



**AGENDA ORDINARY MEETING**

**Friday 10 December 2021 10.30am**

**Hosted by Copper Coast Council**

Function Room of the Copper Coast Sports and Leisure Centre

1 A Doswell Terrace Kadina

Zoom details <https://us02web.zoom.us/j/86061222695>

Meeting ID: 860 6122 2695

Passcode: 698801

Simon Millcock  
**Chief Executive Officer**

## **VISION**

The Central Local Government Region (Legatus Group) is recognised, respected and supported as a strong and successful region.

## **OUR VALUES**

The Legatus Group:

- Speaks with one voice on what matters most to our communities.
- Works together efficiently making the best use of available resources for delivery of services.
- Builds partnerships with those who can contribute to stronger and more sustainable communities.

## **OPENING OF MEETING**

The Legatus Group Chair will open the meeting.

## **ACKNOWLEDGEMENT OF COUNTRY**

The hosting Council will provide an acknowledgement of Country.

## **WELCOME BY HOST COUNCIL**

The hosting Council will provide a welcome (10 minute maximum)

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#### ATTACHMENTS

- A. LEGATUS MANAGEMENT REPORT FOR NOVEMBER 2021 (ITEM 4.3)
- B. LEGATUS PROFIT & LOSS JOBS REPORT FOR NOVEMBER 2021 (ITEM 4.3)
- C. BANK RECONCILIATION FOR NOVEMBER 2021 (ITEM 4.3)
- D. LIFELINE CONNECT (ITEM 4.4)
- E. WASTE AND RECOVERY AND ACTION PLAN (ITEM 4.5)
- F. LETTER HON VICKIE CHAPMAN (ITEM 7.3)

## I. ADMINISTRATIVE MATTERS

Meeting attendance sheet to be distributed.

### I.1 Apologies

CEOs Martin McCarthy (Barossa), Brian Carr (Light) and Peter Ackland (Port Pirie)

### I.2 Leave of Absence

Nil

### I.3 Conflict of Interest

For consideration Mayor Peter Matthey item 4.4

### I.4 Previous meeting minutes

#### I.4.1

Date of Meeting: Legatus Group Meeting held 3 September 2021

**Recommendation: That the minutes of the Legatus Group Ordinary Meeting held on 3 September 2021 be taken as read and confirmed.**

#### DISCUSSION

The minutes of the Legatus Group Meeting held on 3 September 2021 were distributed to all Mayors and CEOs of the Constituent Councils and can be found at: <https://legatus.sa.gov.au/wp-content/uploads/2021/09/Unconfirmed-Minutes-3-September-2021-.pdf>

#### I.4.2

Date of Meeting: Legatus Group Special Meeting held Friday 3 December 2021.

**Recommendation: That the minutes of the Legatus Group Special Meeting held on 10 December 2021 be taken as read and confirmed.**

The minutes of the Legatus Group Special Meeting held on 3 December 2021 were distributed to all Mayors of the Constituent Councils and as they are a Confidential Decision Report they have not been published.

### I.5 Legatus Group Action List (July - November 2021)

Updates on resolutions of the Legatus Group requiring action relating to 2021/2022 Ordinary and Special meetings of are provided for noting. Once an action is completed, it is removed from the list.

**Recommendation: That Council receives and notes the report**

Legatus Group Ordinary Meeting – 3 September

Item	Topic	Action	Status	Comment
4.2	Wellbeing report	Post on website	Completed	
	Model for regional coordination	Continue discussions	Underway	Refer agenda item 4.4
4.3	Funding equity for roads	Support WRC proposal to SAROC	Completed	Advice provided

7.1	CWMS Auditor Generals report	CEO and Project Manager meeting with LGA CWMS	Completed	Refer agenda item 3.4
8.1	Circular Economy Reports	Post on website	Completed	
10	Employee Code of Conduct Policy and the Business Plan Policy	Release	Completed	Distributed
	Audit and Risk Management Committee members	Seek confirmation Peter Ackland to continue	Completed	
11	Legatus Group Strategic Plan Review	Workshop draft – distribute	Underway – Regional Management Group to workshop	Refer agenda item 3.2
13	Clarity on SLRP	Discussions and report to Legatus Group RTIAC	Completed	Refer agenda item 3.3
14	LGA CWMS Program Manager	Letter of support to LGA CEO	Completed	
Item 2.6 AGM	Charter variations	7.2 – Setting of subscription fees	Underway – Majority Council confirmed refer item 3.1	Requires letter to Minister and entry into Govt Gazette

## 1.6 Deferred/Adjourned Items

Nil

**2 PRESENTATIONS / PETITIONS / DEPUTATIONS**

**LEA BACON – ACTING EXECUTIVE DIRECTOR PUBLIC AFFAIRS • LOCAL  
GOVERNMENT ASSOCIATION**

### **3 COMMITTEE REPORTS FOR NOTING**

Section 6.5, 7.10 and 7.11 of the Legatus Group Charter provides for the establishment of committees. The Legatus Group currently has 5 committees whose terms or reference are provided in the Charter or in the case of the advisory committees are set by the Legatus Group.

Section 6.5

Audit & Risk Management Committee

Section 7.11

Regional Management Group Committee

Section 7.10

Road Transport and Infrastructure Advisor Committee

Community Wastewater Management Advisory Committee

Visitor Information Services Advisory Committee

The Chairs of the Committees have provided the minutes of their meeting for the information of the Legatus Group and the Legatus Group Chair is to invite any questions / comments on these minutes.

**Recommendation: That the Legatus Group receives and notes the Committee minutes of:**

- 1. Legatus Audit and Risk Management Committee held 22 November 2021**
- 2. Legatus Audit and Risk Management Committee held 30 November 2021**
- 3. Legatus Group Regional Management Group meeting held 12 November 2021**
- 4. Legatus Group CWMS Advisory Committee meeting held 20 October 2021**
- 5. Legatus Group Visitor Information Services Advisory Committee meeting held 5 November 2021**

#### **3.1 Audit Committee**

##### **3.1.1 Minutes of the Legatus Audit and Risk Management Committee held 22 November 2021**

Unconfirmed Minutes of Audit and Risk Management Committee Meeting  
22 November 2021 held at Northern Areas Council Chambers

The meeting was opened at 10.00am.

I. Attendance

Committee: Mayor Rodney Reid, Mr Peter Ackland, Mr Colin Byles and Mr Ian McDonald.

In Attendance: Legatus Group CEO Mr Simon Millcock and Finance Officer Mr Colin Davies.

Apology: Mayor Kathie Bowman (Chair).



## 2. Welcome

Mayor Reid Chaired the meeting and welcomed everyone to the meeting.

## 3. Confirmation of Previous Minutes

Motion: That the minutes of the Legatus Group Audit and Risk Management Committee meeting held on 24 August 2021 be taken as read and confirmed.

Moved: Mayor Colin Byles      Seconded: Ian McDonald      CARRIED

Motion: That the minutes of the Legatus Group Audit and Risk Management Committee Special meeting held on 30 August 2021 be taken as read and confirmed.

Moved: Mayor Colin Byles      Seconded: Ian McDonald      CARRIED

## 4. Business Arising Not Otherwise on the Agenda

### 4.1 Committee positions

The meeting noted that Ian McDonald and Peter Ackland have been approved by the Legatus Group to continue their membership for 2 years until 7 September 2023.

### 4.2 Charter

The Legatus Group CEO provided a report following the Legatus Group September meeting for a review of the Charter and the variation to item 7.2.2. The meeting saw no need to vary the wording in the charter associated with item 6.5 that relates to the Audit Committee.

Motion: The committee notes the Legatus Group have complied with their requirements for gaining approval to vary Section 7.2.2 of their Charter and that the majority of Constituent Councils have approved the variation.

Moved: Mayor Peter Ackland Seconded: Colin Byles      CARRIED

## 5. Financial Reports

### 5.1 20/21

The Legatus Group CEO provided a report with the agenda.

Motion: That the committee notes the report and recommends that the Legatus Group undertakes a review of its internal control framework surrounding the banking security procedures, level of insurance cover of assets and procurement practices.

Moved: Ian McDonald Seconded: Peter Ackland      CARRIED

### 5.2 2021/2022

The Legatus Group Finance Officer provided the Legatus Group Financial Management Report for the 2021/2022 Financial Year, the Profit and Loss Report and the Bank reconciliation until 31 October 2021.

Motion: That the committee notes the report.

Moved: Peter Ackland      Seconded: Ian McDonald      CARRIED

General discussion held on the notes provided by the Legatus Group CEO re the current financial position and likely variations to the budget. The meeting noted that the budget had been adopted by

the Board at their 11 June 2021 meeting and that they had noted the budget review as of the 31 July 2021 at their 3 September 2021 meeting.

Motion: That the Audit Committee holds a Special Meeting for the purpose of a Budget Review before the 10 December 2021.

Moved: Peter Ackland Seconded: Ian McDonald CARRIED

Motion: That the Audit and Risk Management Committee meetings are held quarterly and to include a budget review based on the end of the month financial reports from the month preceding the meeting.

Moved: Peter Ackland Seconded: Colin Byles CARRIED

#### 6. Strategic Plan and Long-Term Financial Plan

The Legatus Group CEO provided a report on the progress of the Strategic Plan and the outcome of the 3 September 2021 Legatus Group meeting re a workshop at their 10 December 2021 meeting. The meeting was advised of the Regional Management Group recommendation that the Legatus Group delay its Strategic Plan workshop on 10 December 2021 and that the Regional Management Group will further develop the draft Legatus Group Strategic Plan. They will then provide an updated draft for the March 2022 Legatus Group meeting. Consensus was for Simon Millcock to discuss with Mayor Heaslip Chair of the Legatus Group and Sam Johnson Chair of the Regional Management Group.

Motion: That the committee notes the report

Moved: Mayor Colin Byles Seconded: Ian McDonald CARRIED

#### 7. Policies – Vaccination / Covid-19

The Legatus Group CEO provided a report with the agenda. Consensus was for Simon Millcock to discuss with Mayor Heaslip Chair of the Legatus Group re providing online options for the 10 December 2021 meeting.

Motion: The committee recommend that the Legatus Group CEO develops a Legatus Group COVID-19 Management Plan with reference to its members, committees, contractors and officers.

Moved: Ian McDonald Seconded: Colin Byles CARRIED

#### 8. Legatus Group Work Plan

The Legatus Group CEO provided a report with the agenda on the Legatus Group Work Plan.

Motion: That the committee notes the work plan is up to date with the need for it to be flexible awaiting the outcome of the review of the Strategic Plan.

Moved: Peter Ackland Seconded: Colin Byles CARRIED

#### 9. Other Business

10. Next meeting: To be confirmed

### **3.1.2 Minutes of the Legatus Audit and Risk Management Committee held 23 November 2021**

Unconfirmed Minutes of the Special Audit and Risk Management Committee Meeting  
30 November 2021 held via Zoom

The meeting was opened at 2.00pm.

#### 1. Attendance

Committee: Mayor Kathie Bowman (Chair), Mayor Rodney Reid, Mr Peter Ackland, Mr Colin Byles and Mr Ian McDonald.

In Attendance: Legatus Group CEO Mr Simon Millcock and Finance Officer Mr Colin Davies.

#### 2. Welcome

Mayor Bowman welcomed everyone to the meeting and welcomed everyone to the meeting.

#### 3. Legatus Group 2021/2022 Budget Review

Following the 22 November 2021 Legatus Audit and Risk Management Committee where the meeting agreed to hold a Special Meeting for the purpose of a Budget Review before the 10 December 2021. The Legatus Group CEO and Finance Officer provided reports on the 2021/2022 Budget Review which were provided with the agenda. This resulted in a series of questions and responses being provided and discussions at the meeting.

The meeting resolved: That the Audit and Risk Management Committee recommends there is no change to Budget Review 1 and that all considerations for any changes are provided in Budget Review 2 being the mid-year review and that this review will include written information provided in a management format.

#### 4. Other Business Nil

#### 5. Meeting closed at 2.35pm

### **3.2 Regional Management Group**

Minutes of the Legatus Group Regional Management Group meeting held 12 November 2021

Unconfirmed Minutes of Legatus Management Group meeting

Friday 12 November 2021 12.30pm

Clare and Gilbert Valleys Council 4 Gleeson Street Clare

#### 1. ATTENDANCE

1.1 Present: Colin Byles (Northern Areas), Helen Macdonald (Clare and Gilbert Valleys), David Stevenson (Goyder), Andrew MacDonald (Wakefield), Stephen Rufus (Peterborough), Maree Wauchope (Barunga West), Sam Johnson OAM (Mt Remarkable), Russell Peate (Copper Coast), Peter Ackland (Port Pirie) and Simon Millcock (Legatus Group).

1.2 Apologies: Brian Carr (Light), Andrew Cameron (Yorke Peninsula), Eric Brown (Flinders Ranges), James Miller (Adelaide Plains), Martin McCarthy (Barossa) and Dylan Strong (Orroroo Carrieton).

### 1.3 Guest: Clinton Jury CEO LGA SA

## 2. Welcome

2.1 Welcome - Chair Colin Byles welcomed everyone to the meeting.

## 3. Chair

A brief report had been distributed with the agenda and an email had been distributed to all CEOs on 11 October 2021 regarding the position of the Legatus Regional Management Group (RMG) Chair.

Colin Byles advised the meeting he was stepping down as the Chair after just over 4 years and the committee thanked Colin for his contribution. The meeting noted that there was merit in having the Chair of the RMG from the same council as the Chair of the Legatus Group.

Motion: That Sam Johnson is appointed as the Chair of the Legatus Regional Management Group.

Moved David Stevenson Seconded Russell Peate

CARRIED

## 4. Guest speaker

Clinton Jury LGA CEO outlined he has been engaging as much as possible during his first 5 weeks in the role.

He noted the following items with direct relevance to the Legatus Group:

- SLRP issues are being discussed at LGA Board
- Waste Management is the upcoming SAROC meeting to further progress
- Consultation re Container Deposit Review
- CWMS – thanked the Legatus Group for their leadership on this and the review is being progressed with recommendations to go to the board with a focus on the mid-term review
- Fair rates – thanked the Legatus Group for their leadership on this matter and a report is being presented at the upcoming SAROC meeting
- Regional Roads Project – Decision will be made at the upcoming SAROC meeting on the offer by the Legatus Group to lead this on behalf of SAROC

He outlined the election campaign being developed by the LGA is being designed to allow councils to plug in to the campaign through their social media and marketing.

## 5. Charter

The meeting discussed the Charter with reference to section 7.11 the RMG. Noted that the focus should be for the RMG to support and help drive the strategies of the Legatus Group and this is to be further discussed at item 7 and 13 of the agenda.

Motion: That clause 7.11.1 reads *The Regional Management Group shall comprise the Chief Executive Officers or their nominee of the Constituent Councils and they will include the Legatus Group Chief Executive Officer for attendance at their meetings who will in turn provide the secretariat services on behalf of the Regional Management Group.*

Moved Stephen Rufus Seconded Maree Wauchope

CARRIED

## 6. Actions from previous meeting

The meeting noted the report with the agenda.

#### 7. Legatus Group Strategic Plan

The meeting noted that there was a need for the RMG to be more active in the development of the Legatus Group Strategic Plan and noted that a review has been undertaken in 2021, that a draft was presented to the 3 September 2021 Legatus Group meeting and to be further workshopped at the 10 December 2021 Legatus Group meeting.

Motion: That the Regional Management Group recommends that the Legatus Group delay its Strategic Plan workshop on 10 December 2021 and that the Regional Management Group will further develop the draft Legatus Group Strategic Plan and provide an updated draft for the March 2022 Legatus Group meeting.

Moved Russell Peate Seconded Stephen Rufus

CARRIED

#### 8. SLRP 21/22

A report was provided with the agenda and Simon Millcock advised the meeting that the Legatus Group Road and Transport Infrastructure Advisory Committee (RTIAC) recommends the Legatus Group provides the following response to the Local Government Association with regards SLRP:

- a. That any gaps identified in the data / applications and prioritising by the regions needs to be articulated to each Regional LGA to assist them in ensuring they have the most rigorous process that aligns with funding assessment obligations; and
- b. there needs to be a review of the criteria to ensure equity occurs for all councils and that this should include identifying a standard format for assessment.

The meeting discussed these matters and the consensus from the RMG is that they are supportive of the RTIAC recommendation.

#### 9. Waste and Resources Recovery Strategy and Action Plan

Simon Millcock provided a report with the agenda including the draft plans. Paul Chapman Legatus Group Project Manager attended the meeting and provided an update on the progress of the research into regional compost opportunities within the Legatus Group region and the investigation of the viability of regional MRFs in SA. The meeting provided feedback and noted the value along with the clear and precise nature of the Waste and Resources Recovery Strategy and Action Plan. The meeting supported these being presented to the Legatus Group for distribution to member councils for their consideration. The meeting provided feedback on the current research by Paul Chapman and supported the continued investigations noting that the plans and reports on Composting and MRFs will assist in grants and lobbying efforts for further investment in the regions to deal with waste.

#### 10. CWMS

Andrew Macdonald as Chair of the Legatus Group CWMS Advisory Committee led the discussions on the progress being made and Paul Chapman joined the meeting to provide further input on the discussion paper developed earlier that year and the reform agenda. This includes the need for the LGA to increase resources to support the review and for councils who may wish to remain operating and those who may wish to exit from CWMS. The meeting noted that the Legatus Group through Simon Millcock and Paul Chapman have been and continue to have input to the reform process and this had been acknowledged by the LGA CWMS Committee.

The meeting noted the work of the Legatus Group CWMS Advisory Committee has assisted councils in having a greater awareness and increased interest on CWMS and that some councils are willing to look at pathways forward including the options of remaining or exiting.

Action - Paul Chapman and Simon Millcock to liaise with Sam Johnson to identify the type of information that could be gathered across the Legatus Group Councils that could be used to assist in these pathways and to then collate this information for further consideration.

#### 11. Legatus Group Business Plan

Simon Millcock provided a report with the agenda which was noted.

#### 12. Legatus Group Administration

Simon Millcock provided a report with the agenda which was noted.

#### 13. Other Business

- a) Legatus Group CEO day - Sam Johnson provided information with the agenda on a proposed Legatus Group CEO day which would include relevant presentations. The meeting resolved that there was good value in having this event. Action – Sam Johnson to liaise with Simon Millcock.
- b) Legatus Group Strategic Plan - Extensive discussions held during items 5 and 7 of the minutes and the need for greater involvement by the RMG to assist in providing guidance and support.
- c) Covid-19 Mandatory Vaccination – Question raised on the LGAs position and Clinton Jury advised that a position is being updated and that the LGA is taking a leadership role on this with updates to be provided within the next week.
- d) Housing – SAROC are working on this through consultant Leonie Boothby and workshops are occurring within the region in November. The meeting discussed the opportunity for Councils to identify Crown Land and issues around occupancy rates at Caravan Parks. Action Helen Macdonald will send email to Simon Millcock for distribution and collation of responses.

#### 14. CLOSE

The meeting was closed at 3.10pm

### **3.3 Legatus Group CWMS Advisory Committee**

Minutes of the Legatus Group CWMS Advisory Committee meeting held 20 October 2021

Unconfirmed Legatus Group CWMS Advisory Committee Minutes

20 October 2021, 10am (held via zoom)

#### 1. Welcome and apologies - Andrew MacDonald (Chair)

Present: Andrew MacDonald, Adam Broadbent, Gary Easthope and Hayden Battle with Simon Millcock and Paul Chapman in attendance.

#### 2. Previous Minutes

Minutes from the previous meeting on 27 August 2021 were accepted as correct

Moved by Adam Broadbent Seconded by Gary Easthope.

CARRIED

### 3. Matters Arising

#### 3.1 Feedback on CWMS survey

It was decided that Andrew MacDonald at Chair of the Advisory Group with assistance from Paul Chapman and Simon Millcock will present the results of the Survey at the next meeting of Legatus CEOs on Friday 12 November. This will include key points from the recent CWMS Discussion Paper and the outcomes from the upcoming meeting Paul and Simon will have with the LGA CWMS Management Committee and would carry the message that a stronger focus is needed on the challenges and opportunities in CWMS. Paul will provide a precis for Andrew to help lead the discussions.

#### 3.2 Cross-jurisdictional comparisons

The meeting noted the delay in seeking to have this work done by the LGA. The proposal will be made to the upcoming meeting with the LGA CWMS Management Committee.

#### 3.3 Auditor-General's report and LGA reform agenda

Both of these issues would be discussed when Paul and Simon meet with the LGA CWMS Management Committee. The Advisory Committee will reconsider these matters at the next meeting.

#### 3.4 Drought Innovation Hub

This item was carried over to item 4.2.

### 4. Other Business

#### 4.1 Sub-regional CWMS workshops

The meeting noted the two upcoming workshops at Maitland on 25<sup>th</sup> October and at Jamestown on 24<sup>th</sup> November 2021.

#### 4.2 2022 CWMS Conference

The Conference is planned for April 2022 at the Mount Gambier campus of UniSA. It was agreed to include case studies in the program along with the reform process and results from the trial of condition monitoring CWMS equipment.

#### 4.3 Monitoring ESCOSA's verify-trust and accountability approach

The meeting noted the ongoing process to inaugurate this new approach to regulation by ESCOSA. Discussion included the implications associated with CWMS and the Tea Tree Gully Council. The Advisory Committee will monitor the rollout.

#### 4.4 On-line, on-demand CWMS training course

Responses have been received for the Request for Quotation to script the on-line content and a consultant is likely to be appointed before the end of October with deliverables in late November.

#### 4.5 Research activities with UniSA

Legatus is hosting a Workshop on 27<sup>th</sup> October to discuss with UniSA a range of possible research activities. Members of the Advisory Committee were invited to attend. The

Workshop is part of the move to position Legatus in relation to Climate Change and water supply, with the focus on regional urban centres. PIRSA would continue to focus on agriculture and the Landscape Board on the environment.  
Hayden Battle left the meeting

#### 4.6 Other Business

CWMS Advisory Committee membership

Simon Millcock pointed out that the Advisory Committee had vacancies for a Mayor, a CEO and one other. A call to fill the vacancies will be put to the November Legatus Group CEOs meeting and the December meeting of the Legatus Board.

Developments in Light Council CWMS - Adam Broadbent informed the meeting that the Light Council will build a new plant and wastewater treatment facility and will keep the Advisory Committee informed of progress.

There was no other business.

5. Meeting closed at 11 am

### **3.4 Legatus Group Visitor Information Services Advisory Committee**

Unconfirmed Minutes Legatus Group Visitor Information Services Advisory Committee

Friday 5 November 2021 10am meeting held by zoom

#### 1. Welcome and apologies

Attendance: Chair Stephen Rufus (Peterborough) Liz Heavey (Light), Shirley Dearlove (Peterborough), Jeremy Carn (RDAFN), Lynn Spurling (Copper Coast), Muriel Scholz (Yorke Peninsula) and Simon Millcock (Legatus). Apology: Jo Seabrook (Barossa).

#### 2. Minutes of committee meeting held 4 June 2021

The meeting noted that the minutes be taken as read and confirmed.

#### 3. Membership

The meeting noted that Anne Hammond and Glen Christie have left their respective positions and as such are no longer members of the Legatus Group Visitor Information Services Advisory Committee. Muriel Scholz advised she would be representative from Yorke Peninsula Council and as such the committee will recommend that Muriel fill the vacant position.

Meeting resolved to also invite the Legatus Group to consider having one of the Mayors attend as observer to help in creating closer links to the board.

#### 4. Check in - Key points discussed

- The regions VIS has recognised via 2021 State Winner The Barossa Visitor Centre, Silver to the Clare Valley Wine, Food and Tourism Centre and Bronze to the Ardrossan Museum and Information Centre.
- All waiting on the impacts of 23 November border opening – need to consider risk management.



- YP continues to experience high visitor numbers, this has been constant and varies from other parts of the State. VIS staff and volunteer numbers have been ok.
- Covid-19 impacts have raised issues of equity in support with some areas negatively impacted and others positive impacts.
- Peterborough and northern areas of the Legatus Group who rely on eastern states have been down in numbers. Not seeing them pick up as head into their low session.
- Issues around risk for long distance travellers.
- Remote VIC and VIS struggling to find staff – needing to vary their opening hours.
- Australian Travel Code – including signage throughout the Flinders and Outback could be taken up by other regions. Travel tips on how to be a responsible tourist.
- The Drivers Experience at Kapunda is progressing along with the Drivers Way and the new Light Country marketing.
- Need to foster alliances – linkages across the region.

## 5. Legatus Group 20/21 Business Plan & Budget

- a) Disability Inclusion Yorke Peninsula Tourism: The meeting noted the Legatus Group CEO report and that the report is now available. This will be workshopped on 15 November. Valuable learnings from this report could be replicated across the broader region.
- b) Opening the Door to Nature: The meeting noted the Legatus Groups CEO report and Lisa Pearson (Yankalilla Council) joined the meeting and provided an update. Current delays on the order of the 3 e-trikes and 3 push versions. The pilot project is being finalised and will look to have 1 push version available for trials and then all will be available on mass for training and bookings across the broader regions. The Legatus Group to coordinate reference group to scope out how can work in the region. This could be part of a broader classification for trails re accessibility.
- c) Storytelling / Podcasts: The meeting noted the Legatus Group CEO report and Kristine Peters joined the meeting and provided an update. Program looking to be delivered during Feb-May 2022 with local Brighter Futures teams who will create podcasts to showcase their towns, the people that live there and local hidden gems to inform both the community and tourists. This will be open to anyone with an interest in local storytelling, history, tourism or podcasting who live in the following Council areas: Flinders Ranges, Northern Areas, Orroroo Carrieton, Mount Remarkable and Port Pirie Regional. Discussions have continued with Storytowns re Podcasts and Copper Coast Council and interest if part of a broader regional approach. There could be opportunity for both regions to combine via the Legatus Group seeking RFQ to deliver podcast training and relevant apps. Initial thoughts included Storytowns and Our Towns and the VIS Advisory Group to assist with selection.

Stephen Rufus leaves the meeting.

- d) Cultural / Native Foods Tourism: The meeting noted the Legatus Group CEO report and Li Meng UniSA and Uncle Dookie joined the meeting and provided an update. Currently waiting on the Nharangga Progress Association to respond. Support for greater engagement re events and festivals and encourage councils to engage who may have an interest. Discussed the Quandong Festival in 2022 in the Flinders Ranges and Simon Millcock to introduce Li Meng to Flinders Ranges Council
- e) National Trust Projects: The meeting noted the Legatus Group CEOs report and Allison Russell from the National Trust joined the meeting and provided an update. The National Trust will be developing a Heritage Tourism Framework for visitor experiences with a Tourism Strategy Workshop (this will be held later in November). Key infrastructure projects include

Peterborough Roundhouse, Port Pirie Customhouse and Railway Station and Gladstone Gaol. The augmented reality projects are through MAV Media and Illuminart.

- f) Regional Visitor Information Services Forum: Case studies could include – Covid impacts / New trails being developed / Delivery of Visitor Information Services (showcase the 2021 VIS winners) / use of digital and data management (governance understanding the value). Legatus Group seek expressions of interest from councils who may wish to host.

6. Other Business – Nil

7. Close and date of next meeting The meeting was closed at 11.50am and date for next meeting to be confirmed.

## 4. REPORTS FOR DECISIONS

### DECISION REPORT

**Report Title:** Road and Transport Infrastructure Advisory Committee

**Item No:** 4.1

**Date of Meeting:** 10 December 2021

**Author:** Dr Helen Macdonald Chair of the Committee

**Attachments:** Nil

#### Recommendation:

1. That the minutes of the Legatus Group Road and Transport Infrastructure Advisory Committee meeting held on 22 November 2021 be received.
2. That the Legatus Group provides the following response to the Local Government Association with regards the Special Local Roads Program funding:
  - a. That any gaps identified in the data / applications and prioritising by the regions needs to be articulated to each Regional LGA to assist them in ensuring they have the most rigorous process that aligns with funding assessment obligations; and
  - b. there needs to be a review of the criteria to ensure equity occurs for all councils and that this should include identifying a standard format for assessment.

Unconfirmed Minutes Legatus Group Road and Transport Infrastructure Advisory Committee

Friday 12 November 2021

10am Clare and Gilbert Valleys Council Chamber 4 Gleeson Street Clare

1. Welcome and attendance

The Chair of the committee Dr Helen Macdonald opened the meeting at 10am.

Attendance: Dr Helen Macdonald (Clare and Gilbert Valley), Kelly-Anne Saffin (RDAYMN), Tom Jones (Adelaide Plains), Mike Wilde (DIT), Michael McCauley (Yorke Peninsula), Lee Wallis (Goyder), Stuart Roberts (Wakefield), Mitchell Foote (Flinders Ranges) and Steve Kaesler (Barossa Valley).

Others: Toni Clarke (LGA) and Simon Millcock (Legatus),

Apologies: Dylan Strong (Orroroo-Carrieton)

2. Minutes of the committee meeting held 20 August 2021.

The meeting noted that the minutes of the meeting held on 20 August 2021 were presented to the Legatus Group.

Motion: That the minutes were a true and accurate record of the meeting.

Moved: Steve Kaesler Second: Stuart Roberts CARRIED

### 3. SLRP 21/22 Outcomes

The meeting noted Mike Wilde is a member of the LGTAP Committee and resolved that there was no conflict of interest as the meeting was not discussing the specifics of the complaint raised by the Yorke Peninsula Council. The Legatus Group CEO provided a report with the agenda which included the outcomes of meeting held by Helen Macdonald and Simon Millcock with LGTAP and feed back from HDS. This related to recommendations by LGTAP to not support the Legatus Group priority rating of the Yorke Peninsula North Coast Road for funding. General discussion was held and noted that there is a review of the SLRP underway and that the feedback from the Legatus Group has been valuable. The meeting resolved (1) that proportional funding should be addressed and (2) Simon Millcock to follow up with Lea Bacon at the LGA on the review process.

Motion: That the Legatus Group Road and Transport Infrastructure Advisory Committee recommends the Legatus Group provides the following response to the Local Government Association with regards SLRP:

- a) That any gaps identified in the data / applications and prioritising by the regions needs to be articulated to each Regional LGA to assist them in ensuring they have the most rigorous process that aligns with funding assessment obligations; and
- b) there needs to be a review of the criteria to ensure equity occurs for all councils and that this should include identifying a standard format for assessment.

Moved: Michael McCauley Seconded: Steve Kaesler CARRIED

### 4. Heavy Vehicle Access

Toni Clarke the Heavy Vehicle Access Liaison Officer attended the meeting and provided an update on the following:

- 7 months left on her contract – The meeting resolved to write a letter to the LGA of support and acknowledgement for the value of Toni's work.
- Risk Liability Webinar available on LGA intranet – Feedback provided from those who attended. Discussed the development of toolkit and guidelines and how it could align with some of the current working being developed by Legatus Group re training for CWMS.
- National Notices from Regulator – Trying to allow appropriate time in notices coming to Councils. Agriculture notices for SA looking at coming after harvest.
- Emergency Management Notices – Notice is coming re new vehicles with SES, CFS, Low Loaders, Unimog and ADF.
- Regulator is trialling special system in Victoria with route able data set.

### 5. Legatus Group Business Plan 21/22

#### a. 2030 Regional Transport Plan

The meeting noted the update provided by the Legatus Group CEO with the agenda. Action Simon Millcock to follow up with HDS on their engagement with member councils re minor upgrades by exemption.

#### b. Bridge Deficiencies Report

The Legatus Group CEO provided a report along with a proposal by Mace Engineering. This follows the outcome of the meeting he held with Steve Kaesler and Ken Dolan (Clare and Gilbert Valleys Council) and Mace Engineering to investigate further options.

Motion: That the Legatus Group Road and Transport Infrastructure Advisory Committee endorses the contracting of Mace Engineering to undertake *“The Assessment of the bridges and culverts on LGA Roads for the Legatus Group”*.

Moved: Tom Jones Seconded Stuart Roberts CARRIED

The meeting discussed that applications for the Bridges Renewal Program and Heavy Vehicle Safety and Productivity Program are now open.

c. Public Transport

The meeting noted the updated report in the agenda by the Legatus Group CEO.

d. SA Regional Road Priority Report

The meeting noted the updated report in the agenda by the Legatus Group CEO and that this is an agenda item for the SA Regional Organisation of Councils meeting 17 November 2021.

e. Socio-Economic Impact Road Deficiencies

The meeting noted the updated report in the agenda by the Legatus Group CEO.

Motion: That the Legatus Group Road and Transport Infrastructure Advisory Committee recommends that there is a call for an expression of interest from member councils on who would like to identify specific road/s within their council for individual analysis and be willing to consider jointly fund this information for further consideration by the Legatus Group.

Moved: Lee Wallis Seconded: Tom Jones CARRIED

f. Legatus Roads Forum

The meeting discussed topics to include:

- Case studies – Heavy Vehicles (Toni Clarke to assist)
- Update from DIT on current and future projects in the region
- LGTAP Review
- SA Regional Priority Roads Project
- Legatus Regional Roads Plan update
- Benefits of collaborative approach to grants (Kelly-Anne Saffin)

Simon Millcock to send notice to councils seeking to co-host

6. Other Business

a. Transit Tool

Kelly-Anne Saffin to provide further information and investigating the ability for Councils to access.

b. DIT Restructure

Mike Wilde advised that the restructure may result in another representative from DIT on the committee.

7. Close and date of next meeting: The meeting was closed at 11.40 am and next meeting date to be confirmed.

## DECISION REPORT

<b>Report Title:</b>	<b>Business Plan Update</b>
<b>Item No:</b>	<b>4.2</b>
<b>Date of Meeting:</b>	<b>10 December 2021</b>
<b>Author:</b>	<b>Legatus Group CEO Simon Millcock</b>
<b>Attachments:</b>	<b>Nil</b>

### 1. EXECUTIVE SUMMARY

This report provides an update to the Legatus Group of its 2021/2022 Business Plan.

### 2. RECOMMENDATION

**That the Legatus Group receives and notes the report.**

### 3. RELEVANT CORE STRATEGIES/POLICIES

Item 4.6.3 Legatus Group Charter – Function of the CEO. To provide information to assist the Board to assess the Legatus Group's performance against its Strategic and Business Plans.

### 4. BACKGROUND

The Legatus Group 2021/2022 Business Plan was approved by the Constituent Councils and adopted by the Legatus Group at their 11 June 2021 meeting. An update was provided with the agenda at the 3 September Legatus Group meeting.

The Legatus Group CEO has attended 12 Constituent Council meetings during October and November to update each council on the business plan. The Wakefield Regional Council will be at their December meeting and Clare and Gilbert Valleys Council date to be confirmed. Barunga West did not seek the CEO's attendance but did receive a copy of the power point presentation.

### 5. DISCUSSION

The project updates are provided as a snapshot with colour coding used for each project **Green – on track** **Yellow – some delay** **Red – potential concern**. Members may wish to seek clarification during the meeting.

The following projects were the carryover from the 2020/2021 financial year and are being completed in 2021/2022:

Water

1. Space Down Under

Community Development

2. Brighter Futures - funding State Govt (DHS) and Councils
3. Youth Volunteering – funding LGA R&D Grant
4. Yorke Peninsula Accessibility Project – funding from LGA and 3 Councils

Waste / Wastewater

5. Script development for Training Course re Community Wastewater Management Schemes – funding from LGA

The following projects identified in the budget which required Council Contributions beyond their subscription fees for 2021/2022 have not commenced and will not commence unless councils committed and funding is secured.

1. Stage 2 Smart Irrigation and Stormwater Harvesting
2. New Community Capacity Building (Volunteering) Project
3. Stage 2 of Remarkable Southern Flinders Ranges Council Alliance

<b>I. Water / Climate Change / Drought</b>	
<b>Project</b>	<b>Status</b>
<b>Drought</b>	<p><b>Future Drought Fund</b> The Legatus Group CEO attended the workshop held on Tuesday, Sep 14 – Mid &amp; Upper North (low rainfall), Orroroo which was one of the 2021, the South Australian Drought Resilience Adoption and Innovation Hub regional workshops across the State to identify each region’s priorities to strengthen their drought preparedness and resilience. A total of 279 people participated in the 7 in-person and online hybrid Node workshops. The workshops and additional feedback generated a total of 991 ideas, providing the SA Drought Hub with the confidence that responses to questions around drought preparedness were well canvassed. Workshop participants identified that community, and farm business operations and financial resilience would need to all be realised before drought resilience could be achieved. A consistent message from participants was for organisations, programs and projects to work more collaboratively to avoid duplication and optimise outcomes on the ground. Participants felt that this could be improved from current delivery models which they viewed as often being disconnected from community. Other key messages delivered by participants included the need for their involvement in the design and delivery of programs that were being implemented in their communities. Community resilience and wellbeing was a prominent topic at all workshops. Many of the ideas proposed related to maintaining services and town businesses in the community, provision of services and activities for a range of ages and interests, retention of people in local areas, and measures to attract new people. Capacity to maintain these services in regional communities was also discussed as a significant issue at a number of the workshops.</p> <p><b>Regional Drought Resilience Planning Project</b> The Yorke and Mid North Alliance through RDA YMN have secured the funding and established a reference group which includes the Legatus Group CEO and they have selected the consultants to progress.</p>
<b>Climate Change Sector Agreement</b>	Legatus Group CEO has completed the first report which has been presented to the Northern and Yorke Alliance for distribution to the DEW.
<b>Sustainability Hub Concept Plan</b>	Meeting still to be arranged between the tenants and Dept for 155 Main North Road Clare site.
<b>Smart Irrigation System</b>	On track – no further update since last meeting.
<b>Storm Water Harvesting</b>	On track - (Task 1) Pre - construction monitoring or other activities - Site selection completed - catchment study well underway - tree species selection completed - selection of infiltration units completed - purchase of research equipment completed but was late due to lockdown in New Zealand (Task 2) to include during construction photo monitoring – completed post construction monitoring (Task 3) (Data collection, monitoring and evaluation work for project) Well underway

	<p>A) Installation of water level loggers 2 sites completed 1 site - underway End of November</p> <p>B) 1st measurements of trees planted with passive irrigation (TREENET inlet systems) and control trees completed</p> <p>C) Study catchment measurements completed promotion phases of projects well underway. News published in Stormwater SA newsletter and councils published news on social media, website, and community news.</p>
Northern and Yorke Coastal Management Action Plan	<p>An expression of interest was developed on behalf of the Northern and Yorke Landscape Board with input from the 7 Coastal Councils for the Landscape Priorities Fund for 2021/22 for the Project: Resilient Coastal Ecosystems in Northern and Yorke and this has resulted in the invitation to submit a Stage Two application.</p> <p>Applications must be submitted by 4 pm 22 December 2021 via the DEW Grants Management System (GMS) and at this stage the Northern and Yorke Landscape Board are looking to do this internally.</p>
<b>2. Community Capacity</b>	
Brighter Futures / Community Development	<p>DHS confirmed approval for a Storytelling Brighter Futures project which is offered to communities in the Port Pirie Regional, Mount Remarkable, Northern Areas, Flinders Ranges and Ororoo Carrieton Councils. A flier has been distributed seeking expressions of interest from community members who may wish to register.</p>
Volunteering	<p>Blue Goanna Studios have completed the next series of volunteer videos which feature Sustainability Projects via Clare Lions Group, Riverton Lions Group and Barossa Fathers Farm with focus on value of volunteering and alignment with youth-based projects and recycling / waste. They are being developed to encourage members of the community of all ages to get involved – in any capacity they can and will showcase sustainability activities in schools and the wider community.</p>
Disability Inclusion Yorke Peninsula (YP) Tourism	<p>The Barunga West, Copper Coast and Yorke Peninsula Councils with project management support from the Legatus Group and input from a reference group (including representatives from councils, RDA Yorke Mid North, YP Leisure Options and YP Tourism) have overseen the development of:</p> <ol style="list-style-type: none"> <li>1. Inclusive and Accessible Tourism Experiences Yorke Peninsula Report (UniSA)</li> <li>2. Opportunities for the Development of Accessible Tourism on the Yorke Peninsula (Travability)</li> </ol> <p>On the 15 November 2021 the councils along with the reference group undertook a workshop facilitated by the Legatus Group CEO to consider feedback on the Opportunities for the Development of Accessible Tourism on the Yorke Peninsula and to discuss the next steps. The report provides a good list and actions and these should be considered in the next phase which is the implementation and this will be subject to budgets and grant opportunities.</p> <p>Current aligned projects</p> <ol style="list-style-type: none"> <li>1. Open the Door to Nature - The partnership formed with the Yankalilla and Mitcham Councils and the Legatus Group on a successful Linkages and Capacity Building – Social and Community Participation grant. <i>The path to accessible National Parks, nature spaces, reserves and trails – Open the Door to Nature.</i> This is a trial project re eTrike and all-terrain wheelchairs and is a moderately scaled intervention providing people living with a disability to participate in and benefit from nature-based recreation with their families, carers and peers. It incorporates amongst other things a free-hire program for eTrike and MT Evo all-terrain wheelchairs offering self-propelled, electric-assist and push options which will include in the Yorke Peninsula. The workshop supported the development of an MoU by the Legatus</li> </ol>



	<p>Group with Yankalilla and Mitcham Councils to further progress this project including seeking a grant to assist with the grading of relevant trails.</p> <p>2. Podcasts – Following earlier workshops and discussions there is interest in the development of local podcasts to be used to help those with an interest in local history, storytelling and tourism which would be developed / guided by podcasting experts. The reference group have discussed the need to make these as accessible and inclusive as possible. The workshop supported this as a project which could also look to gain grant funding to develop and to include the disability sector in their development.</p> <p>The report and the workshops see the lead for implementation to be Yorke Peninsula Tourism (YPT) in partnership with the Disability and Tourism sectors with the support of the reference group. The Legatus Group CEO is liaising with YPT to gain their interest and then provide report to the Councils of their consideration.</p>
Reconciliation	<p>The Legatus Group CEO continues to attend the Northern and Yorke Landscape Board Aboriginal Engagement Committee and their next meeting is on Wednesday 15 December. UniSA presented at their last meeting and this has led to a meeting between UniSA, Legatus Group CEO, Copper Coast Council Tourism Officer and the Nharangga Aboriginal Progress Association to discuss a Cultural Awareness through food and alignment with cultural tourism and coastal / land management.</p>
Attraction and retention	<p>Commenced developing a Regional Workforce Attraction, Development &amp; Retention Action Plan for the Legatus Group LGAs in collaboration with Torrens University. The University have committed cash and in-kind to the value of \$28,000 which add value to the Legatus Group 2021/2022 budget allocation of \$10,000 to assist with developing the action plan. The Legatus Group CEO has been investigating areas around micro-credentials specific to Local Govt needs. The 2021/2022 SAROC Business Plan includes regional workforce strategic planning, funding and training delivery.</p> <p>The Yorke and Mid North Alliance is staging its annual forum in early 2022 which will focus on Workforce. Regional Development South Australia have also released its Regional Workforce Policy Paper.</p> <p>This project will assist in considering options for progressing via gaining a better understand of key challenges, enablers and strategies to attract, develop in the local government workforces that is relevant to Regional SA.</p> <p>This will enable a strategy, action plan and marketing to be developed to assist the Local Government Sector in Regional SA attract and retain their local workforce.</p>
<b>3. Regional Capacity</b>	
Regional Conference / forums	<p>Dates yet to be identified for 21/22 but will include:</p> <ul style="list-style-type: none"> <li>• Legatus Group Climate Ready Conference</li> <li>• SA CWMS Conference</li> <li>• Legatus Group Waste Forum</li> <li>• YMN Alliance Forum (February)</li> <li>• Legatus Group Regional Roads</li> <li>• SA Creative Industries</li> <li>• Legatus Group Visitor Information Services</li> </ul> <p>Dates are anticipated by mid-December 2021.</p>
Mixed Realities Tourism / Tourism Accessibility	<p>Waiting outcomes from the Remarkable South Flinders Tourism Alliance research project and the Disability Inclusion Yorke Peninsula (YP) Tourism report. Linked also with the Brighter Futures project.</p>
SA Regional Road Priority	<p>SAROC have approved an allocation of \$15,000 to be matched with the Legatus Group \$5,000 and waiting on contract from LGA before progressing with a working group established with LGA and Regional LGA EOs.</p>

Legatus Socio-Economic Impacts Road Deficiency	Yet to progress – seeking expressions of interest from member councils.
SLRP and Roads Database updates	HDS were contracted and during October requested Councils provide updates to route 'by exception' to the Legatus Group Regional Roads Plan. In November they circulated the Road Action Plans for minor updates and have asked if there are 'by exception' additions to the Roads Database. These additions will need to be approved by before being added to the Roads Database.
Bridge Deficiency Report	Mace Engineering have been contracted and they will focus on the 90 roads identified under the Regional Transport Plan, Road Deficiency Action Plan via a desktop assessment undertaken to identify bridges and culverts along these roads, that may be suitable for grant funding under the Bridges Renewal Funding Program. Where a local government authority does not have any Priority 1 Roads, the Priority 2 Roads for this LGA will be considered. A report would be prepared at the completion of the research project. For each Local Government Authority, a summary of the structures assessed on the Priority 1 Roads under the Regional Transport Plan Road Deficiency Action Plan would be provided, which would outline what information is available and what information would be required to be able to have the project ready for a grant funding application. If the information is available, a brief condition summary of the structure and an outline of proposed upgrade works would be provided, and where possible the structures ranked by the highest priority for upgrade. It is noted that this proposal is a desktop analysis and will not include detailed site inspections and assessments of bridge structures.
Public Transport	Reference Group have met to scope out the project brief and the Legatus Group CEO will progress in December 2021 and January 2022 for report to be ready by February 2022.
Southern Flinders Ranges Tourism Alliance	The final report from University of Adelaide has been discussed by the working group and a proposed tour and workshop in November has been postponed till early 2022.
IT data gathering and digital research project	Workshop was held and report provided by FOUR which included 2 specific areas that could be considered to progress and they were (1) Handling Customer Request Processes & (2) Paper Data Capture Processes whilst also identifying a possible Long term project - Liveable Regions – Regional Urban Greening. The Legatus Group CEO has been in discussion around support for member councils and specifically with the Port Pirie Regional Council who on behalf of several Legatus Group councils is investigating to topic of Handling Customer Request Processes. The Liveable Regions – Regional Urban Greening was the subject of a workshop between the Regional LGA EOs and UniSA.
Legatus Group Website update	Honeycomb Design have completed the draft update of the Legatus Group website with plans to have this go live prior to 24 December 2021.
<b>4. CWMS / Waste</b>	
Legatus Group Waste Management Action Plan	<ul style="list-style-type: none"> <li>• Refer to item 4.6</li> <li>• Reference Group for Trial Compost Project initially identified at Peterborough continues to progress.</li> <li>• The Legatus Group CEO is finalising the agreements with UniSA and Rawtec to investigate the potential to establish Regional Materials Recovery Facility/s in SA.</li> <li>• The Legatus Group CEO has continued to assist in facilitating collaborations between the community groups in the Barossa and Clare Valleys who are working on recycling projects (1) Fathers Farm &amp; (2) Clare Lions.</li> </ul>
CWMS	Two workshops have been held for Legatus Group Councils involving Michelle Wittholz LGA CWMS Project Manager to discuss:

	<ul style="list-style-type: none"> <li>• Results of the most recent Legatus Group survey / updated list and information on CWMS systems (which was also discussed at the Legatus Group CWMS Advisory Group &amp; Regional Management Group meeting).</li> <li>• Key points from the CWMS Discussion Paper which had been presented to the LGA CWMS Management Committee in their efforts to progress State-wide reform. Paul Chapman and Simon Millcock have met with the LGA CWMS Management Committee and carried the message that a stronger focus is needed by the LGA and Councils on the challenges and opportunities in CWMS.</li> </ul> <p>Through discussions with LGA Training and the LGA CWMS Project Manager, Barron Training and Consulting have been contracted to complete the script development for CWMS which will be ready for an online learning platform.</p> <p>The CWMS Pump Monitoring project is being undertaken collectively by Legatus and UniSA under a Research Agreement with independent company, IPACS, and two of the Legatus Councils, Light and Copper Coast. It involves installing state-of-the-art sensors on CWMS equipment which will monitor remotely performance characteristics such as vibration, bearing noise, etc to provide advice on maintenance expenditure. It is expected to offer large cost savings to Councils which typically either follow OEM specifications or simply undertake reactive maintenance. The sensors have been collecting data and monthly reports have been generated for the Council throughout 2021. Evaluating this technology is difficult for two reasons: the benefits must be assessed over a longer time period and they must be compared to the costs of the current practices but we are unaware of any Council which keeps sufficiently detailed data. As a result, an assessment is being made in a supervised research project with post-graduate students from UniSA. That work is nearly complete and the results will be made available to Legatus members and at the April 2022 CWMS Annual Conference.</p>
<p>Research</p>	<p>A workshop was held between the Regional LGA EOs and UniSA to discuss broadening the MoU between UniSA and the Legatus Group to include all Regional LGAs with a focus the ideas generated at the Port Pirie workshop. Agreement was that there was value in developing a consortium approach around urban environments to assist with developing further the ideas around using scarce resources Liveable Regions for Regional SA.</p> <p>The Legatus Group CEO has also met with the University of Adelaide to discuss opportunities to expand that MoU.</p> <p>No updates yet on the (1) Smarter Regions CRC bid re-submitted by University of Adelaide with Legatus Group as a partner or (2) Plastic Waste CRC bid submitted by Griffiths University through the MoU with Legatus Group and UniSA</p>

## 6. ANALYSIS OF OPTIONS

### Option I:

That the Legatus Group receives and notes the report.

Option I provides for the Legatus Group acknowledging the current status of the progress of the Legatus Group 2021/2022 Business Plan and seeking clarification from the Legatus Group CEO.

**Option 2:**

Not addressed.

**7. RECOMMENDED OPTION**

Option 1 is the recommended option.

**8. POLICY IMPLICATIONS**

**8.1 Financial/Budget**

The projects identified in the budget which required Council Contributions beyond their subscription fees for 2021/2022 would not commence unless councils committed and funding was secured.

**8.2 Staffing/Work Plans**

This activity is accommodated within existing workplans and resources noting that the Administration Officer position was delayed in being filled.

**8.3 Environmental / Social / Economic**

Nil impacts.

**8.4 Stakeholder Engagement**

These projects are managed through the Advisory Committees and Reference Groups.

**9. REPORT CONSULTATION**

Attendance and discussions were offered to all Constituent Councils for the annual update.

## **DECISION REPORT**

**Report Title:** Financial Report  
**Item No:** 4.3  
**Date of Meeting:** 10 December 2021  
**Author:** Legatus Group CEO Simon Millcock

### **Attachments:**

- A Legatus Management Report for November 2021**
- B Legatus Profit & Loss Jobs Report for November 2021**
- C Bank reconciliation for November 2021**

## **1. EXECUTIVE SUMMARY**

This report seeks a decision of the Legatus Group in relation to the 2021/2022 Legatus Group Budget and CEOs Credit Card purchases.

## **2. RECOMMENDATION**

**That the Legatus Group:**

- 1. Receives the report and that pursuant to Section 123(13) of the Local Government Act 1999 and Section 7 of the Local Government (Financial management) Regulations 2011 that the Legatus Group notes the contents of the Statutory Finance Reports for the period ending 30 November 2021.**
- 2. Notes the CEOs credit card expenditure report for 1 September 2021 till 30 November 2021.**
- 3. Supports the Audit and Risk Management Committee recommendation that there is no change to Budget Review 1 and that all considerations for any changes are provided in Budget Review 2 being the mid-year review and that this review will include written information provided in a management format.**

## **3. RELEVANT CORE STRATEGIES/POLICIES**

Section 5 Legatus Group Charter includes - reports summarising the financial position and performance of the Legatus Group against the Budget must be prepared and presented to the Board at each ordinary meeting of the Board and copies provided to the Constituent Councils.

## **4. BACKGROUND**

Refer item 3.1 of this agenda Legatus Group Audit and Risk Management Committee.

The Legatus Group adopted the 2021/0222 budget at their 11 June 2021 meeting and they noted the budget review as of the 31 July 2021 at their 3 September 2021 meeting.

The Legatus Group CEO has a limit of \$1,000 for the Credit Card and following a previous motion by the Legatus Group is required to provide a report to each meeting of the expenditure on that card.

## 5. DISCUSSION

The Legatus Group Finance Officer prepared the following financial reports:

1. Management Report October 2021
2. Profit and Loss Report October 2021
3. Bank Reconciliation October 2021

These reports were presented and discussed by the Legatus Group Audit and Risk Management Committee on 22 November 2021 item 3.1 of this agenda refers to their noting of the reports.

The Audit and Risk Management Committee held a Special Meeting on 30 November 2021 to discuss a budget review and resolved: That the Audit and Risk Management Committee recommends there is no change to Budget Review 1 and that all considerations for any changes are provided in Budget Review 2 being the mid-year review and that this review will include written information provided in a management format.

The Audit and Risk Management Committee noted the following comments on the budget and that there will more details provided with the mid-year review.

1. Carryover of \$62,000 from the 2020/2021 financial year of the following projects which are being completed in 2021/2022:
  - Water Space Down Under – Smart Irrigation
  - Brighter Futures - funding State Govt (DHS) and Councils
  - Youth Volunteering – funding LGA R&D Grant
  - Yorke Peninsula Accessibility Project – funding from LGA and 3 Councils
  - Script development for Training Course re Community Wastewater Management Schemes – funding from LGA
2. That the following projects may not proceed (subject to funding / grants)
  - Stage 2 Smart Irrigation
  - Stage 2 Stormwater Harvesting
  - Stage 2 Remarkable Southern Flinders Ranges
  - Volunteer Community Building
3. Accounting Expenses will increase due to the need for adjustment as previous allocation of hours appears to be insufficient
4. The reimbursement of \$20,700 allocated in the budget is to be moved to 20/21 due to using an accrual system
5. Reduction in Wellbeing allocation is likely as PIRSA have extended the contract for the 2 Family and Business Support Mentors
6. Reduction in the staff expenses due to making 2 x part time Project Officers into 1 part time Administration Officer
7. Income reduction via grants from State and Federal Govt (Federal - Drought Funding not likely, State Govt - Green Industries SA possible and Wellbeing SA and Regional Growth not likely).

The Legatus Group Finance Officer has since prepared the attached financial reports until the 30 November 2021.

The Legatus Group CEO credit card expenditure from 1 September 2021 till 30 November 2021 was:

**September**

1st Sept 21	Foodland, Clare Catering	\$18.93
2nd Sept 21	Facebook Advertising	\$188.41
2nd Sept 21	International Transaction	\$5.65
3rd Sept 21	Hunt & Son, CLARE Fuel	\$61.67
4th Sept 21	Simon & Mary Louise, Orroroo Accommodation	\$110.00
5th Sept 21	Orroroo Hotel - Meal	\$22.00
5th Sept 21	XERO Account	\$67.00
7th Sept 21	Burra Motor Co Fuel	\$51.79
7th Sept 21	Renmark Hotel Accommodation	\$130.00
7th Sept 21	Renmark Club Meal	\$28.00
10th Sept 21	Hunt & Son, CLARE Fuel	\$62.14
15th Sept 21	Hunt & Son, CLARE Fuel	\$63.51
16th Sept 21	OTR Brompton Fuel	\$46.30
17th Sept 21	Wilson Parking	\$29.36
19th Sept 21	Hunt & Son, CLARE Fuel	\$54.07
22nd Sept 21	Liberty Beverley, Woodville Fuel	\$41.48
22nd Sept 21	Grosvenor Adelaide Accommodation	\$119.00
23rd Sept 21	OTR Rosewater Fuel	\$10.50
29th Sept 21	Card Fee	\$4.00

**October**

1st Oct21	X Convenience Fuel	\$59.32
5th Oct21	XERO Account	\$70.00
8th Oct21	Perry's Auburn Fuel	\$51.97

12th Oct 21	OTR Kapunda Fuel	\$51.82
16th Oct 21	Hunt & Son, Clare Fuel	\$70.26
20th Oct 21	Hunt & Son, Clare Fuel	\$47.00
21st Oct 21	Commercial hotel Jamestown Accommodation	\$120.00
22nd Oct 21	Brett Gordon Skinner, Kadina Fuel	\$53.84
23rd Oct 21	UPK Pirie, Adelaide Parking	\$19.00
26th Oct 21	Hunt & Son, Clare Fuel	\$58.98
28th Oct 21	Care Park Online, Melbourne Parking	\$0.60
29th Oct 21	Solweather Hospitality, Hindmarsh Meal	\$8.00
29th Oct 21	The Lion Hotel, Adelaide Meal	\$34.00
30th Oct 21	Card Fee	\$4.00
31st Oct 21	SMP, The Loose Caboos, Hindmarsh Meal	\$28.26

### **November**

2nd Nov 21	Facebook advertising	\$46.02
2nd Nov 21	International Transaction	\$1.38
4 <sup>th</sup> Nov 21	Hunt Fuel - Clare	\$76.58
4 <sup>th</sup> Nov 21	City of Adelaide Parking	\$7.20
5 <sup>th</sup> Nov 21	UPK Frome, Adelaide Parking	\$14.00
5 <sup>th</sup> Nov 21	XERO Account	\$70.00
6 <sup>th</sup> Nov 21	BP Roseworthy Retail Fuel	\$15.00
10th Nov 21	Rundle Parking	\$20.50
11th Nov 21	X Convenience Retail Fuel	\$69.35
14th Nov 21	Hunt Fuel - Clare	\$59.08
14th Nov 21	Foodland, Clare Catering	\$20.31
14th Nov 21	Subway Clare Catering	\$98.00
17th Nov 21	LH Perry & Son, Clare Fuel	\$62.49
18th Nov 21	SMP, Great Northern, Quorn Accommodation	\$142.31



19th Nov 21	Austral Hotel/Motel Quorn Meal		\$15.80
20th Nov 21	OTR, Clare Fuel		\$58.50
24th Nov 21	LH Perry & Son, Clare	Fuel	\$63.11
25th Nov 21	Jamestown Bakery Catering		\$132.00
29th Nov 21	Card Fee		\$4.00

## 6. ANALYSIS OF OPTION

The recommendation is to note the report and the recommendation and resolutions from the Legatus Group Audit Committee and the Legatus Group CEO credit card expenditure.

## 7. RECOMMENDED OPTION

As outlined.

## 8. POLICY IMPLICATIONS

### 8.1 Financial/Budget

Nil

### 8.2 Risk Assessment

<b>Primary Risk Type</b>	Financial		
<b>Inherent Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
	Low	Low	Low
<b>Controls</b>	Financial reports to Audit and Risk Management Group and Board and Quarterly review of annual budget Regular updating and monitoring of financial sustainability		
<b>Residual Risk</b>	Low	Low	Low

### 8.3 Staffing/Work Plans

This activity can be accommodated within existing workplans and resources.

### 8.4 Environmental / Social / Economic

N/A

### 8.5 Stakeholder Engagement

Audit and Risk Management Committee

## 9. REPORT CONSULTATION

Audit and Risk Management Committee

## **DECISION REPORT**

**Report Title:** Wellbeing – Support from the Legatus Group  
**Item No:** 4.4  
**Date of Meeting:** 10 December 2021  
**Author:** Legatus Group CEO  
**Attachment:** D - Letter from Lifeline Broken Hill Country to Coast

### **1. EXECUTIVE SUMMARY**

This report seeks a decision of the Legatus Group in relation to continuing support for an improved model for regional coordination to support mental health services and wellbeing.

### **2. RECOMMENDATION**

**That the Legatus Group:**

- 1. Receives and notes the report.**
- 2. Approves the Legatus Group CEO to continue investigating an improved model for regional coordination to support mental health services and wellbeing across its Northern Council members.**
- 3. Approves in principal support of the development of a formal alliance with Lifeline Broken Hill Country to Coast for consideration at further meeting of the Legatus Group.**
- 4. Writes to the Minister for Health and Minister of Primary Industries and Regions confirming this approach.**

### **3. RELEVANT CORE STRATEGIES/POLICIES**

Legatus Group Strategic Plan 2018 -2028

Goal Two: Support Social Infrastructure and Community Services that meet the region's needs. Strategy 1 - Actively work with regional providers to gain knowledge to assist with advocating for improvement of health, education, community and social support services.

Legatus Group Business Plan 2021 / 2022 Item 3. Regional and Community Sustainability

**Target:** I. Economic, environmental and social sustainability is fostered through proactive, innovative, efficient and collaborative approaches to priority issues.

**Action:** (h) Support to be provided to progressing regional health plans and advocate on behalf of the region for increased health services.

### **4. BACKGROUND**

At the 3 September 2021 Legatus Group received the Wellbeing Gap Analysis Legatus Group Northern Councils Report and the report was released on the Legatus Group Website.

The Legatus Group supported the CEO to continue identifying opportunities including grant funding and partnerships for the development of a better model for regional coordination to 1) assist the local communities to access mental health services; 2) support service providers align their services with the local needs, as well as; 3) collaborate with local councils to gain more resources so that there is proper investment in local wellbeing.

The Legatus Group also wrote to Minister David Basham thanking the SA Government for extending the contracts of the two Family and Business Support Officer positions until 30 June 2022 and recommends that the Legatus Group is invited to provide a presentation on a model for better regional coordination re wellbeing to the Governments Regional Development Strategy Forum.

The SA Regional Development Strategy outlines how the government will work with communities to encourage regional development across the state, support communities to be resilient to challenges and help them thrive. Wellbeing fits within one of the five strategic priorities identified to guide government investment, decision making and service delivery to reflect the priorities of the regions.

Michelle Edge the CE for the Department of Primary Industries and Regions South Australia Chair for the Government's Steering Committee for the Regional Development has contacted the Legatus Group CEO advising the following:

*I was informed that following a meeting in August this year with the Minister for Primary Industries and Regional Development and the Minister for Energy and Mining, you were seeking to attend and present to the Government's Steering Committee for the Regional Development Strategy, of which I am the Chair.*

*It was my intention, and the intention of our Minister, that you would attend the Steering Committee held last week. An item was placed on the agenda for you to present, but unfortunately, due to an administrative error, an invitation was not extended to you. I apologise for this. However, in the end, the agenda was heavily overcommitted and accordingly this may not have been the most optimal timing for your presentation in any event to enable reasonable discussion on wellbeing. Therefore, to remedy, I intend on holding an interim Steering Committee meeting in February 2022 which would be an ideal opportunity for you to meet with the group and provide your presentation as planned.*

*If you are interested in attending this meeting, please let me know and we can then provide the details closer to the time.*

The Legatus Group CEO has advised of his interest.

## **5. DISCUSSION**

There have been 3 meeting arranged by the Legatus Group CEO and the following are their notes:

- 1. 15 September 2021** which included Brett Bartel and Stefan Hasenohr (PIRSA), Kelly-Anne Saffin and Aaron Oehms (RDA Yorke Mid North), Scott Hammond (Lifeline) and Simon Millcock (Legatus Group). Apology from Dept Health although strong interest but unable to attend on that date and time.

The meeting discussed possible partners for the development of the model.

- *Initial partners:* SA Govt (PIRSA & Wellbeing SA), Local Govt (Legatus Group), Regional Development (RDAs) Industry (Lifeline) Universities (University of Adelaide) and Primary Health Network for Country South Australia. Note Torrens University of Australia have shown interest.
- *Regional alignment:* Through the Northern and Yorke Alliance planning has commenced on a Regional Drought Resilience Planning Program and the development of a better model for regional coordination to support mental health services and wellbeing for should be considered in this program.

Draft Concept

A 5 year Regional Wellbeing Central Coordination model is developed for the 7 Legatus Group Northern Councils. Coordination will be the focal point of contact on all mental health and wellbeing service information in the region. This could include facilitation of meetings for all stakeholders, support all 3 level of government and communities in their local wellbeing plans, provide information sharing and networks, as well as collaborating on grant applications.

Through a central hub approach people can have better informed on the resources relating to wellbeing and mental health, share their experiences, and receive practical advice as to how to access the services. Whilst supporting community awareness, volunteerism and community resilience.

Through core funding from all 3 tiers of government the coordination would be undertaken by an industry expert and be monitored and reviewed through a regional committee established via the Northern and Yorke Alliance with assistance via researchers through universities.

2. **22 Oct 21** for several organisations who have an interest in this topic and they had been presented with a discussion paper that included possible partnerships and draft concept.

In attendance: Mayor Phillip Heaslip & Simon Millcock (Legatus Group), Brett Bartel & Trudie Stanley (PIRSA), Rebecca Whellum and Brendan Kelly (Wellbeing SA), Reg Harris (CountrySAPHN), Aaron Oehms (RDA YMN), Libby Baldock (Rural Business Support), Melissa Nursey-Bray (Adelaide Uni), Lydia Woodyatt, Dan Fassnacht & David Beecham (Flinders Uni), Peter Graves (Torrens University), Scott Hammond (Lifeline) and Kate Gunn (UniSA).

Simon Millcock acknowledged the Legatus Group Mayors in taking the leadership in progressing the need for a coordinated / collective approach and the report by the University of Adelaide which led to this. Mayor Heaslip indicated that the impacts of the drought still very much of relevance with sections of the region and that again some are having rainfall deficiencies this year.

Simon Millcock noted that the contract has been finalised for the Regional Drought Resilience Planning Program by RDA YMN and PIRSA and that the Northern and Yorke Alliance have commenced this project which includes relevance to wellbeing.

#### Individual Feedback

- PIRSA - Family and Business Support Program Mentors committed for 3 years and has flexibility in its delivery. Keen to see the model developed, implemented and evaluated to be used as model for going forward. Noted that willing to be involved but PIRSA should not be coordinating health services. No need to take this back to Minister as no need for their approvals at this stage. PIRSA can also help with further mapping / matrix.
- Kate Gunn – No more need for consultation but need to be connecting people and the ifarmwell South Australian farmer wellbeing model discussion document will be sent to the working group.
- Wellbeing SA – First time to the discussions and willing to take this back through their department. Suicide prevention planning and the need for community to lead and decide. As such because this idea / model is being led from the community it would fit into the State Suicide Prevention Plan which is currently lacking substance on how the 3 tiers of Govt would work to support things such as the Suicide Prevention Networks. They are keen to look at a pilot such as what is proposed.

- Lifeline – They have been delivering similar approach through Lifeline Connect across the far west of NSW and now in Clare in SA using their skills and the opportunity is there to use this model. Seeing more people now moving from Anxiety into Depression.
- Country PHN – Coordination may have problems as it may need to move away from business as usual and a need for it to be sustainable. Current support at federal level is that they are responsive and a need to change this with longer term approaches to allow for longevity.
- Universities – can provide support in areas of research / evaluation and intern / student and noted that University of Adelaide is the lead agency for the SA Innovation Drought Hub who have a node at Orroroo that is within the 7 Northern Legatus Group Councils.

#### Consensus

- All know the issues – no more need for consultation.
  - There is a chance and willingness for model to be developed and implemented and that this needs increased involvement by Govt Departments beyond PIRSA.
  - That collaboration between all 3 tiers of government, service providers, community and researchers should occur.
  - That Legatus Group, PIRSA, Wellbeing SA & Country PHN get together for a targeted workshop (face to face) to further develop the model and that this is provided to those attending for feedback.
- 3. 8 November 2021** Attendance Rachael Kelly & Trudie Stanley (PIRSA), Reg Harris (Country SAPHN), Rebecca Whellum (Wellbeing SA), Scott Hammond (Lifeline) & Simon Millcock (Legatus Group). Apologies: Brett Smith (RBS) & Brendan Kelly (Wellbeing SA)

#### Update

- Lifeline have submitted proposal to Wellbeing SA & SAPHN re a new Connect Centre in Port Pirie with satellite proposal for Yorke Peninsula. They are commencing an evaluation model for their centre in Clare.
  - The Northern and Yorke Region have commenced the contract for the Drought Resilience Planning project – which will include wellbeing.
  - Wellbeing SA is working with the Premier's Council on Suicide Prevention to finalise South Australia's next Suicide Prevention Plan.
  - Reg outlined the current Works Plans and Regional Mental Health and Suicide Prevention Plans
- <https://www.countrysaphn.com.au/about-us/annual-reports-2/>
- <https://www.countrysaphn.com.au/community/mental-health-2/>
- Simon has met Adelaide University and discussed research on evaluation / monitoring as part of the continuing MoU with Legatus Group.
  - Strong interest from the University Sector following the October meeting for their involvement / support.

The Legatus Group CEO outlined that he is looking to have a report to the 10 December 2021 Legatus Group for considering what support (including allocation of funds) they would look to provide re a central coordination model. This will allow the Legatus Group to provide response to MPs and Ministers. The focus areas from the Legatus Group report re central coordination are:

- 1) Assist the local communities to access mental health services.
- 2) Support service providers align their services with the local needs.
- 3) Collaborate with local councils to get more resources so that there is proper investment in local wellbeing.

Scott Hammond the CEO from Lifeline Broken Hill Country to Coast has since written (attached letter) seeking the support of the Legatus Group Northern Councils, in advocating the need for State Government to invest in the Connect Model, that will allow for expansion through the development of hubs and satellite centres across the Mid North South Australian Region.

## **6. ANALYSIS OF OPTIONS**

### **Option 1:**

That the Legatus Group:

1. Receives and notes the report.
2. Approves the Legatus Group CEO to continue investigating an improved model for regional coordination to support mental health services and wellbeing across its Northern Council members.
3. Approves in principal support of the development of a formal alliance with Lifeline Broken Hill Country to Coast for consideration at further meeting of the Legatus Group.
4. Writes to the Minister for Health and Minister of Primary Industries and Regions confirming this approach.

Option 1 provides for the continued leadership of the Legatus Group on progressing the concept of a central coordination model and ensures that this topic continues to be highlighted in the Northern and Yorke Regional Drought Resilience Plan through the Legatus Group.

### **Option 2:**

That Council:

1. The report be received and noted.
2. That the Legatus Group leaves the progress of a central coordination model to support mental health and wellbeing to the relevant State Government Agencies and or other service providers.
3. Writes to the Minister for Health and Minister of Primary Industries and Regions confirming this approach.

Option 2 would allow for the Legatus Group to have progressed this matter by raising the need within health providers and policy makers and leave further progress to them. Given the lack of buy in to date from some Government Agencies and that this matter is seeking to be included in the Northern and Yorke Regional Drought Resilience Plan it may fail to progress without the leadership of the Legatus Group.

## 7. RECOMMENDED OPTION

Option I is the recommended option.

## 8. POLICY IMPLICATIONS

### 8.1 Financial/Budget

\$100,000 was allocated in the 2021/2022 budget with the suggestion at the 10 December Legatus Group that this amount be reduced to \$25,000 in the 2021/2022 budget and that it be used to assist in leveraging to gain funding support.

### 8.2 Risk Assessment

<b>Primary Risk Type</b>	Reputation if not supported – given the lobbying and reports undertaken by the Legatus Group		
<b>Inherent Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
	Low	Medium	Medium
<b>Controls</b>	Report to next Legatus Group meeting		
<b>Residual Risk</b>	Low	Medium	Low

### 8.3 Staffing/Work Plans

This activity can be accommodated within existing workplans and resources noting that the Legatus Group will have Administrative support during December 2021 – June 2022.

### 8.4 Social / Economic

This matter has high level of social and economic outcomes.

### 8.5 Stakeholder Engagement

Significant stakeholder engagement has occurred with Ministers, SA Govt Departments, Regional Health Agencies, Service Providers and RDA.

## 9. REPORT CONSULTATION

Discussions have been included in the Legatus Group CEOs meetings with member councils during October – November 2021.

## **DECISION REPORT**

**Report Title:** Legatus Waste and Recovery Strategy & Action Plan

**Item No:** 4.5

**Date of Meeting:** 10 December 2021

**Author:** Legatus Group CEO Simon Millcock

**Attachments:** E The Strategy and the Plan

### **1. EXECUTIVE SUMMARY**

This report seeks a decision of the Legatus Group in relation to the Legatus Group Waste and Resource Recovery Strategy and Action Plan 2021-2026.

### **2. RECOMMENDATION**

**That the Legatus Group:**

- 1. receives and notes the report;**
- 2. requests the Legatus Group CEO to distribute the Legatus Group Waste and Resource Recovery Strategy and Action Plan 2021-2026 for consideration and feedback from the Constituent Councils by 28 February 2022; and**
- 3. requests the Legatus Group CEO to develop a draft Terms of Reference for a Legatus Group Waste Management Advisory Committee for consideration at the 11 March 2022 Legatus Group meeting.**

### **3. RELEVANT CORE STRATEGIES/POLICIES**

Legatus Group Strategic Plan Goal Three: Support development and infrastructure that contributes to sustainable communities. Strategy 4) Establish regional waste management regimes that reduces the volumes of hard waste going to landfill and minimises costs to Councils and their communities.

Legatus Group 2021 /2022 Business Plan Section 3 Regional and Community Sustainability Target: 1. Economic, environmental and social sustainability is fostered through pro-active, innovative, efficient and collaborative approaches to priority issues. Action (m) Progress actions from the Legatus Group Waste Management Action Plan re local opportunities for waste reduction.

### **4. BACKGROUND**

This project updates the previous Central Local Government Region Waste Management Strategy 2014 – 2020. Whilst it was designed to complement the South Australian Government's recently released waste strategy, Supporting the Circular Economy that seeks updated Plans from each regional LGA by 2023.

The project was informed by the recently completed reports to the SA Regional Organisation of Councils undertaken by the Legatus Group: 1. Waste Management Infrastructure for South Australian Regional Local Government 2. Regional SA Waste and Resource Recovery Background Report (Rawtec)

This project will help to also influence and inform further projects to be undertaken by the Legatus Group with regards waste management. It focusses on articulating a vision and plan for waste



management in the Legatus Group region including: • diversion targets • increasing collection of food waste • standardisation of bins.

Further plans are being considered including for the investment by Legatus Group Councils in facilities for waste recovery, expanding composting and developing high-value organics products, all of which are explicit parts of the SA Waste Strategy.

This project is primarily focussed on updating the Legatus Group's waste management plans and so the materials for which Councils are responsible in their waste management activities are within scope.

## **5. DISCUSSION**

The Legatus Group established a reference group to assist with overseeing the work and Rawtec were contracted to deliver the reports. The strategy and plan have been developed in consultation with member councils. The process has included:

- Site visits/meetings with key staff at each council and a survey to identify opportunities and priorities for the region.
- High-level modelling and briefing paper presenting the main options for the region.
- Workshop to discuss the briefing paper. All councils were invited to attend.
- Development and review of the draft strategy and action plan by the project reference group.
- Updating and finalising the strategy and action plan based on the feedback from a final workshop.

The SA Waste Strategy 2020-25 released by Green Industries SA (GISA) identifies the priorities and key pathways for the state to achieve higher resource recovery, waste avoidance and developing the circular economy.

Some of the key aspects related to Legatus Group Constituent Councils include:

- 75 per cent municipal solid waste landfill diversion by 2025 (kerbside, transfer stations etc.)
- a target of zero avoidable waste to landfill by 2030
- increasing resource recovery and reducing contamination
- a focus on food and organic waste
- providing a three-bin system to all residents
- requiring regional councils to set progressive landfill diversion targets

The federal government has also outlined a pathway forward:

- National waste policy and action plan - identifying seven targets
- National food waste strategy - halving food waste by 2030.
- Introduction of the Recycling and Waste Reduction Act 2020 and significant investments associated with this.

Waste and resource recovery is a significant focus for state and federal government and local government can leverage the opportunities from this.

A reference group has been looking into a trial Compost Project initially identified at Peterborough whilst the Legatus Group has taken the lead in partnership with other Regional LGAs to investigate the potential to establish Regional Materials Recovery Facility (MRF) in SA. The Legatus Group CEO and Project Manager are finalising the agreements with UniSA and Rawtec to progress with the MRF investigation.

The Legatus Group CEO has continued to assist in facilitating collaborations between the community groups in the Barossa and Clare Valleys who are working on recycling projects (1) Fathers Farm & (2) Clare Lions.

## 6. ANALYSIS OF OPTIONS

### Option 1:

That the Legatus Group:

1. receives and notes the report;
2. requests the Legatus Group CEO to distribute the Legatus Group Waste and Resource Recovery Strategy and Action Plan 2021-2026 for consideration and feedback from the Constituent Councils by 28 February 2022; and
3. requests the Legatus Group CEO to develop a draft Terms of Reference for a Legatus Group Waste Management Advisory Committee for consideration at the 11 March 2022 Legatus Group meeting.

Option 1 provides for the Strategy and Action Plan to be distributed to member councils for their consideration and feedback prior to the Legatus Group adopting the Strategy and Action Plan and forming an Advisory Committee and progressing actions or allocating further resources.

### Option 2:

That the Legatus Group

1. receives and notes the report;
2. adopts the Legatus Group Waste and Resource Recovery Strategy and Action Plan 2021-2026.

Option 2 provides for the immediate adoption of the Strategy and Action Plan which have been workshopped and informed by member council Mayors, CEOs and Operational Staff. This would allow commencement of actions but without providing member councils with the chance to discuss and consider. This may decrease the ability for the strategy and the plan to deliver on the outcomes.

## 7. RECOMMENDED OPTION

Option 1 is the recommended option.

## 8. POLICY IMPLICATIONS

### 8.1 Financial/Budget

Nil

### 8.2 Risk Assessment

<b>Primary Risk Type</b>	Service Delivery Reputation Policy		
<b>Inherent Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
	Low	Low	Low
<b>Controls</b>	Seeking responses from member councils		
<b>Residual Risk</b>	Low	Low	Low

### 8.3 Staffing/Work Plans

This activity can be accommodated within existing workplans and resources noting that the progress is one of the KPIs for the legatus Group Project Manager.

#### **8.4 Environmental / Social / Economic**

Nil adverse impacts on the decision.

#### **8.5 Stakeholder Engagement**

Reference Group formed from member councils and RDA after EOI. Consultants engaged with member councils and two workshops with invites to all councils.

- Workshop 1 – used discussion paper distributed to all
- Workshop 2 – was the draft report

### **9. REPORT CONSULTATION**

The final report was also presented to the Legatus Group Regional Group and throughout the process there was continued support for the content and the way they have been presented.

## **DECISION REPORT**

**Report Title:** Appointment of Legatus Group member to the Northern and Yorke Landscape Board Aboriginal Engagement Committee

**Item No:** 4.6

**Date of Meeting:** 10 December 2021

**Author:** Legatus Group CEO Simon Millcock

**Attachments:** Nil

### **1. EXECUTIVE SUMMARY**

This report seeks a decision of the Legatus Group in relation to an appointment to the Northern and Yorke Landscape Board Aboriginal Engagement Committee.

### **2. RECOMMENDATION**

**That the Legatus Group:**

- 1. receives and notes the report;**
- 2. appoints Mayor Bill O'Brien as the Legatus Group representative on the Northern and Yorke Landscape Board Aboriginal Engagement Committee.**

### **3. RELEVANT CORE STRATEGIES/POLICIES**

Legatus Group Strategic Plan Goal One: Speak with a united voice on matters of regional importance. Strategies 3) Maintain sound working relationships with the principal decision makers, policy influences and regional partners that are based on mutual respect and timely communication & 4) Build strong positive relationships with state and regional partners to ensure the region has a high profile.

Legatus Group Business Plan 2021/ 2022 Section 3. Regional and Community Sustainability Action p) Expand on Cultural Awareness programs and support the Northern and Yorke Landscape Board Aboriginal Engagement Committee.

### **4. BACKGROUND**

The Legatus Group is a member of the Northern and Yorke Landscape Board Aboriginal Engagement Committee and the Legatus Group CEO is currently the Legatus Group representative.

The Legatus Group Chair Mayor Phillip Heaslip in his role as a member of the Northern and Yorke Landscape Board Chairs the Northern and Yorke Landscape Board Aboriginal Engagement Committee.

### **5. DISCUSSION**

The Legatus Group initiated a Reconciliation Action Planning Northern and Yorke Region report in 2020 through support by the Yorke and Mid North Regional Alliance to develop a project that sought to build towards reconciliation actions in the region, consistent with their Regional Plan.

The Aboriginal Engagement Committee (AEC) was formed in 2020 to strengthen strategic engagement between the Northern and Yorke Landscape Board and First Nations' communities in the management of the region's landscapes.

Committee members include a representative from each of the region's five Nations, including Nukunu, Narungga, Ngadjuri, Kurna and Peramangk, together with three Northern and Yorke Landscape Board members, and a representative from the Legatus Group, Regional Development Australia Yorke and Mid North and Regional Development Australia Barossa Gawler Light Adelaide Plains.

Meetings occur four times a year, with every second meeting held on Country.

These on-Country meetings are a chance for the committee to see the landscape through First Nations' eyes and to share knowledge on caring for Country. An elder leads a tour of significant heritage sites, highlighting the importance of protecting Indigenous heritage and natural resources.

The Legatus Group have committed funding to the AEC and the CEO has been a committee member for the first 12 months which is Chaired by Mayor Phillip Heaslip in his role as a committee member of the Northern and Yorke landscape Board. There is support for the continuation of the AEC and Mayor Bill O'Brien has indicated to the Legatus Group Chair and fellow Deputy Chair and the Legatus Group CEO his interest in attending these meetings.

The Legatus Group CEO advises he is on occasions he is being asked to discuss matters of policy as opposed to operational matters and that his preference is to be an observer at the meetings and to support a Legatus Group Board member to be on the committee.

The next AEC meeting is scheduled for 15 December 2021 and the Legatus Group CEO has requested this be an agenda item for that meeting.

## **6. ANALYSIS OF OPTIONS**

### **Option 1:**

That the Legatus Group

1. receives and notes the report;
2. appoints Mayor Bill O'Brien as the Legatus Group representative on the Northern and Yorke Landscape Board Aboriginal Engagement Committee.

Option 1 provides for Mayor Bill O'Brien who has expressed interest as the Legatus Group Board member to be on the committee.

### **Option 2:**

That the Legatus Group

1. receives and notes the report;
2. and calls for expressions of interest for a Legatus Group representative on the Northern and Yorke Landscape Board Aboriginal Engagement Committee.

Option 2 provides for a call to Legatus Group Board member before a decision which may delay the process.

## **7. RECOMMENDED OPTION**

Option 1 is the recommended option.

## 8. POLICY IMPLICATIONS

### 8.1 Financial/Budget

Nil

### 8.2 Risk Assessment

<b>Primary Risk Type</b>	Reputation		
<b>Inherent Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
	Medium	High	Medium
<b>Controls</b>	Board member is supported by CEO		
<b>Residual Risk</b>	Low	Medium	Low

### 8.3 Staffing/Work Plans

This activity can be accommodated within existing workplans and resources.

### 8.4 Environmental / Social / Economic

This would be seen as a positive approach to have Deputy Chair attending supported by the CEO

### 8.5 Stakeholder Engagement

Correspondence from Mayor Bill O'Brien.

## 9. REPORT CONSULTATION

Correspondence between Chair / Deputy Chairs and CEO.

## **DECISION REPORT**

**Report Title:** Increased Support re Community Wastewater Management

**Item No:** 4.7

**Date of Meeting:** 10 December 2021

**Author:** Legatus Group CEO

**Attachments:** Nil

### **1. EXECUTIVE SUMMARY**

This report seeks a decision of the Legatus Group in relation to advocating for increased resourcing to support Councils relating to Community Wastewater Management Schemes.

### **2. RECOMMENDATION**

**That the Legatus Group:**

- 1. Receives and notes the report.**
- 2. Acknowledges the leadership provided by the Legatus Group in progressing support for member councils re Community Wastewater Management Schemes through its partnership with the LGA CWMS Management Committee.**
- 3. That the Legatus Group CEO provides a report to the Local Government Association via the Chair of the LGA CWMS Management Committee and the Chair of the South Australia Regional Organisation of Councils recommending the areas for increased resources to be allocated to support Councils with Community Wastewater Management Schemes.**

### **3. RELEVANT CORE STRATEGIES/POLICIES**

Legatus Group Strategic Plan 2018 -2028

Goal Three: Support development and infrastructure that contributes to sustainable communities.  
Strategy 5) Develop a regional support program for Community Wastewater and Water reuse projects.

Legatus Group Business Plan 2021 / 2022 Item 3. Regional and Community Sustainability

**Target:** 2. Economic, environmental and social sustainability is fostered through proactive, innovative, efficient and collaborative approaches to priority issues.

**Action:** (1) Progress the areas identified in reports and research for Community Wastewater Management.

### **4. BACKGROUND**

The Legatus Group meeting of 3 September 2021 discussed this matter and the Motion was: that the Legatus Group CEO and Project Manager be invited to attend a LGA CWMS Management Committee meeting to discuss areas of operational support.

The Legatus Group have been funded for the past 3 years through the LGA CWMS Management Committee for a part time position for a Joint CWMS Services Arrangements by Legatus Group to

LGA CWMS Management Committee. In July 2021 this agreement included the support for on-going CWMS reform.

The Legatus Group CEO and Project Manager attended the LGA CWMS Management Committee meeting on 22 October 2022 and since then the Terms of Reference have been released on the Reform Agenda. There have also been two meetings held with invites to Legatus Group Councils which included Michelle Wittholz the CWMS Program Manager attending.

## **5. DISCUSSION**

During 2020 a CWMS Discussion Paper was prepared by the Legatus Group Project Manager and the Legatus Group CEO. This paper was discussed by the Regional LGA EOs with the LGA Secretariat before being presented to the LGA CWMS Management Committee (CMC). They noted that a number of issues identified require further investigation.

The Legatus Group Project Manager and CEO coordinated a Risk Assessment workshop, provided feedback from the regional consultation sessions held in 2020 across SA and presented the findings at the 2021 SA CWMS Conference which they also delivered.

The CMC advised that the information from this work by the Legatus Group will all be incorporated in the CWMS "Reform" agenda and that this work will be undertaken in consultation with the relevant CWMS Regulators. The Reform agenda will be provided to the Legatus Group as part of the consultation process.

The CMC advised that as a result of the increased construction cost of CWMS projects, the CWMS Program will have less funding available for research and development activities, including the support work that is undertaken by Regional LGAs such as the Legatus Group. Noting that future funding for the Legatus CWMS user group may not be available past FY21-22.

These matters have been the topic of agenda items, discussions and reports to the Legatus Group CWMS Advisory Group and Legatus Regional Management Group. Whilst there have been surveys of the Legatus Group Councils.

As per item 3.2 of this agenda the Legatus Group Regional Management Group noted the work of the Legatus Group CWMS Advisory Committee in assisting councils in having a greater awareness and increased interest on CWMS and that some councils are willing to look at pathways forward including the options of remaining or exiting. This is now being actioned to identify the type of information that could be gathered across the Legatus Group Councils that could be used to assist in these pathways for further consideration.

The Legatus Group wrote to the LGA CEO in September 2021 expressing the acknowledgement of the support and professionalism of Michelle Wittholz the LGA CWMS Program Manager.

It has been apparent to those involved in this work that there has been an increased burden on the role of the LGA CWMS Program Manager due to a lack of resources to provide assistance not just on the areas identified in the reform agenda but in other areas identified in the discussion paper.

## **6. ANALYSIS OF OPTIONS**

### **Option 1:**

That the Legatus Group:

- I. Receives and notes the report.



2. Acknowledges the leadership provided by the Legatus Group in progressing support for member councils re Community Wastewater Management Schemes through its partnership with the LGA CWMS Management Committee.
3. That the Legatus Group CEO provides a report to the Local Government Association via the Chair of the LGA CWMS Management Committee and the Chair of the South Australia Regional Organisation of Councils recommending the areas for increased resources to be allocated to support Councils with Community Wastewater Management Schemes.

Option 1 provides for the continued recognition of the support needed for increased support not just in the reform agenda but in all areas that have been identified.

### **Option 2:**

That the Legatus Group:

1. Receives and notes the report.
2. Acknowledges the leadership provided by the Legatus Group in progressing support for member councils re Community Wastewater Management Schemes through its partnership with the LGA CWMS Management Committee.

Option 2 acknowledges the work being undertaken but does not provide advocacy for investigation of increased resources to provide support.

## **7. RECOMMENDED OPTION**

Option 1 is the recommended option.

## **8. POLICY IMPLICATIONS**

**8.1 Financial/Budget** Nil as the funding has been secured for the Project Manager in 2021/2022.

### **8.2 Risk Assessment**

<b>Primary Risk Type</b>	Reputation if not supported – given the lobbying and reports undertaken by the Legatus Group		
<b>Inherent Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
	Low	Medium	Medium
<b>Controls</b>	Report to next Legatus Group meeting		
<b>Residual Risk</b>	Low	Medium	Low

**8.3 Staffing/Work Plans** This activity can be accommodated within existing workplans and resources noting that the Legatus Group will have Administrative support during December 2021 – June 2022.

**8.4 Social / Economic** This matter has high level of social and economic outcomes.

### **8.5 Stakeholder Engagement**

Significant stakeholder engagement has occurred with Legatus Group Councils through their Operational Staff and CEOs, SAROC, Regional LGAs and the LGA CWMS Management Committee.

## **9. REPORT CONSULTATION**

Discussions have been included in the Legatus Group CEOs meetings with member councils during October – November 2021.

## **DECISION REPORT**

<b>Report Title:</b>	<b>Fair Rating of Electricity Generators</b>
<b>Item No:</b>	<b>4.8</b>
<b>Date of Meeting:</b>	<b>10 December 2021</b>
<b>Author:</b>	<b>Legatus Group CEO Simon Millcock</b>
<b>Attachments:</b>	<b>Nil</b>

### **1. EXECUTIVE SUMMARY**

This report seeks a decision of the Legatus Group in relation to the continued leadership, advocacy and support on the issues associated with Fair Rating of Electricity Generators.

### **2. RECOMMENDATION**

**That the Legatus Group**

- 1. receives and notes the report and acknowledges the continued advocacy by the Legatus Group, South Australian Regional Organisation of Councils and the Local Government Association; and**
- 2. supports Legatus Group Councils and the Legatus Group Chair and CEO on behalf of the Legatus Group to continue to reaffirm the position of the Local Government Association of its opposition to provisions in the Electricity Corporations (Restructuring and Disposal) Act 1999, which prevent councils levying fair rates on land used for electricity generation.**

### **3. RELEVANT CORE STRATEGIES/POLICIES**

The Legatus Group Strategic Plan 2018-2028 Goal One - Speak with a united voice on matters of regional importance.

Section 2 of the Legatus Group Business Plan 2021/2022 - Local Government Leadership and Sustainability. Target 3 is increased awareness by key stakeholders and political decision makers of the key regional issues. Action (g) undertake advocacy in collaboration with SAROC to the SA Government to resolve the Rating Equity outcomes to benefit member councils.

### **4. BACKGROUND**

The Legatus Group 3 September 2021 meeting noted the Legatus Group CEOs report, Mayor Matthey's update and Hon Dan van Holst Pellekann MP and Hon Geoff Brock MP responses at the meeting. The meeting moved a motion to wait on the response from the Minister for Local Government.

Since the 3 September there has been correspondence from the Minister for Local Government and the Treasurer which indicated that the Government was not supportive of the LGA's opposition to provisions in the Electricity Corporations (Restructuring and Disposal) Act 1999, which prevent councils levying fair rates on land used for electricity generation.

This led to a significant level of advocacy undertaken by the LGA, SAROC and Legatus Group member councils in seeking to influence support for the LGAs position during October and November.

## 5. DISCUSSION

The Legatus Group through consultants AEC released 2 reports titled

1. Rating Equity for commercial and/or industrial land uses outside towns in South Australia report.
2. Rating Equity in South Australia and the Financial Impacts on Local Government's Ability to Support Growth.

The Legatus Group provided these reports to the South Australian Regional Organisation of Councils (SAROC) and in 2020 supported the approach by SAROC through the LGA to seek a commitment from the State Government to immediately commence working with local government on amendments to rating policy with regards to electricity generators.

Considerable meetings and correspondence have occurred during 2020 and 2021 by the LGA with Ministers Dan van Holst Pellekann and Vickie Chapman and Treasurer Rob Lucas plus Government Departments with the LGA's position being:

1. Amendments to SA legislation to include electricity generation and storage plant and equipment in capital valuations (as occurs in VIC) and to allow energy sector developments to make appropriate payments in lieu of rates under a regulated formula subject to indexation consisting of a fixed payment per site and a variable payment based on installed capacity.
2. Inclusion of current electricity generation and storage developments under existing technologies, as well as future generation and storage developments under existing and new technologies.
3. Consideration of the means by which Councils located within reasonable proximity of energy sector developments in unincorporated areas that impact infrastructure and service provision are appropriately compensated via similar payment arrangements to ensure ratepayers are not financially impacted by these developments.

### LGA Advocacy position

Ideally, the elected representatives of local communities should be the body setting council rating policy. Also, in an ideal world, if a State Government wanted to provide assistance to a particular industry sector, they wouldn't do this by compelling councils to give a rates discount.

However, the State Government has raised a number of concerns which threaten the short-term success of sector advocacy.

Consequently, the following is the LGA's advocacy position:

- Renewable energy transmission only. The LGA is asking for legislation to be changed to enable councils to set fair rates on land used for renewable electricity generation.
- Not other forms of electricity generation. The LGA is deferring its request for the government to review rating arrangements for fossil fuel electricity generators. It appears that many of these generators have indentures and other restrictive agreements relating taxes and rates. These might take some time to work through.
- Not land use for electricity transmission. The LGA is deferring its request for the government to review rating laws for land used for electricity transmission. The LGA does not believe that changing these laws would have a major impact on property values or

council rates. Whilst a change to rating laws might be minimal, it could have an impact on a very large number of parcel of lands.

The LGA position is not based on a preference for one type of energy generation over another. Power generation policy is largely a matter for state and federal governments. Rather, the LGA has taken a practical position, based upon what changes to state legislation are achievable and which will deliver the maximum benefit to the sector.

Following a response from the Treasurer that he was not supporting and changes to legislation the LGA President wrote back in early October 2021 and the letter includes: "Respecting the divergence of our current perspectives, I would like to propose that we establish a small working group to continue to explore these issues in an open and respectful manner. We suggest that invitees include key staff nominated by the Treasurer, the Local Government Minister, the Minister for Energy and Mining, the LGA and the Legatus Group."

The Legatus Group CEO canvassed Regional Councils and received 12 responses and he helped to coordinate delegations to gain further progress on this matter and meetings were held with:

1. ALP who invited Regional Mayors Wednesday 27 Oct
2. Independent MPs on Wednesday 27 Oct (included ALP MP)
3. Minister Local Govt Friday 29 Oct
4. Minister Mines and Energy Friday 29 Oct

The Legatus Group CEO and Andrew Lamb from the LGA provided a report to the 17 November 2021 SAROC meeting with the following recommendation that was approved by the SAROC Committee:

- reaffirms its opposition to provisions in the Electricity Corporations (Restructuring and Disposal) Act 1999, which prevent councils levying fair rates on land used for electricity generation;
- notes the update on recent advocacy undertaken by the LGA, SAROC and Legatus member councils to influence support for the removal of the rates cap; and
- requests that the Regional LGA executive officers work with their member councils and the LGA Secretariat to collate information on the types of projects and rating support that could be provided if they received appropriate rates on land used for electricity generation.

The report included the following.

The LGA surveyed councils from the Legatus Group with the biggest impact from the `rates cap. Information reported included:

- Most councils had attempted to engage with energy companies in their area. In most cases, they had difficulty engaging with these companies.
- None of the electricity generation companies are based in the Legatus Group area. Most are based in the eastern states or overseas.
- One council had been able to negotiate funds for roads, as part of negotiations during the establishment phase. The Northern Areas Council has negotiated for payments approximating \$100,000 pa, for roads. This is far less than the approximately \$800,000 forgone in rates. Other councils have not negotiated road use agreements.
- It is extremely difficult to persuade established companies to contribute to costs that councils pay for.

- A small number of electricity generator companies make contributions to community funds or projects. With one exception, these contributions are far less than the rates that they would have to pay if the cap was removed.
- Mayors and CEOs expressed a strong preference for these companies to pay rates, rather than to make a direct contribution to a local cause. This way, the elected representatives could make decisions and prioritise spending on behalf of their entire community.

The LGA, Regional LGAs and various member councils have also discussed these issues in correspondence and meetings with the Minister for Planning and Local Government, the Minister for Energy and Mining and the Treasurer.

While there is some acknowledgement of the advocacy efforts, the Treasurer has confirmed that he does not support legislative change. The State Government declined to include the sector's proposed changes in the Statutes Amendment (Local Government Review) Bill 2020.

In recent weeks, the LGA President and CEO, as well as delegations of regional Mayors and regional LGA CEOs (coordinated through the Legatus Group) have met with Ministers Chapman and van Holst Pellekaan, the Leader of the Opposition, Shadow Local Government Minister Bourke and independent MPs.

To date, the major parties have not offered their support to end the rates cap.

**Next Steps** This issue is included as a priority in the LGA's 2022 State Election Platform. It is recommended that the Regional LGA executive officers work with their member councils and the LGA Secretariat to collate information on the types of projects and rating support that could be provided if they received appropriate rates on land used for electricity generation. Using these examples to strengthen advocacy during the LGA's State Election campaign will seek to further influence commitments from candidates and parties as a further means of highlighting the cost to councils and communities of the rates cap, member councils directly impacted could consider providing examples of local initiatives that could be supported if they could recoup the additional rates from electricity generators. This information could be collated through the Legatus Group.

After the State Election a change of senior frontbenchers may change the Government and Opposition positions. Similarly, parties may be more receptive to the sector's position, outside of a state election that will be contested (partially) on environmental issues. After the State Election, the LGA and Legatus Group will have the opportunity to coordinate advocacy with the new government, opposition, and independents. **Financial and Resource Implications** This activity has been anticipated in the LGA's/SAROC's work program and resources are available to progress this work.

The Hon Geoff Brock MP gave notice to introduce a Bill on Tuesday 30 November 2021 and he introduced the Bill on 1 December 2021 for an Act to amend the Electricity Corporations (Restructuring and Disposal) Act 1999. The Bill and the Hansard of Geoff Brocks speech is available on the Parliamentary website. It includes the following comments. "Finally, I would like to thank the Mayors, the Elected Members and the Chief Executives of the Legatus Group of councils, who have clearly articulated the issues to me and the impacts on their councils. I am also grateful to the South Australian Regional Organisation of Councils (SAROC) for proposing a legal solution. Thanks also to Simon Millcock, CEO of the Legatus Group, and Andrew Lamb of the Local Government Association for their assistance in this."

On Thursday 2 December 2021 the House of Assembly voted that their next day of sitting be 2 May 2022. This means the Bill will not progress in the life of this Parliament.

## 6. ANALYSIS OF OPTIONS

That this is allowing consistency across the Local Government Sector.

## 7. RECOMMENDED OPTION

That the Legatus Group

1. receives and notes the report and acknowledges the continued advocacy by the Legatus Group, South Australian Regional Organisation of Councils and the Local Government Association;
2. and supports Legatus Group Councils and the Legatus Group Chair and CEO on behalf of the Legatus Group to continue to reaffirm the position of the Local Government Association of its opposition to provisions in the Electricity Corporations (Restructuring and Disposal) Act 1999, which prevent councils levying fair rates on land used for electricity generation.

## 8. POLICY IMPLICATIONS

### 8.1 Financial/Budget

Nil impact

### 8.2 Risk Assessment

<b>Primary Risk Type</b>	Service Delivery Reputation		
<b>Inherent Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
	Low	Medium	
<b>Controls</b>	Regular dialogue between Legatus Group CEO, LGA and Regional LGAs and reporting to Legatus Group Chair		
<b>Residual Risk</b>	Low	Low	Low

### 8.3 Staffing/Work Plans

This activity can be accommodated within existing workplans and resources.

### 8.4 Environmental / Social / Economic

Nil

### 8.5 Stakeholder Engagement

Significant engagement across the Local Government Sector including SAROC, LGA Secretariat, Legatus Group Mayors and CEOs and Regional LGA EOs.

## 9. REPORT CONSULTATION

Discussions have been held with those Mayors and CEOs as part of the delegations.

## **DECISION REPORT**

<b>Report Title:</b>	<b>Legatus Group Charter</b>
<b>Item No:</b>	<b>4.9</b>
<b>Date of Meeting:</b>	<b>10 December 2021</b>
<b>Author:</b>	<b>Legatus Group CEO Simon Millcock</b>
<b>Attachment:</b>	<b>Legatus Group Charter</b>

### **1. EXECUTIVE SUMMARY**

This report seeks a decision of the Legatus Group in relation to the Legatus Group Charter.

### **2. RECOMMENDATION**

**That the Legatus Group:**

- 1. receives and notes the report;**
- 2. acknowledges the Legatus Group have complied with their requirements for gaining approval to vary Section 7.2.2 of the Charter;**
- 3. notes that the Legatus Audit and Risk Management committee see no need for change to Section 6.5 of the Charter;**
- 4. accepts the recommended variation by the Legatus Group Regional Management Group for Section 7.11 of the Charter to include the words or *proxy* directly following on from the wording The Regional Management Group shall comprise the Chief Executive Officers**
- 5. \_\_\_\_\_**
  - a) (insert any further resolution of meeting)**
- 6. That the Legatus Group CEO seeks approval from the Legatus Group Councils for the recommended variations to the Charter outlined in these recommendations.**

### **3. RELEVANT CORE STRATEGIES/POLICIES**

The Legatus Group Charter

### **4. BACKGROUND**

At the 3 September 2021 Legatus Group AGM, the Legatus Group moved to review its Charter with a need to consider proxies at board meetings and the election process and term of positions for Chair and Deputy Chairs.

### **5. DISCUSSION**

The Charter may be amended by a resolution passed by a simple majority of the Constituent Councils. Before the Constituent Councils vote on a proposal to alter the Charter, they must take into account any recommendation of the Board.

The Legatus Group is required to provide the relevant Minister with a copy of the new Charter in accordance with the Local Government Act 1999 schedule 2-part 2 sec 19 cl 5(a) and arrange for the details to be published on its website and in the South Australian Government gazette in accordance with the Local Government Act 1999 schedule 2-part 2 sec 19 cl 5(b)&(c).

The variation to Section 7.2.2 of the Charter as recommended by the Board was distributed to all member councils for approval.

A report was provided to the Audit and Risk that as of 11 November 2021, the following 10 member councils have approved the variation to 7.2.2 following the recommendation by the Board: Adelaide Plains, Barossa, Clare & Gilbert Valleys, Copper Coast, Goyder, Light, Mt Remarkable, Orroroo Carrieton, Wakefield and Yorke Peninsula. As such this is a majority of the Constituent Councils. The Northern Areas Council have since advised their approval.

Refer to items 3.1 and 3.2 of this agenda where the minutes of both committees reflect that they have discussed their specific sections of the Charter and noted that:

- (1) Legatus Audit and Risk Management Committee see no need for change to Section 6.5 (Audit Committee) of the Charter
- (2) Legatus Group Regional Management Group are seeking to include the opportunity to amend Section 7.11. of the Charter to include the words *or proxy* directly following on from the working The Regional Management Group shall comprise the Chief Executive Officers

Items identified at the AGM for discussion:

#### 1. Membership of the Board Section 3.2 of the Charter

- 3.2.1 The Board shall consist of all of the principal members of the Constituent Councils.
- 3.2.2 Each Board Member shall be entitled to exercise one vote on any matter arising for decision.

With reference to the ability to vote at a meeting the Principal Member of the Constituent Council is the Mayor of that Council.

This means that if the Mayor was on leave, then the Deputy Mayor would be the Principal Member of the Council and as such was able to vote at the Legatus Group meeting. If the Mayor is not on leave and doesn't attend then that Council's representative who may attend will not be eligible to vote at the meeting.

There is also no authority in the Charter for a Board Member to delegate their voting power to another Board Member to enable a vote in their absence.

#### 2. Terms of the Chair and Deputy Chair Section 3.5 of the Charter

- 3.5.1 A Chair and two Deputy Chairs shall be elected at the Annual General Meeting by and from the Board Members.
- 3.5.2 The Chair and Deputy Chairs shall hold office from the Annual General Meeting at which they are elected until the next Annual General Meeting.

At the AGM the Legatus Group Charter allows the appointment of representatives to other organisations and the Legatus Group Chair and CEO are traditionally appointed as the Legatus Group members of the Yorke Mid North Alliance.

The Legatus Group Charter is silent on the specifics of appointments.

At the 4 September 2020 Legatus Group AGM, the Legatus Group appointed Chair Mayor Peter Matthey and Deputy Chair Bill O'Brien as their nominees for the South Australian Regional Organisation of Councils.



Prior to the new process for selecting representatives for the South Australian Regional Organisation of Councils the Legatus Group AGM had been where the two representatives were appointed from for the coming year.

Traditionally this had been the Chair and one of the Deputy Chairs but this is not a requirement.

Now every two years the Regional LGAs may nominate after a call for nominations all constituent councils.

Note that for these purposes Port Pirie Regional Council is considered as part of the Upper Spencer Gulf and as such are not eligible for selection or the nominating process.

This changed with the LGA SAROC Terms of Reference from January 2020 which include:

4.2. SAROC Membership each Regional Grouping of Members listed in the schedule to these Terms of Reference will elect in accordance with clauses 4.3 and 4.4 from the Members of the Regional Grouping of Members, 2 Council Members as members of SAROC provided that each person elected is from a different Member.

#### 4.3. Nominations for election to SAROC

4.3.1. The members of SAROC will be elected biennially.

4.3.2. In the year in which SAROC members will be elected, and at least 3 months before the Annual General Meeting, the Chief Executive shall write to all Members of the SAROC Regional Grouping, as listed in the schedule, calling for nominations for the membership of SAROC.

4.3.3. Each Member of the SAROC Regional Grouping may nominate a candidate for membership of SAROC, provided that:

4.3.3.1. a person nominated as a member of SAROC must be a representative of a Member on the relevant Regional Grouping of Members; and

4.3.3.2. only a Council Member can be nominated to SAROC.

#### 4.4. Election to SAROC

4.4.1. The Chief Executive shall be the returning officer for any election of members to SAROC.

4.4.2. After the Close of Nominations, the Chief Executive will notify Members of each Regional Grouping of Members of the candidates for membership of SAROC nominated by the Regional Grouping of Members.

4.4.3. If the only nominations received from a Regional Grouping of Members by the Close of Nominations match the membership positions described in clause 4.2 then the Chief Executive will declare those persons duly elected to those membership positions.

4.4.4. If the number of persons nominated by the Close of Nominations by a Regional Grouping of Members exceeds the number of membership positions described in clause 4.2, then an election for the purpose of clause 4.2 must be held in accordance with this clause.

4.4.5. In the event of an election being required, the SAROC Regional Grouping in consultation with the Chief Executive shall conduct an election.

4.4.6. The Chief Executive, in consultation with the SAROC Regional Grouping shall nominate the date, time and place for the counting of votes and shall invite each candidate and a person nominated as the candidate's scrutineer to be present: (a) at the counting of the votes the Chief Executive shall

produce unopened envelopes marked "Ballot Paper" and if satisfied that all votes are valid, count the number of votes received by each candidate; (b) in respect of an election for the purposes of clause 4.2, the 2 candidates from a Regional Grouping of Members with the most votes shall be deemed elected and the Chief Executive shall declare the candidates elected at the Annual General Meeting; and (c) in the case of candidates for membership positions described in clause 4.2 receiving the same number of votes, the Chief Executive shall draw lots at the counting of the votes to determine which candidate is elected.

4.4.7. The Chief Executive may, in his or her discretion, appoint a deputy returning officer and delegate any of his or her powers, functions or duties to that person who shall act accordingly.

4.4.8. The Chief Executive may, in his or her discretion, delegate any of his or her powers, functions or duties to an Executive Officer of a Regional Grouping of Members who shall act accordingly for the conduct of elections for the purpose of clause 4.2 in respect of the Regional Grouping of Members relevant to that Executive Officer.

4.5. Term of office The term of office for members of SAROC shall commence after the Annual General Meeting of the year in which the member is elected. Each member of SAROC will serve for a period of 2 years or until a circumstance causing a casual vacancy as described in clause 4.7.2 occurs.

The LGA Board of Directors includes

- the Immediate Past President;
- the chairperson of SAROC and the chairperson of GAROC; and
- 6 additional persons (each of which must be a Council Member) with relevant business and governance experience elected in equal proportions from the Council Members of SAROC (3 persons) and the Council Members of GAROC (3 persons).

## 6. ANALYSIS OF OPTIONS

For debate / discussion at the meeting.

## 7. RECOMMENDED OPTION

To be confirmed.

## 8. POLICY IMPLICATIONS

### 8.1 Financial/Budget

Nil

### 8.2 Risk Assessment

<b>Primary Risk Type</b>	Legal / Regulatory / Policy		
<b>Inherent Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
	Low	Low	
<b>Controls</b>	Regular reviews of the Charter		
<b>Residual Risk</b>	Low	Low	Low

### 8.3 Staffing/Work Plans

This activity can be accommodated within existing workplans and resources.

#### **8.4 Environmental / Social / Economic**

Nil

#### **8.5 Stakeholder Engagement**

Board meeting, Audit Committee and Regional Management Group.

### **9. REPORT CONSULTATION**

To be discussed at the meeting input from Audit Committee and Regional Management Group provided.

Attachment

**CENTRAL LOCAL GOVERNMENT REGION OF SOUTH AUSTRALIA  
(REFERRED TO AS LEGATUS GROUP)**

LOCAL GOVERNMENT ACT 1999

**CHARTER (changes to 7.2.2 yet to be gazetted)**

1. INTRODUCTION

1.1 Name

The name of the subsidiary is the Central Local Government Region of South Australia (referred to as 'Legatus Group' in this Charter).

1.2 Definitions

**'the Act'** means the Local Government Act 1999 and includes all regulations made thereunder;

**'Annual General Meeting'** means the annual general meeting of the Legatus Group held in accordance with Clause 3.7;

**'the Board'** means the Board of Management of the Legatus Group set out at Clause 3;

**'Board Member'** means a member of the Board;

**'Budget'** means the annual budget adopted by the Legatus Group pursuant to Clause 5.1;

**'Annual Business Plan'** means the business plan adopted by the Legatus Group pursuant to Clause 6.2;

**'Chairperson'** means the member of the Board appointed pursuant to Clause 3.5;

**'Chief Executive Officer'** means the person appointed pursuant to Clause 4 as the Chief Executive Officer of the Legatus Group;

**'Constituent Councils'** means those councils identified at Clause 1.4;

**'Council'** means a council constituted under the Act;

**'Financial Statements'** has the same meaning as in the Act;

**'Financial Year'** means 1 July in each year to 30 June in the subsequent year;

**'Long Term Financial Plan'** means the long term financial plan prepared by the Legatus Group and approved by the Constituent Councils pursuant to Clause 5.3;

**'Region'** means the collective geographical areas of the Constituent Councils;

**'Regional Management Group'** means the group established pursuant to Clause 7.11;

**'Strategic Plan'** means the strategic plan adopted by the Legatus Group pursuant to Clause 6.1.

### 1.3 Interpretation

In this Charter, unless the context otherwise requires:

- 1.3.1 headings do not affect interpretation;
- 1.3.2 singular includes plural and plural includes singular;
- 1.3.3 words of one gender include any gender;
- 1.3.4 a reference to a person includes a partnership, corporation, association, government body and any other entity;
- 1.3.5 a reference to legislation includes any amendment to it, any legislation substituted for it, and any subordinate legislation made under it;
- 1.3.6 an unenforceable provision or part of a provision of this Charter may be severed, and the remainder of this Charter continues in force, unless this would materially change the intended effect of this Charter;
- 1.3.7 the meaning of general words is not limited by specific examples introduced by 'including', 'for example' or similar expressions; and
- 1.3.8 a reference to a 'Clause' means a clause of this Charter.

### 1.4 Establishment

Legatus Group is established under the Act.

The Constituent Councils are:

- 1.4.1 The Barossa Council;
- 1.4.2 District Council of Barunga West;
- 1.4.3 Clare and Gilbert Valleys Council;
- 1.4.4 Copper Coast Council;
- 1.4.5 The Flinders Ranges Council;
- 1.4.6 Regional Council of Goyder;
- 1.4.7 Light Regional Council;
- 1.4.8 Adelaide Plains Council;
- 1.4.9 District Council of Mount Remarkable;
- 1.4.10 Northern Areas Council;
- 1.4.11 District Council of Orroroo/Carrieton;

1.4.12 District Council of Peterborough;

1.4.13 Port Pirie Regional Council;

1.4.14 Wakefield Regional Council; and

1.4.15 Yorke Peninsula Council

## 1.5 Local Government Act 1999

This Charter must be read in conjunction with the Act. The Legatus Group must conduct its affairs in accordance with the Act except as modified by this Charter as permitted by the Act.

## 1.6 Objects and Purpose for which the Legatus Group is Established

The Legatus Group is established to:

- 1.6.1 undertake co-ordinating, advocacy and representational roles on behalf of the Constituent Councils at a regional level;
- 1.6.2 facilitate and co-ordinate activities of local government at a regional level related to community and economic development with the object of achieving improvement for the benefit of the communities of the Constituent Councils;
- 1.6.3 develop, encourage, promote, foster and maintain consultation and co-operation and to strengthen the representation and status of local government when dealing with other governments, private enterprise and the community;
- 1.6.4 develop further co-operation between the Constituent Councils for the benefit of the communities of the Region;
- 1.6.5 develop and manage policies which guide the conduct of programs and projects in the region with the objective of securing the best outcomes for the communities of the Region;
- 1.6.6 undertake projects and activities that benefit the Region and its communities;
- 1.6.7 associate, collaborate and work in conjunction with other regional local government bodies for the advancement of matters of common interest;
- 1.6.8 provide strong advocacy speaking with one voice on what matters most to the communities of the Constituent Councils;
- 1.6.9 work together to make the best use of available resources
- 1.6.10 collaborate to deliver effective services;
- 1.6.11 build partnerships with those who can contribute to stronger and more sustainable communities;
- 1.6.12 develop and implement a robust Business Plan consistent with the Region Plan.

## 2. Powers and Functions of the Legatus Group

The powers, functions and duties of the Legatus Group are to be exercised in the performance of the Legatus Group's objects and purposes, comprise:

### 2.1 Functions and Powers

In addition to those specified in the Act, the functions and powers of the Legatus Group are:

- 2.1.1 subject to Clause 2.4 becoming a member of or co-operating or contracting with any other association or organisation;
- 2.1.2 subject to Clause 2.4 entering into contracts or arrangements with any Government agency or authority;
- 2.1.3 subject to Clause 2.4 appointing, employing, remunerating, removing or suspending the Chief Executive Officer;
- 2.1.4 subject to Clause 2.4 entering into contracts with any person for the acquisition and/or supply of goods and services;
- 2.1.5 raising revenue through subscriptions and levies from Constituent Councils, by arrangements with sponsor organisations, by arrangement or contract with any other person and by any other means not inconsistent with the objects and purposes of the Legatus Group;
- 2.1.6 printing and publishing any newspapers, periodicals, books, leaflets, or other like writing;
- 2.1.7 appointing persons or committees to oversee the management of the Legatus Group, to steer projects or to pursue geographic or functional interests of Constituent Councils or specific groups of Constituent Councils;
- 2.1.8 with the prior approval of the Board undertake its functions and exercise its power outside the areas of the Constituent Councils, including by providing services ancillary to the purposes of the Legatus Group;
  - 2.1.8.1 To the extent considered necessary or expedient to the performance of its functions by the Board; or
  - 2.1.8.2 To provide services to an unincorporated area of the state;
- 2.1.9 subject to Clause 2.4 employing, engaging or retaining professional advisors to the Legatus Group;
- 2.1.10 subject to Clause 2.4 instituting, initiating and carrying on legal proceedings;
- 2.1.11 making submissions for and accepting grants, subsidies and contributions to further its objects and purposes;
- 2.1.12 subject to Clause 2.4 acquiring, holding, dealing with and disposing of any personal property;

- 2.1.13 with the prior approval of the Constituent Councils purchasing, selling or otherwise acquiring, disposing of or encumbering any real property or interests therein;
- 2.1.14 opening and operating bank accounts;
- 2.1.15 accumulating surplus funds for investment purposes;
- 2.1.16 investing any of the funds of the Legatus Group in any investment provided that:
  - 2.1.16.1 in exercising this power of investment the Legatus Group must exercise the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons; and
  - 2.1.16.2 the Legatus Group must avoid investments that are speculative or hazardous in nature;
- 2.1.17 borrowing money and incurring expenditure in accordance with Clause 2.4;
- 2.1.18 giving security for the discharge of liabilities; and
- 2.1.19 doing all other things that are incidental or conducive to the attainment of the objects and purposes of the Legatus Group.

## 2.2 Duties

The Legatus Group has the following duties:

- 2.2.1 to exercise the functions and powers of the Legatus Group only in the performance and furtherance of the Legatus Group's objects and purposes;
- 2.2.2 to comply with this Charter, the Act, all other applicable law and any lawful direction of the Constituent Councils.

## 2.3 Other Powers, Functions and Duties

Legatus Group may exercise such other functions, powers and duties as are delegated to the Legatus Group or authorised by the Constituent Councils from time to time.

## 2.4 Borrowings and Expenditure

- 2.4.1 The Legatus Group has the power to incur expenditure as follows:
  - 2.4.1.1 in accordance with a budget adopted by the Legatus Group and approved by the Constituent Councils as required by the Act or this Charter; or
  - 2.4.1.2 with the prior approval of the Constituent Councils; or
  - 2.4.1.3 in accordance with the Act, in respect of expenditure not contained in a budget adopted by the Legatus Group for a purpose of genuine emergency or hardship.



- 2.4.2 Subject to Clause 2.2 the Legatus Group has the power to borrow money as follows:
  - 2.4.2.1 in accordance with a budget adopted by the Legatus Group as required by the Act or this Charter;
  - 2.4.2.2 in respect of an overdraft facility or facilities up to a maximum amount of \$100,000;
  - 2.4.2.3 with the prior approval of the Constituent Councils.

## 2.5 Property

- 2.5.1 All property held by the Legatus Group is held by it on behalf of the Constituent Councils.
- 2.5.2 No person may sell, encumber or otherwise deal with any property of the Legatus Group without the prior approval of the Constituent Councils and the approval of the Legatus Group by resolution of the Board.

## 2.6 Delegation by the Legatus Group

- 2.6.1 The Legatus Group may in accordance with this Charter and the Act by resolution delegate to a committee of the Legatus Group, an employee of the Legatus Group, a Constituent Council or to a person for the time being occupying a particular office or position of the Legatus Group any of its powers and functions under this Charter or the Act but may not delegate:
  - 2.6.1.1 the power to impose charges;
  - 2.6.1.2 the power to borrow money or obtain any other form of financial accommodation not contained in a Budget adopted by the Legatus Group;
  - 2.6.1.3 the power to approve expenditure of money on the works, services or operations of the Legatus Group not contained in a Budget adopted by the Legatus Group and approved by the Constituent Councils;
  - 2.6.1.4 the power to approve the reimbursement of expenses or payment of allowances to Board Members;
  - 2.6.1.5 the power to adopt or revise a Budget, Business Plan, Strategic Plan or Long Term Financial Plan of the Legatus Group;
  - 2.6.1.6 the power to adopt or revise financial estimates and reports.
- 2.6.2 A delegation is revocable at will and does not prevent the Legatus Group from acting in a matter.
- 2.6.3 Where a power or function is delegated to an employee, or a person occupying a particular office or position, that employee or person is responsible to the Chief Executive Officer for the efficient and effective exercise or performance of that power or function.

### 3. BOARD OF MANAGEMENT

#### 3.1 Structure

- 3.1.1 The Legatus Group is a body corporate and is governed by the Act and this Charter.
- 3.1.2 The Board is the Legatus Group's governing body and has the responsibility for the administration of the affairs of the Legatus Group ensuring that the Legatus Group acts in accordance with this Charter and all relevant legislation including the Act.

#### 3.2 Membership of the Board

- 3.2.1 The Board shall consist of all of the principal members of the Constituent Councils.
- 3.2.2 Each Board Member shall be entitled to exercise one vote on any matter arising for decision.

#### 3.3 Functions of the Board

- 3.3.1 In addition to the functions of the Board set out in the Act, the functions of the Board include:
  - 3.3.1.1 the formulation of strategic plans and strategies aimed at achieving the objects and purposes of the Legatus Group;
  - 3.3.1.2 providing effective governance and developing such policies and procedures as give effect to good governance and administrative practices;
  - 3.3.1.3 to providing input and policy direction to the Legatus Group;
  - 3.3.1.4 monitoring, overseeing and evaluating the performance of the Chief Executive Officer of the Legatus Group;
  - 3.3.1.5 ensuring that ethical behaviour and integrity is established and maintained by the Legatus Group, the Board and Board Members in all activities undertaken by the Legatus Group;
  - 3.3.1.6 ensuring that the activities of the Legatus Group are undertaken in an open and transparent manner;
  - 3.3.1.7 exercising the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons.

#### 3.4 Propriety of Members of the Board

- 3.4.1 The principles regarding conflict of interest prescribed in the Act apply to all Board Members in the same manner as if they were elected members of a council.
- 3.4.2 The Board Members are required to comply with Division 2, Chapter 5 (Register of Interests) of the Act.

- 3.4.3 The Board Members will at all times act in accordance with their duties of confidence and confidentiality and individual fiduciary duties including honesty and the exercise of reasonable care and diligence with respect to the performance and discharge of official functions and duties as required by Part 4, Division 1, Chapter 5 of the Act and Clause 23 of Part 2 of Schedule 2 to the Act.

### 3.5 Chair of the Board

- 3.5.1 A Chair and two Deputy Chairs shall be elected at the Annual General Meeting by and from the Board Members.
- 3.5.2 The Chair and Deputy Chairs shall hold office from the Annual General Meeting at which they are elected until the next Annual General Meeting.
- 3.5.3 Nominations from Constituent Councils for the positions of Chair and Deputy Chairs must be in writing and must reach the Chief Executive Officer no later than one week prior to the date of the Annual General Meeting.
- 3.5.4 If the Chair resigns as Chair, is removed from office as Chair, refuses or is unable to act as Chairperson or is no longer a Board Member, either one of the Deputy Chairs may act as Chair until the election of a new Chair at the next Annual General Meeting.
- 3.5.5 The Chair shall preside at all meetings of the Board and, in the event of the Chair being absent from a meeting, one of the Deputy Chairs chosen by those Board Members present shall preside and in the event of the Chair and both Deputy Chairs being absent from a meeting, the Board Members present shall appoint a Board Member from amongst them, who shall preside for that meeting or until the Chair or a Deputy Chair is present.

### 3.6 Proceedings of the Board

#### Board Meetings

- 3.6.1 Ordinary meeting of the Board must take place at such times and places as may be fixed by the Legatus Group Board
- 3.6.2 An ordinary meeting of the Board will constitute an ordinary meeting of the Legatus Group. The Board shall administer the business of the Legatus Group at the ordinary meeting.
- 3.6.3 For the purposes of this subclause, 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.

- 3.6.4 Meetings of the Board will be open to the public and Chapter 6 Part 3 of the Act extends to the Legatus Group as if the Legatus Group were a council and the Board Members were members of the council.

Notice of Meetings

- 3.6.5 Notice of an ordinary meeting of the Board and an Annual General Meeting must be given by the Chief Executive Officer to each Board Member and Chief Executive Officer of the Constituent Councils at least five (5) clear days prior to the holding of the meeting.
- 3.6.6 The Chief Executive Officer must, in relation to a notice of a meeting of the Board for the purpose of considering the making of a recommendation to the Constituent Councils to wind up the Legatus Group, provide the notice to all Board Members and the Chief Executive Officers of the Constituent Councils at least four (4) months before the date of the meeting.
- 3.6.7 Notice of a meeting of the Board must:
- 3.6.7.1 be in writing; and
  - 3.6.7.2 set out the date, time and place of the meeting; and
  - 3.6.7.3 be signed by the Chief Executive Officer; and
  - 3.6.7.4 contain, or be accompanied by, the agenda for the meeting.
- 3.6.8 Any Constituent Council, the Chair or three (3) Board Members may by delivering a written request to the Chief Executive Officer require a special meeting of the Board to be held. The request to the Chief Executive Officer requiring a special meeting to be held must be accompanied by the agenda for the meeting and any written reports intended to be considered at the meeting and if an agenda is not provided the request is of no effect.
- 3.6.9 On receipt of the request pursuant to Clause 3.6.8 the Chief Executive Officer must send a notice of the special meeting to all Board Members and Chief Executive Officers of the Constituent Councils at least twenty four (24) hours prior to the commencement of the special meeting.
- 3.6.10 The Chief Executive Officer must, insofar as is reasonably practicable:
- 3.6.10.1 ensure that items on an agenda given to Board Members are described with reasonable particularity and accuracy; and
  - 3.6.10.2 supply to each Board Member at the time that notice of a meeting is given a copy of any documents or reports that are to be considered at the meeting (so far as this is practicable).
- 3.6.11 Notice of a meeting of the Board may be given to a Board Member:
- 3.6.11.1 personally; or
  - 3.6.11.2 by delivering the notice (whether by post, electronically or otherwise) to the usual place of residence of the Board Member

- or to another place authorised in writing by the Board Member;  
or
- 3.6.11.3 by leaving the notice for the Board Member at an appropriate place at the principal office of the Constituent Council for which the Board Member is the principal member; or
- 3.6.11.4 by a means authorised in writing by the Board Member as being an available means of giving notice.
- 3.6.12 A notice that is not given in accordance with Clause 3.6.11 is taken to have been validly given if the Chief Executive Officer considers it impracticable to give the notice in accordance with that Clause and takes action the Chief Executive Officer considers reasonably practicable in the circumstances to bring the notice to the attention of the Board Member.
- 3.6.13 The Chief Executive Officer must give notice to the public of the times and places of meetings of the Board at least five (5) clear days prior to the holding of the meeting by causing a copy of the notice and agenda for the meeting to be placed on the website of the Constituent Councils and the Legatus Group.
- 3.6.14 Subject to Clause 3.6.16, the Chief Executive Officer must also ensure that a reasonable number of copies of any document or report supplied to Board Members for consideration at a meeting of the Board are available for inspection by members of the public:
- 3.6.14.1 on the Legatus Group website as soon as practicable after the time when the document or report is supplied to Board Members; or
- 3.6.14.2 in the case of a document or report supplied to Board Members at the Board Meeting, at the meeting as soon as practicable after the time when the document or report is supplied to Board Members.
- 3.6.15 The Chief Executive Officer may indicate on a document or report provided to Board Members under Clause 3.6.14.2 any information or matter contained in or arising from a document or report that may, if the Board determines, be considered in confidence in accordance with Clause 3.6.4 provided that the Chief Executive Officer at the same time specifies the basis on which an order could be made pursuant to the provisions of Chapter 6 Part 3 of the Act.
- 3.6.16 Clause 3.6.14 does not apply to a document or report:
- 3.6.16.1 that is subject to the operation of Clause 3.6.15; or
- 3.6.16.2 that relates to a matter dealt with by the Board on a confidential basis in accordance with Clause 3.6.4 and Chapter 6 Part 3 of the Act.
- 3.6.17 The Chief Executive Officer must maintain a record of all notices of Board meetings given under Clause 3.16 to Board Members.

### Quorum

- 3.6.18 A meeting of the Board must not commence until a quorum is present and a meeting must not continue if there is not a quorum of Board Members present. A quorum of Board Members will comprise one half of the Board Members in office, ignoring any fraction, plus one.

### Voting

- 3.6.19 Unless otherwise required at law or this Charter, all matters for decision of a meeting of the Board shall be decided by a simple majority of the Board Members present and entitled to vote. All Board Members, including the Chair present and entitled to vote are required to vote. All Board Members including the Chair are entitled to a deliberative vote and if the votes are equal the Chair or other Board Member presiding does not have a second or casting vote.

### Confidentiality

- 3.6.20 All Board Members must keep confidential all documents and any information provided to them for their consideration prior to a meeting of the Board that is subject to the operation of Clause 3.6.15 or that relates to a matter dealt with by the Board on a confidential basis in accordance with Clause 3.6.4 and Chapter 6, Part 3 of the Act.

### Minutes

- 3.6.21 The Chief Executive Officer must cause minutes to be kept of the proceedings at every meeting of the Board and ensure that the minutes are presented at the next ordinary meeting of the Board where the Chief Executive Officer is absent or excluded from attendance at a meeting of the Board pursuant to Clause 3.6 the person presiding at the meeting shall cause the minutes to be kept..
- 3.6.22 Subject to Clause 3.6.24 a copy of the minutes of a meeting of the Board must be placed on public display at the principal offices of the Constituent Councils and the Legatus Group within five (5) days after the meeting and kept on public display for a period of one (1) month.
- 3.6.23 Subject to Clause 3.6.24, a person is entitled, on payment of a fee fixed by the Board, to obtain a copy of any documents placed on public display.
- 3.6.24 Clauses 3.6.22 and 3.6.23 do not apply in relation to a document or part of a document dealt with by the Board on a confidential basis in accordance with Clause 3.6 and Chapter 6, Part 3 of the Act.
- 3.6.25 Subject to this Charter and to any direction of the Constituent Councils the Board may determine its own procedures to apply to proceedings at and conduct of meetings of which must be fair and contribute to free and open decision making where the Board has not determined a procedure and the procedure is not specified in this Charter, the procedures specified in Part 2 of the Local Government (Procedures at Meetings) Regulations 2013 will apply.

### 3.7 Annual General Meeting

- 3.7.1 The Annual General Meeting will:
  - 3.7.1.1 be held not later than 30 September in each calendar year;
  - 3.7.1.2 receive the Legatus Group's Annual Report which may incorporate reports from committees and any representatives reports from other organisations;
  - 3.7.1.3 receive the audited financial statement for the preceding financial year;
  - 3.7.1.4 acknowledge the appointment of Board Members;
  - 3.7.1.5 elect the Chair and two Deputy Chairs;
  - 3.7.1.6 appoint representatives to other organisations;
  - 3.7.1.7 consider any other business requiring consideration by the Board Members in general meeting.

## 4. CHIEF EXECUTIVE OFFICER

- 4.1 The Board shall appoint a Chief Executive Officer of the Legatus Group to manage the affairs of the Legatus Group on terms agreed between the Chief Executive Officer and the Board.
- 4.2 The Chief Executive Officer is responsible to the Legatus Group for the implementation of the decisions of the Legatus Group and will work collaboratively with the Regional Management Group.
- 4.3 The terms and conditions of the engagement and remuneration of the Chief Executive Officer shall be reviewed annually according to any employment agreement that may be in place with the Chief Executive Officer.
- 4.4 The Chief Executive Officer shall cause records to be kept of all activities and financial affairs of the Legatus Group in accordance with this Charter.
- 4.5 The Board shall delegate responsibility for the day to day management of the Legatus Group to the Chief Executive Officer, who will ensure that sound business and human resource management practices are applied in the efficient and effective management of the operations of the Legatus Group.
- 4.6 The functions of the Chief Executive Officer shall be specified in the terms and conditions of appointment and shall include but are not limited to:
  - 4.6.1 attending at all meetings of the Board unless excluded by resolution of the Board;
  - 4.6.2 ensuring that the decisions of the Board are implemented in a timely and efficient manner;
  - 4.6.3 providing information to assist the Board to assess the Legatus Group's performance against its Strategic and Business Plans;

- 4.6.4 appointing, managing, suspending and dismissing employees of the Legatus Group;
  - 4.6.5 determining the conditions of employment of employees of the Legatus Group, within budgetary constraints set by the Board;
  - 4.6.6 providing advice and reports to the Board on the exercise and performance of its powers and functions under this Charter or any Act;
  - 4.6.7 ensuring that the Legatus Group is at all times complying with Schedule 2 of the Local Government Act 1999;
  - 4.6.8 co-ordinating and initiating proposals for consideration of the Board including but not limited to continuing improvement of the operations of the Legatus Group;
  - 4.6.9 ensuring that the assets and resources of the Legatus Group are properly managed and maintained;
  - 4.6.10 ensuring that records required under the Act or any other legislation are properly kept and maintained;
  - 4.6.11 ensuring that the Legatus Group's annual report is distributed to the Constituent Councils in time to be incorporated in their annual reports;
  - 4.6.12 exercising, performing or discharging other powers, functions or duties conferred on the Chief Executive Officer by or under the Act or any other Act, and performing other functions lawfully directed by the Board; and
  - 4.6.13 achieving financial outcomes in accordance with adopted plans and budgets of the Legatus Group.
- 4.7 The Chief Executive Officer may delegate or sub-delegate to:
- 4.7.1 a committee;
  - 4.7.2 an employee of the Legatus Group;
  - 4.7.3 an employee of a Constituent Council; or
  - 4.7.4 a person for the time being occupying a particular office or position,
- any power or function vested in the Chief Executive Officer. Such delegation or sub-delegation may be subject to any conditions or limitations as determined by the Chief Executive Officer is revocable at will and does not prevent the Chief Executive Officer from acting in relation to a matter.
- 4.8 A written record of all delegations and sub-delegations must be kept by the Chief Executive Officer at all times.

## 5. FINANCIALS

### 5.1 **Budget**



- 5.1.1 The proposed Annual Business Plan and the Budget must be referred to the Constituent Councils at least eight (8) weeks prior to the date of the meeting at which the budget is to be adopted.
- 5.1.2 Constituent Councils may comment on the Annual Business Plan and the Budget in writing to the Chief Executive Officer at least ten (10) business days before the meeting at which the budget is to be adopted or through its Board Member at that meeting.
- 5.1.3 The Legatus Group must adopt the Annual Business Plan and Budget after 31 May and before 30 June for the ensuing Financial Year.
- 5.1.4 The Legatus Group must provide a copy of its adopted Budget to the Constituent Councils within five (5) business days after the adoption of the Budget by the Legatus Group
- 5.1.5 Reports summarising the financial position and performance of the Legatus Group against the Budget must be prepared and presented to the Board at each ordinary meeting of the Board and copies provided to the Constituent Councils.
- 5.1.6 The Legatus Group must reconsider its Budget in accordance with the Act and in a manner consistent with the Act and may amend its Budget for a Financial Year at any time before the year ends.
- 5.1.7 The Legatus Group must submit to each Constituent Council for approval, any proposed amendment to the Budget that provides for an additional financial contribution by the Constituent Councils.
- 5.1.8 The contents of the Budget must be in accordance with the Act.

## 5.2 Financial Standards and Reporting

- 5.2.1 The Legatus Group must ensure that the Financial Statements of the Legatus Group for each Financial Year are audited by the Legatus Group's auditor.
- 5.2.2 The Financial Statements must be finalised and audited in sufficient time to be included in the Annual Report to be provided to the Constituent Councils pursuant to Clause 6.3.3.

## 5.3 Long Term Financial Plan

- 5.3.1 The Legatus Group must prepare and submit to the Constituent Councils for their approval a Long Term Financial Plan covering a period of at least ten (10) years in a form and including such matters which, as relevant, is consistent with Section 122 of the Act and the Local Government (Financial Management) Regulations 2011 as if the Legatus Group were a council.
- 5.3.2 The Legatus Group may at any time review the Long Term Financial Plan but must undertake a review of the Long Term Financial Plan as soon as practicable after the annual review of its Business Plan and concurrently with any review of its Strategic Plan.
- 5.3.3 In any event, the Legatus Group must undertake a comprehensive review of its Long Term Financial Plan every four (4) years.

5.3.4 The Long Term Financial Plan will be taken to form part of the Legatus Group's Strategic Plan.

#### 5.4 Financial Management

5.4.1 The Legatus Group shall keep proper books of accounts in accordance with the requirements of the Act and Local Government (Financial Management) Regulations 1999.

5.4.2 The Legatus Group must establish and maintain a bank account with such banking facilities and at a bank to be determined by the Board.

5.4.3 The Legatus Group will develop and maintain appropriate policies and procedures for all financial transactions including in relation to signing cheques and electronic funds transfer.

5.4.4 The Chief Executive Officer must act prudently in the handling of all financial transactions for the Legatus Group.

#### 5.5 Levies

5.5.1 The Legatus Group may levy Constituent Councils or any of them for a specified purpose or purposes.

5.5.2 A levy must be imposed by a meeting of the Board.

5.5.3 The Chief Executive Officer must give notice of the levy to all affected Constituent Councils.

5.5.4 A levy will not be binding on Constituent Councils until the expiration of one calendar month from the date of the notice.

5.5.5 A Constituent Council which objects in writing to the imposition of the levy within one month of the date of the notice shall be exempt from payment of the levy until its objection is considered at a meeting of the Board.

5.5.6 The Legatus Group must, after consideration of the objection of one or more Constituent Councils to a levy, confirm or vary the levy on that Council or exempt that Council from payment of the levy.

5.5.7 The Chair may convene an urgent meeting to consider an objection to a levy.

### 6. MANAGEMENT FRAMEWORK

#### 6.1 Strategic Plan

Consistent with the Long Term Financial Plan set out above, the Legatus Group must:

6.1.1 prepare and adopt a Strategic Plan with a minimum operational period of ten (10) years which sets out the goals, objectives, strategies and priorities of the Legatus Group over the period of the Strategic Plan;

6.1.2 prepare an Asset Management Plan, with detailed financials for the first ten years;

6.1.3 submit the Strategic Plan to the Constituent Councils for their approval.

## 6.2 Annual Business Plan

The Legatus Group shall:

6.2.1 prepare an Annual Business Plan linking the core activities of the Legatus Group to strategic, operational and organisational requirements with supporting financial projections setting out the estimates of revenue and expenditure as necessary for the period;

6.2.2 consult with the Constituent Councils prior to adopting or amending the Annual Business Plan; and

6.2.3 ensure contents of the Business Plan is in accordance with the Act.

## 6.3 Annual Report

6.3.1 The Legatus Group must each year, produce an Annual Report summarising the activities, achievements and financial performance of the Legatus Group for the preceding Financial Year.

6.3.2 The Annual Report must incorporate the audited financial statements of the Legatus Group for the relevant Financial Year.

6.3.3 The Annual Report must be provided to the Constituent Councils by 30 September each year.

## 6.4 Audit

6.4.1 The Legatus Group must cause adequate and proper books of account to be kept in relation to all the affairs of the Legatus Group and must establish and maintain effective auditing of its operations.

6.4.2 The Legatus Group must appoint an Auditor in accordance with the Act on such terms and conditions as determined by the Legatus Group.

6.4.3 The audited Financial Statements of the Legatus Group, together with the accompanying report from the Auditor, shall be submitted to both the Board and the Constituent Councils by 30 September in each year.

## 6.5 Audit Committee

6.5.1 The Legatus Group must establish an Audit and Risk Management Committee to be comprised of five (5) persons nominated by the Legatus Group and approved by the Constituent Councils.

6.5.2 The members of the Audit and Risk Management Committee:

6.5.2.1 must include two (2) professionally qualified officers, one of each from the staff of the Constituent Councils;

6.5.2.2 must include at least 1 person who is not a member of the Board and who is determined by the Constituent Councils to have

financial experience relevant to the functions of the Audit and Risk Management Committee;

6.5.2.3 may include elected members of the Constituent Councils;

6.5.2.4 must have regard to the Act in performing their duties.

6.5.3 The term of appointment of a member of the Audit and Risk Management Committee shall be for a term not exceeding two (2) years at the expiry of which such member will be eligible for reappointment.

## 7. MISCELLANEOUS

### 7.1 New Members

7.1.1 Subject to the provisions of the Act, a council may become a Constituent Council by the unanimous agreement of the Constituent Councils and this Charter may be amended to provide for the admission of a new constituent council or councils, with or without conditions of membership.

### 7.2 Subscription

7.2.1 Every Constituent Council shall be liable to contribute monies to the Legatus Group each financial year.

7.2.2 The amount of each Constituent Council's subscription will be decided at the meeting where they adopt the Annual Business Plan and Budget and that subscriptions will be due and payable within one month of a written request from the Chief Executive Officer for payment.

### 7.3 Disqualification

7.3.1 Subject to any legislative requirements, a Council which fails to pay its subscription or any other monies due to the Legatus Group within six months from the date upon which the subscription or other monies become due and payable shall cease to be a Constituent Council or, as the case may be, an Affiliate.

7.3.2 The Chief Executive Officer will give notice in writing to the Council that its status as a Constituent Council or, as the case may be, an Affiliate, has been terminated.

### 7.4 Withdrawal

7.4.1 Subject to the Act and this Charter, a Constituent Council may cease to be a Constituent Council by giving not less than thirty six (36) months' notice in writing of such withdrawal to the Chief Executive Officer provided that its subscription of the current year and other monies outstanding prior to the date of its giving notice of withdrawal have been paid to the Legatus Group.

7.4.2 The withdrawal of any Constituent Council does not extinguish the liability of that Constituent Council to contribute to any loss or liability incurred by the Legatus Group at any time before or after such withdrawal in respect of any act or omission by the Legatus Group prior to such withdrawal.

## 7.5 Insurance and Superannuation Requirements

- 7.5.1 The Legatus Group shall register with the Local Government Mutual Liability Scheme and Local Government Workers Compensation Scheme and comply with the rules of those Schemes.
- 7.5.2 The Legatus Group shall advise the Local Government Risk Management Services of its insurance requirements relating to Local Government Special Risks including buildings, structures, vehicles and equipment under the management, care and control of the Legatus Group.

## 7.6 Legatus Group Winding Up

- 7.6.1 The Legatus Group may be wound up in accordance with the Act by unanimous resolution of the Constituent Councils.
- 7.6.2 In the event of a winding up, any surplus assets after payment of all expenses shall be returned to each Constituent Councils in proportion to the subscription paid by each Constituent Council in the financial year prior to the passing of the resolution wind up.
- 7.6.3 If there are insufficient funds to pay all expenses due by the Legatus Group on winding up, a levy shall be imposed on all Constituent Councils in proportion to the subscription paid by each Constituent Council in the financial year prior to the passing of the resolution to wind up.

## 7.7 Non-derogation and Direction by Constituent Councils

- 7.7.1 The establishment of the Legatus Group does not derogate from the power of any of the Constituent Councils to act independently or jointly in relation to a matter within the jurisdiction of the Legatus Group.
- 7.7.2 Provided that the Constituent Councils have first agreed by unanimous resolution of each Constituent Council as to the action to be taken, the Constituent Councils may jointly direct and control the Legatus Group.
- 7.7.3 Where the Legatus Group is required pursuant to the Act or this Charter to obtain the approval of one or more of the Constituent Councils that approval must only be granted and must be evidenced by a resolution passed by either or all of the Constituent Councils granting such approval.
- 7.7.4 Unless otherwise stated in this Charter where the Legatus Group is required to obtain the consent or approval of the Constituent Councils this means the consent or approval of all of the Constituent Councils expressed in the same or similar terms.
- 7.7.5 For the purpose of Clause 7.7.1, any direction given by the Constituent Councils must be communicated by notice in writing provided to the Chief Executive Officer of the Legatus Group together with a copy of the relevant resolutions of the Constituent Councils.

## 7.8 Alteration and Review of Charter

- 7.8.1 This Charter will be reviewed by the Constituent Councils at least once in every four (4) years.

- 7.8.2 This Charter may be amended by a resolution passed by a simple majority of the Constituent Councils.
- 7.8.3 Before the Constituent Councils vote on a proposal to alter this Charter they must take into account any recommendation of the Board.

## 7.9 Disputes

### 7.9.1 **General**

- 7.9.1.1 Where a dispute arises between the Constituent Councils or between a Constituent Council and the Authority (the parties to this Charter) which relates to this Charter or the Authority, ('the Dispute') the parties will use their best endeavours to resolve the Dispute and to act at all times in good faith.

### 7.9.2 **Mediation**

- 7.9.2.1 A party is not entitled to initiate arbitration or court proceedings (except proceedings seeking urgent equitable or injunctive relief) in respect of a Dispute unless it has complied with this Clause 7.9.2.
- 7.9.2.2 If the parties are unable to resolve the Dispute within thirty (30) days, the parties must refer the Dispute for mediation in accordance with the Mediation Rules of the Law Society of South Australia Incorporated, within seven (7) days of a written request by any party to the other party that the Dispute be referred for mediation, to:
- (a) a mediator agreed by the parties; or
  - (b) if the parties are unable to agree on a mediator at the time the Dispute is to be referred for mediation, a mediator nominated by the then President of the Law Society or the President's successor.
- 7.9.2.3 In the event the parties fail to refer the matter for mediation in accordance with Clause 7.9.2.2, one or more of the parties may refer the matter for mediation in accordance with the Mediation Rules of the Law Society of South Australia Incorporated to a mediator nominated by the then President of the Law Society or the President's successor.
- 7.9.2.4 The role of any mediator is to assist in negotiating a resolution of the dispute. A mediator may not make a decision that is binding on a party unless that party has so agreed in writing.
- 7.9.2.5 If mediation does not resolve the Dispute within 28 days of referral of the Dispute for mediation or such longer period agreed unanimously by the parties as evidenced by resolutions of each of the parties, any party may then refer the Dispute to Arbitration in accordance with Clause 7.9.3.

### 7.9.3 **Arbitration**

- 7.9.3.1 An arbitrator may be appointed by agreement between the parties.
- 7.9.3.2 Failing agreement as to an arbitrator the then Chairperson of the South Australian Chapter of the Institute of Arbitrators or his successor shall nominate an Arbitrator pursuant to these conditions.
- 7.9.3.3 A submission to arbitration shall be deemed to be a submission to arbitration within the meaning of the Commercial Arbitration Act 1985 (South Australia).
- 7.9.3.4 Upon serving a notice of arbitration the party serving the notice shall lodge with the arbitrator a deposit by way of security for the cost of the arbitration proceedings.
- 7.9.3.5 Upon each submission to arbitration, the costs of and incidental to the submission and award shall be at the discretion of the arbitrator who may in his or her sole discretion determine the amount of costs, how costs are to be proportioned and by whom they are to be paid.
- 7.9.3.6 Whenever reasonably possible performance of the obligations of the parties pursuant to this Charter shall continue during the mediation or arbitration proceedings and no payment by or to a party shall be withheld on account of the mediation and arbitration proceedings.

### 7.10 **Committees**

- 7.10.1 The Board may establish a committee of Board Members and/or other persons for the purpose of:
  - 7.10.1.1 enquiring into and reporting to the Board on any matter within the Legatus Group's functions and powers and as detailed in the terms of reference given by the Board to the Committee; or
  - 7.10.1.2 exercising, performing or discharging delegated powers, functions or duties.
- 7.10.2 A member of a committee established under this Clause holds office at the pleasure of the Board.
- 7.10.3 The Board may establish advisory committees consisting of or including persons who are not Board Members for enquiring into and reporting to the Board on any matter within the Legatus Group's functions and powers and as detailed in the terms of reference determined by the Board.
- 7.10.4 A member of an advisory committee established under this clause holds office at the pleasure of the Board.
- 7.10.5 The Chair of the Board is ex-officio a member of any committee or advisory committee established by the Board.

## 7.11 Regional Management Group

- 7.11.1 The Regional Management Group shall comprise the Chief Executive Officers of the Constituent Councils and they will include the Chief Executive Officer for attendance at their meetings who will in turn provide the secretariat services on behalf of the Regional Management Group.
- 7.11.2 The Regional Management Group will support and work collaboratively with the Chief Executive Officer to implement and deliver the strategic objectives of the Legatus Group.
- 7.11.3 The Regional Management Group will meet at such times and at places determined by the Regional Management Group except that there must be at least one meeting every three (3) months.
- 7.11.4 The members of the Regional Management Group may attend Board meetings and provide such advice and support to the Board as required from time to time.
- 7.11.5 The proceedings of meetings of the Regional Management Group will be determined by the Regional Management Group.

## 7.12 Legatus Group Common Seal

- 7.12.1 The Legatus Group shall have a common seal upon which its corporate name shall appear in legible characters.
- 7.12.2 The common seal shall not be used without the express authorisation of a resolution of the Legatus Group Board and every use of the common seal shall be recorded in the minute book of the Legatus Group.
- 7.12.3 The affixing of the common seal shall be witnessed by the Chair or a Deputy Chair and the Chief Executive Officer or such other person as the Legatus Group may appoint for the purpose.
- 7.12.4 The common seal shall be kept in the custody of the Chief Executive Officer or such other person as the Legatus Group may from time to time decide.

## 7.13 Circumstances Not Provided For

- 7.13.1 If any circumstance arises about which this Charter is silent, incapable of taking effect or being implemented according to its strict provisions, the Chair may decide the action to be taken to ensure achievement of the objects of the Legatus Group and its effective administrator.
- 7.13.2 The Chair shall report any such decision at the next general meeting.



## **DECISION REPORT**

<b>Report Title:</b>	<b>Legatus Group Strategic Plan Review</b>
<b>Item No:</b>	<b>4.10</b>
<b>Date of Meeting:</b>	<b>10 December 2021</b>
<b>Author:</b>	<b>Legatus Group CEO Simon Millcock</b>
<b>Attachments:</b>	<b>Nil</b>

### **1. EXECUTIVE SUMMARY**

This report seeks a decision of the Legatus Group in relation to the proposed workshop for the Strategic Plan.

### **2. RECOMMENDATION**

**That the Legatus Group receives and notes the report and determines that a workshop by the Legatus Group regarding the Legatus Group Strategic Plan and Long Term Financial Plan will be held at the 11 March 2022 Legatus Group Meeting.**

### **3. RELEVANT CORE STRATEGIES/POLICIES**

Legatus Group Strategic Plan 2018-2028

Legatus Group Charter Section 5.3 Long Term Financial Plan

The Legatus Group must prepare and submit to the Constituent Councils for their approval a Long Term Financial Plan covering a period of at least ten (10) years in a form and including such matters which, as relevant, is consistent with Section 122 of the Act and the Local Government (Financial Management) Regulations 2011 as if the Legatus Group were a council.

The Legatus Group may at any time review the Long Term Financial Plan but must undertake a review of the Long Term Financial Plan as soon as practicable after the annual review of its Business Plan and concurrently with any review of its Strategic Plan.

In any event, the Legatus Group must undertake a comprehensive review of its Long Term Financial Plan every four (4) years.

The Long Term Financial Plan will be taken to form part of the Legatus Group's Strategic Plan.

Legatus Group Charter Section 6.1 Strategic Plan

Consistent with the Long Term Financial Plan set out above, the Legatus Group must:

- Prepare and adopt a Strategic Plan with a minimum operational period of ten (10) years which sets out the goals, objectives, strategies and priorities of the Legatus Group over the period of the Strategic Plan.
- Prepare an Asset Management Plan, with detailed financials for the first ten years.
- Submit the Strategic Plan to the Constituent Councils for their approval.

#### **4. BACKGROUND**

The Legatus Group Charter sets out in sections 5 and 6 the requirements relating to its Strategic Plan and Long Term Financial Plan. This includes that the Legatus Group must have a Strategic Plan for a minimum of ten years and an associated long-term financial plan.

#### **5. DISCUSSION**

The current Legatus Group Strategic Plan 2018 -2028 and Long Term Financial Plan was adopted by the Legatus Group on the 19 June 2018. During 2020/2021 a review of the Legatus Group Strategic Plan was undertaken. At the 11 June 2021 Legatus Group meeting a report on the review was received and the meeting accepted the 6 Key Findings outlined in the report. The meeting then required the Legatus Group CEO to provide a detailed response to each of the 6 Key Findings, develop a draft 3-year action plan and provide an update to the long-term financial plan for consideration.

At the 3 September 2021 Legatus Group meeting the Legatus Group CEO provided:

- Draft Legatus Group Strategic Plan
- Draft Legatus Group Long Term Financial Plan

The Legatus Group Audit and Risk Management Committee noted the level of reserves identified in the Long Term Financial Plan is subject to continued council membership fees and the LGA annual contributions and that the plan provides a level of equity that has been previously identified as appropriate until 30 June 2024. The Legatus Group has since been advised that the LGA contribution via the Regional Capacity Building Program for 2022/23 and 2023/24 will now be an annual non-indexed allocation of \$40,000.

The Legatus Regional Management Group November meeting (refer item 3.2) recommended that the Legatus Group delay the workshop so that the Regional Management Group can further develop the draft Legatus Group Strategic Plan. They will provide an updated draft for the March 2022 Legatus Group meeting. The Regional Management Group have set the dates of 20/21 January 2022 to undertake this.

This matter was discussed by the Legatus Group Audit and Risk Management Committee at their November meeting where it was suggested that the Legatus Group Chair plus the Chair of the Regional Management Group and the Legatus Group CEO discuss the recommendation to defer the workshop.

The consensus from these discussions was that the Legatus Group await the outcome of the Legatus Regional Management Group workshop on the draft Legatus Group Strategic Plan being held in January 2022.

An email was distributed on 25 November 2021 to all Mayors and CEOs advising them of this and if they had any concerns regarding this approach, to discuss with the Legatus Group Chair or CEO.

As such the Legatus Group CEO has not prepared for a workshop.

#### **6. ANALYSIS OF OPTIONS**

There has been no contact disagreeing with this approach.

#### **7. POLICY IMPLICATIONS**

##### **7.1 Financial/Budget**

Nil

## 7.2 Risk Assessment

<b>Primary Risk Type</b>	Policy		
<b>Inherent Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
	Low	Low	Low
<b>Controls</b>	Strategic Plan is in place, Review has been progressed and Regional Management Group will workshop with report to Legatus Group		
<b>Residual Risk</b>	Low	Low	Low

## 7.3 Staffing/Work Plans

This activity can be accommodated within existing workplans and resources.

## 7.4 Environmental / Social / Economic N/A

## 7.5 Stakeholder Engagement

Regional Management Group and Audit Committee

## 8. REPORT CONSULTATION

Discussions were held with Chair Legatus Group and Regional Management Group.

## **DECISION REPORT**

**Report Title:** Legatus Group support for Rural Doctor Network  
**Item No:** 4.11  
**Date of Meeting:** 10 December 2021  
**Author:** Mayor Bill O'Brien  
**Attachments:** Nil

### **1. EXECUTIVE SUMMARY**

This report seeks for discussion by the Legatus Group to consider a decision of what level of support the Legatus Group may provide.

### **2. RECOMMENDATION**

That Council:

4. receives and notes the report;
5. \_\_\_\_\_  
(insert any further resolution of meeting)

### **3. RELEVANT CORE STRATEGIES/POLICIES**

Legatus Group Strategic Plan Goal Two: Support Social Infrastructure and Community Services that meet the region's needs. Strategies 1) Actively work with regional providers to gain knowledge to assist with advocating for improvement of health, education, community and social support services.

### **4. BACKGROUND**

Mayor Bill O'Brien has been in discussions with Doctors within his Council area and had been made aware of letters being circulated by the community on their concerns for the future of health services in rural South Australia.

### **5. DISCUSSION**

This includes the increased workload to local doctors in their efforts to provide great service and quality care in the general practice as well as at the hospital.

The concern expressed was that if these doctors do not get a better support package from SA Health, that they may not be able to continue their services in our town. This would be devastating for our health services, our access to care, our wait times and our requirement to travel to see a doctor.

Access to quality health care is important to the viability of rural towns, and without these doctors our entire town will suffer.

The letter is seeking Politicians to support the Rural Doctors Association of South Australia (RDASA) and the Australian Medical Association of South Australia (AMA SA), in their request to

SA Health for a better support package that will ensure that our rural doctors are recognised for the great work they do and that their work is supported in a sustainable manner.

Mayor Bill O'Brien would like to have this matter discussed as to how the Legatus Group can use its position to support the Rural Doctor Network in the Mid North Region of South Australia and beyond. This is supported by the recent SA Regional Organisation of Councils presentation held in Adelaide at the SA Local Government Association offices. Where this was a very 'hot topic' with a number of powerful presentations.

The Legatus Group CEO has attempted to make contact with the doctor identified by Mayor O'Brien to discuss further but as of 2 December 2021 there has been no response.

This matter was an agenda item at the 18 February 2021 SAROC meeting with representatives from Country SA PHN and Rural Health Workforce Strategy Committee.

In September 2019, the LGA consulted with members and considered evidence provided by the Eyre Peninsula LGA in making a submission to the State Government's draft Rural Medical Workforce Plan

In December 2019, the Minister for Health and Wellbeing, the Hon. Stephen Wade MLC, released South Australia's Rural Medical Workforce Plan, prepared to meet the Government's commitment to develop and implement a plan to recruit, train and develop the health professionals... needed to deliver country health services. The Plan identifies a specific strategy to collaborate with local government to address the unique challenges facing rural communities, recognising that the social and economic wellbeing of their community is paramount to councils in their role as public health authorities.

Over the next two years, the Plan commits that the Government will seek to partner with councils through the LGA to maximise the personal and family supports provided to rural doctors, particularly for recruiting to challenging areas, by:

- 1) creating partnerships between councils, regional Local Health Networks, the Rural Doctors Workforce Agency and other key stakeholders to provide a holistic approach to doctor recruitment, considering opportunities and support for partners and families, and including social and community supports. LGA Secretariat Regional LGA executive officers \$25,000 budget allocation in 2020-21, to be carried forward to 2021-22.
- 2) developing and support mechanisms for regional and rural doctors to receive support in areas including housing, transport costs and childcare.

SAROC's 2021/2022 Business Plan includes for Regional Health Workforce.

To Continue to advocate to the Federal and State Governments for the provision of improved health services. Support for progression of a key action from the Rural Medical Workforce Plan 2019- 2024 by working with the Rural Support Service to investigate how to maximise the personal and family supports provided to rural doctors by assisting efforts in housing, transport costs and childcare, and support for partners and families, including social and community supports.

## **6. ANALYSIS OF OPTIONS**

For discussion and consideration

## 7. RECOMMENDED OPTION

To discuss

## 8. POLICY IMPLICATIONS

### 8.1 Financial/Budget

Nil

### 8.2 Risk Assessment

<b>Primary Risk Type</b>	Reputation Policy		
<b>Inherent Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
	Low	Low	Low
<b>Controls</b>	Policy – Strategic Plan		
<b>Residual Risk</b>	Low	Low	Low

### 8.3 Staffing/Work Plans

This activity can be accommodated within existing workplans and resources.

### 8.4 Environmental / Social / Economic

Social and Economic due to decline in regional SA of health services.

### 8.5 Stakeholder Engagement

For discussion.

## 9. REPORT CONSULTATION

Nil

## **MOTIONS AND QUESTIONS**

### **ITEM NUMBER: 5**

#### **DATE OF MEETING: 10 December 2021**

The Legatus Group Policy Agenda Items and Presentations Policy says:

Member Councils wishing to present matters to the Board or committees for discussion or decision must consider the schedule of meetings of the Board of Management and the Committees and must be undertaken in consultation the Legatus CEO. All matters for discussion and seeking of resolution must be made in writing with sufficient time to ensure that the Legatus Group CEO can provide in the appropriate agenda.

The Legatus Group CEO called twice for items of business from Constituent Councils seeing to gain these prior to Wednesday 1 December to include in the agenda.

#### **5.1 Motions of which Notice has been given**

Nil.

#### **5.2 Motions without Notice**

The Chair to ask Members if there are any motions without notice.

#### **5.3 Questions with Notice (1)**

5.3.1 Sam Johnson CEO Mt Remarkable Q - It might be worthwhile the Legatus Group considering the adoption of a formal 'Procedure at meetings' with an offer to assist.

A – Simon Millcock Legatus Group CEO – The Legatus Group work plan has the Review of Policies scheduled for January 2022.

#### **5.4 Questions without Notice**

The Chair to ask the Members if there are any questions without notice.

## **MEMBERS COMMUNICATION**

**ITEM NUMBER: 6**

**DATE OF MEETING: 10 December 2021**

**6.1 The Legatus Group Chair Mayor Phillip Heaslip may wish to provide a report to the meeting.**

**6.2 The Legatus Group SAROC Representatives Mayor Peter Mattey and Bill O'Brien may wish to provide a report to the meeting.**



## **CORRESPONDENCE**

**ITEM NUMBER: 7**

**DATE OF MEETING: 10 December 2021**

**DISCUSSION** Items of correspondence are provided for information / noting.

### **RECOMMENDATION**

**That Legatus Group receives and notes the correspondence as attached and listed:**

- 7.1 15 Sept 21 to Andrew Johnson Action CEO LGA re Acknowledgement of Michelle Wittholz CWMS Program Manager
- 7.2 16 Sept 21 to Hon David Basham Minister Primary Industry and Regions re Extension of Family and Business Support Officers Wellbeing
- 7.3 22 Sept 21 from Hon Vickie Chapman Minister for Local Government re Grants Commission Attachment H
- 7.4 23 Sept 21 from Hon David Basham Minister Primary Industry and Regions re Wellbeing
- 7.5 30 Sept 21 to Mayor Peter Matthey Chair LGA CWMS Management Committee re CWMS Reform Agenda
- 7.6 4 Nov 21 Cathie Brown CEO Leaders Institute of SA re Australian Rural Leadership Foundation – Regional Australia Institute Building Regional Resilience Initiative
- 7.7 4 Nov 21 Anita Crisp CEO Uni-Hub Spencer Gulf re Australian Rural Leadership Foundation – Regional Australia Institute Building Regional Resilience Initiative
- 7.8 13 Nov 21 Clinton Jury CEO LGA SA re Acknowledgement of Toni Clarke

7.1 Andrew Johnson Action CEO LGA re Acknowledgement of Michelle Wittholz  
CWMS Program Manager

15 September 2021

Dr Andrew Johnson  
Acting CEO LGA  
LGA House  
148 Frome St  
Adelaide SA 5000

Dear Andrew

**RE: Acknowledgement of Michelle Wittholz CWMS Program Manager**

The Legatus Group through both our CWMS Advisory Committee and the Legatus Group Board take this opportunity to express our acknowledgement of the support and professionalism of Michelle Wittholz the LGA CWMS Program Manager.

During the past three years the Legatus Group has provided a conduit between our 15 member councils and other regional councils through the Regional LGAs. This has been achieved through a joint CWMS services arrangement by the Legatus Group to the LGA CWMS Management Committee.

The outcomes include advancements in building the capacity of council staff to better manage CWMS and several State and Regional Conferences and Forums.

Through our collaborations and an MoU with UniSA we have undertaken several valuable research papers and have trial sites assisting with monitoring CWMS pumps.

We have drafted a training program associated with compliance which includes matters associated with the regulators requirements that has not previously been available.

The discussion paper we developed following the State-wide communication sessions has been received by the LGA CWMS Management Committee who are taking the sector reform forward and incorporating ideas for future discussions along with the outcomes.

Yours sincerely

Simon Millcock

CEO

Cc

Mayor Peter Matthey

Michelle Wittholz

7.2 Hon David Basham Minister Primary Industry and Regions re Extension of Family and Business Support Officers Wellbeing

16 Sept 2021

Hon David Basham MP  
Minister for Primary Industries and Regional Development  
[Minister.Basham@sa.gov.au](mailto:Minister.Basham@sa.gov.au)  
GPO Box 1671  
ADELAIDE SA 5001

**Subject: Extension of Family and Business Support Officers**

Dear Minister Basham,

The 15 member councils of the Legatus Group would like to extend their appreciation to you and Minister Dan van Holst Pellekann MP for taking the time to meet with Mayors Kathie Bowman and Bill O'Brien and our Chief Executive Officer Simon Millcock.

A report on the meeting was provided at our Legatus Group meeting on 3 September 2021 to which Minister van Holst Pellekann MP attended. We passed on our thanks to the SA Government for extending the contracts of the two Family and Business Support Officer positions until 30 June 2022.

Since these meetings we have commenced discussion with PIRSA, Wellbeing SA and other organisations to look at how we can partner to identify a model for better regional coordination re wellbeing. We plan to present a report to the Governments Regional Development Strategy Forum later this year.

Yours sincerely

Mayor Phillip Heaslip  
Chair

cc. Hon Dan van Holst Pellekaan MP

7.4 Hon David Basham Minister Primary Industry and Regions re Wellbeing

Thank you for your email of 27 August 2021 regarding the Legatus Group's Wellbeing Gap Analysis report and our recent meeting.

It was pleasing to hear more about the conclusions of the report at our meeting and that you have since met with Mr Brett Bartel, Director of Recovery at the Department of Primary Industries and Regions, to discuss partnering and co-design of the Family and Business Support (FaBS) Program for the northern regional councils. The Marshall Liberal Government was pleased to extend the Family and Business mentors program to support councils impacted by drought and other challenges.

In relation to the Legatus Group providing a proposal for better regional coordination of wellbeing services, I have asked the department to organise a meeting with relevant Government agencies to discuss this proposal once received. Once again, thank you for writing to me regarding this important matter.

Yours sincerely

Hon David Basham MP

MINISTER FOR PRIMARY INDUSTRIES AND REGIONAL DEVELOPMENT

7.5 Mayor Peter Matthey Chair LGA CWMS Management Committee re CWMS Reform Agenda

30 September 2021

Mayor Peter Matthey  
Chair LGA CWMS Committee  
LGA House  
148 Frome St  
Adelaide SA 5000

Dear Mayor Matthey

**RE: CWMS Reform Agenda**

I would be grateful if you could arrange an invitation for Dr Paul Chapman and me to attend the next meeting of the LGA CWMS Management Committee.

At the recent Legatus Group meeting of 3 September 2021, the District Council of Mount Remarkable raised the matter of the Auditor-General's Report – Community Wastewater Management Scheme. The meeting resolved that: "The Legatus Group CEO and Project Manager be invited to attend a LGA CWMS Committee meeting to discuss areas of operational support."

Through our joint CWMS Services Arrangements, it includes support for on-going CWMS reform. We note in the letter confirming these arrangements that the reform agenda will be provided to the Legatus Group as part of the consultation process. I would be grateful if you could send us any material related to the reform agenda along with the invitation.

This matter will be an agenda item at the next Legatus Group CWMS Advisory Committee and at the next Regional LGA Executive Officers meetings.

As you are aware through your roles with the Legatus Group, SAROC and now with the LGA CWMS Management Committee a discussion paper prepared by Dr Paul Chapman raised several issues requiring further investigation. This was discussion paper was initially designed to be provided to SAROC.

Following the above meetings our intention is to provide a report to SAROC but we wish to ensure we have a clear understanding of the status of the reform agenda and roles of all parties.

Thank you for your help and we look forward to meeting with the Committee.

Yours sincerely

Simon Millcock

CEO

Cc

Michelle Wittholz

7.6 Cathie Brown CEO Leaders Institute of SA re Australian Rural Leadership Foundation – Regional Australia Institute Building Regional Resilience Initiative

4 November 2021

Cathie Brown  
Chief Executive Officer  
Leaders Institute of South Australia

**Letter of Support: Australian Rural Leadership Foundation – Regional Australia Institute *Building Regional Resilience Initiative***

Dear Cathie

On behalf of the 15 member councils of the Central Local Government Region of South Australia (trading as the Legatus Group) I offer this letter of support for the Australian Rural Leadership Foundation-Regional Australia Institute (ARLF-RAI) proposed national Building Regional Resilience Initiative.

The Legatus Group covers the Northern and Yorke Region of South Australia and we partner with the Northern and Yorke Landscape Board, Regional Development Australia (RDA) Yorke Mid North, RDA Barossa Light Gawler Adelaide Plains and RDA Far North.

Our regional plan includes the need for increased leadership opportunities for our region we are also working collectively on a Regional Drought Resilience Plan.

The Legatus Group is a partner with the SA Drought Innovation Hub which includes regional priorities that form the basis of the SA Drought Hub's activity plan and this includes areas such as peer to peer support.

The Legatus Group is active with its own community development project titled Brighter Futures and we are looking to focus efforts on community capacity for the communities of our member councils.

We have recently completed a report on the Future Drought Fund opportunities – which includes items on leadership. The Legatus Group Strategic Plan includes support for regional leadership and capacity building programs that encourage and contribute to the growth of the region.

As such we would welcome the opportunity to work in partnership the Leaders Institute of South Australia to assist with the expanding leadership capabilities in our region. Our assistance would be through our 15 Councils who provide a direct link to the communities across the Northern and Yorke Region of South Australia.

Yours sincerely

Simon Millcock  
CEO

7.7 Anita Crisp CEO Uni-Hub Spencer Gulf re Australian Rural Leadership Foundation – Regional Australia Institute Building Regional Resilience Initiative

4 November 2021

Anita Crisp  
Chief Executive Officer  
Uni Hub Spencer Gulf

**Letter of Support: *Building Regional Resilience Initiative***

Dear Anita

On behalf of the 15 member councils of the Central Local Government Region of South Australia (trading as the Legatus Group) I offer this letter of support for the Uni Hub Spencer Gulf for your application to the Resilient Regional Leadership Program.

I note that your project will seek to deliver an integrated regional leadership program tailored for, delivered in, and supported by, key civic and business leaders in the Upper Spencer Gulf and Yorke and Mid North region of South Australia.

The Legatus Group covers the Northern and Yorke Region of South Australia and we partner with the Northern and Yorke Landscape Board, Regional Development Australia (RDA) Yorke Mid North, RDA Barossa Light Gawler Adelaide Plains and RDA Far North. Our regional plan includes the need for increased leadership opportunities for our region and we are also working collectively on a Regional Drought Resilience Plan.

The Legatus Group have an MoU with the University of Adelaide and note that your project will be coordinated and delivered locally and builds on the successful partnership established in 2018 between Uni Hub Spencer Gulf and the University of Adelaide plus CQUniversity Australia and Flinders University.

The Legatus Group is a partner with the SA Drought Innovation Hub which also led by University of Adelaide and includes regional priorities that form the basis of the SA Drought Hub's activity plan and this includes areas such as peer to peer support.

The Legatus Group is active with its own community development project titled Brighter Futures and we are looking to focus efforts on community capacity for the communities of our member councils.

We have recently completed a report on the Future Drought Fund opportunities – which includes items on leadership. The Legatus Group Strategic Plan includes support for regional leadership and capacity building programs that encourage and contribute to the growth of the region.

As such we would welcome the opportunity to work in partnership the Uni Hub to assist with the expanding leadership capabilities in our region. Our assistance would be through our 15 Councils who provide a direct link to the communities across the Northern and Yorke Region of South Australia.

Yours sincerely

Simon Millcock

CEO

13 November 2021

Mr Clinton Jury  
CEO LGA  
LGA House  
148 Frome St  
Adelaide SA 5000

Dear Clinton

**RE: Acknowledgement of Toni Clarke**

The Legatus Group through our Road Transport and Infrastructure Committee take this opportunity to express our acknowledgement of the support and professionalism of Toni Clarke the LGA Heavy Vehicle Access Liaison Officer.

During the past 18 month the Legatus Group has provided a conduit between our 15 member councils and Toni in the work she is doing in support which this provided to the sector. In many cases this may only be seen by operational staff.

The Legatus Group were supportive of the need for the position of a Heavy Vehicle Access Liaison Officer and the support provided has been invaluable thanks to the enthusiasm and knowledge that Toni has been able to impart.

Toni has been extremely approachable and very timely in any responses and was a key to the successful Legatus Group Roads Forum held earlier this year.

Our committee meeting held on 12 November 2021 resolved that we encourage the LGA to support the continuation of the position especially with Toni.

Yours sincerely

Simon Millcock

CEO



# CONFIDENTIAL DECISION REPORT

**Report Title:** Legatus CEO's Employment Contract

**Item No:** 8

**Date of Special Meeting:** 10 December 2021

**Author:** Chairperson, Mayor Phillip Heaslip

**Attachments:** Nil

## Confidentiality clauses:

### ***(resolution to go into confidence)***

That pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Committee orders that all persons present with the exception of the LEGATUS Board members be excluded from the meeting as the Board considers that the requirement for the meeting to be conducted in a place open to the public has been outweighed in circumstances where the Board will receive and consider a report relating to the personal affairs of a person (living or dead) being a report associated with the outcomes of the Chief Executive Officer's 2020/21 performance review and employment contract.

### ***(for resolution after consideration of the matter)***

That in accordance with Section 91(7) and (9) of the *Local Government Act 1999*, the Committee orders that report item 2.1 *Legatus CEO's Employment Contract* and attachments, discussion and minutes pertaining to this item having been considered in confidence under Section 90(2) and 3(a) of the Act be kept confidential and not available for public inspection on the basis that it deals with information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead). This order is to remain in force whilst the Chief Executive Officer remains in gainful employment with the Legatus Group, or this order will remain in force for a period of two years at which time it will be reviewed/remade as necessary, notwithstanding that it will be reviewed annually.

## **1. EXECUTIVE SUMMARY**

This report discusses the outcomes of the Legatus Group Special Meeting held 3 December 2021 re the regarding a possible further employment agreement for the Legatus Group CEO, noting that the Legatus Group CEO's contract expires on 5 June 2022.

## **2. RECOMMENDATION**

That the Legatus Group:

1. receives and notes the report; and
2. \_\_\_\_\_

*(insert resolution of meeting)*

## **3. RELEVANT CORE STRATEGIES/POLICIES**

Legatus Charter

## **4. BACKGROUND**

As outlined in the Agenda for the Legatus Group Special Meeting held 3 December 2021.

## 5. DISCUSSION

Nil

## 6. ANALYSIS OF OPTIONS

The engagement of the CEO is a matter for the Board.

## 7. RECOMMENDED OPTION

That the Legatus Group:

1. receives and notes the report; and

2. \_\_\_\_\_

*(insert resolution of meeting)*

## 8. POLICY IMPLICATIONS

### 8.1 Financial/Budget

Not applicable.

### 8.2 Risk Assessment

<b>Primary Risk Type</b>	Governance		
<b>Inherent Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
	Medium	Medium	Medium
<b>Controls</b>	Annual Performance Review		
<b>Residual Risk</b>	Medium	Medium	Medium

### 8.3 Staffing/Work Plans

Not applicable.

### 8.4 Environmental / Social / Economic

Not applicable.

### 8.5 Stakeholder Engagement

Not applicable.

## 9. REPORT CONSULTATION

Legatus Group Special Meeting held 3 December 2021.

## NEXT MEETING

Friday 11 March 2022 to be hosted by The Barossa Council

## CLOSE