may exceed the Legatus Group CEOs authority to approve which has a limit of up to \$5,000.

### **4.3 Legatus Group Community Collaborator**

#### **Reports for Discussion**

From: Simon Millcock, CEO, Legatus Group

**Recommendation: The Legatus Group notes the report.**

## **Background**

The 2020/2021 Legatus Group Business Plan includes an allocation towards a regional coordinator for programs and regional collaboration in areas associated with community development and volunteering. There is a strong focus on social good and building resilience in communities.

The Legatus Group CEO is contracting Ms Bridget Johns on a part time basis with a 42 week contract. Bridget was the recent Regional Manager - Yorke & Mid North Department for Trade & Investment and former Linking Learning Locally Project Manager Kadina Memorial School & Northern Yorke Partnership via the Department for Education and also the Student & Community Engagement Coordinator and Program Manager Department for Education in the Yorke Region.

The Collaborator role will be assisting in progressing and coordinating volunteering opportunities along with the ongoing development, implementation and monitoring of the actions from the following specific areas:

1. Wellbeing / Community Resilience
  2. Volunteering including Youth Volunteering Projects
  3. Reconciliation Action Awareness Program
  4. Community Development Training
  5. Brighter Futures Programs
- Coordinate and provide administrative support where required to the CEO.
  - Identify and develop for approval to Legatus Group regional partners grant funding applications.
  - Undertake effective consultation and communication between member Councils and key stakeholders.
  - Assist in the development of Regional Forums such as - Creative Industries - Visitor Information Services - Mainstreet SA

## **5. Nominations to SAROC**

### **Reports for Discussion**

From: Simon Millcock, CEO, Legatus Group

**Recommendation: For discussion and that the Legatus Group finalise their nominations for SAROC**

### **Background**

The Legatus Group CEO received a letter from the LGASA CEO calling for nominations for Members of SAROC. This was distributed to all Legatus Group Mayors and CEOs on 23 July 2020 advising that:

- The terms of the current members of South Australian Regional Organisation of Councils (SAROC) expire at the 2020 LGA Annual General Meeting (AGM).
- Call for nominations for two (2) members of SAROC from the Legatus Group for a term commencing from the 2020 AGM and to remain in office until the 2022 AGM.

This will require a nomination form to be completed for each nominee to the position of member of SAROC and that it must be received by the LGA CEO, no later than 5pm Friday 28 August 2020.

The SAROC Terms of Reference requires that the LGA CEO write to each SAROC Regional Grouping calling for nominations for positions of members of SAROC. Each regional grouping

has a slightly different method of nominating/selecting a member(s) to represent them on SAROC. As such, the Legatus Group CEO was requested to:

- liaise with each council in your regional grouping and (where necessary) coordinate a meeting for the purpose of calling for nominations for two positions on SAROC: and
- notify the LGA CEO of the regional groupings' nominations for the two positions on SAROC, by submitting the nomination form for each nominee, no later than 5pm Friday 28 August 2020.

The LGASA CEO advised that he was also sending a copy of the letter to council Mayors and CEOs.

There is flexibility for the Legatus Group to decide how it will proceed with providing nominations – if the meeting agrees to provide only two (2) nominations then the positions will be deemed filled by those two nominations and a formal election will not be required, but if more than two (2) nominations are provided then a formal election will be required.

If more than two nominations are received, following the close of nominations the LGA will write to you to advise that an election is required and to formally delegate the LGA CEO's role as Returning Officer to the Legatus Group CEO. The process for the election is below. The LGA will provide templates for the ballot papers and ballot envelopes and any other administrative support as needed.

Pursuant to clause 4.4.5 of the SAROC Terms of Reference, an election will be conducted as follows:

- Each member council within the Legatus Group will determine by resolution the two candidates it wishes to elect (i.e. a council meeting will need to be held by each member council)
- Ballot Papers must be sent to each member council by approx. 10 September 2020.
- Each member council will mark a ballot paper with an "X" next to the two candidates that the council wishes to elect and seal the ballot paper in the envelope marked 'Ballot Paper'. That envelope will then be put inside an enveloped marker 'Returning Officer'. The member council will indicate the council's name on the inside of the envelope flap of the second envelope and then seal and deliver it to the Returning Officer. A date for the return of envelopes to the Legatus Group CEO can be set by the Legatus Group CEO but should provide enough time for each council to hold a council meeting.
- On receipt of the envelopes the Returning Officer (Legatus Group CEO as the LGA CEO's delegate) will open the outer envelope and record the name of the member council on the roll of members eligible to vote and place the 'Ballot Envelope' in a ballot box (this will ensure anonymity of the votes by ensuring the ballot paper is not linked to the member council)
- The Returning Office shall, in consultation with member councils, nominate a date and time and place for counting of the votes and invite each candidate and a person nominated as the candidates scrutineer to be present (this can be done over web conferencing if necessary). Counting of the votes should be scheduled for no later than 19 October 2020.
- At the counting of the votes the Returning Officer will produce the unopened 'Ballot Paper' envelopes from the ballot box, open them and if assessing them as valid, counting the votes received by each candidate
- The two candidates with the most votes shall be deemed elected.
- In the case of candidates receiving the same number of votes, the Returning Officer shall draw lots at the counting of the vote and the lot drawn will be the candidate elected.
- The Returning Officer will notify the LGA of the result of the election as soon as possible and the successful candidates will take office from the conclusion of the LGA AGM on 29 October 2020.



The Legatus Group Charter requires that the AGM is when appointments for representatives to other organisations occur and it is noted that Friday 28 August 2020 is prior to the Legatus Group AGM.

A key eligibility criterion is that ‘a person nominating as a member of SAROC must be a representative of a member on the relevant SAROC Regional Grouping and only a Council Member can be nominated to SAROC.’

The Legatus Group Charter is silent on specific SAROC appointments and in previous years the Chair and a Deputy Chair have been the Legatus Group nominations to SAROC. The current SAROC representatives are Chair Mayor Peter Matthey and Deputy Chair Bill O’Brien.

Noted that Legatus is unable to nominate from Port Pirie Regional Council (nor can they vote on the Legatus Group appointments) as they can be nominated in the Spencer Gulf Cities position.

To date Mayor Heaslip (Mount Remarkable) has expressed interest in being nominated to SAROC.

## **6. Legatus Group Audit and Risk Management Committee appointment**

### **Reports for Discussion**

From: Simon Millcock, CEO, Legatus Group

**Recommendation: That the Legatus Group appoints Peter Ackland CEO Port Pirie Regional Council to the Legatus Group Audit and Risk Management Committee.**

### **Background**

Prior to the 22 May 2020 Legatus Group Audit and Risk Management Committee an email was distributed to all Legatus Group Mayors and CEOs advising that at the Legatus Group meeting on 5 June 2020 there will need to be 2 vacancies filled for the Legatus Group Audit and Risk Management Committee. This is due to the terms of Mayor Kathie Bowman and CEO Peter Ackland exceeding the two (2) years. It is noted that both members will be eligible for reappointment.

The email outlined to assist with the decision if there is anyone interested from:

- (1) Board member (Mayor)
- (2) Professionally qualified officers, selected from staff of Councils

Mayor Kathie Bowman was subsequently appointed and further requests for the professionally qualified officer did not result in any applications. On 22 July 2020 Peter Ackland CEO Port Pirie Regional Council advised that he would be willing to nominate for the vacancy.

## **7. Close of meeting**