



AGENDA ORDINARY MEETING

Friday 10 June 2022 10.30am

The Melrose Institute

1 Stuart St, Melrose SA 5483

Hosted by District Council of Mt Remarkable

A handwritten signature in blue ink, appearing to read "S. Millcock", is positioned above the printed name and title.

Simon Millcock
Chief Executive Officer

VISION

The Central Local Government Region of SA (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)

ORDER OF BUSINESS

| No. | Title | Page |
|-----|---|--|
| 1 | ADMINISTRATIVE MATTERS 1.1 Apologies 1.2 Leave of Absence 1.3 Conflict of Interest 1.4 Confirmation of previous minutes 11th March 2022 Legatus Group Special Meeting 1.5 Legatus Group Action List (July 2021 - May 2022) 1.6 Deferred / Adjourned items | 5 5 5 5 5-6 6 |
| 2 | PRESENTATIONS 2.1 Daniel Willson 2.2 Tony Fox 2.3 Stephen Smith | 7 |
| 3 | REPORTS FOR INFORMATION 3.1 Committee Reports 3.2 Caretaker Provisions 3.3 CEO's Leave | 8-9 |
| 4 | REPORTS FOR DECISION 4.1 2021/2022 Business Plan 4.2 2021/2022 Financial Reports 4.3 Legatus Group 2022/2023 Business Plan & Budget 4.4 SA Regional Roads Plan 4.5 Legatus Group Bridges and Culvert Report 4.6 SLRP 2022 Recommendations 4.7 Legatus Group Charter 4.8 Legatus Group Committees 4.9 Legatus Group Strategic Plan Review 4.10 SACCA Membership Fees | 10-14 15-19 20-23 24-27 28-31 31-33 34-37 38-40 41-44 45-48 |
| 5 | MOTIONS AND QUESTIONS 5.1 Motion of which notice has been given 5.2 Motions without notice 5.3 Questions with notice 5.4 Questions without notice | 49 |
| 6 | MEMBERS COMMUNICATION 6.1 Chair 6.2 SAROC Members | 49 |
| 7 | CONFIDENTIAL ITEM Legatus Group CEO Performance Review and KPIs | 50 |
| 8 | CLOSE - NEXT MEETING | 57 |

ATTACHMENTS

- A. AUDIT AND RISK MANAGEMENT COMMITTEE MEETING MINUTES PAGES (51-52)
- B. ROAD TRANSPORT AND INFRASTRUCTURE ADVISOR COMMITTEE MINUTES PAGES (53-54)
- C. REGIONAL MANAGAMNET GROUP COMMUNIQUE PAGES (55)
- D. SMART IRRIGATION
- E. STORMWATER HARVEST
- F. PUMP MONITORING PAGES (56-57)
- G. BRIGHTER FUTURES PAGES
- H. DATA GATHERING
- I. LEGATUS MANAGEMENT REPORT FOR APRIL 2022
- J. LEGATUS PROFIT & LOSS JOBS REPORT FOR APRIL 2022
- K. BANK RECONCILIATION FOR APRIL 2022
- L. 2021/2022 BUDGET REVIEW 3 AS OF 3 MAY 2022
- M. DRAFT BUSINESS PLAN
- N. DRAFT BUDGET
- O. LEGATUS GROUP BRIDGES AND CULVERTS REPORT
- P. SUMMARY OF ROAD PROPOSALS (ROADS DATA BASE)
- Q. LEGATUS GROUP DRAFT CHARTER UPDATE PAGES (57-79)
- R. LEGATUS GROUP DRAFT STRATEGIC PLAN UPDATE 2022-2032
- S. LONG TERM FINANCIAL PLAN
- T. DROUGHT RESILIENCE PLAN
- U. LGA SAROC UPDATE

I. ADMINISTRATIVE MATTERS

Meeting attendance sheet to be distributed.

I.1 Apologies

Mayor Bill O'Brien and Hon Geoff Brock.

I.2 Leave of Absence

The Board is made up of the 15 principal members (Mayor) of each Constituent Council.

As such the individual who is the current principal member of the constituent council on any given date is a member of the board. The "principal member" includes any person acting in that office during a casual vacancy or any other absence of the principal member. The person so acting enjoys all the same rights and obligations of the principal member. As such if a Mayor is on leave, then the Deputy Mayor would become the Acting Mayor and as such the principal member.

Light Regional Council were contacted and advised of this matter.

I.3 Conflict of Interest

I.4 Previous meeting minutes

Date of Meeting: Legatus Group Meeting held 11 March 2022.

Recommendation: That the minutes of the Legatus Group Meeting held on 11 March 2022 be confirmed as a true and correct record.

DISCUSSION

The minutes of the Legatus Group Special Meeting held on 11th March 2022 were distributed to all Mayors and CEOs of the Constituent Councils and can be found at: <https://legatus.sa.gov.au/wp-content/uploads/2022/03/Unconfirmed-Minutes-11-March-2022-Final-1.pdf>

I.5 Legatus Group Action List (July 2021 – May 2022)

Updates on resolutions of the Legatus Group requiring action relating to 2021/2022 meetings are provided for noting. Once an action has been noted as completed by the board, it is removed from the list.

Recommendation: That the Legatus Group receives and notes the report

Legatus Group Meetings – 3 September 2021

| Item | Topic | Action | Status | Comment |
|------|-------------------------------------|------------------------------|---|-----------------------|
| 11 | Legatus Group Strategic Plan Review | Workshop draft – distributed | Regional Managamnet Group and Legatus Group workshops held in 2022 and updated draft prepared | Refer agenda item 4.9 |

Legatus Group Ordinary Meeting – 10 December 2021

| Item | Topic | Action | Status | Comment |
|------------|--|--|------------|------------------------------|
| 4.4 | Wellbeing – Alliance with Lifeline | MoU signed meeting with MPs and updated report being prepared | Continuing | Refer agenda item 4.1 |
| 4.8 | Fair rating for Electricity Generators | Advocacy discussions held with Minister for Local Govt and LGA | Continuing | Refer agenda item 4.1 |
| 4.9 & 4.10 | Charter and Strategic Plan Reviews | Regional Management Group survey and workshop held | Completed | Refer agenda items 4.7 & 4.9 |

Legatus Group Ordinary Meeting – 11 March 2022

| Item | Topic | Action | Status | Comment |
|------|---------------------------------------|---|-----------------------------------|---|
| 4.1 | Legatus Group Committee Extensions | Expressions of interest called for members Audit & Risk Management Committee, Road Transport and Infrastructure Advisory committee, CWMS Advisory committee and Waste Management Advisory Committee | Report for 10 June meeting | Refer agenda item 4.8 |
| 4.5 | CEO KPI's | Workshop held | Completed | Refer agenda item 7.1 |
| 4.6 | Regional Waste Management Authorities | Project Manager Paul Chapman to develop report | Continuing | To be presented to the Advisory Committee when formed |
| 4.7 | Closure of Legatus Group Office | DEW informed | Delayed | Plan to have completed by mid-June |
| 4.8 | Joint CWMS Services Arrangements | Extension sought from LGA CWMS Managamnet Committee | Waiting on response | Due to be advised June 2022 |
| 4.11 | New policies | Draft format | To be circulated with next agenda | |

1.6 Deferred/Adjourned Items

Nil

2 PRESENTATIONS / PETITIONS / DEPUTATIONS

2.1 DANIEL WILLSON, ECONOMIC & WORKFORCE MANAGER, REGIONAL DEVELOPMENT AUSTRALIA YORKE AND MID NORTH (ATTACHMENT T)

2.2 TONY FOX GENERAL MANAGER NORTHERN AND YORKE LANDSCAPE BOARD

2.3 STEPHEN SMITH PLANNING REFORM PARTNER LOCAL GOVERNMENT ASSOCIATION (ATTACHMENT U)

3 REPORTS FOR INFORMATION

Date of Meeting: 10 June 2022

Author: Legatus Group CEO Simon Millcock

The Legatus Group Chair is to invite any questions / comments on the following reports.

3.1 Committees

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.

The Chairs of the following Committees have provided the minutes / communique of their meeting for the information of the Legatus Group.

1. Audit & Risk Management Committee 24 May 2022
2. Road Transport and Infrastructure Advisor Committee 5 May 2022
3. Regional Management Group forum 31 March and 1 April 2022 and 2 June 2022

Attachments:

“A” Audit and Risk Management Committee Meeting minutes (pages 58-59)

“B” Road Transport and Infrastructure Advisor Committee minutes (pages 60-61)

“C” Regional Managamnet Group Communique (page 62)

Recommendation: That the Legatus Group receives and notes the committee minutes and communique.

3.2 Caretaker Provisions

For information

The next meeting of the Legatus Group is scheduled for Friday 9 September 2022 and will be hosted by the Regional Council of Goyder and will follow the Legatus Group Annual General Meeting which will commence at 10am.

The Constituent Councils move into Caretaker from 6 September 2022 and the Legatus Group as a wholly-owned subsidiary under the local government act, means the provisions of caretaker would apply, to the extent that any new changes in direction or new or significant commitments that are not within an approved Business Plan, should be suspended until the caretaker is lifted.

This will allow implementing the approved business plan within delegations as approved by the Board and avoid any significant decisions until after the election.

The caretaker provisions apply to designated decisions which are:

Designated decisions are those that Section 91A of the Local Government (Elections) Act 1999 prohibits councils from making during a caretaker period (commencing the day nominations close), and includes any decision:

- a) relating to the employment or remuneration of the Chief Executive Officer, other than a decision to appoint an acting Chief Executive Officer; or
- b) to terminate the appointment of the Chief Executive Officer; or
- c) to enter into a contract, arrangement or understanding (other than a prescribed contract) the total value of which exceeds whichever is the greater of \$100,000 or 1% of the Council's

revenue from rates in the preceding financial year; or A "prescribed contract" means a contract entered into by the Council for the purpose of undertaking road construction or road maintenance or drainage works.

- d) allowing the use of Council resources for the advantage of a particular candidate or group of candidates (other than a decision that allows the equal use of Council resources by all candidates for election), other than a decision of a kind excluded from the definition of "designated decision" by regulation

Information obtained is that regional subsidiaries would not be captured unless they fall into a particular member Council's own caretaker policy. Common sense would come into play and decisions that are already in train as part of ordinary business and approved via Budget and key annual action plans would be acceptable.

Noting that Councils will be provided with the opportunity to nominate positions prior to the 6 September 2022. 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 which for 2022 is 2 September 2022.

Recommendation: That the Legatus Group receives and notes the report on the Caretaker Provisions.

3.3 Legatus Group CEOs leave and external interests

For information

The Legatus Group CEO advises that he currently has 28 days leave and is seeking to confirm a program to allow for continuity planning for the administration of Legatus Group over the next 5 months to utilise 23 days of this leave entitlement via the following:

- 1) Collaborating with the Flinders Ranges Quandong Festival on native food events refer item 4.1 Reconciliation Action and will take annual leave 2-4 August 2022 (3 days).
- 2) Volunteering as the coordinator of the Mintaro Progress Association's 2022 Clare Valley Festival of the Lamb and will take leave 21-23 September 2022 (3 days).
- 3) A current participant in the Horizon Leadership Program delivered by Dept Foreign Affairs and Trade in partnership with Regional Australia Institute.
- 4) Plan to take leave 27 September – 30 September to undertake food related events in Western Australia (4 days).
- 5) Holiday 10 October – 26 October 2022 to travel to the USA (13 days).

The Legatus Group CEO accrues leave at 2.08 days per month and if no leave is taken between June and October 2022 then he would have available close to 40 days (8 weeks leave). This could cause problems as the leave accruals would become excessive.

Recommendation: That the Legatus Group receives and notes the report on the Legatus Group CEOs leave.

4. REPORTS FOR DECISIONS

DECISION REPORT

| | |
|-------------------------|---|
| Report Title: | Business Plan Update |
| Item No: | 4.1 |
| Date of Meeting: | 10 June 2022 |
| Author: | Legatus Group CEO Simon Millcock |
| Attachments: | “D” Smart Irrigation “E” Stormwater Harvest “F” Pump monitoring (pages 63-64) “G” Brighter Futures “H” Data gathering |

1. EXECUTIVE SUMMARY

This report provides a brief update to the Legatus Group of its 2021/2022 Business Plan and more detailed reports on some of the current projects listed in the attachments.

2. RECOMMENDATION

- 1. That the Legatus Group receives and notes the general update report and the specific reports on the Smart Irrigation, Stormwater Harvesting, Pump Monitoring, Brighter Futures and Data Gathering projects.**
- 2. That the Legatus Group supports an approach to the Minister for Health regarding the centralised model for mental health wellbeing being progressed by the Legatus Group and Lifeline following an updated report on the Legatus Groups original Wellbeing Gap Analysis Legatus Group Northern Councils report.**
- 3. That the Legatus Group note the report by RDA Yorke Mid North on the Drought Resilience Plan and empowers the Legatus Group Northern and Yorke Alliance members to assist in finalising the plan.**

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 2021, 10 December 2021 and 11 March 2022 Legatus Group meetings.

The Legatus Group CEO has offered to attend Constituent Councils meetings and has attended 13 of the 15 Constituent Council meetings during October 2021 till May 2022 including twice to two councils updating them on the business plan. The Legatus Group CEOs has distributed 3 newsletters December 2021 and February and April 2022 which have provided updates.

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.

| I. Water / Climate Change / Drought | |
|--|--|
| Project | Status |
| Drought | Regional Drought Resilience Planning Project The Legatus Group CEO has been an active member of the reference group and a series of workshops have been held along with input into the draft report. A presentation will be provided by RDA Yorke Mid North refer item 2.1 A workshop is being planned for 24 June 2022 and the final report will then be provided to the Northern and Yorke Alliance for their approval. |
| Climate Change Sector Agreement | The update has been distributed to DEW and admin now being managed by Landscape Board. |
| Sustainability Hub Concept Plan | Not progressed due to insufficient interest. |
| Smart Irrigation System | On track refer more detailed report Attachment D |
| Storm Water Harvesting | On track refer more detailed report Attachment E |
| Northern and Yorke Coastal Management Action Plan | The Northern and Yorke Landscape Board Resilient Coastal Ecosystems in Northern and Yorke Caring for our Coastal Way – Sustainable ways to showcase and protect our coast application was successful with a \$969,900 grant. Tony Fox to attend meeting and provide further outline item 2.2. |
| 2. Community Capacity | |
| Brighter Futures / Community Development | On track refer more detailed report Attachment G A Regional Community Development Forum will be held in Burra on 22 July 2022 |
| Volunteering | Ongoing – current discussions with Volunteering NT & SA and with SA Ambulance Service and linked with workforce development and support for health sector. |
| Disability Inclusion Yorke Peninsula (YP) Tourism | An offer to assist Yorke Peninsula Tourism with progressing opportunities has been provided after the responses by all 3 councils. Legatus Group CEO and Cr Vluggen Copper Coast Council presented at the LGA Showcase. Legatus Group partnering on the Disability, Ageing & Lifestyle Expo and Accessible Tourism Forum 7-8 July in Kadina. The first of the MT Push all terrain outdoor wheelchairs has been delivered to YP Leisure Options as part of the project titled Opening the Door to Nature. This is a moderately scaled intervention free trial project that will provide the opportunity for people living with a disability to participate in and benefit from nature-based recreation with their families, carers and peers. Discussions have commenced with other possible trials in the Clare Valley and Southern Flinders. |
| Reconciliation | Mayor Bill O'Brien was an apology for the June Aboriginal Engagement Committee and Legatus Group CEO was unable to attend with the following update provided: <ul style="list-style-type: none"> Aboriginal Self-Determination Reform Webinar 9 June 2022 11.30am. This will include Terry Garwood who currently the Deputy Secretary of the Local Infrastructure Group of 600 staff in Victoria's Department of Environment, Land, Water and Planning (DELWP) with responsibility for service delivery and providing advice to the Victorian Government in relation to the portfolios |

| | |
|---|--|
| | <p>of local government, suburban development and the titles office. Terry is Victoria's most senior Aboriginal public servant having worked in the Victorian Public Service since 1989 when he was appointed Executive Director of Aboriginal Affairs Victoria – a position he held for seven years. Terry was the first Aboriginal person to hold a Chief Administrator's position in the Victorian Public Service and provided the operating foundations that see Aboriginal Victoria well established and recognised as a key public service agency today.</p> <ul style="list-style-type: none"> • Native Foods Cultural Awareness Forum 5 August 2022 Quorn. This will involve Hawker based Chef Doogal Hannagan (Adnyamathanha) & his brother Barney Hannagan (Adnyamathanha) who will return from USA and Christian Hampson (Woiwurrung and Maneroofro) from Yerrabingin who all are confirmed to speak. Waiting on confirmation from Quandong Festival Coordinator to confirm Bruce Pascoe (Yuin & Bunurong) & Damian Coulthard (Adnyamathanha) who are part of the Quandong Festival. There will also be food events held in Hawker and Quorn that align with the forum. This links with the Flinders Ranges Council who are progressing with their Native Gardens project. Registrations will open in early June. • Waiting on responses to the Building Better Regions Fund Grant Application for a Cultural Awareness project that will focus on native plants / seeds for a bread making story telling project. |
| Attraction and retention | <p>Torrens University Australia have commenced the Developing a Regional Workforce Attraction, Development & Retention Action Plan for the Legatus Group Councils the desk top research completed, initial workshop held and survey completed. In total 22 responses came from 14 Legatus Group councils and 7 responses from Regional LGAs.</p> <p>The initial findings were provided to the Legatus Group Regional Management Group and the project is on target for completion in August with Case Study & Interviews in June and draft report in July.</p> |
| Wellbeing | <p>The Legatus Group & Lifeline MoU has been established to support the centralised model and meetings held with MPs Hon Geoff Brock, Fraser Ellis and Penny Pratt. This will result in Christie (Laiming) Lam the original researcher to be engaged to complete an update on the status of the initial report to provide further guidance for a meeting to be held with Minister for Health with Local MPs, Legatus Group Chair and CEO and Lifeline.</p> |
| 3. Regional Capacity | |
| Regional Conference / forums | <ul style="list-style-type: none"> • SA CWMS Conference – held 19-20 April Mt Gambier • Legatus Group Waste Forum – held 27-28 May Watervale • YMN Alliance Forum – held 11 Feb 2022 on-line • Legatus Group Regional Roads – held 24 March 2022 Hewitt • Accessible Tourism Forum – 7-8 July Kadina • Community Development Forum – 22 July Burra • Cultural Awareness Forum – 5 August Quorn |
| Mixed Realities Tourism / Tourism Accessibility | <p>Linked with the Brighter Futures project.</p> |
| SA Regional Road Priority | <p>Completed refer item 4.4</p> |

| | |
|--|---|
| Legatus Socio-Economic Impacts Road Deficiency | EOI called for councils who may wish to partner and non-received and recommendation endorsed by the Legatus Group Road Transport and Infrastructure Advisory Group to not progress any further. |
| SLRP and Roads Database updates | Completed refer item 4.6 |
| Bridge Deficiency Report | Completed refer item 4.5 |
| Public Transport | Has not progressed – wait for 2022/2023 |
| Southern Flinders Ranges Tourism Alliance | Reports provided to Mt Remarkable, Port Pirie Regional and Northern Areas Councils. |
| IT data gathering and digital research project | On track refer more detailed report Attachment H |
| Legatus Group Website | Updated Legatus Group website now live. |
| Rating Equity | <p>Prior to the SA State Election all candidates in the Legatus Group Region were provided with correspondence advising them of the Legatus Group's acknowledgement and support for the Electricity Corporations (Restructuring and Disposal) (Rates) Amendment Bill 2021 which the Hon Geoff Brock introduced on the 1 December 2021 and hoping that elected members of the new Parliament will reintroduce and support the Bill. This included support for the position of the Local Government Association in its opposition to provisions in the Electricity Corporations (Restructuring and Disposal) Act 1999, which prevents councils levying fair rates from electricity generators.</p> <p>Following the election all successful MPs in the Legatus Group Region were provided with correspondence congratulating them on their success and informing them of the Legatus Groups continued support for the as outlined above.</p> <p>Informal discussions have continued with Hon Geoff Brock MP in his role as Minister for Local Government.</p> |
| 4. CWMS / Waste | |
| Legatus Group Waste Management Action Plan | <p>The Legatus Group Waste and Resource Recovery Strategy 2021- 2026 has been released on the Legatus Group Website.</p> <p>In partnership with KESAB a successful 2022 Regional SA Waste and Recovery Forum and Workshops titled Community Initiatives Supporting Waste and Recycling for a Circular Economy were held 27-28 May with 45 attending the forum and 24 the workshop.</p> <p>A webinar is being held on 17 June 2022 via KESAB titled Your Partners in Community Engagement and Education.</p> <p>Waiting on confirmation of the grant funding applied for by District Council of Peterborough re compost trial.</p> |
| CWMS | <p>Conference held and proposal submitted for LGA CWMS Management Committee.</p> <p>LGA progressing with producing the 9 on-line training modules.</p> <p>Update report on Pump Monitoring Project Attachment F</p> |
| Research | The Plastic Waste CRC bid submitted by Griffiths University through the MoU with Legatus Group and UniSA was not successful. |

6. ANALYSIS OF OPTIONS

Option 1: That the Legatus Group receives and notes the general report and specific updates on the Smart Irrigation, Stormwater Harvesting, Pump Monitoring, Brighter Futures and Data Gathering projects.

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 Advisory Committees and Reference Groups.

9. REPORT CONSULTATION

Attendance and discussions were offered to all Constituent Councils for the business plan and input along with these updates are provided at each Legatus Group and Regional Management Group Meeting.

DECISION REPORT

| | |
|-------------------------|--|
| Report Title: | Financial Report |
| Item No: | 4.2 |
| Date of Meeting: | 10 June 2022 |
| Author: | Legatus Group CEO Simon Millcock |
| Attachments: | “I” Legatus Management Report for April 2022 “J” Legatus Profit & Loss Jobs Report for April 2022 “K” Bank reconciliation for April 2022 “L” 2021/2022 Budget Review 3 as of 3 May 2022 |

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 the Legatus Group notes the contents of the Statutory Finance Reports for the period ending 2 May 2022.**
- 2. Confirms that \$5,000 is allocated from the budget for a contractor to deliver an updated report on the Wellbeing Gap Analysis Legatus Group Northern Councils report.**
- 3. Receives and adopts the revised 2021/2022 Budget Review 3 and notes that there is no need to submit the revised budget to member councils for their approval.**
- 4. Notes the CEOs credit card expenditure report 1 March 2022 till 31 May 2022.**

3. RELEVANT CORE STRATEGIES/POLICIES

Section 5 Legatus Group Charter includes.

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.

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 noted the budget review as of the 31 July 2021 at their 3 September 2021 meeting. The Legatus Group 10

December 2021 meeting received a report and pursuant to Section 123(13) of the Local Government Act 1999 and Section 7 of the Local Government (Financial management) Regulations 2011 noted the contents of the Statutory Finance Reports for the period ending 30 November 2021. This meeting also supported 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.

The 11 March 2022 Legatus Group meeting adopted the revised 2021/2022 Budget Review 2 and noted that there was no need to submit the revised budget to member councils for their approval.

Since the 11 March 2022 there are some changes which are reflected in budget review 3:

- Increase in income \$2,000 due to income from the Waste Forum (item 49000)
- Reduction of \$1,500 advertising (item 62002)
- Increase in vehicle maintenance by \$500 due to excess paid for damage from accident with a kangaroo (item 63011)
- Reduction in fuel cost \$1,000 (item 63002)
- Reduction of travel reimbursement \$1,000 (item 69006)
- Allocation of \$5,000 for contractor for updated report on Wellbeing (item 62006) – Project PO42 refer agenda item 4.1 Wellbeing update.
- Allocation of \$1,000 consultants for CEO Performance Review (item 62005)

The Legatus Group CEO has a Credit Card for work expenses 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 April 2022
2. Profit and Loss Report April 2022
3. Bank Reconciliation April 2022
4. 2021/2022 Budget Review 3

These reports were presented and discussed by the Legatus Group Audit and Risk Management Committee on 1 March 2022 item 3.1 of this agenda refers to their minutes.

The Legatus Group previous agendas included updates on the budget.

The original budget had an operating deficit of \$366,300 and the revised budget has an operating deficit of \$302,750.

The revised budget provides for all carry over projects and grant funds to be expended by 30 June 2022 and to leave the Legatus Group with the total equity at \$684,038 as opposed to original budget of \$620,488.

In keeping with previous recommendations this would allow for just under \$240,000 to be utilised in coming business plans and budgets if the Legatus Group is to maintain the suggested equity of \$450,000.

The Legatus Group CEO credit card expenditure from 1 March 2022 till 31 May 2022 was:

| Date | Item | Amount |
|--------------|------------------------|--------|
| 2 March 2022 | Facebook – advertising | 8.56 |

| | | |
|---------------|-------------------------------|--------|
| 2 March 2022 | International transaction fee | 0.26 |
| 3 March 2022 | Adobe | 49.98 |
| 4 March 2022 | Office National | 6.55 |
| 5 March 2022 | LH Perry – Fuel | 53.23 |
| 5 March 2022 | Xero | 70.00 |
| 8 March 2022 | U Park Pirie | 19.00 |
| 9 March 2022 | The Pork Knuckle - meal | 31.70 |
| 13 March 2022 | Commodore – accommodation | 330.00 |
| 13 March 2022 | Barossa Fresh - meal | 16.86 |
| 18 March 2022 | Saddleworth Roadhouse – Fuel | 79.36 |
| 18 March 2022 | City of Adelaide – parking | 9.60 |
| 19 March 2022 | Wotif – accommodation | 338.00 |
| 21 March 2022 | Zoom – annual fee | 230.89 |
| 22 March 2022 | Liberty Fuel | 85.61 |
| 30 March 2022 | Bendigo Bank | 4.00 |
| 8 April 2022 | Adobe | 49.98 |
| 9 April 2022 | Seven stars Hotel - meal | 22.00 |
| 9 April 2022 | U Park Pirie | 19.00 |
| 9 April 2022 | Adelaide Entertainment Centre | 5.00 |
| 11 April 2022 | Happy bite snacks – meal | 11.80 |
| 12 April 2022 | Xero | 70.00 |
| 16 April 2022 | KS & CA Hunt – Fuel | 78.69 |
| 19 April 2022 | Coles express – Fuel | 55.86 |
| 20 April 2022 | Coles express - meal | 9.00 |
| 21 April 2022 | United Petroleum – Fuel | 59.98 |
| 21 April 2022 | Coles – catering | 18.00 |
| 22 April 2022 | Commodore – meal | 27.50 |
| 22 April 2022 | Mount Gambier hotel - meal | 28.90 |
| 22 April 2022 | CSC SA Pty ltd - meal | 11.50 |
| 24 April 2022 | KS & CA Hunt - Fuel | 79.29 |
| 29 April 2022 | Saddleworth Roadhouse – Fuel | 58.52 |
| 29 April 2022 | Bendigo Bank | 4.00 |

| | | |
|-------------|------------------------------------|-------|
| 2 May 2022 | Saddleworth Roadhouse – Fuel | 68.11 |
| 2 May 2022 | Facebook - advert | 38.78 |
| 2 May 2022 | International transaction fee | 1.16 |
| 3 May 2022 | Adobe | 49.98 |
| 5 May 2022 | Xero | 70.00 |
| 6 May 2022 | OTR – Fuel | 70.13 |
| 11 May 2022 | Ampol – Fuel | 74.54 |
| 12 May 2022 | United – Fuel | 80.94 |
| 13 May 2022 | Commitment Issues Café – meals | 45.90 |
| 16 May 2022 | Liberty – Fuel | 71.70 |
| 18 May 2022 | 24 Seven – Fuel | 60.30 |
| 19 May 2022 | Maitland Bakery - meal | 12.50 |
| 20 May 2022 | Ampol – Fuel | 70.66 |
| 20 May 2022 | Café Brunelli – meal | 9.54 |
| 21 May 2022 | Seven stars Hotel – Meal | 22.00 |
| 23 May 2022 | Circum wash – carwash | 15.50 |
| 23 May 2022 | X-convenience – Fuel | 42.62 |
| 26 May 2022 | Jamestown Bakery – meal | 13.40 |
| 26 May 2022 | KS & CA Hunt – Fuel | 60.87 |
| 27 May 2022 | United Petroleum – Fuel | 77.27 |
| 29 May 2022 | Watervale General Store – catering | 13.00 |
| 30 May 2022 | Bendigo Bank | 4.00 |

6. ANALYSIS OF OPTION

The recommendation will allow for the progress of the current business plan and acknowledges that whilst there is a decrease in income the decrease in expenditure is higher and as such will result in a better financial position by 30 June 2022.

7. RECOMMENDED OPTION

As outlined.

8. POLICY IMPLICATIONS

8.1 Financial/Budget

Nil

8.2 Risk Assessment

| | | | |
|--------------------------|--|--------------------|---------------|
| Primary Risk Type | Financial | | |
| Inherent Risk | Likelihood | Consequence | Rating |
| | Low | Low | Low |
| Controls | Financial reports to Audit and Risk Management Group and Board and Quarterly review of annual budget | | |

| | | | |
|----------------------|---|-----|-----|
| | Regular updating and monitoring of financial sustainability | | |
| Residual Risk | 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: 2022 / 2023 Business Plan and Budget

Item No: 4.3
Date of Meeting: 10 June 2023
Author: Legatus Group CEO Simon Millcock
Attachment: “M” Draft Business Plan
“N” Draft Budget

1. EXECUTIVE SUMMARY

The attached draft Legatus Group Business Plan and Budget for 2022/2023 was provided to all member councils for their consideration noting the relevant Legatus Group Charter requirements which indicated this need to be distributed prior to the 15 April 2022.

The Legatus Group must adopt the Annual Business Plan and Budget after 31 May and before 30 June for the ensuing Financial Year. 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.

2. RECOMMENDATION

- 1. That the Legatus Group adopts the 2022/2023 Legatus Business Plan and Budget.**
- 2. That the Legatus Group gives due consideration to the long term sustainability of the Legatus Group by continuing its practice of using reserve funds.**

3. RELEVANT CORE STRATEGIES/POLICIES

Legatus Group Charter:

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.

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.

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.

4. BACKGROUND

The 2022/2023 Budget Draft was prepared in consultation with the Finance Manager, including the break down for each project and this was distributed to all constituent councils on 8 April 2022 along with the draft Business Plan 2022/2023.

Key Assumptions

1. Membership 2% increase in fee
2. LGA regional capacity grant of \$42,000 confirmed
3. RDA YMN and Landscape Board contribution of \$5,000 each for the Annual Forum
4. No allocation of funding of projects included for the CWMS Joint Agreement with LGA this is subject to funding from the LGA which has been applied and will be included if funding provided.
5. No allocation for grant funding has been included and projects listed can seek to use allocated amounts for leverage from grant funding.
6. The equity as of 30 June 2023 will see approx. \$475,000 which is in line with previous recommendations by the Board.

Since these documents were distributed there has been a letter written to the LGA CWMS Management Committee seeking funding for the CWMS Joint Agreement and no response has been received as yet.

Constituent Councils were advised they could comment on the Annual Business Plan and the Budget in writing to the Legatus Group by Friday 27 May 2022 which is 10 business days prior to the 10 June 2022 meeting.

The Legatus Group CEO offered to meet with councils and this was taken up by Adelaide Plains and Mount Remarkable.

5. DISCUSSION

Responses received to 2 June 2022:

- (1) Adelaide Plains: "That Council, having considered Item 14.2 – Legatus Group – Draft Annual Business Plan and Budget 2022/2023, dated 26 April 2022, receives and notes the report and in doing so instructs the Chief Executive Officer to advise the Legatus Group that Adelaide Plains Council approves the Draft Annual Business Plan and Budget 2022/2023."
- (2) The Barossa Council considered the draft Legatus budget and business plan at its meeting of 17 May and resolved as follows. "That Council, having reviewed the Legatus Group draft Annual Budget and Business Plan for 2022-23 supports the documents as presented."
- (3) Regional Council of Goyder "That Council endorse the Legatus Group Annual Business Plan and Budget 2022 – 2023."
- (4) District Council Orroroo Carrieton "That Council advises the Legatus Group that it formally endorses the 2022/2023 Budget".
- (5) Port Pirie Regional Council "That Council note the provision of the Legatus draft Annual Business Plan and draft Budget, both for 2022/23. That Council raise no specific concern with the draft documents, including the proposed 2% increase in membership fees, however based on the accumulated reserve funds, authorises the Mayor to support a nil increase if that is the majority position of other Members' Councils."
- (6) The Flinders Ranges Council "Noted and endorsed the Legatus Draft Annual Business Plan for 2022/23 and notes from the Charter and Strategic Plan workshop held on 11 March 2022."
- (7) The Copper Coast Council advises that it endorses the 2022/2023 Business Plan and Budget.

(8) The Legatus Group Audit and Risk Management Committee have noted that the 2022/2023 Draft Business Plan and Budget were distributed in compliance with the Legatus Group Charter. They have also noted the level of reserves identified in the 2022/2023 Draft Business Plan and Budget aligns with the approach to support the use of reserves funds. The committee recommends the Legatus Group gives due consideration to the long term sustainability of the Legatus Group by continuing its practice of using reserve funds. Mayor Rodney Reid indicated he wishes to address the board on the issue of continuing to use reserves beyond 2022/2023 noting that the current fixed cost for the Legatus Group is approx. \$15,500 per council and this moves closer to \$20,000 per Council with the current administration and finance support.

Individual council membership fees during the past 5 years have been \$54,891 (average \$10,978 per year) or as a percentage 1.7% of the Legatus Group overall total income. Overall, the 15 member councils' contribution during this period has been 25.6% of the Legatus Group Income. The membership fee is the same across all member councils.

Note:

- Income derived from the Rubble Royalties only came from some councils at varying rates and it was used to benefit all.
- Income apart from membership and LGA contribution is projected to decrease for 2021/2022 and beyond.

Income

| Year | Membership | Grants Subsidies | Investment | Reimbursement | Other | Total |
|-------|------------|------------------|------------|---------------|---------|-----------|
| 2017 | 159,540 | 189,349 | 12,205 | 25,105 | 194,538 | 580,737 |
| 2018 | 162,750 | 182,777 | 13,817 | 4,545 | 196,398 | 560,287 |
| 2019 | 165,225 | 344,007 | 16,573 | 37,664 | 169,899 | 733,368 |
| 2020 | 167,025 | 318,311 | 10,845 | 37,787 | 193,397 | 727,365 |
| 2021 | 167,025 | 166,126 | 8,188 | 75,400 | 192,804 | 609,543 |
| Total | 821,565 | 1,200,570 | 61,628 | 180,501 | 947,036 | 3,211,300 |

Membership as % of annual income

| Year | Whole | Individual Council |
|------|-------|--------------------|
| 2017 | 27.5% | 1.8% |
| 2018 | 29% | 1.9% |
| 2019 | 22.5% | 1.5% |
| 2020 | 22.9% | 1.5% |
| 2021 | 27.4% | 1.8% |

Comparison of membership fees for Regional LGA's are:

- Legatus Group – Total \$174,00 15 members average \$11,600
- Eyre Peninsula – Total \$199,187 11 members average \$18,000
- Riverlands Murraylands – Total \$179,795 8 members average \$22,500
- Southern and Hills – Total \$120,000 6 members average \$20,000
- Limestone Coast – Total \$647,288 7 members average \$92,500

6. ANALYSIS OF OPTIONS

The Legatus Group Business Plan and Budget have been developed in alignment with its Strategic Plan and through consultation with all Committees and Advisory Groups. By approving option 1 it provides a clear message that the Board needs to consider during the coming 12 months the long term sustainability and its funding model to move away from using reserve funds for administration.

7. RECOMMENDED OPTION

Option 1

That the Legatus Group adopts the 2022/2023 Legatus Business Plan and Budget.

That the Legatus Group gives due consideration to the long term sustainability of the Legatus Group by continuing its practice of using reserve funds.

8. POLICY IMPLICATIONS

8.1 Financial/Budget

Required to ensure the operations of the organisation including commencing 2022/2023 financial year.

8.2 Risk Assessment

| | | | |
|--------------------------|--|--------------------|---------------|
| Primary Risk Type | Legal / Regulatory / Policy | | |
| Inherent Risk | Likelihood | Consequence | Rating |
| | Low | High | Low |
| Controls | Regular reporting / Audit Committee and Board meetings | | |
| Residual Risk | Low | Medium | Medium |

8.3 Staffing/Work Plans

This complies with the current staffing levels and contracts.

8.4 Environmental / Social / Economic Not considered.

8.5 Stakeholder Engagement

All Constituent Councils, Legatus Committees and Advisory Groups.

9. REPORT CONSULTATION

Legatus Audit and Risk Management Committee and Chair and Deputy Chairs.

DECISION REPORT

Report Title: SA Regional Roads Plan
Item No: 4.4
Date of Meeting: 10 June 2022
Author: Legatus Group CEO Simon Millcock
Attachment: Nil – refer to link in the report

1. EXECUTIVE SUMMARY

This report seeks a decision of the Legatus Group in relation to providing recommendations to the Legatus Group Road Transport and Infrastructure Advisory Committee.

2. RECOMMENDATIONS

The Legatus Group notes this report and congratulates the SA Regional Organisation of Councils for releasing the SA Regional Local Road Priorities report and supports the Legatus Group Road Transport and Infrastructure Advisory Committee investigating the recommendations for further consideration by the Legatus Group

3. RELEVANT CORE STRATEGIES/POLICIES

- Legatus Group Strategic Plan Goal Three: Support development and infrastructure that contributes to sustainable communities. Strategies include - Provide a safe, well-maintained, regional integrated and cost-effective road network that includes appropriate routes for freight, tourism and community purposes.
- Legatus Group 2021/2022 Business Plan includes to advocate on behalf of the region to secure increased resources based on the road deficiencies identified in the Legatus Group 2030 Regional Transport Plan

4. BACKGROUND

The SAROC 2021/2022 Business Plan included a Regional Local Road – Mapping and Priorities report: https://www.lga.sa.gov.au/_data/assets/pdf_file/0019/1152037/Regional-Road-Priority-Project-Final-Report.pdf

This was to continue to facilitate coordination between regional LGAs to prepare a SAROC SA Regional Local Road Priorities report that will enable a cross regional approach to support funding applications to State and Federal Government based on an agreed priority list.

The Legatus Group were contracted by the LGA to manage the delivery of this report and a working group was established including Mayor Keith Parkers (SAROC/LGTAP), Regional LGA EOs and LGA Secretariat.

HDS were contracted to develop a state-wide, regional mapping activity and priority report based on the current developed local road plans that identify local road priorities.

5. DISCUSSION

This report is designed to assist with developing funding proposals via the Heavy Vehicle Safety and Productivity Program, the Better Regions Fund, the Regional Black Spot Fund and or a specific infrastructure approach to State and Federal Governments. It will also be used to assist with lobbying for equity in funding to Regional Councils.

Regional LGAs have developed their own local road plans that identify road priorities. These are used to assist in funding applications usually by individual councils but on occasions jointly across council boundaries, including the Special Local Roads Program (SLRP) administered by the LGA.

Regional LGAs acknowledge that a state-wide approach that identifies linkages beyond regional boundaries and establishes a priority list will allow for increased discussions with industry and to seek funding support from Federal and State Governments. This will assist the LGA in forming recommendations to the State and Federal Government on priorities to be funded from the SLRP.

HDS have completed the SA Regional Road Priority Project report which was provided to the working group for their feedback. The working group endorsed the report which was then provided to the SA Regional Organisation of Councils for consideration.

The LGA Secretariat and Regional LGA EOs have been provided with a “Login” link to access QGIS Cloud allowing the Regional LGA EOs to forward the account name and password to whomever they wish, which would potentially be members of their region’s roads or transport advisory group and/or their region’s board. This has been provided to all Legatus Group Councils and was a topic at the Legatus Group Regional Roads Forum and an agenda item at the Legatus Group Road Transport and Infrastructure Advisory Committee.

This now allows access to the SAROC map for a wholistic view of the state regional road network. In addition, these accounts will also provide access to the respective Regional LGA database, which all have the same name as that Regional LGA’s account.

In addition to the “Road Classifications” layer, each Regional LGA database also contains a “Road Differentiators” layer, which has been initially populated with a “Responsibility” sub-layer. This defines each road in the regional network as either DIT (state managed), Local (council managed) or Other (e.g. national parks roads, private property roads). The layer has been set up in response to queries received during the SAROC online demonstration and the Legatus Group Roads Forum demonstration. The layer also demonstrates the capability of this map based solution to create other sub-layers covering attributes stored in the database, such as “sealed” vs “unsealed”, “rural” vs “township” or “road purpose”, thereby potentially fully replacing published maps in each Region’s Transport Plan with a digital version.

Further opportunity exists for the strategic level “fit-for-purpose” assessment of regional roads, currently reflected in regional road action plan spreadsheets, to be converted to a map based format. It is expected that all of these options would be individually considered by and funded through Regional LGAs, rather than as a further SAROC initiative, since the needs of each region and the format of this additional data varies between regions. However, the underlying road graphical elements and associated regional road hierarchy is expected to remain consistent throughout SAROC, hence why that database is provided to all regions.

Operation of QGIS Cloud is quite intuitive, and similar to the “Location SA Viewer” online database maintained by the state government as a publicly accessible resource. Once you have selected the database you are interested in, three core enquiry options are available to you, in addition to the usual zoom and pan tools inherent in all GIS and other mapping products. The enquiry options are:

- I. Manage Layers. This is achieved by initially clicking on the top control button (of 6 on the right hand side of the map), which will open up a “Layers & Legend” selection panel. As a basic user, you should ignore the top layer group called “General Data” and the bottom layer group called “Map Background”. As already mentioned, the SAROC database has only one other layer group called “Road Classifications” which if you open up will allow you to select/de-select some Classes, thereby assessing the continuity of different road classes across the regional road network. Regional LGA databases have an alternative option of

accessing the “Road Differentiators / Responsibility” sub-layer group. While not essential, I recommend that you only turn on one layer group at a time (i.e. either Road Classifications or Road Differentiators) to avoid producing overlapping data when making subsequent enquiries. The default (starting) position is for the Road Classifications layer group to be “on” and Road Differentiators layer group to be “off”.

2. **Display Segment Attributes.** At whatever scale you are looking at on the screen, you can select a road segment using your mouse/cursor and the system will display all attributes associated with that segment. Please note that, due to the search radius of your selection, multiple small segments may show up in the report and you will need a second step to examine the specific road segment in question. Alternatively, you can zoom in further and then select a segment, which will be less likely to find duplicate entries.
3. **Search for a Specific Road.** QGIS Cloud uses a general purpose search tool linked to the world wide OpenStreetMap publicly available road database that is a backdrop to the Road Hierarchy Maps. Typing a road name (and also location if it is a common name) into the search box at the top of the QGIS Cloud map screen will bring up one or more potential roads. If you select the road name option you are looking for, it will reposition and/or re-scale the map and indicate the road location. Please appreciate that OpenStreetMap is a world-wide resource, so you will at times get matches to other countries – be specific in terms of a town or locality near the road you are searching for.

6. ANALYSIS OF OPTIONS

Option 1. The Legatus Group notes this report and congratulates the SA Regional Organisation of Councils for releasing the SA Regional Local Road Priorities report and supports the Legatus Group Road Transport and Infrastructure Advisory Committee investigating the recommendations for consideration by the Legatus Group.

The analysis is that all Councils have been provided with the information and tools to access the report and that the incoming Legatus Group Road Transport and Infrastructure Advisory Committee is supported in considering the relevant recommendations. It also will acknowledge the approach of the Regional LGA Executive Officers continuing to drive and participate in the State-wide approach.

Option 2 The Legatus Group notes the report.

This approach would recognise that the report has been developed but doesn’t provide direction or support for investigating the recommendations.

7. RECOMMENDED OPTION

Option 1

8. POLICY IMPLICATIONS

Allocation in the 2022/2023 Legatus Group Budget for regional roads.

8.2 Risk Assessment

| | | | |
|--------------------------|-------------------|--------------------|---------------|
| Primary Risk Type | Policy | | |
| Inherent Risk | Likelihood | Consequence | Rating |
| | Low | Low | Low |
| Controls | Business Plan | | |
| Residual Risk | Low | Low | Low |

8.3 Staffing/Work Plans

This activity is accommodated within existing workplans and resources.

8.4 Environmental / Social / Economic

Supports social and economic outcomes.

8.5 Stakeholder Engagement

All councils were provided with the links and access to the mapping and this matter was part of the Legatus Group Roads Forum.

9. REPORT CONSULTATION

Legatus Group Road Transport Infrastructure Advisory Committee.

DECISION REPORT

| | |
|-------------------------|--|
| Report Title: | Legatus Group Bridges and Culverts Report |
| Item No: | 4.5 |
| Date of Meeting: | 10 June 2022 |
| Author: | Simon Millcock |
| Attachment: | “O” Legatus Group Bridges and Culverts Report |

1. EXECUTIVE SUMMARY

The Legatus Group 2021/2022 Business Plan included the development of a Legatus Group Bridges and Culverts report to align with the Legatus Group Regional Transport Plan 2030.

2. RECOMMENDATION

- 1. The Legatus Group receives and notes the report.**
- 2. Approves the publication of the Legatus Group Bridges and Culverts Report on the Legatus Group Website.**
- 3. That the report recommendations be referred to the Legatus Group Road and Transport Infrastructure Advisory Committee including support for commissioning of further work relating to funding opportunities for the region based on this report.**

3. RELEVANT CORE STRATEGIES/POLICIES

- Legatus Group Strategic Plan Goal Three: Support development and infrastructure that contributes to sustainable communities. Strategies include - Provide a safe, well-maintained, regional integrated and cost-effective road network that includes appropriate routes for freight, tourism and community purposes.
- Legatus Group 2021/2022 Business Plan includes to advocate on behalf of the region to secure increased resources based on the road deficiencies identified in the Legatus Group 2030 Regional Transport Plan.

4. BACKGROUND

As part of the 2021/2022 Legatus Group Business Plan and in alignment with the Legatus Group Road Transport Plan Mace Engineering were contracted. They have completed the Desk Top Analysis of Bridges and Culverts for the Legatus Group and the report is attached.

Mace Engineering presented the report at the Legatus Group Roads Forum and to the Legatus Group Road and Transport Infrastructure Advisory Committee and it was distributed to member councils.

5. DISCUSSION

Mace Engineering Services was engaged by the Legatus Group in November 2021, to undertake a desktop assessment of bridge and culvert structures on Local Government Authority Roads within the Central Local Government Region, Legatus Group members.

The aim of the assessment was to identify bridge or culvert structures that may be suitable for funding under the Bridges Renewal Program, and for each structure, to find what information is available and what information would be required for the project proposal to be 'grant funding ready'.

The assessment of bridges and culverts project had a particular focus on structures on roads that comprise the Freight, Tourism and Community transport networks outlined in the Legatus Group 2030 Regional Transport Plan. However, other bridge and culvert structures were also considered, as in some instances, structures were located on roads which do not form part of these regionally significant networks, but would potentially be included if the bridge or culvert was of a sufficient standard and significance to the associated Council.

The assessment will assist with the Regions efforts to achieve the strategic objectives of improved safety, productivity, connectivity and efficiency in the transport of goods via heavy vehicles and for tourism and community needs.

The assessment included a review of currently available literature reflecting state level strategic planning, regional planning and local transport plans. This included the “Legatus Group 2030 Regional Transport Plan” by HDS Australia, the “Integrated Transport & Land Use Plan” and, where available, each LGA’s Development Plans, Strategic Plans and Asset Management Plans.

In many cases, the Asset Management Plans provided specific information regarding the bridge and culvert structures, including anticipated remaining life, required maintenance and upgrade or replacement priorities. Where available, bridge condition assessment reports were also reviewed.

Sixteen bridge and culvert structures located in 11 member councils LGA Roads have had a desktop study of available information undertaken, to determine if an upgrade of the structure might be suitable for funding under the Bridges Renewal Program. The report also provides information on the Bridges Renewal Program and includes a series of recommendations.

The Legatus Group Road Transport and Infrastructure Advisory Committee meeting 5 May 2022 also noted:

- (1) The Barossa Council are clarifying a couple of components re their bridges.
- (2) Pine Creek Bridge funding announcement subject to caretaker and contracts.

That meeting carried the following motions.

- That the Legatus Group Road and Transport Infrastructure Advisory Committee recommends the Legatus Group receives and notes and releases the report and that the report recommendations be referred to the new Legatus Group Road and Transport Infrastructure Advisory Committee.
- The Legatus Group Road and Transport Infrastructure Advisory Committee recommends the incoming Committee supports Legatus commissioning of further work relating to funding opportunities for the region based on this report.

6. ANALYSIS OF OPTIONS

Option 1 The Legatus Group receives and notes the report and approves the publication of the Legatus Group Bridges and Culverts Report on the Legatus Group Website.

This notes that all Councils were provided with the option to contribute possible bridges and culverts and that the report compliments the Regional Road Priority report and is a valuable report for councils seeking funding and also for advocacy efforts by the Legatus Group.

Option 2 Nil suggested

7. RECOMMENDED OPTION

Option I

8. POLICY IMPLICATIONS

8.1 Financial/Budget

Allocation in the 2022/2023 Legatus Group Budget.

8.2 Risk Assessment

| | | | |
|--------------------------|-------------------|--------------------|---------------|
| Primary Risk Type | Policy | | |
| Inherent Risk | Likelihood | Consequence | Rating |
| | Low | Low | Low |
| Controls | Business Plan | | |
| Residual Risk | Low | Low | Low |

8.3 Staffing/Work Plans

This activity is accommodated within existing workplans and resources.

8.4 Environmental / Social / Economic

Supports social and economic outcomes.

8.5 Stakeholder Engagement

All councils were contacted by Mace Engineering and subsequent follow ups occurred.

9. REPORT CONSULTATION

Legatus Group Road Transport Infrastructure Advisory Committee.

DECISION REPORT

| | |
|-------------------------|--|
| Report Title: | Legatus Group SLRP Priorities 2022 |
| Item No: | 4.6 |
| Date of Meeting: | 10 June 2022 |
| Author: | Simon Millcock |
| Attachment: | “P” Summary of Road Proposals (Roads Data Base) |

1. EXECUTIVE SUMMARY

The Legatus Group are required to provide feedback and recommendation to the Special Local Roads Program (SLRP).

The 2022 grant round closed on Friday 20 May 2022 and Regional LGAs information is provided to LGTAP to consider for their evaluation of applications against the SLRP criteria and for recommendations to the LGA Board.

2. RECOMMENDATION

1. The Legatus Group notes this report.

2. The Legatus Group supports the recommendation by the Legatus Group Road and Transport Infrastructure Advisory Committee that the Legatus Group response to the 2022 SLRP is based on the priority listing of the 4 roads North Coast Road (Yorke Peninsula), Gray Street (Light), Moculta Road (Barossa) and Hills Road (Goyder) which were identified and assessed in the Legatus Group Roads Data Base.

3. RELEVANT CORE STRATEGIES/POLICIES

- Legatus Group Strategic Plan Goal Three: Support development and infrastructure that contributes to sustainable communities. Strategies include - Provide a safe, well-maintained, regional integrated and cost-effective road network that includes appropriate routes for freight, tourism and community purposes.
- Legatus Group 2021/2022 Business Plan includes to advocate on behalf of the region to secure increased resources based on the road deficiencies identified in the Legatus Group 2030 Regional Transport Plan.

4. BACKGROUND

The Legatus Group Road and Transport Infrastructure Advisory Committee meet on the 5 May 2022 and Tim Viner-Smith HDS provided an update and response to any questions on the SLRP application for 2022. Tim highlighted there was a change to the original assessment made on 25 February 2022 as Moculta Road (The Barossa Council) costs were reduced to \$1.2m. Steve Kaesler (Barossa Council) outlined the level of works had been reassessed. Tim noted the high quality of the applications to date and that HDS were supporting the applicants with their final submissions due by 20 May 2022.

The Legatus Group Road and Transport Infrastructure Advisory Committee recommended that the Legatus Group provides a response to LGTAP based on the priority listing of the 4 roads identified and assessed in the current Roads Data Base.

5. DISCUSSION

HDS had been contracted to provide an updated regional roads database priority and discuss/develop a draft SLRP priorities list for 2022/23 for a final report to be prepared, incorporating final SLRP priorities. All councils were provided with this information.

The 25 February 2022 Legatus Group Road and Transport Infrastructure Advisory Committee meeting undertook Stage 2 scoring for the identified projects for this year's SLRP funding assessment and noted the preliminary priority rating of the 4 projects listed:

- Yorke Peninsula Council (YPC) North Coast Road Point Turton Township to Point Souttar Road
- Light Regional Council (LRC) Gray Street Templers Road to Thiele Highway
- The Barossa Council (BC) Moculta Road Murray Street to Truro Road
- Regional Council of Goyder Hills Road

On 16 March 2022 the Legatus Group CEO distributed to the committee the Roads Data Base with the rating based on the consolidated scores. HDS followed up with the individual Councils to provide feedback from original roads database applications. This information was also circulated to all Councils CEOs.

In March 2022 the LGA Board adopted the refreshed SLRP Policy Manual and Terms of Reference for LGTAP and of particular relevance to Regional LGAs:

- Applicants will apply direct to the LGA via Smarty Grants.
- All councils are eligible to apply, regardless of their membership to the LGA or a regional LGA.
- Following the close of the grant round, Regional LGAs will be provided copies of applications from their region and asked to provide comments on these applications based on regional transport plans/database (where available), and any other local/regional knowledge.
- LGTAP retain responsibility for evaluating applications against the SLRP criteria, preparing priority lists and making recommendations to the LGA Board.

The LGA have since undertaken an information session and applications for the 2022-23 funding round opened on Monday 4 April 2022 and closed at 4pm on 20 May 2022.

SLRP was also an agenda item at the Legatus Group Annual Roads Forum.

The Regional LGAs were required to provide a report to the applications by 3 June 2022 for roads submitted from their region. The 4 listed roads were all submitted and reports were provided on the recommendations made by the Legatus Group Road and Transport Infrastructure Advisory Committee to the 10 June 2022 Board meeting.

There was a further road submitted for the region by the Light Regional Council which was Wilkinson Road and Gawler River Road which are not on the Legatus Group roads database for 2022/2023 as such there has been no assessment or ranking or recommendation from the Legatus Group.

They are Regionally Significant Routes and both are currently on the Legatus Group compliant action plan. If this project is to be put up in a future year, then an assessment and ranking from the region would be available for the Legatus Group to place on the roads database.

Light Regional Council have advised they brought forward the application which is what it would have submitted in 2023/2024 into this year's funding program. They advised their Council has essentially cleared up all of its backlog and is now working its way through its next iterations and is wanting to get them on the agenda early. By the time they made the decision, the Legatus Group had already undertaken its initial screening process for the 2022/2023 year.

6. ANALYSIS OF OPTIONS

Option 1:

The Legatus Group notes this report and supports the recommendation by the Legatus Group Road and Transport Infrastructure Advisory Committee that the Legatus Group response to the LGTAP for the 2022 SLRP is based on the priority listing of the 4 roads North Coast Road (Yorke Peninsula), Gray Street (Light), Moculta Road (Barossa) and Hills Road (Goyder) which were identified and assessed in the Legatus Group Roads Data Base.

Option 2:

Not addressed

7. RECOMMENDED OPTION

Option 1

8. POLICY IMPLICATIONS

8.1 Financial/Budget

Nil

8.2 Risk Assessment

| | | | |
|--------------------------|-------------------|--------------------|---------------|
| Primary Risk Type | Policy | | |
| Inherent Risk | Likelihood | Consequence | Rating |
| | Low | Low | Low |
| Controls | Business Plan | | |
| Residual Risk | Low | Low | Low |

8.3 Staffing/Work Plans

N/A

8.4 Environmental / Social / Economic

Supports social and economic outcomes.

8.5 Stakeholder Engagement

All councils were invited to submit applications and were advised of the progress of the Legatus Group applications.

9. REPORT CONSULTATION

Legatus Group Road Transport Infrastructure Advisory Committee.

DECISION REPORT

| | |
|-------------------------|---|
| Report Title: | Legatus Group Charter |
| Item No: | 4.7 |
| Date of Meeting: | 10 June 2022 |
| Author: | Legatus Group CEO Simon Millcock |
| Attachment: | “Q” Legatus Group Draft Charter Update (65-86) |

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. approves the revised draft charter and requests the Legatus Group CEO distributes this to the Legatus Group Councils for their endorsement.**

3. RELEVANT CORE STRATEGIES/POLICIES

The Legatus Group Charter item 7.8:

- This Charter will be reviewed by the Constituent Councils at least once in every four (4) years.
- This 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 this Charter, they must take into account any recommendation of the Board.

4. BACKGROUND

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).

5. DISCUSSION

The Legatus Group held a workshop on 11 March 2022 and this also included the comments from the Legatus Regional Management Group (RMG). The following notes from the workshop were distributed to Legatus Group Mayors and CEOs.

In attendance: Mayor Mark Wasley (Adelaide Plains Council), Mayor Roslyn Talbot (Copper Coast Council), Mayor Kathie Bowman (Orroroo Carrieton Council), Mayor Rodney Reid (Wakefield Regional Council), Mayor Bill O'Brien (Light Regional Council), Mayor Ben Browne (Northern Areas Council), Mayor Wayne Thomas (Clare and Gilbert Valleys Council) and Deputy Mayor Cassandra Chambers (District Council of Peterborough), CEOs Stephen Rufus (Peterborough), Andrew Macdonald (Wakefield) and Simon Millcock (Legatus Group) on line Mayor Peter Matthey OAM

(Goyder Regional Council), Deputy Mayor Alan Zubrinich (Port Pirie Regional Council), Mayor Greg Flint (Flinders Ranges Council) and Tracey Rains (Legatus Group Admin Officer).

Apologies: Mayor Phillip Heaslip (District Council of Mount Remarkable), Mayor Leon Stephens (Port Pirie Regional Council), Mayor Leonie Kerley (Barunga West Council), Mayor Ruth Whittle OAM (District Council of Peterborough) and Mayor Darren Braund (Yorke Peninsula Council).

The Legatus Group CEO facilitated the workshop and advised that all those who were apologies had been provided with an opportunity to contribute their thoughts and they would be included in the workshop but there had been none provided.

RMG - The workshop saw no real issue with changes to allow the RMG to have proxies and for them to meet at such times and places as determined by the RMG.

As such – suggested wording for RMG

7. Regional Management Group

7.1.1.1 The Regional Management Group shall comprise the Chief Executive Officers or their proxy 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.

7.1.1.2 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.

7.1.1.3 The Regional Management Group will meet at such times and at places determined by the Regional Management Group.

7.1.1.4 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.

7.1.1.5 The proceedings of meetings of the Regional Management Group will be determined by the Regional Management Group.

Proxies for Board meetings - Mixed views for general meetings but interest in ensuring that all member councils get a vote at AGM.

Suggested wording

3.2 Membership

3.2.1 The Board shall consist of all principal members of the Constituent Councils and for the Annual General Meeting if the principal member of the Constituent Councils is unable to attend then the membership can include their Constituent Councils nominated proxy.

3.2.2 Each Board Member shall be entitled to exercise one vote on any matter arising and if the regular principal member of the board is on leave, then the Constituent Council must advise the Legatus Group on who their principal member is on the day of any given meeting.

Terms for Chairs and Deputy Chairs – General discussion saw merit in having the terms as 2-year terms.

Suggested wording

3.5 Chair of the Board

3.5.1 A Chair and two Deputy Chairs shall be elected at an 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 for a period of two years.*

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 relevant Annual General Meeting that these positions become vacant.*

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 available 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.*

Long Term Financial Plan and Strategic Plan

The current charter requires a 10 year Strategic and Long Term Financial plan which need to be approved by the Constituent Councils plus it says to develop an Asset Management Plan. The workshop discussed that there is little need for asset management plan and the organisations only assets are a motor vehicle and office equipment. A more realistic approach would be for a 4 year Strategic Plan which is to include a 2 year Action Plan that aligns with the 4 year cycle of local government elections and provides for a review during this term.

As such remove section 5.3 Long- term financial plan and Section 6.1 to read:

6.1.1 The Legatus Group shall prepare and implement a 4 year Strategic Management Plan and a 2 year Action Plan.

6.1.2 The Strategic Management Plan will:

- (a) identify the Legatus Group objectives over the period;*
- (b) identify the principal activities that the Legatus Group intends to undertake to achieve its objectives;*
- (c) state the measures that are to be used to monitor and assess the performance of the Legatus Group over the period;*
- (d) identify the broad means by which its activities are to be carried out;*
- (e) address issues associated with arranging its affairs; and*
- (f) make provision for the review of the Legatus Group charter and activities every 2 years.*

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

6.1.4 The Legatus Group may amend its Strategic Management Plan at any Board meeting for consideration by the Constituent Councils but must review the Strategic Management Plan at least once during its term.

Withdrawal of membership

The current notice a Constituent Council needs to provide is not less than thirty six (36) months' notice in writing of such withdrawal to the Chief Executive Officer provided that its subscription the meeting believed this was too long a time period and that 18 months' notice would be more appropriate.

As such suggested wording.

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 eighteen (18) 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.

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

| | | | |
|--------------------------|--------------------------------|--------------------|---------------|
| Primary Risk Type | Legal / Regulatory / Policy | | |
| Inherent Risk | Likelihood | Consequence | Rating |
| | Low | Low | Low |
| Controls | Regular reviews of the Charter | | |
| Residual Risk | 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 meetings and workshop, Audit Committee and Regional Management Group.

9. REPORT CONSULTATION

All Mayors and CEOs.

DECISION REPORT

Report Title: Legatus Group Committee Extensions
Item No: 4.8
Date of Meeting: 10 June 2022
Author: Simon Millcock
Attachments: Nil

1. EXECUTIVE SUMMARY

This report seeks to inform the Legatus Group in relation to the Legatus Group committees and their membership.

2. RECOMMENDATION

1. That the Legatus Group notes the report.
2. That the Legatus Group appoints Stephen Rufus CEO District Council of Peterborough and Mayor _____ (to be confirmed) as members of the Audit and Risk Management Committee
3. That the Legatus Group appoints Mayor _____ (to be confirmed) as a member of the Waste Management Advisory Committee
4. That the Legatus Group appoints Mayor _____ (to be confirmed) as a member of the Community Wastewater Management Schemes Advisory Committee

3. RELEVANT CORE STRATEGIES/POLICIES

Section 6.5, 7.10 and 7.11 of the Legatus Group Charter provides for the establishment of committees.

4. BACKGROUND

The Legatus Group currently has 2 committees whose terms or reference are provided in the Charter and 3 advisory committees as approved at the 11 March 2022 Legatus Group meeting.

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
- Waste Managamnet Advisory Committee

5. DISCUSSION

Following the 11 March 2022 Legatus Group meeting expressions of interest have been called on two occasions by the Legatus Group CEO for membership of the Audit & Risk Management Committee and current vacancies for the 3 Advisory Committees. These have also been discussed at the Legatus Regional Management Group Committee.

Audit and Risk Management Committee: The vacancies were for the position of a Board Member and 1 Professionally Qualified Officer selected from Council staff at the time of developing the agenda there has not been any formal expressions of interest received. Stephen Rufus CEO of District Council of Peterborough did extend interest at the Regional Management Group forum. This was noted at their meeting held on 24 May 2022.

Road Transport and Infrastructure Advisor Committee: These were for a new committee and following the calls for expressions of interest the following were received:

- Lee Wallis – Goyder
- Stuart Roberts – Wakefield
- Tim Neumann – Copper Coast
- Steve Kaesler – Barossa
- Mitchell Foote – Finders
- Andre Kompler – Yorke Peninsula
- Kelly-Anne Saffin – RDA YMN

These were assessed by the Legatus Group CEO, Chair and Deputy Chairs and they were approved to join with CEO Helen Macdonald Clare and Gilbert Valleys who Chairs the Committee following consideration of:

- geographical spread – covered from Southern – Central – Yorke Peninsula – Northern
- maximising wide member council participation – complied
- staggering membership across terms to ensure some continuity of experience – 2 new and 5 continuing

Since this decision the Department of Infrastructure and Transport have advised that Ms Karen Lee-Jones, Manager Transport and Asset Strategy will represent DIT.

Community Wastewater Management Scheme Advisory Committee: Expressions of interest for a new committee has yet to gain sufficient responses to date.

Waste Management Advisory Committee: Expressions of interest for a new committee has yet to gain sufficient responses to date.

6. ANALYSIS OF OPTIONS

Option 1:

1. That the Legatus Group notes the report.
2. That the Legatus Group appoints Stephen Rufus CEO District Council of Peterborough and Mayor (to be confirmed) as members of the Audit and Risk Management Committee
3. That the Legatus Group appoints Mayor (to be confirmed) as a member of the Waste Management Advisory Committee
4. That the Legatus Group appoints Mayor (to be confirmed) as a member of the Community Wastewater Management Schemes Advisory Committee
5. That the Legatus Group CEO calls for further expressions of interest for the Waste Management and Community Wastewater Management Schemes Advisory Committees

Option 2: Not considered

7. RECOMMENDED OPTION

Option I is the recommended option as this allows for increased board membership of the Advisory Committees.

8. POLICY IMPLICATIONS

8.1 Financial/Budget

Reduces expenses.

8.2 Risk Assessment

| | | | |
|--------------------------|----------------------------------|--------------------|---------------|
| Primary Risk Type | Service Delivery | | |
| Inherent Risk | Likelihood | Consequence | Rating |
| | Low | Low | Low |
| Controls | Home Office appropriately set up | | |
| Residual Risk | Low | Low | Low |

8.3 Staffing/Work Plans

N/A

8.4 Environmental / Social / Economic

Nil adverse impacts on the decision.

8.5 Stakeholder Engagement

All Councils

9. REPORT CONSULTATION

Chair and Deputy Chairs.

DECISION REPORT

| | |
|-------------------------|--|
| Report Title: | Legatus Group Strategic Plan 2018 - 2028 Review |
| Item No: | 4.9 |
| Date of Meeting: | 10 June 2022 |
| Author: | Legatus Group CEO Simon Millcock |
| Attachments: | “R” Legatus Group Draft Strategic Plan Update 2022-2032 “S ” Long Term Financial Plan |

1. EXECUTIVE SUMMARY

This report seeks a decision of the Legatus Group in relation to the review of the Legatus Group Strategic Plan 2018-2028.

2. RECOMMENDATION

- 1. That the Legatus Group receives and notes the report.**
- 2. That the Legatus Group CEO distributes the Draft Legatus Group Strategic Plan for the period 2022 – 2032 and its associated Long-Term Financial Plan and 3 year Action Plan to Constituent Councils for their endorsement.**

3. RELEVANT CORE STRATEGIES/POLICIES

The Legatus Group Charter sets out the following;

- 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.

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;
- submit the Strategic Plan to the Constituent Councils for their approval.

4. BACKGROUND

During 2021 and 2022 the Legatus Group has undertaken a review of its Strategic Plan 2018 -2028 via surveys and workshops in keeping with its requirements under the Charter.

5. DISCUSSION

The Legatus Group held a workshop on 11 March 2022 and this included the comments from the Legatus Regional Management Group and these notes were subsequently distributed to Legatus Group Mayors and CEOs.

In attendance: Mayor Mark Wasley (Adelaide Plains Council), Mayor Roslyn Talbot (Copper Coast Council), Mayor Kathie Bowman (Orroroo Carrieton Council), Mayor Rodney Reid (Wakefield Regional Council), Mayor Bill O'Brien (Light Regional Council), Mayor Ben Browne (Northern Areas Council), Mayor Wayne Thomas (Clare and Gilbert Valleys Council) and Deputy Mayor Cassandra Chambers (District Council of Peterborough), CEOs Stephen Rufus (Peterborough), Andrew Macdonald (Wakefield) and Simon Millcock (Legatus Group) on line Mayor Peter Matthey OAM (Goyder Regional Council), Deputy Mayor Alan Zubrinich (Port Pirie Regional Council), Mayor Greg Flint (Flinders Ranges Council) and Tracey Rains (Legatus Group Admin Officer).

Apologies: Mayor Phillip Heaslip (District Council of Mount Remarkable), Mayor Leon Stephens (Port Pirie Regional Council), Mayor Leonie Kerley (Barunga West Council), Mayor Ruth Whittle OAM (District Council of Peterborough) and Mayor Darren Braund (Yorke Peninsula Council).

The Legatus Group CEO facilitated the workshop and advised that all those who were apologies had been provided with an opportunity to contribute their thoughts and they would be included in the workshop but there had been none provided.

All Board Members had received a copy of the Regional Management Group survey results and the power point. It was noted that they had previously received and discussed the Strategic Plan at previous meetings via the June 2021 review and the Sept 2021 draft.

They had also received prior to the meeting the Legatus Group Values document.

The meeting noted the earlier comments that day by the LGA President of the value of the Legatus Group to the LGA Board and SAROC and the local government sector in general.

Values Report:

All attending were provided with an opportunity to comment on the Values Report and general consensus was that along with the benefits to the whole of the local government sector there had been specific benefits directly and indirectly to councils and their communities in general.

It was noted that this varies from year to year and topic to topic across the members with many commenting that the strength was having a united voice that in some cases may not have direct impact on an individual council.

Examples cited included the Rubble Royalties and Rating Equity and aligned with support for sub-regional approaches / topics where appropriate and examples of coastal & mental health (northern councils) as these don't all relate to all councils but agreement that having the whole 15 councils support is of value.

In some cases, member councils have had their return on investment into the Legatus Group being extremely high. It was noted that for councils who do engage there is usually a higher return by being able to value add.

Alliances / Partnerships

This included that the key strategies which had been developed for the Legatus Group are their Strategic Plan, Regional Transport Plan and the Waste Resources and Recovery Strategy and through the Alliance and Partnerships are the Northern and Yorke Regional Plan, Northern and Yorke Coastal Management Action Plan and Northern and Yorke Climate Change Sector Agreement. These documents all add value for member councils.

The meeting noted that in the past 4 years the board has received and endorsed along with these strategic plans 14 other relevant reports which have benefitted and will continue to benefit the region and led to a series of projects and programs for member councils which have not been funded by the councils.

2021 Review & 2022 RMG Survey

The workshop that discussed the 2021 review key findings and the RMG Key points. There was agreement not much difference between both.

There was no real appetite for procurement expressed by the board noting that this had been tried just over 4 years ago and committed significant funds previously and it didn't progress.

Consider a bigger focus in the areas of community development such as wellbeing – health sector - volunteering – homelessness – education and Simon Millcock to develop a report on this.

Support for the Areas of Focus in the Strategy for:

- 1) Infrastructure / Capacity
- 2) Collaboration
- 3) Organisation

The 4 key items under the heading of Infrastructure and Capacity were discussed:

- Roads Transport Infrastructure
- Waste Management – including Waste Water
- Community Capacity Wellbeing
- Environmental Stainability

The review and RMG Survey support these 4 areas whilst looking to reduce the 26 Priority Actions which are listed under these headings in the draft.

Raised issues around advocacy in areas such as Jetties and Bridges as other areas to consider.

Vision – No need for change to vision

Structure

Remain with the following:

- Audit and Risk
- Regional Management Group
- Road Transport Infrastructure
- CWMS

Develop new one for Waste and subject to the upcoming report consider Community / Wellbeing.

Resourcing

Noted that resourcing for Legatus is currently in line but that current members annual contributions don't cover the annual admin costs of the organisation and that this will need to be addressed. Refer to recommendation item 4.3.

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

| | | | |
|--------------------------|--------------------------------|--------------------|---------------|
| Primary Risk Type | Legal / Regulatory / Policy | | |
| Inherent Risk | Likelihood | Consequence | Rating |
| | Low | Low | Low |
| Controls | Regular reviews of the Charter | | |
| Residual Risk | 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 meetings and workshop, Audit Committee and Regional Management Group.

9. REPORT CONSULTATION

All Mayors and CEOs.

DECISION REPORT

| | |
|-------------------------|------------------------------------|
| Report Title: | SA Coastal Council Alliance |
| Item No: | 4.10 |
| Date of Meeting: | 10 June 2022 |
| Author: | Legatus Group CEO |
| Attachment: | Nil |

1. EXECUTIVE SUMMARY

Consideration by the Legatus Group re member councils' contribution for SA Coastal Council Alliance (SACCA) membership fees.

2. RECOMMENDATION

That the Legatus Group recommends that the SA Coastal Council Alliance is advised that membership fees for the Legatus Group Coastal Councils are to be invoiced individually to member councils by the Limestone Coast LGA.

3. RELEVANT CORE STRATEGIES/POLICIES

The Legatus Group Charter includes to associate, collaborate and work in conjunction with other regional local government bodies for the advancement of matters of common interest.

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

- A levy must be imposed by a meeting of the Board.
- The Chief Executive Officer must give notice of the levy to all affected Constituent Councils.
- A levy will not be binding on Constituent Councils until the expiration of one calendar month from the date of the notice.
- 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.
- 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.
- The Chair may convene an urgent meeting to consider an objection to a levy.

4. BACKGROUND

In March 2021 the SACCA committee prepared a Discussion Paper on future 'Funding and Governance' arrangements for consultation with members. This discussion paper identified revised and sustainable funding and governance arrangements to support the SACCA into the future, and at least the next 5 years.

In 2021 the SA Coastal Council Alliance membership for the Legatus Group Councils was funded by the Legatus Group.

This had not been budgeted for in 2021/2022 but the board decided to fund this through its reserves and not levy member councils as such the cost was borne across the Legatus Group.

There has not been a budget allocation in the 2022/2023 Legatus Group Draft Budget.

5. DISCUSSION

On 5 April 2022 the Legatus Group CEO received a letter (listed below) from the SA Coastal Council Alliance and the following response was provided on the 5 April 2022 including to all Legatus Group Coastal Council Mayors and CEOs. Dear Mayor Parkes and Adam:

I note the correspondence from SACCA and will include in the agenda for the 10 June 2022 Legatus Group meeting and will note the following with my report:

1. That we will need to engage with USG (Leonie Boothby cc'd) re nominations for SACCA 2023-2025 Committee from Regional LGAs in December 2022. Note that we have yet to set dates for the Legatus Group meetings beyond Sept 2022.
2. That the Legatus Group budget for 22/23 has not included payment of Councils membership to SACCA noting last year it was a contribution from all 15 member councils. My understanding was this was a once off contribution from the Legatus Group. As such I cannot confirm there will be a payment for any invoice sent from Limestone Coast LGA to the Legatus Group.

Can I suggest that there is a meeting held with the 7 Legatus Group Councils to discuss? (Note on 19 May 2022 email from Adam Gray seeking to arrange meeting with response that this would not happen before the 10 June 2022)

Simon Millcock
CEO Legatus Group

5 April 2022

The Legatus Group

c/- Mayor Phillip Heaslip

Dear Mayor Heaslip

South Australia Coastal Councils Alliance membership and priorities 2022-23

In early 2021 the SA Coastal Councils Alliance (SACCA) consulted Regional Local Government Associations (LGAs) and the Metropolitan Seaside Councils Committee (MSCC) on its proposed future funding and governance arrangements. Feedback received from the Regional LGAs and MSCC was positive, with the proposed SACCA funding model and aligned governance structures subsequently endorsed by the SACCA Committee in March 2021.

During March-June 2021 SACCA engaged with each of the Regional LGAs to resolve appropriate funding strategies for the 2021-22 FY period in recognition of the revised SACCA funding & governance arrangements. By 30 June 2021 all Regional LGAs had confirmed funding support for SACCA. MSCC membership contributions for SACCA were requested directly from each metropolitan coastal Council as an interim measure while the MSCC undertook a review into its long-term structure, function and funding arrangements. This review is still underway.

At its March 2022 meeting the SACCA Committee considered and endorsed funding and governance arrangements for 2022-23, and priorities for the remainder of the year. I am pleased to be able to provide the following advice for consideration of the Legatus Group.

As described in the SACCA Funding and Governance Paper 2021 (attached) SACCA membership fees are sought annually from Regional LGAs and are determined by the number of coastal Councils in that region.

The SACCA Committee has resolved to maintain subscription fees at 2021-22 rates with a CPI adjustment of 3.5%. As such the 2022-23 SACCA subscription fees are \$2,070 per regional coastal Council and \$2,587.50 per metropolitan coastal Council.

The Limestone Coast LGA administration has kindly offered to continue to support SACCA with financial management and as such will invoice Regional LGAs for SACCA subscriptions in June 2022, unless advised otherwise.

In recognition of the challenges and disruptions associated with State, Federal and Local Government elections being held in 2022 the SACCA committee resolved to postpone its committee nomination process until such time as the Regional LGAs have re-formed following the November 2022 Local Government elections. As such SACCA will seek nominations for its 2023-2025 Committee from Regional LGAs and the MSCC in December 2022.

With both subscription fees and committee representation provided by the Regional LGAs and the MSCC SACCA is looking forward to leveraging this strengthened relationship with your Association to tackle coastal issues of state and regional significance.

Acknowledging that the new 2023-25 SACCA Committee will likely lead a review of the SACCA Strategic and Business Plan in early 2023 the SACCA Committee recently endorsed a range of priorities for SACCA to focus on for the remainder of 2022. These priorities include:

- Engagement and consultation with Councils and other stakeholders including representation at the LGA OGM showcase in April 2022 and launch of the SACCA website to support coordination and collaboration opportunities.
- Supporting State and local government initiatives to address coastal zone access issues with the aim of maximising benefits and minimising negative impacts (i.e. vehicles and camping in the coastal zone)
- Pursuing coastal management reform opportunities with the new State Government including the findings from the ERDC Inquiry into the Coast Protection Board (CPB) and Act.
- Continuing to pursue opportunities for State and Federal funding to address local and regional coastal management challenges. This includes working with the LGA and State Government to develop a State funding bid to the NRRRA Coast and Estuarine Risk Management Program.
- Investigating options for Local Government coastal risks profiling with the LGA MLS
- Continued representation on the CPB advisory committee and supporting CPB priorities (local government adaptation planning, regional engagement and grant programs)
- Review of the SACCA strategic & business plan with members in 2022-23
- Election of the new SACCA committee for 2023-25

These priorities are consistent with the SACCA objectives of increased coordination, collaboration and advocacy for our coastal Councils across the State.

If you require any further information, please don't hesitate to contact me as per my details below or Adam Gray, SACCA Executive Officer at adam@grayconsulting.com.au or 0409 908 191.

Yours Sincerely

Mayor Keith Parkes Chairperson - SA Coastal Councils Alliance

6. ANALYSIS OF OPTIONS

The Legatus Group current use of reserves as outlined in agenda items 4.3 will not allow the continued long term financial sustainability of the Legatus Group.

It has the potential to reduce the ownership of the SACCA by individual councils.

The Legatus Group can establish levies as outlined in the Charter on member councils.

There are several options available with Option 1 being the least cost both in time and funds to the organisation:

Option 1 - That the Legatus Group recommends that the SA Coastal Council Alliance is advised that membership fees for the Legatus Group Coastal Councils are to be invoiced individually by the Limestone Coast LGA.

Option 2 – That the Legatus Group levies all member councils for the SA Coastal Council Alliance membership fees.

Option 3 – That the Legatus Group levies its Coastal Council members for the SA Coastal Council Alliance membership fees.

Option 4 – The Legatus Group pays the SA Coastal Council Alliance membership fees subject to a variation to its 2022/2023 Budget.

7. RECOMMENDED OPTION

Option 1 as being the least cost to the Legatus Group both in time and funds.

8. POLICY IMPLICATIONS

8.1 Financial/Budget

Continues to deplete the reserves of the Legatus Group which in turn will need to be recompensed by increase membership fees to continue with same level of service.

8.2 Risk Assessment

| | | | |
|--------------------------|-----------------------------|--------------------|---------------|
| Primary Risk Type | Legal / Regulatory / Policy | | |
| Inherent Risk | Likelihood | Consequence | Rating |
| | Medium | High | Medium |
| Controls | Annually reviewed | | |
| Residual Risk | Medium | Medium | Medium |

8.3 Staffing/Work Plans

This is not budgeted for in the 2022/2023 Business Plan and Budget.

8.4 Environmental / Social / Economic

The SACCA is seeking to support all member councils on coastal matters.

8.5 Stakeholder Engagement

This information has been provided to all Coastal Councils in April and no responses received.

9. REPORT CONSULTATION

Chair and Deputy Chair.

MOTIONS AND QUESTIONS

ITEM NUMBER: 5

DATE OF MEETING: 10 June 2022

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 for items of business from Constituent Councils.

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 Nil

5.4 Questions without Notice

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

MEMBERS COMMUNICATION

ITEM NUMBER: 6

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

6.2 The Legatus Group SAROC Representative Mayor Peter Matthey may wish to provide a report to the meeting.

7. CONFIDENTIAL ITEM

DECISION REPORT

Report Title: Legatus Group CEO Key Performance Indicators

Date of Meeting: 10 June 2022

Author: Chair Mayor Phillip Heaslip

Attachments: Nil

Confidentiality Clause:

Provisions for Confidentiality (Commercial Advantage)

That pursuant to Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Legatus Group orders that all persons present except Simon Millcock (Legatus Group CEO) and Tracey Rains (Legatus Group Administration Officer) be excluded from the meeting as the Legatus Group considers that the requirement for the meeting to be conducted in a place open to the public has been outweighed in circumstances where the Committee 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 2021/22 performance review.

8. CLOSE – Next meeting to follow the AGM which will commence 10am Goyder Council Hosting on Friday 9 September 2022

Attachment A

Unconfirmed Minutes of Audit and Risk Management Committee Meeting

24 May 2022 held at Northern Areas Council Chambers and via zoom

The meeting was opened at 10.05am.

1. Attendance

Committee: Mr Colin Byles and via zoom Mayor Rodney Reid, Mr Peter Ackland and Mr Ian McDonald.
In Attendance: Legatus Group CEO Mr Simon Millcock and via zoom Finance Officer Mr Colin Davies.
Apologies: Chair Mayor Kathie Bowman.

Mayor Rodney Reid welcomed everyone and Chaired the meeting.

2. Confirmation of Previous Minutes

Motion: That the minutes of the Legatus Group Audit and Risk Management Committee meeting held on 1 March 2022 be taken as read and confirmed.

Moved: Ian McDonald Seconded: Peter Ackland CARRIED

10.10am the meeting was interrupted due to connectivity issues until 10.16am

3. Business Arising Not Otherwise on the Agenda

3.1 Committee positions

The Legatus Group CEO provided a report with the agenda.

Motion: The committee notes the report.

Moved: Ian McDonald Seconded: Colin Byles CARRIED

3.2 Charter and Strategic Plan

The Legatus Group CEO provided a report with the agenda.

Motion: The committee notes the report.

Moved: Peter Ackland Seconded: Mayor Rodney Reid CARRIED

3.3 Policies

The Legatus Group CEO provided a report with the agenda.

Motion: The committee notes the report.

Moved: Peter Ackland Seconded: Mayor Rodney Reid CARRIED

4. Financial Reports

4.1 2021/2022 Financial Report

Colin Davies provided a report with the agenda which included the Management Report, Profit and Loss Report and Bank Reconciliation as of 1 July 2021 till 30 April 2022.

Motion: That the committee notes the report.

Moved: Ian McDonald Seconded: Colin Byles CARRIED

4.2 2021/2022 Budget Review 3

The Legatus Group CEO and Finance Officer provided re report which contained the 2021/2022 Budget Review 3 as of 3 May 2022. The meeting noted the allocation of \$5,000 towards the Wellbeing Report will be an agenda item for 10 June 2022 Legatus Group meeting.

Motion. That the committee notes the report and recommends that the Legatus Group receives the revised budget and advises that there is no need to submit the revised budget to member councils.

Moved: Ian McDonald Seconded: Peter Ackland

CARRIED

5. 2022/2023 Business Plan and Budget

The Legatus Group CEO provided a report which included the 2022/2023 Draft Business Plan and Budget. Discussion included the use of reserve funds and Mayor Rodney Reid advised he will speak to this matter at the 10 June 2022 Legatus Group meeting.

Motion:

1. That the committee notes that the 2022/2023 Draft Business Plan and Budget were distributed in compliance with the Legatus Group Charter.
2. That the committee notes the level of reserves identified in the 2022/2023 Draft Business Plan and Budget aligns with the approach to support the use of reserves funds and the committee recommends the Legatus Group gives due consideration to the long term sustainability of the Legatus Group by continuing its practice of using reserve funds.

Moved: Peter Ackland Seconded: Ian McDonald

CARRIED

6. 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.

Moved: Colin Byles Seconded: Mayor Rodney Reid

CARRIED

7. Other Business

7.1 Long Term Financial Plan

General discussions held that this will be further developed in alignment with the Strategic Plan and the need for high level guidance on the financials with consideration given on the support for administration, advocacy, forums / conferences and current strategies. Noting the comments around the current use of reserves in item 5 of these minutes.

7.2 Acknowledgement of contributions to the Committee

The meeting noted that the terms of Mayor Bowman and Mr Colin Byles expire on 5 June 2022.

Motion: That the committee recommends the Legatus Group acknowledges the contribution Mayor Kathie Bowman and Mr Colin Byles have made to the Audit and Risk Management Committee.

8. Next meeting Date in to be confirmed
9. Meeting closed 11.00am

Attachment B

Unconfirmed Minutes

Legatus Group Road and Transport Infrastructure Advisory Committee

Thursday 5 May 2022

Via Teams – On-line

1. Welcome and attendance

The Chair Dr Helen Macdonald opened the meeting at 2pm

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

Others: Simon Millcock (Legatus), Tim Neumann (Copper Coast) and Tim Viner-Smith (HDS)

Apologies: Nil

2. Conflict of Interest

Dr Helen Macdonald declared a conflict of interest re item 5.2.2 the SLRP recommendations and will not take part in discussions or decisions on this matter.

The meeting noted general conflicts by those councils who had projects being assessed.

3. Minutes of the committee meeting held 25 February 2022.

The meeting noted that the minutes of the meeting held on 25 February 2022 were presented to the Legatus Group 11 March 2022 meeting.

Motion: That the minutes of the Legatus Group Road and Transport Infrastructure Advisory Committee were a true and accurate record of the meeting.

Moved Steve Kaesler Seconded Michael McCauley

CARRIED

4. Matters Arising

4.1 Membership.

Simon Millcock provided an updated that nominations had been received from: Kelly-Anne Saffin (RDAYMN) Andre Kompler (Yorke Peninsula), Lee Wallis (Goyder), Stuart Roberts (Wakefield), Steve Kaesler (Barossa Valley) Tim Neumann (Copper Coast) and Mitchell Foote (Flinders Ranges).

These names have been provided to the Legatus Group Chair and Deputy Chairs with the recommendation to approve their membership for 2 years to join Dr Helen Macdonald. Mike Wilde advised that he continue at this stage to be the contact for DIT.

Chair Helen Macdonald on behalf of the Committee thanked the outgoing members Michael McCauley and Tom Jones for their commitment to the committee.

4.2 Legatus Group Regional Transport Plan – 2022 Minor Updates

Simon Millcock provided a report with the agenda which included the updates by HDS. Tim Viner-Smith HDS joined the meeting to respond to any questions.

Motion: The Legatus Group Road and Transport Infrastructure Advisory Committee recommends the Legatus Group endorses the 2030 Legatus Group Regional Transport Plan Road Deficiency Action Plan dated 10 March 2022.

Moved Stuart Roberts Seconded Kelly-Anne Saffin

CARRIED

4.3 SLRP

Simon Millcock provided a report with the agenda which included the updates by HDS. Tim Viner-Smith HDS provided an update and respond to any questions. Tim highlighted there was a change to the original assessment made on 25 February 2022 as Moculta Road (The Barossa Council) costs were reduced to \$1.2m. Steve Kaesler outlined the level of works had been reassessed. Tim noted the high quality of the applications to date and that HDS were supporting the applicants with their final submissions due by 20 May 2022.

Motion: The Legatus Group Road and Transport Infrastructure Advisory Committee recommends the Legatus Group provides a response to LGTAP based on the priority listing of the 4 roads identified and assessed in the current Roads Data Base.

Moved Stuart Roberts Seconded Kelly-Anne Saffin

CARRIED

4.4 SAROC Regional SA Roads Plan

Simon Millcock provided a report which included the report by HDS with the agenda. Tim Viner-Smith respond to any questions. Consensus was that the sign in and background information for the QGIS be distributed to all member councils.

Motion: That the recommendations in the report be referred to the new Legatus Group Road and Transport Infrastructure Advisory Committee.

Moved Steve Kaesler Seconded Lee Wallis

CARRIED

Tim Viner-Smith left the meeting.

4.5 Bridges and Culverts

Simon Millcock provided a report with the agenda including the report by Mace Engendering. The meeting noted: The Barossa Council are clarifying a couple of components re their bridges and Pine Creek Bridge funding announcement subject to caretaker and contracts.

Motion: That the Legatus Group Road and Transport Infrastructure Advisory Committee recommends the Legatus Group receives and notes and releases the report and that the report recommendations be referred to the new Legatus Group Road and Transport Infrastructure Advisory Committee.

Moved Kelly-Anne Saffin Seconded Stuart Roberts

CARRIED

Motion: The Legatus Group Road and Transport Infrastructure Advisory Committee recommends the incoming Committee supports Legatus commissioning of further work relating to funding opportunities for the region based on this report.

Moved Kelly-Anne Saffin Seconded Stuart Roberts

CARRIED

5. Other Business

Nil

6. Close and date of next meeting The meeting was closed at 2.45pm and next meeting date to be confirmed.

Attachment C

Legatus Group Regional Management Group Communique June 2022

The Regional Management Group have held the following events:

1. Forum 31 March – 1 April 2022 – Barossa Council Chambers

Included presentation by Hon Geoff Brock Minister for Local Government, Regional Roads and Veteran Affairs.

A series of presentations and discussions were held and they included:

| Topics | Discussion details |
|-----------------------------|--|
| Rates | Rate differentials and the benefits. |
| Joint planning boards | What they are and areas of benefit. |
| LG Reform | Changes and their meaning when it will take effect and CEO reviews on how they differ. |
| Industrial Relations | What to do when things go wrong. |
| Future of Local Government. | What it could look like in 20 years' time. |
| Procurement | Strategic purchasing in a changing world. |
| Office of Local Government | PLUS priorities |
| Regional Managamnet Group | Discussion on the 3 key priorities for the RMG |

This event was supported by Fyfe Engineering, Voiteck/Optus, MacArthur's and Kelledy Jones Lawyers.

Stephen Rufus CEO District Council of Peterborough Council expressed interest in being a member of the Legatus Group Audit and Risk Managamnet Committee.

A further forum is being coordinated for October 2022 and interest gained from the Eyre Peninsula and the Upper Spencer Gulf to be involved.

2. 2 June 2022 meeting

Included presentations by:

- Professor Ros Cameron, Director, Centre for Organisational Change and Agility Wakefield Campus Torrens University Australia – Topic: Legatus Regional Workforce Attraction, Development & Retention Action Plan
- Megan Avard, Founder & CEO SurePact – Topic: End to End Portfolio and Project Management Risk Platform

Attachment F

Benefits and costs of Remote Condition Monitoring (RCM) of CWMS pumps in the Copper Coast Council (CCC)

Background

This project emerged in discussions between Legatus and the UniSA under their MoU. Prof Chris Chow put Legatus in touch with Director, Dr Vinay Sriram, of independent company, IPACS, and Legatus connected them with the CCC. The CCC entered into an agreement with IPACS to install and monitor data from sensors placed on two large CWMS pumps (Xclem Flygt 3171 mono pumps).

The Legatus Group subsidised the purchase price of the sensors. IPACS provided the service at no charge. The sensors were installed in March 2021, one year prior to this assessment. The sensors receive data of vibrations gathered from selected components of the pump which are then transmitted to IPACS' Mawson Lakes premises via a 3G wireless link where they are analysed by independent consultant, Dare Petreski, from Delta Asset Management.

The CCC did not have detailed information on maintenance spending for CWMS pumps and so estimates were made, primarily based on the CCC following the Original Equipment Manufacturer's (OEM's) specifications. Estimates were made for the pumps on which the sensors were to be installed and the results were then extrapolated to all CWMS pumps at CCC.

The full report on these estimations is available. It estimates that the CCC spends about \$270,000 p.a. servicing its CWMS pumps, which have a capital value of \$1.5 million. The CCC has eight of the pumps in question, with a total capital value of \$176,000 (\$22,000 each) and an annual maintenance spend of about \$10,000 per pump.

Sensor data and reports

IPACS has engaged an independent expert to review the sensor data and monthly reports have been produced. The reports provide graphs of the data and a written summary of results.

The initial months' data showed anomalies, which IPACS suggested was due to the pumps turning on and off frequently, in turn due to an air leak in the system that was tripping a safety shut down. Subsequent investigation by CCC staff confirmed the diagnosis which was then quickly and cheaply solved by replacing the leaking pipe work. Without this information and remedial work, the pumps would have failed completely during the year, at a cost in excess of \$40,000.

Monthly reports since that time have shown no significant changes in the pumps and so no recommendation has been made to service them, meaning maintenance costs have been zero.

What would have been spent without the sensors?

The trial of two pumps for one year constitutes two pump-years. Using the same method as used previously to estimate annual maintenance costs based on the previous practice of servicing the pumps according to the OEM specifications, in the year since installation, it is expected that CCC would have undertaken

- a periodical inspection on at least one of the pumps, with a chance in excess of 66%; estimated cost = \$1822
- a major overhaul on one pump, with a chance of 33%; estimated cost = \$6587
- an unexpected interruption, due to O-ring failure (which requires a major refurbishment) or need to replace the impellers; with a chance of 66%; estimated cost = \$15813.

Therefore the estimated total expected cost of maintenance on the two pumps would have been at least **\$24,222**. This does not include the costs of not detecting the anomaly discussed above which would have led to catastrophic failure.

The costs actually incurred were very much less, just \$650:

- the CCC CWMS Coordinator review of each monthly report
 - The time taken is trivial except for when a problem has been detected
 - Total time estimated at 0.25 hours per month and so at an annual cost of \$195 (\$16.25 pm; based on the original estimate of CCC CWMS labour time at \$65/hour)
- IPACS and its contracted reviewer contact the CCC CWMS Coordinator if they detect a problem and occasionally to check in with CCC. Total time of 3 hours per annum or \$195
- Finally, the costs include the maintenance directed by the monitoring. In this case that includes the cost to replace cracked pipework. Estimated at 2 hours for 2 staff and so \$260.

Expert's review of estimates

Dare Petreski from Delta Asset Reliability has analysed all the data from the pump sensors and provided monthly reports to the CCC. At the 2022 CWMS Annual Conference, Mr Petreski provided an overview of the global evidence concerning Condition Monitoring. From that viewpoint, enhanced by his own experience, this expert was unsurprised by the estimates provided here.

The take home message from Mr Petreski's presentation was that RCM is a mature technology. It has been adopted by managers of significant assets in major industries like aerospace, defence and mining. The technology is associated with large savings in the total cost of the asset because it addresses maintenance, which is the longest and most expensive phase of asset ownership. Condition-based maintenance is an evolution from the current practices of reactive or time-based, preventative maintenance both of which are costly approaches.

Experience shows that the typical economic impact of RCM is to increase up-front maintenance expenditure by as much as 35% for 6 – 18 months while the system is bedded down, after which it declines quickly, resulting in a 20 – 50% total cost reduction over five years, with further savings beyond that.

It is impossible to give a five-year estimate for the CCC installation. More data need to be collected systematically over the next few years to firm up current annual estimates. The comparison is also made difficult because, as noted above, the costs have been minimised for CCC with a subsidy from Legatus and with IPACS and Delta Asset Reliability providing their services at no cost, as part of their work to demonstrate the importance of the technology. In addition, as Mr Petreski makes clear, the per unit cost of this technology falls very quickly with increases in analysed data, which allow the equipment to be more closely specified so that it is fit-for-purpose and cheaper, and with increases in scale which greatly reduce per unit set up costs and spread overheads over more units.

Our estimates suggest that the CCC would spend something like \$50,000 on pump maintenance over five years. If the savings fit with past experience, the gains from RCM would be \$10,000 – \$25,000 per pump. The experience of the first year is consistent with those estimates.

Paul Chapman
May 2022

ATTACHMENT Q

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

LOCAL GOVERNMENT ACT 1999

CHARTER

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 0;

'**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;

'Principal Member' means the Mayor / Chair of the Constituent Councils and notes that if the Principal Member is on leave from the Constituent Councils, then the Deputy Mayor / Chair becomes the Principal Member.

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

'Regional Management Group' means the group established pursuant to Clause 0;

'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 and for the Annual General Meeting if the Principal Member of the Constituent Council is unable to attend then the membership can include their Councils nominated proxy.
- 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 Annual General Meetings 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 for a period of two years.
- 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 relevant Annual General Meeting that these positions become vacant.
- 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 Financial Management

- 5.3.1 The Legatus Group shall keep proper books of accounts in accordance with the requirements of the Act and Local Government (Financial Management) Regulations 1999.
- 5.3.2 The Legatus Group must establish and maintain a bank account with such banking facilities and at a bank to be determined by the Board.
- 5.3.3 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.
- 5.3.4 The Chief Executive Officer must act prudently in the handling of all financial transactions for the Legatus Group.

5.4 Levies

- 5.4.1 The Legatus Group may levy Constituent Councils or any of them for a specified purpose or purposes.
- 5.4.2 A levy must be imposed by a meeting of the Board.
- 5.4.3 The Chief Executive Officer must give notice of the levy to all affected Constituent Councils.
- 5.4.4 A levy will not be binding on Constituent Councils until the expiration of one calendar month from the date of the notice.
- 5.4.5 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.
- 5.4.6 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.
- 5.4.7 The Chair may convene an urgent meeting to consider an objection to a levy.

6. MANAGEMENT FRAMEWORK

6.1 Strategic Plan

- 6.1.1 The Legatus Group shall prepare and implement a 4 year Strategic Management Plan and a 2 year Action Plan.
- 6.1.2 The Strategic Management Plan will:
 - (a) identify the Legatus Group objectives over the period;
 - (b) identify the principal activities that the Legatus Group intends to undertake to achieve its objectives;

(c) state the measures that are to be used to monitor and assess the performance of the Legatus Group over the period;

(d) identify the broad means by which its activities are to be carried out;

(e) address issues associated with arranging its affairs; and

(f) make provision for the review of the Legatus Group charter and activities every 2 years.

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

6.1.4 The Legatus Group may amend its Strategic Management Plan at any Board meeting for consideration by the Constituent Councils but must review the Strategic Management Plan at least once during its term.

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 eighteen (18) 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 or their proxy 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.
- 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.