

**ANNUAL GENERAL MEETING**

**Friday 30 August 2019 10am**

**Hosted by the Port Pirie Regional Council**

Notice is hereby given that the Annual General Meeting of the Legatus Group will be held on Friday 30 August 2019 10am: Port Pirie Sports Precinct, Memorial Drive, Port Pirie.



Simon Millcock

CEO Legatus Group

|  |  |  |
| --- | --- | --- |
| 9:30–10:00am | **Arrival and Morning Tea** | Pages |
|  | **1. Meeting Preliminaries:**  1.1 Attendances and Apologies (attendance sheet to be circulated at the meeting)  1.2 Welcome to Port Pirie Regional Council Mayor Leon Stephens  1.3 Authorisation of Voting Delegates  1.4 Confirmation of Previous AGM minutes 17 August 2018  1.5 Business Arising not otherwise on the Agenda | 3  3  3  3  7 |
|  | **2. Annual General Meeting Requirements**  2.1 Annual Report 2018-19  2.2 Annual Financial Statements 2018-19  2.3 Appointment of Office Bearers  2.4 Other organisations SAROC  2.5 Delegations for 2019/2020  2.6 Determination of Council Contributions for 2019/2020  2.7 Determination of Delegate Allowances for 2019/2020 | 7  15  16  17  17  18  18 |
|  | **3. Other Business and Meeting Close:**  3.1 Legatus Committees  3.2 Date and location of 2019/2020 Legatus Group meetings  3.3 Close by Chairman | 18  19  19 |

# **MEETING PRELIMINARIES**

## **1.1 Attendance and Apologies**

**Meeting Attendance**

A meeting attendance sheet will be circulated.

Apologies: Hon Stephan Knoll MP, Hon Dan van Holst Pellekaan MP, Mr Fraser Ellis MP, Mr John Gee MP, CEO Martin McCarthy (The Barossa Council) and CEO Peter Ackland (Port Pirie Regional Council)

**Recommendation: For information**

**1.2 Welcome to Port Pirie Regional Council**

Mayor Leon Stephens

**1.3 Authorisation of Voting Delegates**

The Board is made up of the 15 principal members (Mayor or Chair) 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 or Chair is on leave from Council then the Deputy Mayor / Chair would become the Acting Mayor / Chair and as such the principal member.

**1.4 Confirmation of previous minutes**

**Recommendation: That the minutes of the 2018 Annual General Meeting held on Friday 17 August 2018 at the** **Sir Hubert Wilkins Building OD5 Road Jamestown be taken as read and confirmed.**

Minutes of the Legatus Group AGM Friday 17 August 2018 held at the Sir Hubert Wilkins Building OD5 Road Jamestown commencing 10.45am

1. Meeting Preliminaries

Present

Board members: Mayor Peter Mattey – Chairman (Goyder), Mayor Bob Sloane (Barossa) Mayor Cynthia Axford (Barunga West), Mayor Allan Aughey OAM (Clare & Gilbert Valleys), Mayor Peter Slattery (Flinders Ranges), Cr Peter Kennelly (Light), Mayor Colin Nottle (Mount Remarkable), Mayor Denis Clark (Northern Areas), Chairman Kathie Bowman (Orroroo Carrieton), Mayor John Rohde (Port Pirie), Mayor Rodney Reid (Wakefield) and Mayor Ray Agnew OAM (Yorke Peninsula)

In Attendance

Mr Andrew Cole (CEO Barunga West), Dr Helen Macdonald, (CEO Clare & Gilbert Valleys), Mr David Stevenson (CEO Goyder), Mr Wayne Hart (CEO Mount Remarkable), Mr Colin Byles (CEO Northern Areas), Mr Kristin Clark (CEO Orroroo Carrieton), Mr Jason Kuchel (CEO Wakefield), Cr Bim Lange (Barossa), Ms Lyn Wallace (RDA Yorke Mid North), Mr Eric Sommerville (Northern and Yorke NRM) Mr James Miller (CEO Adelaide Plains), Mr Matt Pinnegar (CEO LGA) and Mr Simon Millcock (CEO Legatus Group).

Apologies

Mayor Paul Thomas AM (Copper Coast), Mayor Tony Flaherty (Adelaide Plains) and Mayor Ruth Whittle (Peterborough).

Council CEO’s Mr Martin McCarthy (Barossa), Mr Brian Carr (Light), Mr Peter Harder (Copper Coast), Mr Peter Ackland (Port Pirie), Mr Peter McGuiness (Peterborough) Mr Colin Davies (Flinders Ranges) and Mr Andrew Cameron (Yorke Peninsula).

State MP’s Minister’s Hon Stephan Knoll Member for Schubert and Hon Dan van Holst Pellekaan Member for Stuart, Mr Geoff Brock Member for Frome, Mr Fraser Ellis Member for Narrunga, Mr Tony Piccolo Member for Light. and Mr John Gee Member for Taylor.

Ms Claire Wiseman, Ms Anne Moroney, Mr Dylan Strong and Mr Trevor Naismith.

1.1 Opening

The Chairman declared the meeting open at 10.35am

1.2 Welcome to Northern Areas Council

Held over till ordinary meeting.

1.3 Authorisation of Voting Delegates

The meeting was advised that the Legatus Group CEO has received written correspondence from Light Regional Council to advise that Mayor Bill O’Brien is on leave from the Council and Cr Peter Kennelly is Acting Mayor.

Motion: That Cr Kennelly is the current principal member of the Light Regional Council for the Legatus Group meeting on 17 August 2018.

Moved: Mayor Bob Sloane Seconded: Mayor Cynthia Axford CARRIED

# 1.4 Confirmation of Previous Minutes

# Minutes of the Legatus Group Annual General Meeting held on 8 September 2017 at the Kadina Football and Netball Clubrooms 1 Doswell Terrace Kadina were tabled.

# Motion: That the minutes of the Legatus Group Annual General Meeting held on the 8 September 2017 at the Kadina Football and Netball Clubrooms 1 Doswell Terrace Kadina be taken as read and confirmed.

# Moved: Mayor Colin Nottle Seconded: Mayor Ray Agnew CARRIED

# 1.5 Business arising not otherwise on the agenda

# Nil

2 Annual General Meeting Requirments

2.1 Annual Reports

Motion: That the annual reports presented by Chairman Mayor Peter Mattey, CEO Simon Millcock and Mayor Ray Agnew as Chair of the Audit and Risk Management Committee which had been distributed with the agenda be received and adopted as the Legatus Group Annual Reports for 2017/2018.

Moved: Mayor Denis Clark Seconded: Mayor Rodney Reid CARRIED

2.2 Annual Financial Report

Motions:

1. That the Legatus Group annual financial statement for the year ending 30 June 2018 presents a fair view of the state of the financial affairs of the Legatus Group and that the board adopt the annual financial report.
2. That the Legatus Group writes to the Auditor Mr Ian G McDonald FCA, Creative Auditing, Henley Beach South Australia advising that the board discussed the requirements of the Related Party Disclosures and confirms that there are no transactions that are required to be disclosed.
3. That the Legatus Group write to thank Mr Griff Campbell for the services provided to Legatus Group for their financial management.
4. The Legatus Group retain Mr Ian G. McDonald as Auditor for the year ending 30 June 2019.
5. That the Chair, Legatus Group CEO along with Council CEOs certify via their signature acceptance of the 2017/2018 Legatus Group audited annual financial statement.

Moved: Chairman Kathie Bowman Seconded: Mayor Ray Agnew CARRIED

Mayor Allan Aughey and CEO Dr Helen Macdonald joined the meeting at 10.43am

# 3.3 Election of Office Bearers

The Chairman declared all offices vacant and passed the Chairing of the meeting to the Legatus Group CEO. The CEO confirmed as per the agenda that at the close of business on Thursday 9 August 2018 the following nominations had been received for the officer bearer positions:

Chair: Mayor S.P. (Peter) Mattey by the Regional Council of Goyder

Deputy Chair: Mayor Bob Sloane by The Barossa Council

Motion: That Mayor Peter Mattey is elected to the position of Chair for the Legatus Group and that Mayor Bob Sloane is elected as Deputy Chair of the Legatus Group.

Moved: Mayor Peter Slattery Seconded: Mayor John Rohde CARRIED

Nominations were called for the vacant Deputy Chairman position.

Motion: That Chairman Kathie Bowman be elected to the position of Deputy Chair of the Legatus Group.

Moved: Mayor Denis Clark Seconded: Mayor Peter Slattery CARRIED

Chairman Peter Mattey resumed chairing the meeting.

CEO’s Matt Pinnegar and James Miller joined the meeting at 10.45am

# 3.4 Appointment of representatives to other organisations

The meeting noted that Mayor John Rohde was not eligible to vote due to Port Pirie Regional Council being in the SAROC voting region of Upper Spencer Gulf Cities.

Motion: That Mayor Peter Mattey and Mayor Bob Sloane be nominated as the Legatus Group South Australian Regional Organisation of Council representatives to commence from the 2018 LGA Annual General meeting.

Moved: Mayor Peter Slattery Seconded: Mayor Colin Nottle CARRIED

Motion: That the meeting records the appreciation of the Legatus Group for the contribution that Mayor Denis Clark has provided in his role as both Deputy Chair to Legatus Group and as Legatus Group representative on the South Australian Regional Organisation of Councils and LGA Board.

Moved: Mayor Bob Sloane Seconded: Chairman Kathie Bowman CARRIED

3.5 Delegations

Motion: That the following delegations be approved for 2018/2019

|  |  |
| --- | --- |
| Delegation | To |
| Bank account signatories | Legatus Group Chief Executive Officer (CEO) Simon Millcock, Flinders Ranges CEO Colin Davies and officers Darryl Whicker, Julie Rayner and Christine Bowden |
| Approving expenditure of budgeted items | CEO Simon Millcock |
| Approving project briefs | CEO Simon Millcock |
| Approving contracts within budget up to $5,000 | CEO Simon Millcock |
| Calling for tenders, contracts and consultancies | CEO Simon Millcock after consultation with Chair Mayor Peter Mattey and Deputy Chairs Mayor Bob Sloane and Chairman Kathie Bowman |
| Appointing tenders, contracts and consultancies | CEO Simon Millcock after assessment panel and with approval from Chair Mayor Peter Mattey and Deputy Chairs Mayor Bob Sloane and Chairman Kathie Bowman |
| Recruitment of staff other than CEO | CEO Simon Millcock |
| Performance management of CEO | Chairman Mayor Peter Mattey and Deputy Chairs Mayor Bob Sloane and Chairman Kathie Bowman |
| Performance management of staff and contractors | CEO Simon Millcock |

Moved: Mayor Denis Clark Seconded: Mayor John Rhode CARRIED

3.6 Determination of Council subscriptions 2018/2019

Motion: That the 2018/2019 Legatus Group Constituent Council subscriptions are set as $11,015.

Moved Mayor Rodney Reid Seconded: Chairman Kathie Bowman CARRIED

3.7 Delegates Allowances

Motion: That the 2018/2019 delegates allowance is set at $4,300 for the Chair and $1,700 to be spread across the Legatus Group zone delegates for SAROC and the Local Government Association Board.

Moved: Mayor Ray Agnew Seconded: Mayor Denis Clark CARRIED

1. OTHER BUSINESS

4.1 Legatus Group Committees

The meeting noted the Legatus Group CEO’s report and that the current Audit and Risk Management and Road and Transport Infrastructure Committees appointments are current.

4.2 The 2019 Legatus Group meetings

Motion: That the Legatus Group meetings for 2019 are:

1. Friday 22 February – District Council of Peterborough
2. Friday 24 May – Wakefield Regional Council
3. Friday 30 August – Port Pirie Regional Council
4. Friday 29 November – Barunga West Council

Moved: Mayor Rodney Reid Seconded: Mayor Cynthia Axford CARRIED

16 Close of Meeting

Meeting closed by the Chair at 10.50am.

**1.5 Business arising not otherwise on the agenda**

Nil

**2. ANNUAL GENERAL MEETING REQUIREMENTS**

**2.1 Annual Report**

**Reports for Discussion**

From: Simon Millcock, CEO, Legatus Group

**Recommendation: That the Chairman, CEO and Chairman of Audit and Risk Management Committee reports be accepted.**

**Background:**

The Legatus Group Charter requires that the AGM receive the Legatus Group’s Annual Report which may incorporate reports from committees and any representatives reports from other organisations.

The Legatus Group Chairman Mayor Peter Mattey, CEO Simon Millcock and Chairman Kathie Bowman Chairman of the Audit and Risk Management Committee have prepared reports.

**2018/2019 ANNUAL REPORT**

The Legatus Group Charter clause 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.

**The Legatus Group is a regional subsidiary of:**

* Adelaide Plains Council
* Barunga West Council
* Clare & Gilbert Valleys Council
* Copper Coast Council
* District Council of Mount Remarkable
* District Council of Orroroo/Carrieton
* District Council of Peterborough
* Light Regional Council
* Northern Areas Council
* Port Pirie Regional Council
* Regional Council of Goyder
* The Barossa Council
* The Flinders Ranges Council
* Wakefield Regional Council
* Yorke Peninsula Council

The Central Local Government Region was established in 1998 under Section 200 of the Local Government Act 1934 as a controlling authority. It now continues in existence as a regional subsidiary of its member Councils under Part 2 of Schedule 2 of the Local Government Act 1999 by the provisions of Section 25 of the Local Government (Implementation) Act 1999. In 2016 the Central Local Government Region of South Australia adopted the trading name of Legatus Group to which it is referred.  The Legatus Group is established to:

* undertake co-ordinating, advocacy and representational roles on behalf of its Constituent Councils at a regional level
* 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 its Constituent Councils
* 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
* develop further co-operation between its Constituent Councils for the benefit of the communities of the region
* 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
* undertake projects and activities that benefit the region and its communities
* associate collaborate and work in conjunction with other regional local government bodies for the advancement of matters of common interest.

The Legatus Group is a body corporate and is governed by a Board of Management which has the responsibility to manage all activities of the group and ensure that they act in accordance with its Charter.

**Contact Details:** Address: 155 Main North Road CLARE SA 5453 PO Box 419 CLARE SA 5453 Telephone: 08 88421385 Email: [ceo@legatus.sa.gov.au](mailto:ceo@legatus.sa.gov.au) Website: [www.legatus.sa.gov.au](http://www.legatus.sa.gov.au)

**Legatus Group Board of Management:** The Board consists of all principal members (Mayor / Chairman) of the Constituent Councils which for 2018/2019 were:

|  |  |
| --- | --- |
| **Council** | **Delegate** |
| **Adelaide Plains Council** | **Mayor Tony Flaherty until 9 November 2018**  **Mayor Mark Wasley from 9 November 2018** |
| **Barunga West Council** | **Mayor Cynthia Axford until 9 November 2018**  **Mayor Leonie Kerley from 9 November 2018** |
| **Clare & Gilbert Valleys Council** | **Mayor Allan Aughey OAM until 9 November 2018**  **Mayor Wayne Thomas from November 2018** |
| **Copper Coast Council** | **Mayor Paul Thomas AM until 9 November 2018**  **Mayor Roslyn Talbot from 9 November 2018** |
| **District Council of Mount Remarkable** | **Mayor Colin Nottle until 9 November 2018**  **Mayor Phillip Heaslip from 9 November 2018** |
| **District Council of Orroroo Carrieton** | **Chairman Kathie Bowman** |
| **District Council of Peterborough** | **Mayor Ruth Whittle OAM** |
| **Light Regional Council** | **Mayor Bill O’Brien** |
| **Northern Areas Council** | **Mayor Denis Clark** |
| **Port Pirie Regional Council** | **Mayor John Rohde until 9 November 2018**  **Mayor Leon Stephens from 9 November 2018** |
| **Regional Council of Goyder** | **Mayor Peter Mattey OAM** |
| **The Barossa Council** | **Mayor Bob Sloane until 9 November 2018**  **Mayor Bim Lange from 9 November 2018** |
| **The Flinders Ranges Council** | **Mayor Peter Slattery** |
| **Wakefield Regional Council** | **Mayor Rodney Reid** |
| **Yorke Peninsula Council** | **Mayor Ray Agnew OAM until 9 November 2018**  **Mayor Darren Braund from 9 November 2018** |

**Office Bearers for 2017/18**

|  |  |
| --- | --- |
| **Chairman:** | **Mayor Peter Mattey OAM** |
| **Deputy Chairs:** | **Chairman Kathie Bowman**  **Mayor Bob Sloane until 9 November 2018**  **Mayor Bill O’Brien from 9 November 2018** |
| **South Australian Regional Organisation of Councils** | **Mayor Peter Mattey**  **Mayor Bill O’Brien** |
| **Chief Executive Officer:** | **Mr Simon Millcock** |
| **Auditor:** | **Dean Newberry and Associates** |

**Meetings of the Legatus Group**

The following meetings of the Board of Management were held during the 2018/19 year:

* Annual General Meeting 17 August 2018
* Ordinary Meeting 17 August 2018
* Ordinary Meeting 12 December 2018
* Ordinary Meeting 15 February 2019
* Ordinary Meeting 31 May 201

**There were four committees in 2018/2019 and all agendas and minutes are published on the Legatus Group Website and minutes were provided to the Legatus Group meetings.**

|  |  |  |
| --- | --- | --- |
| **Committee** | **Members** | **Meeting Dates** |
| Audit Committee | * Mayor Ray Agnew (Chair) until 9/11/18 * Chair Kathie Bowman * Mayor Colin Nottle until 9/11/18 * Mr Colin Davies until 1/12/18 * Mr Peter Ackland * Mayor Denis Clark from 30/1/19 * Mr Ian McDonald from 30/4/19 | 3 August 2018  30 November 2018  30 January 2019  30 April 2019 |
| Management Group (Council CEOs) | * Mr Colin Byles (Northern Areas) (Chair) * Mr James Miller (Adelaide Plains) * Mr Martin McCarthy (Barossa) * Mr Andrew Cole (Barunga West) * Dr Helen Macdonald (Clare & Gilbert Valleys) * Mr Peter Harder (Copper Coast) replaced by Mr Russell Peate * Mr Colin Davies (Flinders Ranges) * Mr David Stevenson (Goyder) * Mr Brian Carr (Light) * Mr Wayne Hart (Mt Remarkable) * Mr Kristen Clark (Orroroo/Carrieton) replaced by Mr Dylan Strong * Mr Peter McGuiness (Peterborough) * Mr Peter Ackland (Pirie Regional) * Mr Jason Kuchel (Wakefield) replaced by Mark McShane and Andrew MacDonald * Mr Andrew Cameron (Yorke Peninsula) | 3 August 2018  30 November 2018  1 February 2019  10 May 2019 |
| Road & Transport Infrastructure Advisory Committee: | * Lee Wallis (Goyder) * Peter Porch (Northern Areas) * Colin Davies (CEO Flinders Ranges) until 30/11/18 * Jo-Anne Buchanan (RDA Yorke Mid North) * Steve Kaesler (Barossa) * Trevor Graham (Yorke Peninsula) * Martin Waddington replaced by Tom Jones (Adelaide Plains) * Steve Watson (Clare & Gilbert Valleys) * Mike Wilde (Department of Planning, Transport and Infrastructure) * Dr Helen Macdonald (CEO Clare & Gilbert Valleys Council) from 10/4/19 * Wayne Hart (CEO Mt Remarkable) from 10/4/19 | 2 August 2018  30 November 2018  5 February 2019  10 April 2019 |
| Community Wastewater Management Advisory Committee | * Wayne Hart (CEO Mt Remarkable) * Andrew Cole (CEO Barunga West) * Lee Wallis (Goyder) * Gary Easthope (Clare and Gilbert Valleys) * Chris Parish (Wakefield) * Adam Broadbent (Light) | 17 October 2018  15 March 2019  23 May 2019 |

***Chairman’s Report***

I would like to firstly acknowledge both the outgoing and incoming Mayors following the November 2018 Local Government elections and this has seen eight new Mayors join the Legatus Group Board. In particular I take the opportunity to thank those long serving Mayors who provided a valuable service to their communities and the region.

It has been my pleasure to serve as Chairman in 2018/19 and I would like to take this opportunity to report on some of the highlights of the year.

Following on from the key regional state-wide issues that the Legatus Group undertook reports for in the previous year we were extremely pleased to see that the State Government removed the impost to councils for rubble royalties. The formation of the SA Coastal Council Alliance was an outcome of the previous year’s work.

The Legatus Group continues to play the lead role on issues around rating equity and impacts of the NDIS on local government. Whilst this year we have also taken a lead role in state-wide approaches to Community Wastewater Management and the Drought. These have all been progressed to the South Australian Regional Organisation of Councils (SAROC) and we continue to provide a strong partnership approach with our other regional local government associations.

We delivered a significant report on the Digital Maturity of Local Government and whilst the report sought to have a whole of SA approach the Legatus Group constituent councils took a led and I will be interested to see how these findings progress.

This year has seen us actively involved in the issues around the new LGA constitutional changes and the formation of the new look LGA Board along with the new SAROC business plan and budget. It should be noted that Legatus has been active in representing members; as we raised ours concerns to both SAROC and to the LGA Board. Given the amount of time and expense for regional councils to attend meetings in Adelaide; I was satisfied with the outcome in relation to the constitutional changes and gratified to see increased levels of consultation afforded to the regions.

The drought has seen a significant impact to regional SA and whilst it was pleasing to see support from the Australian Government through the Drought Communities Program there were levels of inconsistencies which the Legatus Group raised with the Prime Minister. I note our region gained extra support with a further 6 of our councils being added onto the program following the initial 7. This program is providing up to $13 million to our region for local infrastructure and other projects for communities and businesses who have been impacted by drought. Whilst we need to show that local government is able to deliver stimulus packages such as these in a timely manner and I note the role of the Legatus Group CEO who is currently working on a report for the Legatus Group and SAROC which will include issues of equity and clarity on the decision-making process.

The Legatus Group was active in its lobbying for road funding for a number of our major highways and I wrote to the State Minister on these matters. I was pleased to see the announcements by the Australian and South Australian Governments of funding for both the Horrocks and Barrier Highways. The Road and Transport Infrastructure Advisory Committee have been active this year in overseeing the delivery of stage 2 of the Legatus Group Regional Transport Plan which resulted in the Deficiency Action Plan and a robust assessment of this year’s Special Local Roads Program funding applications. The Legatus Group 2019 Road and Transport Forum held on 12 July 2019 was a further successful outcome by the committee.

The region has been proactive in supporting the challenges and changing environment though the management of the Sector Agreement for the Climate Change Adaptation Plan and the subsequent release of the report on a Regional Sustainability Hub. This resulted in the Legatus Group being successful in their bid to project manage the Yorke Mid North Coastal Management Action Plan which is due for release later in 2019.

Our effort to encourage and foster closer working relationships with the three Regional Development Australia (RDA) organisations and Natural Resource Management Boards in our region; resulted in the successful Yorke Regional Planning Forum, workshops on the Creative Industries and the role of local government in supporting businesses and the South Australian Regional Development Conference. The Legatus Group Visitor Information Services report was undertaken and will soon be presented to the board for consideration.

The Audit and Risk Management Group Committee have ensured that the work plan has assisted us in improving our governance. There has been valuable feedback gained from the Legatus Group Management Group meetings that have included a series of workshops and information sharing opportunities by and for the CEOs and I note with interest their discussions on Local Government Risk.

This year saw the formation of the Legatus Group Community Wastewater Management Advisory Committee who have been overseeing the 2-year Joint CWMS program, staging of a successful SA conference and overseeing the development of a regional sludge viability report which will soon be presented to the board for consideration.

It has been pleasing to see the continued dialogue with the six State Government Members of Parliament, and many of them making time to attend our board meetings. During the year the Legatus Group commenced greater interaction with Universities on research projects and this opportunity provided tangible project work for Interns whilst delivering cost effective research for the region.

In closing I would like to thank everyone who has taken a proactive role in progressing the region and thank both Mayor Bill O’Brien and Chairman Kathie Bowman for your roles as Deputy Chairs.

Mayor Peter Mattey

Chairman Legatus Group

**CEO Report**

In 2018-2019 the Legatus Group consolidated the sub-regional approach to operations and support across the constituent councils whilst strengthening the partnerships with other regional bodies by expanding this to include research projects with Universities.

Following the November 2018 Local Government elections, a series of meetings were arranged with each constituent council and these took the form of either presentations at council meetings or workshops with councils.

Along with over 30 Legatus Group Board and committee, Yorke Mid North Alliance and SAROC meetings the Legatus Group CEO was actively involved in partnering with fellow regional local government association executive officers. This has seen the Legatus Group CEO take a leadership role and manage several state-wide and regional topics which include:

1. Regional LGAs:
   1. SA Coastal Council Alliance – committee member
   2. Rating Equity for Commercial and/or Industrial Land Uses Outside Towns in South Australia – LGA R&D grant

<https://legatus.sa.gov.au/wp-content/uploads/2018/11/Final-Report-Rating-Equity-for-Commercial-Industrial-Land-Uses-Outside-Towns-in-SA-1.pdf>

* 1. Socio-Economic impacts from the NDIS on regional local governments – LGA R&D grant

<https://legatus.sa.gov.au/wp-content/uploads/2018/11/KPPM-Legatus-NDIS-Report-FINAL-20-5-18-002.pdf>

* 1. Community Wastewater Management – State Conference and the regional Sludge Viability report (to be released following August 2018 Legatus Group meeting) – APRIntern grant
  2. Digital Maturity – funding LGA R&D grant

<https://legatus.sa.gov.au/wp-content/uploads/2019/05/Legatus-Digital-Maturity-Index-Final-Report.pdf>

* 1. Regional representative on the working party for the LGA’s Council Ready program

1. Regional Development South Australia
   1. RDSA Conference – Tailem Bend
2. Yorke Mid North Alliance:
   1. Yorke Mid North Regional Forum – Kadina
   2. Climate Change – Sector Agreement and Sustainability Hub report – APRIntern grant

<https://legatus.sa.gov.au/wp-content/uploads/2019/07/Final-report-May-2019.pdf>

Other regional projects that the Legatus Group CEO has been managing / supporting are:

* 2030 Legatus Group Regional Transport Plan Deficiency Action Plan 1 completed

<https://legatus.sa.gov.au/wp-content/uploads/2019/07/Regional-Transport-Plan-Road-Deficiency-Action-Plans-Feb-19.pdf>

* Visitor Information Services review, which was completed, and this will be presented to the Legatus Group meeting on 30 August 2019 and published following their approval.
* Hummocks/Barunga Ranges Brighter Futures project commenced – funding from SA Government
* Yorke Mid North Coastal Management Action Plan commenced – funding NY NRM and APRIntern grants
* Youth into Volunteering – Building Better Futures grant
* Regional and sub/regional forums on the Music and Creative Industries
* Workshop on the role of local government in supporting local businesses

Support has been provided to constituent councils for the delivery of a regional / sub-regional approach for the Councils Disability Access Inclusion Action Plans which are due in 2020. There was an expression of interest submitted to the LGA for funding a regional wellbeing officer for the Legatus Group constituent councils which was not successful.

There continues to be work regarding the drought which includes collating the responses from all regional councils for a report to be developed for SAROC.

Support has been provided to the Legatus Management Group in their efforts to progress issues raised around Local Government Risk Management.

Through coordination by the Legatus Group, training was delivered by TafeSA for Certificate III in Water Industry Treatment (Wastewater) through the Small Regional Community funding with significant training costs being reduced and uptake by a total of 19 participants registering.

The Legatus Group continues to be in a healthy financial position with the balance from the year being $166,358 and with an accumulated surplus and reserves at 30 June 2019 of $1,000,821. There will be an assessment of the long-term financial coverage of the Legatus Group undertaken in the coming year and noting that the Rubble Royalties Funding ceases from 30 June 2020.

All grants were acquitted and reporting requirments for on going grants.

**Benefits to constituent councils:**

* Identify training needs for the Legatus Region Constituent Councils.
* Regional collaboration and priority setting and sharing of knowledge and resources in the areas outlined above.
* Delivery of regional strategic and business plans and annual work plans.
* Operate Legatus Group in accordance with legislative requirements and board policies and procedures.
* Well regarded by members and stakeholders as valid and relevant through regional collaboration and undertaking or supporting actions on identified priorities.
* Identify regional priorities through collaboration with members and stakeholders and develop agreed actions and/or support.
* Advocate with a single and united voice and in partnership with other Regional LGA’s.
* Fostering of economic, environmental and social sustainability through pro-active, innovative, efficient and collaborative approaches to priority issues.

**Benefits across the local government sector:**

* Assistance with coordinating workshops and consultation sessions and improved regional delivery of LGA services.
* Identified and aided with regional and longer-term outcomes for Constituent Councils.
* Facilitates stronger regional collaboration on projects and areas for sharing of knowledge and services.
* Being able to undertake research projects on the needs specific to regional councils.

**Observation:**

Due to the November 2018 Local Government elections there was a slight slowdown in progressing regional projects and awareness of the Legatus Group given that there were 8 new board members. Since the election there has been stronger interest by constituent councils to bring issues forward and the formation of the committees has resulted in a more active interaction to address issues.

A focus has been on securing data to assist in decision making and to assist with raising policy issues through the board and SAROC. This year has seen the constructive dialogue with Constituent Councils, Members of Parliament, Ministers, the Local Government Association SA, public servants and other regional stakeholders. This is a result of the Legatus Group CEO position having been settled and by gaining greater clarity on the actions and projects.

Simon Millcock

CEO Legatus Group

**The Legatus Group Audit and Risk Committee** summary of activities undertaken, and recommendations made during 2018-2019. The committee met on 4 occasions during 2018-2019 with the following attendance:

|  |  |
| --- | --- |
| **Date** | **No of Members Attending** |
| 3Aug 2018 | 4 |
| 30 Nov 2018 | 3 |
| 30 Jan 2019 | 3 |
| 30 Apr 2019 | 4 |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| |  |  | | --- | --- | | **Committee Member** | **No of Meetings Attended** | | Mayor Ray Agnew | 1 | | Chairman Kathie Bowman | 4 | | Mayor Colin Nottle | 1 | | Mayor Denis Clark | 2 | | Colin Davies | 2 | | Ian McDonald | 1 |   **The following table sets out the principal issues addressed by the Committee for 2018-19 year:** |

|  |  |
| --- | --- |
| **Principal Issues Examined** | **Recommendations to Board** |
| Financial Report 2018-2019 | No issues, unqualified audit, adopt |
| Review of budget against actuals | Noted the need for Legatus Group to endorse 2017-2018 adopted budget against actuals for annual financial report |
| Review of work plan, internal controls | Work planned developed |
| Charter | Variations to charter noted and recommended and adopted including the need for new auditor and Dean Newberry appointed |
| Business, Budget and Strategic Plan | Noted the development of the 2018-2019 business plan and budget |
| Membership | Recommendations to Board re membership |
| Equity / reserves | Recommendations to Board on levels to be held |
| Exemption for having committee | Supported the approach for exemption of committee |

Chairman Kathy Bowman

Chairman Legatus Group Audit and Risk Management Committee

**2.2 Annual Financial Report**

**Reports for Discussion**

From: Simon Millcock, CEO, Legatus Group

**Recommendations:**

1. **That the Legatus Group annual financial statement for the year ending 30 June 2019 presents a fair view of the state of the financial affairs of the Legatus Group and that the board adopt the annual financial report.**
2. **That the Legatus Group writes to the Auditors Dean Newberry and Partners advising that the board discussed the requirements of the Related Party Disclosures and confirms that there are no transactions that are required to be disclosed.**
3. **That the Legatus Group write to thank The Flinders Ranges Council for the services provided to Legatus Group for their financial management.**
4. **The Legatus Group retain Dean Newberry and Partners as Auditor for the year ending 30 June 2019.**
5. **That the Chair and the Legatus Group CEO certify via their signature acceptance of the 2018/2019 Legatus Group audited annual financial statement.**

**Background**

The Legatus Group Charter requires that the AGM receive the audited financial statement for the preceding financial year.

The 2018/2019 Legatus Group audited annual financial report was undertaken by Dean Newberry and Partners. This report was prepared by Mr Sean Cheriton The Flinders Ranges Council Acting Finance and Administration Manager and was an agenda item at the Legatus Group Audit and Risk Committee meeting held on 22 August 2019. This meeting endorsed the Legatus Group annual financial statement for the year ending 30 June 2018 as presenting a fair view of the state of the financial affairs of the Legatus Group and that the board adopt the annual financial statement. The meeting also recommended that the Legatus Group retain Dean Newberry and Partners as Auditors for the year end 30 June 2020.

The reports and statements form part of the Legatus Group Annual Report which will be distributed to Constituent Councils for inclusion with their own annual reporting requirements.

The regulations also require that on an annual basis, the Chief Executive Officer of each Constituent Council, the Legatus Group Chair and the Chair of the Audit Committee provide a statement of certification that the auditor is independent of the subsidiary. This has been completed.



**2.3 Election of Office Bearers**

The Legatus Group Charter requires that a Chair and two Deputy Chairs shall be elected at the Annual General Meeting by and from the Board Members. The Chair and Deputy Chairs shall hold office from the Annual General Meeting at which they are elected until the next Annual General Meeting.

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. 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.

The Legatus Group CEO called for nominations from constituent councils on 16 July 2019 and on the 16 August 2019 advising that applications needed to be received in writing by Friday 23 August 2018.

Nominations in writing received by the Legatus Group CEO by Friday 23 August 2019 were for:

* Chair on 17 July 2019 for Mayor S.P. (Peter) Mattey by Regional Council of Goyder and also on 29 July 2019 from Wakefield Regional Council for Mayor S.P. (Peter) Mattey
* Deputy Chair on 15 August 2019 for Chairman Kathie Bowman by District Council of Orroroo Carrieton

Due to the current Chair Mayor Peter Mattey being nominated for the position as Chair he will step down for the election of Chair.

**Recommendation:**

1. **That Mayor Peter Mattey is elected as Chair of the Legatus Group.**
2. **That Chairman Kathie Bowman is elected as Deputy Chair of the Legatus Group.**

Given there was only 1 nomination for the 2 Deputy Chair positions and the charter is silent on how this matter is resolved. Nominations could be called at the meeting for the second Deputy Chair position.

If there are more nominations than the position, then a vote by secret ballot is considered best practice via the use of voting slips.

* 1. **Appoint representatives to other organisations**

The Charter requires that at the AGM appointments for representatives to other organisations occur.

**Yorke Mid North Alliance**

The Yorke Mid North Alliance is a formal alliance between RDA Yorke Mid North, Northern and Yorke NRM and the Legatus Group and comprises the Chairs and CEOs of the three organisations. As such Mayor Peter Mattey and CEO Simon Millcock are the Legatus Group members of the Yorke Mid North Alliance.

**SAROC**

The Legatus Group members of SAROC who were appointed in 2018 are Mayor Peter Mattey and Mayor Bill O’Brien. Members of SAROC are elected biennially and as such in the year in which SAROC members will be elected, and at least 3 months before the Annual General Meeting, the Chief Executive shall write to all SAROC regions, as listed in the schedule, calling for nominations for the membership of SAROC.

As such there is no need for any decisions on these current appointments.

**2.5 Delegations**

Clause 2.6 of the Legatus Group Charter 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 Legatus Group any of its powers and functions under this Charter or the Act but may not delegate:

* the power to impose charges;
* the power to borrow money or obtain any other form of financial accommodation not contained in a Budget adopted by the Legatus Group;
* 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;
* the power to approve the reimbursement of expenses or payment of allowances to Board Members;
* the power to adopt or revise a Budget, Business Plan, Strategic Plan or Long-Term Financial Plan of the Legatus Group;
* the power to adopt or revise financial estimates and reports.

A delegation is revocable at will and does not prevent the Legatus Group from acting in a matter. 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.

**Recommendation: That the following delegations be approved for 2018/2019:**

|  |  |
| --- | --- |
| Delegation | To |
| Bank account signatories | Legatus Group Chief Executive Officer (CEO), The Flinders Ranges Council CEO, Manager of Finance and Administration and Rates and Payroll Officer. |
| Approving expenditure of budgeted items | Legatus Group CEO |
| Approving project briefs | Legatus Group CEO |
| Approving contracts within budget up to $5,000 | Legatus Group CEO |
| Calling for tenders, contracts and consultancies | Legatus Group CEO after consultation with Chair and Deputy Chairs |
| Appointing tenders, contracts and consultancies | Legatus Group CEO after assessment panel and with approval from Chair and Deputy Chairs |
| Recruitment of staff other than Chief Executive Officer | Legatus Group CEO |
| Performance management of Chief Executive Officer | Chair and Deputy Chairs |
| Performance management of staff and contractors | Legatus Group CEO |

**2.6 Determination of Council Subscription for 2019/2020**

Clause 7.2 of the Legatus Charter notes that all constituent councils shall be liable to contribute monies to the Legatus Group each financial year and that this subscription will be set at the Annual General Meeting. The 2018/2019 subscription was $11,105 and the 2019/2020 budget endorsed by constituent councils was $11,135 which allowed for a $30 increase.

**Recommendation: That the 2019/2020 Constituent Council subscription is set at $11,135**

**2.7 Delegate Allowances**

The Legatus Board has previously approved at its Annual General Meetings an allocation of funds as an allowance to the Chair and the Local Government Association zone delegates. In 2018/2019 these were set at $6,000 made up of $4,300 for the Chair and then $1,700 allocation to be spread across delegates.

**Recommendation: That the 2019/2020 delegates allowance is set at $4,300 for the Chair and $1,700 to be spread across the Legatus Group zone delegates for SAROC and the Local Government Association Board.**

1. **OTHER BUSINESS**

**3.1 Legatus Committees**

**Audit and Risk Management Committee**

The Charter at clause 6.5 requires the establishment of an Audit and Risk Management Committee and their appointments cannot exceeding two (2) years although at the expiry of which such a member will be eligible for reappointment.

The current Audit and Risk Management Committee members are:

* Chairman Kathie Bowman appointed on 8 September 2017 and her terms expires on 7 September 2019.
* Mayor Denis Clark appointed on 14 December 2018 and his term will expire on 13 December 2020.
* CEO Peter Ackland appointed on 25 May 2018 and his term will expire on 24 May 2020.
* Mr Ian McDonald appointed on 15 Feb 2019 and his term will expire on 14 February 2021.
* CEO Colin Byles appointed on 31 May 2019 and his term will expire on 30 May 2021.

**Recommendation: That Chairman Kathie Bowman is reappointed as a member and as Chairman of the Legatus Group Audit and Risk Management Committee.**

**Transport and Road Infrastructure Advisory Committee**

The current Transport and Road Infrastructure Advisory Committee were appointed for a two-year term and their first meeting was held on 13 March 2018. CEO’s Wayne Hart and Helen Macdonald were appointed at the Legatus Group meeting 15 February 2019. The Legatus Group will need to include membership of this committee as an agenda item at an ordinary meeting prior to the 13 March 2020.

**Community Wastewater Management Advisory Committee**

The current Community Wastewater Management Advisory Committee were appointed for a two-year term at the legatus Group meeting held 17 August 2018 and as such their terms will carry through until the 16 August 2020.

**3.2 2019/2020 Legatus Group Meetings**

**Reports for Discussion**

From: Simon Millcock, CEO, Legatus Group

**Recommendations: That the 2019 Legatus Group meetings are held:**

* **Friday 28 February 2020 – Clare and Gilbert Valleys Council**
* **Friday 5 June 2020 – The Flinders Ranges Council**
* **Friday 28 August 2020 – Yorke Peninsula Council + AGM**
* **Friday 27 November 2019 – District Council Orroroo Carrieton**

**Background**

The practice has been for ordinary meetings to be held quarterly and for the AGM to be held in conjunction with the meeting that best aligns with the date required by the Charter. The list of councils hosting meetings in the past 5 years is:

2015: Northern Areas Council, District Council of Orroroo Carrieton, District Council of Peterborough & Port Pirie Regional Council.

2016: Wakefield Regional Council, Yorke Peninsula Council, District Council of Barunga West & The Flinders Ranges Council.

2017: Clare and Gilbert Valleys Council, District Council of Mount Remarkable, Copper Coast Council and Regional Council of Goyder.

2018: Adelaide Plains Council, Light Regional Council, Northern Areas Council and The Barossa Council.

2019: District Council of Peterborough, Wakefield Regional Council, Port Pirie Regional Council and Barunga West Council (November)

**3.3 CLOSE**