NOTICE TO THE MAYOR AND COUNCILLORS.
An ordinary meeting of the Council of the City of Prospect will be held by electronic means on Tuesday 26 May 2020 at 7.00pm.

Members of the public are able to view this meeting via the live stream on Council’s YouTube Channel.

AGENDA

Members of the public are advised that meetings of Council are video recorded and the recordings of the open session of the meeting will be made available on Council’s website for a period of 2 months.

1. Opening
   1.1 Acknowledgment of the Kaurna people as the traditional custodians of the land
   1.2 Council Pledge

2. On Leave

3. Apologies

4. Declaration by Members of Conflict of Interest

5. Confirmation of Minutes of the Ordinary Meeting of Council held on Tuesday 28 April 2020

6. Public Question Time

7. Petitions - Nil

8. Deputations - Nil

9. Questions without Notice

10. Reports for Decision
   10.1 Review and Update of Existing Policy
       (Pages 1-46, Recommendation on Page 1)
   10.2 New External Grants Policy
       (Pages 47-53, Recommendation on Page 47)
   10.3 Successful Grant Funding – Churchill Road Master Plan (Stage 3 of 3) and Prospect Estate / Narnu Wirra Redevelopment
       (Pages 54-59, Recommendation on Page 54-55)
   10.4 Eastern Health Authority Draft Annual Business Plan 2020-2021
       (Pages 60-95, Recommendation on Page 61)
11. **General Business – Urgent Business**
   Council has resolved that an Agenda Item "General Business – Urgent Matters" be included on the agenda to enable members to raise matters of a genuinely urgent nature, is not a change to Council Policy and cannot wait until the next Council meeting recognising that the leave of meeting will be required for each item on each occasion.

12. **Reports for Information**
   The Council has adopted the protocol that only those items on the Council Agenda provided for information (to receive and note) may be adopted without further discussion.

   12.1 **Mayoral Monthly Activity Report**
   (Pages 96-97)

   12.2 **Smoke-Free Areas within City of Prospect**
   (Pages 98-103, Recommendation on Page 98)

   12.3 **Eastern Waste Management Authority Board Meeting Minutes**
   (Pages 104-110, Recommendation on Page 104)

   12.4 **Audit Committee Meeting Minutes 27/04/2020**
   (Pages 111-116, Recommendation on Page 111)

13. **Council Member Reports and Briefings**

14. **Motions on Notice - Nil**

15. **Questions with Notice - Nil**

16. **Confidential Items**

   16.1 **Chief Executive Officer Performance Development Review Committee**

   **Order pursuant to section 90(3)(a)**
   That under the provisions of Section 90(2) of the Local Government Act 1999, an order be made that the public with the exception of Nigel McBride, Chief Executive Officer; and Jasmyn Page, Minute Secretary; be excluded from attendance at the Ordinary meeting of Council in order to consider in confidence Agenda Item 16.1 titled ‘Chief Executive Officer Performance Development Review Committee’.

   The Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the report at the meeting:

   • on the grounds provided by Section 90(3)(a) of the Local Government Act 1999, being information the disclosure of which would involve the unreasonable disclosure of information concerning personal affairs, being the performance of the Chief Executive Officer.

17. **Meeting Closure**

   **Nigel McBride**
   Chief Executive Officer

   21 May 2020
AGENDA ITEM NO.: 10.1

TO: Council on 26 May 2020

DIRECTOR: Ginny Moon, Director Corporate Services

REPORT AUTHOR: Jo-Ann Tanti, Principal Governance Advisor

SUBJECT: Review and Update of Existing Policy

1. EXECUTIVE SUMMARY

In an effort to improve timely review of policies, Council Administration has standardised Council’s approach to the review of existing policies to include a number of policies per month.

The report for this Council meeting provides an update to the:
- Fraud, Corruption, Misconduct & Maladministration Prevention Policy; and

Fraud, Corruption, Misconduct & Maladministration Prevention Policy

Amendments to the Fraud, Corruption, Misconduct & Maladministration Prevention Policy have been reviewed and recommended by Council’s Audit Committee at the April 2020 Meeting. The changes accommodate the recent repeal of the *Whistleblowers Protection Act 1993*. Furthermore, it includes the reporting and disclosure requirements under the new *Public Interest Disclosure Act 2018*. The review of this policy is timely in light of these legislative changes.

Internal Review of a Council Decision

The Internal Review of a Council Decision Policy is a mandated policy under s 270 of the *Local Government Act 1999*. Notable amendment to this policy is where the elected member Council (as a body) was the original decision maker of the matter in review, the CEO will appoint a reviewer to undertake an investigation and report the findings to Council. As a key internal control mechanism, it is appropriate for this policy to be presented to Council a minimum of once during each term.

2. RECOMMENDATION

(1) Council having considered Item 10.1 Review and Update of Existing Policy, receives the report.

(2) Council adopt the Fraud, Corruption, Misconduct & Maladministration Prevention Policy as provided at Attachments 1-28.

(3) Council adopt the Internal Review of a Council Decision Policy as provided at Attachments 29-41.
3. DISCUSSION

Fraud, Corruption, Misconduct & Maladministration Prevention Policy

This Policy, formerly known as the Fraud & Corruption Prevention Policy and Reporting Process, is an internal control designed to protect the integrity, security, and reputation of the Council.

Roles and responsibilities are delegated to Public Officers in the prevention, reporting and education of previously observed conduct. It further prescribes an effective and transparent process for reporting.

Review of this Policy forms a part of the Audit Committee’s Internal Audit and Compliance function. The Terms of Reference prescribe that the Committee must be satisfied that the City has ‘appropriate fraud and corruption prevention strategies, and adequate processes are in place to identify and address’ such activities. As such, the Audit Committee recommended the draft Policy be endorsed at the April meeting.

Proposed changes to the Policy are as follows, and are provided at Attachments 1-28:

<table>
<thead>
<tr>
<th>Old Clause #</th>
<th>Draft Clause #</th>
<th>Type of Change</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.0</td>
<td>3.0</td>
<td>Amendment</td>
<td>Addition of the corresponding directions and guidelines under the Public Interest Disclosure Act 2018, and associated list of definitions.</td>
</tr>
<tr>
<td>3.17</td>
<td>3.16</td>
<td>Amendment</td>
<td>Responsible Officers are now appointed under the Public Interest Disclosure Act, and must obtain requisite training.</td>
</tr>
<tr>
<td>5.3.5</td>
<td>4.3.5</td>
<td>Amendment</td>
<td>Detail for appropriate action to be taken has been removed and replaced with reference to the guidelines.</td>
</tr>
<tr>
<td>6.0</td>
<td>5.0</td>
<td>Amendment</td>
<td>Slight amendment of wording to align with model policy.</td>
</tr>
<tr>
<td>7</td>
<td>6</td>
<td>Amendment</td>
<td>Clauses containing specific responsibilities have been removed and added to a table provided at Appendix 1.</td>
</tr>
<tr>
<td>8</td>
<td>-</td>
<td>Deletion</td>
<td>Fraud and corruption risk assessment process is removed, and responsibilities are delegated to Council Members, CEO, and Audit Committee, in the Appendices.</td>
</tr>
<tr>
<td>9.3, 9.4, 9.5</td>
<td>7.3, 7.4, 7.5</td>
<td>Amendment</td>
<td>Rewording to align with model policy. Removal of the information to be included in a report, but inclusion of link to the Directions and Guidelines.</td>
</tr>
<tr>
<td>8, 9, 10</td>
<td>9, 10, 11</td>
<td>Amendment</td>
<td>Adjustment to reporting processes to bridge the gaps of the new Public Interest Disclosure Act, in line with the LGA model policy.</td>
</tr>
<tr>
<td>14.4.2</td>
<td>-</td>
<td>Deletion</td>
<td>Removed ‘make reference to Council’s fraud &amp; corruption initiatives in Council’s Annual Report’ Previously, this initiative has not been included in the Annual Report. This initiative is satisfied by Audit Committee’s responsibility to evaluate Council’s Fraud &amp; Corruption strategies and adequacy of internal controls within the terms of reference.</td>
</tr>
</tbody>
</table>
Distinct from the Public Interest Disclosure Policy, the Fraud, Corruption, Misconduct & Maladministration Prevention Policy, does not mandate a process for disclosures, but distributes responsibility regarding prevention of such behaviour. Further, this Policy applies to all public officers, and is a part of an internal control framework for the City of Prospect.

Aside from accommodating for reporting requirements and inclusions from the Public Interest Disclosure Act and Policy, this review reassigns some responsibilities delegated under the previous policy. While this responsibility was previously implied, the draft Policy now clearly prescribes those responsibilities.

Understanding, and therefore compliance, is increased with outlining responsibilities of all officers and bodies. Which in turn ensures all processes are followed and key players are held accountable for their role in the prevention of fraudulent and corrupt activities.

An information message will be circulated in coming weeks raising the awareness of Public Officers to what constitutes an appropriate disclosure made to a ‘relevant authority’.

**Internal Review of a Council Decision Policy**

This policy is mandated by the Local Government Act 1999. Its purpose is to provide a framework for transparent decision-making, and provide affected individuals with fair procedures for the review of those decisions.

Proposed changes to the Policy are as follows, and are provided at Attachments 29-41:

<table>
<thead>
<tr>
<th>Old Clause #</th>
<th>Draft Clause #</th>
<th>Type of Change</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appendix 1</td>
<td>-</td>
<td>Deletion</td>
<td>Penalties for non-compliance are prescribed by legislation, which is not within the scope of this policy, and is furthermore not a strategic position adopted by Council.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Old Clause #</th>
<th>Draft Clause #</th>
<th>Type of Change</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.4</td>
<td>2.4</td>
<td>Amendment</td>
<td>Definition of ‘Decision’ is simplified using language consistent with the policy. The scope of the definition is qualified with examples.</td>
</tr>
<tr>
<td>3.1</td>
<td>-</td>
<td>Amendment</td>
<td>Details which are repeated in draft cl #5 have been removed.</td>
</tr>
<tr>
<td>3.2</td>
<td>3.3</td>
<td>Addition</td>
<td>Specific examples of statutory review processes provided.</td>
</tr>
<tr>
<td>-</td>
<td>3.3</td>
<td>Addition</td>
<td>Further clarification on decisions excluded from review, in line with the LGA Model Policy.</td>
</tr>
<tr>
<td>3.3</td>
<td>3.5</td>
<td>Addition</td>
<td>Addition of a fifth principle of integration, in line with the LGA Model Policy.</td>
</tr>
<tr>
<td>-</td>
<td>4.4.5</td>
<td>Addition</td>
<td>Reference to Complaints Handling Procedure added for clarity and improved response.</td>
</tr>
<tr>
<td>5.3</td>
<td>5.3 para.2</td>
<td>Addition</td>
<td>Decisions which are reviewable have been moved from ‘Application of Policy’ to ‘Scope.’</td>
</tr>
<tr>
<td>6.1</td>
<td>3.2</td>
<td>Amendment</td>
<td>Where Council is the reviewer, the CEO (as delegate) will appoint an external party,</td>
</tr>
</tbody>
</table>
Item 10.1: Review and Update of Existing Policy

<table>
<thead>
<tr>
<th>Old Clause #</th>
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<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>7.1.3</td>
<td>Addition</td>
<td>Options for potential reviewers have been added in line with LGA model policy.</td>
</tr>
<tr>
<td></td>
<td>7.2</td>
<td>Amendment</td>
<td>Type of review (merits) clarified.</td>
</tr>
<tr>
<td></td>
<td>7.3</td>
<td>Amendment</td>
<td>What a Reviewer should consider.</td>
</tr>
<tr>
<td></td>
<td>7.4.2</td>
<td>Amendment</td>
<td>Clarification of the ‘hearing rule’, with specific examples provided.</td>
</tr>
<tr>
<td></td>
<td>7.6.2</td>
<td>Addition</td>
<td>In line with the LGA’s Model Policy, any application for review of a decision, which has already been referred to the LGAMLS, will be regarded as vexatious.</td>
</tr>
<tr>
<td></td>
<td>7.7</td>
<td>Addition</td>
<td>Possible outcomes when the reviewer is the Elected Council, a council employee, or an external body. Clarification that the power to affirm, vary, or revoke a decision subject to Sec.270 review, may not be removed from the Council (or delegate).</td>
</tr>
<tr>
<td>8.5, 8.6,</td>
<td>8.4.2</td>
<td>Amendment</td>
<td>Repetition of legislation is removed, and referred to in cl 8.4.2</td>
</tr>
<tr>
<td>8.7</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

A key change within this policy review, is when a decision of the Elected Council is under review. The draft policy now prescribes that the CEO (as council delegate) will appoint an external party to investigate and prepare a report for Council’s consideration. This is in line with principles of independent decision-making, and the Model Policy prepared by the Local Government Association. It is also to ensure consistency with cl # 7.1.4, which requires that the reviewer must not be involved with, or have made the decision which is, the subject of the review.

This policy is also anticipated to work alongside an unreasonable complainant policy, currently in development. The policy will expand on what is considered unreasonable or vexatious, and the appropriate steps that a council may take in those situations.

Relevance to Core Strategies / Policy

- **Public Interest Disclosure Act 2018**
- **Independent Commissioner Against Corruption Act 2012**
- Corporate Governance & Internal Control Framework
- **Strategy 4.4 Accountable and people-focused services**
  
  Ensuring that protocols and systems are implemented to comply with legislation, is the platform for continuous improvement, instils integrity, and raises confidence in the provision of services to the community.
ATTACHMENTS

**Attachments 1-28:** Fraud, Corruption, Misconduct & Maladministration Prevention Policy

**Attachments 29-41:** Internal Review of a Council Decision Policy
Fraud, Corruption, Misconduct & Maladministration Prevention Policy and Reporting Process

CITY OF PROSPECT
1 Purpose

1.1 The Fraud, Corruption, Misconduct & Maladministration Prevention Policy (the Policy) outlines Council’s approach to the prevention or minimisation, identification and control of fraudulent and/or corrupt activity, and summarises the associated responsibilities of Council Members and Council Employees, Public Officers.

1.2 The Policy is designed to protect public funds and assets and the integrity, security and reputation of the Council.

2 Scope

2.1 The Policy applies to all Public Officers of the Council and all disclosures that relate to the actual or suspected occurrence of fraud and/or corruption within the Council.

3 Definitions

3.1 **Corruption** in Public Administration means:

   a) an offence against Part 7 Division 4 (Offences relating to Public Officers) of the *Criminal Law Consolidation Act 1935*, which includes the following offences:

   (i) bribery or Corruption of Public Officers;
(ii) threats or reprisals against Public Officers;

(iii) abuse of public office;

(iv) demanding or requiring benefit on basis of public office; or

(v) offences relating to appointment to public office; or

b) any other offence (including an offence against Part 5 (Offences of dishonesty) of the Criminal Law Consolidation Act 1935) committed by a Public Officer while acting in his or her capacity as a Public Officer, or by a former Public Officer and related to his or her former capacity as a Public Officer, or by a person before becoming a Public Officer and related to his or her capacity as a Public Officer, or an attempt to commit such an offence (see Appendix 1 for examples of offences under the Local Government Act 1999, Local Government (Elections) Act 1999 and Development Act 1993); or

c) any of the following in relation to an offence referred to in a preceding paragraph:

(i) aiding, abetting, counselling or procuring the commission of the offence;

(ii) inducing, whether by threats or promises or otherwise, the commission of the offence;

(iii) being in any way, directly or indirectly, knowingly concerned in, or party to, the commission of the offence;

(iv) conspiring with others to effect the commission of the offence.

3.2 **Directions and Guidelines** is a reference to the Directions and Guidelines document issued pursuant to section 20 of the Independent Commissioner Against Corruption Act 2012 (ICAC Act) and/or section 14 of the Public Interest Disclosure Act 2018, which is available on the Commissioner’s website (www.icac.sa.gov.au).

3.3 An **Employee** is any person who is employed by the Council, but also includes any contractors, volunteers and consultants undertaking work for, or on behalf of, the Council.

3.4 A **False Disclosure** is a disclosure of information relating to Fraud or Corruption that is made by a person who knows the information to be false or who is reckless as to whether it is false.

3.5 **Fraud** is an intentional dishonest act or omission done with the purpose of deceiving.

(Note: unlike ‘Corruption’ there is no statutory definition of ‘Fraud’. Fraud is a style of offending. The offences addressed under Part 5 and Part 6 of the Criminal Law Consolidation Act 1935 are considered to constitute Fraud offences.)

3.6 **Independent Commissioner Against Corruption (Commissioner)** means the person holding or acting in the office of the Independent Commissioner Against Corruption.

3.7 **Maladministration in Public Administration** is defined in section 5(4) of the ICAC Act; and

3.7.1 means:
(a) conduct of a Public Officer, or a practice, policy or procedure of a public authority, that results in an irregular and unauthorised use of public money or substantial mismanagement of public resources; or

(b) conduct of a Public Officer involving substantial mismanagement in or in relation to the performance of official functions; and

3.7.2 includes conduct resulting from impropriety, incompetence or negligence; and

3.7.3 is to be assessed having regard to relevant statutory provisions and administrative instructions and directions.

3.8 **Misconduct in Public Administration** is defined in section 5(3) of the ICAC Act and means:

3.8.1 contravention of a code of conduct by a Public Officer, while acting in his or her capacity as a Public Officer, that constitutes a ground for disciplinary action against the officer; or

3.8.2 other misconduct of a Public Officer while acting in his or her capacity as a Public Officer.

3.9 **Manager** means any Employee of the Council who is responsible for the direct supervision of other Employees, and/or, for the management of a Council Department.

3.10 **Office for Public Integrity (OPI)** is the office established under the ICAC Act that has the function to:

(a) receive and assess complaints about Public Administration from members of the public;

(b) receive and assess reports about corruption, misconduct and maladministration in Public Administration from the Ombudsman, the Council and Public Officers;

(c) make recommendations as to whether, and by whom, complaints and reports should be investigated;

(d) perform other functions assigned to the Office by the Commissioner.

3.11 **PID Act** means the Public Interest Disclosure Act 2018.

3.12 **Public Administration** defined at section 4 of the ICAC Act means without limiting the acts that may comprise Public Administration, an administrative act within the meaning of the Ombudsman Act 1972 will be taken to be carried out in the course of Public Administration. For the purposes of this Policy, references to Corruption, Misconduct and Maladministration are taken to mean references to such conduct in Public Administration.

3.13 **Public Officer** defined under the ICAC Act includes:

- a Council Member;
- a member of a Local Government body (including a subsidiary of a Council established under the Local Government Act 1999);
- an Employee or Officer of Council.
3.143.13 **Publish** is defined in section 4 of the *ICAC Act*, and means publish by:

3.14.13.1 newspaper, radio or television;

3.14.23.13.2 internet or other electronic means of creating and sharing content with the public or participating in social networking with the public; or

3.14.33.13.3 any similar means of communication with the public.

3.153.14 **Reasonable suspicion** is defined at page 65 of the Commissioner’s Directions and Guidelines.

3.163.15 **Relevant Authority** for the purposes of the PID Act means the person or entity that receives an appropriate disclosure of public interest information in accordance with the PID Act.

3.17 A **Responsible Officer** is a person (or persons) appointed by Council pursuant to section 302B of the *Local Government Act 1999* who is (are) authorised to receive and act upon disclosures of public interest information reported to them under the Whistleblowers Protection Act 1993.

3.183.16 **Responsible Officer** is a person who has completed any training courses approved by the Commissioner for the purposes of the Public Interest Disclosure Regulations 2019, and has been designated by the Council as a responsible officer under section 12 of the PID Act.

3.193.17 For the purposes of the *ICAC Act*, misconduct or maladministration in Public Administration will be taken to be **serious or systemic** if the misconduct or maladministration:

3.19.13.17.1 is of such a significant nature that it would undermine public confidence in the relevant public authority; or in Public Administration generally; and

3.19.23.17.2 has significant implications for the relevant public authority or for Public Administration generally (rather than just for the individual Public Officer concerned).

*Note*: further information about serious or systemic misconduct or maladministration is available at the ICAC website: [https://icac.sa.gov.au/glossary](https://icac.sa.gov.au/glossary)

### 4 Legislative and Corporate Requirements

4.1 The Policy is intended to complement and be implemented in conjunction with other Council policies, including (but not limited to):

- Whistleblower Protection Policy & Reporting Process;
- Corporate Risk Management Policy;
- Code of Conduct for Council Employees;
- Code of Conduct for Council Members;
Policy Statement

5.14.1 Council is committed to acting in the best interest of the community and to upholding the principles of honesty, integrity and transparency, which are all key components of good governance.

5.24.2 Council recognises that fraud, corruption, misconduct and maladministration in Public Administration have the potential to cause significant financial and non-financial harm, and therefore that prevention and control should feature predominantly within the systems and procedures of a responsible Council.

5.34.3 Council will not tolerate fraud, corruption, misconduct or maladministration activity and is committed to its control and prevention by:

5.3.14.3.1 complying with the requirements of the ICAC Act;

5.3.24.3.2 establishing and maintaining an effective system of internal controls and enforcing compliance with those controls;

5.3.34.3.3 regularly undertaking risk assessments to identify circumstances in which fraud, corruption, misconduct & maladministration could potentially occur;

5.3.44.3.4 implementing prevention and mitigation strategies in its day to day operations;

5.3.54.3.5 taking appropriate action in response to allegations of fraud, corruption, misconduct & maladministration, including reporting allegations in accordance with the ICAC Act and associated Directions and Guidelines, the reporting system established by the Commissioner under section 20 of the ICAC Act and where allegations are substantiated, in addition to applicable criminal sanctions, may take disciplinary action in accordance with the Codes of Conduct for Council Members and Council Employees or, if relevant, a Council Employee’s contract of employment with Council;

5.3.64.3.6 ensuring all Council Employees and Council Members are aware of their obligations in regards to the prevention of fraud and corruption strategies within Council, and the inclusion of preliminary education in any induction process;

5.3.7 actively participating in education and evaluation of practices relevant to fraud and corruption;

5.3.84.3.7 fostering an ethical environment in which dishonest and fraudulent behaviour is actively discouraged; and

5.3.94.3.8 generating community awareness of Council’s commitment to the prevention of fraud, corruption, misconduct and maladministration.
65_ Prevention

6.15.1 Council recognises that the occurrence of fraud, corruption, misconduct and maladministration will prevail in an administrative environment where opportunities exist for waste and abuse of resources and controls.

6.25.2 Council also recognises that the most effective way to prevent the occurrence of fraud and corruption is to instil and continually reinforce a culture across the council of acting lawfully, ethically and in a socially responsible manner, and to support this culture with the implementation of appropriate internal control mechanisms.

6.2.15.2.1 In general, Council expects Public Officers will assist in facilitating a sound ethical culture and preventing fraud, corruption, misconduct and maladministration by:

6.2.2(a) understanding the responsibilities of their position;

6.2.3(b) familiarising themselves with Council’s policies and procedures and adhering to them;

6.2.4(c) understanding what behaviour constitutes fraudulent and/or corrupt conduct, misconduct and maladministration;

6.2.5(d) maintaining an awareness of the strategies that have been implemented by the Council to minimise fraud, corruption, misconduct and maladministration;

6.2.6(e) being continuously vigilant to the potential for fraud, corruption, misconduct and maladministration to occur; and

6.2.7(f) reporting suspected or actual occurrences of fraud, corruption, misconduct and maladministration in accordance with Part 8 and 9 of this Policy.

76_ Roles and Responsibilities

7.16.1 The Table in Appendix 1 to this Policy outlines the roles and responsibilities of key individuals and groups with respect to fraud, corruption, misconduct and maladministration prevention within council.

___ Specific Responsibilities

7.2 Collectively, as the decision making body of Council, Council Members are responsible for ensuring that Council:

• promotes community awareness of Council’s commitment to the prevention of fraud and corruption;

• provides adequate security for the prevention of fraud and corruption. This includes the provision of secure facilities for
storage of assets, and procedures to deter fraudulent or corrupt activity from occurring;

- provides mechanisms for receiving allegations of Fraud or Corruption, including by ensuring a Responsible Officer is appointed under the Whistleblowers Protection Policy;

- ensures where appropriate, proper investigations are conducted into allegations that involve Fraud or Corruption;

- makes reports in accordance with Part 8 of the Policy and facilitates cooperation with any investigation undertaken by an external authority (such as SAPOL or the Commissioner);

- ensures all Employees are aware of their responsibilities in relation to fraud and corruption through the provision of appropriate and regular training;

- promotes a culture and environment in which fraud and corruption is actively discouraged and is readily reported should it occur; and

- undertakes a fraud and corruption risk assessment on a regular basis.

7.3 Managers are responsible for:

- the conduct of any Employees whom they supervise and, will be held accountable for such;

- any property under their control and, will be held accountable for such;

- reporting in accordance with Part 8 of the Policy;

- creating an environment in which fraud and corruption is discouraged and readily reported by Employees. Such an environment shall be fostered by the Manager’s own attitude and behaviours to fraud and corruption and, by the
accountability and integrity they both display and encourage from other Employees;

• ensuring that new Employees for whom they are responsible are aware of their responsibilities in relation to fraud and corruption

• ensuring that new Employees for whom they are responsible are aware of the standard of conduct expected from all
Employees as outlined in the Code of Conduct for Council Officers and the Policy;

- identifying potential fraud and corruption risks; and
- leading by example to promote ethical behaviour.

7.4 Employees are responsible for:

- performing their functions and duties with care, diligence, honesty and integrity;
- conducting themselves in a professional manner at all times;
- adhering to the Policy and other Council procedures that have been established to prevent fraud or corruption;
- taking care of Council’s property which includes avoiding the waste or misuse of Council’s resources;
- maintaining and enhancing the reputation of Council;
- remaining scrupulous in the use of Council information, assets, funds, property, goods or services; and
- reporting in accordance with Part 8 of the Policy.

8 Fraud and Corruption Risk Assessment Process

8.1 Managers must be alert to the potential of fraud and corruption to occur and remain wary of factors which may leave Council vulnerable to fraud and corruption, including:

- changes to Council delegations;
- implementation of cost-cutting measures;
- contracting out and outsourcing;
- the impact of new technology; and
- changes to risk management practices.
8.2 **Council’s main objective in the prevention and control of fraud and corruption is to minimise its occurrence within Council.** This objective is generally achieved by:

- identifying fraud and corruption risks;
- determining strategies to control those risks; and
- defining responsibility for and, the time frame within which the strategies will be implemented.

Identified risks will be listed in Council’s Risk Register.
97 Reporting Corruption, or Systemic or Serious Misconduct and Maladministration in Public Administration

Reporting Corruption in Public Administration to the OPI

Reports by Employees or Council Members to the OPI

9.17.1 Any Employee or Council Member who has or acquires knowledge of actual or suspected corruption in Public Administration must report this information to the OPI as soon as practicable.

9.2 Where an Employee or Council Member suspects corruption in Public Administration, that suspicion must be reasonably held. Section 6 of the Directions and Guidelines addresses what is required to form a reasonable suspicion. In this regard it is to be noted that suspicion is a state of mind that is distinct from a belief. It is not necessary for the Employee or Council Member to believe the relevant conduct amounts to corruption in Public Administration. All that is required to make a report to the OPI is a reasonable suspicion based upon a proper consideration of the available facts (i.e., there must be a factual basis for the suspicion).

9.3.17.2 All Reasonable suspicions of Corruption or Systematic or Serious Misconduct or Maladministration must be reported to the OPI by an Employee or Council Member in accordance with the reporting obligations contained in Section 11 of requirements as identified in the Commissioner’s Directions and Guidelines.

9.3.17.2.1 A report to the OPI must be made using the online report form available at: https://icac.sa.gov.au/opi

Note: Particulars of what a report should include are available in the ICAC Directions and Guidelines.
9.47.3 When reporting actual or suspected Corruption, or Systematic or Serious Misconduct or Maladministration, in the Council or in other Public Administration, to the OPI under the ICAC Act, any requirements of other documents that form part of the Council's Fraud, Corruption, Misconduct and Maladministration framework (including those documents identified at clause 4.1 as related to this Policy) should also, to the extent possible, be adhered to.

9.57.4 Nothing in this section is intended to prevent an Employee or Council Member Public Officer from reporting suspected Corruption or Systematic or Serious Misconduct or Maladministration in the Council, or in other Public Administration internally to a Relevant Authority; (like a Council’s Responsible Officer) in accordance with Council’s Whistleblowers Protection Policy & Reporting Process for the purposes of the PID Act. Such a disclosure may be protected under the PID act and, if made to the Council’s Responsible Officer, will be managed in accordance with the Council’s Public Interest Disclosure Policy and Procedure. Public Officers are encouraged to have regard to the Council’s Public Interest Disclosure Procedure when determining where to direct a disclosure.

9.67.5 Further information about reporting requirements is available at the ICAC website: https://icac.sa.gov.au/

10.0 Where an internal report relating to Corruption in Public Administration is received by another under the Whistleblowers Protection Policy the Responsible Officer must report the matter to the OPI in accordance with the Policy.

118 Reporting Fraud, Misconduct, or Maladministration

11.18.1 Where an employee, council member, contractor or volunteer has or acquires knowledge of actual or suspected Fraud or other similar conduct that does not constitute Corruption or Systematic or Serious Misconduct or Maladministration (and is therefore not required to be reported to OPI), that knowledge should be reported to the Council’s Responsible Officer. Such a disclosure may be protected under the PID Act and will be managed in accordance with the Council’s Public Interest Disclosure Policy and Public Interest Disclosure Procedure.

Reports by Council to the OPI
11.4 Where Council (i.e., Council Members collectively) has or acquires knowledge of actual or suspected Corruption in Public Administration it must report this information to the OPI as soon as practicable after the Council becomes aware of the matter. The Chief Executive Officer is responsible for preparing a report to the OPI on behalf of Council for these purposes. The Chief Executive Officer must prepare the report immediately upon receiving direction from the Council (such as via the Mayor) to do so.

11.5 Any suspicion Council has regarding conduct that constitutes Corruption in Public Administration must be reasonably held. Section 6 of the Directions and Guidelines address what is required to form a reasonable suspicion. In this regard it is to be noted that suspicion is a state of mind that is distinct from a belief. It is not necessary for Council to believe the relevant conduct amounts to Corruption in Public Administration. All that is required to make a report to the OPI is a reasonable suspicion based upon a proper consideration of the available facts (i.e., there must be a factual basis for the suspicion).

11.6 The report must:

11.7.0 identify the matter by reference to the conduct Council suspects is Corruption; and

11.8.0 expressly identify Council suspects the conduct to be Corruption in Public Administration; and

11.9.0 identify any Public Officer or other person suspected of having engaged in the conduct; and

11.10.0 be accompanied by:

11.11.0.0 a statement as to how Council became aware of the conduct; and

11.12.0.0 the evidence known to Council including any documentation relevant to the conduct; and

11.13.0.0 a list of those persons who Council believes can give evidence relevant to the conduct.

11.158.2 A report to the OPI by the Chief Executive Officer on behalf of Council must be made on the online report form available at www.icac.sa.gov.au.

11.16 Where Council’s knowledge of corruption has arisen due to a complaint/report it received from another person (the informant), the Chief Executive Officer should not include the informant’s details in the report to the OPI if:

11.16.1 the report/complaint was made under the Whistleblowers Protection Act 1993; and

11.16.2 the informant has not consented to the informant’s identity being divulged; and

11.16.3 it is not necessary to divulge the identity of the informant to ensure the matters to which the report to the OPI relates are properly investigated.
Confidentiality and Publication Prohibitions

12.19.1 A person who receives information knowing that the information is connected with a matter that forms or is the subject of a complaint, report, assessment, investigation, referral or evaluation under the ICAC Act, must not disclose that information, other than in the limited circumstances set out in section 54(3) of the ICAC Act.

12.29.2 A person must not, other than as authorised by the Commissioner or a court, publish or cause to be published any of the following:

12.2.19.2.1 information tending to suggest that a particular person is, has been, may be, or may have been, the subject of a complaint, report, assessment, investigation or referral under the ICAC Act;

12.2.29.2.2 information that might enable a person who has made a complaint or report under the ICAC Act to be identified or located;

12.2.39.2.3 the fact that a person has made or may be about to make a complaint or report under the ICAC Act;

12.2.49.2.4 information that might enable a person who has given or may be about to give information or other evidence under the ICAC Act, to be identified or located;

12.2.59.2.5 the fact that a person has given or may be about to give information or other evidence under this Act; or

12.2.69.2.6 any other information or evidence which the Commissioner has prohibited from publication.

12.39.3 A failure to comply with the requirements in this part can constitute an offence. A Council employee who fails to comply with these requirements may also face disciplinary action which may include dismissal from employment.

12.49.4 In addition to the requirements in this part, council members and employees should also be mindful of the confidentiality provisions in the Council’s Public Interest Disclosure Policy.

Reporting Fraud
15.0 Any Employee or Council Member that has or acquires knowledge of actual or suspected Fraud that:

16.0.0 does not constitute Corruption in Public Administration; and

16.1.1 impacts or causes detriment (or has the potential to impact or cause detriment) to Council —

must report such information to the Responsible Officer or the Anti-Corruption branch of SAPOL.

16.2 A report made under clause 8.14 may be made under the Whistleblowers Protection Act 1993 and managed in accordance with Council’s Whistleblower Protection Policy & Reporting Process.

17.0 Action by the Chief Executive Officer Following Report and/or Investigation into Fraud or Corruption

17.1.0 Unless otherwise directed by OPI or SAPOL, the CEO will investigate how the alleged Corruption, Fraud, Misconduct or Maladministration occurred to determine the cause for the breakdown in controls and identify if any recommendations as to changes in policies, procedures or internal controls should be made to the Council. Following any report to the OPI or SAPOL under the Policy (or the Whistleblower Protection Policy & Reporting Process as the case may be) of which the Chief Executive Officer has knowledge and, subject to the finalisation of any investigation undertaken by the Commissioner or SAPOL, the Chief Executive Officer will undertake a review into the area in which the fraud or corruption occurred to determine the cause for the breakdown in controls. The investigations should:

17.1.1.0 Occur as soon as practicable after the alleged incident; and

17.1.2.0 not impose on or detract from any investigation being undertaken by the OPI or SAPOL; and

17.1.3.0 have regard to any recommendations in any report received from the Commissioner or SAPOL on the incident.

---

1 Such conduct may, for example, relate to persons who are not a Public Officer such as a non-elected member of a Council Committee and/or a member of a Development Assessment Panel.
17.2 The Chief Executive Officer will report the findings of the review and provide recommendations (if any) to Council. In undertaking any review, the Chief Executive Officer will have regard to any recommendations received from the Commissioner or the Ombudsman.

17.3 The CEO will, in conducting the investigation and deciding whether and how to report on the investigation to Council, have regard to the provisions of the Public Interest Disclosure Policy and any confidentiality requirements under the PID Act and/or ICAC Act.

17.4 In the event that allegations of fraud, corruption, misconduct or maladministration are substantiated, Council may take disciplinary action against any Employee who was involved.

18 False Disclosure

18.1 A person who knowingly makes a false or misleading statement in a complaint or report will be guilty of an offence under the ICAC Act and the PID Act. or makes a false or misleading disclosure, under the Whistleblowers Protection Act 1993, is guilty of an offence.

18.2 A Council Employee who makes a false disclosure, in addition to being guilty of an offence, may face disciplinary action that may include dismissal.

19 Educating for Awareness

19.1 Council recognises the success and credibility of the Policy will largely depend upon how effectively it is communicated throughout the organisation and beyond.

19.2 Council will, therefore, from time to time, take proactive steps towards ensuring that the wider community is aware of Council's zero-tolerance stance towards fraud, misconduct and/or maladministration and corruption.

19.3 Council will increase community awareness by:

19.4 promoting Council's initiatives and policies regarding the control and prevention of fraud and corruption on Council's website and;

19.5 making reference to Council's fraud and corruption initiatives in Council's Annual Report and;

19.6 facilitating public access to the documents that constitute Council's fraud and corruption framework.
**Access to the Policy**

The Policy is available to the public:

www.prospect.sa.gov.au

Customer Services, Payinthi, 128 Prospect Road, Prospect SA 5082

**Further Information**

For further information please contact:

Principal Governance Advisor
City of Prospect
128 Prospect Road
Prospect SA 5082

8269 5355
admin@prospect.sa.gov.au
APPENDIX 1--OFFENCES

Local Government Act 1999

(a) Council Members

Member duties (sections 62(3) & (4))

A member of a Council must not, whether within or outside the State, make improper use of information acquired by virtue of his or her position as a member of the Council to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the Council.

Maximum Penalty: $10,000.00 or imprisonment for two years.

A member of a Council must not, whether within or outside the State, make improper use of his or her position as a member of the Council to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the Council.

Maximum Penalty: $10,000.00 or imprisonment for two years.

Provision of false information (section 69)

A member of a Council who submits a return under Chapter 5 Part 4 (Register of Interest) and Schedule 3 of the Local Government Act 1999, that is to the knowledge of the member, false or misleading in a material particular (whether by reason of information included in or omitted from the return) is guilty of an offence.

Maximum Penalty: $10,000.00.

Restrictions on publication of information from Register of Interests (section 71)

A Council member must not publish information, or authorise publication of information, derived from a Register unless the information constitutes a fair and accurate summary of the information contained in the Register, and is published in the public interest, or comment on the facts set forth in a Register, unless the comment is fair and published in the public interest and without malice.

Maximum Penalty: $10,000.00.

(b) Council Employees

Provision of false information (section 117)

A Council employee who submits a return under Chapter 7 Part 4 Division 2 (Register of Interest) and that is to the knowledge of the employee false or misleading in a material particular (whether by reason of information included in or omitted from the return) is guilty of an offence.

Maximum Penalty: $10,000.00.
Restrictions on disclosure (section 119(1))

A Council employee must not disclose to any other person any information furnished pursuant to Chapter 7 Part 4 Division 2 (Register of Interests) unless the disclosure is necessary for the purposes of the preparation or use of the Register by the Chief Executive Officer or is made at a meeting of the Council, a Council Committee or a Subsidiary of the council.

*Maximum Penalty:* $10,000.00.

Conflict of Interest (section 120(1), (2) & (4))

The Chief Executive of a Council who has an interest in a matter in relation to which he or she is required or authorised to act in the course of official duties must disclose the interest to the Council and must not, unless the Council otherwise determines during a Council meeting that is open to the public, act in relation to the matter.

*Maximum Penalty:* $5,000.00.

An employee of the Council (other than the Chief Executive Officer) who has an interest in a matter in relation to which he or she is required or authorised to act in the course of official duties must disclose the interest to the Council and must not, unless the council otherwise determines during a council meeting that is open to the public, act in relation to the matter.

*Maximum Penalty:* $5,000.00.

If an employee is entitled to act in relation to a matter and the employee is providing advice or making recommendations to the Council or a Council Committee on the matter, the employee must also disclose the relevant interest to the Council or Council Committee.

*Maximum Penalty:* $5,000.00.

CEO to Assist Auditor (section 130)

The Chief Executive Officer must, at the request of the auditor of the Council, produce to the auditor for inspection the accounts, accounting records and other documents relating to the financial affairs or internal controls of the Council, or to any other matter that is being examined or considered by the auditor. The Chief Executive Officer must, at the request of the auditor of the Council, provide to the auditor explanations or information required by the auditor. A Chief Executive Officer must not, without reasonable excuse, fail to comply with subsection (1) or (2):

*Maximum Penalty:* $10,000.00.
Other Investigations (section 130A(4))

The Chief Executive Officer must, at the request of a person conducting an examination under section 130A(1) produce to the person for inspection any documents relevant to the examination, and provide to the person explanations or information required by the person.

**Maximum Penalty:** $10,000.00.

Powers under this Act (section 261(10))

An authorised person, or a person assisting an authorised person, who addresses offensive language to any other person; or without lawful authority hinders or obstructs or uses or threatens to use force in relation to any other person, is guilty of an offence.

**Maximum Penalty:** $5,000.00.

*Local Government (Elections) Act 1999*

**Conduct of officers (section 65)**

An electoral officer must not fail, without proper excuse, to carry out his or her official duties in connection with the conduct of an election or poll.

**Maximum Penalty:** $2,500.00 or imprisonment for six months

**Offences (section 85)**

A person who fails to furnish a return that the person is required to furnish under Part 14 Division 1 within the time required is guilty of an offence.

**Maximum Penalty:** $10,000.00

A person who furnishes a return or other information that the person is required to furnish under Division 1; and that contains a statement that is, to the knowledge of the person, false or misleading in a material particular, is guilty of an offence.

**Maximum Penalty:** $10,000.00

**Elected person refusing to act (section 91)**

A duly qualified person who, having been duly appointed or elected as a member of a council refuses to assume office and to act in it; or neglects to assume the office and to act in it for the first three ordinary meetings of the council (without leave of the council), is guilty of an offence.

**Maximum Penalty:** $750.00
**Development Act 1993**

Powers of authorised officers to inspect and obtain information (section 19(11))

An authorised officer, or a person assisting an authorised officer, who addresses offensive language to any other person; or without lawful authority hinders or obstructs or uses or threatens to use force in relation to any other person, is guilty of an offence.

**Maximum Penalty:** $4,000.00

Delegations (section 20(4))

Subject to section 20(7), a delegate must not act in any matter pursuant to the delegation in which the delegate has a direct or indirect private interest.

**Maximum Penalty:** $8,000.00 or imprisonment for two years

Investigations (section 31A(4))

An investigator may, for the purposes of an investigation require a member or employee of the council to answer, orally or in writing, questions put by the investigator to the best of his or her knowledge, information and belief; require a person to whom questions are put under paragraph (a) to verify the answers to those questions by declaration; require a person to produce for examination by the investigator books, papers or other records relevant to the subject matter of the investigation; retain books, papers or other records produced under paragraph (c) for such reasonable period as the investigator thinks fit and make copies of any of them or of any of their contents.

Subject to subsection (8), a person who refuses or fails to comply with a requirement under section 31A(4) is guilty of an offence.

**Maximum Penalty:** $20,000.00

Conflict of Interest (Regional Development Assessment Panel) (section 34(7))

A member of a regional development assessment panel who has a direct or indirect personal or pecuniary interest in a matter before the regional development assessment panel (other than an indirect interest that exists in common with a substantial class of persons) must, as soon as he or she becomes aware of his or her interest, disclose the nature and extent of the interest to the panel; and must not take part in any hearings conducted by the panel, or in any deliberations or decision of the panel, on the matter and must be absent from the meeting when any deliberations are taking place or decision is being made.

**Maximum Penalty:** $15,000.00
Investigation of development assessment performance (section 45A(3))

An investigator may, for the purposes of an investigation require a member or employee of the relevant authority, or a public sector employee or council employee assigned or engaged to assist the relevant authority, to answer, orally or in writing, questions put by the investigator to the best of his or her knowledge, information and belief; require a person to whom questions are put under paragraph (a) to verify the answers to those questions by declaration; require a person to produce for examination by the investigator books, papers or other records relevant to the subject matter of the investigation; retain books, papers or other records produced under paragraph (c) for such reasonable period as the investigator thinks fit and make copies of any of them or of any of their contents.

Subject to section 45A(7), a person who refuses or fails to comply with a requirement under section 45A(3) is guilty of an offence.

Maximum Penalty: $20,000.00

Conflict of interest (Council Development Assessment Panel) (section 56A(7))

A member of a council development assessment panel who has a direct or indirect personal or pecuniary interest in a matter before the council development assessment panel (other than an indirect interest that exists in common with a substantial class of persons) must, as soon as he or she becomes aware of his or her interest, disclose the nature and extent of the interest to the panel; and must not take part in any hearings conducted by the panel, or in any deliberations or decision of the panel, on the matter and must be absent from the meeting when any deliberations are taking place or decision is being made.

Maximum Penalty: $15,000.00

Declaration of interest (section 88B)

If a person commences any relevant proceedings; or becomes a party to any relevant proceedings; and the person has a commercial competitive interest in the proceedings, then the person must disclose the commercial competitive interest.

If a person commences any relevant proceedings; or becomes a party to any relevant proceedings; and the person receives, in connection with those proceedings, direct or indirect financial assistance from a person who has a commercial competitive interest in the proceedings, then both the person referred to in section 88B and the person who provided the financial assistance referred to in paragraph (b) must disclose the commercial competitive interest.

A disclosure must be made to the Registrar of the relevant court and to the other parties to the relevant proceedings in accordance with any requirements prescribed by the regulations.

A person who fails to make a disclosure in accordance with the requirements of this section is guilty of an offence.

Maximum Penalty: $30,000.00
Interactions with a private certifier (section 97)

A person who improperly gives, offers or agrees to give a benefit to a private certifier or to a third person as a reward or inducement for an act done or to be done, or an omission made or to be made, by the private certifier in the performance of a function under this Act is guilty of an offence.

**Maximum Penalty:** $30,000.00

In this section—benefit does not include a benefit that consists of remuneration or any condition of appointment or employment properly attaching or incidental to the work of a private certifier under this Act.

Confidential Information (section 102)

A person performing any function under this Act must not use confidential information gained by virtue of his or her official position for the purpose of securing a private benefit for himself or herself personally or for some other person.

**Maximum Penalty:** $8,000.00 or imprisonment for two years

A person performing any function under this Act must not intentionally disclose confidential information gained by virtue of his or her official position unless the disclosure is necessary for the proper performance of that function; or the disclosure is made to another who is also performing a function under this Act; or the disclosure is made with the consent of the person who furnished the information or to whom the information relates; or the disclosure is authorised or required under any other Act or law; or the disclosure is authorised or required by a court or tribunal constituted by law; or the disclosure is authorised by the regulations.

**Maximum Penalty:** $8,000.00 or imprisonment for two years

Disclosure of financial interests – Compliance with Schedule (Schedule 2 (4))

A prescribed member of an assessment panel who fails to comply with a requirement under Schedule 2 is guilty of an offence.

**Maximum Penalty:** $10,000.00

A prescribed member of an assessment panel who submits a return under this Schedule that is to the knowledge of the member false or misleading in a material particular (whether by reason of information included in or omitted from the return) is guilty of an offence.

**Maximum Penalty:** $10,000.00
Restrictions on publication (Schedule 2 (5))

A person must not publish information derived from a register under Schedule 2 unless the information constitutes a fair and accurate summary of the information contained in the register and is published in the public interest; or comment on the facts set forth in a register under Schedule 2 unless the comment is fair and published in the public interest and without malice.

If information or comment is published by a person in contravention of Schedule 2 clause 5(1), the person, and any person who authorised the publication of the information or comment, is guilty of an offence.

Maximum Penalty: $10,000.00

NOTE: This is not an exhaustive list of offences that may be committed by a Public Officer and fall within the definition of ‘corruption’ in accordance with section 5(1)(c) of the ICAC Act.
## Appendix 1—
Responsibilities and accountability for Fraud, Corruption, Misconduct and Maladministration prevention actions

<table>
<thead>
<tr>
<th>Responsibility</th>
<th>Council Members</th>
<th>Chief Executive Officer</th>
<th>Senior Officers</th>
<th>Employees</th>
<th>Audit Committees</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Governance and ethics</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Comply with this policy and any related legislation, policy, protocol or procedure.</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>2</td>
<td>At all times in the performance of duties or in association with their role with Council, act in an ethical manner.</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>3</td>
<td>Promote a culture and environment in which Fraud, Corruption, Misconduct and Maladministration is discouraged and not tolerated</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>4</td>
<td>Remain scrupulous in the use of Council information, assets, funds, property, goods or services</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td><strong>Awareness and training</strong></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Promote community awareness of the Council’s commitment to the prevention of Fraud, Corruption, Misconduct and Maladministration.</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td>✓ (as appropriate)</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Executive employees and managers ensure all employees under their supervision have been educated regarding Fraud, Corruption, Maladministration and Misconduct.</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Undertake awareness training or education regarding Fraud, Corruption, Maladministration and Misconduct.</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>4</td>
<td>Develop and deliver training to employees and other Public Officers to promote ethical conduct and an ethical culture.</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Act in an ethical manner at all times in the performance of duties, and comply with ethical obligations in accordance with any relevant code or policy regarding conduct and behaviour</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Responsibility</td>
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<td>--------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>6 Adopt and models constructive behaviours and approaches to work which promote ethical behaviours in Council employees</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

**Fraud prevention**

| 1 Provide adequate security, including the provision of secure facilities for storage of assets, to assist in the prevention of Fraud, Corruption, Misconduct and Maladministration | ✓               | ✓                       | ✓               | ✓         |                 |       |
| 2 Develop procedures to deter fraudulent or corrupt activity from occurring | ✓               | ✓                       | ✓               | ✓         | ✓               |       |
| 3 Where relevant, comply with the Public Interest Disclosure Act 2019 | ✓               | ✓                       | ✓               | ✓         | ✓               | ✓     |
| 4 Ensure appropriate internal controls are in place and operating effectively to minimise the risks of incidents | ✓               | ✓                       | ✓               |           | ✓               |       |
| 5 Ensure effective screening (e.g. criminal history) of employees, prospective employees, volunteers (as relevant) and contractors is undertaken, including by use of appropriate and effective contractual arrangements | ✓               | ✓                       |                 |           |                 |       |
| 6 Ensure all powers and authorities are appropriately delegated in order to minimise the risk of Fraud, Corruption, Misconduct or Maladministration | ✓               | ✓                       | ✓               |           |                 |       |

**Detection and investigation**

<p>| 1 Ensure that where appropriate, proper investigations are conducted into allegations of Fraud, Corruption, Misconduct or Maladministration | ✓               | ✓                       |                 |           |                 |       |
| 2 Facilitate cooperation with any investigations undertaken by an external authority | ✓               |                         |                 |           |                 |       |
| 3 Undertakes risk assessments on a regular basis | ✓               | ✓                       |                 |           |                 | ✓     |
| 4 Provides mechanisms for receiving allegations of Fraud, Corruption, Misconduct and Maladministration | ✓               | ✓                       |                 |           |                 |       |</p>
<table>
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<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 Investigates matters of Fraud, Corruption, Misconduct and Maladministration</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 Cooperate as required with any investigations undertaken whether internally or by an external authority</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

**Monitoring and reporting**

| 1 Report all instances of conduct known or reasonably suspected to be Fraud, Corruption, Maladministration or Misconduct in accordance with Council's policies | ✓               | ✓                       | ✓              | ✓         | ✓                | ✓ (report to Responsible Officer) |
| 2 Develop mechanisms for receiving allegations of Fraud, Corruption, Misconduct or Maladministration including appointing a responsible officer | ✓               | ✓                       |                |           |                  |       |
| 3 Work jointly with other areas of Council to co-ordinate activities relating to the control, prevention, detection and management of Fraud, Corruption, Misconduct or Maladministration | ✓               | ✓                       | ✓              |           |                  |       |
| 4 Review the effectiveness of the implemented policies that ensure risks are identified and that controls implemented by management are adequate | ✓               | ✓                       |                |           |                  | ✓     |
Internal Review of Council Decisions
Policy and Procedure
1 Purpose

1.1 The Internal Review of Council Decisions Policy & Procedure (the Policy) supports Council’s commitment to transparent decision making processes and providing access to fair and objective procedures for the review of decisions.

1.2 This is required by section 270(1) of the Local Government Act 1999 and forms part of the Council’s processes for dealing with complaints.

2 Definitions

2.1 Alternative Dispute Resolution includes mediation, conciliation or neutral evaluation as set out in section 271 of the Local Government Act.

2.2 Applicant is the party lodging the requests for review. Examples include residents, ratepayers, members of a community group, users of Council facilities and visitors to the area.

2.3 Business Day means a day when the Council is normally open for business, i.e. Monday to Friday, excluding public holidays.

2.4 Decision refers to a position adopted by the Decision-Maker. It will generally be a judgement reached after consideration of relevant information, but does not include actions taken during the process of decision making. For example, investigations, requests for further information, internal consideration of the matter or referral of the matter to an external adviser are not decisions.

2.5 Decision-maker refers to the individual or entity responsible for the decision under review.
2.6 Employee includes a person employed directly by the Council in a full time, part time or casual capacity (whether that position is permanent or contractual) and persons providing services to, or on behalf of, the Council even though they may be employed by another party.

2.7 Reviewer refers to the individual or entity responsible for resolution of a request for review of a decision.

3 Scope

3.1 This Policy prescribes a three tier system for handling complaints, with internal review as the third tier in the complaint handling process. Council has defined procedures for dealing with complaints and requests for service. As a general rule, Council will promote these procedures in the first instance as they offer the potential for immediate resolution. An internal review is the third tier in Council’s complaints handling process. It will apply:

- when matters cannot be resolved satisfactorily; and/or
- when the applicant makes a clear request for an internal review of decision by statutory process; and/or
- when a decision has to be reviewed by the elected Council (See 8.1 Assignment of application for review).

3.2 This Policy will only apply to decisions of—

(a) the Council;

(b) employees of the Council;

(c) other persons acting on behalf of the Council.

3.3 Some decisions made by the Council, a Council employee or on behalf of the Council are subject to review or appeal processes set out in legislation. This procedure cannot override or operate inconsistently with these statutory processes. Consequently where legislation provides for the review of, or appeal from, a type of decision, a decision of that type will not be reviewed under this procedure. Examples include:

3.3.1 objections to valuations made by the Council;

3.3.2 appeals against orders made pursuant to section 254 of the Local Government Act 1999;

3.3.3 appeals against the issuing of litter abatement notices under the Local Nuisance and Litter Control Act 2016;

3.3.4 appeals against destruction and control orders issued under the Dog and Cat Management Act 1995;

3.3.5 review of an expiation notice under the Expiation of Offences Act 1996;

3.3.6 external review processes under the Development Act 1993 and/or Planning Development and Infrastructure Act 2016, including development assessment decisions; and
3.2.4 External review processes under the *Freedom of Information Act 1991*.

3.4 Some matters may fall outside the scope of prescribed appeal procedures. An example may be a complaint where there is no appeal right (eg a non-complying development) or where Council has handled an alleged breach of the Development or Planning, Development and Infrastructure Act. Depending on the facts, such matters may be considered within the scope of this Policy.

3.3.5 This Policy cannot operate on a type of decision which has been specifically excluded from review under legislation, either expressly or by necessary implication. For example, where development approvals under the Development Act are intended to have an operative effect from the time the decision was made, and are not capable of being varied or revoked by Council.

3.4.6 While Council prefers to work with its customers to resolve requests for review quickly and effectively, an applicant will always retain the right to seek an internal review or other forms of resolution, such as contacting the Ombudsman, or taking legal action at any time. Note however that as a general rule, the Ombudsman prefers that matters be addressed by Council in the first instance, unless this is not appropriate in the circumstances.

4 Policy Statement

4.1 Council, its committees, staff and contractors make decisions every day which impact on members of the community. It is imperative these decisions are fair, objective and subject to review.

4.2 Council is committed to open, responsive and accountable government. This includes providing processes by which citizens adversely affected by a decision of Council can have their grievance considered.

4.3 This Policy will be easily accessible to ensure customers are fully aware of their right to request the review of a decision and the process that will be followed.

4.4 The procedure for reviewing is based on *four-five principles*. These principles are:

4.4.1 Fair treatment: which requires impartiality, confidentiality, and transparency at all stages of the process.

4.4.2 Accessibility: to be accessible there must be broad public awareness about Council's policies and procedures and a range of contact options.

4.4.3 Responsiveness: this will be achieved by providing sufficient resources, well trained staff and ongoing review and improvement of the systems.

4.4.4 Efficiency: requests and complaints will be resolved as quickly as possible, while ensuring that they are dealt with at a level that reflects their level of complexity.

4.4.5 Integration of different areas of Council where the matter under review overlaps functional responsibilities.
5 Application of Policy

Council has a three tier process for managing customer complaints, which includes immediate, informal resolution as well as established processes for review by senior staff.

5.1 Immediate response to resolve the complaint

All staff are empowered to handle complaints in the first instance and it is preferable that they are dealt with promptly at the initial point of contact and at the appropriate officer level.

5.2 Complaint escalated to a more senior officer

A complaint will be directed to a more senior officer of Council, where circumstances indicate that the complaint would be more appropriately handled at a higher level. This may occur, for example, where an officer has been involved in the matter that is the subject of the complaint, where the complaint is about an issue that requires a decision to be made at a more senior level, or where a complaint concerns a matter that ranges across more than one Council work area.

5.3 Internal review of a Council decision by statutory process

Internal review of a Council decision will be in accordance with this procedure. This procedure enables the Council to reconsider all the evidence relied on to make the original decision and additional available evidence if relevant. This process is generally a last resort in the complaint handling process, but may also be used in situations which are not able to be resolved by other means, such as a complaint about a decision of the CEO.

An application for review should only be made once the other mechanisms under the Complaints Handling Procedure have been undertaken as these may resolve the matter more quickly. As the third tier in Council’s complaints handling process, review under this procedure will generally apply when matters cannot be resolved satisfactorily under the other two tiers.

6 Applying for a review

6.1 Making an application

6.1.1 A person with a sufficient interest in a Council decision, may make a written application for a review of that decision. An application for a review of a Council decision, provides Council with an opportunity to revisit a decision which has aggrieved an interested party. This may include an individual or a group, ratepayer, resident or business owner.

6.1.2 Depending on the particular circumstances, it may also include a person who is not the direct subject of the decision. For example, where a Council issues a permit for a person to keep more than the maximum number of dogs permitted under a by-law, a neighbour may seek an internal review of the decision. Council will determine whether a person has a sufficient interest to apply for an internal review of a decision, on a case-by-case basis.
6.1.3 An application for review must be in writing and set out the reasons for applying for the review (that is, why the applicant believes that the decision is wrong). Although Council can be expected to have information and material relevant to the matter under review, an application for review may also include new, relevant information or evidence to support the application.

6.1.4 Applications should be addressed to the CEO. If the request is for an internal review of a decision made by the CEO, the application should be addressed to the Mayor. Applications may be delivered by mail or e-mail.

Post:
City of Prospect
PO Box 171
Prospect SA 5082

E-mail: 
admin@prospect.sa.gov.au
Subject: Internal Review

Applications should be made within 6 months of the most recent Council decision on a matter, however this timeframe may be extended by the CEO on a case by case basis.

6.2 Assisting with the application for review

6.2.1 It is essential that no one is excluded from lodging an application for review because of any difficulties they may have representing themselves. All staff are expected to offer assistance where appropriate, and provide it on request, including assistance in documenting the reasons for the review in writing, when circumstances warrant.

6.2.2 If necessary, access to interpreters, aids, or advocates should be arranged, to ensure an applicant is treated equitably and has access to the review process.

6.3 Internal Review Contact Officer

6.3.1 An Internal Review Contact Officer (IRCO), appointed by the Chief Executive Officer, is the initial point of contact for applicants.

6.3.2 The role of the IRCO is to:

(1) explain the procedure to the applicant and explore any alternative options to resolve the matter, such as alternative dispute resolution prior to an application for review;

(2) acknowledge the receipt of the application;

(3) maintain a register of all applications for review received, and the outcomes of the applications;

(4) outline the timeframes involved and the action to be taken in the first instance;

(5) undertake a preliminary investigation to determine what actions have already been taken to try to resolve the matter;
(6) keep the applicant informed of progress;

(7) ensure adequate records are maintained; and

(8) report to Council at prescribed intervals on all applications lodged for review.

6.3.3 All applications are to be referred to the IRCO immediately, including meeting with the applicant or transferring a telephone call when contact is first made. The IRCO will then indicate that an application for review must be lodged in writing.

6.4 Acknowledging an application for review

6.4.1 The IRCO is responsible for:

(1) determining whether or not the decision is subject to review under this procedure;

(2) working in conjunction with the appropriately delegated officer to determine how the review will be handled;

(3) advising the applicant of the process to be undertaken, and the time of the next contact; and

(4) ensuring the application is properly lodged and assigned.

6.4.2 Applications for a review of a decision must be responded to within [10] business days, acknowledging receipt and advising of the expected timeframe for dealing with the matter. Council will use its best endeavours to ensure a review of the original decision will be completed within [21] business days.

6.4.3 However if the decision is to be reviewed by Council, a committee, or an external panel there may be delays caused by meeting cycle timelines. In more complex cases, a review may take longer.

6.4.4 The applicant will be regularly informed of progress, either by email, letter or telephone.

6.5 Applications for a review of the impact of rates or services charges

If Council receives an application for a review of a decision concerning the financial impact of Council rates or services charges, these will be dealt with as a matter of priority. Where circumstances warrant, Council will consider financial relief or the granting of concessions in line with the provisions of the Local Government Act.

7 Undertaking a Review

7.1 Assignment of applications for review

7.1.1 The elected Council will be the reviewer:
(1) when the decision being reviewed was made by a Committee of the Council, or the CEO; or
(2) when the decision relates to civic and ceremonial matters; or
(3) in other circumstances as determined by the CEO or resolution of the Council.

Council is then also responsible for determining who will undertake the investigation and the preparation of a report for Council consideration. (This may be the CEO, the CEO delegate, or an expert party from outside the organisation.)

7.1.2 Where the decision is a decision of the elected Council, the CEO will appoint an external person or body who will report the outcome of the review to the Council. Council will consider the outcome of the review and determine whether to affirm, vary or revoke the reviewed decision.

7.1.2.1 The reviewer must not have been involved in, or made the decision, which is the subject of the review.

7.1.3 Where the elected Council is not the reviewer, a review methodology to suit the nature of the internal review to be undertaken will be selected from the following:

(1) CEO or appropriate delegate;
(2) A panel comprised of Council and/or Committee Members and/or Senior Staff;
(3) An external person or body.

7.1.4 Whenever possible and appropriate, Council will seek to involve an external person or panel to assist with the review.

The reviewer must not have been involved in, or made the decision, which is the subject of the review.

7.2 Role of reviewer

7.2.1 The reviewer will undertake a merits review of the decision.

7.2.2 In carrying out a merits review of a decision, the reviewer will consider all the information and material that was before the original decision-maker, and any additional relevant information or material provided by the applicant. The reviewer will 'stand in the shoes' of the original decision-maker, and make the best decision available on the evidence.
7.3 Review Process

7.2.17.3.1 The role of a reviewer is to review the decision in question. When ensuring the decision-maker made the best decision available, the Reviewer should consider the following:

1. To ensure the decision-maker complied with the following procedural requirements and made the best possible decision in the circumstances:
   - The decision must be within a power properly conferred on the decision-maker under the relevant Act.
   - A decision-maker must consider all matters which are relevant to the making of the decision and not take into account matters which are not relevant to the decision.
   - A decision-maker must not make a decision or exercise a power or discretion in bad faith, or for an improper purpose.
   - A decision-maker must ensure that findings of fact are based on evidence.
   - Decisions must be reasonable.
   - Those who may be affected by a decision must be accorded procedural fairness, which includes the principles of natural justice.
   - A decision-maker must properly consider the application of existing policies.
   - A decision-maker must not exercise a discretionary power at the direction of another person.

7.2 Review Process

7.2.3 In carrying out a review of a decision, the reviewer will consider all the information and material that was before the original decision-maker and any additional relevant information or material provided by the applicant. The reviewer will ‘stand in the shoes’ of the original decision-maker and make the best decision available on the evidence.

7.2.47.3.2 This means the reviewer will do more than simply consider whether the decision is legally and procedurally correct. The reviewer will also consider whether a different decision would be better, based on the evidence. The process of merits review, as described above, will typically involve a review of the facts that support a decision, including any new evidence that may come to light.

7.3 Providing ‘Procedural Fairness’

7.3.17.4.1 Council will observe the principles of procedural fairness (also called ‘natural justice’) when exercising its statutory powers, which could affect the rights and interests of individuals.

7.3.27.4.2 Put simply, ‘procedural fairness’ involves: Procedural Fairness is provided by ensuring the following principles are observed:
(1) Giving an applicant a right to put their case forward. This will generally involve giving an applicant the opportunity to provide all relevant documentary evidence, be informed of the proposed outcome of the review, have the opportunity to make submissions to the review on the outcome, and have these submissions taken into account, rather than an oral hearing.

(2) Ensuring that the reviewer does not have a personal interest or bias (either perceived or actual) in the outcome (is not biased), and

(3) Acting only on proper evidence that is capable of proving the case.

7.47.5 Giving Reasons

7.4.17.5.1 While there is no statutory requirement to give reasons for a decision, Council will always provide reasons to explain the outcome where:

(1) A decision is not in accordance with published policy;

(2) A decision is likely to detrimentally affect rights or interests of individuals (or organisations) in a material way; or

(3) Conditions are attached to any approval, consent, permit, licence, or other authorisation.

7.57.6 Refusing an application for review

7.5.17.6.1 A Council, or a person assigned to consider the application, may refuse to consider an application for review if:

(1) the application is made by an employee of the council and relates to an issue concerning his or her employment; or

(2) it appears that the application is frivolous or vexatious; or

(3) the applicant does not have a sufficient interest in the matter.

7.6.2 Where a matter has been referred to the Local Government Association Mutual Liability Scheme (LGAMLS) in respect to a claim or potential claim against the Council, or in response to a threat of legal action against the Council, an application for review of a decision in connection with that claim or action (including the decision to refer the matter to the LGAMLS), will be vexatious.

7.6.3 Refusing an application for review will not be done lightly, and reasons for the refusal will document the evidence on which a refusal is based.

7.7 Outcome of Review

7.7.1 Where the reviewer is the elected Council, the elected Council should determine whether to affirm, vary, or revoke the original decision.
7.7.2 Where the reviewer is a Council employee, the employee may determine whether to affirm, vary, or revoke the original decision, if authority to make the decision has been delegated to that employee. If the reviewer does not have a delegation enabling the making of the decision, then the reviewer should report the outcome of the review to the elected Council (or delegate) for a determination as to whether the decision should be affirmed, varied, or revoked.

7.7.3 Where the reviewer is an external person or body, then the reviewer should report the outcome of the review to the elected Council for a determination as to whether the decision should be affirmed, varied, or revoked. An external reviewer cannot vary or revoke a decision made by or on behalf of Council.

8 Remedies

8.1 Where the review of a decision upholds the applicant’s grievance, an appropriate remedy or response will be determined which is consistent and fair for both Council and applicant. The remedy chosen will be proportionate and appropriate to the failure identified.

8.2 As a general principle the applicant will, so far as possible, be put in the position he or she would have been in, had the decision not been made.

8.3 This may mean changing a decision. Where circumstances are such that it is not possible to return to the original situation, or to rectify the outcome of the decision, it may only be possible to offer an apology.

8.4 Other possible outcomes include one or a combination of the following:

- 8.4.1 an explanation
- 8.4.2 mediation (in accordance with Sec. 271 of the Local Government Act 1999);
- 8.4.3 an admission of fault
- 8.4.4 a change to policy, procedure or practice
- 8.4.5 a correction of misleading records
- 8.4.6 financial compensation, including a refund of any fees
- 8.4.7 the waiving of a debt
- 8.4.8 the remission of a penalty
- 8.4.9 disciplinary action
- 8.4.10 referral of a matter to an external agency (neutral evaluator) for further investigation or prosecution.

8.5 Any mediation panel or neutral evaluator must comply with the requirements of Section 271 of the Local Government Act 1999.
8.6 Costs and expenses associated with the appointment and work of a mediator or evaluator under Section 271 of the Local Government Act 1999 will be shared equally between Council and the applicant.

8.7 The remedy or response may be one, or a combination of these actions. The chosen remedy will be proportionate and appropriate to the failure in service and take account of what the applicant is seeking as an outcome of the review.

8.8 If an apology is required it will be done promptly, and the applicant advised that appropriate action will be taken to ensure the problem is not repeated.

8.9 Compensation will only be offered in cases where the loss or suffering is considered substantial. The Council itself, and the CEO, are the only people authorised to offer financial compensation, and this will only occur after consultation with the Local Government Association Mutual Liability Scheme.

8.10 When advising an applicant of the outcome of a review, information will also be provided about alternative remedies, including any rights of appeal, and the right to make a complaint to an external agency such as the SA Ombudsman.

9 Reporting

9.1 All applications will be recorded in Council's records management system in such a way that the information can also be analysed for service improvement opportunities.

9.2 The IRCO will submit a report to Council annually about section 270 applications for review of a decision, including:

9.2.1 the number of applications for review made under this section

9.2.2 the kinds of matters to which the applications relate

9.2.3 the outcomes of applications under this section.

9.3 The IRCO will also provide information on how the outcomes have been used to improve Council's customer service, policies, procedures, and practices.

9.4 This information, as specified in section 270(8), will be included in Council's Annual Report.

10 Records Management

All documents, notes, photographs and correspondence must be retained and stored in accordance with Council’s Records Management Policy, as required by Section 125 of the Local Government Act.

All applications must be recorded in Council’s records management system in such a way that the information can also be analysed for service improvement opportunities.

11 Policy Review

The Policy will be reviewed once per Council term or as required by legislation.
12 **Access to the Policy**

The Policy is available to the public:

www.prospect.sa.gov.au

Customer Services, Payinhti 128 Prospect Road, Prospect SA 5082.

13 **Further Information**

For further information about this policy please contact:

Principal Governance Advisor
City of Prospect
128 Prospect Road
Prospect SA 5082

8269 5355
admin@prospect.sa.gov.au
AGENDA ITEM NO.: 10.2
TO: Council on 26 May 2020
DIRECTOR: Ginny Moon, Director Corporate Services
REPORT AUTHOR: Jo-Ann Tanti, Principal Governance Advisor
SUBJECT: New External Grants Policy

1. EXECUTIVE SUMMARY

On 27 April 2020, the External Grants Policy (‘the Draft Policy’) was presented to, and recommended by, the Audit Committee.

The purpose of this Policy is to facilitate Council Officers creating added value, with the potential to increase operating and capital revenue through external funding. In addition, mitigating reputational and financial risk of a successful application, where Council has no available funding within the relevant budget period, or is unable (for example) to borrow funds under appropriate terms to match the grant funding that has been offered.

Administration recommends that clauses contained within the Policy Manual, which are superseded by the draft policy, be revoked.

2. RECOMMENDATION

(1) Council having considered Item 10.2 New External Grants Policy, receives and notes the report.

(2) Council determines that clause 4.5.3 and 3.2.8 of the Policy Manual be revoked.

(3) Council adopt the External Grants Policy as provided at Attachments 1-4.

3. DISCUSSION

Under Section 133 of the Local Government Act 1999, Council may raise funds by way of External Grants. Currently, no policy or guideline exists to assist Council staff with applying for these grants.

As such, the Draft Policy attached will ensure that any application for external grant funding follows a clear process of sound financial management, effective risk evaluation and appropriate approval.
The purpose of the Draft Policy is to facilitate submission of applications for external grant funding, particularly where there are short lead times. (Please note, that this approach is consistent with similar policies endorsed by City of Tea Tree Gully and Charles Sturt).

Notable features of the policy are essential criteria and the approval process:

- **Scope**: this policy considers the opportunity for another organisation to submit an application for an external grant under the auspices of Council. The implication is that community groups which lack corporate status or the requisite eligibility may receive funding from external organisations through Council.

- **Essential criteria**: to observe prior to preparing or submitting an application. The purpose of the criteria is to ensure sound financial management of Council’s expenditure/arrangements, active risk evaluation and alignment with Strategic Plan.

The Approval process determines that all applications requiring expenditure, which have not been accounted for within a Council budget, must be approved by Council before submission. Note that Council may not delegate power to approve expenditure of money on works, services or operations of the Council, not contained in the Budget adopted by the Council.

Where there is a short lead time, which arises when the submission deadline closes before a report to Council is tabled, the CEO may approve the application in the interim, and a report is presented to Council at the next available meeting. The Council may then approve or withdraw the application.

The application must receive Council approval before any funds are accepted or any formal arrangements are entered into.

**Policy Implications**

Council Administration is currently in the process of revoking outdated and redundant policies from the Policy Manual, which was created as an all-inclusive policy register in 2004. The following clauses (and additional procedures) of the Policy Manual, are superseded by the Draft Policy, and should be revoked:

**Clause 4.5.3 - Grants and Subsidies**

(1) **Grants and subsidies for those facilities and services where there is a proven need in the Prospect Community will be actively pursued.**

(2) **The impact of new services and programs that may be established with grants or subsidies on the Council’s existing services, programs, and administrative resources, will be assessed. A statement will be prepared as part of the assessment process, indicating the action that Council will take in the event that a grant or subsidy is reduced or withdrawn.**

**Clause 3.2.8**

**Council will pursue all opportunities for grants and subsidies, for those recreation programs for which there is a proven need in the Prospect Community.**
Relevance to Core Strategies / Policy

- City of Prospect Annual Business Plan & Budget
- City of Prospect Long Term Financial Plan
- City of Prospect Asset Management Plan

Strategic Plan to 2020 Theme 4 – Services “Leaders of the sector providing efficient, responsive, accessible services”

- Strategy 4.2 Sound Financial Management, providing appropriate guidelines for the expenditure of public funds.
- Strategy 4.4 Accountable and people-focused services, encouraging external funding arrangements, and reduce financial risks.

ATTACHMENTS

Attachments 1-4: Draft External Grants Policy
DRAFT External Grants Policy
1  **Purpose**

1.1 Council recognises that opportunities to secure grants for specific projects or purposes arise periodically.

1.2 The purpose of the External Grants Policy (the "Policy") is to enable Council to pursue such opportunities and provide efficient service delivery by:

1.2.1 Establishing an effective, sustainable and risk-focused framework for managing, monitoring and evaluating grants provided by external organisations; and

1.2.2 Determining a consistent and objective analysis aligned to Corporate Strategy prior to application for external grant funding.

2  **Definitions**

2.1 **Short Lead Time** – The deadline by which the application is to be submitted is such that Council approval at an upcoming meeting is not viable; or to achieve Council approval prior to submission of an application would result in a failure to meet the application deadline.

2.2 **Whole-of-life costs** – The total expense of owning an asset over its entire life, from purchase to disposal. Calculation of this cost includes: purchase and installation, design and building costs, operating costs, environmental/social impact factors, maintenance, associated financing costs, depreciation and disposal costs (and so on).
3 Scope

3.1 This Policy applies to all externally funded grants, whether in part or solely funded by an external organisation, that require applications to be made. The Policy applies:

3.1.1 To all Council Staff;
3.1.2 Where Council is one of a number of partners in a joint external funding application;
3.1.3 Where an application is being made for renewal of a currently held grant;
3.1.4 Where Council auspices an external grant on behalf of another organisation;
3.1.5 Where a funding provider approves a grant application with variations to the original proposal.

3.2 This Policy does not apply to applications for funding received from the Community.

4 Application of Policy

4.1 Prior to submission of an application for external grant funding, the following criteria is to be considered:

4.1.1 Consistency and alignment with Council Strategic Plan and Annual Business Plan;
4.1.2 Council’s required contribution;
4.1.3 Ability to comply with proposed contractual terms, conditions, and Council Policies (those set out in Related Documents);
4.1.4 Ability for Council to deliver the agreed grant objectives within approved timelines;
4.1.5 Whole-of-life costs impacts of the funding opportunity if relevant;
4.1.6 Administrative costs and impacts on resources associated with the application, project management, and implementation of obligations, if any;
4.1.7 Opportunities for regional funding partnerships;
4.1.8 Ability to undertake planning with stakeholders prior to the implementation of the funded project, service or activity;
4.1.9 Any risks of the relevant arrangement are to be balanced with benefits provided to the community.
5 Council Approval

5.1 Applications for external funding do not require Council approval where the expenditure has been previously budgeted by Council. This will apply to an application in which:

5.1.1 No additional expenditure is required under the arrangement, and

5.1.2 The expenditure has been accounted for within:

(1) the budget for the current financial year, or

(2) the budget for the following financial year.

5.2 All applications which have not been previously budgeted by Council in the way described in cl 5.1, require Council approval prior to submission, except where not possible due to short lead times.

5.3 In the circumstances that there is a short lead time for an External Grant Funding Application which does not enable details of the funding to be provided to Council prior to application, the CEO or delegate will authorise the application. A report must be provided thereafter at the Council meeting immediately following submission. At that point, Council may approve or withdraw the application.

5.4 Council reports requesting approval of external grant applications are to consider relevant criteria outlined at clause 4.

5.5 Where the expenditure has not been previously budgeted by Council in the way described in cl 5.1, no funding is to be accepted, and no formal arrangements are to be entered into, prior to approval by Council.

5.6 Council staff will make best possible efforts to ensure that submission of external grant applications does not result in short lead times.

6 Review

6.1 The Policy will be reviewed once per Council term or as required by legislation.

7 Access to the Policy

7.1 The Policy is available to the public:

www.prospect.sa.gov.au

Customer Services, 128 Prospect Road, Prospect SA 5082.

8 Further Information

8.1 For further information about this Policy please contact:

Manager Financial Services
City of Prospect
128 Prospect Road
Prospect SA 5082

8269 5355
admin@prospect.sa.gov.au
AGENDA ITEM NO.: 10.3
TO: Council on 26 May 2020
DIRECTOR: Simon Bradley, Director Infrastructure and Environment
REPORT AUTHOR: Simon Bradley, Director Infrastructure and Environment
SUBJECT: Successful Grant Funding – Churchill Road Master Plan (Stage 3 of 3) and Prospect Estate / Narnu Wirra Redevelopment

1. EXECUTIVE SUMMARY

City of Prospect was recently advised that it was successful in receiving two grant applications in the Minister for Planning’s 2019-2020 Planning and Development Fund. These two grants are for Churchill Road Master Plan (Stage 3 of 3) and Prospect Estate / Narnu Wirra Redevelopment.

The project scope for Churchill Road Master Plan (Stage 3 of 3) is to complete the final stage of the Churchill Road Streetscape Upgrade. The total cost of the project is $1.5M with $750,000 in grant funding.

The Prospect Estate / Narnu Wirra Redevelopment draft project concepts incorporates a new playground, fitness equipment, nature play, dinosaur fossil discovery trail, sensory musical panel, furniture, entry statement, lighting, pavement and amenity planting. The total cost of the project is $437,000 with $218,500 in grant funding.

The purpose of this report is to authorise the Chief Executive Officer to sign grant funding agreements for both projects.

Council has a funding shortfall of approximately $180,000 to fund both of these projects. Options to fund this shortfall is addressed in the report and will be further discussed during the draft Annual Business Plan Workshop on 2 June 2020.

2. RECOMMENDATION

(1) Council having considered Item 10.3 Successful Grant Funding – Churchill Road Master Plan (Stage 3 of 3) and Prospect Estate / Narnu Wirra Redevelopment receive and note the report.

(2) That Council authorises the Chief Executive Officer to sign a grant funding agreement related to Council accessing a grant from the Department of Planning, Transport and Infrastructure for $750,000 contribution towards Stage 3 of the Churchill Road Masterplan, noting that Council’s contribution is $750,000.
(3) That Council authorises the Chief Executive Officer to sign a grant funding agreement related to Council accessing a grant from the Department of Planning, Transport and Infrastructure for $218,500 contribution towards Prospect Estate / Narnu Wirra Redevelopment, noting that Council’s contribution is $218,500.

3. DISCUSSION

The State Government has implemented a $350 million stimulus package aimed at safeguarding South Australia’s economy and to protect local jobs from the impacts of the coronavirus pandemic and our recent devastating bushfire season. As part of this stimulus package, the Minister for Planning doubled the Planning and Development Fund available this year to $50 million, when matched with the local government contribution on a 50:50 basis.

At the Council Meeting on 24 March 2020 the following was resolved:

State Government Planning and Development Fund Applications

(1) That the City of Prospect submit as many shovel ready projects as possible to the State Government Planning and Development Fund Applications process where applications are due by the 9 April 2020.

(2) If need be the City of Prospect Council call a Special Council Meeting to approve or disapprove the applications being put forward.

Council submitted six grant applications in the Minister for Planning’s 2019-20 Planning and Development Fund. These six applications were for:

1. Churchill Road Master Plan – Stage 3 of 3 (Gurr to Livingstone) $1.5M
2. Prospect Gardens / Narnu Wirra Reserve Redevelopment (new playground and fitness equipment, nature play, new furniture, new entrance statement, new lighting, new pavement, amenity planting) $437,000
3. Broadview Oval / Yarnata Tutu yarta Masterplan Tennis Courts (four new Tennis Courts and the resurfacing of four Tennis Courts) $280,000
4. Prospect Oval / Payinthi yarta Masterplan Lighting (new Sports Lighting) $1.32M
5. Green Tunnel Strategy (planting additional street trees) $360,000
6. Vine Street Plaza Redevelopment (Stage 2) $400,000

Council received a letter dated 9 May 2020 from the Hon Stephan Knoll MP, Minister for Planning, advising that City of Prospect was successful in receiving funding for the following projects (refer Attachment 1):

- Churchill Road Master Plan (Stage 3 of 3)
- Prospect Estate / Narnu Wirra Redevelopment

Table 1 identifies the projects and funding contributions.
**Table 1: Project Contributions**

<table>
<thead>
<tr>
<th>Project Title</th>
<th>Grant Contribution</th>
<th>Council Contribution</th>
<th>Total Project Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Churchill Road Master Plan (Stage 3 of 3)</td>
<td>$750,000</td>
<td>$750,000</td>
<td>$1,500,000</td>
</tr>
<tr>
<td>Prospect Estate / Narnu Wirra Redevelopment</td>
<td>$218,500</td>
<td>$218,500</td>
<td>$437,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>$1,937,000</strong></td>
</tr>
</tbody>
</table>

**Churchill Road Master Plan (Stage 3 of 3)**

The project scope is to complete the final stage of the Churchill Road Streetscape Upgrade (Stage 3 of 3) which commenced with the development of a Churchill Road Master Plan in 2009. This project involves new paved footpaths, kerbs and gutters, stormwater management, indented parking & bus bays, pedestrian refuges, continuation of bike land and tree and vegetation planting.

The concept design has been completed and detailed design is underway. Council allocated $50,000 in the 2019/20 Annual Business Plan towards the concept plans and detailed design of this project. Part of the project will be completed by 30 June 2020.

Community consultation on this project commenced Monday 18 May 2020 and concludes 8 June 2020. Feedback from the community consultation activities will be presented to a Councillor Workshop before being presented to a Council Meeting.

It is proposed that construction would commence in October 2020 and take approximately six months.

Council has not allocated funding in the draft 2020/21 Annual Business Plan or the Long Term Financial Plan for the construction of Stage 3.

**Prospect Estate / Narnu Wirra Redevelopment**

The draft design incorporates a playspace with nature play element for children to explore, promotes the significance of natural beauty and educates children on the importance of nature through interaction. The draft design will provide opportunity for people of all ages and abilities to interact with each other if they like and the integrated design of the various elements will provide stimulation and activity for all. Alternatively, people may seek a quiet area under a tree and enjoy watching, reading or a place to reflect. Incorporating a sensory musical panel, stepping stones, fossil discovery trail and timber bridge will provide a passive, unstructured, peaceful and interesting space for all.

Community consultation on this project will take place in June 2020. Feedback from the community consultation activities will be presented to a Councillor Workshop before being presented to a Council Meeting.

It is proposed that construction would commence in November 2020 and take approximately three months.

Council has allocated $437,500 in the draft 2020/21 Annual Business Plan for the redevelopment of the Prospect Estate / Narnu Wirra Redevelopment.
Recent Successful Funding
In the past three years City of Prospect has been relatively successful in receiving grants under the Minister for Planning’s 2019-20 Planning and Development Fund. These include:

- George Whittle Reserve Redevelopment ($600,000 in grant funding)
- Charles Cane Reserve / Parndo Yerta Redevelopment ($508,562 in grant funding)
- Broadview Oval / Yarnta Tutu yarta Playground Redevelopment ($350,000 in grant funding)

Council Administration is yet to receive the grant funding agreements for either projects from DPTI. In discussions with DPTI staff the funding agreements will be similar in content to previous funding agreements. Council Administration is recommending that when the funding agreements are received, and are considered appropriate in terms of conditions, that the Chief Executive Officer be authorised to sign a grant funding agreements.

Funding Options
Council has not allocated funding in the draft 2020/21 Annual Business Plan or the Long Term Financial Plan for the construction of the Churchill Road Master Plan - Stage 3 and has allocated $437,500 in the draft 2020/21 Annual Business Plan for the redevelopment of the Prospect Estate / Narnu Wirra Redevelopment. Council has also allocated $351,500 in the draft 2020/21 Annual Business Plan for stimulus package funding.

If Council were to accept both grants, there is a shortfall of $750,000 for the Churchill Road Master Plan (Stage 3 of 3) but a surplus of $218,500 for the Prospect Estate/ Narnu Wirra Redevelopment taken together with the $351,500 already budgeted for the Economic Surplus Package, this means that there is approximately a net $180,000 shortfall in funding for these projects. Table 2 identifies the budget surplus and shortfall if both grants are accepted.

<table>
<thead>
<tr>
<th>Project</th>
<th>Total Project Cost</th>
<th>Council Contribution</th>
<th>Budget (Draft 2020/21 ABP)</th>
<th>Shortfall/Surplus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Churchill Road Master Plan</td>
<td>$1.5M</td>
<td>$750,000</td>
<td>$0</td>
<td>-$750,000</td>
</tr>
<tr>
<td>Prospect Estate Redevelopment</td>
<td>$437,000</td>
<td>$218,500</td>
<td>$437,000</td>
<td>+$218,500</td>
</tr>
<tr>
<td>Economic Stimulus Package (Draft 2019/20 ABP)</td>
<td>$352,500</td>
<td>$352,500</td>
<td>+$351,500</td>
<td></td>
</tr>
<tr>
<td><strong>Shortfall</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>-$180,000</strong></td>
</tr>
</tbody>
</table>

Council has a number of options to fund this $180,000 shortfall.

Borrow Funds
Borrowing of this amount could be met through the use of Council’s Convertible Cash Advance Facilities (CAD). The advantage of using this facility is the current low variable interest rate and flexibility to make principle repayments as funds become available.
Find Savings in Draft 2020/21 Annual Business Plan
Alternatively, Council may wish to fund the shortfall by deferring or reducing another project in the finalisation of the Draft 2020/21 Annual Business Plan post community consultation.

Options to fund this shortfall is addressed in the report and will be further discussed during the draft Annual Business Plan Workshop on 2 June 2020.

Relevance to Core Strategies / Policy
- Local Government Act, 1999
- Open Space Strategy (2018)

Strategic Plan to 2020 Theme 1 – People “Know, empower, celebrate, educate and activate our community”

Strategy 1.1  Know our community
Strategy 1.2  Environmentally active, sustainably focused

Strategic Plan to 2020 Theme 2 – Place “Loved heritage, leafy streets, fabulous places”

Strategy 2.1  Respect the past, create our future
Strategy 2.2  Loved parks and places
Strategy 2.3  An accessible City

Strategic Plan to 2020 Theme 4 – Services “Leaders of the sector providing efficient, responsive, accessible services”

Strategy 4.1  Excellence in Infrastructure

ATTACHMENTS

Attachment 1: Letter to Mayor David O’Loughlin – Approved Funding from Hon Stephan Knoll MP
Dear Mayor O'Loughlin,

I refer to Council’s applications for funding under the 2019-20 Planning and Development Fund local government grant programs.

After consideration I am pleased to advise Council that I have approved funding for the following project, as outlined in your application:

- Churchill Road Streetscape Upgrade ($750,000)
- Prospect Gardens / Narnu Wirra Redevelopment ($218,500).

I wish to advise Council that I have not approved funding for the remaining three applications that Council submitted. Council staff will be advised of these separately.

Applications for the grant program were highly competitive with 160 applications received, requesting over $116 million.

Please note that the formalisation of the Funding Agreement between Council and the Department of Planning, Transport and Infrastructure, including the establishment of key outcomes, funding conditions and timelines for progress reports, will be arranged directly with Council staff.

If you require any further information please do not hesitate to contact Ms Alison Collins of the Department of Planning, Transport and Infrastructure on 7109 7113.

Yours sincerely,

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

2019/08077/01
AGENDA ITEM NO.: 10.4
TO: Council on 26 May 2020
DIRECTOR: Nathan Cunningham, Director Community & Planning
REPORT AUTHOR: Brendan Lott, Manager Community Development
SUBJECT: Eastern Health Authority Draft Annual Business Plan 2020-2021

1. EXECUTIVE SUMMARY

Eastern Health Authority (EHA) has completed its draft Annual Business Plan & Budget for the 2020/2021 Financial Year. Prior to the Board of EHA endorsing this Annual Business Plan, EHA (as part of their normal annual process) is seeking review and endorsement from all constituent Councils.

Key contact staff within our Community Development team are involved each year in generating input and providing initial feedback to assist EHA in drafting the Plan. The Draft Plan is then adopted by the Board of EHA as being ready for Council endorsement. This occurred at the April Board meeting.

Upon review, staff confirm that the draft EHA Annual Business Plan generally proposes a ‘business as usual’ year with a continuation of the variety of services which have been provided throughout 2019-2020. This is considered to be an appropriate direction for EHA and the draft Annual Business Plan is recommended to Council for support.

A key project for 2020/2021 includes conducting an EHA service review. This review (paused from current FY due to COVID-19 focus) will analyse the current scope and delivery of services by EHA. It will investigate whether these services fulfil the legislative obligations of EHA’s constituent councils, are aligned to community needs, are delivered efficiently and provide value to the public and constituent Councils.

Compared with the previous year, it is pleasing to report that there is an 8.67% decrease in the required contribution from City of Prospect to EHA for their operations during 2020/2021.

<table>
<thead>
<tr>
<th>City of Prospect Requested Contributions</th>
<th>$ Change previous year</th>
<th>% Change previous year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019/2020</td>
<td>$230,650</td>
<td>($6,473)</td>
</tr>
<tr>
<td>2020/2021</td>
<td>$210,656</td>
<td>($19,994)</td>
</tr>
</tbody>
</table>

The final EHA Annual Business Plan will be considered for adoption at the EHA Board of Management to be held on 24 June 2020.
2. RECOMMENDATION

(1) Council having considered Item 10.4 Eastern Health Authority Draft Annual Business Plan 2020-2021, receive and note the report.

(2) Council endorses the Draft Eastern Health Authority Annual Business Plan 2020/2021 (as presented in Attachments 1-32).

(3) The Chief Executive Officer writes to the Eastern Health Authority advising of Council’s decision to endorse their draft Annual Business Plan for 2020/2021 ahead of its final adoption by the Eastern Health Authority Board of Management.

3. DISCUSSION

Eastern Health Authority (EHA) is a regional subsidiary established under the Local Government Act 1999. Section 43 of the Local Government Act 1999 enables two or more Councils (known as Constituent Councils) to establish a regional subsidiary to perform a function of the Councils in a joint delivery arrangement.

The area covered by EHA is located in Adelaide’s eastern and inner northern suburbs. EHA discharges its constituent Councils’ environmental health responsibilities that are mandated in the following legislation:

- South Australian Public Health Act, 2011
- Food Act, 2001
- Supported Residential Facilities Act, 1992

EHA’s Constituent Councils are:

- City of Prospect
- City of Burnside
- Campbelltown City Council
- City of Norwood Payneham and St Peters
- The Corporation of the Town of Walkerville.

The EHA Charter requires an Annual Business Plan and Budget be prepared. This process occurs in the first half of each calendar year and includes an outline of:

1. EHA’s objectives for the financial year.
2. The activities that EHA intends to undertake to achieve those objectives.
3. The measures (financial and non-financial) which EHA intends to use to assess its performance against its objectives over the financial year.
4. The financial requirements of EHA for the financial year and, taking those requirements into account, sets out a summary of its proposed operating expenditure, capital expenditure and sources of revenue.

5. The structure for determining constituent Council contributions for the financial year.

EHA has completed their draft Annual Business Plan (including Budget) for the 2020/21 financial year (Attachments 1-32). Prior to the Board of EHA endorsing this Annual Business Plan they seek review and endorsement from all constituent Councils.

EHA has set the following priorities as part of the 2020/2021 Annual Business Plan:

- Implement the elements of the Regional Public Health Plan, ‘Better Living, Better Health’ as they apply to EHA.
- Where practicable, continue to undertake the necessary public health functions on behalf of constituent Councils to protect the health and well-being of the community during the COVID-19 crisis.
- Attend and participate in Local Government COVID-19 meetings and forums to ensure consistency of approach in relation to public health and operational matters.
- Ensure operational activities (inspections, investigations, immunisation services etc) are undertaken in line with required social distancing and hygiene measures to protect EHA employees and the community.
- Promotion of online immunisation appointment system.
- Conduct immunisation surveys to gain client feedback for use in development of the 2021 Clinic Immunisation Timetable.
- Implement process of improved recalls and reminders for overdue immunisation clients.
- Conduct organisation service review which considers the current scope, delivery methods and value of public and environmental health services by EHA to its constituent Councils (deferred from current FY).

The draft Annual Business Plan has been endorsed by the Board as being suitable for consultation with constituent Councils. The final Annual Business Plan will be considered for adoption at the EHA Board of Management to be held on 24 June 2020. Once adopted, a copy of the final Annual Business Plan will be provided to the Chief Executive Officer of each Constituent Council.

From a Governance point of view, it must be highlighted that as the Director of Community and Planning is also a Board Member of EHA, technically there is a perceived conflict of interest under Section 120 of the Act in his role with Council for matters which may lead to a financial benefit or loss to EHA. That being said, provisions exist within the Act for the Chief Executive Officer to make a determination that this conflict is not an issue on an item by item basis.
The CEO has made this determination in relation to the development of the EHA Annual Business Plan which includes consideration of the Council’s financial contribution to EHA. It is important for this to be highlighted on the public record that such consideration had been given to this issue on each occasion where it is relevant.

**Implications, Related Questions and Further Information**

Council has made a provision in its Draft Budget 2020-2021 which covers the annual contribution to EHA of $210,656. This is in line with the amount requested through the EHA Annual Business Plan.

As per the normal annual process, staff provide feedback throughout the year and this assists in EHA preparing a Draft Annual Business Plan. The Board of EHA consider a draft and endorse for consultation (which occurred in April). Extra feedback is considered (if any) and a final version is put to the Board of Management.

Through the preparation of the draft, City of Prospect staff provided comments including:

- The current year Annual Business Plan is too detailed.
  - The new Plan would benefit from a ‘less is more’ approach with regard to each of the objectives, actions and performance indicators;
  - Include actions and performance indicators relating to the current Service Review process i.e. fulfil the actions and recommendations from the review; and
  - Be sure to finalise the efficiency review to understand the value for services to constituent Councils.

Each of these comments were considered by the Board of EHA and included where possible into the version of the Annual Business Plan currently presented.

**Relevance to Core Strategies / Policy**

**Strategic Plan to 2020 Theme 1 – People** “Know, empower, celebrate, educate and activate our community”

Strategy 1.2 Environmentally active, sustainably focused

**Strategic Plan to 2020 Theme 4 – Services** “Leaders of the sector providing efficient, responsive, accessible services”

Strategy 4.4 Accountable and people-focused services

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**ATTACHMENTS**

**Attachments 1-32:** Eastern Health Authority Draft Annual Business Plan 2020/2021
Please note the final format of the Annual Business Plan is still to be developed
Introduction .................................................................................................................. 1
About Eastern Health Authority ................................................................................... 2
Overview of the Annual Business Plan ......................................................................... 3
Funding the Annual Business Plan and Budget ............................................................. 5
Financial Indicators ....................................................................................................... 6
Activities for 2020-2021

1.0 - Governance and Organisational Development ........................................ 7
3.0 - Public and Environmental Health ................................................................. 12
4.0 - Immunisation .......................................................................................... 16
5.0 - Food Safety ............................................................................................. 20

Eastern Health Authority Budget Financial Statements 2020-2021 .................... 27
The Eastern Health Authority (EHA) Charter requires an Annual Business Plan to support and inform its Annual Budget which:

- includes an outline of:
  1. EHA’s objectives for the financial year
  2. the activities that EHA intends to undertake to achieve those objectives
  3. the measures (financial and non-financial) which EHA intends to use to assess its performance against its objectives over the financial year
- assesses the financial requirements of EHA for the financial year and taking those requirements into account, sets out a summary of its proposed operating expenditure, capital expenditure and sources of revenue
- sets out the structure for determining Constituent Council contributions for the financial year


This document presents the Annual Business Plan for EHA for the 2020-2021 financial year.
ABOUT EASTERN HEALTH AUTHORITY

Section 43 of the *Local Government Act 1999* enables two or more councils (known as Constituent Councils) to establish a regional subsidiary to perform a function of the council in a joint service delivery arrangement.

The Constituent Councils listed below established Eastern Health Authority in 1986 to discharge their respective environmental health responsibilities that are mandated in the *South Australian Public Health Act 2011, Food Act 2001 and Supported Residential Facilities Act, 1992*

- City of Burnside (Burnside)
- Campbelltown City Council (Campbelltown)
- City of Norwood Payneham and St Peters (NPSP)
- City of Prospect (Prospect)
- The Corporation of the Town of Walkerville (Walkerville)

EHA undertakes a wide range of functions on behalf of its Constituent Councils to protect the health and wellbeing of approximately 160,000 residents plus those people who visit the region. These functions include the provision of immunisation services, hygiene and sanitation control, licensing and monitoring of Supported Residential Facilities (SRFs) and surveillance of food premises.

The table below provides a snapshot of the environmental health services provided for each Constituent Council.

Table 1: Snapshot of the environmental health services provided for each Constituent Council

<table>
<thead>
<tr>
<th>Activity Data</th>
<th>Burnside</th>
<th>C/Town</th>
<th>NPSP</th>
<th>Prospect</th>
<th>Walkerville</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. of Food Premises</td>
<td>285</td>
<td>296</td>
<td>485</td>
<td>182</td>
<td>43</td>
<td>1,291</td>
</tr>
<tr>
<td>Swimming Pools</td>
<td>19</td>
<td>6</td>
<td>13</td>
<td>2</td>
<td>3</td>
<td>43</td>
</tr>
<tr>
<td>High Risk Manufactured Water Systems</td>
<td>9</td>
<td>8</td>
<td>10</td>
<td>2</td>
<td>0</td>
<td>29</td>
</tr>
<tr>
<td>Supported Residential Facilities</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>Environmental Health Complaints</td>
<td>32</td>
<td>35</td>
<td>64</td>
<td>12</td>
<td>9</td>
<td>152</td>
</tr>
<tr>
<td>Hairdresser/Beauty Treatment Premises</td>
<td>72</td>
<td>61</td>
<td>106</td>
<td>32</td>
<td>10</td>
<td>281</td>
</tr>
<tr>
<td>Number of high school student enrolments</td>
<td>2,268</td>
<td>1,749</td>
<td>2,429</td>
<td>379</td>
<td>291</td>
<td>7,116</td>
</tr>
<tr>
<td>Average clients receiving vaccines at public clinics</td>
<td>1,114</td>
<td>1,422</td>
<td>1,429</td>
<td>329</td>
<td>275</td>
<td>4,569</td>
</tr>
</tbody>
</table>
OVERVIEW OF THE BUSINESS PLAN

EHA develops an Annual Business Plan for the purposes of translating strategic directions into actions, outputs and outcomes for the relevant financial year. In preparing this year’s Annual Business plan a number of key influences were taken into consideration.

**Significant Influences**

- COVID-19 Response
- School Based Immunisation Program reduced to Year 8 and 10 students only (current year 11 catch-up program was finalised in 2019).
- Enterprise Bargaining wage increase for staff.
- No longer providing immunisation services to Unley.
- Commencement of Adelaide PHN – Immunisation Community Engagement partnership project.

EHA has set the following priorities as part of the 2020-2021 Annual Business Plan:

**Priorities**

- Implement the elements of the Regional Public Health Plan, ‘Better Living, Better Health’ as they apply to EHA.
- Where practicable, continue to undertake the necessary public health functions on behalf of Constituent Councils to protect the health and well-being of the community during the COVID-19 crisis.
- Attend and participate in Local Government COVID-19 meetings and forums to ensure consistency of approach in relation to public health and operational matters.
- Ensure operational activities (inspections, investigations, immunisation services etc) are undertaken in line with required social distancing and hygiene measures to protect EHA employees and the community.
- Promotion of online immunisation appointment system.
- Conduct immunisation surveys to gain client feedback for use in development of the 2021 Clinic Immunisation Timetable.
- Implement process of improved recalls and reminders for overdue immunisation clients.
- Conduct organisation service review which considers the current scope and delivery of public and environmental health services by EHA, to ensure that these services fulfil the legislative obligations of EHA’s constituent councils, are aligned to community needs, are delivered efficiently and provide value to the public and constituent councils.
FUNDING THE BUSINESS PLAN AND THE BUDGET

EHA bases its expenditure on the services required to ensure its Constituent Councils are meeting their wide range of legislative responsibilities which are mandated in a range of legislation including the *South Australian (SA) Public Health Act 2011; Food Act 2001; Supported Residential Facilities Act 1992* and the *Local Government Act 1999*.

The forecast for the 2020/2021 financial year is that EHA’s operating result will be a breakeven position. To achieve this operating budget result, a total of $1,790,674 will be raised through contributions from our Constituent Councils for operational expenditure. Constituent Councils will be requested to collectively contribute a further $40,000 (20% per council) for the service review which was postponed from 2019/2020.

Sources of revenue other than Constituent Council contributions which are utilised to fund the activities of EHA are listed on below.

- **Statutory Charges** relate mainly to fees and fines levied in accordance with legislation and include food inspection fees, supported residential facility licences, and environmental health related fines.
- **User Charges** relate to the recovery of service delivery costs through the charging of fees to users of EHA’s services. These include the provision of food safety audit services, workplace immunisation programs and fee vaccines at community immunisation clinics.
- **Grants** which include monies received from State and Federal Governments for the purposes of funding the delivery of the programs such as immunisation services.
- **Investment income** which includes interest on operating cash held with the Local Government Finance Authority.
- **Other Revenues** relate to a range of unclassified items which do not fit within the main income categories.
A series of financial indicators have been developed by local government to assist in determining whether a local government organisation is financially sustainable or moving to a position of financial sustainability. Indicators with relevance to EHA are set out below.

**Operating Surplus (Deficit)** indicates the difference between day-to-day income and expenses for the particular financial year.

**Net Financial Assets** indicates the money held, invested or owed to EHA less money owed to others (including provisions for employee entitlements).

**Net Financial Assets Ratio** indicates the extent to which net financial assets of a subsidiary can meet its operating revenue.
Another useful financial indicator is the percentage of Constituent Council total expenditure used on Public Health services provided by EHA as seen in Table 2 below.

Table 2: Each Constituent Council’s expenditure on Public Health services provided by EHA

<table>
<thead>
<tr>
<th>Constituent Council</th>
<th>Contribution 2019/2020</th>
<th>Total Operating Expenditure Budgeted 2019/2020</th>
<th>EHA % of Expenses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Burnside</td>
<td>$ 439,648</td>
<td>$ 48,019,000</td>
<td>0.92%</td>
</tr>
<tr>
<td>Campbelltown</td>
<td>$ 429,328</td>
<td>$ 51,260,050</td>
<td>0.84%</td>
</tr>
<tr>
<td>NPSP</td>
<td>$ 562,871</td>
<td>$ 42,671,084</td>
<td>1.32%</td>
</tr>
<tr>
<td>Prospect</td>
<td>$ 222,773</td>
<td>$ 25,093,000</td>
<td>0.89%</td>
</tr>
<tr>
<td>Walkerville</td>
<td>$ 102,500</td>
<td>$ 10,143,000</td>
<td>1.01%</td>
</tr>
<tr>
<td>Total Constituent Council Expenditure</td>
<td>$ 1,757,120</td>
<td>$ 177,186,134</td>
<td>0.99%</td>
</tr>
</tbody>
</table>
The following information reflects the actions which will be performed to achieve the objectives for EHA over the next 12 months.

1.0 – Governance and Organisational Development

Background

Practices which ensure EHA conducts its business in an effective manner include the provision of appropriate support to the Board of Management, sound financial and human resource management and good governance and administration procedures.

Objective 1  Administration of legislative and corporate governance requirements

<table>
<thead>
<tr>
<th>Actions</th>
<th>Performance Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1 Monitor the compliance of statutory requirements identified in the Charter.</td>
<td>Statutory requirements complied with as per Charter.</td>
</tr>
<tr>
<td>1.2 Properly convene Board meetings providing agendas and minutes. Minimum of 5 ordinary meetings conducted. Notice of meeting given 3 clear days prior to meeting. Minutes provided within 5 days of meeting.</td>
<td>5 meetings conducted. Appropriate notice given. Timeframe met.</td>
</tr>
<tr>
<td>1.3 Conduct election for Chair and Deputy Chair of Board of Management in February.</td>
<td>Election conducted at February meeting.</td>
</tr>
<tr>
<td>1.4 In accordance Clause 6.5 of EHA's Charter 2016, undertake the required strategies to attain any priority or goal which the Regional Public Health Plan, ‘Better Living, Better Health’ (the Plan) specifies as EHA’s responsibility.</td>
<td>As detailed in ‘Better Health, Better Living’ section 7.3 ‘Protection for Health’.</td>
</tr>
<tr>
<td>1.5 Implement the second iteration of the Regional Public Health Plan, ‘Better Living, Better Health’ in accordance with section 51(19) SA Public Health Act, 2011.</td>
<td>Implementation of Regional Public Health Plan</td>
</tr>
<tr>
<td>1.6 Provide administrative assistance to the Public Health Plan Advisory Committee and coordinate reports to the Board of Management.</td>
<td>Reports provided to Board Meetings as required.</td>
</tr>
<tr>
<td>1.7 Annual business plan to be developed with detailed objectives for the year in consultation with Constituent Councils.</td>
<td>Draft considered at May meeting and adopted at June meeting.</td>
</tr>
<tr>
<td>1.8 Develop budgeted financial statements to implement the Annual Business Plan of EHA. Draft Budgeted Financial Statements considered at May meeting. Budgeted Financial Statements adopted at June meeting.</td>
<td>Budget and Financial Statements adopted. Copy of budget provided to CEO of Constituent Councils within 5 days of adoption.</td>
</tr>
<tr>
<td>Actions</td>
<td>Performance Measures</td>
</tr>
<tr>
<td>---------</td>
<td>------------------------</td>
</tr>
<tr>
<td>1.9</td>
<td>Keep proper books of account, regularly report on the financial position of EHA, and apply prudent financial management as required by the Charter.</td>
</tr>
<tr>
<td>1.10</td>
<td>Conduct Audit Committee meetings as required by Charter.</td>
</tr>
<tr>
<td>1.11</td>
<td>Ensure the financial statements are audited annually as per the requirements of the Charter.</td>
</tr>
<tr>
<td>1.12</td>
<td>Monitor Long Term Financial Plan.</td>
</tr>
<tr>
<td>1.13</td>
<td>Provide regular statistical reports to Board Members and Constituent Council.</td>
</tr>
<tr>
<td>1.14</td>
<td>Conduct annual review of delegations. Lead Constituent Councils in process. Resolutions and Instruments of delegation provided to Constituent Councils.</td>
</tr>
<tr>
<td>1.15</td>
<td>Provide information to the Board of Management in relation to public health reforms and provide written responses on behalf of EHA and Constituent Councils to State Government.</td>
</tr>
<tr>
<td>1.16</td>
<td>Compile annual report in relation to the operations of EHA as required by the charter.</td>
</tr>
<tr>
<td>1.17</td>
<td>Compile report pursuant to the <em>South Australian Public Health, Act 2011</em> in relation to the operations of EHA as required by legislation.</td>
</tr>
<tr>
<td>1.18</td>
<td>Compile annual report pursuant to the <em>Food Act 2001</em> and <em>Safe Drinking Water Act, 2011</em> in relation to the operations of EHA as required by legislation.</td>
</tr>
<tr>
<td>1.19</td>
<td>Compare Annual Business Plan against performance measures.</td>
</tr>
<tr>
<td>1.20</td>
<td>Provide delegates report to CEO of each Constituent Council following Board meetings for tabling at subsequent council meeting.</td>
</tr>
<tr>
<td>1.21</td>
<td>Properly convene meetings of Constituent Council nominated contacts including providing agendas and minutes.</td>
</tr>
<tr>
<td>Actions</td>
<td>Performance Measures</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>1.22 Maintenance of electronic records management system to properly</td>
<td>System developed to ensure appropriate standards are being met.</td>
</tr>
<tr>
<td>maintain records and reference documents of EHA.</td>
<td></td>
</tr>
<tr>
<td>1.23 Continually review the EHA website to improve the functionality</td>
<td>Improved website functionality and available information.</td>
</tr>
<tr>
<td>and available information and educational material.</td>
<td></td>
</tr>
<tr>
<td>1.24 Explore the potential for the expansion of service provision to</td>
<td>Report to Board on expansion opportunities.</td>
</tr>
<tr>
<td>areas outside of its current Constituent Council areas.</td>
<td></td>
</tr>
<tr>
<td>1.25 Maintenance of Health Manager (electronic database) and Mobile</td>
<td>Introduce new applications and reporting capabilities where required.</td>
</tr>
<tr>
<td>Health (inspection App). Continue to expand Health Manager and Mobile</td>
<td>Continue to liaise with Open Office to discuss new applications.</td>
</tr>
<tr>
<td>Health internal and external functionality, to improve inspection,</td>
<td></td>
</tr>
<tr>
<td>complaint and administrative efficiency and reporting</td>
<td></td>
</tr>
<tr>
<td>capabilities.</td>
<td></td>
</tr>
<tr>
<td>1.26 EHO’s to continue to utilise the handheld electronic tablets with</td>
<td>Continue to utilise the handheld electronic tablets during routine and follow-up food</td>
</tr>
<tr>
<td>access to Mobile Health during routine and follow-up food inspections.</td>
<td>inspections.</td>
</tr>
<tr>
<td>Expand the use of the electronic tablets in other EHO onsite field</td>
<td>Explore the opportunities to expand the use of the electronic tablets in other EHO</td>
</tr>
<tr>
<td>work.</td>
<td>onsite field work.</td>
</tr>
<tr>
<td>1.27 Participate in the Environmental Managers Forum to address</td>
<td>Management to attend and participate in the Environmental Managers Forum meetings.</td>
</tr>
<tr>
<td>environmental health issues and promote uniformity and professional</td>
<td></td>
</tr>
<tr>
<td>consistency.</td>
<td></td>
</tr>
<tr>
<td>1.28 Engage and participate LGA, non Government Organisations and</td>
<td>Engage Attend and actively participate.</td>
</tr>
<tr>
<td>state and local government authorities to review best practice</td>
<td></td>
</tr>
<tr>
<td>standards and promote uniformity and professional consistency.</td>
<td></td>
</tr>
<tr>
<td>1.29 Continue membership and actively participate in the Eastern</td>
<td>Attend the Eastern Adelaide Zone Emergency Management Committee and actively</td>
</tr>
<tr>
<td>Adelaide Zone Emergency Management Committee to develop and finalise</td>
<td>contribute towards the development of the Eastern Zone Emergency Management Plan.</td>
</tr>
<tr>
<td>the Eastern Zone Emergency Management Plan.</td>
<td></td>
</tr>
</tbody>
</table>

**Objective 1.1**  
**Professional, skilled and committed staff providing valued services to the community**

A work environment which helps to promote a dynamic and committed workforce is a priority for EHA. Organisational capacity is created through encouraging collaboration and peer support. Our staff who create and retain our Knowledge Capital are our most valuable asset.
### Actions

| 1.1.1 | Ensure that EHA is properly staffed and resourced in order to carry out its responsibilities. |
| 1.1.2 | Performance development framework used to support staff and link to day-to-day and long-term activities within the Annual Business Plan and Public Health Plan and to provide for an equitable workload. |
| 1.1.3 | Provide continuing professional development opportunities through ongoing education and training which is relevant to roles within EHA. |
| 1.1.4 | Continue to foster team cohesiveness and support effective teamwork. |
| 1.1.5 | Encourage staff to be members of their relevant professional organisation. Support participation and EHA representation at professional Special Interest Groups to promote uniformity, professional consistency and to discuss the latest information in relation to public health issues affecting local government. |
| 1.1.6 | Provide systems for a safe working environment with appropriate Work Health and Safety (WHS) practices in place. |
| 1.1.7 | Review the Work Health Safety action plan outlining program of improvements required in EHA’s WHS 3 Year Plan. |
| 1.1.8 | Annual review of EHA’s induction program to ensure EHA staff are and familiar with EHA’s methods of operation upon commencement of employment. |

<table>
<thead>
<tr>
<th>Performance Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Continually review staff resources and report to Board if required.</td>
</tr>
<tr>
<td>Performance development framework and staff portfolios reviewed annually.</td>
</tr>
<tr>
<td>Training and education opportunities provided to staff.</td>
</tr>
<tr>
<td>Training and team building activities provided to staff.</td>
</tr>
<tr>
<td>Encourage membership and active participation.</td>
</tr>
<tr>
<td>WHS to be discussed at all team and general staff meetings.</td>
</tr>
<tr>
<td>Provide appropriate training and equipment to new staff.</td>
</tr>
<tr>
<td>Action plan reviewed with input from staff.</td>
</tr>
<tr>
<td>Annual review and induction program updated.</td>
</tr>
</tbody>
</table>

## 2.0 – Public and Environmental Health

### Background

*Environmental Health is the branch of public health that focuses on the interrelationships between people and their environment, promotes human health and well-being, and fosters healthy and safe communities.* [website: NEHA](#)

The *South Australian Public Health Act 2011* (the Act) and Regulations aims to provide a modernised, flexible, legislative framework to respond to both traditional and contemporary public health issues. The Act and Regulations are mechanisms employed by EHA to fulfil its duty of care on behalf of the Constituent Councils with the following public health issues:

- management of domestic squalor and hoarding
- clandestine drug laboratory
• vector control
• surveillance of swimming pool, spa pool, cooling tower and warm water system operations
• assessment of hairdressing salons, beauty salons, acupuncture clinics and tattoo parlours
• approval and inspection of waste control systems
• prevention and control of notifiable diseases
• discharge of waste to stormwater

Environmental health professionals also have a critical function in mitigating public health risks during a response to a disaster. An emergency management plan that integrates with the Eastern Regional Disaster Management Plan has been developed to ensure appropriate linkages are in place with emergency service agencies and the councils EHA serves.

An extension to public health is the licensing of Supported Residential Facilities (SRF’s). SRF’s provide accommodation to people in the community who require personal care and support. EHA is licensing authority of all SRF’s within the Constituent Councils. The *SRF Act, 1992* ensures adequate standards of care and amenity are provided at these facilities to protect the health and wellbeing and rights of the residents. To protect the health and well-being of the community during the COVID-19 crisis, it is imperative for EHA to continue to undertake the necessary functions on behalf of its Constituent Councils.

These functions include the provision of hygiene and sanitation control, licensing and monitoring of supporting of residential facilities. Currently, these functions are controlled by the limitations set by the Federal Government Restrictions and State Government Directions.

The surveillance and investigation of the necessary environmental health provisions during the COVID-19 crisis will be modified to acknowledge the advice received the from the LGA who are considered as our lead agency.

Where inspections and investigations are undertaken, the Environmental Health Officers ensure they practice the required social distancing and hygiene measures to protect themselves and the community.
**Objective 2**  
**Promote healthy communities by managing the risk from communicable and infectious disease and environmental impacts**

<table>
<thead>
<tr>
<th>Actions</th>
<th>Performance Measures</th>
</tr>
</thead>
</table>
| 2.1 Maintain and update a register of all public health related premises.  
Public Health related premises are:  
1. premises with public swimming pools and spas  
2. premises with cooling tower systems and warm water systems  
3. personal care and body art  
4. waste control systems | Register maintained and updated as required. |
<p>| 2.2 Undertake assessments to determine appropriate standards of public swimming pools and spas are maintained in accordance with the South Australian Public Health (General) Regulations 2013. | All indoor pools assessed twice a year and outdoor pools once a year. |
| 2.3 Undertake assessments and collect water samples for analysis to determine appropriate standards of cooling towers and warm water systems for the management of Legionella in accordance with South Australian Public Health (Legionella) Regulations 2013. | Assessments performed at least annually. |
| 2.4 Investigate notifiable Legionella incidences and high Legionella counts in accordance with SA Health guidance and internal procedures. | Investigate incidences in accordance with EHA service standards and SA Health guidance. |
| 2.5 Undertake assessments to determine appropriate standards at personal care and body art premises are maintained in accordance with guidelines and legislation. | Assessments performed according to risk-based schedule. |
| 2.6 Investigate complaints to ensure appropriate infection control standards at personal care and body art premises are maintained in accordance with the relevant guidelines and legislation. | Investigate and respond to complaints in accordance with the customer service standards. |
| 2.7 Assess applications for the installation of on-site wastewater systems in accordance with South Australian Public (Wastewater) Regulations 2013, the On-site Wastewater System Code 2013 and AS 1547 internal procedures, and service standards. | Applications assessed against with legislative requirements and customer service standards. |
| 2.8 Monitor service reports for aerobic waste water treatment systems to identify non-compliances. Ensure non-compliances are addressed in accordance with South Australian Public (Wastewater) Regulations 2013 | Monitor service reports for waste water treatment systems to identify non-compliances. |</p>
<table>
<thead>
<tr>
<th>Actions</th>
<th>Performance Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Respond to public health enquiries/complaints within the built environment that give rise to a risk to health in relation to:</td>
<td>Enquiries/complaints are investigated in accordance with the customer service standards and Guidelines.</td>
</tr>
<tr>
<td>- hoarding and squalor</td>
<td></td>
</tr>
<tr>
<td>- sanitation</td>
<td></td>
</tr>
<tr>
<td>- vector control</td>
<td></td>
</tr>
<tr>
<td>- hazardous and infectious substances</td>
<td></td>
</tr>
<tr>
<td>clandestine Drug Laboratory</td>
<td></td>
</tr>
<tr>
<td>asbestos</td>
<td></td>
</tr>
<tr>
<td>syringes</td>
<td></td>
</tr>
<tr>
<td>- on-site wastewater systems</td>
<td></td>
</tr>
<tr>
<td>- notifiable diseases</td>
<td></td>
</tr>
<tr>
<td>- refuse storage</td>
<td></td>
</tr>
<tr>
<td>Co-ordinate a multi-agency response where necessary.</td>
<td></td>
</tr>
<tr>
<td>Enquire into a collaborative working group with operational staff from Constituent Councils to assist with complex case investigation/resolution in public health hoarding and squalor.</td>
<td></td>
</tr>
<tr>
<td>2.9</td>
<td></td>
</tr>
<tr>
<td>Undertake joint investigations with Constituent Councils where there may be an overlap relating to offences relating to SA Public Health Act 2011, Environmental Protection (Water Quality) Policy 2015 and the Local Nuisance and Litter Control Act, 2017.</td>
<td>Undertake joint investigations where required.</td>
</tr>
<tr>
<td>2.10</td>
<td></td>
</tr>
<tr>
<td>Provide information to households informing them of localised pests/vector issues that can be minimised.</td>
<td>Provide information as required.</td>
</tr>
<tr>
<td>2.11</td>
<td></td>
</tr>
<tr>
<td>Undertake relevant notifiable disease investigations in collaboration with SA Health.</td>
<td>Respond to disease notifications in accordance with customer service standards and SA Health guidance.</td>
</tr>
<tr>
<td>2.12</td>
<td></td>
</tr>
<tr>
<td>Provide advice and information materials to residents about air quality concerns including the installation, operation and standards of solid fuel burning appliances.</td>
<td>Information available to community and via website as required.</td>
</tr>
<tr>
<td>2.13</td>
<td></td>
</tr>
<tr>
<td>Provide rodent bait to residents upon request.</td>
<td>Rodent bait provision maintained.</td>
</tr>
<tr>
<td>2.14</td>
<td></td>
</tr>
<tr>
<td>Assist members of the community by offering approved sharps containers at cost price. Free disposal for residents of full and approved sharps containers delivered to EHA.</td>
<td>Provide sharps containers at cost price and free disposal service to residents as required.</td>
</tr>
<tr>
<td>2.15</td>
<td></td>
</tr>
<tr>
<td>Continue to co-ordinate and attend the Eastern Hoarding and Squalor Committee meetings to promote interagency management of residents affected by hoarding and squalor.</td>
<td>Coordinate and attend the Eastern Hoarding and Squalor meetings.</td>
</tr>
<tr>
<td>2.16</td>
<td></td>
</tr>
<tr>
<td>Maintain the hoarding and squalor contacts database.</td>
<td>Update where required.</td>
</tr>
<tr>
<td>2.17</td>
<td></td>
</tr>
<tr>
<td>Participate in Metropolitan Fire Service fire risk notification system.</td>
<td>Notify MFS when required as per the notification process.</td>
</tr>
<tr>
<td>2.18</td>
<td></td>
</tr>
<tr>
<td>Respond to development application referrals from councils regarding public health related premises and activities.</td>
<td>Respond to all referrals in accordance with the customer service standards.</td>
</tr>
<tr>
<td>2.19</td>
<td></td>
</tr>
<tr>
<td>Monitor providers who supply water to the public under the Safe Drinking Water Act 2012 meet the requirements set out by the Act and Safe Drinking Water Regulations 2012.</td>
<td>Continue to monitor potential water providers to ensure compliance with the Act and associated regulations.</td>
</tr>
<tr>
<td>2.20</td>
<td></td>
</tr>
</tbody>
</table>
**Objective 2.1**  An innovative approach to public and environmental health through community and business education and interaction to increase awareness and understanding

<table>
<thead>
<tr>
<th>Actions</th>
<th>Performance Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1.1 Develop and maintain a comprehensive range of health education and promotion material targeting public health issues incorporating the resources of other health related agencies.</td>
<td>Information resources maintained.</td>
</tr>
<tr>
<td>2.1.2 Promote EHA services and educate the community on matters of public health in conjunction with Constituent Councils.</td>
<td>Provide information updates and articles to Constituent Councils as required.</td>
</tr>
<tr>
<td>2.1.3 Participate in State/National proactive educational initiatives that raise awareness of public health related issues amongst the community.</td>
<td>Number of proactive educational activities conducted each year.</td>
</tr>
</tbody>
</table>

**Objective 2.2**  Promote a safe and home-like environment for residents by ensuring quality of care in supported residential facilities

<table>
<thead>
<tr>
<th>Actions</th>
<th>Performance Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.2.1 Assess applications for new licences, licence renewals and transfer of licence with regard to SRF legislation and within legislative timeframes.</td>
<td>Applications processed within legislative timeframes.</td>
</tr>
<tr>
<td>2.2.2 Assess applications for manager and acting manager with regard to SRF legislation.</td>
<td>Applications processed in accordance with the customer service standards.</td>
</tr>
<tr>
<td>2.2.3 Conduct relicensing audits of facilities with regard to SRF legislation.</td>
<td>Unannounced audits conducted at all facilities. Issue of licences annually with conditions where required.</td>
</tr>
<tr>
<td>Incorporate appropriate annual fire safety requirements from the Constituent Councils Building Fire and Safety Officers.</td>
<td>Fire safety advice obtained annually. If required, include as licence conditions as agreed between EHA and Constituent Councils.</td>
</tr>
<tr>
<td>2.2.4 Conduct follow-up inspections to ensure facilities continue to operate at satisfactory standards in in accordance with the legislation.</td>
<td>Unannounced inspections and follow-ups conducted at SRFs where required.</td>
</tr>
<tr>
<td>2.2.5 Respond to enquiries/complaints in relation to SRFs.</td>
<td>Respond to all enquiries and complaints in accordance with the customer service standards.</td>
</tr>
<tr>
<td>2.2.6 Liaise with service providers to ensure residents receive appropriate levels of care.</td>
<td>Liaise where required.</td>
</tr>
</tbody>
</table>
### Actions

<table>
<thead>
<tr>
<th>Objective 2.3</th>
<th>Minimise the public health consequences of emergencies through a planned and prepared response</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2.2.7</strong></td>
<td>Liaise with Constituent Councils and other relevant stakeholders in relation to potential SRF closures and surrender of licence, strategic management options and appropriate alternative accommodation options.</td>
</tr>
<tr>
<td><strong>Performance Measures</strong></td>
<td>Issues investigated and reported to Board of Management and relevant council as necessary.</td>
</tr>
<tr>
<td><strong>2.2.8</strong></td>
<td>Liaise with LGA and State Government to ensure legislation applicable to SRFs is appropriate and that local government receives appropriate support for its licensing role.</td>
</tr>
<tr>
<td><strong>Performance Measures</strong></td>
<td>Continue discussion with LGA and State Government regarding these issues.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Actions</th>
<th>Performance Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2.3.1</strong></td>
<td>Liaise with the Constituent Councils and Eastern Adelaide Zone Emergency Management Committee to ensure integration of emergency management arrangements.</td>
</tr>
<tr>
<td><strong>Performance Measures</strong></td>
<td>Attend and participate in committee meetings.</td>
</tr>
<tr>
<td><strong>2.3.2</strong></td>
<td>Conduct exercises with staff to test the Emergency Management Plan and Business Continuity Plan. Participate in any relevant exercises conducted by the Constituent Councils or by other organisations.</td>
</tr>
<tr>
<td><strong>Performance Measures</strong></td>
<td>Conduct or participate in one exercise a year.</td>
</tr>
<tr>
<td><strong>2.3.3</strong></td>
<td>Conduct exercises with staff to test the Emergency Management Plan and Business Continuity Plan. Participate in any relevant exercises conducted within the region by other organisations.</td>
</tr>
<tr>
<td><strong>Performance Measures</strong></td>
<td>Conduct or participate in one exercise a year.</td>
</tr>
<tr>
<td><strong>2.3.4</strong></td>
<td>Review and update emergency management information and proactively provide public health and food safety information to the community and businesses via the website or email.</td>
</tr>
<tr>
<td><strong>Performance Measures</strong></td>
<td>Review and update as required.</td>
</tr>
<tr>
<td><strong>2.3.5</strong></td>
<td>Finalise the review of the Emergency Management Plan.</td>
</tr>
<tr>
<td><strong>Performance Measures</strong></td>
<td>Plan Finalised.</td>
</tr>
<tr>
<td><strong>2.3.6</strong></td>
<td>Review of Business Continuity Plan considering COVID-19.</td>
</tr>
<tr>
<td><strong>Performance Measures</strong></td>
<td>Plan Finalised.</td>
</tr>
<tr>
<td><strong>2.3.7</strong></td>
<td>Emergency Management Plan strategies to be reflected in the Public Health Plan and Risk and Opportunity Management Policy and Framework to ensure consistency over the three strategic plans.</td>
</tr>
</tbody>
</table>
3.0 - Immunisation

Background

Immunisation is the most cost-effective public health initiative and saves millions of lives each year and is critical for the health of children and the wider community. Immunisation is a safe and effective way of protecting people against harmful diseases that can cause serious health problems.

The National Immunisation Program (NIP) Schedule is a series of immunisations given at specific times for children, adolescents and adults. The NIP provides free vaccines against 17 diseases (including shingles) for eligible people and EHA delivers these vaccinations at its public clinics. EHA also offers the Annual Influenza Vaccine at its public clinics to prevent the highly contagious respiratory illnesses caused by Influenza A and B.

Each school year vaccines are provided to adolescents through the NIP’s consenting School Immunisation Program (SIP). Year 8 students are vaccinated with two doses of human papillomavirus (HPV) and diphtheria, tetanus and whooping cough vaccine (dTpa). While consenting Year 10 students will receive two doses of the Meningococcal B vaccine and one dose of the Meningococcal ACWY vaccine. EHA will undertake approximately 73 visits to 20 high schools offering vaccinations to 2,450 Year 8 students and 2,492 Year 10 students.

Workplace Immunisation programs are conducted on a fee for service basis. A total of 4,216 vaccinations were provided to EHA clients in 2019. EHA is working to increase the number of vaccinations provided by promotion of its quality on-site service. EHA offers a convenient online quote and booking system on its website where businesses, government agencies, child care centres, schools and aged care facilities can easily coordinate a program with minimal downtime for their staff.
### Objective 3  
The provision of a comprehensive, accessible, and efficient immunisation service valued by the community

<table>
<thead>
<tr>
<th>Actions</th>
<th>Performance Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>3.1</strong> Ensure effective governance and delivery of a public clinic immunisation program in accordance with:</td>
<td>Annual clinical performance evaluation.</td>
</tr>
<tr>
<td>• the current National Health and Medical Research Council (NHMRC) “Australian Immunisation Handbook”</td>
<td>Annual Cold Chain audit and pharmaceutical refrigerator maintenance.</td>
</tr>
<tr>
<td>• the Controlled Substances Act 1984 and the Controlled Substances (Poisons) Regulations 2011</td>
<td>Review of Immunisation Nurses CPD annually.</td>
</tr>
<tr>
<td>• Vaccine Administration Code October 2018 v 1.7</td>
<td></td>
</tr>
<tr>
<td>• South Australia’s Child Protection Legislation – Child Safe Environment Guidelines.</td>
<td></td>
</tr>
<tr>
<td>• Immunisation Records and Inventory System (IRIS).</td>
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</tr>
<tr>
<td>Immunisation Nurses are provided with opportunities to participate in appropriate professional development opportunities.</td>
<td></td>
</tr>
<tr>
<td><strong>3.2</strong> Promotion of EHA’s public immunisation clinic program through channels identified in the EHA Marketing Plan.</td>
<td>Increased number of clinic timetables required and distributed.</td>
</tr>
<tr>
<td>Build Social Media presence through Constituent Council platforms to promote immunisation clinics.</td>
<td>Regular updates of information provided in the home page on immunisation issues.</td>
</tr>
<tr>
<td>EHA website used as a tool for communication of up to date information relating to immunisation.</td>
<td>Source and distribute to Constituent Councils promotional and educational materials on immunisation in in conjunction with Constituent Councils.</td>
</tr>
<tr>
<td>Provide Constituent Councils with educational and promotional materials relating to immunisation for circulation.</td>
<td></td>
</tr>
<tr>
<td><strong>3.3</strong> Improve customer experience at EHA public immunisation clinics.</td>
<td>Review and evaluate each public clinic venue and times offered.</td>
</tr>
<tr>
<td>Conduct an annual review of EHA’s public clinic venues and timetable taking into account client feedback and satisfaction surveys.</td>
<td>Clinic Timetable reviewed and published in November.</td>
</tr>
<tr>
<td></td>
<td>Increase mailout of Clinic Timetable.</td>
</tr>
<tr>
<td></td>
<td>Report and expand website analytical tools to monitor usage.</td>
</tr>
<tr>
<td></td>
<td>Improve the access and increase in use of Immunisation Online Booking System.</td>
</tr>
<tr>
<td></td>
<td>Implement program of review and reminders for residents of overdue vaccinations.</td>
</tr>
<tr>
<td>Continual development and promotion of online immunisation appointment booking system.</td>
<td></td>
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<tr>
<td>Actions</td>
<td>Performance Measures</td>
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</tr>
<tr>
<td>Deliver School Immunisation Program (SIP) in accordance with the SA Health Service Agreement contract.</td>
<td>Statistics reported to AIR within 5 days of clinics.</td>
</tr>
<tr>
<td>Liaise with school coordinators and SA Health regarding implementation and evaluation of program.</td>
<td>All students offered vaccinations. If vaccination missed at school visit then public clinics offered.</td>
</tr>
<tr>
<td>Immunisation statistics submitted via IRIS to SA Health and the Australian Immunisation Register (AIR) in accordance with contractual arrangements.</td>
<td>Statistics uploaded onto IRIS for the SIP within 10 days of school visit.</td>
</tr>
<tr>
<td>Promote and provide a professional and quality Workplace Immunisation Program on a fee for service basis.</td>
<td>Target services to organisations whose staff are at high risk of acquiring vaccine preventable diseases.</td>
</tr>
<tr>
<td>Continual development and promotion of online workplace immunisation appointment booking system.</td>
<td>Increase of new clients and regular annual clients. Income generated</td>
</tr>
<tr>
<td>The CEO/Team Leader Immunisation lobby through LGA for appropriate funding for sustainability of local government delivery of immunisation services.</td>
<td>Meet with LGA and SA Health to discuss funding and support from governments.</td>
</tr>
<tr>
<td>Facilitate the Community Engagement Project which forms part of a broader Adelaide PHN Immunisation Hub initiative.</td>
<td>Comply with the Adelaide PHN project specific requirements, including submission of periodic reports as required.</td>
</tr>
<tr>
<td>The initiative aims to increase immunisation coverage and reduce vaccine preventable hospitalisations in the Adelaide metropolitan region.</td>
<td>Meet with PHN periodically to monitor and review compliance against project Schedule.</td>
</tr>
<tr>
<td>Increase community awareness and knowledge of the benefits of childhood immunisation, increasing coverage within the eastern and inner northern suburbs of metropolitan Adelaide</td>
<td></td>
</tr>
<tr>
<td>Conduct on-site education and awareness raising sessions at participating childcare centres.</td>
<td></td>
</tr>
<tr>
<td>Provide education and training on immunisation information and immunisation services for Health professionals.</td>
<td></td>
</tr>
</tbody>
</table>
4.0 - Food Safety

Background

The Food Act 2001 in conjunction with the Food Safety Standards (Chapter 3 of the Australia New Zealand Food Standards Code) aims to:

- ensure food for sale is both safe and suitable for human consumption
- prevent misleading conduct in connection with the sale of food
- provide for the application of the Food Standards Code

EHA is an enforcement agency under the Food Act 2001 and is responsible for ensuring that appropriate food hygiene standards are maintained within its area and all food businesses meet their legislative obligations.

As consumers, we all have the right to expect that the food we eat is protected from microbiological contamination, foreign matter, poor hygiene and handling practices. While Australia has one of the safest food supplies in the world, the incidences of out two most prevalent foodborne diseases Salmonella and Campylobacter is on the increase. Illness caused by food is a significant public health problem and has major social and economic impacts.

Campylobacter is the most commonly notified cause of gastroenteritis in Australia and foodborne illness caused by Salmonella has been significantly increasing over the past 20 years and, compared to many similar countries, Australia has one of the highest rates.

Australia’s Foodborne Illness Reduction Strategy 2018-2021+ was endorsed by the Australia and New Zealand Ministerial Forum on Food Regulation in June 2018. The aim of the Strategy is to reduce the number of food-related human cases of Campylobacter and Salmonella in Australia.

SA Health is leading a national project on food safety culture and raw or lightly-cooked egg foods. EHA was a part of the working group and actively participated in the state project. EHA will continue to support SA Health and the national Strategy in improving the food safety culture in food service.

To prevent food borne outbreaks and protect the health and well-being of the community during the COVID-19 crisis, it is imperative for EHA to continue to undertake the surveillance of food premises and investigations of food related complaints on behalf of its Constituent Councils.
The execution of these functions will be controlled by limitations set by the Federal Government Restrictions and State Government Directions. Assessments undertaken will be modified to acknowledge the advice received from the LGA who are considered as our lead agency.

Where inspections and investigations are undertaken, the Environmental Health Officers ensure they practice the required social distancing and hygiene measures to protect themselves and the community.

**Objective 4.0** Minimise food borne illness by ensuring that safe and suitable food is available to the community

<table>
<thead>
<tr>
<th>Actions</th>
<th>Performance Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1 Assign and where required update food businesses risk classification in accordance with the SA Health Food Business Risk Classification framework</td>
<td>Apply relevant risk rating to new businesses and undertake assessments in accordance with SA Health Food Business Risk Classification framework</td>
</tr>
<tr>
<td></td>
<td>Monitor and identify new food processing practices during routine assessments. Update the risk classification to reflect the changes.</td>
</tr>
<tr>
<td>4.2 Routine food business assessments conducted using an appropriate food safety rating tool to ensure compliance with the Food Act 2001 and Food Safety Standards. Frequency of routine assessments is determined by the food business risk classification framework.</td>
<td>Assessments performed using the appropriate food safety rating tool.</td>
</tr>
<tr>
<td></td>
<td>Assessments conducted in accordance with the assigned risk rating and frequency.</td>
</tr>
<tr>
<td>4.3 Monitor food businesses during inspections to assess if they are captured by the Primary Production Standards.</td>
<td>Inform SA Health of new food businesses that may be captured under the Primary Production Standards as required.</td>
</tr>
<tr>
<td>4.4 Ensure appropriate enforcement action is taken in relation to breaches of the Food Act 2001 and associated standards in accordance with EHA’s enforcement policy.</td>
<td>Number of enforcement actions taken.</td>
</tr>
<tr>
<td>4.5 Investigate food related complaints in relation to: • alleged food poisoning • microbiological and chemical contamination • foreign matter found in food • poor personal hygiene and handling practices • unclean premises • vermin, insects and pest activity • refuse storage • allergens</td>
<td>Respond to complaints in accordance with customer service standards and where necessary SA Health guidance.</td>
</tr>
<tr>
<td></td>
<td>Liaise with SA Health and other councils to ensure a consistent approach as required.</td>
</tr>
<tr>
<td>Actions</td>
<td>Performance Measures</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------</td>
</tr>
<tr>
<td>4.6 Respond to food recalls in accordance with SA Health recommendations.</td>
<td>Number of recalls actioned when required.</td>
</tr>
<tr>
<td>4.7 Ensure all businesses servicing vulnerable populations within the Constituent Councils have their food safety plan audited in accordance with Food Safety Standard 3.2.1 and the Food Act 2001.</td>
<td>Number of audits conducted in accordance to audit frequency.</td>
</tr>
<tr>
<td>4.8 Provide professional auditing services to businesses servicing vulnerable populations outside of EHA’s of Constituent Councils.</td>
<td>Number of audits conducted in accordance to audit frequency.</td>
</tr>
<tr>
<td>4.9 Review plans and liaise with the applicant regarding structural fit out of a food business.</td>
<td>Respond to requests as required.</td>
</tr>
<tr>
<td>4.10 Provide feedback to Constituent Councils when requested as per the Development Assessment sharing process.</td>
<td>Respond and provide feedback to Constituent Councils as required.</td>
</tr>
<tr>
<td>4.11 Provide new food businesses with a welcome pack to acknowledge their notification and to introduce EHA. The welcome pack to provide resources and information on safe food practice and inform businesses of EHA’s inspection fee policy.</td>
<td>Information provided following receipt of notification.</td>
</tr>
<tr>
<td>4.12 Conduct food safety assessments of fairs and festivals and temporary events in collaboration with the Constituent Councils and relevant event co-ordinators. Provide written correspondence and feedback to all stall holders assessed at these events.</td>
<td>Food safety assessments are undertaken based on risk. Provide correspondence and feedback to stall holders where required.</td>
</tr>
<tr>
<td>4.13 Liaise with Constituent Council and relevant event coordinators to ensure all stall holders at fairs, festivals and temporary events are well informed of the legislative requirements. Manage temporary stall notification forms and ensure temporary food businesses are provided with adequate resources and information in safe food practices. Conduct stall holder meetings and food safety training for stall holders upon request by the Constituent Councils and relevant event coordinators.</td>
<td>Liaise with Constituent Council and relevant event coordinators prior to the event. Provide stall holder presentations where required.</td>
</tr>
<tr>
<td>4.14 Following the assessment of food stalls at Constituent Councils special events, provide feedback to the relevant council on the food safety standards observed at the event.</td>
<td>Provide feedback to council where necessary.</td>
</tr>
<tr>
<td>4.15 Ensure businesses provide notification of their business details. Monitor and maintain a register of all food businesses operating within EHA’s jurisdiction.</td>
<td>Update within in accordance with the customer service policy.</td>
</tr>
</tbody>
</table>


<table>
<thead>
<tr>
<th>Actions</th>
<th>Performance Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.16</td>
<td>Assessments, investigations and actions are updated in Health Manager to ensure effective reporting to the Board of Management, Constituent Councils and SA Health. Update within in accordance with the customer service policy.</td>
</tr>
<tr>
<td>4.17</td>
<td>Provide information to the Board of Management in relation to food safety reforms and provide written responses on behalf of EHA and Constituent Councils to State Government. Information reports provided to Board and distributed to Constituent Councils as required.</td>
</tr>
<tr>
<td>4.18</td>
<td>Participate in the Environmental Health Australia “Food Safety” Special Interest Group (SIG) to promote uniformity, professional consistency and to discuss the latest information in relation to food safety issues affecting local government. Attend and actively participate at SIG meetings.</td>
</tr>
<tr>
<td>4.19</td>
<td>Participate with Environmental Health Australia and state and local government authorities to review best practice standards and promote uniformity and professional consistency. Attend and actively participate.</td>
</tr>
</tbody>
</table>

**Objective 4.1** An innovative approach to food safety through business and community education and interaction to increase awareness and understanding

<table>
<thead>
<tr>
<th>Actions</th>
<th>Performance Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1.1</td>
<td>Continue to provide the food safety training program for food businesses. Continue to provide the food safety training program.</td>
</tr>
<tr>
<td>4.1.2</td>
<td>Continue to implement the food safety training program targeting specific food businesses that serve food to the vulnerable population and require a Food Safety Program. Continue to provide the food safety training program.</td>
</tr>
<tr>
<td>4.1.3</td>
<td>Develop and maintain a comprehensive range of health education and promotion material targeting public health issues incorporating the resources of other health related agencies. Information resources maintained.</td>
</tr>
<tr>
<td>4.1.4</td>
<td>Participate in State/National proactive educational initiatives that raise awareness of public health related issues amongst the community. Number of proactive educational activities conducted each year.</td>
</tr>
<tr>
<td>4.1.5</td>
<td>Collate the results from the customer service survey and investigate the feedback to identify areas of improvement and development of further educational materials. Collate the customer service feedback.</td>
</tr>
</tbody>
</table>
**EASTERN HEALTH AUTHORITY STATEMENT OF COMPREHENSIVE INCOME**
FOR THE YEAR ENDING 30 JUNE 2021

<table>
<thead>
<tr>
<th>REVISED (Mar 20) 2019/2020</th>
<th>DRAFT BUDGET 2020/2021</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>INCOME</strong></td>
<td></td>
</tr>
<tr>
<td>1,757,120</td>
<td>Council Contributions</td>
</tr>
<tr>
<td>50,000</td>
<td>Public Health Plan / Service Review Contributions</td>
</tr>
<tr>
<td>105,000</td>
<td>Statutory Charges</td>
</tr>
<tr>
<td>329,000</td>
<td>User Charges</td>
</tr>
<tr>
<td>251,000</td>
<td>Grants, subsidies and contributions</td>
</tr>
<tr>
<td>15,000</td>
<td>Investment Income</td>
</tr>
<tr>
<td>9,000</td>
<td>Other Income</td>
</tr>
<tr>
<td><strong>2,516,120</strong></td>
<td><strong>TOTAL INCOME</strong></td>
</tr>
<tr>
<td><strong>2,516,120</strong></td>
<td></td>
</tr>
</tbody>
</table>

| **EXPENSES**               |                        |
| 1,713,000                  | Employee Costs         |
| 770,000                    | Materials, contracts and other expenses |
| 11,120                     | Finance Charges        |
| 50,000                     | Depreciation           |
| **2,544,120**              | **TOTAL EXPENSES**     |
| (28,000)                   | Operating Surplus/(Deficit) |
| Net gain (loss) on disposal of assets |
| (28,000)                   | Net Surplus/(Deficit)   |
| (28,000)                   | Total Comprehensive Income |

(28,000) Operating Surplus/(Deficit) -

(28,000) Net Surplus/(Deficit) -

(28,000) Total Comprehensive Income -
<table>
<thead>
<tr>
<th>Category</th>
<th>REVISED (Mar 20) 2019/2020</th>
<th>ADOPTED BUDGET 2019/2020</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CASHFLOWS FROM OPERATING ACTIVITIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Receipts</td>
<td>1,807,120</td>
<td>1,830,674</td>
</tr>
<tr>
<td>Council Contributions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fees &amp; other charges</td>
<td>105,000</td>
<td>180,500</td>
</tr>
<tr>
<td>User Charges</td>
<td>329,000</td>
<td>272,000</td>
</tr>
<tr>
<td>Investment Receipts</td>
<td>15,000</td>
<td>15,000</td>
</tr>
<tr>
<td>Grants utilised for operating purposes</td>
<td>251,000</td>
<td>252,000</td>
</tr>
<tr>
<td>Other</td>
<td>9,000</td>
<td>7,000</td>
</tr>
<tr>
<td>Payments</td>
<td>(1,713,000)</td>
<td>(1,762,000)</td>
</tr>
<tr>
<td>Employee costs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Materials, contracts &amp; other expenses</td>
<td>(770,000)</td>
<td>(737,300)</td>
</tr>
<tr>
<td>Interest Expense</td>
<td>(11,120)</td>
<td>(7,874)</td>
</tr>
<tr>
<td>Net Cash Provided/(Used) by Operating Activities</td>
<td>22,000</td>
<td>50,000</td>
</tr>
<tr>
<td><strong>CASH FLOWS FROM FINANCING ACTIVITIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Loans Received</td>
<td>(67,488)</td>
<td></td>
</tr>
<tr>
<td>Loan Repayments</td>
<td></td>
<td>(69,090)</td>
</tr>
<tr>
<td>Repayment of Finance Lease Liabilities</td>
<td>(67,488)</td>
<td></td>
</tr>
<tr>
<td>Net Cash Provided/(Used) by Financing Activities</td>
<td>(67,488)</td>
<td>(69,090)</td>
</tr>
<tr>
<td><strong>CASH FLOWS FROM INVESTING ACTIVITIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Receipts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sale of Replaced Assets</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payments</td>
<td>(30,000)</td>
<td></td>
</tr>
<tr>
<td>Expenditure on renewal / replacements of assets</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expenditure on new / upgraded assets</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Distributions paid to constituent Councils</td>
<td>(30,000)</td>
<td></td>
</tr>
<tr>
<td>Net Cash Provided/(Used) by Investing Activities</td>
<td>(30,000)</td>
<td></td>
</tr>
<tr>
<td><strong>NET INCREASE (DECREASE) IN CASH HELD</strong></td>
<td>(75,488)</td>
<td>(19,090)</td>
</tr>
<tr>
<td><strong>CASH AND CASH EQUIVALENTS AT BEGINNING OF REPORTING PERIOD</strong></td>
<td>743,272</td>
<td>667,784</td>
</tr>
<tr>
<td><strong>CASH AND CASH EQUIVALENTS AT END OF REPORTING PERIOD</strong></td>
<td>667,784</td>
<td>648,694</td>
</tr>
</tbody>
</table>
## EASTERN HEALTH AUTHORITY STATEMENT OF FINANCIAL POSITION
FOR THE YEAR ENDING 30 JUNE 2021

<table>
<thead>
<tr>
<th></th>
<th>REVISED (Mar 20) 2019/2020</th>
<th>ADOPTED BUDGET 2019/2020</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CURRENT ASSETS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash and Cash Equivalents</td>
<td>667,784</td>
<td>648,694</td>
</tr>
<tr>
<td>Trade &amp; Other Receivables</td>
<td>168,200</td>
<td>122,329</td>
</tr>
<tr>
<td><strong>TOTAL CURRENT ASSETS</strong></td>
<td>835,984</td>
<td>771,023</td>
</tr>
<tr>
<td><strong>NON-CURRENT ASSETS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Equipment</td>
<td>304,192</td>
<td>254,192</td>
</tr>
<tr>
<td><strong>TOTAL NON-CURRENT ASSETS</strong></td>
<td>304,192</td>
<td>254,192</td>
</tr>
<tr>
<td><strong>TOTAL ASSETS</strong></td>
<td>1,140,176</td>
<td>1,025,215</td>
</tr>
<tr>
<td><strong>CURRENT LIABILITIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trade &amp; Other Payables</td>
<td>149,195</td>
<td>197,380</td>
</tr>
<tr>
<td>Provisions</td>
<td>322,578</td>
<td>325,421</td>
</tr>
<tr>
<td>Borrowings</td>
<td>64,393</td>
<td>67,488</td>
</tr>
<tr>
<td><strong>TOTAL CURRENT LIABILITIES</strong></td>
<td>536,166</td>
<td>590,289</td>
</tr>
<tr>
<td><strong>NON-CURRENT LIABILITIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Provisions</td>
<td>24,868</td>
<td>38,690</td>
</tr>
<tr>
<td>Borrowings</td>
<td>118,862</td>
<td>46,677</td>
</tr>
<tr>
<td><strong>TOTAL NON-CURRENT LIABILITIES</strong></td>
<td>143,730</td>
<td>85,367</td>
</tr>
<tr>
<td><strong>TOTAL LIABILITIES</strong></td>
<td>679,896</td>
<td>675,656</td>
</tr>
<tr>
<td><strong>NET CURRENT ASSETS/(CURRENT LIABILITIES)</strong></td>
<td>299,818</td>
<td>180,734</td>
</tr>
<tr>
<td><strong>NET ASSETS</strong></td>
<td>460,280</td>
<td>349,559</td>
</tr>
<tr>
<td><strong>EQUITY</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accumulated Surplus/(Deficit)</td>
<td>460,280</td>
<td>349,559</td>
</tr>
<tr>
<td><strong>TOTAL EQUITY</strong></td>
<td>460,280</td>
<td>349,559</td>
</tr>
</tbody>
</table>
## EASTERN HEALTH AUTHORITY STATEMENT OF CHANGES IN EQUITY
FOR THE YEAR ENDING 30 JUNE 2021

<table>
<thead>
<tr>
<th>REVISED (Dec 18) 2018/2019</th>
<th>ADOPTED BUDGET 2019/2020</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ACCUMULATED SURPLUS</strong></td>
<td></td>
</tr>
<tr>
<td>488,280</td>
<td>460,280</td>
</tr>
<tr>
<td>(28,000)</td>
<td></td>
</tr>
<tr>
<td>-</td>
<td></td>
</tr>
<tr>
<td><strong>460,280</strong></td>
<td><strong>BALANCE AT END OF PERIOD</strong></td>
</tr>
<tr>
<td><strong>TOTAL EQUITY</strong></td>
<td></td>
</tr>
<tr>
<td>488,280</td>
<td>460,280</td>
</tr>
<tr>
<td>(28,000)</td>
<td></td>
</tr>
<tr>
<td>-</td>
<td></td>
</tr>
<tr>
<td><strong>460,280</strong></td>
<td><strong>BALANCE AT END OF PERIOD</strong></td>
</tr>
</tbody>
</table>
## EASTERN HEALTH AUTHORITY FUNDING STATEMENT 2020/2021

<table>
<thead>
<tr>
<th>Income</th>
<th>Revised Budget 2019-2020</th>
<th>Draft Budget 2020-2021</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Constituent Council Income</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City of Burnside</td>
<td>$ 437,022</td>
<td>$ 438,131</td>
</tr>
<tr>
<td>City of Campbelltown</td>
<td>$ 426,994</td>
<td>$ 452,548</td>
</tr>
<tr>
<td>City of NPS</td>
<td>$ 559,954</td>
<td>$ 586,308</td>
</tr>
<tr>
<td>City of Prospect</td>
<td>$ 230,650</td>
<td>$ 210,656</td>
</tr>
<tr>
<td>Town of Walkerville</td>
<td>$ 102,500</td>
<td>$ 103,032</td>
</tr>
<tr>
<td>Public Health Plan Review and Service Review (cc to share 5 x10K)</td>
<td>$ 50,000</td>
<td>$ 40,000</td>
</tr>
<tr>
<td><strong>Total Constituent Council Contributions</strong></td>
<td>$ 1,807,120</td>
<td>$ 1,830,674</td>
</tr>
<tr>
<td><strong>Statutory Charges</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Food Inspection fees</td>
<td>$ 70,000</td>
<td>$ 122,000</td>
</tr>
<tr>
<td>Legionella registration and Inspection</td>
<td>$ 8,000</td>
<td>$ 7,000</td>
</tr>
<tr>
<td>SRF Licenses</td>
<td>$ 2,000</td>
<td>$ 1,500</td>
</tr>
<tr>
<td>Fines</td>
<td>$ 25,000</td>
<td>$ 50,000</td>
</tr>
<tr>
<td><strong>Total Statutory Charges</strong></td>
<td>$ 105,000</td>
<td>$ 180,500</td>
</tr>
<tr>
<td><strong>User Charges</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Immunisation - non funded vaccines</td>
<td>$ 75,000</td>
<td>$ 80,000</td>
</tr>
<tr>
<td>Immunisation - Worksites</td>
<td>$ 105,000</td>
<td>$ 110,000</td>
</tr>
<tr>
<td>Food Auditing</td>
<td>$ 85,000</td>
<td>$ 80,000</td>
</tr>
<tr>
<td>City of Unley</td>
<td>$ 60,000</td>
<td>$ -</td>
</tr>
<tr>
<td>Food Safety Training</td>
<td>$ 4,000</td>
<td>$ 2,000</td>
</tr>
<tr>
<td><strong>Total User Charges</strong></td>
<td>$ 329,000</td>
<td>$ 272,000</td>
</tr>
<tr>
<td><strong>Grants, Subsidies, Contributions</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>School Based immunisation Program</td>
<td>$ 219,000</td>
<td>$ 180,000</td>
</tr>
<tr>
<td>Meningococcal B Study</td>
<td>$ -</td>
<td>$ -</td>
</tr>
<tr>
<td>Child Immunisation register</td>
<td>$ 32,000</td>
<td>$ 32,000</td>
</tr>
<tr>
<td>Adelaide PHn Immunisation Community Engagement Project</td>
<td>$ -</td>
<td>$ 40,000</td>
</tr>
<tr>
<td><strong>Total Grants, Subsidies, Contributions</strong></td>
<td>$ 251,000</td>
<td>$ 252,000</td>
</tr>
<tr>
<td><strong>Investment Income</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interest on investments</td>
<td>$ 15,000</td>
<td>$ 15,000</td>
</tr>
<tr>
<td><strong>Total Investment Income</strong></td>
<td>$ 15,000</td>
<td>$ 15,000</td>
</tr>
<tr>
<td><strong>Other Income</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Motor Vehicle re-imbursements</td>
<td>$ 2,000</td>
<td>$ -</td>
</tr>
<tr>
<td>Sundry Income</td>
<td>$ 7,000</td>
<td>$ 7,000</td>
</tr>
<tr>
<td><strong>Total Other Income</strong></td>
<td>$ 9,000</td>
<td>$ 7,000</td>
</tr>
<tr>
<td><strong>Total of non Constituent Council Income</strong></td>
<td>$ 709,000</td>
<td>$ 726,500</td>
</tr>
<tr>
<td><strong>Total Income</strong></td>
<td>$ 2,516,120</td>
<td>$ 2,557,174</td>
</tr>
</tbody>
</table>
## Eastern Health Authority Funding Statement 2019/2020 (Cont)

<table>
<thead>
<tr>
<th>Expenditure</th>
<th>Revised Budget 2019-2020</th>
<th>Draft Budget 2020-2021</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Employee Costs</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries &amp; Wages</td>
<td>$1,526,000</td>
<td>$1,565,000</td>
</tr>
<tr>
<td>Superannuation</td>
<td>$133,000</td>
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<tr>
<td>Workers Compensation</td>
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<tr>
<td>Employee Leave Expenses</td>
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<tr>
<td>Medical Officer Retainer and Agency Staff</td>
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<td><strong>Total Employee Costs</strong></td>
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<td><strong>Prescribed Expenses</strong></td>
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<tr>
<td>Auditing and Accounting</td>
<td>$17,000</td>
<td>$17,000</td>
</tr>
<tr>
<td>Bad and Doubtful Debts</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Insurance</td>
<td>$27,000</td>
<td>$27,000</td>
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<tr>
<td>Maintenance</td>
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<tr>
<td>Vehicle Leasing/maintenance</td>
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<tr>
<td><strong>Total Prescribed Expenses</strong></td>
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<tr>
<td><strong>Rent and Plant Leasing</strong></td>
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<tr>
<td>Electricity</td>
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<td>Plant Leasing Photocopier</td>
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<td>Rent</td>
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<td>Gas</td>
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<td><strong>Total Rent and Plant Leasing</strong></td>
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<td><strong>IT Licensing and Support</strong></td>
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<td>IT Other</td>
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<tr>
<td><strong>Total IT Licensing and Support</strong></td>
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</tr>
<tr>
<td>Expenditure</td>
<td>Revised Budget 2019-2020</td>
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<tr>
<td>------------------------------------------------</td>
<td>--------------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>Administration</td>
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<tr>
<td>Administration Sundry</td>
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<td>Accreditation Fees</td>
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<td>Governance Expenses</td>
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<td>Bank Charges</td>
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<td>Public Health Sundry</td>
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<td>Fringe Benefits Tax</td>
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<tr>
<td>Legal</td>
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<td>$ 20,000</td>
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<tr>
<td>Printing &amp; Stationery &amp; Postage</td>
<td>$ 20,000</td>
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<tr>
<td>Telephone</td>
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<td>Work Health and Safety</td>
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<td>Rodenticide</td>
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<tr>
<td>Staff Amenities</td>
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<tr>
<td>Staff Training</td>
<td>$ 22,000</td>
<td>$ 22,000</td>
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<tr>
<td>Human Resource / Organisational Development</td>
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<tr>
<td>Total Administration</td>
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<tr>
<td>Immunisation</td>
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<td>Immunisation SBP Consumables</td>
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</tr>
<tr>
<td>Immunisation clinic vaccines</td>
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<tr>
<td>Immunisation worksite vaccines</td>
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<td>Total Immunisation</td>
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<td>Income protection</td>
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<td>Total Uniforms/Income protection</td>
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<td>$ 23,000</td>
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<tr>
<td>Sampling</td>
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<td>Legionella Testing</td>
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<td>Food Sampling</td>
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<tr>
<td>Total Sampling</td>
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<td>$ 2,500</td>
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<tr>
<td>New Initiatives</td>
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<tr>
<td>Website Upgrade</td>
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<td>-</td>
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<tr>
<td>Public Health Plan Review</td>
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<td>-</td>
</tr>
<tr>
<td>Service/Governance Review</td>
<td>-</td>
<td>$ 40,000</td>
</tr>
<tr>
<td>Total New Initiatives</td>
<td>$ 50,000</td>
<td>$ 40,000</td>
</tr>
</tbody>
</table>
### EASTERN HEALTH AUTHORITY FUNDING STATEMENT 2019/2020 (CONT)

<table>
<thead>
<tr>
<th>Expenditure</th>
<th>Revised Budget 2019-2020</th>
<th>Draft Budget 2020-2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Materials, contracts and other expenses</td>
<td>$ 770,000</td>
<td>$ 737,300</td>
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<tr>
<td>Total Operating Expenditure</td>
<td>$ 2,483,000</td>
<td>$ 2,499,300</td>
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<tr>
<td>Finance Charges</td>
<td>$ 11,120</td>
<td>$ 7,874</td>
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<tr>
<td>Depreciation, amortisation and impairment</td>
<td>$ 50,000</td>
<td>$ 50,000</td>
</tr>
<tr>
<td>Total Expenditure</td>
<td>$ 2,544,120</td>
<td>$ 2,557,174</td>
</tr>
<tr>
<td>Total Income</td>
<td>$ 2,516,120</td>
<td>$ 2,557,174</td>
</tr>
<tr>
<td>Net Surplus/Deficit</td>
<td>$ (28,000)</td>
<td>$ -</td>
</tr>
<tr>
<td>Depreciation Add Back</td>
<td>$ 50,000</td>
<td>$ 50,000</td>
</tr>
<tr>
<td>Loans Received</td>
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<td></td>
</tr>
<tr>
<td>Capital Expenditure - plant and Equipment</td>
<td>$(30,000)</td>
<td>$ -</td>
</tr>
<tr>
<td>Capital Expenditure - Office Fit-out</td>
<td>$ -</td>
<td></td>
</tr>
<tr>
<td>Loan Repayments</td>
<td>$(67,488)</td>
<td>$(69,090)</td>
</tr>
<tr>
<td>Funding Result</td>
<td>$(75,488)</td>
<td>$(19,090)</td>
</tr>
</tbody>
</table>
This report covers the period from 28 April 2020 – 25 May 2020.

In brief, the **Mayoral** activities have included the following:

1. **Activities**
   - Attended the Prospect RSL abbreviated Dawn Service and laid a wreath on behalf of the City of Prospect.
   - Hosted the ERA Mayors Breakfast via video conference.
   - Attended the Media (News Corp) Meeting with Celeste Villani/Mayor O’Loughlin/Nigel McBride by video conference.
   - Presented at Mainstreet NBN Webinar on 7 May 2020.
   - Hosted the Joint Prospect / Unley Webinar for small business, with the Commissioner for Small Business, John Chapman.

2. **Meetings: face to face, by teleconference or video conference**
   - Held regular Meetings with CEO and Executive Assistant.
   - Attended the Council Agenda Review Meeting and Council Meeting.
   - Attended the Councillor Information and Workshop Sessions.
   - Attended an LGA Procurement April Board Meeting.
   - Attended a Prospect Strategic Sites zoom meeting.
   - Attended the LGASA Business Aid briefing by Video conference.
   - Attended the Greater Adelaide Region Organisations of Councils (GAROC) Committee Meeting webinar.
   - Meeting with Stephen Smith regarding the LGA items on Minister for Planning’s meeting agenda.
   - Attended the Minister’s Liaison Group meeting as LGASA representative.
   - Held quarterly meeting with Andrea Michaels MP on 5 May 2020 via video conference.
   - Attended the CEO Performance Development Review Meeting via video conference.
   - Meeting with the Developer of Prospect 1838 on site.
   - Attended the LGA Board of Directors meeting.

3. **Other**
   - Media Enquiries
   - Various Phone Calls, Emails, Letters, Video promotions etc.
Correspondence and Meetings with Constituents and Councillors.

4. President of ALGA Activities and Meetings

I have attended a range of correspondence, emails, telephone enquiries, media interviews and face to face meetings. Below are other commitments during this period (Due to COVID-19 these meetings have converted to online meetings):

- Weekly President’s column
- Attended the Transport and Infrastructure Council meeting 5 May 2020 via teleconference
- Hosted the ALGA Board Forum via video conference
- Attended the Planning Ministers meeting 15 May 2020 via teleconference
- Attended the Transport and Infrastructure Council meeting 15 May 2020 via teleconference
- Attended a Ministerial Emergency Management Intersessional Meeting via Teleconference
- Presented at the Municipal Association of Victoria’s Local Government webinar
- Attended the meeting of Local Government Ministers via teleconference.

I would be grateful if a Council Member would move this report.

**David O’Loughlin**

Mayor
1. EXECUTIVE SUMMARY

It is generally recognised that banning smoking in selected public areas positively impacts on the health and wellbeing of the community. The purpose of smoke-free areas is to:

- Increase the comfort, enjoyment and amenity of public spaces, in particular popular public areas where people congregate
- Reduce exposure to second hand smoke and protect the health of the community
- Promote a healthy lifestyle
- Contribute to protecting the environment

City of Prospect recognises the need to protect the health of the community and to enhance the comfort and enjoyment of people using public spaces. Existing smoke-free areas in City of Prospect include:

- All Council events (e.g. Prospect Spring Fair, Tourrific Prospect and Twilight Sessions)
- All Council buildings (e.g. Payinthi, Nailsworth Community Centre)
- Outdoor dining areas
- Within ten metres of children’s playground equipment
- Under all covered public transport waiting areas (e.g. bus stops)

2. RECOMMENDATION

(1) Council having considered Item 12.2 Smoke-Free Areas within City of Prospect receive and note the report.

3. DISCUSSION

At the Council meeting on 25 February 2020, the following Motion on Notice was resolved by Council:

(1) A report be provided to the May 2020 Council meeting to clarify the existing smoke-free zones within City of Prospect.
(2) That the report includes discussion of the process (and costs) associated with potential expansion of existing smoke-free zones or creation of new smoke-free zones.

Existing Smoke-Free Areas within City of Prospect
In accordance with the Tobacco and E-Cigarettes Products Act 1997, smoking is prohibited in the following locations within Prospect:

- All Council events (e.g. Prospect Spring Fair, Tourrific Prospect and Twilight Sessions)
- All Council buildings (e.g. Payinthi, Nailsworth Community Centre)
- Outdoor dining areas
- Within ten metres of children’s playground equipment
- Under all covered public transport waiting areas (e.g. bus stops)

There are no legislative requirements for ‘No Smoking” or ‘Smoking Prohibited’ signage to be erected or displayed in the vicinity of children’s playground equipment. Even without signage, smoking is still prohibited.

Currently, as per Section 15 of the Tobacco and E-Cigarette Product Regulations 2019, smoking is banned in public areas consisting of an outdoor dining area.

The following outdoor dining areas on public footpaths have been approved within City of Prospect and therefore the regulated smoking restrictions cover these areas:

- Prospect Road (Café Di Roma; Muratti Cakes & Gateaux; Wassail Wine Café; Arriba Grill; Leo’s Pizza Bar; Cibo Espresso; Cotto; Meze Mazi; Sunnys Shop; New Nordic; Mekko Market & Café; Soonta; Anchovy Bandit; and Al Mina)
- Other locations, Café Basilico (Main North Road); Little Café (Churchill Road); and Minestra (Churchill Road)

Enforcement for Existing Smoke-free Areas
Smoking in any of the banned areas specified will be an offence, with a maximum penalty of $750 or an expiation fee of $105 enforceable by Council’s Community Safety Officers. SA Health (Government of South Australia) recommends an educative approach to enforcement with the expectation most smokers will voluntarily comply.

Process for Declaring New Smoke-Free Areas in City of Prospect
There are three (3) processes by which a Council can declare an area or event smoke-free, namely through;

1. Introduction of Council Policy
2. Section 238 of the Local Government Act 1999 – Introducing a new By-Law
3. Section 51 or 52 of the Tobacco and E-Cigarette Products Act, 1997

Each of these three processes and the enforcement powers that are available to the Council as well as the costs and resourcing requirements are discussed below.

1. Introducing a Non-Smoking Council Policy
   Council, like any other land owner, has the ability to introduce smoke-free policy on any parcel of land or within any facility that is in its ownership.
Unlike the non-smoking bans that are introduced through Section 51 and Section 52 of the Tobacco and E-Cigarette Products Act 1997, or by a Council By-Law introduced under Section 238 of the Local Government Act 1999, Council Policy is simply a position of the Council regarding the conduct of its employees and members of the community in a particular area or facility.

A smoke-free policy introduced by the Council cannot be enforced under legislation. Therefore, the introduction of any policy will need to also include appropriate enforcement procedures that are relatively easy to implement and enforce, in the event of non-compliance. Most councils that have introduced a smoke-free policy in this manner have found that the level of community support ensures bans are generally self-enforced through clear signage.

2. **Introduction of a Council By-law**

   Council may restrict smoking on Local Government land by way of amending its Local Government Land By-Law to include such a provision. A By-Law is a legislative instrument made by the Council that regulates, controls and provides the tools for the administration of the Council area.

   Council cannot introduce a By-law to prohibit smoking on a public road as Council is limited to particular uses set out in Section 239 of the Local Government Act, 1999 (e.g. including signs soliciting for charity and motor vehicle maintenance). The introduction of any By-Law is only able to operate on land that it is not already regulated under the Tobacco and E-Cigarette Products Act, 1997, such as within ten (10) metres of children’s playground equipment, enclosed workplaces and bus stops.

   **Enforcement – Local Government Land By-Law**

   If Council amends its By-Laws to restrict smoking on certain land, the smoking restrictions can be enforced by Council Officers appointed as authorised persons under Section 260 of the Local Government Act 1999. However, the ability to enforce the By-Law is contingent upon an alleged offender cooperating with a request by an authorised officer and providing his/ her name and address. Again, an educative approach would be typically undertaken.

3. **Short Term (Section 51 of the Tobacco and E-Cigarette Products Act 1997)**

   Council may apply to have an outdoor event declared smoke-free. To formally declare an area smoke-free, an application must be lodged with the Minister of Health and Wellbeing (the Minister). The application requires a number of steps to be undertaken, including appropriate consultation with the community on the proposal. Applications must be received at least eight weeks before the event. The Minister has the power to declare a smoke-free area for a period of up to three days.

   Council has previously had approved applications to declare all Council events as smoke free (e.g. Prospect Spring Fair, Tourrific Prospect and Twilight Concerts) which is promoted and signposted as such across each site in the lead up and on the day of the events.

**Long Term (Section 52 of the Tobacco and E-Cigarette Products Act 1997)**

Major events and long term areas such as a road precinct can be declared smoke-free by Regulation. Due to the Cabinet and Parliamentary processes required to introduce a Regulation, a completed application must be received at least six months before it is introduced.
Applications must identify and demonstrate that a risk of passive smoking exists or smoking impacts on the amenity of an area. For example, a large open park or suburban street is unlikely to be considered for a long term declaration, although consideration would be given for a short term declaration during an event. Applicants also need to demonstrate community support for a declaration and importantly, the Council must outline how they are able to manage the enforcement of the smoke-free area.

**Enforcement – Declared Smoke-free Areas**

When applying to have additional outdoor areas declared smoke-free, Councils are required to include an enforcement plan and are expected to also apply for their officers to be authorised under the Act to enforce the laws. Therefore Council would need to be suitably resourced, and staff suitably trained in order to undertake enforcement of the new provisions on behalf of the State Government.

SA Health recommends an educative approach to enforcement with the expectation that most smokers will voluntarily comply. Applicants are also expected to report on the activity under each authorisation given and submitted to the Health Protection Operations on an agreed basis.

**Potential New Smoke Free Areas**

If Council did want to pursue further smoke-free areas, Council Administration has identified options.

1. **Parks and Reserves**

City of Prospect has 24 parks and reserves, some of which include sporting grounds and fields, scattered throughout the Council area. With the exception of playgrounds, specifically a ten metre perimeter around children's playground equipment, smoking is permitted in these locations.

In some instances, the new playground smoking restrictions mean that a large portion of the park or reserve is now by default a smoke-free area (i.e. Stan Watson Reserve). However, in the majority of cases where playgrounds are not located within a particular park or reserve, or where the size of the park or reserve exceeds the legislated banned area, smoking is still permitted.

If Council wishes to pursue the option of designating all parks and reserves as smoke-free areas, Council Administration recommends that introducing a Council By-Law would be an effective way to declare all of City of Prospect’s parks and gardens to be smoke-free areas, as the Minister has indicated that large open parks are unlikely to be considered for a long-term declaration.

2. **Prospect Road – Village Heart**

One of the locations within the City of Prospect that would have an impact as a non-smoking area is Prospect Road – Village Heart.

As a high pedestrian traffic strip, Council may wish to consider declaring Prospect Road – Village Heart a smoke-free zone. Eliminating smoking would not only provide health benefits, it would also deliver significant social benefits.

However, unlike many of the other pedestrian malls around Australia that have been designated smoke-free (such as Rundle Mall), Prospect Road – Village Heart is still
very much a car dominated main street. Notwithstanding its car dominated character, there is still potential to designate Prospect Road – Village Heart as a smoke-free area.

The only way that Prospect Road – Village Heart can be designated as a smoke-free area is through Regulation under Section 52 of the Tobacco and E-Cigarette Products Act 1997. Given that it is defined as a road, Council is unable to introduce smoking restrictions through a By-Law, and would need to apply to the Minister for Health and Wellbeing.

What are other Councils Doing?
As per the Tobacco and E-Cigarette Products Regulations 2019, (longer term) smoking bans in public areas apply to the following locations: Bowden Town Square; Henley Square; Moseley Square, Glenelg; Royal Adelaide Show; and The Parade, Norwood.

The City of Norwood Payneham & St Peters introduced a smoke-free zone on The Parade (between eastern side of Osmond Terrace and western side of Portrush Road) as of 1 December 2018 under Section 52 of the Tobacco Products Regulation Act, 1997. This includes the footpaths; public spaces; and road reserves.

Other Considerations:

Smokers’ Rights – Smoking is a legal activity, therefore people have a right to smoke if they choose to do so. The issue isn’t about permitting or not permitting smoking, it’s about the impact of smoking and whether or not it should be permitted in the vicinity of other people.

Any decision by the Council to create new smoke-free areas within City of Prospect should focus on the positive benefits such as minimising impacts (of cigarette smoke) to community and improving the amenity of public areas.

Environmental Issues – The creation of any new smoke-free areas may also reduce littering of cigarette butts and provide a positive environmental benefit, although an increase in littering adjacent the designated area may also be observed.

Implications, Related Questions and Further Information
There is currently no budget allocation for this initiative.

Relevance to Core Strategies / Policy
- Local Government Act, 1999
- Expiation of Offences Act, 1996
- Tobacco and E-Cigarette Products Act 1997
- Community Consultation Policy
- Local Government Land By-Lay No 3, 2015
- Leases and Licences Policy (draft)
- Eastern Health Authority’s Draft Regional Public Health & Wellbeing Plan 2020-2025
- South Australian Tobacco Control Strategy 2017-2020
- Work Health and Safety Act, 2012
Strategic Plan to 2020 Theme 1 – People “Know, empower, celebrate, educate and activate our community”

Strategy 1.1       Know our community
Strategy 1.2       Environmentally active, sustainably focused
Strategy 1.3       Active living for every age, every stage

Strategic Plan to 2020 Theme 2 – Place “Loved heritage, leafy streets, fabulous places”

Strategy 2.1       Respect the past, create our future
Strategy 2.2       Loved parks and places
Strategy 2.3       An accessible City

Strategic Plan to 2020 Theme 3 – Prosperity “More jobs, more investment, more activity, more vibrancy”

Strategy 3.1       A stronger local economy
Strategy 3.2       A more vibrant night-time

ATTACHMENTS

Nil.
AGENDA ITEM NO.: 12.3

TO: Council on 26 May 2020

DIRECTOR: Simon Bradley, Director Infrastructure & Environment

REPORT AUTHOR: Jasmyn Page, Executive Assistant – CEO

SUBJECT: Eastern Waste Management Authority Board Meeting Minutes

1. EXECUTIVE SUMMARY

The purpose of this report is to present the Minutes of the Special Board Meeting of the Eastern Waste Management Authority held on Thursday 9 April 2020 and the Ordinary Eastern Waste Management Authority Board Meeting held on Thursday 30 April 2020.

2. RECOMMENDATION

(1) Council having considered Item 12.3 Eastern Waste Management Authority Board Meeting Minutes receive and note the following minutes of the Eastern Waste Management Authority Board:

1.1 Minutes of the Special Board Meeting of the Eastern Waste Management Authority held on Thursday 9 April 2020 as presented in Attachment 1-2.

1.2 Minutes of the Ordinary Board Meeting of the Eastern Waste Management Authority held on Thursday 30 April 2020 as presented in Attachment 3-5.

3. DISCUSSION

The Eastern Waste Management Authority held a Special Board meeting on Thursday 9 April 2020 (as presented in Attachment 1-2) to consider the COVID-19 Contingency Planning Operating Principles.

The Eastern Waste Management Authority held an Ordinary board meeting on Thursday 30 April 2020 (as presented in Attachment 3-6). The key foci of the meeting included the following matters:

- Review of the East Waste Charter
- Financial Report – Budget Review Three
- Review of East Waste Business Continuity Plan
- Annual Plan Progress Report
**Financial and Resource Implications**

East Waste is a non-profit local government subsidiary, currently consisting of seven Member Councils. At present these include: City of Prospect, Adelaide Hills Council, City of Burnside, Campbelltown City Council, City of Mitcham, City of Norwood, Payneham and St Peters and the Corporation of the Town of Walkerville.

The Authority is administered by a Board in accordance with the requirement of the Local Government Act, the Authority’s Charter, and various policies and codes.

**Relevance to Core Strategies / Policy**

- *Local Government Act, 1999*
- Eastern Waste Management Authority Charter

**Strategic Plan to 2020 Theme 4 – Services** “Leaders of the sector providing efficient, responsive, accessible services”

Strategy 4.3  Responsible Waste Management

---

**ATTACHMENTS**

**Attachments 1-2:** Minutes of the Special Eastern Waste Management Authority Board Meeting 09/04/2020

**Attachments 3-6:** Minutes of the Ordinary Eastern Waste Management Authority Board Meeting 30/04/2020
1. **PRESENT**
   **Directors:**
   - Mr F Bell  Independent Chairperson
   - Mr P Di Iulio  Campbelltown City Council
   - Cr J Carbone  City of Burnside
   - Mayor H Holmes-Ross  City of Mitcham
   - Mr M Barone  City of Norwood, Payneham & St Peters
   - Mr J McArthur  Adelaide Hills Council
   - Cr R Ashby  Corporation of the Town of Walkerville

   **In Attendance:**
   - Mr R Gregory  General Manager
   - Mr S Raymond  Manager, Corporate Services
   - Ms K Vandermoer  Finance & Executive Administration Officer
   - Mr B Krombholz  Manager, Operations
   - John Jovicevic  Dean Newbery & Partners

2. **APOLOGIES**
   - Cr L Green  Adelaide Hills Council
   - Mr S Bradley  City of Prospect

3. **CONFLICTS OF INTEREST**
   Nil

4. **CONFIRMATION OF THE MINUTES**
   Moved Mr Di Iulio that the Minutes of the Eastern Waste Management Authority Ordinary Board Meeting held on Thursday 20 February 2020, be received, confirmed, and adopted. Seconded Cr Carbone  
   Carried

5. **MATTERS ARISING FROM THE MINUTES**
   Nil

6. **QUESTIONS WITHOUT NOTICE**
   Nil

*Mr Barone Entered the meeting at 4:08pm.*
7. REPORTS

7.1 COVID-19 CONTINGENCY PLANNING OPERATING PRINCIPLES

RECOMMENDATION

Moved Mr Di Iulio that the Board:


2. Instructs Administration to provide each Member Council with a copy of the COVID_19: Contingency Planning Operating Principles as presented in Attachment A.

Seconded Cr Carbone

Carried

8. CONFIDENTIAL REPORTS

Nil

9. OTHER BUSINESS

Nil

10. NEXT MEETING OF THE BOARD

The next ordinary Board Meeting is scheduled to be held on Thursday 30 April 2020, via Zoom.

11. CLOSURE OF MEETING

There being no further business the meeting closed at 4:36pm.

DATE: __________________  CHAIRPERSON: __________________________

Attachment 2

Minutes of the Eastern Waste Management Authority Special Board Meeting held on 9 April 2020
1. **PRESENT**

   **Directors:**
   - Mr F Bell  
     Independent Chairperson
   - Mr P Di Iulio  
     Campbelltown City Council
   - Cr J Carbone  
     City of Burnside
   - Mayor H Holmes-Ross  
     City of Mitcham
   - Mr M Barone  
     City of Norwood, Payneham & St Peters
   - Mr S Bradley  
     City of Prospect
   - Cr L Green  
     Adelaide Hills Council
   - Cr R Ashby  
     Corporation of the Town of Walkerville

   **In Attendance:**
   - Mr R Gregory  
     General Manager
   - Mr S Raymond  
     Manager, Corporate Services
   - Ms K Vandermoer  
     Finance & Executive Administration Officer
   - Mr J Jovicevic  
     Dean Newbery & Partners

2. **APOLOGIES**

   Nil

3. **CONFLICTS OF INTEREST**

   Nil

4. **CONFIRMATION OF THE MINUTES**

   Moved Cr Ashby that the Minutes of the Eastern Waste Management Authority Special Board Meeting held on Thursday 9 April 2020, be received confirmed, and adopted.  
   Seconded Mayor Holmes-Ross  
   Carried

   Moved Mr Bradley that the Minutes of the Eastern Waste Management Authority Audit & Risk Management Committee Meeting held on Friday 24 April 2020, be received, confirmed, & adopted.  
   Seconded Cr Green  
   Carried

5. **MATTERS ARISING FROM THE MINUTES**

   Nil
6. QUESTIONS WITHOUT NOTICE
Nil

7. REPORTS

Item 7.2 was brought forward for discussion.

7.2 REVIEW OF EAST WASTE CHARTER

RECOMMENDATION

Moved Cr Green that the Board:
   1. Endorse the proposed amendments to the East Waste Charter, as presented at Attachment A.
   2. Authorise East Waste’s General Manager to write to, and provide, the amended Charter to Member Councils in accordance with Clause 3.4.

Seconded Mr Di Iulio
Carried

7.1 FINANCIAL REPORT - BUDGET REVIEW THREE

RECOMMENDATION

Moved Mr Bradley That the Board notes and accepts the operating surplus of $235,748 associated with the 2019/20 Budget and endorses 2019/20 Financial Year Budget Review Three (3) report as presented.

Seconded Mr Barone
Carried

7.3 REVIEW OF EAST WASTE BUSINESS CONTINUITY PLAN

RECOMMENDATION

Moved Cr Carbone That the Board endorse the East Waste Business Continuity Framework and Plan, as amended, and presented in Attachment A.

Seconded Mr Bradley
Carried

7.4 ANNUAL PLAN PROGRESS REPORT

RECOMMENDATION

Moved Cr Carbone that the Board receive and note the report.

Seconded Mr Barone
Carried

8. CONFIDENTIAL REPORTS
Nil
9. OTHER BUSINESS
Nil

10. NEXT MEETING OF THE BOARD
The next ordinary Board Meeting is scheduled to be held on Thursday 25 June 2020, at 5:30pm, at the City of Norwood, Payneham & St Peters, or via Zoom.

11. CLOSURE OF MEETING
There being no further business the meeting closed at 5:56pm.

DATE: __________________ CHAIRPERSON: ___________________________
AGENDA ITEM NO.: 12.4

TO: Council on 26 May 2020

DIRECTOR: Ginny Moon, Director Corporate Services

REPORT AUTHOR: Cicelia Holliday, Executive Assistant to Mayor and Director Corporate Services

SUBJECT: Audit Committee Meeting Minutes 27/04/2020

Please note: the full Agenda of this Audit Committee meeting is available on the website via the link below.

Audit Committee Meeting Agenda 27/04/2020

1. RECOMMENDATION

(1) Council having considered Item 12.4 Audit Committee Meeting Minutes 27/04/2020, receive and note the Minutes of the Audit Committee Meeting held on Monday 27 April 2020 as provided in Attachments 1-5.

ATTACHMENTS

Attachments 1-5: Audit Committee Minutes 27/04/2020
Minutes of the meeting of the Audit Committee held via electronic means on Monday, 27 April 2020 at 6:03pm

Present:
Chairperson: C Garrett
Committee: Mayor D O’Loughlin, P Fairlie-Jones, Cr S Rypp, P Scargill

Staff in attendance:
Chief Executive Officer: N McBride
Director Corporate Services: G Moon
Manager Financial Services: C Birch
Manager Risk & WHS: V DiMaria
Principal Governance Advisor: J Tanti
Minute Secretary: J Page

All Committee Members and Staff were present via electronic means using Zoom both video and audio connections.

Mayor D O’Loughlin took the chair until the Independent Chairperson was appointed at Item 6.1 on the Agenda.

Item 1: On Leave
Nil.

Item 2: Apologies
Nil.

Item 3: Confirmation of Minutes
P Fairlie-Jones moved C Garrett seconded

(1) The Minutes of the Audit Committee Meeting held on Wednesday 11 December 2019, as circulated, be taken as read and taken as a true record.

Carried AC1/2020

Item 4: Chairpersons Report
Nil.

Item 5: Questions with Notice
Nil.
Item 6: Reports for Decision

Item 6.1: Appointment of Audit Committee Chairperson

Mayor D O’Loughlin called for nominations for the Audit Committee Chairperson.

P Fairlie-Jones nominated C Garrett. C Garrett accepted the nomination.

C Garrett declared a Perceived conflict of interest in Item 6.1, because of the potential for the increase in sitting fee she would be paid, if successfully appointed to the Chairperson position.

C Garrett remained in the meeting, participated in the discussion and voted.

P Fairlie-Jones moved Cr S Rypp seconded

(1) The Audit Committee having considered Item 6.1 Appointment of Audit Committee Chairperson, receives and notes the report.

(2) That the Audit Committee appoints Independent Member Corrine Garrett as Chairperson for the 12-month period ending 31 March 2021.

Carried AC2/2020

C Garrett took the chair at 6.10pm.

Item 6.2: Interim Audit 2019-2020

C Garrett invited Council’s Auditors, Mr Tim Muhlhausler and Mr Juliano Freitas from Galpins, to present their findings from the interim audit, and answer questions from the Committee.

Cr S Rypp moved P Scargill seconded

(1) The Audit Committee having considered Item 6.2 Interim Audit 2019-2020, receives and notes both the letter and management response comments.

(2) That administration develop a handover process, to ensure all documentation required in procurement activities, are completed and retained as required prior to contracts being entered into, or when procurement activities are transferred to another staff member.

Carried AC3/2020

Item 6.3: Draft Annual Business Plan and Budget 2020-2021

P Fairlie-Jones moved P Scargill seconded

(1) Audit Committee having considered Item 6.3 Draft Annual Business Plan and Budget 2020-2021, receive and note the report.

(2) Audit Committee having considered the Draft Annual Business Plan 2020-2021 consider that no project requires a sensitivity analysis to be prepared.
(3) The Audit Committee raised concerns regarding the risk of very low inflation rates in the medium term, and the political risk of maintaining the trajectory of rate rises and growth assumption in the long term. The Committee discussed the very low levels of interest rates available at this time, and the potential of fixing any required debt to capture these low rates.

(4) That a section on risks on assumptions and resulting KPI results be included in the Annual Business Plan prior to Council adoption.

(5) That an updated draft Long Term Financial Plan be provided at the Audit Committee Meeting in December 2020, unless the impacts of COVID-19 require an earlier review of long term effects.

Carried AC4/2020

**Item 6.4: Review and Update of Existing Policy**

P Fairlie-Jones moved P Scargill seconded

(1) Audit Committee having considered Item 6.4 Review and Update of Existing Policy dated 27 April 2020, receives and notes the report.

(2) Audit Committee recommend Council adopt the Fraud, Corruption, Misconduct & Maladministration Prevention Policy as provided at Attachments 1-26.

(3) Audit Committee recommend Council adopt the External Grants Policy as provided at Attachment 27-30.

Carried AC5/2020

**Item 7: Reports for Information**

As per the Committee’s protocol, only those items reserved by members will be debated.

The following items were reserved:

- P Scargill reserved Item 7.1
- P Scargill reserved Item 7.2
- C Garrett reserved Item 7.7

Recommendations adopted en bloc:

P Scargill moved P Fairlie-Jones seconded

(1) The remaining items, namely Item 7.3, Item 7.4, Item 7.5, and Item 7.6.

Carried

**Item 7.3: Business Continuity and Pandemic Action Plans – COVID 19**

P Scargill moved P Fairlie-Jones seconded

(1) The Audit Committee having considered Item 7.3 Business Continuity and Pandemic Action Plans – COVID 19 of 27 April 2020, receives and notes the report.

Carried AC6/2020
Item 7.4: Community Hub, Library and Innovation Centre (CLIC) – Risk and Financial Management Report and Project Prudential Report Final Update

P Scargill moved P Fairlie-Jones seconded

(1) That the Audit Committee having considered Item 7.4 Community Hub, Library & Innovation Centre (CLIC) – Risk and Financial Management Report and Project Prudential Report Final Update, receives and notes the report.

Carried AC7/2020

Item 7.5: Internal Audit Programme – Progress Report

P Scargill moved P Fairlie-Jones seconded

(1) The Audit Committee having considered Item 7.5 Internal Audit Programme – Progress Report, receives and notes the report.

(2) The Audit Committee notes the internal Programme and re-prioritisation process undertaken, and that a revised Internal Audit Programme will be developed for commencement in the new financial period of 2020/21, to treat reprioritised actions and further new identified findings.

Carried AC8/2020

Item 7.6: Risk and Audit Work Plan

P Scargill moved P Fairlie-Jones seconded

(1) That the Audit Committee having considered Item 7.6 Risk and Audit Work Plan Report, receives and notes the report.

Carried AC9/2020

Item 7.1: Second Budget Review 2019-2020

P Fairlie-Jones moved P Scargill seconded

(1) The Audit Committee having considered Item 7.1 Second Budget Review 2019-2020, as being carried out in accordance with the Budget Framework Policy, receives and notes the report.

Carried AC10/2020

Item 7.2: COVID19 Financial Support Package

P Scargill moved P Fairlie-Jones seconded

(1) The Audit Committee having considered Item 7.2 COVID19 Financial Support Package, receives and notes the report.

Carried AC11/2020
Item 7.7: Dispensation Register 1 October 2019 to 31 March 2020

P Fairlie-Jones moved P Scargill seconded

(1) The Audit Committee having considered Item 7.7 Dispensation Register 1 October 2019 to 31 March 2020, receives and notes the report.

Carried AC12/2020

Item 8: Confidential Items

Nil.

Item 9: Meeting Closure

The meeting closed at 8:24pm.

Corrine Garrett
Chairperson