



## ORDINARY COUNCIL MEETING



### NOTICE OF MEETING

To: Mayor Jan-Claire Wisdom

<b>Ranges Ward</b>
Councillor Ian Bailey
Councillor Kirrilee Boyd
Councillor Nathan Daniell
Councillor John Kemp
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
<b>Valleys Ward</b>
Councillor Pauline Gill
Councillor Chris Grant
Councillor Linda Green
Councillor Malcolm Herrmann
Councillor Andrew Stratford

Notice is given pursuant to the provisions under Section 83 of the *Local Government Act 1999* that the next meeting of the Council will be held on:

**Tuesday 18 December 2018**  
**6.30pm**  
**63 Mt Barker Road Stirling**

A copy of the Agenda for this meeting is supplied under Section 83 of the Act.

Meetings of the Council are open to the public and members of the community are welcome to attend. Public notice of the Agenda for this meeting is supplied under Section 84 of the Act.

A handwritten signature in blue ink, appearing to read 'Andrew Aitken'.

**Andrew Aitken**  
**Chief Executive Officer**



## ORDINARY COUNCIL MEETING

**AGENDA FOR MEETING**  
**Tuesday 18 December 2018**  
**6.30pm**  
**63 Mt Barker Road Stirling**



### ORDER OF BUSINESS

*Council Vision*

*Nurturing our unique place and people*

*Council Mission*

*Delivering activities and services which build a resilient community, sustain our built and natural environment and promote a vibrant economy*

**1. COMMENCEMENT**

**2. OPENING STATEMENT**

“Council acknowledges that we meet on the traditional lands of the Peramangk and Kurna people and we recognise their connection with the land.

We understand that we do not inherit the land from our ancestors but borrow it from our children and in this context the decisions we make should be guided by the principle that nothing we do should decrease our children’s ability to live on this land.”

**3. APOLOGIES/LEAVE OF ABSENCE**

- 3.1. Apology  
Apologies were received from Cr Nathan Daniell
- 3.2. Leave of Absence  
Cr Kirsty Parkin 12 January 2019 to 28 January 2019
- 3.3. Absent

**4. MINUTES OF PREVIOUS MEETINGS**

Council Meeting – 27 November 2018, adjourned to 4 December 2018

*That the minutes of the ordinary meeting held on 27 November 2018, adjourned to 4 December 2018, as supplied, be confirmed as an accurate record of the proceedings of that meeting.*

Special Council Meeting – 4 December 2018

*That the minutes of the special meeting held on 4 December 2018 as supplied, be confirmed as an accurate record of the proceedings of that meeting.*

**5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL**

**6. PRESIDING MEMBER'S OPENING REMARKS**

**7. QUESTIONS ADJOURNED/LYING ON THE TABLE**

7.1. Questions Adjourned  
Nil

7.2. Questions Lying on the Table  
Nil

**8. PETITIONS / DEPUTATIONS / PUBLIC FORUM**

8.1. Petitions

8.2. Deputations

8.2.1. Adelaide Hills Petanque Club

8.2.2. Stonehenge Avenue Residents

8.3. Public Forum

**9. PRESENTATIONS (by exception)**

Nil

**10. QUESTIONS ON NOTICE**

10.1. Fire Management Rural Areas

10.2. Amy Gillett Bikeway

**11. MOTIONS ON NOTICE**

11.1. Amendment to Code of Practice for Meeting Procedures

1. *That Council amends clause 4.14 [Meeting Protocols] of the Code of Practice for Council Meeting Procedures [the Code] by removing the requirement for elected members and staff to stand when addressing the Council.*
2. *All other aspects of clause 4.14 of the Code remain unchanged, aside from any consequential changes that may be required as a result of the aforementioned amendment.*

11.2. Scott Creek Cemetery Funds

*I move that the CEO prepares a report by 31 March 2019, in consultation with the Scott Creek Progress Association, on possible expenditure of \$6,000 held in the Council Reserve Fund on behalf of the Scott Creek Progress Association.*

11.3. Stonehenge Reserve

*I move that only minimum further expenditure is made on consultant fees in relation to the proposed options for upgrading the Stonehenge Tennis Courts to include Netball courts until:*

- 1 *Councillors attend a site visit to the Stonehenge tennis courts and the alternative sites at Piccadilly and Heathfield.*
- 2 *A Councillor workshop is held on the merits of each site and a full analysis of the community consultation.*

**12. OFFICER REPORTS – DECISION ITEMS**

12.1. Gumeracha Main Street Masterplan

1. *That the report be received and noted*
2. *That Council endorses the draft Masterplan taking into consideration the broader community engagement process and outcomes.*

12.2. Gumeracha Precinct Federation Park and Oval Masterplan

1. *That the report be received and noted*
2. *That Council endorses the draft Masterplan taking into consideration the broader community engagement process and outcomes.*
3. *That the priority actions identified within the draft Masterplan be considered in the Long Term Financial Plan and budget process.*

12.3. Appointments to AHC Advisory Groups

*See Agenda Item*

- 12.4. Acquisition of Private Roads – Garrod Place and Crescent, Stirling
- 1. That the report be received and noted*
  - 2. To accept a transfer of Allotments 89 and 90 in Filed Plan No. 158344 Private Roads being portion of the land in Certificate of Title Volume 5938 Folio 729 (“Land”) from Stephanie Jane Evans as executor for Peter Richard Sergeant (deceased) for no consideration subject to the Council paying the costs of the transfer of the Land*
  - 3. That the Land be excluded as Community Land pursuant to s193(4) of the Local Government Act 1999*
  - 4. That following the transfer of the Land, the Land be declared as public road*
  - 5. That the Mayor and CEO be authorised to sign all necessary documentation to give effect to this resolution.*
- 12.5. End of Year Financial Report
- 1. The report be received and noted.*
  - 2. The 2017-18 End of Year Financial Results in comparison to budget have been appropriately considered by Council.*
- 12.6. Budget Review 1
- 1. The report be received and noted.*
  - 2. The Operating Budget variations presented in Budget Review 1 be endorsed, noting they do not impact on the Budgeted Operating Surplus of \$302k for the 2018-19 financial year.*
  - 3. The proposed Capital Works expenditure amendments of \$215k, offset by additional Capital Revenue of \$35k be endorsed, resulting in an increased total Capital Works Program of \$17.917m.*
  - 4. The revised Net Borrowing result of \$4.513m be endorsed.*
- 12.7. Review of Wastewater Fee Refund Policy
- 1. That the report be received and noted*
  - 2. With an effective date of 7 January 2019, to revoke the 8 December 2015 Wastewater System Application Fee Refunds Policy and adopt the draft 18 December 2018 Wastewater System Application Fee Refunds Policy.*
- 12.8. Review of Genetically Modified Crops Policy
- 1. That the report be received and noted*
  - 2. With an effective date of 7 January 2019, to revoke the 9 December 2014 Genetically Modified Crops Policy and to adopt the revised 18 December 2018 Genetically Modified Crops Policy*
  - 3. That the Policy be reviewed no later than December 2022 or earlier if there are changes in State or Federal Government policies or legislation in this regard, or if there is a compelling scientific justification for a further review.*

12.9. Delegations Review Schedule  
*See Agenda Item*

12.10. Status Report – Council Resolutions Update  
*See Agenda Item*

**13. OFFICER REPORTS – INFORMATION ITEMS**

Nil

**14. MISCELLANEOUS ITEMS**

14.1. Signing & Sealing – Asset Improvement Program Funding Deed Terlinga Road Mt Torrens & Frick Street Lobethal

1. *The report be received and noted.*
2. *The Chief Executive Officer and Mayor are authorised to sign and affix the seal of the Adelaide Hills Council to the Funding Deed under the Asset Improvement Program.*

**15. QUESTIONS WITHOUT NOTICE**

**16. MOTIONS WITHOUT NOTICE**

**17. REPORTS**

17.1. Council Member Reports

17.2. Reports of Members as Council/Committee Representatives on External Organisations

17.3. CEO Report

**18. REPORTS OF COMMITTEES**

18.1. Council Assessment Panel  
*Nil*

18.2. Strategic Planning & Development Policy Committee  
*Nil*

18.3. Audit Committee  
*Nil*

18.4. CEO Performance Review Panel  
*Nil*

**19. CONFIDENTIAL ITEMS**

19.1. Australia Day 2019 Awards

**20. NEXT MEETING**

Tuesday 22 January 2019, 6.30pm, 63 Mt Barker Road, Stirling

**21. CLOSE MEETING**





## Council Meeting/Workshop Venues 2018/2019

DATE	TYPE	LOCATION	MINUTE TAKER
<b>JANUARY 2019</b>			
Wed 9 January	CAP	TBA	Karen Savage
Tues 15 January	Professional Development	Stirling	N/A
Tues 22 January	Council	Stirling	Pam Williams
<b>FEBRUARY 2019</b>			
TBA	CEO PRP	Stirling	TBA
Mon 11 February	Audit Committee	Stirling	TBA
Tues 12 February	Workshop	Woodside	N/A
Wed 13 February	CAP	TBA	Karen Savage
Tues 19 February	Professional Development	Stirling	N/A
Tues 26 February	Council	Stirling	Pam Williams
<b>MARCH 2019</b>			
Tues 12 March	Workshop	Woodside	N/A
Wed 13 March	CAP	TBA	Karen Savage
Tues 19 March	Professional Development	Stirling	N/A
Tues 23 March	Council	Stirling	Pam Williams

*Meetings are subject to change, please check agendas for times and venues. All meetings (except Elected Member Professional Development) are open to the public.*



# Conflict of Interest Disclosure Form

**CONFLICTS MUST BE DECLARED VERBALLY DURING MEETINGS**

Councillor:

Date:

Meeting name:

Agenda item no:

**1. I have identified a conflict of interest as:**

MATERIAL       ACTUAL       PERCEIVED

**MATERIAL:** Conflict arises when a council member or a nominated person will gain a benefit or suffer a loss (whether directly or indirectly and whether pecuniary or personal) if the matter is decided in a particular manner. If declaring a material conflict of interest, Councillors must declare the conflict and leave the meeting at any time the item is discussed.

**ACTUAL:** Conflict arises when there is a conflict between a council member's interests (whether direct or indirect, personal or pecuniary) and the public interest, which might lead to decision that, is contrary to the public interest.

**PERCEIVED:** Conflict arises in relation to a matter to be discussed at a meeting of council, if a council member could reasonably be taken, from the perspective of an impartial, fair-minded person, to have a conflict of interest in the matter – whether or not this is in fact the case.

**2. The nature of my conflict of interest is as follows:**

(Describe the nature of the interest, including whether the interest is direct or indirect and personal or pecuniary)

**3. I intend to deal with my conflict of interest in the following transparent and accountable way:**

I intend to **leave** the meeting (*mandatory if you intend to declare a Material conflict of interest*)

**OR**

I intend to **stay** in the meeting (**complete part 4**) (*only applicable if you intend to declare a Perceived (Actual conflict of interest)*)

**4. The reason I intend to stay in the meeting and consider this matter is as follows:**

(This section must be filled in. Ensure sufficient detail is recorded of the specific circumstances of your interest.)

and that I will receive no benefit or detriment direct or indirect, personal or pecuniary from considering and voting on this matter.

**CONFLICTS MUST ALSO BE DECLARED VERBALLY DURING MEETINGS**

Governance use only: Member voted FOR/AGAINST the motion.



### Ordinary Business Matters

A **material, actual** or **perceived** Conflict of Interest does not apply to a matter of ordinary business of the council of a kind prescribed by regulation.

The following ordinary business matters are prescribed under Regulation 8AAA of the Local Government (General) Regulations 2013.

- (a) the preparation, discussion, conduct, consideration or determination of a review under section 12 of the Act
  - (b) the preparation, discussion, adoption or revision of a policy relating to allowances and benefits payable to members if the policy relates to allowances and benefits payable equally to each member (rather than allowances and benefits payable to particular members or particular office holders)
  - (c) the preparation, discussion, adoption or alteration of a training and development policy under section 80A of the Act
  - (d) the preparation, discussion, adoption or amendment of a strategic management plan under section 122 of the Act
  - (e) the adoption or revision of an annual business plan
  - (f) the adoption or revision of a budget
  - (g) the declaration of rates (other than a separate rate) or a charge with the character of a rate, and any preparation or discussion in relation to such a declaration
  - (h) a discussion or decision of a matter at a meeting of a council if the matter—
    - (i) relates to a matter that was discussed before a meeting of a subsidiary or committee of the council
    - (ii) the relevant interest in the matter is the interest of the council that established the committee or which appointed, or nominated for appointment, a member of the board of management of the council subsidiary or regional subsidiary.
- (2) For the purposes of section 75(3)(b) of the Act, a member of a council who is a member, officer or employee of an agency or instrumentality of the Crown (within the meaning of section 73(4) of the Act) will not be regarded as having an interest in a matter before the council by virtue of being a member, officer or employee.

### Engagement and membership with groups and organisations exemption

A member will not be regarded as having a conflict of interest **actual** or **perceived** in a matter to be discussed at a meeting of council by reason only of:

- an engagement with a community group, sporting club or similar organisation undertaken by the member in his or her capacity as a member; or membership of a political party
- membership of a community group, sporting club or similar organisation (as long as the member **is not** an office holder for the group, club or organisation)
- the member having been a student of a particular school or his or her involvement with a school as parent of a student at the school
- a nomination or appointment as a member of a board of a corporation or other association, if the member was nominated for appointment by a Council.

However, the member will still be required to give careful consideration to the nature of their association with the above bodies. Refer Conflict of Interest Guidelines.

**For example:** If your **only** involvement with a group is in your role as a Council appointed liaison as outlined in the Council appointed liaison policy, you will not be regarded as having a conflict of interest actual or perceived in a matter, and are **NOT** required to declare your interest.

**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 18 December 2018  
AGENDA BUSINESS ITEM**

**Item:** 10.1 Question on Notice

**Originating from:** Cr Malcolm Herrmann

**Subject:** Fire Management Rural Areas

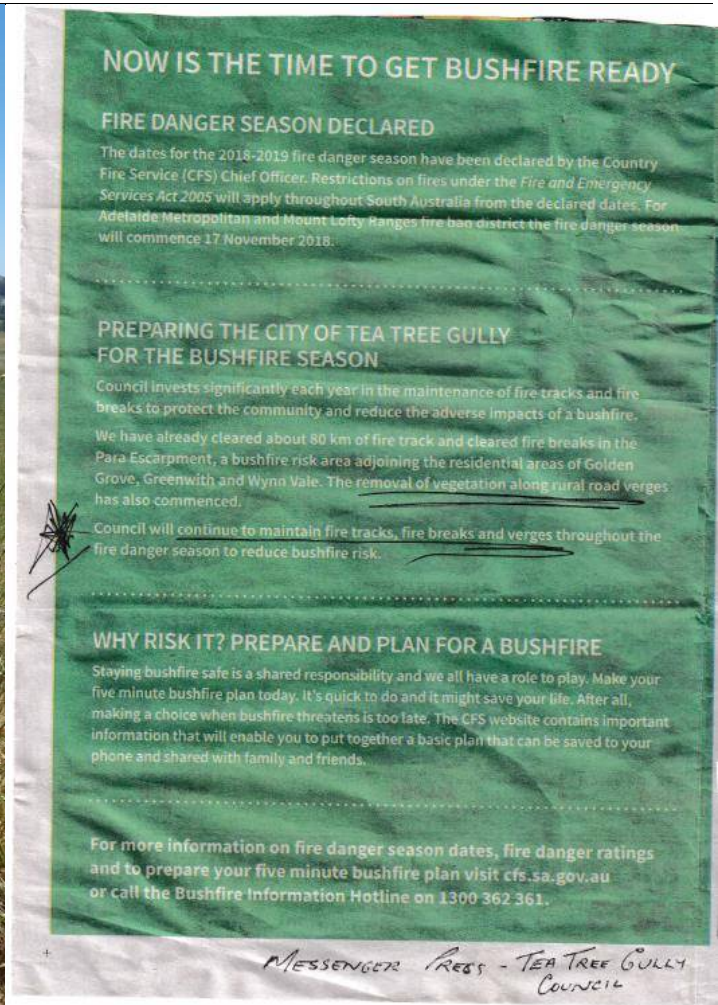
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**1. QUESTION**

1. Who is responsible for the management of roadside verges, i.e. the land between the road pavement and the land owner? For example DPTI main roads, Council sealed roads and Council unsealed roads. Who is responsible for tree management and vegetation (including grasses)?
2. What progress has been made on the Roadside Fuel Reduction Initiative? Has the initiative achieved any noticeable reduction in fuel loads and is it proposed to continue with it?
3. Has the Administration undertaken any education programs (as shown under the Fire Prevention Education Service in the budget) with landowners?
4. Where does liability lie if a landowner reduces the fire load and accidentally damages another person's property?
5. What is the breakdown of the proposed expenditure of \$400,000 for Fire Prevention included in the 2018/19 budget?

**BACKGROUND**

I have received many enquiries about the amount of roadside fuel - wild oats and phalaris, particularly on the council owned roads.



**3. OFFICER'S RESPONSE – John McArthur, Manager Waste & Emergency Management**

1. Who is responsible for the management of roadside verges, i.e. the land between the road pavement and the land owner? For example DPTI main roads, Council sealed roads and Council unsealed roads. Who is responsible for tree management and vegetation (including grasses)?

Council is responsible for roadside vegetation and tree management on Council roads and the majority of DPTI roads. Council has no maintenance responsibilities in relation to DPTI roads such as the South Eastern Freeway.

2. What progress has been made on the Roadside Fuel Reduction Initiative? Has the initiative achieved any noticeable reduction in fuel loads and is it proposed to continue with it?

The Roadside Fuel Reduction Initiative was limited to a number of trial sites only and therefore the fuel reduction benefits obtained were limited to these sites. The Roadside Fuel Reduction Initiative was developed and managed by the Upper Torrens Land Management Project which disbanded 1 July 2017. Since this time no further contact has been received in relation to the Roadside Fuel Reduction Initiative.

3. Has the Administration undertaken any education programs (as shown under the Fire Prevention Education Service in the budget) with landowners?

The following bushfire education activities have been undertaken thus far in 2018/19:

- Fire prevention information stall at the 2018 Uraidla Show
  - Fire Prevention Officer attendance and presentation at an Emergency Services Forum (Bushfire Prevention) hosted by Josh Teague MP Member for Heysen
  - Provision of a 'Pets in Emergencies' session at Gumeracha
  - Annual mail out to residents of properties previously in receipt of a fire clean up notice
  - Responding to individual resident requests in relation to bushfire prevention
  - Administration of the township burning permit process
  - Delivery of 'RediPlan' activities through the Disaster Resilience Partnership with the Australian Red Cross
  - Web site material
  - Social media / E news / Councils Monthly Courier Column activities throughout the year
4. Where does liability lie if a landowner reduces the fire load and accidentally damages another person's property?

The question of liability in the circumstances described can only be clarified with any certainty taking into consideration the facts of the specific incident if one were to occur. Broadly speaking, both Council (assuming the incident occurred on Council land) and the landowner who caused the damage could be liable.

5. What is the breakdown of the proposed expenditure of \$400,000 for Fire Prevention included in the 2018/19 budget?

<b>Breakdown of the \$400,00 identified in the 2018/19 budget for Fire Prevention:</b>		
<b>Account</b>	<b>Amount</b>	<b>Description</b>
Fire Prevention Contractors	\$215,000	Funds utilised for fire track maintenance, woody weed control, road side slashing and to a lesser degree fire prevention activities such as bushfire hazard mapping.
Legal Fees	\$1,000	Small allocation for any legal advice required in relation to fire prevention regulatory activities undertaken.
Fire Prevention Materials/Signs	\$7,000	Used for ancillary items required to support fire prevention activities such as signage, fire track padlocks, plumbing fittings etc.
Employee Costs	\$128,000	Salaries, Income Protection, Superannuation, Workers Compensation, Training.
Fire Prevention Vehicles	\$13,800	Light vehicles utilised by Fire Prevention Officers.
Postage	\$5,150	Mail out of pre-season advice letters and private property clean up notices.
Private Block Slashing	\$10,300	Slashing undertaken by Council when clean up notice not complied with (This expenditure is offset by an income line).
Safety Awareness Program	\$20,000	Partnership with Australian Red Cross to deliver community preparedness and resilience programs regarding all hazards including bushfire.
<b>TOTAL</b>	<b>\$400,250</b>	

**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 18 December 2018  
AGENDA BUSINESS ITEM**

**Item:** 10.2 Question on Notice

**Originating from:** Cr Linda Green

**Subject:** Amy Gillett Bikeway Woodside to Tiers Road

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**1. QUESTION**

What progress has been made with the link between Amy Gillett bikeway Woodside to Tiers Road ?

**2. OFFICER'S RESPONSE – Peter Bice, Director Infrastructure & Operations**

AHC has engaged Greenhill Designers to undertake the design of the Amy Gillett bike path connection in Woodside. The bike path is proposed to be installed along the old rail corridor with its alignment behind private properties along Onkaparinga Valley Road. The rail corridor is owned by the Commissioner of Highways.

AHC and Greenhill Designers recently met with cycling and property representatives of the Department for Planning, Transport and Infrastructure (DPTI) to inspect the land and subsequently to discuss property and alignment issues along the proposed path. DPTI's property division are currently preparing a Right of Entry for Council to undertake preliminary works. These will include existing vegetation clearance to enable undertaking an engineering survey for design purposes. For construction, a Licence Agreement will need to be prepared by the State's Crown Solicitor Office.

A notification and communication approach is being considered between DPTI and AHC regarding contacting the adjacent properties.

Council staff expect the Right of Entry to be prepared by end of January to undertake the clearing and survey works. Design is to be prepared during February / March 2019 with construction expected to occur in May / June 2019 following a tender process.

**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 18 December 2018  
AGENDA BUSINESS ITEM**

**Item:** 11.1 Motion on Notice

**Originating from:** Cr Mark Osterstock

**Subject:** Amendment to Code of Practice Meeting Procedures

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**1. MOTION**

1. That Council amends clause 4.14 [Meeting Protocols] of the Code of Practice for Council Meeting Procedures [the Code] by removing the requirement for elected members and staff to *stand* when addressing the Council.
2. All other aspects of clause 4.14 of the Code remain unchanged, aside from any consequential changes that may be required as a result of the aforementioned amendment.

**2. BACKGROUND**

Nil

**3. OFFICER'S RESPONSE – Lachlan Miller, Executive Manager Governance & Performance**

The rules and procedures for all meetings of Council and Council Committees are outlined in:

- *Local Government Act 1999* (the Act)
- *Local Government (Procedures at Meetings) regulations 2013* (the Regulations)

The Regulations provide that a council may develop and adopt of Code of Practice for its own meetings of Council and Committees that add to, or vary certain aspects of the above provisions. Council adopted its current *Code of Practice for Council Meeting Procedures* at its 22 August 2017 Council meeting.

In relation to the above motion, the Act and Regulations do not prescribe how Council Members will address the Chamber.

Council, in framing the Code of Practice determined the following provision in clause 14.4:

*Speaking during meetings*

Council Members and staff members will raise their hand and wait for recognition from the Presiding Member prior to standing and addressing the Council.

One of the key reasons for adopting this protocol was to make it clear to the other Council Members (and the Gallery) which Council Member 'has the floor' and to assist the Member to project their voice (as there was no amplification available).

With Council's recent acquisition of a public address and recording system for the Chamber, the matter of which Council Member 'has the floor' has been made clearer as that Council Member's microphone is illuminated with a red light and that Member's voice is amplified in the Chamber (and all other microphones are off).

The microphones are directional which has the benefit of mitigating the potential for the amplification and recording of side conversations. One of the downsides of directional microphones is that the speaker must talk directly into the microphone. This has proven difficult in the Chamber due to the Member being required to stand in accordance with the Code, leading to some awkward postures being adopted (i.e. leaning over and looking down).

The proposed motion would enable Members to speak more comfortably into their microphones, maintain correct posture and be able to maintain eye contact with the Chamber. This may also assist to accommodate any Council Members, Officers and Members of the Public (from deputations and public forum) with mobility issues.

The only perceived detriment would be that it would be more difficult for the Gallery to ascertain which Council Member was speaking, this is mitigated however as the Presiding Member will still recognise (i.e. invite the Member to speak) prior to that Member commencing their address to the Chamber.

As part of the induction process for the new Council, a professional development session is scheduled for 15 January 2019 to complete the mandatory training *Module 3: Council and Committee Meetings*. This training will involve working with Members through the content of Council's *Code of Practice for Meeting Procedures* and the *Code of Practice for Access to Council and Committee Meetings and Documents*. In this regard, walking through the documents, drawing on experiences from the Chamber and doing some scenarios and role-plays (in addition to satisfying the training obligation), may well highlight some potential changes that Members wish to be made to the Codes when they come before Council at the 26 February 2019 Ordinary Meeting for review.

The proposed motion is unlikely to prejudice the wider review of the *Code of Practice for Meeting Procedures* and as it addresses an emerging issue, the Administration supports the motion. There may be some minor consequential changes required to clause 14.4 regarding the use of the microphones (to indicate a desire to speak) rather than the raising of hands but this can wait for the 26 February 2019 review of the Code.



**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 18 December 2018  
AGENDA BUSINESS ITEM**

**Item:** 11.2 Motion on Notice

**Originating from:** Cr Malcolm Herrmann

**Subject:** Scott Creek Cemetery Funds

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**1. MOTION**

**I move that the CEO prepares a report by 31 March 2019, in consultation with the Scott Creek Progress Association, on possible expenditure of \$6,000 held in the Council Reserve Fund on behalf of the Scott Creek Progress Association.**

**2. BACKGROUND**

The sum of \$6,000 is held in Council reserve funds on behalf of the Scott Creek Progress Association. The Association transferred about \$25,000 to Council at the time the Council assumed management of the Scott Creek Cemetery from the Association. Some funds have been expended on the erection of a shelter, but there does not seem to be a plan to expend the balance.

**3. OFFICER'S RESPONSE – Natalie Westover, Manager Property Services**

We confirm that an amount of \$5,654 is held in a reserve and is available to be expended on the Scott Creek Cemetery, as required. The amount is shown in the 2017-18 Audited Financial Statements as \$6k in Other Reserves under the title of "Scott Creek Progress Association".

Financial records show that an amount of \$26k was allocated to the Scott Creek Progress Association Reserve in 2010-11 with transfers from reserves of \$19k in 2011-12 and \$1k in 2012-13 to leave the balance of \$6k.

Some upgrades have been undertaken at the Scott Creek Cemetery in recent years including the establishment of a rose garden, the installation of a rainwater tank to provide a water source for the rose garden, and some signage. Whilst not specifically flagged at the time, it is potentially possible to acquit the remaining funds against these items.

There are no short term upgrades/improvements that are scheduled for the Scott Creek Cemetery, however, through the process of development of a management plan for the cemetery over the next 6 months, some may be identified.

In due course there will need to be an expansion of the cemetery infrastructure and, in the absence of other upgrades which may be identified, it is anticipated the funds can be utilised for that purpose.

**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 18 December 2018  
AGENDA BUSINESS ITEM**

**Item:** 11.3 Motion on Notice

**Originating from:** Cr John Kemp

**Subject:** Stonehenge Reserve

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**1. MOTION**

**I move that only minimum further expenditure is made on consultant fees in relation to the proposed options for upgrading the Stonehenge Tennis Courts to include Netball courts until:**

- 1. Councillors attend a site visit to the Stonehenge tennis courts and the alternative sites at Piccadilly and Heathfield.**
- 2. A Councillor workshop is held on the merits of each site and a full analysis of the community consultation.**

**2. BACKGROUND**

At the community meeting held on 5 December 2018, it was clear there was considerable dissatisfaction with the community consultation process thus far and the expenditure on consultant fees. It was obvious that many of the 40 plus residents present believed community feedback should have been sought before consultants were engaged. A number of residents found it difficult to understand why Council didn't have in-house expertise to produce the plans showing the options for the Stonehenge site.

**3. OFFICER'S RESPONSE – Peter Bice, Director Infrastructure & Operations**

If supported, Administration can coordinate a site visit and workshop in the New Year.

**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 18 December 2018  
AGENDA BUSINESS ITEM**

**Item:** 12.1

**Originating Officer:** Sharon Leith Sustainability Officer

**Responsible Director:** Peter Bice Director Infrastructure and Operations

**Subject:** Draft Gumeracha Main Street Masterplan

**For:** Decision

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**SUMMARY**

The purpose of this report is to present the draft Gumeracha Main Street Masterplan (the draft Masterplan) for endorsement. The draft Masterplan has been developed with the Gumeracha Main Street Project Group (GMSPG) through an extensive community engagement process and is made possible through a grant for \$20,000 from the Australian Government through the Building Better Regions Fund. This draft Masterplan builds on the Design Framework-Residents Win Department of Planning, Transport and Infrastructure (DPTI) grant application developed in November 2017. The intention is that this draft Masterplan ensures a coordinated design approach for the Gumeracha Main Street.

Key design considerations within the draft Masterplan includes:

- Consistent feature ornamental cherry street trees within footpath area
- Numerous slow points on the entrances into Gumeracha including rumble strips and build outs at specific locations to improve road crossing (a trial will be implemented to test the location)
- Gateway markers and wayfinding signage
- Low colourful planting within build outs and adjacent hospital
- Artworks along the concrete wall in front of the hospital
- Additional seating at key locations

A broader engagement process was undertaken to obtain further feedback on the draft Masterplan concurrently with the Gumeracha Precinct (Federation Park and Oval) Masterplan consultation. This broader engagement process commenced on Thursday 11 October 2018 and closed on Friday 2 November 2018.

Council has also been successful in obtaining further grant funding from the Residents Win program for design documentation of Stage 1 and installation of 'Quick Wins' of \$32,500 with a Council contribution of \$22,500 (exclusive of GST).

In addition further grant funding from DPTI of \$120,000 for Stage 2 implementation works was made available outside of an application process and Council has bought forward \$100,000 from 2020/2021 to the 2019/2020 budget. This was endorsed at a Special Council meeting on 12 June 2018. This funding will ensure that implementation of some elements can be undertaken in 2019/2020, that momentum is not lost for this project and works can coincide with any Power Line Environment Committee (PLEC) powerline undergrounding.

## RECOMMENDATION

### Council resolves:

1. That the report be received and noted
  2. That Council endorses the draft Masterplan taking into consideration the broader community engagement process and outcomes.
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## 1. GOVERNANCE

### ➤ Strategic Management Plan/Council Policy

Goal 3.9 Place  
Strategy 3.9 We will encourage community – led placemaking approaches to enhance townships and public spaces

*‘With community-based participation at its center, an effective Placemaking process capitalises on local community assets, inspiration and potential and it results in the creation of quality public spaces that contribute to peoples health, happiness and wellbeing’ (Projects for Public Spaces). Council works in partnership with communities that are actively seeking to influence the economic vitality and public spaces of their townships. This approach contributes towards building sustainable community spaces that contribute to community capacity, resilience and general well-being.*

### ➤ Legal Implications

Not Applicable

### ➤ Risk Management Implications

The endorsement of the draft Masterplan will assist in mitigating the risk of:

*Limited business opportunities and lack of social and economic vibrancy, and a streetscape of severely pruned trees and unsafe pedestrian crossings within the Gumeracha Main Street leading to increased visual and economic degradation.*

Inherent Risk	Residual Risk	Target Risk
Medium (3C)	Medium (2C)	Low (2D)

The draft Masterplan provides a guiding coordinated document that will enable streetscape implementation to be staged and funded.

➤ **Financial and Resource Implications**

The draft Masterplan is made possible through a grant from the Australian Government through the Building Better Regions Fund for \$20,000.

Council has provided a contribution of \$22,500 (exclusive of GST) for the next stage of the project resulting in \$55,000 including \$32,500 from Department of Planning Transport and Infrastructure (DPTI) being available for Stage 1 of the project.

Council has also been successful in obtaining further grant funding from DPTI of \$120,000 for Stage 2 implementation works. Council has bought forward \$100,000 from 2020/2021 to the 2019/2020 Long Term Financial Plan (LTFP) 3 year rolling plan. This was endorsed at a Special Council meeting on the 12 June 2018. This funding will ensure that implementation of some elements can be undertaken in 2019/2020, that momentum is not lost for this project and works can occur in a more timely manner.

A further \$500,000 has been allocated within the Long Term Financial Plan as Council's contribution towards undergrounding of the powerlines within the Main Street. The Gumeracha Main Street Project Group has recently completed a further Building Better Regions Fund application process for infrastructure works that if successful would further progress the works. It is anticipated that further funding may be required to complete the implementation of the draft Masterplan outcomes and this will be incorporated within budget requests, priority determination and supplemented with grant funding.

➤ **Customer Service and Community/Cultural Implications**

The preparation of the draft Masterplan has been a community driven place making approach that will ensure a coordinated staged and funded process to assist in the revitalisation of the Main Street. This will result in an improved benefit to the Gumeracha and Adelaide Hills community and visitors.

➤ **Environmental Implications**

Not Applicable

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Consultation on the development of this report was as follows:

*Council Committees:* Not Applicable

*Council Workshops:* Gumeracha Placemaking projects including the Gumeracha Main Street Masterplan was presented at a Council workshop on 13 March 2018. Masterplanning including reference to the Gumeracha Main Street Masterplan was presented at a Council Professional Development session on 17 July 2018. The draft Gumeracha Main Street Masterplan (the subject of this report) was also presented at a Council Workshop on Tuesday 11 December 2018.

*Advisory Groups:* Not Applicable

*Administration:* Manager Sustainable Assets  
Sustainability Officer  
Horticultural Officer Open Space  
Parks and Reserves Supervisor  
Manager Open Space  
Manager Economic Development  
Civil Projects Coordinator  
Community Development Officer-Torrens Valley Community Centre  
Community and Cultural Development Officer

*Community:* The GMSPG was matched with consultant Jensen PLUS who prepared a Design Framework for the Main Street, which was successful in Residents Win grant funding. On completion of the draft Design Framework community consultation was undertaken from 1 November to 22 November 2017. This included online surveys on the Council website, hard copy surveys at key facilities within the hills, kitchen table conversations in the Main Street and in the Gumeracha Library foyer and large plans on display at the Gumeracha Primary School. Information on the sessions was distributed via Council website, GMSPG website, social media, hard copy notices in key locations within Gumeracha. This Design Framework was the precursor for the development of the draft Masterplan.

A Co-Design workshop was held on Friday 10 (Gumeracha Library foyer) and Saturday 11 August (in the Main Street) to obtain further clarity around design development, the specific location of site furniture and crossing points. Information on the Co-design workshop was distributed via Council website, GMSPG website and social media. Over the two days in excess of 30 people contributed to the design process. The outcomes from this Co-design workshop approach have been incorporated within the draft Masterplan. The draft Masterplan was then released for broader community consultation on Thursday 11 October closing on Friday 2 November 2018. The Project Coordinator also engaged one on one with the majority of business owners to understand any specific concerns and agreement with the draft Masterplan. Ongoing meetings and email communication have also been occurring between the GMSPG and Council throughout the development of the draft Masterplan. At the recent Planning Institute Awards GMSPG, Adelaide Hills Council and JensenPLUS were awarded the Public Engagement and Community Planning Award.

## **2. BACKGROUND**

Jensen PLUS was engaged as the successful consultant to undertake the Gumeracha Main Street Masterplan and have completed the Stage 1 draft Masterplan which will guide the design documentation, implementation and installation of the next stage and 'Quick Win' elements within the Main Street.

A Co-design workshop organised and facilitated by JensenPLUS was held on Friday 10 and Saturday 11 August 2018 to test the ideas identified in earlier engagement and the Design Framework. The Co-design workshop also provided further insight into local issues and

opportunities. Over the two day period positive feedback was received from over 30 participants. The discussions and testing of the ideas provided the basis for this draft Masterplan and its concepts. Key ideas were reinforced through this community engagement process.

Within the Masterplan the design approach is to build on the existing features and town heritage to improve safety and amenity.

Key design considerations included within the draft Masterplan are as follows:

- Consistent feature ornamental cherry street trees within footpath area
- Numerous slow points on the entrance into Gumeracha including rumble strips and build outs at specific locations
- Gateway markers and wayfinding signage
- Low colourful planting within build outs and adjacent hospital
- Artworks along the concrete wall in front of the hospital
- Additional seating at key locations

Whilst the design and installation of the 'Quick Wins' still has to be confirmed the consultant has identified that by high pressure cleaning the paving throughout the town this would lift the visual look. This could possibly be one of the 'Quick Win' projects.

In addition to the \$75,000 allocated for the design process Council has also been successful in obtaining further DPTI Residents Win grant funding of \$120,000 for Stage 2 implementation works. Council has also bought forward \$100,000 from the 2020/2021 to 2019/2020 budget to ensure that momentum is not lost for this project and implementation of some elements can be undertaken. This was endorsed at a Special Council meeting on the 12 June 2018.

## 6. BUSINESS OF THE MEETING

### 6.1. Residents Win Stage 2 Funding Increase Proposal – Gumeracha Main Street

Moved Cr Linda Green  
S/- Cr Jan-Claire Wisdom

126/18

Council resolves:

1. That the report be received and noted
2. That Council support the movement of the \$100,000 allocation in the 2020-21 Long Term Financial Plan Capital Allocation to 2019-20 to enable the receipt of \$120,000 grants funding to be received this current financial year 2017-18 as a contribution towards the Stage 2 works in Gumeracha.

	<b>Carried Unanimously</b>
--	----------------------------

The total budget for Stage 2 implementation of the draft Masterplan in 2019/2020 is \$220,000.

The timing of this project along with the potential undergrounding of the Power Line Environment Committee scheme (PLEC) will provide an integrated design response for the Gumeracha Main Street, if subsequently approved by PLEC and SA Power Networks. A further \$500,000 has been allocated within the Long Term Financial Plan as Council's contribution towards undergrounding of the powerlines within the Main Street. An application has been prepared and Council is currently waiting on the outcomes of this

grant. Council is also currently preparing a Stormwater Management Plan for the Gumeracha township including the Main Street with the outcomes to be integrated into Stage 2 and future budget considerations.

A Council Project Team was formed to coordinate the project including the Strategic and Sustainability Officer, Economic Development Officer, Civil Projects Coordinator, Community Development Officer-Torrens Valley Community Centre and Community and Cultural Development Officer. This group has met numerous times to provide input on preparation of the Project Brief, tender evaluation, after the Co-design workshop, to review the draft Masterplan prior to community consultation and to discuss the outcomes of the community consultation. Members of the group were invited and also attended the Co-Design workshop.

### **3. ANALYSIS**

A broader community engagement process was undertaken from 10 October 2018 to Friday 2 November 2018 to obtain further feedback on the draft Masterplan. A Public Notice was placed in the Courier, poster display located in the Torrens Valley Community Centre (TVCC) foyer and information distributed via social media. In addition the GMSPG have extensive local networks which ensured a comprehensive distribution of the information. The draft Masterplan and feedback forms were made available at the Torrens Valley Community Centre, Woodside Library and Stirling Library.

The broader community engagement process involved the following:

- Attendance at the Nature Play Day on 11 October 2018 in Federation Park
- Online engagement through My Say on the AHC website
- Listening Post set up in Federation Park on the morning of Saturday 27 October 2018
- Feedback forms available at TVCC, Woodside and Stirling library

The broader engagement process has been undertaken concurrently with the draft Gumeracha Precinct Masterplan consultation to combine the two projects and limit consultation fatigue within the Gumeracha community. The community was able to provide feedback on both projects.

A total of 79 submissions were received, 65 online and 14 paper feedback forms. A complete summary is provided as Appendix 2 community consultation outcomes- Gumeracha Mains Street Masterplan.

The questions and summary of submissions received are as follows:

- Are you a resident, work in the area or a visitor? – 69 of the submissions being from local residents
- What is your age range? –the age range varied from over 55 to 18-25 with the majority between 46-55
- On a scale of 1-10 to what extent do you support the proposed Masterplan? – 28 submissions completely supported the draft Masterplan with another 21 submissions with a high level of support (over a score of 6). 9 submissions did not support the Masterplan.
- On a scale of 1-10 to what extent do you support the following specific elements from the Masterplan?



- Street trees-Ornamental Cherry Trees –28 submissions completely supported street trees with another 24 submissions with a high level of support (over a score of 6). 9 submissions did not support the street trees.
- Amenity planting-low growing native species-31 submissions completely supported amenity planting with another 18 submissions with a high level of support (over a score of 6). 7 submissions did not support the amenity planting.
- Buildouts and crossing points-30 submissions completely supported buildouts and crossing points with another 15 submissions with a high level of support (over a score of 6). 24 submissions did not support the buildouts and crossing points.
- Rumble Strips-34 submissions completely supported rumble strips with another 10 submissions with a high level of support (over a score of 6). 17 submissions did not support the rumble strips.
- Public Art-32 submissions completely supported public art with another 11 submissions with a high level of support (over a score of 6). 8 submissions did not support public art.
- Gateway entry markers-32 submissions completely supported with another 16 submissions with a high level of support (over a score of 6). 6 submissions did not support the gateway entry markers.
- Wayfinding signage-36 submissions completely supported wayfinding signage with another 13 submissions with a high level of support (over a score of 6). 10 submissions did not support wayfinding signage.
- Additional seating-33 submissions completely supported additional seating with another 15 submissions with a high level of support (over a score of 6). 7 submissions did not support additional seating.
- New bus shelter- 36 submissions completely supported new bus shelter with another 13 submissions with a high level of support (over a score of 6). 3 submissions did not support new bus shelters.

In addition there was also the opportunity to provide further comment with 56 submissions providing further comment. These varied from *‘Completely do not support the Main Street upgrade, what’s wrong with the street now ?? Leave it the way it is’* to *‘THANK YOU. It is so wonderful to see this level of Council commitment to Gumeracha. This work will make such a difference in so many ways and it is just so fabulous to see this happening. Please see this through to the end! Thank you.’*

While the community generally support the draft Masterplan and eight out of the specific elements there was a more even spread of concern for the installation of the buildouts and crossing points. The community understand that crossing the road is difficult for some members of the community but the loss of carparks is of prime concern. With this in mind the draft Masterplan has been reviewed and changed to reflect these concerns with the removal of the crossing point near the Post Office and the intention that the crossing points near the Medical Centre and the Hotel be trialled with temporary structures.

There was confusion with the rumble strips as a number of submissions referred to the ‘speed humps’. Rumble strips are flush with the surrounding roadway and are installed to make the driver aware of travelling over a different surface and entering into the village heart. There was also concern about the potential noise of the rumble strips especially adjacent the Retirement Village and therefore these have been altered to reflect low noise materials and configuration.

While there was general agreement on the use of cherry trees this will be dependant on the availability of a specific species at the time of installation. The intention is that further design documentation and installation of the 'Quick Win' components of the project will be undertaken over the next six months.

#### 4. OPTIONS

Council has the following options:

- I. Receive and endorse the draft Masterplan taking into consideration outcomes of the community consultation process ***(Recommended)***
- II. Resolve not to endorse the draft Masterplan taking into consideration outcomes of the community consultation. Should the Council decide not to endorse the draft Masterplan the collaborative approach to engage with the community to develop the draft Masterplan will be compromised. ***(Not Recommended)***

#### 5. APPENDICES

- (1) Draft Gumeracha Main Street Masterplan
- (2) Community Consultation Outcomes-Gumeracha Main Street Masterplan

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# **Appendix 1**

*Draft Gumeracha Main Street Masterplan*

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# Albert Street Gumeracha

December 2018

# Main Street Master Plan

Draft Design Report



Australian Government

**BUILDING OUR FUTURE**



Government of South Australia

Department of Planning,  
Transport and Infrastructure



Adelaide Hills  
COUNCIL

**JENSEN  
PLUS**

Planning  
Landscape Architecture  
Urban Design  
Social Planning

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Revision E  
7th December 2018

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# 1. Summary

As part of the Residents Win Funding Program Jensen PLUS was invited to work together with the Gumeracha Main Street Project Group (GMSPG) to devise techniques to improve the safety of Albert Street (as a road / thoroughfare). It became clear from the outset of the project that a holistic view should be taken prior to “jumping in” with engineering or traffic calming suggestions for the road. Albert Street needed to be considered in the context of the township as a whole and considered as an incubator, conductor and focal point for community activity.

Experience from other local projects has demonstrated that an intensive upgrade of 2-3 blocks can prove more beneficial to the overall appeal and image of a place than a scheme which is diluted over a large expanse. Thus came the decision to focus on the “Village Heart” as the first stage of work, with the areas outside this to follow suit when funding became available.

Through engagement with Adelaide Hills Council (AHC)

and the GMSPG it emerged that the section of Albert Street between Victoria Street and John Fisher Avenue was correctly identified as the “heart” of the Gumeracha village.

To test the ideas raised in early engagement a co-design workshop was proposed to gain local insights to the issues and opportunities that the township and surrounding hinterland communities understand about their town. Over the two-day period of the workshop positive feedback from more than 30 residents was received. This discussion and testing of ideas provided the basis for this Master Plan and its concepts.

A further round of community engagement was led by the AHC which included a Listening Post on a Saturday morning in Federation Park, copies of the Master Plan being available within the Torrens Valley Community Centre, Woodside Library and the Stirling Library along with feedback forms and public notices within the Courier. The Master Plan was also available for comment

through Council’s online ‘My Say’ engagement process as well as other social media outlets.

From the 10 actions for a ‘Village Heart’ in Albert Street that were originally suggested 5 key ideas were reinforced through the community engagement process. These include:

1. **New street tree and amenity planting**
2. **Increase seating and replace bus stops**
3. **New signage to support Albert Street and businesses in the adjacent streets**
4. **New protruberances to slow and calm traffic at John Fisher Avenue, the Medical Centre and Victoria Street and make it easier to cross the road**
5. **Increase art opportunities within the streetscape**

These ideas were refined through the design and consultation process as an iterative action with the final versions being illustrated within this Master Plan.





**Albert Street, the “Village Heart” of Gumeracha, extends from Victoria Street to John Fisher Avenue. Its heritage buildings are prominent and an important part of the town’s character.**

# 2. Introduction

## An introduction to the Gumeracha Main Street project



Streets at Goodwood Road in Adelaide have been designed with colour and quality, and can host community events.



At Sixth Street, Murray Bridge, Jensen PLUS led a team to transform the streetscape into an attractive, green and functional street. Rain gardens pictured here catch stormwater and passively irrigate the new trees and plantings.

### Location

Gumeracha is a town in the Adelaide Hills, South Australia, located on the Adelaide-Mannum Road, about 37km from Adelaide. It has a population of approximately 700 residents and is surrounded by large tracts of orchards, vineyards and dairy farms.

### Project Objectives

The key deliverable for the Gumeracha Main Street project is to develop a Masterplan for the wider precinct and finalise detailed design for 'The Village Heart' precinct, including a shovel ready 'Quick Win' project to be implemented in the short term.

In addition this framework aims to achieve the following objectives:

- \_ Provide a document which is consistent with other relevant plans
- \_ Adopt a multidisciplinary approach to developing an integrated strategy and plan
- \_ Highlight and focus on areas within a budgetary framework
- \_ Develop a framework that reflects community aspirations and addresses the inter-relationships between the elements of the urban environment
- \_ Facilitate the development of a more attractive and vibrant public realm
- \_ Consolidate priorities for the Adelaide Hills Council, the Gumeracha Main Street Project Group and the community of Gumeracha
- \_ Create linkages with the Gumeracha Precinct-Federation Park and Oval and concurrent masterplan process
- \_ Consider opportunities presented by undergrounding powerlines to enhance the streetscape
- \_ Actively attract people to visit and stop in Gumeracha

### Previous Work

As part of the Residents Win Funding Program Jensen PLUS were invited to work together with the Gumeracha Main Street Project Group to devise techniques to improve the safety of Albert Street (as the main road

/ thoroughfare). It became clear from the outset of this process that a holistic view should be taken prior to "jumping in" with engineering or traffic calming suggestions for the road. Albert Street needed to be considered in the context of the township as a whole and considered as an incubator, conductor and focal point for community activity. It is primarily a "Main Street" that should be supportive of people and not just a busy "connector" between hills towns. The Gumeracha Main Street Project Group and broader community were also of this mindset, however reflecting these important characteristics on the ground is difficult, particularly without guiding plans or principles or budgets!

Jensen PLUS, after investigations and analysis of consultation results were undertaken, sketched a design framework to inform subsequent physical works to Albert Street. This drawing intended to define a series of Main Street nodes;

- \_ The Arrival
- \_ Village Heart
- \_ Federation Park Hub
- \_ Civic + Sports Hub

Through engagement with Adelaide Hills Council and the Gumeracha Main Street Project Group it became clear that the section of Albert Street between Victoria Street and John Fisher Avenue was correctly identified as the "heart" of the Gumeracha village. This was a local destination, where day-to-day life happened and was a precinct that had the potential to best represent what it meant to live, work and play in Gumeracha. So many amazing small business enterprises and producers have recently established themselves throughout the local area but are disjointed with no "face" - a revitalised and improved Village Heart area has the potential to represent this local product and the people, so long as the physical allows it to grow.

### Lessons learnt from elsewhere

Experience from other main streets and regional towns can help to identify wider trends and context that could

influence the future of Gumeracha Main Street as well. Wider trends include:

- \_ Main streets focusing not just on shopping but moving to a broader offer including retail, entertainment, and community activity
- \_ Quality and niche food and beverage uses are frequently leading the influx of activity to new areas
- \_ Authentic shops (not chains or franchises), and experiences unique to the place (including public art) are essential for local and tourist vibrancy
- \_ Quality public realm is essential to attracting more customers/visitors, and enticing them to stay longer. This includes seating, shelter, signage, wifi and outdoor experiences
- \_ Designing streets for people that are safe, functional, comfortable and green are increasingly prerequisites to successful main street precincts.

All these lessons helped form the approach to the Gumeracha Main Street design investigations and framework.



<p><b>PERAMANGK CULTURE &amp; HARMONY</b></p> <p>We are committed to recognising the complete history of our township, knowing and celebrating local Aboriginal culture and developing a two way partnership with Peramangk Peoples for a harmonious future.</p>	<p><b>FRIENDLY</b></p> <p>Gumeracha Main Street is a community space where locals and visitors feel comfortable to enjoy. In businesses and outside it is a space for people of all ages, cultures and backgrounds - everyone is welcome.</p>
<p><b>NATURE</b></p> <p>Gumeracha Main Street is connected to the natural environment. It provides access and visual amenity to the natural beauty that surrounds it. Design elements reflect the close relationship between the street and the world beyond.</p>	<p><b>ABUNDANCE</b></p> <p>We celebrate the produces of local artisans. Fresh food, locally made products and artworks are available in businesses on the street and public spaces reflect the community and its abundant offerings.</p>
<p><b>LINGER</b></p> <p>Gumeracha Main Street is a place to spend time for leisure, business and community. It provides places to meet, stop, shop and play.</p>	<p><b>DISCOVERY</b></p> <p>The Main Street has a character of its own. There are elements of surprise and an allure to explore and discover the heart and history of the township.</p>
<p><b>UNINHIBITED</b></p> <p>Gumeracha Main Street is not limited by convention. It respects heritage while embracing new and exciting elements which make it stand out from the crowd. Art is celebrated and shared and good design is considered in all aspects.</p>	<p><b>SAFE</b></p> <p>Gumeracha Main Street is a place where everyone feels safe - whether that's crossing the road, walking at night or splashing in puddles. Spaces are designed with consideration for all users of the street - from the very young to the very old.</p>

The Gumeracha Main Street Vision Framework



# 3. Site Context



Overhead power lines take preference over street trees resulting in pollarding .



Town wayfinding signage is basic and in varying states of repair.



Street tree planting has been poorly positioned for pedestrian movement.



Seating is limited in scope given the steepness of Albert Street.



The western entries to Albert Street are wide and promote high vehicle speeds.



Historical pruning regimes due to the power lines have affected street tree health.



Gumeracha Main Street is on a steep slope with minimal stormwater infrastructure.



The Gumeracha Hotel currently lacks connection to the streetscape.



Large verges at back of NW footpath create an opportunity to increase greening.



Uniqueness + creativity in local art displayed within Federation Park.



Pram ramps for crossing, a wide road and vehicle speeds are issues outside the Gumeracha Hotel + Albert Street generally.



Maintenance issues to be addressed.



Local businesses are creating a streetscape impression in innovative ways.



Building set backs can allow for parking to the front of some businesses.



Length of concrete retaining wall to Memorial Hospital is an opportunity for public art and an entry statement to Albert Street.



Local history monuments express Gumeracha's rich + unique heritage.



Federation Park's attractive framed view via a memorial archway.

**New businesses are establishing just off Albert Street and options for highlighting and integrating these into the overall experience of Gumeracha will add to the vitality of the town and its main street.**



# 4. Investigations + Engagement

## Engaging the local community

Engagement (in particular the workshops held on site) was very successful with good attendance, great participation and wide appreciation for the chance to be involved in the identification and prioritisation of concepts and projects for both early wins and a longer term strategy.

An Engagement Framework was agreed at the start-up meeting of the project to get the best response from the Gumeracha community. It was based on the following key project objectives and outcomes.

### Engagement framework

#### Objectives

- Coordinate and implement logical and clear engagement of two contracts with separate funding, Stage 1 Concept Design Package (Masterplan) and Stage 2 Detailed Design + Quick Wins Detail Package, to satisfy one community, in one place, to achieve one vision from the big picture through to the small
- Consider Albert Street in the context of the township as a whole and as an incubator, conductor and focal point for community activity
- Establish a “Main Street” that is supportive of people and use, while reflecting important characteristics of the area
- Focus future investment on those areas that really generated the most business activity, trade and opportunity for social integration
- Revitalise and improve the Village Heart area that has the potential to represent this local product and the people with public art, signage, landscaping, parklets and view orientated seating
- Focus on revitalising the Village Heart in the first stage of work and the areas outside of this to follow with attraction of funding

#### Outcomes

- Acquiring an understanding of the existing condition of public spaces and recreation areas
- Engaging the local community in identifying the desired character and the uniqueness of the town
- Planning for the development or enhancement of open spaces and pedestrian/cycle links
- Providing a unified, community-friendly design for the main street
- Producing a blueprint for improved township entrance statements
- Consolidating future development priorities for Council and the township of Gumeracha
- Prioritising identified projects with respect to importance, cost and ability to be achieved.

The Engagement Framework outlined actions for this project based on these objectives and outcomes by defining the stakeholders, the principles for engagement, and outlining important engagement steps.

#### Stakeholders

The Engagement Framework identified several stakeholders who included;

- The Gumeracha Main Street Project Group
- Main street traders, those in the near vicinity and landowners and,
- The community of Gumeracha
- The Adelaide Hills Council
- The Department of Planning, Transport and Infrastructure

### Engagement approach - Co-Design Workshop

Engagement with communities to facilitate respectful collaboration is a tried and tested approach for many of Jensen PLUS' projects. For Gumeracha, an intensive, on the ground approach involving the community was



Day 1 of the Co-Design workshop the community members of Gumeracha discuss concepts with Council + consultants.



Gumeracha locals suggested 'Quick Wins' they believed would make an impact to their Main Street.



Community members prioritise landscape elements they want to see most.

undertaken to: ensure the existing conditions were discovered and understood; what the community values and opportunities for improving key local places and the links between them.

To achieve strong community and stakeholder engagement an intensive 2 day workshop was envisaged.

The workshop was facilitated by Adelaide Hills Council staff and Jensen PLUS. Significant promotion of the workshop in the community through social media, posters in shop windows and invitations ensured the community had the opportunity to participate. The community were able to see their ideas from previous consultation workshops turned into a plan and precedent image boards and then were asked to prioritise 'quick wins' and preferred landscape elements. Over 30 people in total attended the workshops at different times.

The Gumeracha Library was the venue for the first session on Friday 10th August, while the Saturday 11th August session went out to the Gumeracha Hotel verandah to engage residents as they went about their weekend errands.

**Friday Session:**

The Co-Design workshop agenda included the following activities:

- **Key stakeholder introductory presentation** by Jensen PLUS' Michael McKeown and Chelsea Lewis from the Gumeracha Main Street Project Group provided background information to the project and facilitated a brief group discussion.
- **Open Studio** - The session then encouraged the community members present to contribute to the design process by viewing the prepared ideas on the walls. These were structured so precedents and a plan were available with capacity for comments to be expressed regarding the likes, dislikes, and desires for each element and indication of preferred

landscape elements recorded by yellow stickers. Other community members dropped in during the afternoon to add their views.

**Saturday Session:**

- **Open Studio** - The open studio 'took to the street' and set up the precedent image boards under the Hotel verandah. Red stickers were supplied to the residents for voting and at the end of the two days certain elements were obviously favoured by the community - being covered in the yellow and red dots!
- **Immersion Street Walk** - Michael McKeown led a group in walking the length of the street discussing changes to planting, paving, furniture etc. Again, those from the general community who attended welcomed many of the ideas and provided specific local knowledge, fresh ideas and views that are so important when designing for local communities.



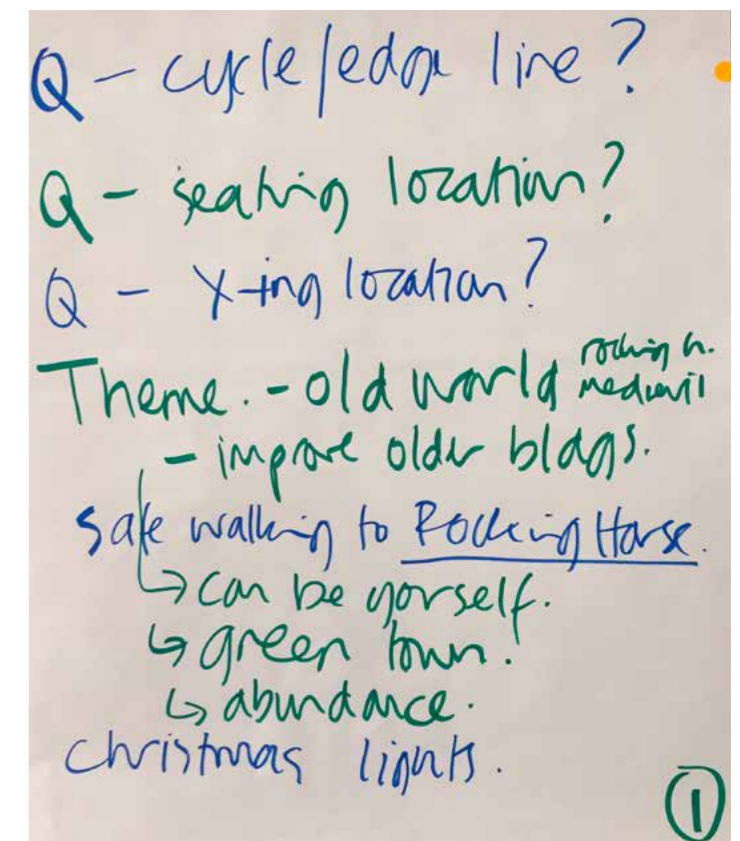
The Friday session began with presentations describing 'how did we get here' and 'where to from here?'



Community voting for ideas and adding new ones.



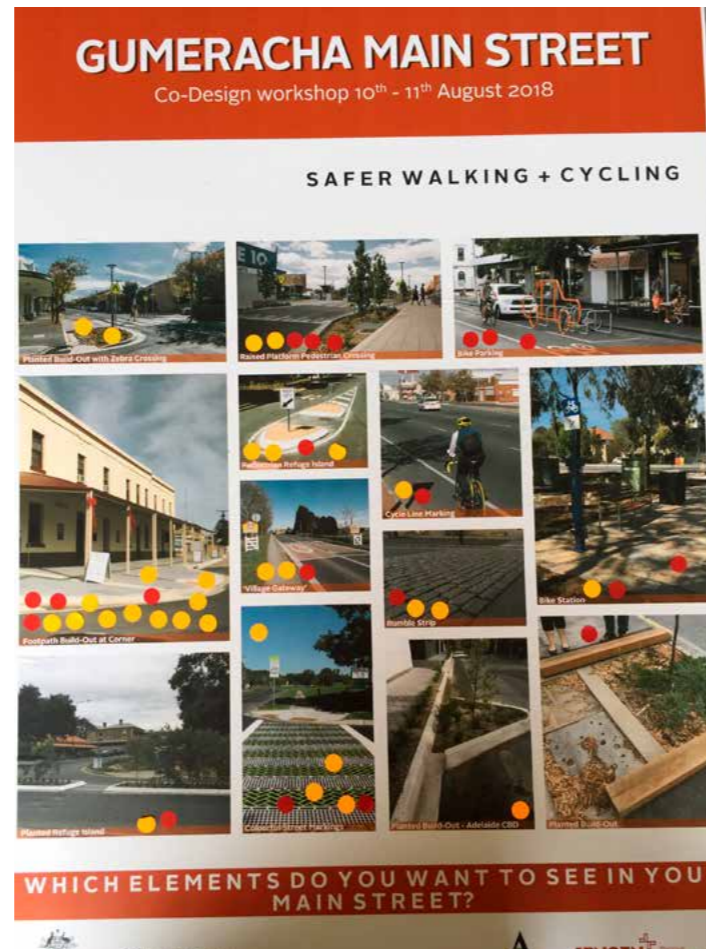
The Precedent Image boards on display in the Gumeracha Library.



Jensen PLUS took advantage of discussions with community members to understand issues important to them and additional ideas they suggested!



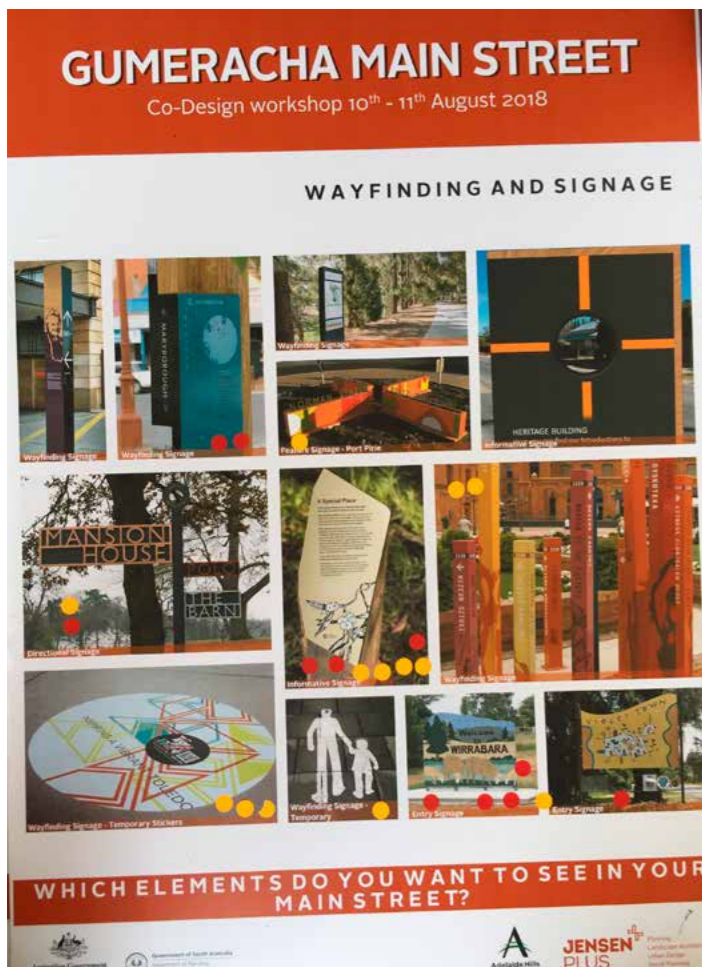
A community member reviewing the precedent boards.



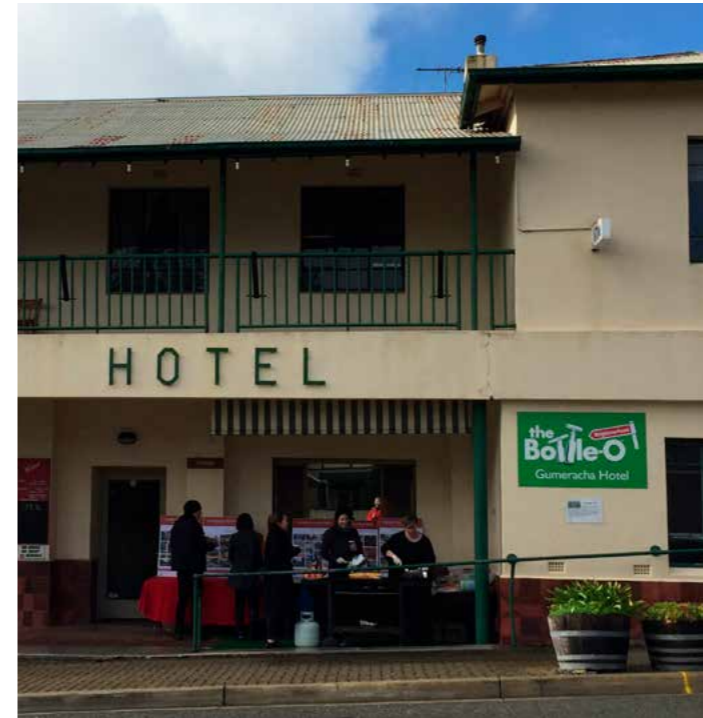
Poster - Safer walking + Cycling with stickers showing community preferences



By the end of the two days certain elements were obviously favoured.



Poster - Wayfinding and Signage with stickers showing community preferences



The Hotel verandah provided some shelter from the occasional shower.



The GMSPG kept community drop-ins well fed.



Cold temperatures and the odd shower of hail didn't keep everyone away.



Day Two saw great additions to the Quick Win ideas

# 5. Overall Master Plan

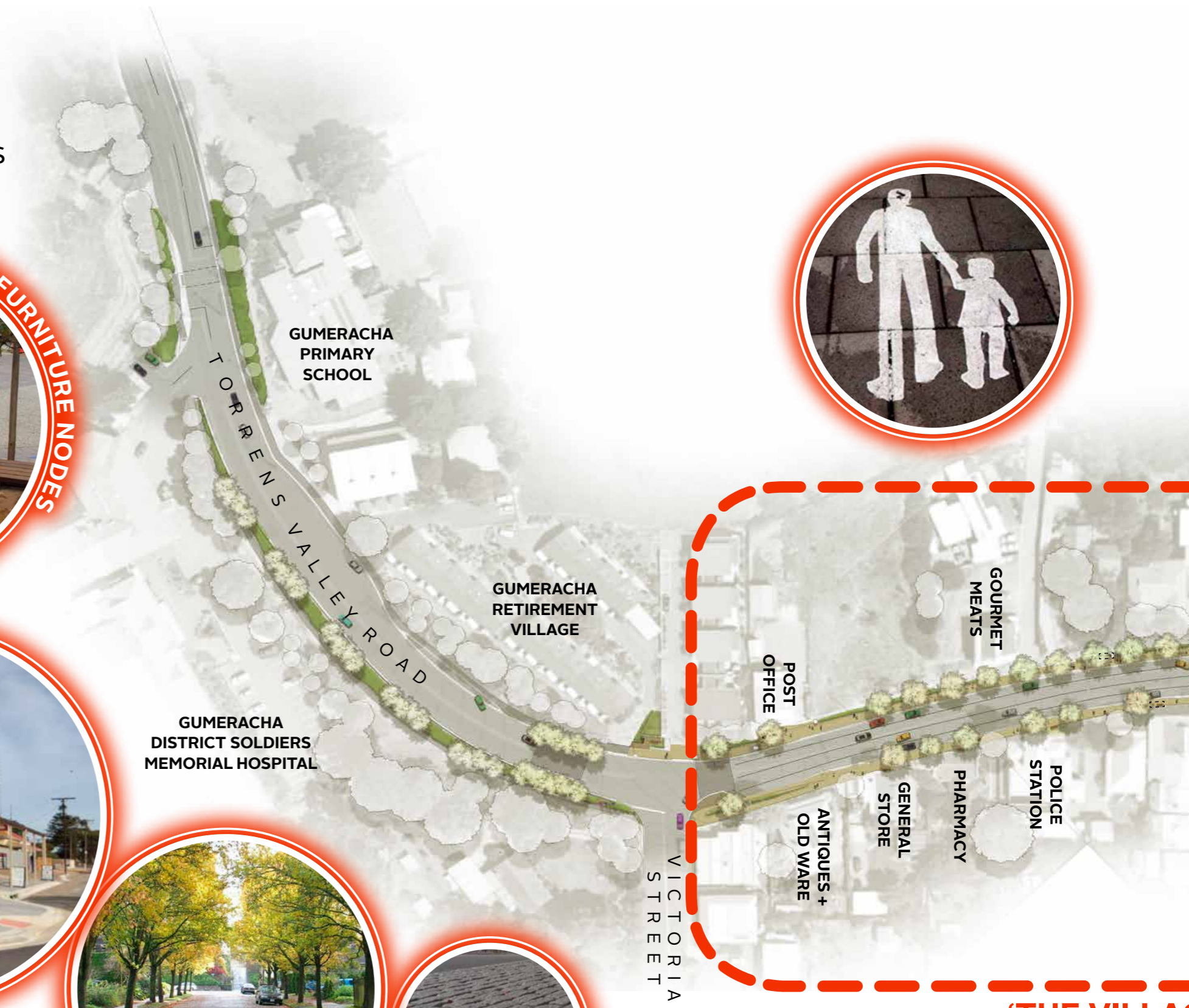
A concept design for main street improvements



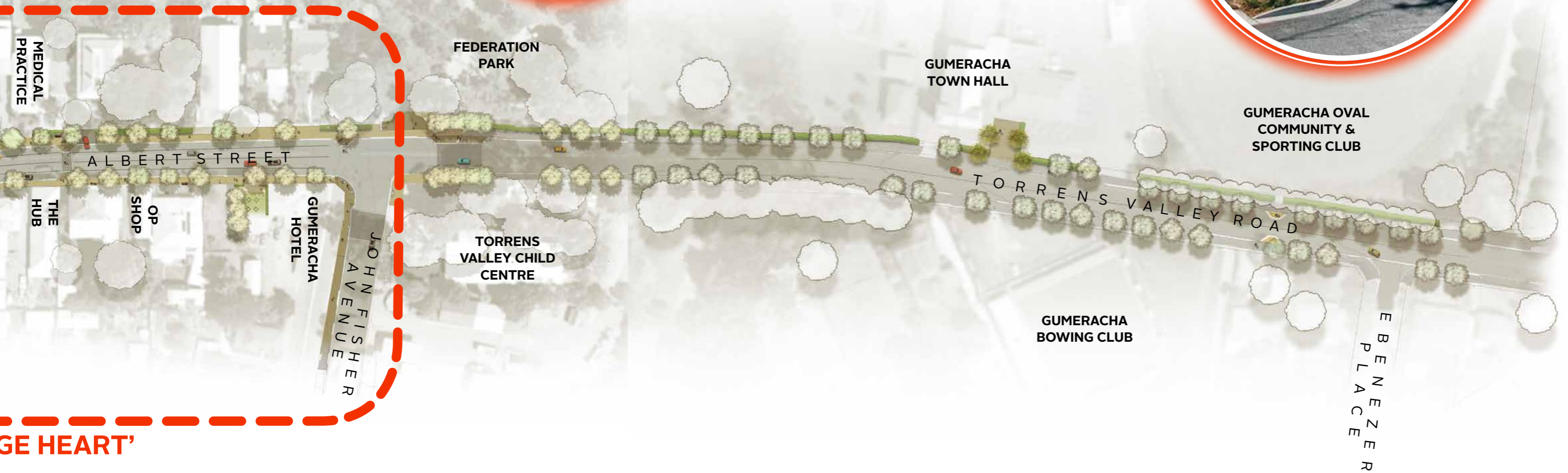
STREET FURNITURE NODES



TRAFFIC CALMING



'THE VILLAGE'



**'BIG HEART'**



# Concept Design

'The Arrival'



Before



After - Artist's Impression: An artist designed wall marks initial entrance to Gumeracha and new planted build outs, rumble strips and feature street tree planting adds to the amenity while calming traffic

Note : Image depicts street after power undergrounding and streetlight installation

REFER TO PLAN IN BOX BELOW



EXISTING ENTRANCE TO  
GUMERACHA DISTRICT  
SOLDIERS MEMORIAL  
HOSPITAL

NEW LOW, COLOURFUL  
+ SPREADING AMENITY  
PLANTING TO BANK,  
INCLUDING NEW FEATURE  
ORNAMENTAL CHERRY  
STREET TREES

EXISTING FOOTPATH TO  
MAIN STREET

NEW AMENITY PLANTING  
TO SIGNIFY ENTRY TO  
TOWNSHIP OF GUMERACHA.

EXISTING PEDESTRIAN  
CROSSING WITH TRAFFIC  
LIGHTS



REFER TO PLAN ABOVE



LOCATION PLAN

GUMERACHA PRIMARY  
SCHOOL

TORRENS VALLEY ROAD

GUMERACHA  
RETIREMENT VILLAGE

GUMERACHA DISTRICT  
SOLDIERS MEMORIAL  
HOSPITAL

ARTIST DESIGN ON CONCRETE  
RETAINING WALL

'VILLAGE GATEWAY' NEW  
PLANTED BUILD OUTS WITH  
COBBLE STONE RUMBLE STRIP  
TO CALM TRAFFIC ENTERING  
GUMERACHA MAIN STREET

COLOURFUL MARKERS TO  
DEMARCATTE BEGINNING OF  
GUMERACHA MAIN STREET

1:500@A3

# Concept Design

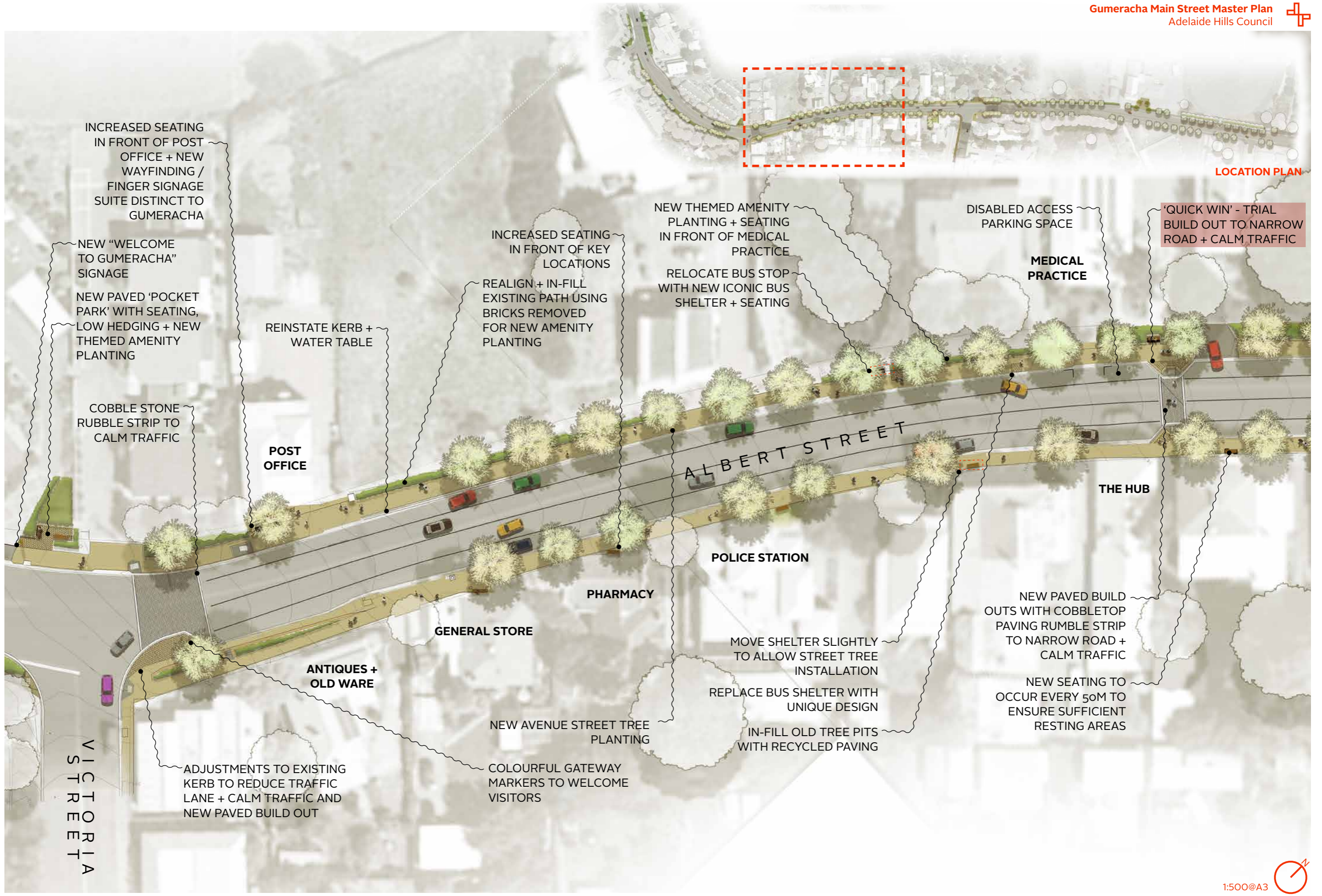
'The Village Heart' - Part 1



Before



After - Artist's Impression: Paved build outs, unique marker signs and rumble strips to slow traffic and denote an entrance to the "Village Heart".  
Note : Image depicts street after power undergrounding and streetlight installation



INCREASED SEATING  
IN FRONT OF POST  
OFFICE + NEW  
WAYFINDING /  
FINGER SIGNAGE  
SUITE DISTINCT TO  
GUMERACHA

NEW "WELCOME  
TO GUMERACHA"  
SIGNAGE  
NEW PAVED 'POCKET  
PARK' WITH SEATING,  
LOW HEDGING + NEW  
THEMED AMENITY  
PLANTING

COBBLE STONE  
RUBBLE STRIP TO  
CALM TRAFFIC

REINSTATE KERB +  
WATER TABLE

POST  
OFFICE

INCREASED SEATING  
IN FRONT OF KEY  
LOCATIONS

REALIGN + IN-FILL  
EXISTING PATH USING  
BRICKS REMOVED  
FOR NEW AMENITY  
PLANTING

NEW THEMED AMENITY  
PLANTING + SEATING  
IN FRONT OF MEDICAL  
PRACTICE

RELOCATE BUS STOP  
WITH NEW ICONIC BUS  
SHELTER + SEATING

POLICE STATION

PHARMACY

GENERAL STORE

ANTIQUES +  
OLD WARE

NEW AVENUE STREET TREE  
PLANTING

ADJUSTMENTS TO EXISTING  
KERB TO REDUCE TRAFFIC  
LANE + CALM TRAFFIC AND  
NEW PAVED BUILD OUT

COLOURFUL GATEWAY  
MARKERS TO WELCOME  
VISITORS

DISABLED ACCESS  
PARKING SPACE

MEDICAL  
PRACTICE

'QUICK WIN' - TRIAL  
BUILD OUT TO NARROW  
ROAD + CALM TRAFFIC

THE HUB

NEW PAVED BUILD  
OUTS WITH COBBLETOP  
PAVING RUMBLE STRIP  
TO NARROW ROAD +  
CALM TRAFFIC

NEW SEATING TO  
OCCUR EVERY 50M TO  
ENSURE SUFFICIENT  
RESTING AREAS

MOVE SHELTER SLIGHTLY  
TO ALLOW STREET TREE  
INSTALLATION

REPLACE BUS SHELTER WITH  
UNIQUE DESIGN

IN-FILL OLD TREE PITS  
WITH RECYCLED PAVING

ALBERT STREET

VICTORIA



LOCATION PLAN

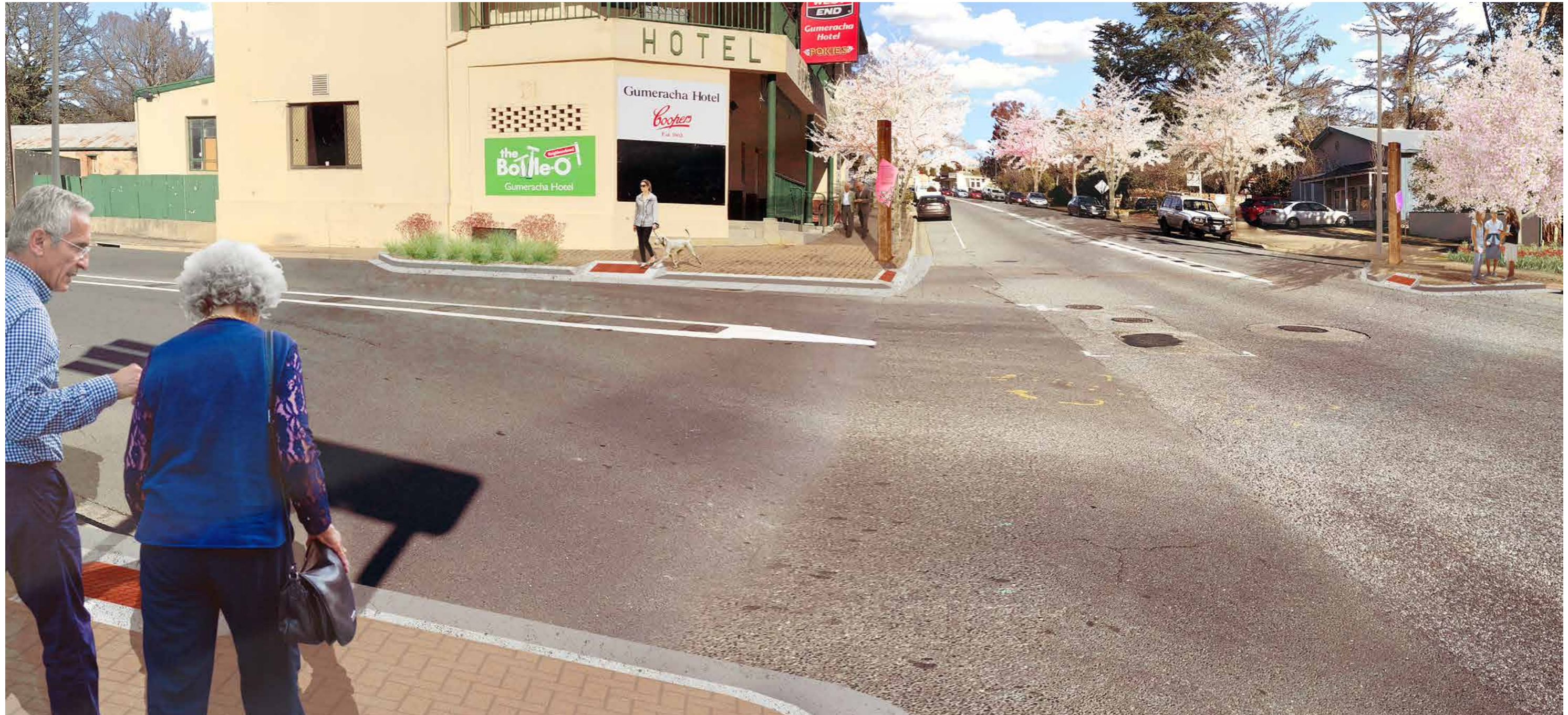


# Concept Design

'The Village Heart' - Part 2



Before



After - Artist's Impression: Corner build outs, colourful gateway markers and avenue street tree planting

Note : Image depicts street after power undergrounding and streetlight installation



LOCATION PLAN

NEW SEATING  
NEW PAVED CORNER BUILD OUT TO WITH COLOURFUL GATEWAY MARKERS AND STREET TREE PLANTING  
NEW AVENUE STREET TREE PLANTING

NEW PAVED ENTRANCE TO PARK WITH SEATING, COLOURFUL WAYFINDING SIGNAGE + THEMED AMENITY PLANTING

FEDERATION PARK

COBBLE STONE RUMBLE STRIP TO CALM TRAFFIC

ALBERT STREET

OP SHOP

GUMERACHA HOTEL

JOHN FISHER AVENUE

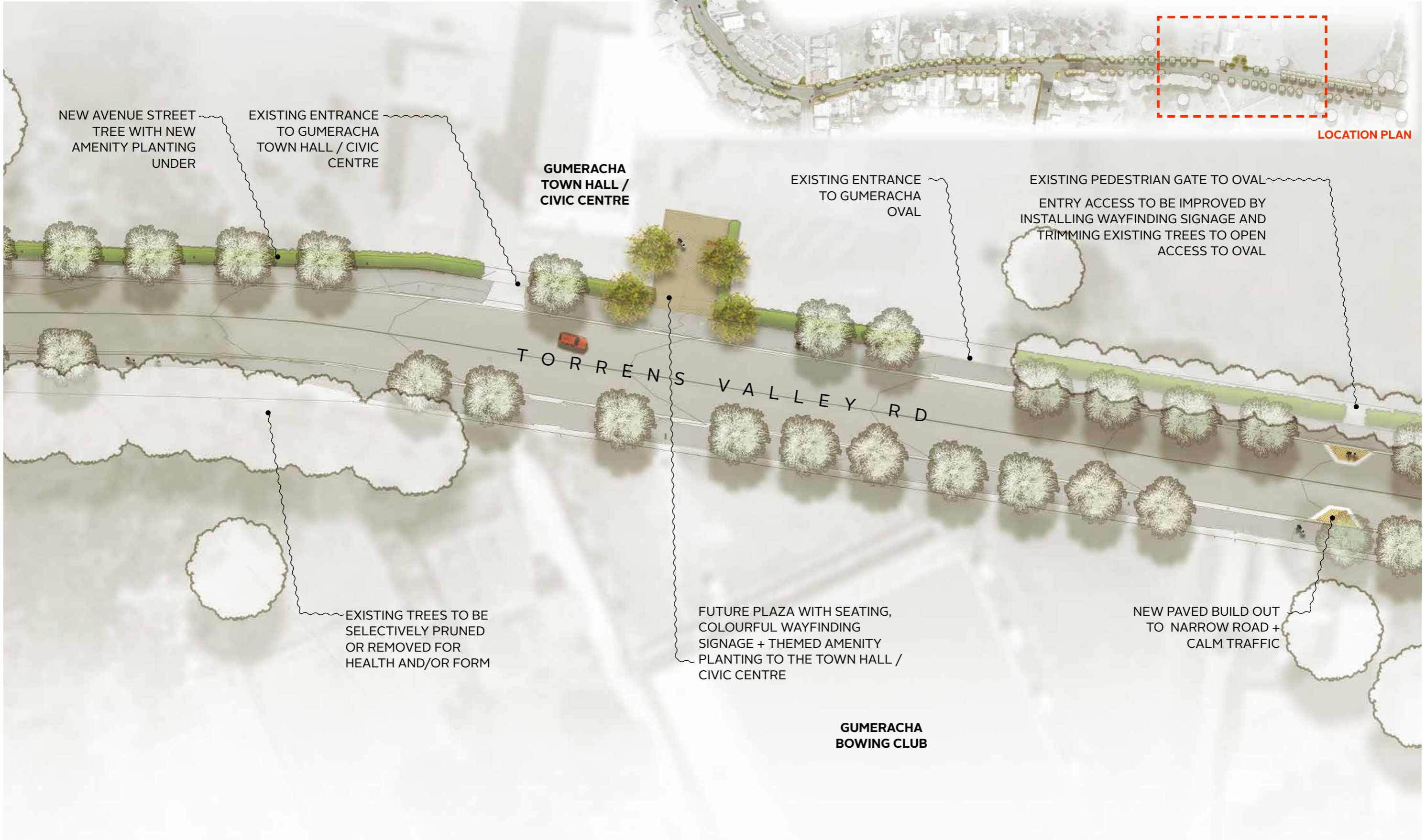
TRIM / LIFT TREES TO FENCE HEIGHT + NEW THEMED AMENITY PLANTING  
COLOURFUL INFORMATIVE MARKER / SIGNAGE  
NEW LOW HEDGE TO BOUNDARY OF HOTEL BUILDING

**QUICK WIN - TRIAL BUILDOUT**  
NEW PAVED BUILD OUT TO NARROW ROAD + CALM TRAFFIC WITH COLOURFUL GATEWAY MARKERS

'VILLAGE GATEWAY' NEW PAVED BUILD OUTS TO NARROW ROAD + CALM TRAFFIC WITH STREET TREE PLANTING  
COBBLE STONE RUMBLE STRIP TO CALM TRAFFIC

CONTINUATION OF PAVING DOWN TO COACH HOUSE

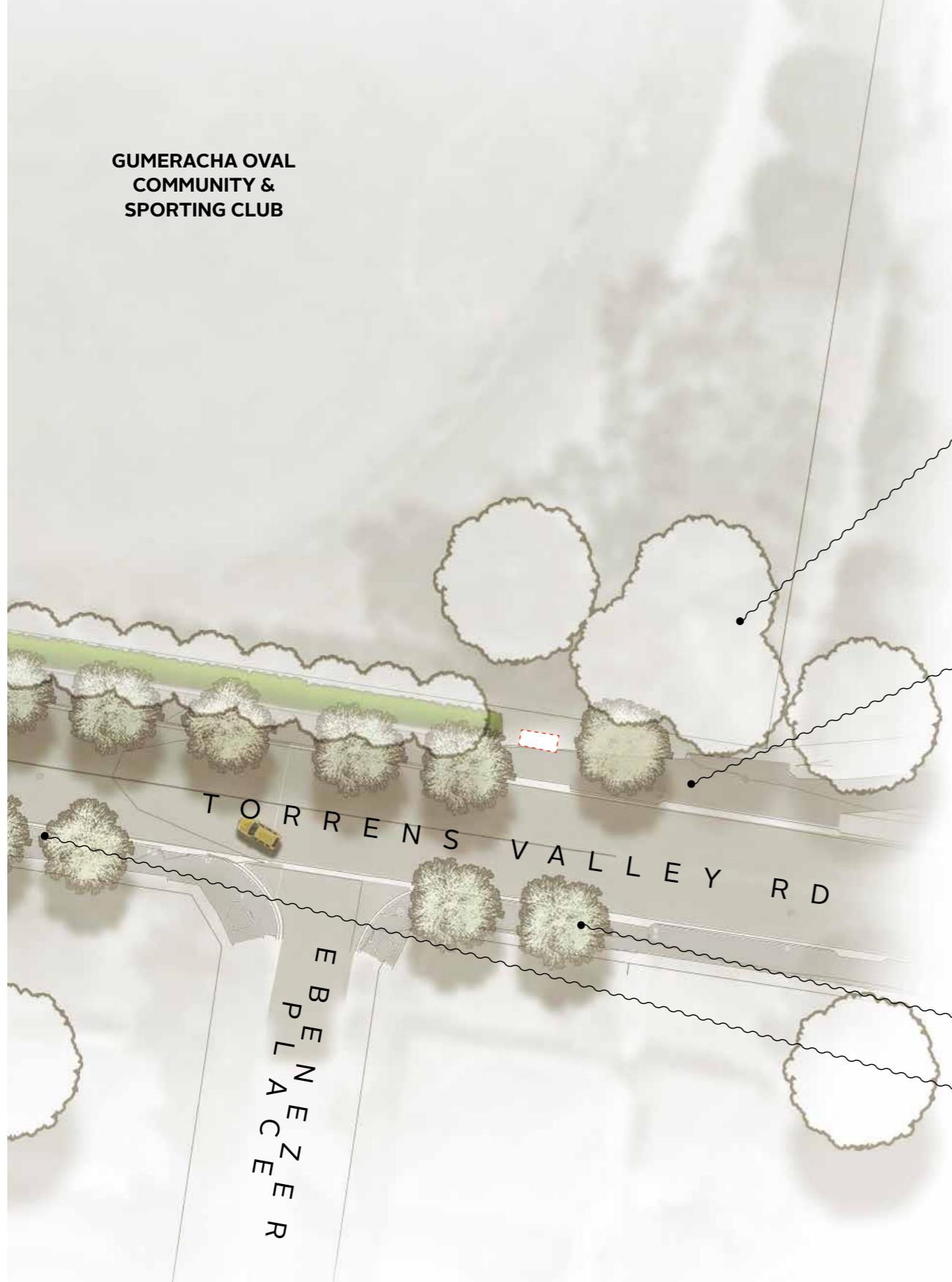






LOCATION PLAN

GUMERACHA OVAL  
COMMUNITY &  
SPORTING CLUB



EXISTING TREES AT OVAL  
BOUNDARY COULD BE SUBJECT TO  
STAGED REMOVAL + REPLACEMENT  
  
AMENITY PLANTING TO TOLERATE  
LOW LIGHT LEVELS UNDER  
EXISTING TREES IF TREES ABOVE  
KEPT

EXISTING FOOTPATH TO  
MAIN STREET

NEW AVENUE STREET TREE

REPLACE BUS SHELTER  
WITH UNIQUE DESIGN





# 6. Master Plan Engagement

## Community + Stakeholder Input to the Draft Master Plan

### Continuing Engagement

Jensen PLUS assisted the Adelaide Hills Council and the Gumeracha Main Street Project Group (GMSPG) with further key stakeholder engagement including DPTI.

Council and the GMSPG coordinated a broader community consultation that involved an engagement process being undertaken concurrently with the Gumeracha Precinct Masterplan (Federation Park and Oval) consultation, combining the two projects and limiting consultation fatigue within the Gumeracha community. The community could then provide feedback on both projects if they wished.

This broader engagement process was undertaken in October 2018 for three weeks commencing on Thursday 11 October 2018 (Nature Play Day in the Park) and closing on Friday 2 November 2018.

A Listening Post was set up in Federation Park on Saturday 27 October 2018 from 9am until 1pm. The October dates ensured that the consultation process was outside of school holiday time. Copies of the Masterplan were available at the Torrens Valley Community Centre, Woodside Library and the Stirling Library along with feedback forms. Large posters were on display in the Torrens Valley Community Centre foyer. The Masterplan was also available for comment through Councils online 'My Say' engagement process.

A Public Notice was placed in the Courier, posters located in the Torrens Valley Community Centre foyer and other key buildings, and information distributed via social media to inform the broader community of the engagement process. In addition the GMSPG have extensive local networks within which the information was distributed.

A graphical summary of this engagement process is shown at right.

On completion of this engagement a review of the feedback was undertaken and agreed changes were incorporated into the Concept Design Package.

### Incorporated Design Amendments

The relevant amendments from this stakeholder feedback incorporated within the Master Plan included;

- \_ altering "rumble strip" road patterning from individual strips to larger paved areas at each of the installation points: Albert Street - top by Victoria Street; middle between the medical practice and the Hub; bottom by the entry to Federation Park and in John Fischer Avenue near the Coach House cafe. This change was driven by a perception that any 'raised humps'

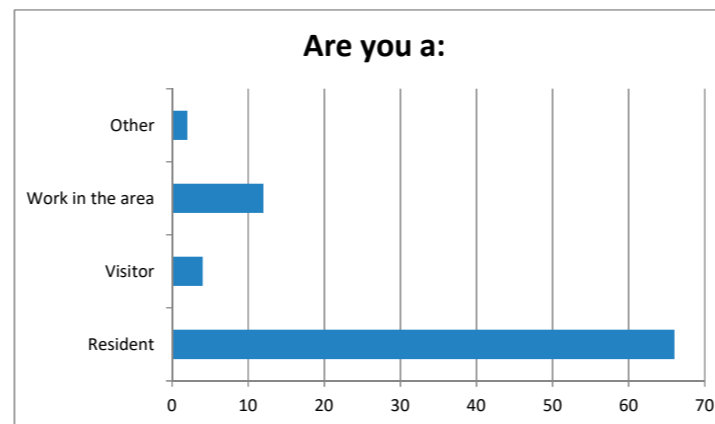
would be difficult for trucks to negotiate and that the segmental paving approach would increase traffic noise.

- \_ removing the proposed buildouts outside the Post Office. Concerns were raised over the reduction in parking and an increased level of difficulty for larger rigid truck deliveries to the Post Office and the General Store
- \_ severely reducing the proposed buildouts outside the Gumeracha Hotel due to DPTI concerns and subsequent swept path testing for semi-trailer truck use between Torrens Valley Road and John Fischer Avenue (both DPTI designated roads)
- \_ altering the proposed ornamental Cherry street tree

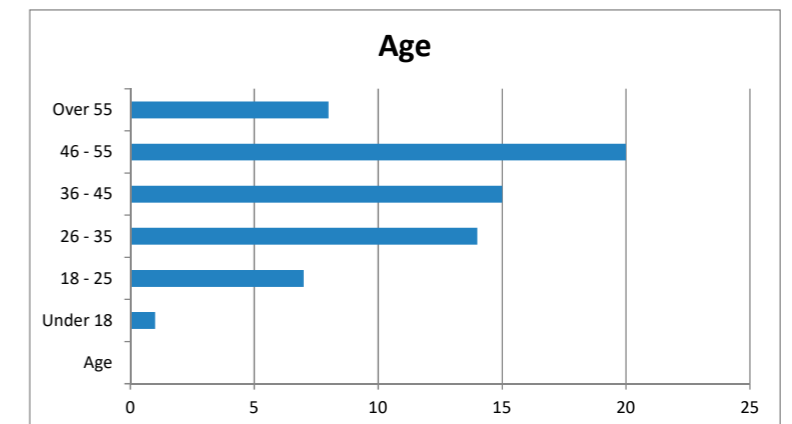
colour from pink to white. While final tree species will be part of any detailed design process, it is noted that the Adelaide Hills Council Parks & Gardens staff maintain issues with the selected species of *Prunus Tai Haku*, "The Great White Cherry" and would prefer *Lagerstroemia 'Natchez'*. For the purposes of the Master Plan the species selection has been left as proposed, as their inclusion was a community led idea which develops a distinct point of difference for the town and which has relevance to the surrounding horticultural production.

65	Online submissions
10	Manual submissions
<b>75</b>	<b>Total submissions</b>

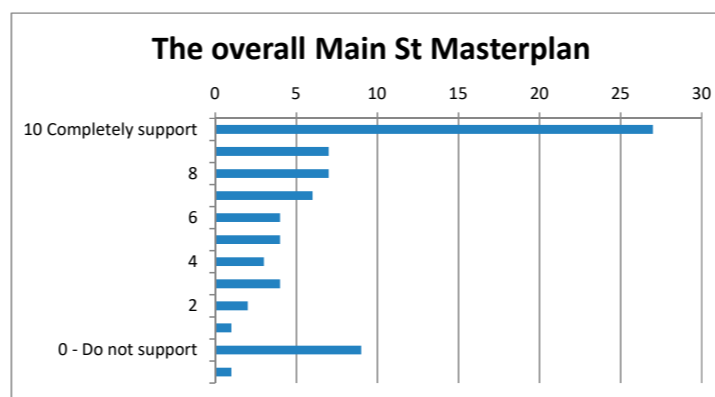
Are you a:	
Resident	66
Visitor	4
Work in the area	12
Other	2



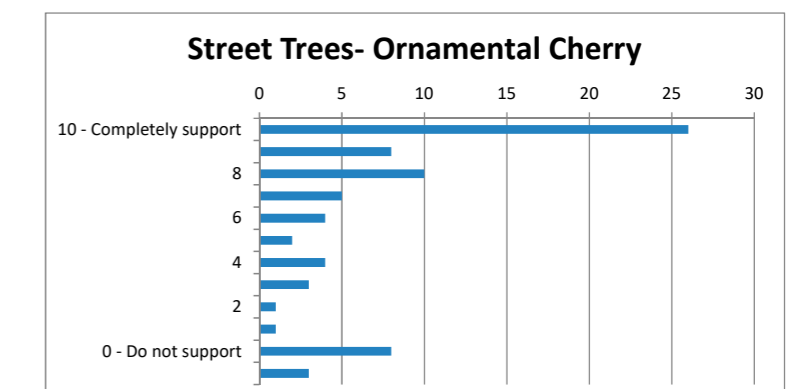
Age	
Under 18	1
18 - 25	7
26 - 35	14
36 - 45	15
46 - 55	20
Over 55	8



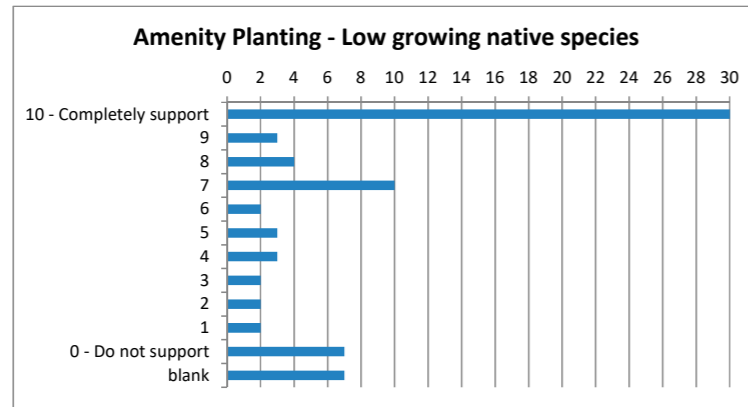
The overall Main Street Masterplan	
10 - Completely support	27
9	7
8	7
7	6
6	4
5	4
4	3
3	4
2	2
1	1
0 - Do not support	9
blank	1



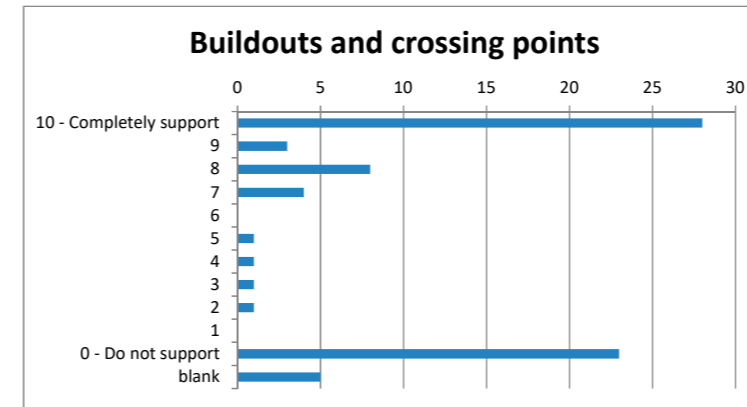
Street Trees - Ornamental Cherry	
10 - Completely support	26
9	8
8	10
7	5
6	4
5	2
4	4
3	3
2	1
1	1
0 - Do not support	8
blank	3



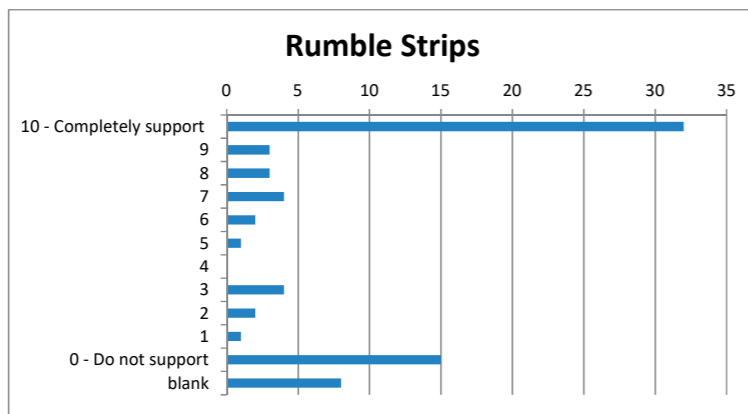
Amenity Planting – Low growing native	
10 - Completely support	30
9	3
8	4
7	10
6	2
5	3
4	3
3	2
2	2
1	2
0 - Do not support	7
blank	7



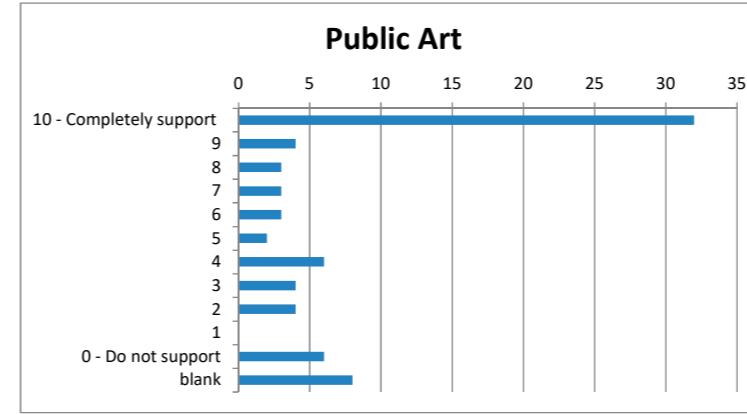
Buildouts and crossing points	
10 - Completely support	28
9	3
8	8
7	4
6	0
5	1
4	1
3	1
2	1
1	0
0 - Do not support	23
blank	5



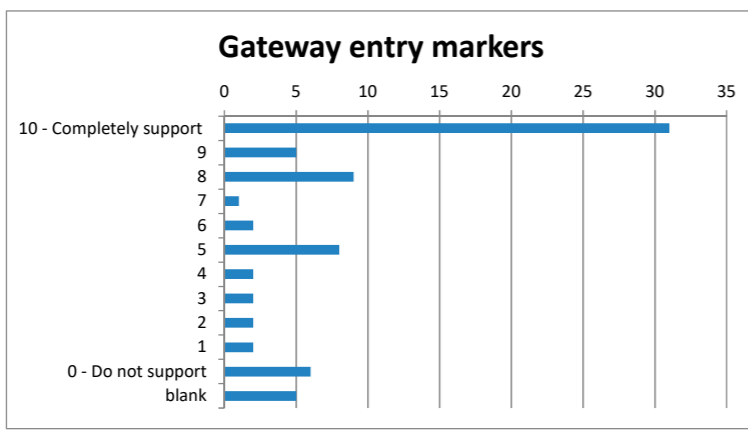
Rumble Strips	
10 - Completely support	32
9	3
8	3
7	4
6	2
5	1
4	0
3	4
2	2
1	1
0 - Do not support	15
blank	8



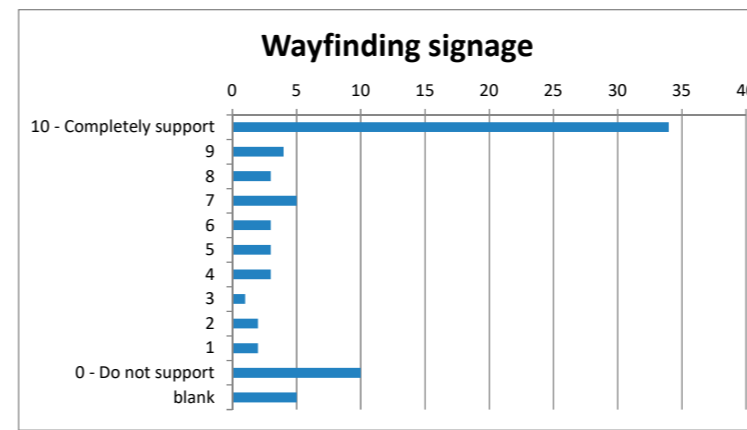
Public Art	
10 - Completely support	32
9	4
8	3
7	3
6	3
5	2
4	6
3	4
2	4
1	0
0 - Do not support	6
blank	8



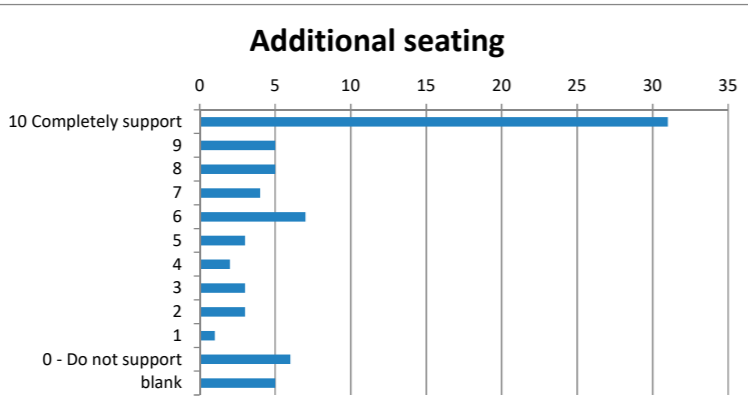
Gateway entry markers	
10 - Completely support	31
9	5
8	9
7	1
6	2
5	8
4	2
3	2
2	2
1	2
0 - Do not support	6
blank	5



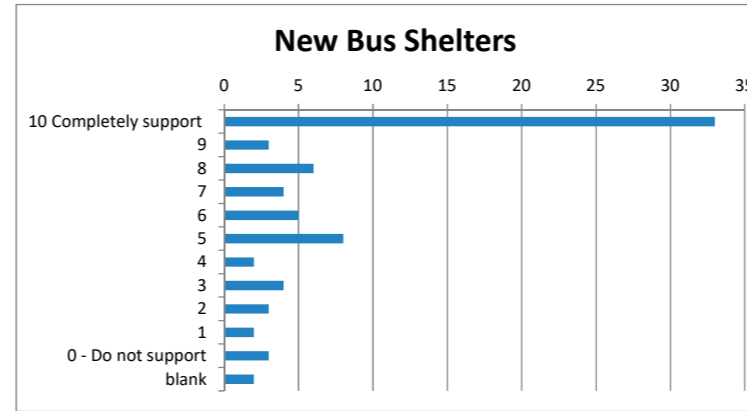
Wayfinding signage	
10 - Completely support	34
9	4
8	3
7	5
6	3
5	3
4	3
3	1
2	2
1	2
0 - Do not support	10
blank	5



Additional seating	
10 - Completely support	31
9	5
8	5
7	4
6	7
5	3
4	2
3	3
2	3
1	1
0 - Do not support	6
blank	5



New Bus Shelters	
10 - Completely support	33
9	3
8	6
7	4
6	5
5	8
4	2
3	4
2	3
1	2
0 - Do not support	3
blank	2





**The heritage character of Albert Street is a community favourite and the proposed amendments to the streetscape aim to improve the amenity setting for this character.**

# 7. Next Steps

## What next?

### Quick Win Detailed Design Package

To meet agreed funding targets, a shovel ready 'Quick Win' project of any newly designed elements will be developed to construction detailing. This may involve:

- \_ Layout Plans showing locations for the Quick Wins to assist in installation
- \_ Typical construction details (if new elements are being constructed) for tender to be further detailed in manufacturers' shop drawings
- \_ Tender specification and drawing package
- \_ Liaison with others involved in delivering Quick Wins
- \_ Working with an artist to develop conceptual ideas for public art
- \_ Signage and graphic design

Quick Win options were developed by assessment of their ease of construction, financial feasibility and the opportunity for enabling community and/or local business involvement in the installation. The small projects were selected to ensure there was a Quick Win tabled for each category of **Landscape, Traffic and Business**. The projects are;

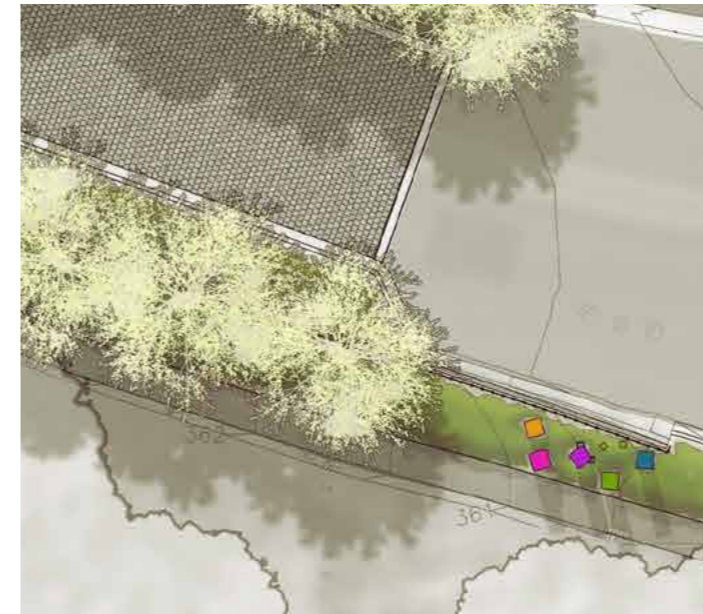
- \_ Tree and/or amenity planting for the Hospital Bank, currently in lawn (Landscape). This project not only can achieve the beginning of the street tree planting but can be undertaken by the community
- \_ Trial the proposed build out designs with cost effective temporary installations outside the Medical Centre and those in John Fischer Drive (Traffic)
- \_ Install proposed street trees into existing wine barrels along the street and have a local signwriter paint business names on the barrels (Business + Landscape). This item also has the potential for these trees to be re-planted into more permanent footpath placements once the PLEC undergrounding of the power lines has been undertaken

### Detailed Design Drawings

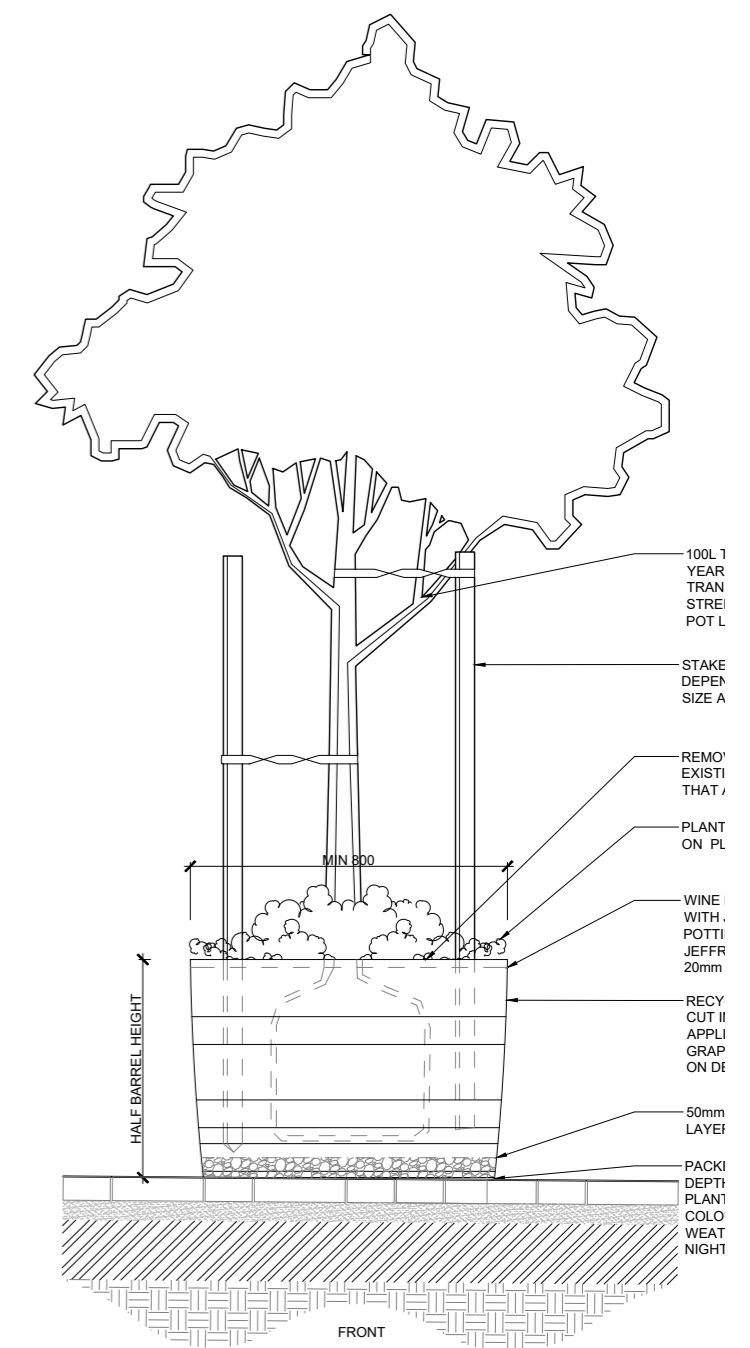
Jensen PLUS will then produce a detailed design and documentation set of the agreed upgrade elements inside the 'Village Heart' of Albert Street. This set will be collated in a simplified form for another round of community consultation.

Council and the GMSPG will again coordinate a engagement process to gain community input with Jensen PLUS' assistance in material preparation.

Building from Client, Stakeholder and community feedback we will finalise the detailed design set and produce a documentation package suitable for any tendering process and update the Concept Design Package.



Wine barrel planting + sign writing artists' impression



Wine barrel tree planting detail example

Level 1, 21 Roper Street  
Adelaide 5000 South Australia  
08 8338 5511  
admin1@jensenplus.com.au  
**www.jensenplus.com.au**



**JENSEN**  
**PLUS**

Planning  
Landscape Architecture  
Urban Design  
Social Planning

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## **Appendix 2**

*Community Consultation Outcomes-Gumeracha Main  
Street Masterplan*

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**Summary of Community Consultation Outcomes-  
Gumeracha Main Street Masterplan  
December 2018**

The community consultation outcomes summary information includes the Feedback Form, graphs illustrating the numbers and ratings of submissions and any additional comments that were provided. Further information can be found in the Draft Design Report Gumeracha Main Street Masterplan.

# Gumeracha Main Street Masterplan

This survey is available to complete online at [engage.ahc.sa.gov.au](http://engage.ahc.sa.gov.au)



## 1. Are you a;

- Resident
- Visitor
- Work in the area
- Other – please specify:

## 2. Age

- 0-18
- 18-25
- 26-35
- 36-45
- 46-55
- 55 +

## 3. To what extent do you support the proposed Masterplan overall?

(0 = Do not support | 10 = Completely support)

0	1	2	3	4	5	6	7	8	9	10
---	---	---	---	---	---	---	---	---	---	----

## 4. To what extent do you support the following specific elements from the Masterplan?

### Street Trees – Ornamental Cherry Trees

0	1	2	3	4	5	6	7	8	9	10
---	---	---	---	---	---	---	---	---	---	----

### Amenity Planting – Low growing native species

0	1	2	3	4	5	6	7	8	9	10
---	---	---	---	---	---	---	---	---	---	----

### Buildouts and crossing points

0	1	2	3	4	5	6	7	8	9	10
---	---	---	---	---	---	---	---	---	---	----

### Rumble strips



0	1	2	3	4	5	6	7	8	9	10
---	---	---	---	---	---	---	---	---	---	----

**Public art**

0	1	2	3	4	5	6	7	8	9	10
---	---	---	---	---	---	---	---	---	---	----

**Gateway entry markers**

0	1	2	3	4	5	6	7	8	9	10
---	---	---	---	---	---	---	---	---	---	----

**Wayfinding signage**

0	1	2	3	4	5	6	7	8	9	10
---	---	---	---	---	---	---	---	---	---	----

**Additional Seating**

0	1	2	3	4	5	6	7	8	9	10
---	---	---	---	---	---	---	---	---	---	----

**New Bus shelters**

0	1	2	3	4	5	6	7	8	9	10
---	---	---	---	---	---	---	---	---	---	----

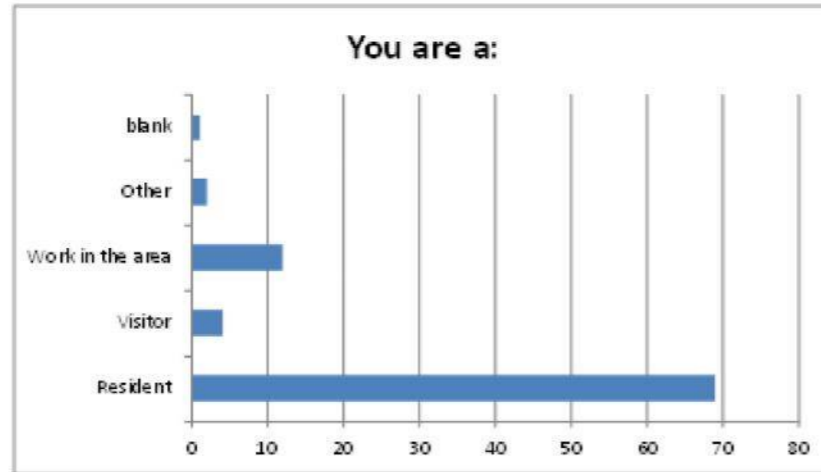
***Any Additional Comments***


**Project Report: Gumeracha Main Street & Precinct Masterplans**  
**Summary Hard copy and on line survey tool**

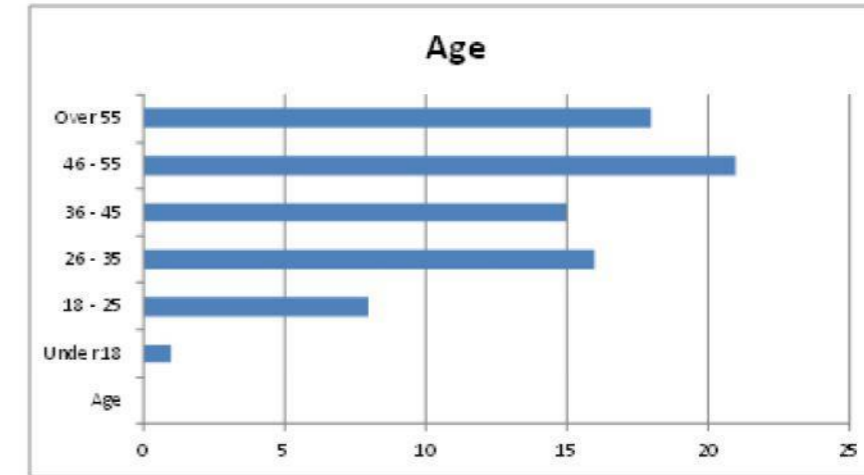
**Gumeracha Main Street Masterplan**

65	Online submissions
14	Manual submissions
79	Total submissions

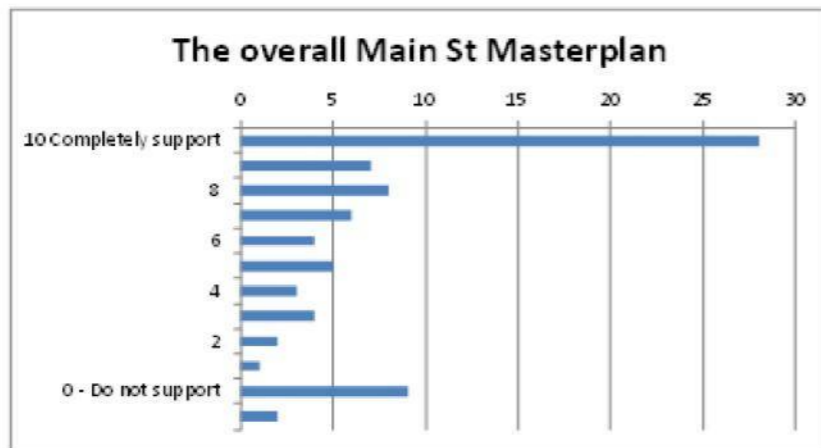
Are you a:	
Resident	69
Visitor	4
Work in the area	12
Other	2
blank	1



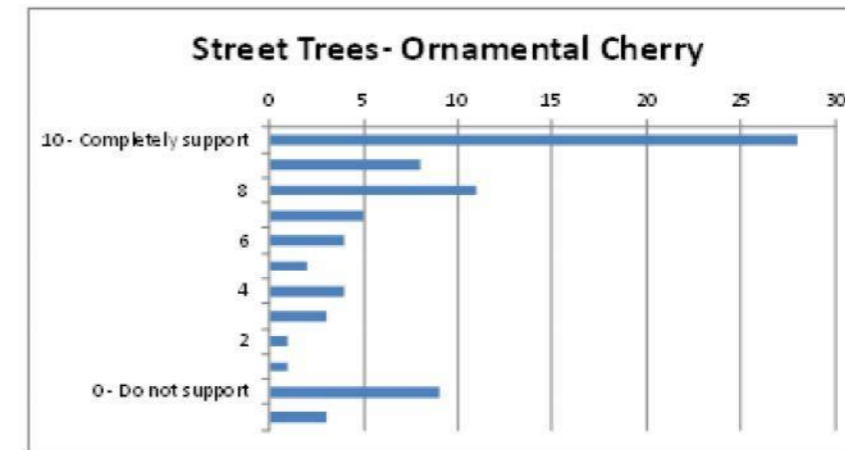
Age	
Under 18	1
18 - 25	8
26 - 35	16
36 - 45	15
46 - 55	21
Over 55	18



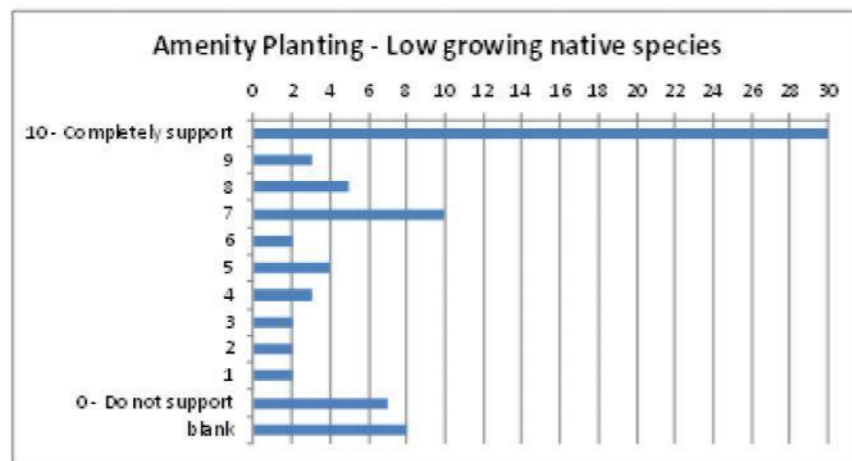
The overall Main Street Masterplan	
10 - Completely support	28
9	7
8	8
7	6
6	4
5	5
4	3
3	4
2	2
1	1
0 - Do not support	9
blank	2



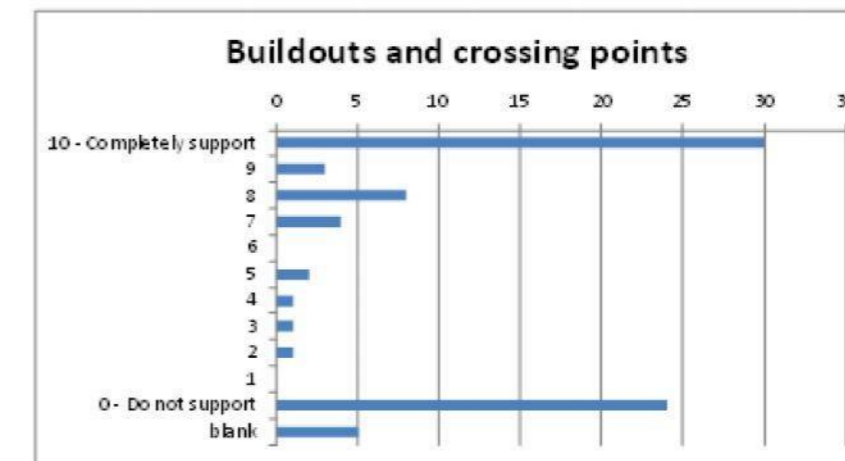
Street Trees – Ornamental Cherry	
10 - Completely support	28
9	8
8	11
7	5
6	4
5	2
4	4
3	3
2	1
1	1
0 - Do not support	9
blank	3



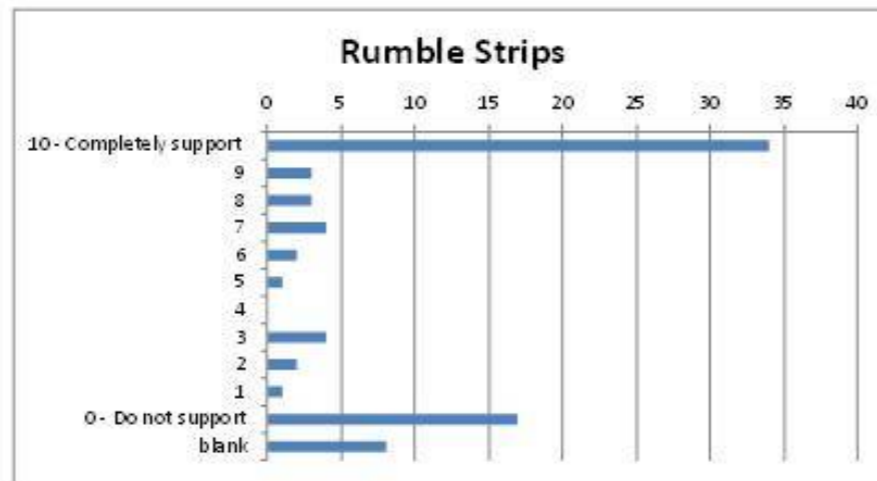
Amenity Planting – Low growing native	
10 - Completely support	31
9	3
8	5
7	10
6	2
5	4
4	3
3	2
2	2
1	2
0 - Do not support	7
blank	8



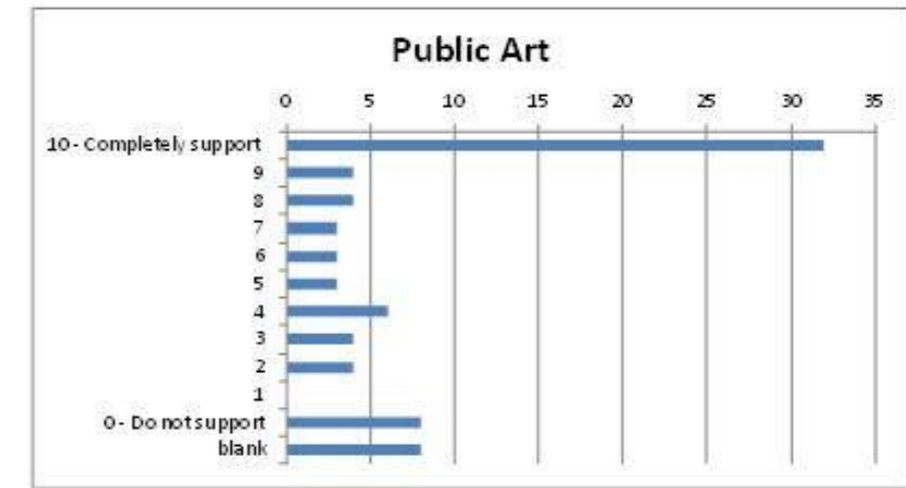
Buildouts and crossing points	
10 - Completely support	30
9	3
8	8
7	4
6	0
5	2
4	1
3	1
2	1
1	0
0 - Do not support	24
blank	5



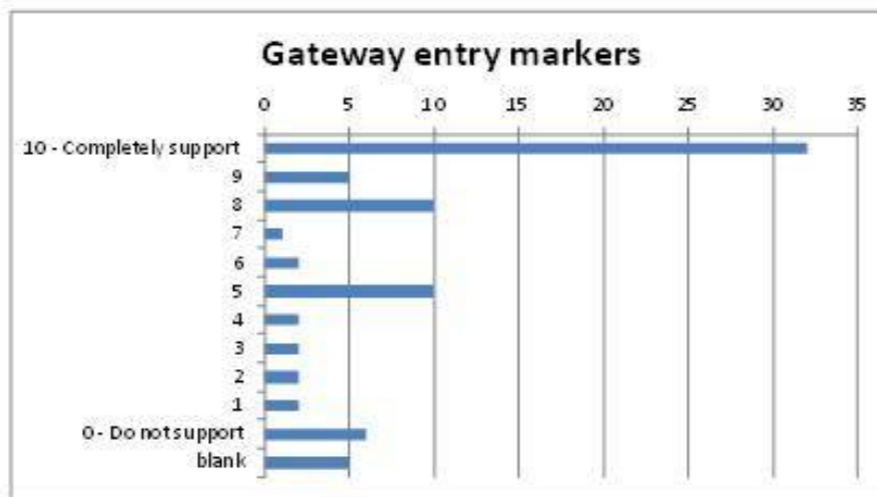
Rumble Strips	
10 - Completely support	34
9	3
8	3
7	4
6	2
5	1
4	0
3	4
2	2
1	1
0 - Do not support	17
blank	8



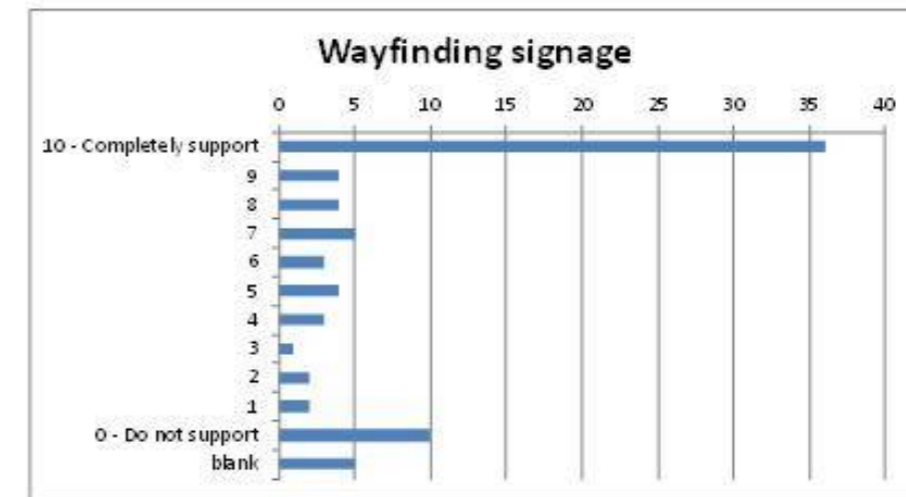
Public Art	
10 - Completely support	32
9	4
8	4
7	3
6	3
5	3
4	6
3	4
2	4
1	0
0 - Do not support	8
blank	8



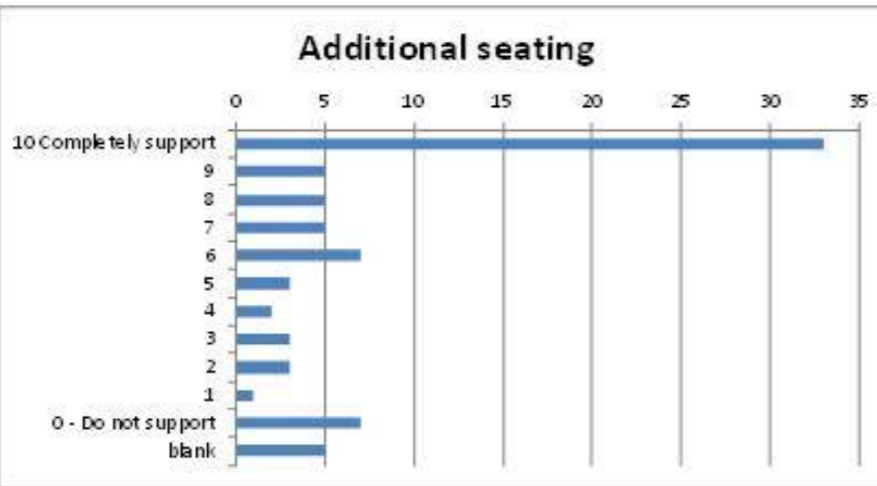
Gateway entry markers	
10 - Completely support	32
9	5
8	10
7	1
6	2
5	10
4	2
3	2
2	2
1	2
0 - Do not support	6
blank	5



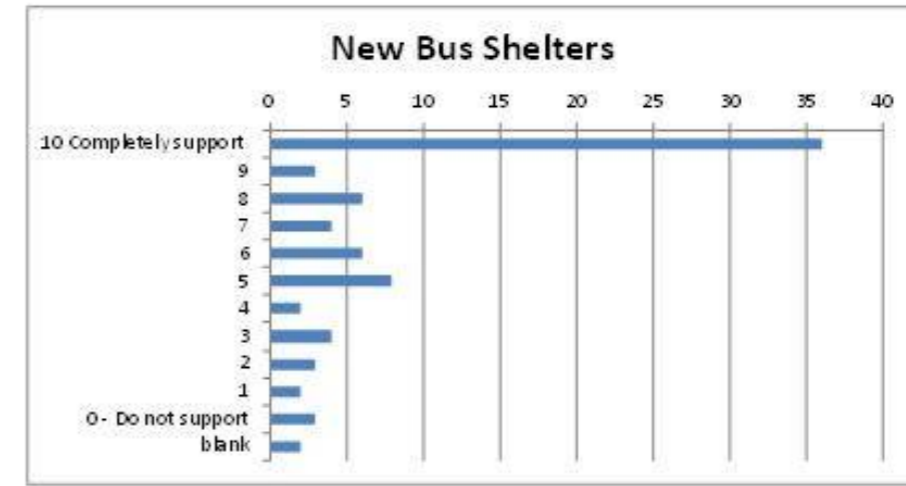
Wayfinding signage	
10 - Completely support	36
9	4
8	4
7	5
6	3
5	4
4	3
3	1
2	2
1	2
0 - Do not support	10
blank	5



Additional seating	
10 - Completely support	33
9	5
8	5
7	5
6	7
5	3
4	2
3	3
2	3
1	1
0 - Do not support	7
blank	5



New Bus Shelters	
10 - Completely support	36
9	3
8	6
7	4
6	6
5	8
4	2
3	4
2	3
1	2
0 - Do not support	3
blank	2



## Summary of Community Consultation Outcomes-

### Gumeracha Main Street Masterplan

December 2018

<b>Gumeracha Main Street Master Plan</b>
<b>Summary Hard copy and on line survey tool</b>
<b>Any Additional comments</b>
Village Heart 1: Post office side too hard to pull out into traffic with that sharp corner behind and then a paved area. Also takes up extra street parking!!! Village Heart 2: Once again build up side on Dr's side make a hazard for traffic coming down street if you have a car making a right hand turn onto John fisher Ave causing accidents and makes it harder to pull out from park entrance.
Concerns about parking in main street, especially near Dr's surgery, post office, shops, pharmacy. Support rumble strips, but need to spend money a better way. Beautify corner of hotel into Randell Terrace. Listen to the people and community please.
Healthy business - healthy town. Why make it harder for business by redoing parking? Our park is people friendly not a show pony. Our park is our best asset it needs some infrastructure but not silly idealistic dreams. The designers did not listen to the people. Sometimes doing nothing is the best option.
Everything needs to be toddler friendly. Footpaths need to be upgraded/maintained on side streets as well as the main street, cannot walk with a pram unless on the road. BINS!!
Trees- the leaves will be a nuisance. Worse for gutters than trees at present. No to blocking parking PO and doctors. Also turn off up into Victoria Street. Is there a need for anymore bus shelters? Please do not mess up the street Woodside so hard to park now. We do <u>not want</u> to lose any parking. All the money spent on grandiose ideas. No common sense. Street do not need "things" jutting out. Also what about bike riders and bumps do you not want 'Tour Down Under' in Gumeracha.
Do not support with some reservations. The high cost may be self-defeating. Wish guaranteed council maintenance and necessary drains etc to cope. Rumble strips & signage, build outs can take 2 1/2 parking spaces. Medical surgery to pharmacy most important need for parking. Public art - Roadside wall below hospital. Important to provide for 'thru' access with many trucks & buses. Add seating - but not in on protuberances. bus shelters - if when finance is available. The high cost of the plan will not commend it to the Councillors - only 2 are from the district & even they do not live in the township. the cost factor nearly means no acceptance by council with other things to consider. The outline plan does not appear to have or promote economic advantage to Main street or parking is the source of access & success.
Will restrict access and make business suffer no parking limited access no consult with business holders.
Excited about the changes. Excellent.
Something needs to be done about speeding traffic on the entire length of John Fisher Ave, very few vehicles doe 50 kph, more like 70-80 all day, everyday. Speed humps, weight restrictions, chicanes, speed cameras. Something needs to be done.
Slowing of incoming traffic from city, paramount.
Parking close to the "Top Shop" the Post Office and the Surgery needs to be doubled URGENTLY and SAFELY especially near the Post Office.

<p>Rumble strips - I would support low strips that created more audible rumble than multiple high bumps that I would have to negotiate our caravan over. If I have to slow to 5kph to get over these obstacles I fear being "rear ended" by traffic behind who would be yet to see the restriction approaching from the west side of town.</p> <p>Tree plantings - We plan to negotiate a caravan into 27 Albert St and the plan appears to have a tree marked very close to our driveway. I trust that sufficient space is allowed before planting, for the tree's full mature width not to encroach on our (tall) vehicle access to our property.</p>
<p>Please don't contest the Main Street with trees/ bollards and speed humps</p>
<p>It's a waste of money</p>
<p>Love the greenery. Please do not hold up traffic or restrict traffic so that you can't get past turning traffic. Rumble strips? Why?</p>
<p>Disagree to rumble strips in main st and bollards at post office and opposite pub as making a right hand turn into John Fisher ave without banking up traffic up Albert st causing accidents and also hard to pull out of the park drive way as blokes view up the st</p>
<p>Disagree with speed humps, parking bays, makes it hard to park vehicles with trailers or who are towing to spot and support local shops and the bollard in front of the hotel makes it hard for people to turn.</p>
<p>Completely do not support the Main Street upgrade, what's wrong with the street now ?? Leave it the way it is</p>
<p>The 'build out' in front of hospital is Not a great idea. Why bottle neck and obscure vision at a dangerous intersection? From a 'Truck Drivers Point of View'.. The width of the road when exiting Victoria street is excellent the way it is.. As we are in the middle of a Grape growing region with trucks frequently turning that bend i feel it should not be changed merely for aesthetics..</p>
<p>I am concerned about the build outs, particularly at the top by the hospital and post office. This is a busy corner and narrowing the area and removing visibility due to trees and bushes will cause traffic issues. I noted in the proposal that it is thought that the open corner promotes speed, I experience the complete opposite. With traffic at the post office and turning right I find regularly the traffic naturally slows to 40km/hr. As a regular driver of this stretch (at least twice a day) I find the open road easy to navigate. Every town with build outs seems to then experience congested traffic.</p>
<p>I've never heard of a more stupid idea then putting speed humps down a MAIN STREET!</p>
<p>Rumble strips to block up a Main Street with trucks that drive through? Rumble strips sound like a good idea... not!</p>
<p>Safe street crossings</p>
<p>This plan is totally foreign to what I put forward in the suggestion stage of the planning.</p> <p>It seems the designers had something in their mind and no matter what anyone said was irrelevant. What a waste of council money.</p> <p>I would be disappointed if it was implemented into Gumeracha.</p> <p>We all came out to make positive suggestions but it seems you didn't listen.</p>
<p>I have spoken with the LinkSA bus driver and numerous truck drivers who say that street narrowing makes it dangerous for them and they may stray to the wrong side of the road. Maybe lower speed limit to 40km/h instead.</p> <p>There is little parking and I don't think anything that takes away street parking should be instated, especially around the medical centre where elderly need to park close.</p> <p>The build out in front of the post office blocks off the drive way of the post office and the vacant block next door.</p> <p>Street lighting should be a priority as there is little lighting away from the main street. Our kids have to walk home in winter from sports training and it is very dangerous when there are no lights. I have</p>

<p>spoken with locals that have purchased solar powered lights and mounted them to the power poles as they are worried about their kids walking in the dark and being hit by a car.</p>
<p>You have over looked driveway access to the Gumeracha post office and the block next door has been blocked with the road redesign. Will need to address the design. Also heavy traffic ie trucks and buses will be forced to drive on the wrong side of the road. The top end of the main street is very narrow as it stands, this design will cause accidents. There will also be further reduced parking at the front of the post office currently 2 cars will be further reduced, this matter also needs addressing. A large pole to be erected by the post office will provide little to attract people, the pole will be in the middle of the post office driveway. As far as I am aware illegal to block access to properties particularly Australia Post office</p>
<p>THANK YOU. It is so wonderful to see this level of Council commitment to Gumeracha. This work will make such a difference in so many ways and it is just so fabulous to see this happening. Please see this through to the end! Thank you.</p>
<p>Something needs to be done to physically slow down traffic, it is getting ridiculous, especially on weekends with idiot tourists.</p>
<p>A lot of money has been wasted here already. Do not agree with what is being done</p>
<p>Instead of wasting money on pointless and unnecessary stuff use the money to build something half decently useful like a local pool or something!</p>
<p>footpaths to upgrade ...rock walls upgrade in front of Antique shop have a heritage theme throughout the whole street...Gumeracha Go Green ...environmental slant all shop and Police Station fronts to improve ...</p>
<p>The plan outlined will breathe new life into the Gumeracha Main Street precinct. The protrusions offer safe opportunities for residents of all ages crossing the road and will have the required effect of slowing traffic. There may be concerns raised regarding a reduction in parking, but I don't see this as a problem in a small town, where in the majority of cases there is a space within 25 metres of your destination.</p>
<p>A new bus stop shelter ;what is wrong with the current one?No wifi in the street.No more graffiti which you call street art. No slow rumble strips and some. Gumeracha is a country town not down town Hicksville. The street needs underground cabling of the electric system. Street planting needs to be maintained ;not slash once or twice a year. Plant your trees on the entrance and exit to the town;eg down from the school, also as you come from Lobethal and as you come from Forreston. We don't want some Council after thought or a transposition of a city shopping precinct</p>
<p>I don't think anything that takes away main street parking should be implemented, for example the jut outs. There are a lot of trucks that stop in Gum as it is easy parking for them and we do not want to take business away from our local shops. The speed limit should be dropped to 40km for safety. If the cherry trees are not evergreen I would support a change to an evergreen tree</p>
<p>Not in support for taking away car parks with the paved sections that go to road edge. Cause more problems pulling out from post office and banking cars up the main st while a car is trying to turn into John Fisher avenue.</p>
<p>It all looks great. It might be an opportunity for locals to participate in an art form somehow?</p>
<p>The overall plan is very good and I believe that it will improve the overall feel of the main street. We need to slow traffic down and provide safe parking for people using the street, as well as for the businesses along the street.</p>
<p>It is really refreshing to see this happening and will make the street safer and more appealing.</p>

<p>This all looks really good. The crossing near the Post Office looks a little odd (diagonal?), but other than that, this seems great.</p>
<p>Fantastic ideas which will give the street a much needed facelift and make it a more attractive space that will encourage visitors to stop in the main street. This will have a positive effect on local businesses.</p>
<p>There are so many great ideas here and I think it will really help the town of Gumeracha to flourish and come into its own. This is definitely the way forward to a self sufficient, engaging and more modernised township</p>
<p>Love the presentation of the street with the ornamental cherries. It reflects the agricultural heart of the Hills and will be a spectacular attraction during flowering season.</p> <p>The build outs appeal to me as it will be much safer and clearer to cross the main street.</p> <p>Public art and improved signage will be important for tourists and expressing the local and country feel of Gumeracha.</p>
<p>Fantastic proposal - Cherry Trees especially are brilliant - brighten the town up in Spring and keep sunlight in winter. Improved signage about town businesses are required and the use of cobbles as slow reminder is excellent. Assess the traffic movements to have best crossing areas and parking spaces, e.g., keep good parking near top shop and post office as they have a lot of short time parking needs (high frequency short stays)</p>
<p>This is a very exciting prospect and would really do wonders in really putting Gumeracha on the map. It would give both Adelaide locals and tourists more awareness to come and see all that we have to offer! There is so much potential for growth!</p>
<p>I am in absolute and complete support for the entirety of the masterplan to be carried out! In particular, I am in full support of the ornamental cherry trees that will provide a strong attraction to the town during early Spring. Albeit producing a small amount of mess post-flowering they will bathe the street in green during summer and would provide a very welcome streetscape during winter. Being so close to the largest Cherry Orchards in the Southern Hemisphere - and attempting to play host to an annual Cherry Festival - this is the perfect opportunity to have a beautiful, natural attraction to Gumeracha during early Spring - which can lead into a formal celebration of one of the Adelaide Hill's best forms of produce into summer. It's perfect for our town which is often a gateway between the City, The Barossa and The Riverland. It's a perfect spot for travellers to take a break, and meander through the township where there's such aspiration from a younger generation to start new businesses and bring more people into the Adelaide Hills.</p>
<p>I think the street can't afford to lose parking at all with the project that is drawn up and is dangerous with people pulling out from the post office and with the traffic going down the street as you can't go around a car making a right hand turn onto John Fisher ave</p>
<p>This looks great.</p>
<p>I 100% support this plan! It would look so beautiful and go far to boost visitation to the town.</p>

Encourage travellers to stop.

1.purchase vacant block of land next to Post Office & develop for off street parking & toilet block.( most towns have a toilet in the main street). Advertising a toilet in the park will not encourage people to go back to the main street.

Encouraging older people or locals to wander in the street is a good idea, however walking to a toilet in the park may not appropriate.

Encourage the Medical Practice to provide off street parking for patients if possible.

3.Have a parking space for RV/caravans or heavy vehicles both sides of road by park entrance

#### Traffic

There is no provision for vehicles to turn around in Albert St, and it's illegal to do a U-turn over an unbroken line. Murray Street is currently used as a turnaround and a lot not heeding the 50kph limit. This traffic will increase with people not wanting to access the main street and will use Murray as an alternative. Perhaps real speed humps and lower speed limits would be appropriate for both Murray and Wellington Streets

Main priority is undergrounding of power lines

Two build outs rather than three - opposite post office and opposite hotel,

Ornamental Cherry trees sound good

Would prefer heritage style signage

My biggest priority would be putting powerlines underground and having beautiful heritage-style street lamps that could have banners hung from them on special occasions. I would prefer the cherry trees to be white flowering rather than pink as this would give the opportunity to use different colours in other plantings that may clash with pink. There are ornamental cherry trees in the courtyard of the Faith Lutheran College at Tanunda and they are a real feature - nice shape, look beautiful when flowering and look magical with fairy lights in them for special occasions. Would prefer colours of signs etc not to be too gaudy - in keeping with heritage look of town, highlighting our beautiful heritage buildings. I like the look of stonework and timber rather than modern coloured furniture etc.that date quickly. Like idea of build-outs - suggest one at Post Office and one at Hotel.

A long overdue facelift for our town. We know our town is lovely but now passing travellers will see it too. These projects will increase the value of our homes (not that we'll ever want to leave!). I love it all - well done.

Build outs take away parking make it harder to pull out in traffic especially at the post office you will cause more accidents and oldie running over them. The buildout sat hotel will stop the flow of traffic by not allowing the car behind go down the left hand side of a car turning right into a John Fisher Ave and making it harder to pull out of park as well

' - Additional linemarking to guide traffic should be installed at entrance to the Hospital from Albert Street and also at the corner of Victoria St and Albert St

- Garden for public use on eastern side of Retirement Village is a great idea
- Public artworks will be great to bring more life to the street
- Ensure recognition of indigenous heritage throughout the new streetscape
- Siting of bus shelter proposed on northern side of road (by 25 and 27 Albert Street) to be reviewed as this is not where the bus stop is situated. The bus stop is situated outside the Butcher, given the many cars that park for long periods attending the Medical Centre at the position where this new bus shelter is proposed
- New iconic bus shelters will be great!



- Paved build outs shown on plan seem to be incorrectly placed as they conflict with the Hub Café driveway and the Medical Centre driveway - more planning work needs to occur in respect to this

I can't wait for the day that this could & should be implemented.

I am proud of my community, I want others to see and experience Gumeracha's true appeal.

Gumeracha should be a leader in the Adelaide Hills, capturing the English Village Lifestyle

Environment due to its central location & exposure to large number of visitors to the area.

The Cherry Trees are a great idea, and to see all these in blossom would be a remarkable unique vision, which I believe would just attract people just for that.

As a SAPN employee RIP Powerlines sooner rather than later.

The plan is promising so well done to all involved. It's not easy to get community agreement and it was a big effort to bring the community along.

Top 3 issues for me are:

1. The safety, amenity and shelter provided of the pedestrian environment should be the highest priority, especially in the town core - vehicle speeds/noise, lack of shade and slope are the biggest issues for pedestrians.

2. Street trees could probably do with a mix of a small number of species rather than be dominated by prunus. Woodside's recent main street upgrade a good example. Higher rainfall and cooler temperatures provide an increased palette of available deciduous species with good summer shade and autumn colour.

3. Consider maximising opportunities for WSUD and ensure a robust program of maintenance for low-growing native species in particular as these seem to be the most easily disturbed, damaged or otherwise neglected after planting.

I fully support underground power lines and decorative street lights. Look after our heritage buildings and historical interest. A statue of Mr and Mrs Randell ??

I also support street trees of a white blossom and planter boxes of colour, like red geraniums not natives.

More seating definitely. Buildings in beautiful clean neutral colours, Whites and soft blues and greys not horrid mustard and dark green from the 1980's. Our old buildings were built way before federation (1840's) and need softer hues.

Slow the traffic as well.

Thanks

**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 18 December 2018  
AGENDA BUSINESS ITEM**

**Item:** 12.2

**Originating Officer:** Sharon Leith Sustainability Officer

**Responsible Director:** Peter Bice Director Infrastructure and Operations

**Subject:** Draft Gumeracha Precinct – Federation Park and Oval Masterplan

**For:** Decision

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**SUMMARY**

The purpose of this report is to present the draft Gumeracha Precinct (Federation Park and Oval) Masterplan (the draft Masterplan) for endorsement and consideration within the Long Term Financial Plan and budget process. The draft Masterplan has been developed through two community workshops with representatives from the key stakeholder groups and broader community consultation which was undertaken in October 2018. This draft Masterplan updates and builds on the works from the previous 2006 Masterplan along with input from the numerous community groups. The intention is that the draft Masterplan is a spatial masterplan with a priority action list and costing for use in ongoing council funding and grant applications along with involvement of community.

Actions identified within the draft Masterplan will be considered through a staged budget process. The intention is to gradually implement the works in partnership with the local community, Natural Resources Adelaide and Mt Lofty Ranges Board, local conservation groups, Peramangk community and key stakeholders. The outcomes from this draft Masterplan span from small projects through to larger aspirational projects. It is anticipated that the actions that require a larger capital investment will need to be staged over many years to align with availability of Council and grant funding and potential partners as identified.

The upgrade of the Gumeracha tennis and netball courts has been identified as the top priority. Council does have funding in this year's budget for a contribution to the tennis and netball courts and the intention was to go for additional grant funding through the Sport and Recreation Grants. However, the relevant grant has ceased and therefore there is no additional funding available at this time. A consultant was engaged to provide Council with advice on the reconstruction and possible relocation of the courts. An updated estimate for the reconstruction of the courts is \$365,000 (including lights and fencing). Council will continue to work with the associated clubs to attempt to obtain grant funding for the project.

The intention is to gradually implement the Masterplan works in partnership with the local community, Natural Resources Adelaide and Mt Lofty Ranges Board, local conservation and recreation groups, Peramangk and key stakeholders.

## RECOMMENDATION

### Council resolves:

1. That the report be received and noted
  2. That Council endorses the draft Masterplan taking into consideration the broader community engagement process and outcomes.
  3. That the priority actions identified within the draft Masterplan be considered in the Long Term Financial Plan and budget process.
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## 1. GOVERNANCE

### ➤ Strategic Management Plan/Council Policy

Goal 3.9 Place

Strategy 3.9 We will encourage community led placemaking approaches to enhance townships and public spaces

*‘With community-based participation at its centre, an effective Placemaking process capitalises on local community assets, inspiration and potential and it results in the creation of quality public spaces that contribute to people’s health, happiness and wellbeing’ (Projects for Public Spaces). Council works in partnership with communities that are actively seeking to influence the economic vitality and public spaces of their townships. This approach contributes towards building sustainable community spaces that contribute to community capacity, resilience and general well-being.*

### ➤ Legal Implications

Not applicable

### ➤ Risk Management Implications

Endorsement of the draft Masterplan on completion of the broader community consultation will assist in mitigating the risk of:

*Ad hoc requests, installations, requirements, expectations and development within the Gumeracha Precinct leading to further conflict between the numerous stakeholders and an uncoordinated layout of site facilities and service and completion for the available funding.*

Inherent Risk	Residual Risk	Target Risk
Medium (3C)	Medium (2C)	Low (2D)

The draft Masterplan provides a guiding coordinated document that will enable implementation to be staged and funded.

➤ **Financial and Resource Implications**

There will be financial and resource implications on endorsement of the draft Gumeracha Precinct Masterplan and priorities have been identified for budget consideration. However, there are already budget and Long Term Financial Plan (LTFP) considerations. The upgrade of the Gumeracha tennis and netball courts has been identified as the top priority. Council does have funding in this year's budget for a contribution to the tennis and netball courts and the intention was to go for additional grant funding through the Sport and Recreation Grants. However, the relevant grant has ceased and therefore there is no additional funding available at this time. A consultant was engaged to provide Council with advice on the reconstruction and possible relocation of the courts. An updated estimate for the reconstruction of the courts is \$365,000 (including lights and fencing). Council will continue to work with the associated clubs to attempt to obtain grant funding for the project.

The upgrade and renewal of the playground is also within the Long Term Financial Plan and is planned for 2020/2021. Further funding of \$40,000 is also available for turf and irrigation design, management or implementation of irrigation systems and this budget line may be used to undertake initial works to automate the current manual system within Federation Park. All other actions identified within the draft Masterplan will go through a staged budget process. This will be supplemented with external grant funding if available. The intention is to gradually implement the works in partnership with the local community, Natural Resources Adelaide and Mt Lofty Ranges Board, local conservation and recreation groups, Peramangk and key stakeholders.

➤ **Customer Service and Community/Cultural Implications**

The Masterplan process and design has taken into consideration the location of the recent Coolaman sculpture and protection of culturally significant trees. The preparation of the draft Masterplan has involved an extensive community consultation approach that will inform a coordinated staged and funded process to assist in the implementation of actions. This is expected to result in an improved benefit to the Gumeracha and Adelaide Hills community.

➤ **Environmental Implications**

Not applicable

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Consultation on the development of this report is as follows:

*Council Committees:* Not Applicable

*Council Workshops:* Gumeracha Placemaking projects (including the Gumeracha Precinct-Federation Park and Oval) presented at a Council workshop 13 March 2018. Masterplanning including reference to the Gumeracha Precinct-Federation Park and Oval was presented at a Council Professional Development session on 17 July 2018. The draft Gumeracha Precinct Masterplan (the subject of this report) was also presented at a Council Workshop on Tuesday 11 December 2018.

<i>Advisory Groups:</i>	Not Applicable
<i>Administration:</i>	Manager Sustainable Assets Sustainability Officer Horticultural Officer-Open Space Parks and Reserves Supervisor-Open Space Manager Open Space Sport and Recreation Planner Community Development Officer-Torrens Valley Community Centre Community and Cultural Development Officer
<i>Community:</i>	An initial workshop was held on 12 April 2018 with representatives from key stakeholder groups who are involved with or use the Gumeracha Precinct. This workshop was to identify what is valued by the community, how the precinct is used and to identify future priorities for the precinct. Nineteen members of the community attended this workshop. A follow up workshop was held on Wednesday 22 August to present the draft Masterplan. Seventeen members of the community attended this workshop. This workshop was to gather feedback on the masterplan layout, identify opportunities and refinements to the proposed projects and to contribute to a priority list to guide future project planning and funding applications. The draft Masterplan was then released for broader community consultation on Thursday 11 October closing on Friday 2 November 2018. The Project Coordinator also attended a Gumeracha and District Town Hall committee meeting on Thursday 27 August 2018 to answer questions. The Project Coordinator and consultants also attended a Nature Play Day in Federation Park as part of the consultation process. A further meeting was held with the Project Coordinator and the Sport and Recreation Planner with the Gumeracha Sports and Social Club on Tuesday 23 October 2018 to discuss specific concerns and feedback.

## **2. BACKGROUND**

In 2006 a Masterplan and priority action list was prepared for Federation Park in Gumeracha. Since that time numerous actions have been completed and new ones added. This project is to review this Masterplan, prepare a new Masterplan and a further agreed priority action list to enable allocation of Council's budget and grant funding applications to be undertaken.

The Gumeracha Precinct (Federation Park and Oval) is a large open space, recreation facility and civic centre located within the Gumeracha township. The site area is a total of 7.844 hectares of undulating landscape and parkland traversed by the Kenton Creek along with numerous buildings and recreation facilities. The oval and park have existed since the early 1900's and in the 1970's ownership passed from the Board of Trustees to then Gumeracha District Council. Federation Park and the Oval are managed by AHC with numerous community and sporting groups operating management leases of their respective areas. Funding was provided in 2000-2001 and extensive works were carried out in Federation Park including the rehabilitation and creation of ponds within Kenton Creek. The Masterplan prepared in 2006 continued to implement some of these works.

The Medieval Fair is held annually in Federation Park and attracts over 10,000 people over a weekend in May. In addition other events are held within the park of a formal and informal nature and the park is a well-loved open space area for the local community.

The Gumeracha Precinct Masterplan area includes Federation Park, Civic Centre and Oval.

Due to recent grant funding (Building Better Regions and Residents Win Program) there is also a Main Street project being undertaken concurrently with this Gumeracha Precinct Masterplan. The new draft Masterplan has considered the approach and outcomes of this project.

Engagement is a critical component of the Masterplan review and development of a new Masterplan. Tract –Landscape Architects were engaged by Council to prepare the draft Masterplan and also partner with Council to manage the consultation process. This has included two workshops with representatives from the key stakeholder groups. The initial workshop was to identify what is valued by the community, how the precinct is used and to identify future priorities for the precinct. This workshop was attended by 19 community members. The information collated from this workshop was used as the basis for preparation of the draft Masterplan.

Key outcomes from the initial workshop included:

What does the community value about the Precinct?

- Integrated community facilities in the one location with the town hall, library and community centre being especially important
- Open space and flexibility of the space
- Federation Park

Current use included:

- Sport and recreation
- Various community and social events
- Gathering space

Future priorities included:

- A need for upgraded infrastructure and functional items eg toilets, creek clean up;
- Improved services and utilities management (electricity, water, stormwater, lighting);
- A need for improved recreation facilities – formal sporting facilities and informal eg walking, short term motor home stays, seating; and
- Improvements on how the reserve looks and feels, and better integrations of the existing facilities within the precinct.

A follow up workshop was held on Wednesday 22 August to present the draft Masterplan. Seventeen members of the community attended this workshop. This workshop was to gather feedback on the Masterplan layout, identify opportunities and refinements to the proposed projects and to contribute to a priority list to guide future project planning and funding applications.

Themes identified within the draft Masterplan include:

- Preserve, enhance and build upon the natural assets and environment of the reserve
- Link the reserve to the main street precinct and improve legibility and movement networks, and
- Enhance the reserve as a destination to attract increased use by tourists, locals and events.

Key priority actions identified at this workshop included:

- Renew and enhance the creek corridor landscape
- Emphasis and celebrate entry points, and
- Renew and upgrade formal recreation facilities.

Additional actions that involved new elements included an investigation into short term motor home parking and a refuse dump point, the potential to design and implement a regional play space and investigation into the re-location of the netball and tennis courts closer to the oval and enable further opportunities to achieve efficiencies and multipurpose use of community facilities. The information from the workshop in August was incorporated within the draft Masterplan for further planned community consultation. Council endorsed the Masterplan for broader community consultation on Tuesday 11 September 2018.

Key stakeholder groups that were invited or attended the workshops included:

- Gumeracha and District Town Hall committee Inc.
- Friends of the Gumeracha Library Inc.
- Returned and Services League Gumeracha sub Branch Inc
- Gumeracha Community Association Inc.
- Gumeracha Sports and Social club Inc.
- Gumeracha Medieval Fair Inc.
- Gumeracha Bowling Club Inc.
- Gumeracha Main Street Project Group
- Lions Club of Torrens Valley
- Gumeracha Primary School
- Gumeracha Hospital Womens Auxiliary
- Gumeracha Main Street Project Group
- Gumeracha Neighbourhood Watch
- Torrens Valley Community Centre & AHC programs
- Gumeracha Historical Association
- Gumeracha Football Club
- Gumeracha Tennis Club
- Gumeracha Netball Club
- Gumeracha Cricket Club
- Torrens Valley Kinder gym
- Gumeracha Gymnastics Club
- Community Shed
- Community Garden
- Opportunity Shop
- Green Shed
- Torrens Valley Children's Centre
- Peramangk (Elder) Ivan Copley
- Recreational Vehicle information –Phil Wilkinson

A Council Project Team was formed with officers including the Strategic and Sustainability Officer, Parks and Reserves Supervisor, Sport and Recreation Planner, Community Development Officer-Torrens Valley Community Centre and Community and Cultural Development Officer. This group has met numerous times to provide input after the first workshop, to review the draft Masterplan prior to community consultation and to discuss the outcomes of the community consultation. Members of the group were invited and also attended the workshops.

### 3. ANALYSIS

A broader community engagement process was undertaken to obtain further feedback on the draft Masterplan from the 10 October 2018 to Friday 2 November 2018. All attendees and those key stakeholder groups involved in the earlier workshops were invited to provide further feedback. A Public Notice was placed in the Courier, poster display located in the Torrens Valley Community Centre (TVCC) foyer and information distributed via social media. The Masterplan and feedback forms were made available at the Torrens Valley Community Centre, Woodside Library and Stirling Library.

The broader community engagement process has involved the following:

- Attendance at the Nature Play Day on 11 October 2018 in Federation Park
- Online engagement through My Say on the AHC website
- Listening Post set up in Federation Park on the morning of Saturday 27 October 2018
- Feedback forms available at TVCC, Woodside and Stirling library.

The broader engagement process has been undertaken concurrently with the draft Gumeracha Main Street Masterplan consultation to combine the two projects and limit consultation fatigue within the Gumeracha community. The community was able to provide feedback on both projects.

A total of 76 submissions were received, 60 online and 17 paper feedback forms. A complete summary is provided as Appendix 2 Community consultation outcomes-Gumeracha Precinct –Federation Park and Oval Masterplan.

The questions and summary of submissions received are as follows:

- Are you a resident, work in the area or a visitor? – 64 of the submission being from local residents
- What is your age range? –the age range varied from over 55 to 18-25 with the majority over 55
- On a scale of 1-10 to what extent do you support the proposed Masterplan? – 25 submissions completely supported with another 24 submissions with a high level of support (over a score of 6). 6 submissions did not support the Masterplan.
- On a scale of 1-10 what is the priority for implementation for Design Principle 1-preserve, enhance and build upon the natural assets and environment of the reserve? 30 submissions identified-Renew and enhance the creek corridor landscape and 23 submissions identified Continue to implement a tree succession and protection strategy as a priority.
- On a scale of 1-10 what is the priority for implementation for Design Principle 2-Link the reserve to the main street precinct and improve legibility and movement networks? – 18 submissions each identified -Emphasise and celebrate entry points and improve pedestrian connectivity within the reserve as a priority.



- On a scale of 1-10 what is the priority for implementation for Design Principle 3- Enhance the reserve as a destination to attract increased use by tourists, locals and events-19 submissions identified– Renew and upgrade formal recreation facilities including an investigation into relocation of facilities and 14 identified Expand the Skate Park zone with a pump track as priorities.

In addition there was also the opportunity to provide further comment with fifty submissions providing further comment. These varied from *'The park is used a lot, every weekend even mid-winter people are using it. Please don't destroy for 'Grand Ideas' Money better spent on good tennis courts.'* to *'An incredible amount of work. I congratulate you all on this and the extensive community consultation you have done from the very beginning. I am so excited to see your vision come to light and support it 100%.'*

In addition consultants SportDev were engaged to undertake a review of the current location of the tennis and netball courts and the possible relocation site adjacent the Oval complex. This idea was discussed during the consultation process and it was identified that to consolidate all the sports facilities would be a preferable option. The report concluded that the cost estimate associated with relocation would be approximately double that of new courts in the current location.

The Gumeracha community value Federation Park and the Oval precinct area and feel very strongly about this unique open space. They would like to retain the natural feel of the site with an emphasis on key priorities to include more upgrades than anything new. In line with the consultation process a few paths and trees around the tennis court have been removed and only one option for increasing the size of the existing bridge has been retained. The community consultation process has confirmed the priorities with an emphasis on the re-surface of the tennis/netball court, installation of an automatic irrigation system, enhancement of the creek, protection of the existing trees along with a tree planting succession plan and skate park improvement with construction of a pump track. In addition the retention of Recreational Vehicle parking around the oval with investigation of a refuse point (dump location) near the Civic Centre has been included. The final location will be dependent on the existing sewer network.

#### 4. OPTIONS

Council has the following options:

Council has the following options:

- I. Receive and endorse the draft Masterplan taking into consideration outcomes of the community consultation process **(Recommended)**
- II. Resolve not to endorse the draft Masterplan taking into consideration outcomes of the community consultation. Should the Council decide not to endorse the draft Masterplan the collaborative approach to engage with the community to develop the draft Masterplan will be compromised. **(Not Recommended)**

#### 5. APPENDICES

- (1) Draft Gumeracha Precinct Masterplan-Federation Park and Oval
- (2) Community Consultation Outcomes-Gumeracha Precinct –Federation Park and Oval

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# **Appendix 1**

*Draft Gumeracha Precinct Masterplan-Federation Park  
and Oval*

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Adelaide Hills  
COUNCIL

Tract  
Landscape Architects  
Urban Designers  
Town Planners

DRAFT

Tract

# Gumeracha Federation Park and Oval

Masterplan Report

Albert Street, Gumeracha SA, 5233

Prepared by Tract Consultants  
for Adelaide Hills Council

0318-0357-01R08

Friday 05 December 2018

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# 01 INTRODUCTION

## 1.1 Project Background

Gumeracha is a small town that forms an important part of the overall Adelaide Hills experience. The town retains its original character and an authenticity and has a passionate and active local community. Home of 'the Big Rocking Horse' this small town has a large place in the collective memory of Adelaide's children, making Gumeracha an instantly recognisable name to most South Australians. Federation Park and Oval is also host to the Medieval Festival and other community events that make this local reserve a 'big hitter' in its regional context, it is an extremely important space for the local community and the region.

This masterplan project updates and builds upon the works of the previous 2006 masterplan. A large number of the proposals from the 2006 masterplan have been successfully implemented, making it timely to review the priorities and update the vision for the reserve and oval.

The project has come as a culmination of efforts by the community and Adelaide Hills Council. We would like to acknowledge the following community groups who have given us their time and ideas to collaborate on this master plan;

- Gumeracha Town Hall Committee Inc.
- RSL Gumeracha
- Gumeracha Community Association Inc.
- Medieval Fair Inc.
- Lions Club of Torrens Valley
- Gumeracha Main Street Project Group
- Gumeracha Neighbourhood Watch
- Gumeracha Community Shed
- Peramangk Elder
- Salem Baptist Church
- Gumeracha Football Club
- Gumeracha Netball club
- Gumeracha Cricket Club
- Gumeracha Gymnastics Club
- Torrens Valley Kinder Gym

## 1.2 Purpose of this project

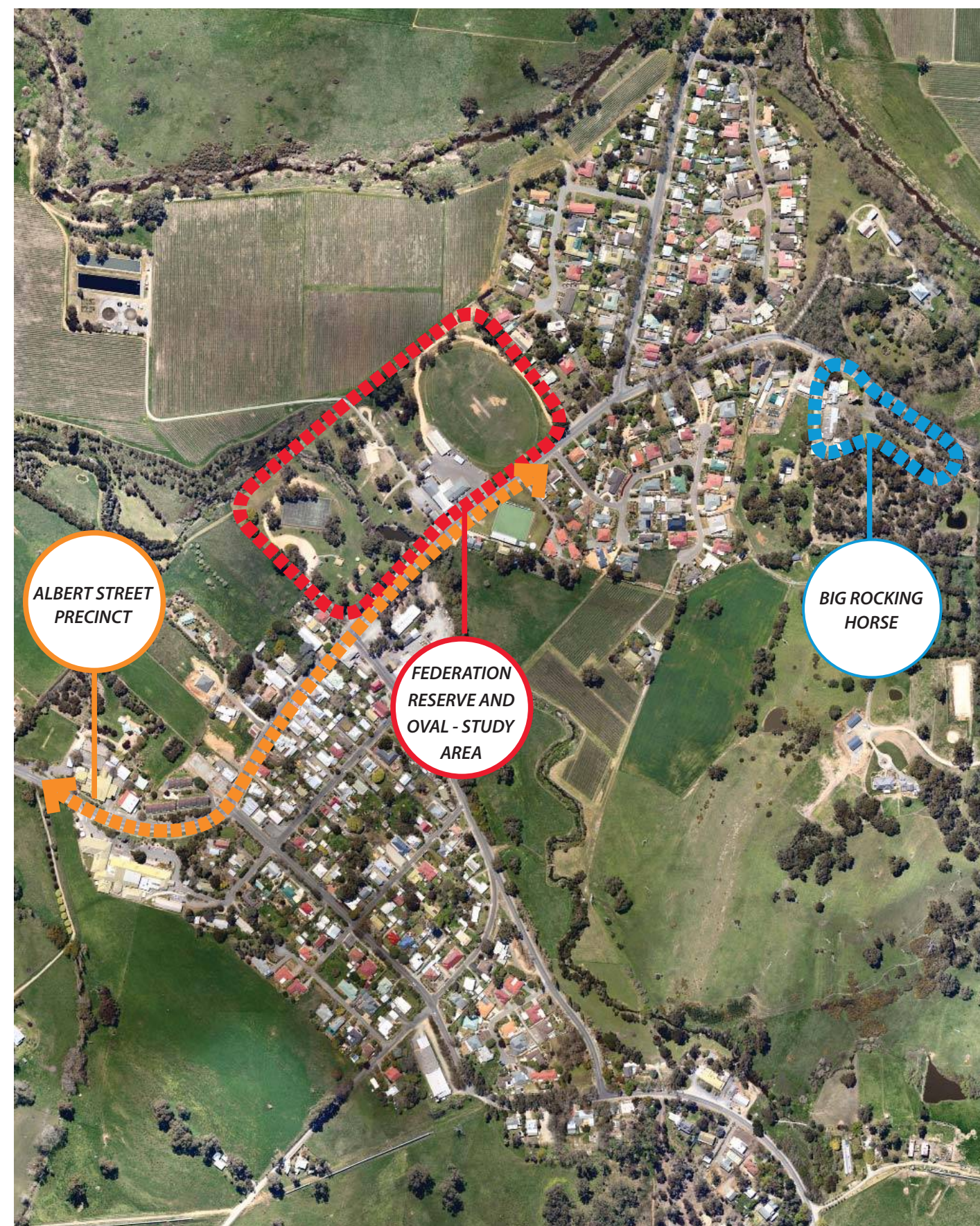
The Gumeracha Precinct Federation Park and Oval Masterplan document is a spatial masterplan, priority action list and costing for use in ongoing council funding and grant applications. It builds upon works completed from the 2006 masterplan and sets a future action list for the community to work upon. The outcomes from this masterplan are a mixture of pragmatic and aspirational improvements. It is anticipated that the items that require a larger capital investment will need to be staged over many years to align with availability of funding from the Adelaide Hills Council and potential funding partners as identified.

This masterplan document will form a part of an overall precinct master planning exercise including the master plan of Albert Street.

This project has been a collaborative effort between the Albert Street master plan project, the community and council to provide Gumeracha with a consolidated blueprint to guide the future development of the town. The Gumeracha Precinct Federation Park and Oval Masterplan forms a key part of this suite of documents.

## 1.3 Study Area

The study area of the project is defined by the boundaries of the reserve as shown in the figure to the right. The reserve is approximately 700 metres from the big rocking horse and adjacent the Albert Street precinct and forms a dominant element in the experience of the Gumeracha main street.



# 02 PROJECT CONTEXT AND BACKGROUND

## 2.1 Strategic Context

### 2.1.1 Development Plan

The site comes under the Adelaide Hills Council Development plan and is Zoned Public Purpose Zone and under the policy area Public Purpose Recreation and Sport.

Two zones abut the site, Township Zone and Local Centre Zone and subject to Policy Area Township (Gumeracha) and Local Centre (Gumeracha)

#### OBJECTIVES

1. The accommodation of a range of sporting, recreational, entertainment, cultural and exhibition events and associated spectator facilities and car parking facilities within a land-scaped setting.
2. Avoidance of impacts on nearby residents, or adverse effects on other development within the Policy Area or locality.
3. The development of facilities to incorporate multi use for compatible sports.

#### PRINCIPLES OF DEVELOPMENT CONTROL

##### Land Use

The following forms of development are envisaged in the policy area:

- Car parking
- Child care facility
- Club room associated with a sports facility
- Facilities for the use of tourists and visitors, excluding tourist accommodation
- Indoor and outdoor recreation facility
- Lighting for night use of facilities
- Minor public service depot
- Office associated with community or recreational facility
- Playground
- Shop associated with community club or service
- Spectator and administrative facilities ancillary to recreation development
- Sports ground and associated facility
- Swimming pool (including a paddling pool).

Caravan parks and tourist accommodation are considered non complying development in the Public Purpose policy area, with the exception of Recreation Policy Zone, which applies to this reserve.

## 2.2 Literature Review

Past studies and documents relating to the site and its history were provided for review as a part of this project. We have used the information in these documents to inform the masterplan initiatives proposed in this document.

#### Documents reviewed ;

- A10 801 Master plan Federation Park Gumeracha Fed Park priority list, Feb 2006
- Additional actions from 2006\_federation Park Master plan
- Fed Park Riparian Zone Report 2001
- Next Generation of Great Gums 2001
- Survey plan Federation Park\_2012
- Gumeracha Precinct notes and background
- Medieval Fair layout\_Federation Park\_2015/18
- Report - Gumeracha Main Street Project - Community Meeting (Sept 2016)
- Albert St Residents Win Stage 1 Consult Report (Nov 2017)
- P4617 Albert Street Gumeracha Residents Win Posters

#### Key Items from the document review;

- Court resurfacing due to root damage is a priority
- Services, underground and above ground needs to be reviewed and updated as a part of any upgrade
- Significant and remnant tree data is outdated
- Some explicit suggestions for the reserve are;
  - Cubbies, Hammocks, Flying fox over the creek, slides – Rock Climbing wall at the skate park
  - Creating a unique identity and character is strongly desirable
  - The community strongly values the openness, greenery and rural outlook of federation reserve
  - Signage to entry of the Federation Reserve should be an integrated approach with the Albert Street masterplan,
  - This project should look to continue the new tree planting and other themes proposed under the Albert Street Masterplan to ensure integration of the reserve.

# 03 COMMUNITY ENGAGEMENT

## 3.1 Community Engagement

### 3.1.1 Summary

A series of community engagement events were held during the design phase of the project, each of these events is summarised in the following chapters. The community engagement had a strong turn out, reflective of an active and passionate community with a strong interest in the future direction of their town.

Some of the feedback that was consistent across all events was;

- Formal recreation facilities are very important to the Gumeracha community, maintaining and upgrading facilities to support the various clubs is a priority. It has been identified that the netball and tennis courts and club rooms are at the end of their life and the community strongly supports upgrading of these facilities. The football oval surface and irrigation have also been identified as a priority for the community, although there is an understanding of the higher capital cost that means this is dependant on funding.
- Opportunities to co locate facilities and capitalise on the potential synergies between the community uses and sports clubs has been identified in discussions. It is recognised that the clubs would need to do some strategic planning in order to better identify their future needs before identifying potential partnerships with other groups.
- Gumeracha locals value the picturesque, open grassed feel of the reserve, with the large expanses of turf, mature eucalypts and creek line being universally valued. It has been emphasised that upgrades would need to retain the relaxed character and not over design the reserve with urban parkland element. There is an acknowledgment that the reserve has a senescent tree population and protecting the older trees, and replanting for the next generation needs to occur. The open landscape character and large expanses of turf were also identified as being key to the functionality and layout of major events held in the reserve.
- The upgrade of the creek line was universally supported, both for the aesthetic value and environmental function it provides.
- The community has a divided opinion on motor home parking. Concerns were expressed about conflict between the motor homes and children playing in the reserve and sporting schedules, with others welcoming to the increased activity and trade that the motor home market could bring to the town. On balance, the location identified is the preferred and minimises potential conflicts. It is recommend to run this as a trial project to evaluate the project, as it can be set up with minimal capital expenditure. Should the trial be successful there is an option to provide a refuse disposal point pending a review of services and suitable connection points to the sewer.

- Other ideas that were well supported was the introduction of a nature play space and enhancing the reserve entries from Albert Street.

### 3.1.2 Events

#### Event 1 - Workshop 1 with key stakeholders - April 2018

Aim of this event:

The focus of the session was to understand the current uses of the Federation Park and Oval, what is valued by the community in the reserve and to investigate future priorities and opportunities for the reserve. The workshop was attended by representatives from key groups who use the Gumeracha precinct.

Event description:

An initial presentation on the project background and scope was used to promote discussion on both the current usage of the site and future aspirations. The group was then asked to develop a priority list from the identified opportunities.

Key Findings:

Some key things of value to the community about the study area are;

- Integrated community facilities in the one location, with the town hall, the library and community centre all being of noted value to the community.
- Open space/ flexibility of the space
- Federation Park

Current precinct use was investigated;

- Strong focus on various community and social events was noted. The study area acts as a gathering space for the community and a hub for milestone celebrations.
- Sport and recreation uses are dominant
- Events of varying scales are held throughout the year, utilising both the open space and the town hall and community centre.

The community were asked to identify future priorities for the reserve;

They can be broadly clustered into three themes

- A need for upgraded infrastructure and functional items, upgraded toilets, waterway clean up, improved services and utilities management are mentioned, with several items approaching the end of their useful life and needing upgrades.
- A need for improved recreation facilities, both in the formal sporting facilities offered, and informal facilities relating to opportunities for play and walking/ cycling within the reserve was identified. Improvements in passive recreation opportunities are also sought, with better seating and

amenity. Providing additional tourist facilities for short term motor home stays is also a priority.

- A need for aesthetic improvements to improve how the reserve looks and feels, its interface with Albert Street and a better integration of existing facilities within the site.

#### Event 2 - Workshop 2 with key stakeholders - August 2018

Aim of this event:

This engagement was with a select group of stakeholders on the draft master plan to:

- Allocate priority to the draft priority list of the projects for inclusion into the final master plan
- Identify opportunities and 'value adds' to the draft project list for inclusion into the final master plan
- Gather feedback on the spatial outcomes for the draft master plan

Event description:

The format of the event included an initial presentation by the project team on the draft vision, design principles, master plan and general discussion/ questions, followed by a break out into 3 smaller groups for more intimate discussion. Participants were also asked to vote on a priority project under each principle.

Key Findings:

The event was successful with lively debate on the masterplan outcomes.

The general layout and over arching ideas were well supported, with acknowledgment by all participants that developing the reserve was necessary.

Some key themes in the feedback were emphasised:

- Sport, and sporting facilities are a priority for the Gumeracha community. Maintaining and upgrading these facilities to support ongoing club usage was seen as very important to the overall upgrade.
- Protecting the relaxed, open woodland character of the reserve is a priority, and should be considered in the placement of the path network and play spaces to protect the open, green turf spaces.
- This open landscape character and expanses of turf were identified as being key to the functionality and layout of major events held in the reserve.
- The upgrade of the creek line was universally supported, both for the aesthetic value and environmental function it provides.



# 04 COMMUNITY ENGAGEMENT

## Event 3 - Nature Play Day - October 2018

Aim of this event:

To engage with the children of Gumeracha to investigate ideas for youth orientated facilities within the reserve. The project team attended a nature play day within the reserve during the school holidays .

Event description:

4 picture boards were set up around key themes that could be explored in the development of the future nature play facility. The boards had a mix of abstract theme images and play equipment, the aim was to test the locals children enthusiasm around certain themes by asking them to place stickers on the images they liked the most. The boards are pictured below with the response stickers on them.

Fantasy - 23 Stickers with a clear preference for medieval theme play house structures.

Music and Sound - 8 Stickers with a preference for musical instruments in natural settings

Natural - 24 Stickers, with a very clear preference for a raised cubby house structure resembling a birds nest.

Machines - 16 Stickers, with a preference for imagery that involved smaller scale machinery play items

Parents of the children were engaged in discussion to better understand of their values and how families use the park.



## Event 4 – Listening Post - October 2018

Aim of this event:

To engage with the locals and tourists of Gumeracha, informing and consulting with them on the draft master plan outcomes. To use feedback to inform the development of the priority list of the proposed projects within the final master plan.

Event Description:

A table was set up in the reserve with the masterplan materials on display to engage in one on one discussions with interested parties.

Approximately 20 people attended the open day from 9 am until 1 pm.

Key Findings:

Findings supported previous engagements where the protection of the existing open character of the reserve and its natural features was seen as a priority in any new design works.

Overall there was support for the proposed upgrades, as long as the open turf areas were retained and the character of the reserve.

Formal recreation facilities were raised by several parties, with further reinforcement that the tennis and netball club rooms were in need of upgrade to the surface and the club room to support the continued operation of the sports clubs.



## Event 5 - Online Engagement - October 2018

Aim of this engagement:

In order to engage with a wider catchment or people who were unable to attend the engagement events, a survey and summary of the project was uploaded to the councils Your Say website.

Description:

An online engagement package with a summary package of the masterplan report were uploaded with an online survey to fill in.

Key Findings:

Majority of respondents were residents with strong Support for the following ideas;

- Enhance creek corridor landscape
- Emphasise and celebrate entry points
- Improve pedestrian connectivity
- Review and upgrade sporting facilities

Several comments were received again emphasising a strong desire for an upgrade to the court facilities and associated clubrooms.





# 05 SITE ANALYSIS



Federation Park Memorial Arch and Trooper Moore Memorial

- Town Hall, Council Library, History Centre, RSL Room, Torrens Valley Community Centre
- Viewing platform/shelter structure for sporting and recreational activities - Tennis, skate and AFL
- Public convenience building - location 1: main park (recently constructed) location 2 rear of council offices (outdated)
- Shelter structure - traditional onstruction by local(?) craftsman
- Community Shed - 3x iron sheds (recently constructed)
- Picnic shelter - proprietary product
- Op-shop and secondhand store - secondary building
- Playground - 2x softfall areas contained within treated pine rounds edge restraints -
- Courts - 2x courts with chainlink fence. Surface cracking due to tree roots
- Skate park - concrete construction. Recently constructed
- Cricket nets
- Footbridge - timber truss <2m wide
- Bollards - hardwood
- Picnic table - proprietary product on concrete slab (x 2)



- Creek line - Kenton Creek
- Waterbody
- Weir structure - mortared stone
- Ephemeral - some ponding, dominant areas of Typha sp
- Gully
- High point - views into the reserve or surrounding landscape
- Large Eucalypt sp - prominent location/dominant feature within the reserve (electrical connection with uplighting condition unknown)
- Ridgeline
- Garden beds - predominantly formal, maintained
- Riparian zone - approximate
- Tree canopies - informal placement
- Existing tree
- Copse of trees - (mostly exotic species)
- Avenue trees

## 5.1 Built Form

Built form to the precinct is mixed in quality and presentation, All of the buildings are well maintained and in sound condition, with the exception of the public toilet block to the rear of the civic centre, which is at the end of its useful life and in poor condition.

The Town Hall building is the largest building to the site and presents an impressive 2 story heritage facade to the main street, adjacent the heritage town hall is the civic centre and library. The civic centre and library is a series of buildings that wrap around the town hall that have been extended over a long period of time. The buildings are well used and functional.

Built form to the rear of the civic centre is of mixed character, scale and style. This area contains the sporting clubhouse, which has a licenced bar, and the two community sheds used as a workshop and also houses the community bus. All are well maintained and of mixed styles.

Federation park contains two notable picnic shelters, these been constructed using traditional medieval construction techniques and materials. The park has a substantial toilet facility in good condition and a smaller services hut/ information board adjacent the carpark. There is a small club room facility associated with the courts that is used by the tennis and cricket clubs.

Overall the study area presents well and is well maintained. Improvements to connections between buildings will help to achieve a visually cohesive precinct of the diverse building stock and improve functionality of the existing layout.

## 5.2 Topography and Natural Systems,

The site has an undulating topography and an open landscape character that frames rural views of the hills. It has been identified that this open and informal landscape character is highly valued by the community.

A creek line divides the site, and is a visually dominant element creating a picturesque divide between the civic and sporting precinct, and Federation Park. The creek has a permanent body of water and a series of rock weirs that serve as pedestrian crossing points, there is some typha infestation to the creek line making it inaccessible and obscuring views of the banks.

The study area is home to an impressive array of trees. Notable are pre European River Red Gum trees that are dotted around the study area, these large eucalypts are typical of the Adelaide Hills character and are visually and culturally important trees.

Several stands of exotic trees are also within the study area, with a large stand of trees to Albert Street acting as a windbreak to the oval, with less formal windbreak planting to the eastern boundary.

Overall the diversity of trees and the open character combine to create a very picturesque environment, with the large amount of species present adding charm and interest to the reserve.



### 5.3 Movement

Vehicle movement throughout the site is well structured and logical. Paths are a mixture of rubble base roads with bitumen around the civic centre precinct.

Car parking is informal around Federation Park, with generous provisions across two carparks.

Anecdotal information suggests that current parking provisions are adequate.

Formalised car parking exists around the civic centre carpark with a sealed surface and line marking to the front and rear of the civic centre that is used by people visiting the Council. There is an electric car charging station here used by the council. An informal gravel carpark is at the rear of the op shop.

The oval has informal parking around the perimeter of the oval and could potentially take 2 rows of car parking on high use days, with a lane way in the centre.

During the medieval fair the oval is utilised for car parking with attendants guiding car movements and parking.

Overall the site is generously catered for in terms of parking, with many options for both informal and formal use car parking.

Any master plan strategy that resulted in high use or peak flows would need to consider overflow parking or a strategy guiding traffic through to vacant parking.

The formal pedestrian path network is limited with the majority of pedestrian movements occurring in the vehicle access routes. Informal pedestrian movement is evident along desire lines between attractions.

Pedestrian connection between the civic and oval precinct are poorly catered for and current movements East South between precincts could be challenging for elderly or disabled users.

Pedestrian links to Albert Street from Federation Park are limited by the topography and dense vegetation. A footpath runs the entire length of Federation Park and the Oval along Albert Street.

Several desire lines can be seen in tracks through grass and there is scope to formalise some of these movements and improve the accessibility of the reserve to a broader range of users.

### 5.4 Cultural and Heritage

Federation Park and Oval precinct is home to several cultural and heritage items that are of significant value to the local community.

The site has several Pre European Eucalypt trees that are of significance. Initial on site discussions and reporting by specialists indicate that the trees will need to be considered as a part of a future design strategy to manage the health and longevity of the trees and to minimise risk.

One of the trees adjacent the skate park is a scar tree of significance to the Peramangk Aboriginal People and there is a gathering place adjacent the tree consisting of log seating and a fire pit. There is a need to provide a design response that assists in the preservation of this important place from adjacent recreational uses.

The dominant built form heritage to the site is the Town Hall building, which has a local heritage listing, there are other unlisted memorials in the form of the entry arch to Albert Street and several smaller community memorials within the reserve. A sculptural timber memorial seat is under construction and will need to be considered in future detailed designs.

The site is a major gathering point for the town, hosting most of the larger events and several smaller community events throughout the area, it is also acts as daily meeting place in the community centre and its associated clubs.



- Large turf oval - flat area
- Town Hall - large open style traditional hall
- Community Centre Facilities - smaller spaces
- Football Club House - licenced bar facility and open hall
- Public Toilets
- Power Source



## 5.5 Events and Activation

Federation Park and Oval is home to several events. The reserves built form and natural assets as well as generous spaces make it an ideal staging ground.

Some of the larger events that are held at the site are;

- Beer and Bite festival - February
- Cherry Fest - Under planning, most likely during harvest season November
- Medieval Fair - May
- Lions Show and Shine - November

In addition there are smaller, community scale events held through out the year that range from the social, such as weddings and milestone celebrations, to community events held in the civic centre such as group meetings, active living and exercise and special interest groups.

The study area is also home to several active sporting clubs, which play home games at the oval and courts, as well as use the club rooms for social gatherings. Current sporting associations using the Federation Park and Oval are;

- Gumeracha Football Club
- Gumeracha Netball Club
- Gumeracha Cricket Club
- Gumeracha Tennis Club

There is significant diversity in the scale and variety of the facilities within the project study area.

- The oval offers significant area of flat open space
- Federation Reserve and Oval offers a variety of external spaces, grassed, gravel and courts surfaces.
- The community centre offers a varying scale internal spaces and is fully serviced.
- The sport club rooms offer a large space that has a licenced bar and is serviced.
- There is a public address system and some power available in the reserve, larger events rely on generators for power.

The variety of events, and activation within the site is significant, exposing a large number of both locals and tourists/ visitors use the site.

All design responses need to continue to support the continuation of the current site activities and events, and where possible add value , safety and functionality that supports existing programs and encourage the use of the site for new events.

# 06 MASTERPLAN

## 6.1 Masterplan Vision and Objectives

*Enhance and renew Federation Park and Oval to be an active and vibrant community and tourist hub that complements the main street precinct and other attractions within Gumeracha.*



1..

*Preserve, enhance and build upon the natural assets and environment of the reserve*



2..

*Link the reserve to the main street precinct and improve legibility and movement networks*



3..

*Enhance the reserve as a destination to attract increased use by tourists, locals and events*

## 6.2 Masterplan Objectives and Projects



1.:

*Preserve, enhance and build upon the natural assets and environment of the reserve*



- Continue to implement a tree succession and protection strategy
- Renew and enhance creek corridor landscape
- Continue to renew under storey planting with a consistent planting theme
- Introduce an interpretive signage strategy with natural and cultural themes



2.:

*Link the reserve to the main street precinct and improve legibility and movement networks*



- Emphasise and celebrate entry points
- Improve pedestrian connectivity within the reserve
- Improve vehicle connectivity within the reserve
- Create a style guide for new elements
- Create a gathering space to the rear of the civic centre to interface with the reserve
- Open sight lines into the reserve from Albert Street



3.:

*Enhance the reserve as a destination to attract increased use by tourists, locals and events*



- Connect Federation Park to the civic precinct and the Oval to Albert Street
- Design and implement a regional Play Space and Kick about area
- Expand the Skate Park zone with a pump track
- Incorporate new public art opportunities integrated into the upgrade
- Integrated services review and staged upgrade
- Investigate Short Term Motor home Parking/ waste dump point
- Renew and upgrade formal recreation facilities
- Review layout and usage of current community facilities to achieve efficiencies and support multipurpose usage

### 6.3 Masterplan Layout

*Enhance and renew Federation Park and Oval to be an active and vibrant community and tourist hub that complements the main street precinct and other attractions within Gumeracha.*

*Preserve, enhance and build upon the natural assets and environment of the reserve*

- 1 Continue to implement a tree succession and protection strategy
- 2 Renew and enhance creek corridor landscape
- 3 Continue to renew under storey planting with a consistent planting theme
- 4 Introduce an interpretive signage strategy with natural and cultural themes

*Link the reserve to the main street precinct and improve legibility and movement networks*

- 5 Emphasise and celebrate entry points
- 6 Improve pedestrian connectivity within the reserve
- 7 Improve vehicle connectivity within the reserve
- 8 Create a style guide for new elements
- 9 Create gathering spaces to the civic centre to interface with the reserve and Albert Street.
- ↔ Open sight lines into the reserve from Albert Street

*Enhance the reserve as a destination to attract increased use by tourists, locals and events*

- 10 Connect Federation Park to the civic precinct and the Oval to Albert Street
- 11 Design and implement a regional Play Space and Kick about area
- 12 Expand the Skate Park zone with a pump track and improved shelter
- 13 Incorporate new public art opportunities integrated into the upgrade
- 14 Integrated services review and staged upgrade
- 15 Investigate Short Term Motor home Parking/ refuse disposal point
- 16 Renew and upgrade formal recreation facilities.
- 17 Review layout and usage of current community facilities to achieve efficiencies and support multipurpose usage



6.4 Masterplan Visualisation - Civic Plaza

*Create a community gathering space to the rear of the civic centre to interface with the reserve*



6.5 Masterplan Visualisation - Regional Play Space and Linkage to Albert Street

*Connect Federation Park to the civic precinct and the Oval to Albert Street*  
*Design and implement a regional Play Space and Kick about area*





6.6 Masterplan Visualisation - Creekline Restoration

*Renew and enhance creek corridor landscape*



# 07 MASTERPLAN PROJECTS

## 7.1 Masterplan Projects Layout A

*Preserve, enhance and build upon the natural assets and environment of the reserve*

### 1 Continue to implement a tree succession and protection strategy

Preserve Pre European eucalypt trees and introduce new planting to ensure the important character of these trees is maintained and enhanced for future generations

Assess European and introduced tree copses that function as wind breaks or have scenic value to ensure that they are maintained and successively replanted.

Investigate the cultural significance of trees within the reserve and celebrate these associations throughout interpretive signage or artworks.

### 2 Renew and enhance creek corridor landscape

Increase the biodiversity value and visual amenity of the creek line. Work with the regulatory authorities such as the NRM to remove invasive weed species from the creek line and introduce indigenous and native riparian planting to the creek beds and banks.

### 3 Continue to renew under storey planting with a consistent planting theme

Prepare a master list of understory species that support the functional, aesthetic and biodiversity requirements of the reserve. Include Peramangk indigenous planting knowledge within the planting list.

Selectively remove poorly performing or positioned understory planting and replace from the master plant list.

### 4 Introduce an interpretive signage strategy with the following natural themes;

Cultural significance of important trees and likely ages.

Riparian landscapes, the watershed and the fauna

Peramangk cultural planting, medicinal and bush tucker uses.

Consider developing an app or online interpretive trail as a part of a Gumeracha wide tourist strategy.



## 7.2 Masterplan Projects Layout B

### *Link the reserve to the main street precinct and improve legibility and movement networks*

#### 5 Emphasise and celebrate entry points

Create gathering spaces to the civic centre and the south west corner to link the reserve and civic centre to Albert Street.

Incorporate the proposed Op Shop ramp and entry into the Town Hall plaza to create an integrated arrival point to the civic centre precinct.

#### 6 Improve pedestrian connectivity within the reserve

Develop the linkage between the Albert Street entry reserve and rear of civic and oval facilities with a network of both sealed and informal adventure trails that encourage use and cater to differing abilities and fitness levels. Path alignments will be organic to complement the informal nature of the reserve and maintain the large expanses of open grassed areas.

New way finding signage with distance markers are proposed to create structured running and fitness loops, as well as recreational walkers. Outdoor fitness stations could be positioned along the trail to encourage active use and a healthy community.

Investigate widening of existing bridge and possible funding partners.

#### 7 Improve vehicle connectivity within the reserve

Improve the legibility and rationalise vehicle movements through the reserve with subtle planted edge treatments that give the perception of narrower roadways and encourage slow vehicle movement.

#### 8 Create a style guide for new elements

To allow for staged upgrades and regular maintenance to be rolled out with a consistent outcome. This style guide needs to tie in civic themes from the main street, including furniture, materials and lighting selections.

#### 9 Create a gathering space to the civic centre to interface with the reserve

Incorporate the community garden, community shed and rear of community centre into a green plaza space that links to a new pedestrian path through to Federation Park. Demolish existing toilet block and incorporate a new toilet facility into the gathering space or into existing sporting club rooms.



### 7.3 Masterplan Projects Layout C

*Enhance the reserve as a destination to attract increased use by tourists, locals and events*

#### 10 Connect Federation Park, the civic precinct and the oval to Albert Street

Open up sight lines from Albert Street with crown lifting of the mature trees to the west of the creek line and selective removal of under storey vegetation, selectively replant from the proposed understory plant master list

Replace fencing to Albert Street, investigate integrated artworks into fence

Create additional access by re grading the batters and/ or stairs/ amphitheatre down into the reserve, incorporate existing and proposed memorials into the new design.

#### 11 Build a Regional Play Space and Kick about area

Create a themed regional play space integrated with refreshed kick about zones, picnic facilities, amphitheatre and path network. Look at European history, medieval themes and Peramangk stories for inspiration.

#### 12 Create an expanded Skate park zone with a pump track

Provide extra hardstand and amenity to the eastern interface of the skate park that weights the usage away from the hollow tree and meeting place to the west and get the local skate community to design a pump track through the small pine copse to the North of the skate park, using the natural grade and existing obstacles to create the track.

#### 13 Incorporate new public art opportunities integrated into the upgrade

Create design briefs for integrated art opportunities that explore the stories of Gumeracha.

#### 14 Integrated services upgrade

Review and upgrade services to the reserve to better cater for large and small events, and improve overall functionality and ease of use by the community. Investigate charging and wifi hubs linked to a digital strategy for the town

#### 15 Investigate Short Term Motor home Parking

Provide a flat space for short term RV/ motor home parking to attract the 'grey nomad' tourism market. Investigate the addition of a refuse disposal point utilising existing sewer services around the rear of the civic centre



#### 16 Renew and upgrade formal recreation facilities.

Upgrades to the tennis and netball courts in line with recommendations to council. Investigate removal and upgrade of tennis/ netball club room.

Investigate the opportunity to renew the cricket nets and surface

Upgrade the irrigation of the oval and turf renewal and management that allows for its continued use as an event space and sporting oval.

#### 17 Review layout and usage of current community facilities to achieve efficiencies and support multipurpose usage

Review current storage and usage across community facilities to achieve efficiencies in the existing facilities and identify any additional needs or the opportunity to consolidate and have multipurpose facilities.

## 7.4 Masterplan Projects - Detailed Descriptions

### Preserve, enhance and build upon the natural assets and environment of the reserve

#### 1 Continue to implement a tree succession and protection strategy

Preserve Pre European eucalypt trees and introduce new planting to ensure the important character of these trees is maintained and enhanced for future generations

Assess European and introduced tree copses that function as wind breaks or have scenic value to ensure that they are maintained and successively replanted.

Investigate the cultural significance of trees within the reserve and celebrate these associations throughout interpretive signage or artworks.

##### Project Description

Prepare an assessment on the significant trees within the site to assess health, life span, identify any risks and delineate tree protection zones to inform detailed design of the reserve upgrades.

Prepare a tree planting master plan including;

- Succession planting of the Eucalypt species
- Spatial master plan and time line for replacements
- Design of tree protection zones of significant trees, demarcate root zones from pedestrian and vehicle travel during events through methods such as mulched, gardens beds, timber edging and other landscape elements.
- Reinforce existing landscape character through additional tree planting including
  - Avenues to roadways and key movement route

- Shelter belts to provide wind protection
- Clusters and copses to reinforce the dominant open woodland character of the reserve.
- Formal planting – gateways and entry points and interface with the more formalised nature of Albert Street and the civic centre precinct

##### Budget Range \$23,000.00

Arborist assessment report = \$6000

Tree pruning per tree;

Significant trees \$1500 x 8 trees = \$12,000.00

Smaller trees \$250 x 20 = \$5000.00

#### 2 Renew and enhance creek corridor landscape

Increase the biodiversity value and visual amenity of the creek line. Work with the regulatory authorities such as the NRM to remove invasive weed species from the creek line and introduce indigenous and native riparian planting to the creek beds and banks.

##### Project Description

- Remove sections of Typha to reduce competition, promote diversity of other riparian species indigenous to the area.
- Improve access to creek edge through rock work/paths and new pedestrian bridge - refer to movement strategy.
- Integrate existing ponds and/or streams within the playground precinct
- Improve appearance of existing swale and provide filtration of storm water through WSUD (for discussion)
- Remove woody weeds and reintroduce endemic species to better planting

##### Budget Range - \$58,850.00

Installation of planting per m2 would be around \$15 m2, including soil preparation and mulch We would recommend the creek works be completed in a single stage to reduce reinfestation of weeds. Approximate capital cost of works;

Planting-

3000m2 x \$15m2 = \$45,000.00

Weed eradication \$10,000.00

TOTAL CAPITAL COST = \$55,000.00

Consultancy/ design = 7% x \$55,000.00

TOTAL DESIGN COST = \$3850.00



## Preserve, enhance and build upon the natural assets and environment of the reserve

### 3 Continue to renew under storey planting with a consistent planting theme

Prepare a master list of understory species that support the functional, aesthetic and biodiversity requirements of the reserve. Include Peramangk indigenous planting knowledge within the planting list.

Selectively remove poorly performing or positioned understory planting and replace from the master plant list.

#### Project Description

- Create a gateway landscape typology that is complementary to the existing architecture and prevailing landscape character
- Adopt consistent plant palette(s) of native and exotic species
- Improve the landscape interface with Albert Street to enhance the reserve's overall visual appeal
- Remove weeds and reintroduce endemic species to appropriate locations
- Improve or reinstate irrigation to garden beds where required
- Identify priority areas and a staged approach

#### Budget Range - \$53,500.00

Preparation of masterplan species list and planting layout \$3500

Installation of planting per m2 would be around \$35 m2 for mature planting, and \$15 for juvenile planting.

A reasonable target of planting for the reserve would be to plant

2000m2 of existing and new garden beds. The areas for renewal can be prioritised and a mix of mature and juvenile planting used depending on the area and risks of failure. This would have an approximate capital cost of;

Planting-

1000m2 x \$15m2 = \$15,000.00

1000m2 x \$35m2 = \$35,000.00

TOTAL CAPITAL COST = \$50,000.00

Consultancy/ design = 7% x \$50,000.00

TOTAL DESIGN COST = \$3500.00

### 4 Introduce an interpretive signage strategy with to emphasise the natural themes;

Devise a signage strategy for the reserve that explains the cultural significance of important trees and the natural assets within the reserve. Consider linking this to a digital strategy for the town or further app based/ web based information, or social media interaction with fauna and plant spotting within the reserve.

#### Project Description

Design a signage strategy that is linked with an overall reserve strategy exploring the following themes.

- Culturally significance of important trees and likely ages.
- Riparian landscapes, the watershed and the fauna
- Peramangk cultural planting, medicinal and bush tucker uses.
- Consider developing an app or online interpretive trail as a part of a Gumeracha wide tourist strategy.

This project could potentially be prepared by local knowledge and school participation in developing the signage content.

There is the potential to integrate with a main street digital strategy.

#### Budget Range \$51,627.50

Capital cost of signage;

Major panel \$6000 x 4 panels = \$24,000.00

Signage panel \$2500 x 7 = \$17500.00

Distance Markers \$450 x 15 = \$6750.00

TOTAL CAPITAL COST = \$48,250.00

Consultancy/ design = 7% x \$48,250.00

TOTAL DESIGN COST = \$3377.50



## Link the reserve to the main street precinct and improve legibility and movement networks

### 5 Emphasise and celebrate entry points

Create two paved entry spaces to the civic centre and the South west corner to link the reserve and civic centre to Albert Street.

#### Project Description

Create a plaza/ entry node experience to the civic centre and the South west corner

- Civic Centre - Create a gathering space to the Albert Street frontage of the town hall building, civic center and Op Shop. Incorporate the proposed Op Shop ramp and entry into the Town Hall plaza to create an integrated arrival point to the civic centre precinct. This could include paving, new planting, signage and flags to emphasise the heritage building and visually connect the built form to Albert Street.
- South West Entrance - Create a gathering space that provides a physical and visual link to the main street precinct and provides a threshold experience to the carpark and pedestrians and emphasises the memorial arch

#### Budget Range \$160,500.00

Capital cost of works;

Civic gathering space 400m<sup>2</sup> x \$250.00 = \$100,000.00

South West Entry gathering space 200m<sup>2</sup> x \$250.00 = \$50,000.00

TOTAL CAPITAL COST = \$150,000.00

Consultancy/ design = 7% x \$150,000.00

TOTAL DESIGN COST = \$10,500.00

### 6 Improve pedestrian connectivity within the reserve

Develop the linkage between the Albert Street entry reserve and rear of civic and oval facilities with a network of trails that encourage use and cater to differing abilities and fitness levels.

New way finding signage with distance markers are proposed to create structured running and fitness loops, as well as recreational walkers. Outdoor fitness stations could be positioned along the trail to encourage active use and a healthy community.

Investigate widening of existing bridge and potential funding partnerships with community groups.

#### Description

Develop the linkage between the Albert street entry reserve and rear of civic and oval facilities

- Provide a network of paths to connect key spaces, improve access to existing facilities and alleviate lawn wear and tear through addressing desire lines.
- Introduce a secondary path network or 'explorers trail' that links the more off the beaten track parts of the reserve.
- Introduce a wayfinding strategy to encourage exploration and legibility for users
- Create a 'loop' path network for fitness walkers and joggers, a shorter loop trail that uses universal design principles and a secondary extended loop trail for longer and steeper terrain walks. It is intended these loop trails will utilise the primary and 'explorer' trail and have distance markers to al-

low for more structured training.

#### Budget Range

**Paths \$98,440.00**

**Replace / widen existing bridge \$185,000.00**

Capital cost of works;

2.0 m wide paved path 250m<sup>2</sup> x \$120.00m<sup>2</sup> = \$30,000.00

New Pedestrian Bridge Land mark propriety product 20 linear metres, \$125,000.00

Replace / widen existing bridge \$185,000.00

TOTAL CAPITAL COST = \$92,000.00

Consultancy/ design = 7% x \$92,000.00

TOTAL DESIGN COST = \$6,440.00



## Link the reserve to the main street precinct and improve legibility and movement networks

### 7 Improve vehicle connectivity within the reserve

Improve the legibility and rationalise vehicle movements through the reserve with subtle planted edge treatments that give the perception of narrower roadways and encourage slow vehicle movement.

#### Project Description

Rationalise and formalise vehicle movements and parking through the reserve to improve legibility and safety.

- Formalise the edge of carparks
- Narrow the vehicle paths and delineate the edges with planting and or bollards

#### Budget Range \$42,530.00

Planting-

450m<sup>2</sup> x \$35m<sup>2</sup> = \$15,750.00

Bollards 300 x \$80m<sup>2</sup> = \$24,000.00

TOTAL CAPITAL COST = \$39,750.00

Consultancy/ design = 7% x \$39,750.00

TOTAL DESIGN COST = \$2780.00

### 8 Create a style guide for new elements

To allow for staged upgrades and regular maintenance to be rolled out with a consistent outcome. The style guide will reference civic themes from the main street masterplan project to ensure a precinct consistency, including furniture, materials and lighting selections.

#### Project Description

Create a style guide for the reserve to allow for staged upgrades and regular maintenance to be rolled out with a consistent outcome.

Furniture and infrastructure;

- Paving types / path types, bollards, seating, lighting, shelters and buildings, signage, bridge and creek infrastructure, fencing

Planting;

- Reserve trees and trees for tomorrow
- Avenue and accent trees
- Feature planting
- General planting selections

Please note this project needs to be informed in collaboration with the main street project

#### Budget Range \$3500.00

Consultancy/ design = \$3500.00

TOTAL DESIGN COST = \$3500.00

### 9 Create a gathering space to the rear of the civic centre at the interface with the reserve

Incorporate the community garden, community shed and rear of community centre into a gathering space that links the Civic and Sporting Precinct to Federation Park. Demolish existing toilet block and investigate a new toilet facility either into the gathering space or integrated into the sporting clubrooms.

#### Project Description

Create a gathering space to the rear of the civic centre and incorporate the community garden, community shed and community centre.

Provide screening and a consolidated location to the 22 wheelie bins around this area

Consolidate the colour scheme of the built form surrounding the civic centre carpark. Football club building, men's shed, interchange shed, and other building to be a consistent colour scheme

Paint murals on selected surfaces to tie in with the community garden

Remove toilet facility with consideration of the painted mural.

#### Budget Range \$267,500.00 (including new toilet)

Capital cost of works;

Civic Entry gathering space 400m<sup>2</sup> x \$125.00 = \$50,000.00

New Toilet Block = \$150,000

TOTAL CAPITAL COST = \$200,000.00

Consultancy/ design = 7% x \$200,000.00

TOTAL DESIGN COST = \$14,000.00





## Enhance the reserve as a destination to attract increased use by tourists, locals and events

### 10 Connect Federation Park, the Civic Precinct and the Oval to Albert Street

Open up sight lines from Albert street with crown lifting of the mature trees to the West of the Creek line and selective removal of under storey vegetation

Replace fencing to Albert Street

Create additional access by re grading the batters and/ or stairs/ amphitheatre down into the reserve

#### Project Description

- Selective removal/ replacement of under storey planting
- Open up sight lines from Albert street with crown lifting of the mature trees to the West of the Creek line
- Replace fence posts to Albert Street from Federation Park through to the oval to match the timber bollards within the reserve (or alternative selection determined as a part of the main street outcomes)
- Enhance main street connection at South West entry through integration with proposed protuberance and street crossing to Albert Street
- Renew existing concrete footpath adjacent Albert Street (in collaboration with the main street project) and provide informal access to the reserve West of the Creek line by re grading the batters and/ or stairs/ amphitheatre down into the reserve

- Integrate an amphitheatre in between the play space and Albert Street using the natural grade. Scale the amphitheatre to suit smaller events, markets and as a place to sit and take in the view over the park to the rural vista beyond.

- Formalise and mark entry points to the oval

#### Budget Range \$136,746.00

800m<sup>2</sup> x \$150m<sup>2</sup> = \$120,000.00

Timber post and wire fence 260 lm x \$30m<sup>2</sup> = \$7,800.00

TOTAL CAPITAL COST = \$127,800.00

Consultancy/ design = 7% x \$127,800.00

TOTAL DESIGN COST = \$8946.00

### 11 Build a Regional Play Space

Create a themed regional play space integrated with refreshed kick about zones, picnic facilities, amphitheatre and path network

#### Project Description

Create a themed regional play space

Zoned from 0-15, phased upwards in age from the existing location at the SW corner down to the creek line

Safe zone for 0-5, with less formal boundaries as the space increases in risk and complexity as it approaches the creek line

Integrated with refreshed kick about zones, picnic facilities, amphitheatre and path network.

#### Budget Range \$695,550.00

800m<sup>2</sup> x \$150m<sup>2</sup> = \$650,000.00

TOTAL CAPITAL COST = \$650,000.00

Consultancy/ design = 7% x \$695,550.00

TOTAL DESIGN COST = \$45,550.00

#### Possible Grants:

Community Recreation and Sports Facilities Program  
(ors.sa.gov.au)



## Enhance the reserve as a destination to attract increased use by tourists, locals and events

### 12 Create an expanded Skate park zone with a pump track

Provide extra hardstand and amenity to the eastern interface of the skate park that weights the usage away from the hollow tree and meeting place to the West. Involve the local skate community to design a pump track through the small pine copse to the North of the skate park, using the natural grade and existing obstacles to create the track.

#### Project Description

Provide extra hardstand and amenity to the eastern interface of the skate park that weights the usage away from the hollow tree and meeting place to the West

- Extends the skate able area to allow for flat area for tricks and novices (also extends event space)
- Design skate able furniture to the perimeter of the hardstand, Concrete walling and steel furniture could be used as a multi- functional outcome
- Incorporate new hard wearing landscaping to batters to address desire lines to reduce scouring and erosion around the park
- Look at surfaces and treatments that discourage permeability between the skate park and the Peramangk fire pit and significant hollowed out tree, and planting solutions that allow for both spaces to be used harmoniously.
- Investigate a pump track through the small pine copse to the North of the skate park, using the natural grade and existing obstacles to create the track

#### Budget Range \$64,200.00

300m2 x \$200m2 = \$60,000.00

TOTAL CAPITAL COST = \$60,000.00

Consultancy/ design = 7% x \$60,000.00

TOTAL DESIGN COST = \$4200.00

#### Possible Grants

Community Recreation and Sport Facilities Program (ors.sa.gov.au)

### 13 Incorporate new public art opportunities integrated into the upgrade

Create design briefs for integrated art opportunities that explore the stories of Gumeracha.

#### Project Description

Commission artworks at locations shown that identify the stories and culture of Gumeracha.

Integrate art briefs with main street commissions to ensure a holistic strategy across the precinct.

Look at a consistent way to honour citizens through plaques

#### Budget Range \$150,000.00

We would recommend creating 3 significant pieces at \$50,00.00 each integrated into the overall upgrade and other projects.

#### Possible Grants

Arts SA Project Grants (arts.sa.gov.au)

Arts SA Project Assistance: Aboriginal and Torres Strait Islander Arts Development (arts.sa.gov.au)

Arts SA Public art and design (arts.sa.gov.au)

### 14 Integrated services upgrade

Review and upgrade services to the reserve to better cater for large and small events, and improve overall functionality and ease of use by the community. Investigate charging and wifi hubs linked to a digital strategy for the town

#### Description

Review underground services and survey locations and capacity

Investigate the requirements of events and improve capacity

Review smaller events that may take place in the future such as seasonal markets, carols by candlelight, community concerts and fairs and see how to better service these events

WiFi hotspot to the reserve and main street

Review feature lighting and pathway lighting

Review upgrade cost of court and oval lighting

Review club room requirements and any upgrades required to service future requirements.

Services master plan to allow for systematic and staged upgrades on a priority basis as well as determine a suitable location for refuse disposal for motor homes.

#### Budget Range \$15,000.00

Consultation and survey budget \$15000.00 to inform works budget



## Enhance the reserve as a destination to attract increased use by tourists, locals and events

### 15 Investigate Short Term Motorhome Parking

Investigate options to formalise short term RV/ motor home parking that is currently occurring informally around the oval with the aim of attracting the 'grey nomad' tourism market. A refuse disposal point will need to be investigated in conjunction with the services review to determine feasibility and location. Potential locations include the Federation Park carpark and parking space around the oval around the oval. Consideration would have to be given to managing the interface of this activity with on home games for the local sporting clubs and event days.

#### Project Description

Utilise an existing flat space for short term RV/ Motorhome parking to attract the 'grey nomad' tourism market.

- This would require a flat parking space
- Appropriate turning circles and pathways for larger vehicles
- Access to toilet facilities and water
- Can be operated via a ticket machine or from a local business
- Signage and Waste bins
- Refuse disposal point for on board septic.
- No dedicated shower or toilet facilities are to be provided, the facility will cater to self sufficient motorhomes.

#### Budget Range \$8000.00

The project could be largely catered for with existing facilities and new signage. Minor upgrades and bollards may be required to facilitate orderly usage. A 'dump ezy' refuse disposal unit can be supplied and installed for approximately \$6000.00 pending services review and an existing connection point being available.



### 16 Renew and upgrade formal recreation facilities. Investigate relocation of facilities.

#### Project Description

Resurface tennis courts and manage invasive tree roots and run off erosion to the batters. Initial study indicates significant re grading and a 5m extension to the west to the surface would be required to bring the courts up to competition standard.

Investigate the opportunity to renew the cricket nets and surface, relocation will be considered should the tennis courts be relocated to the oval precinct.

Upgrade the irrigation of the oval and turf renewal and management that allows for its continued use as an event space and sporting oval.

Upgrade the drainage, irrigation of the oval and turf renewal and management that allows for its continued use as an event space and sporting oval.

#### Budget Range \$574,000.00

Oval surface - \$64,000.00 - for subsurface drainage and renovations

Oval Irrigation - \$150,000.00 for new system

Cricket nets and new surface - \$20,000.00

Court Renewal - \$360,000.00 Resurface and works as per recommendations



### 17 Review layout and usage of current community facilities to achieve efficiencies and support multipurpose usage

Review current storage and usage across community facilities to achieve efficiencies and identify any additional needs or the opportunity to consolidate and have multipurpose facilities.

#### Project Description

An alternative location for the Community Bus has been found to free up space in the Community Shed .

Review current storage usage across all the facilities within Federation Park and Oval and requirements to allow for maximised usage of existing spaces.

- Times of usage and reducing pack down and set up requirements through schedule management or relocation to multipurpose facilities within the site.
- Storage requirements and current locations, identify under utilised spaces and possible relocation of stored items to other council facilities.

#### Budget Range \$2000.00

Review and reorganisation - \$2000.00



## 7.5 Masterplan Projects - Table Summary

This table is an overview of the project list and costing to assist in the strategic planning for council funding and grant applications.

These projects are a mixture of pragmatic and aspirational improvements. It is anticipated that the items that require a larger capital investment will need to be staged over many

years to align with availability of funding from the Adelaide Hills Council and potential funding partners as identified.

Community engagement has identified several projects that are of priority to the stakeholders and these have been identified below, the more dots the higher the value to the community.

<i>Preserve, enhance and build upon the natural assets and environment of the reserve</i>				
		Indicative Budget	Adelaide Hills Council Long Term Financial Plan inclusions	Stakeholder priority
1	Continue to implement a tree succession and protection strategy	\$23,000.00	\$6000 for arborist report in 2018/2019 (complete)	
2	Renew and enhance creek corridor landscape	\$58,850.00		
3	Continue to renew under storey planting with a consistent planting theme	\$53,500.00		
4	Introduce an interpretive signage strategy with natural and cultural themes	\$51,627.50		
<i>Link the reserve to the main street precinct and improve legibility and movement networks</i>				
5	Emphasise and celebrate entry points	\$160,500.00		
6	Improve pedestrian connectivity within the reserve	Paths \$30,000.00		
		Bridge Replacement \$185,000.00 / Widening		
7	Improve vehicle connectivity within the reserve	\$42,530.00		
8	Create a style guide for new elements	\$3500.00		
9	Create a gathering space/ pedestrian node to the rear of the civic centre to interface with the reserve	\$214,000.00 breakdown below		
		\$50,000.00 Civic gathering space		
		\$150,000.00 New Toilet Block		
<i>Enhance the reserve as a destination to attract increased use by tourists, locals and events</i>				
10	Connect Federation Park to the civic precinct and the Oval to Albert Street	\$136,746.00		
11	Design and implement a regional Play Space and Kick about area	\$695,550.00	\$500,000 committed in 2020/2021	
12	Expand the Skate Park zone with a pump track	\$64,200.00		
13	Incorporate new public art opportunities integrated into the upgrade	\$150,000.00		
14	Integrated services review and staged upgrade	\$15,000.00		
15	Short Term Motor home Parking refuse disposal point	\$6000.00		
16	Renew and upgrade formal recreation facilities	\$574,000.00 breakdown below		
		\$64,000.00 Oval surface	Identified within oval facilities audit	
		\$150,000.00 Oval Irrigation	Identified within oval facilities audit	
		\$20,000.00 Cricket nets/surface		
		\$360,000.00 Court Renewal	Identified as a priority. Additional funding to match contribution to be sought through Office Of Recreation and Sport grants.	
17	Review layout and usage of current community facilities to achieve efficiencies and support multipurpose usage	\$2000.00		

## 08 NEXT STEPS

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All other actions identified within the Masterplan Projects-Table Summary will go through a staged budget process commencing in 2019/2020. This will be supplemented with external grant funding if available. The intention is to gradually implement the works in partnership with the local community, Natural Resources Adelaide and Mt Lofty Ranges Board, local conservation groups, Peramangk, key stakeholders and user groups.

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## **Appendix 2**

*Community Consultation Outcomes-Gumeracha  
Precinct –Federation Park and Oval  
Masterplan*

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**Summary of Community Consultation Outcomes-  
Gumeracha Precinct – Federation Park and Oval Masterplan  
December 2018**

The community consultation outcomes summary information includes the Feedback Form, graphs illustrating the numbers and ratings of submissions and any additional comments that were provided. Further information can be found in the Draft Gumeracha Precinct – Federation Park and Oval Masterplan.

# Gumeracha Precinct Federation Park and Oval Masterplan



This survey is available to complete online at [engage.ahc.sa.gov.au](http://engage.ahc.sa.gov.au)

**1. Are you a;**

- Resident
- Visitor
- Work in the area
- Other – please specify:

**2. Age**

- 0-18
- 18-25
- 26-35
- 36-45
- 46-55
- 55 +

**3. To what extent do you support the proposed Masterplan overall?**

(0 = Do not support | 10 = Completely support)

0	1	2	3	4	5	6	7	8	9	10
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**4. For each of the following design principles, please select one project that you see as a priority for action**

***Design Principle 1 - Preserve, enhance and build upon the natural assets and environment of the reserve***

***Choose one of the following projects;***

- Continue to implement a tree succession and protection strategy
- Renew and enhance the creek corridor landscape
- Continue to renew under storey planting with a consistent planting theme
- Introduce an interpretive signage strategy with natural and cultural themes

***Design Principle 2 - Link the reserve to the main street precinct and improve legibility and movement networks***

***Choose one of the following projects;***



- Emphasise and celebrate entry points
- Improve pedestrian connectivity within the reserve
- Improve vehicle connectivity within the reserve
- Create a style guide for new elements
- Create a plaza space/ pedestrian node to the rear of the civic centre to interface with the reserve
- Open sight lines into the reserve from Albert Street

***Design Principle 3 - Enhance the reserve as a destination to attract increased use by tourists, locals and events***

***Choose one of the following projects;***

- Connect Federation Park to the civic precinct and the Oval to Albert Street
- Design and implement a regional Play Space and Kick about area
- Expand the Skate Park zone with a pump track
- Incorporate new public art opportunities integrated into the upgrade
- Integrated services review (electricity and water) and staged upgrade
- Investigate Short Term Motor home Parking/ waste dump point
- Renew and upgrade formal recreation facilities including an Investigation into relocation of facilities.
- Review layout and usage of current community facilities to achieve efficiencies and support multipurpose usage

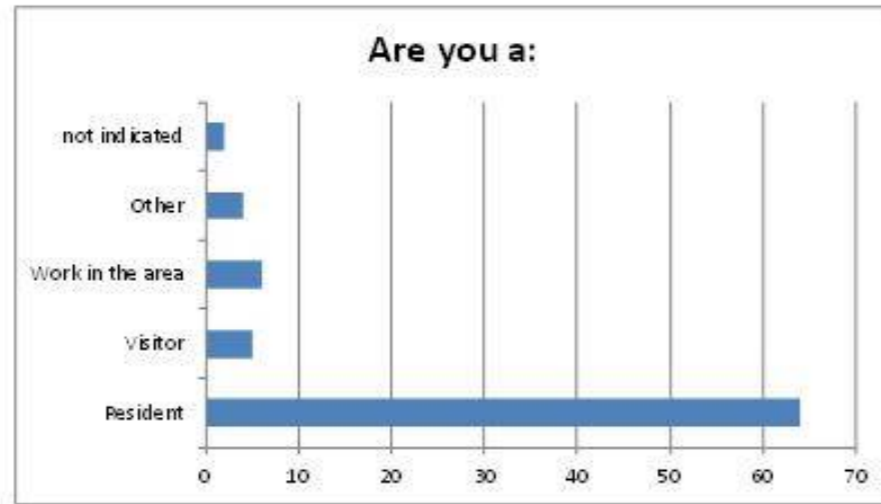
**Additional Comments**


**Project Report: Gumeracha Main Street & Precinct Masterplans**  
**Summary Hard copy and on line survey tool**

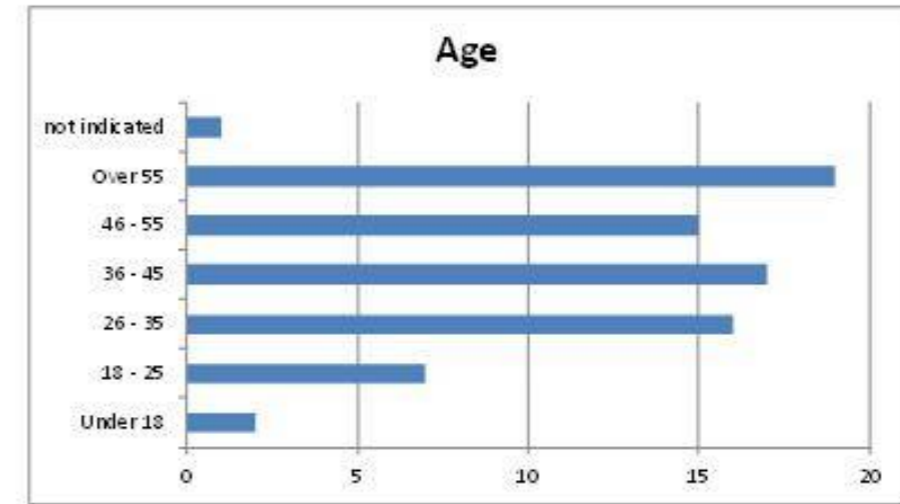
**Gumeracha Precinct - Federation Park and Oval Masterplan**

60	Online submissions
17	Manual submissions
<b>77</b>	<b>Total submissions</b>

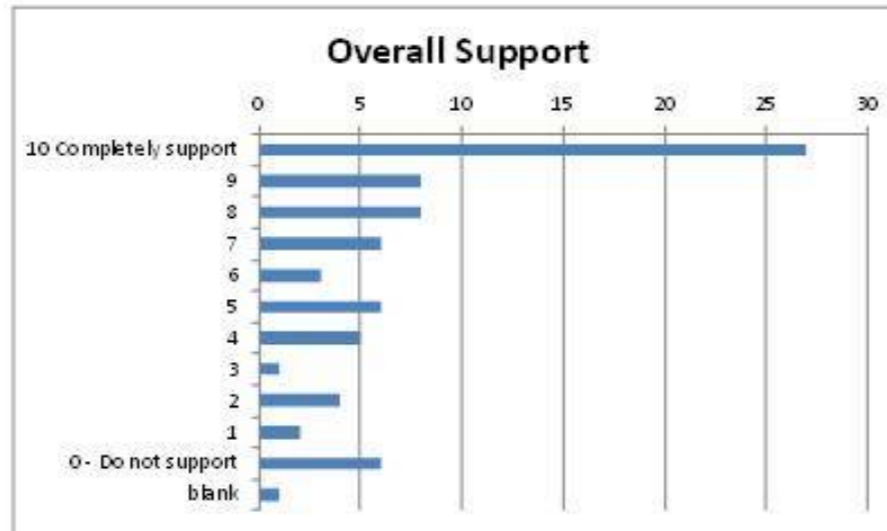
Are you a:	
Resident	64
Visitor	5
Work in the area	6
Other	4
not indicated	2



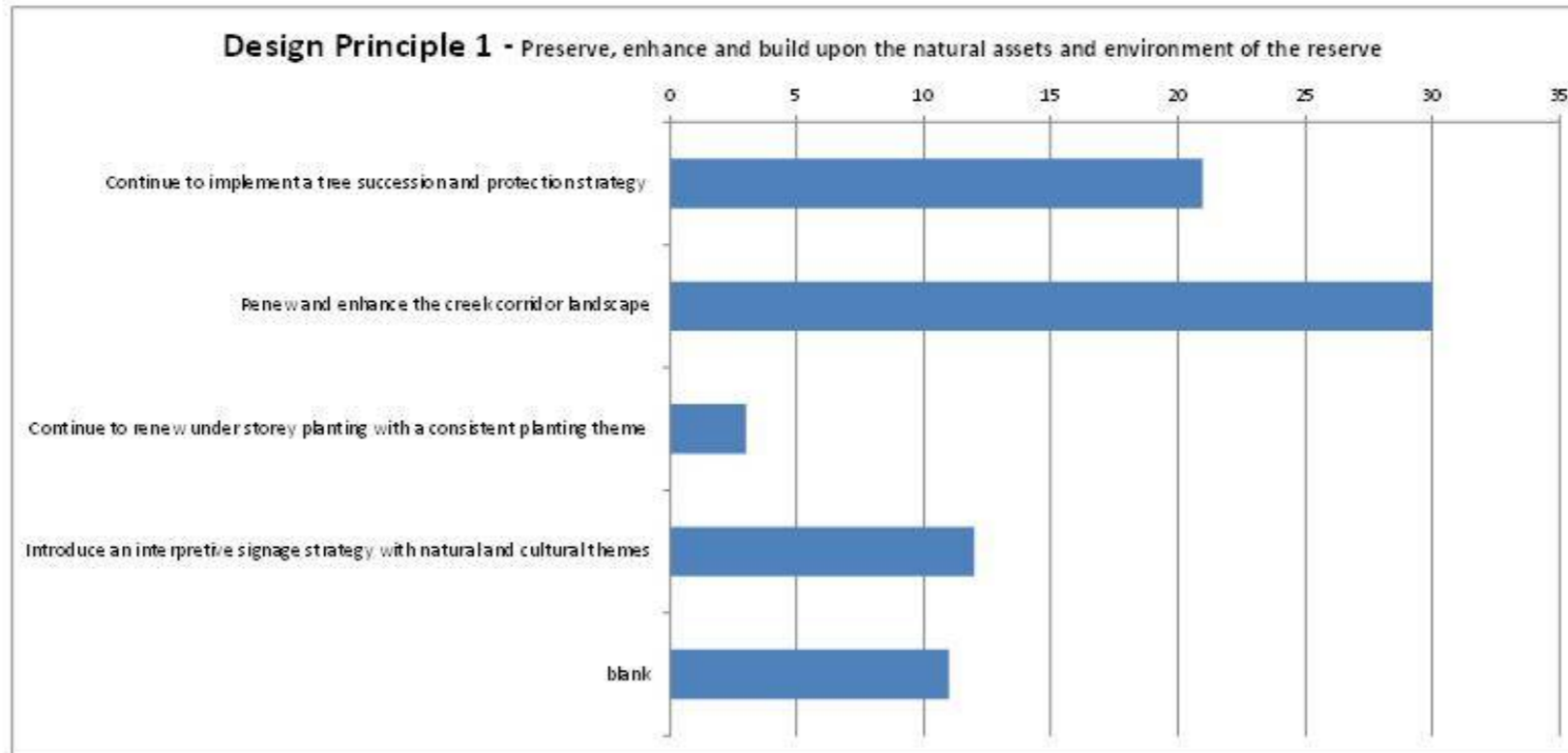
Age	
Under 18	2
18 - 25	7
26 - 35	16
36 - 45	17
46 - 55	15
Over 55	19
not indicated	1



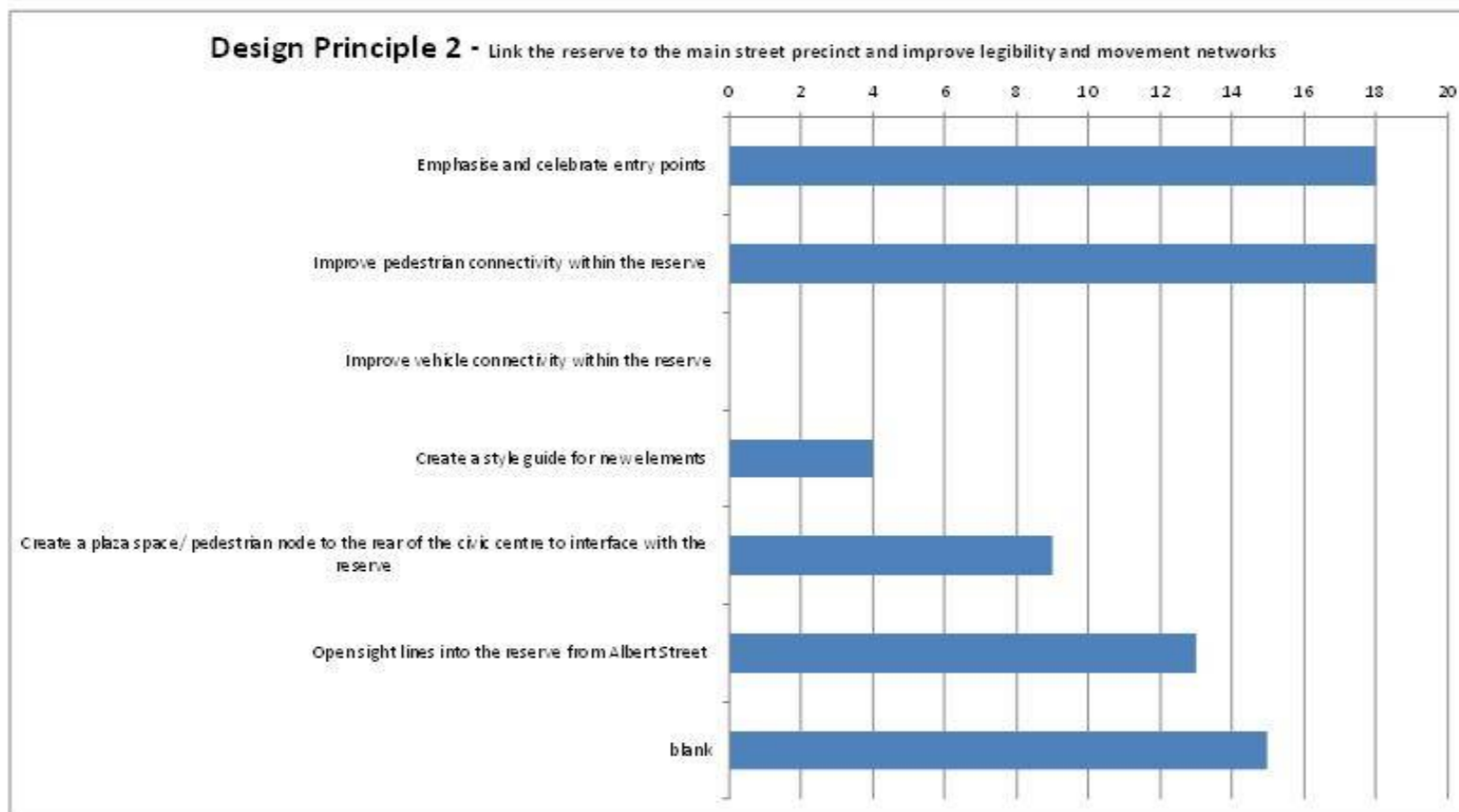
On a scale of 1 to 10, to what extent do you support the proposed Precinct Masterplan?	
10 Completely support	27
9	8
8	8
7	6
6	3
5	6
4	5
3	1
2	4
1	2
0 - Do not support	6
blank	1



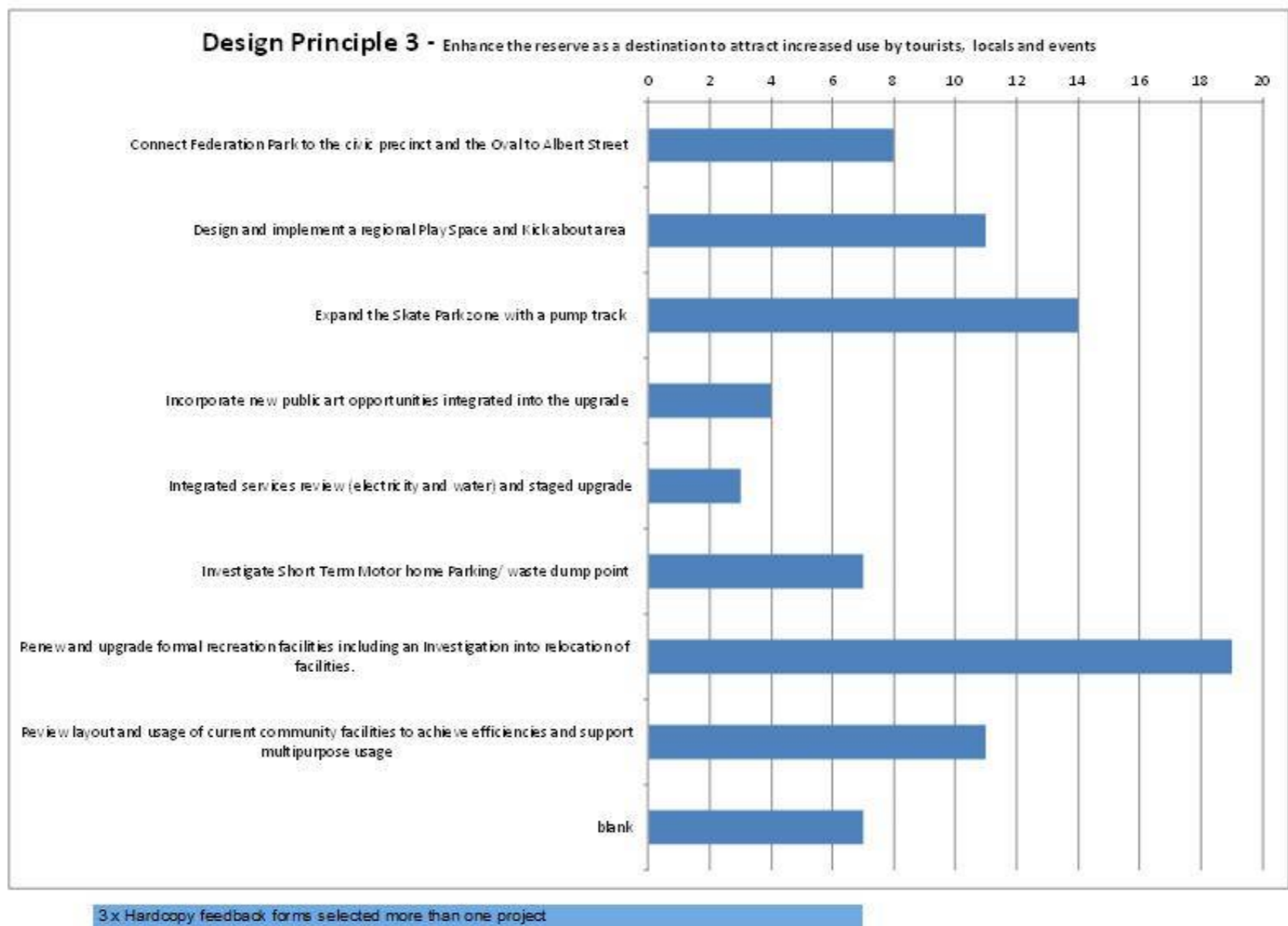
Design Principle 1 - Preserve, enhance and build upon the natural assets and environment of the reserve	
Continue to implement a tree succession and protection strategy	21
Renew and enhance the creek corridor landscape	30
Continue to renew understorey planting with a consistent planting theme	3
Introduce an interpretive signage strategy with natural and cultural themes	12
blank	11



Design Principle 2 - Link the reserve to the main street precinct and improve legibility and movement networks	
Emphasise and celebrate entry points	18
Improve pedestrian connectivity within the reserve	18
Improve vehicle connectivity within the reserve	0
Create a style guide for new elements	4
Create a plaza space/ pedestrian node to the rear of the civic centre to interface with the reserve	9
Open sight lines into the reserve from Albert Street	13
blank	15



Design Principle 3 - Enhance the reserve as a destination to attract increased use by tourists, locals and events	
Connect Federation Park to the civic precinct and the Oval to Albert Street	8
Design and implement a regional Play Space and Kick about area	11
Expand the Skate Park zone with a pump track	14
Incorporate new public art opportunities integrated into the upgrade	4
Integrated services review (electricity and water) and staged upgrade	3
Investigate Short Term Motor home Parking/ waste dump point	7
Renew and upgrade formal recreation facilities including an investigation into relocation of facilities.	19
Review layout and usage of current community facilities to achieve efficiencies and support multipurpose usage	11
blank	7



**Summary of Community Consultation Outcomes-  
Gumeracha Precinct-Federation Park and Oval Masterplan  
December 2018**

	<b>Project Report: Gumeracha Main Street &amp; Precinct Masterplans</b>
	<b>Summary Hard copy and on line survey tool</b>
	<b>Gumeracha Precinct - Federation Park and Oval Masterplan</b>
	<b>Any Additional comments</b>
	Please support the people locally who currently use the park facilities. The tennis courts are not safe and need resurfacing plus the irrigation is all done by hand currently.
	We need to improve the current facilities which are being used by locals. The irrigation needs to be rectified as all manual plus tennis courts need resurfacing
	Drainage and upgrade of Tennis courts are in desperate need of repair. We use the courts every Summer for tennis and notice just how much they are deteriorating
	Being 17, I think the tennis courts and clubhouse need to be focused on and improved, to attract more people to the tennis group.
	Stop wasting money on Stupid things that simply are not necessary.. If you haven't noticed.. The tennis/netball courts are stuffed.. spend some money there and maybe just some nice gardens. These over the top fancy plans are no r well received.. <ul style="list-style-type: none"> <li>• Nice entry points coming into town from all roads in..</li> <li>• Some nice gardens like Stirling has</li> </ul>
	Please upgrade irrigation urgently and resurface tennis courts. Park is lovely as is. Don't add pedestrian gates as this will increase the chance of little ones getting to the road easier.
	Leave our park as it is BUT introduce automatic irrigation. People love our park as it is. Week after week there are many users. All it needs is maintenance from council on a more regular ongoing basis. Don't rely on volunteers to do YOUR work.
	Sharon I am very disappointed in your concept. The RV Friendly area was something which was going to support the business community of the area. It was meant to be included in the planning of the park and all you said was, to be discussed with the number in the wrong place. I will be disappointed if council adopts any of your plans as they do not reflect the feelings of anyone I have spoken to and there is no option to get rid of some ideas and include others.
	Please keep the rocks across the creek. It would be great to really use the Park - and the whole main street and all the work happening there - as a space as a story-telling space for Peramangk culture - past and present.
	playground needs to be younger child friendly 1-4
	As am not in favour of any of the above, have been unable to fill out any of the questions. Maintain the park, no more roads within the park. The park is already used quite extensively by tourists.
	How about some decent footpaths in the town? Rather than all the above?

	More welcoming use of park ...upgrade assets ...more shelter ...
	<p>The consultation undertaken on this so far did not engage young people in the Gumeracha community. At the time of initial consultation it was advised that the council would reach out specifically to those young people through the school, kindy, etc for feedback into the system - I would like to hear whether that has happened as I don't expect many of them will be engaged in this consultation and the space is highly utilised by them.</p> <p>I feel the plaza option is a huge investment for a space that isn't highly utilised as a community gathering spot. The area at the front of the town hall is much more often activated for events. The overall design, consideration of cultural interpretation and inclusion of art will assist in creating a unique space that Gumeracha can be proud of. I hope that these don't get lost as a priority list is defined. It's important to be something unique, a destination, rather than a cookie cutter of other spaces that already exist.</p> <p>A style guide is also supported as it will stop the over-influence of any particular theme, such as the medieval tone of the shelters, which signifies a connection to a single event in the space each year, rather than an overall sense of the natural world and connection enjoyed by the community week in week out.</p> <p>Opening the space to the street, inviting movement across the space and creating access for all are important and supported.</p>
	<p>The Renewal and Upgrade of formal recreation facilities is paramount. These facilities provide not only for the local sporting clubs and their members but also the community as a whole and other visitors to the area, whether or not they be from visiting sporting clubs or just people passing through. The local sporting clubs are essentially the heart &amp; soul of the Gumeracha community and thus focus should be on maintaining, renewing and upgrading these facilities so that the clubs can continue within the local community for the future generations to come.</p> <p>In particular, the renewal of the courts is imperative- whether it is the renewal of the surface or the relocation of the courts entirely- emphasis should be placed on this facility in particular. The fact that the court renewal was identified as a priority by the Adelaide Hills, should speak volumes within itself.</p>
	<p>No further signage on the green space of the federation park. No more paths to be made now or into the future to reduce the size of the green space in Federation Park. No new paths to cross the current paths ;or to reduce the size of the green space. Tree Planting to continue;do not cut down any current trees;as it takes a long time for trees to grow.Clean the reeds out of the creek on the northern side of Federation park it is blocking the flow of water;and a good breeding ground for snakes.No access from the top side as a stair way will reduce the size of the park on the northern aspect.No more furniture to be put in the park it is reducing the green area that children can play on ;eg seat to remember somebody;I suggest people donate a tree.Do not reduce the green space;to be honest the park should be left as is. No wifi in the park;as what is a park....think about it before you fill it with lifts hoists and technical rubbish</p>
	<p>People like to pick a bit of grass to set up their picnic area and if we have paths and gardens who looks after it and what happens to our towns money making event for our community and clubs with the medieval fair ?</p>
	<p>Recreational facilities should be a high priority for the Council as they are currently and will be continually be used by locals who support the town. Several of these facilities, especially the netball / tennis courts are vital to our community and are currently in such poor condition I am surprised there has not been any serious injuries.</p>
	<p>As a resident it is positive to see the work and effort from council and local residents making a change. I really like the idea of a secret garden allowing a space for people who may want quiet time, but still enabling an awesome park for kids to be loud and themselves</p>

	The park is a beautiful place and it would be a pity to lose what we do have with a complete change to the feel of the park. I believe that there does need to be some connectivity with the main street and sporting facilities, and with some small improvements in access and facilities it will continue to be a beautiful park area to enjoy.
	This area is very important to Peramangk people. I understand there are trees in the park that are very significant. It is vital that these trees are retained. Please do not remove any trees that are culturally significant. Thank you.
	A great plan. i think to put all sporting facilities on the same side would give all sporting bodies a sense of belonging and not apart as is the case now and the actual park become a park where caravans and campers could go
	Please keep the rocks across the creek - the kids love them. And please do look at the options for the skate park area - it has so much potential and so many people use it. A pump track would be great. As would a walking trail, with signage. Please honour the Peramangk stories of this place and look after important Peramangk trees. Thank you.
	The creek is my favourite part of the park. I love it.
	I use the skate park every day after school and every weekend. I would love a pump track more than anything. Can you please increase the shade at the skate park? Thank you.
	Will be great to see the Federation Park and Oval area integrate with the Main Street plans.
	Upgrade sporting courts for community
	I think the implementation of visual tools to encourage visitors and residents to use the reserve as an area to relax and enjoy recreational activities is a really important step towards building community and it's pride of the township as well as encouraging visitors and giving them the ability to interact with the township on many levels.
	There is an urgent need for automation irrigation system. There is an urgent need for the tennis courts to be resurfaced for both visitors, & locals. The park is a beautiful, natural place for families to visit. There is a nice playground area, cover when needed & a bbq area, with PLENTY of open area for running, playing, throwing a ball etc. And plenty of shade, with a wonderful feel about the precinct as a whole. WE DO NOT NEED TO URBANIZE IT. If anything a little extra seating may be reasonable.
	I love the openness of the park and lawn we need new toilets, bbqs shelters and new play equipment Paths signs and plants waste of money just fix what we have
	Space for overnight vans should bring extra people/benefits for the town. Access to a shower for these travellers should be considered a priority
	Keen to maintain large open grass areas for picnic and family gatherings. Avoid excessive paths cutting up the park Upgrade playground Improve current bridge but not additional bridges. Improve access to irrigation on both sides of the creek Investigate option of having all sporting facilities on eastern side of creek (cost may prohibit this ) Proposal of a paved area in front of hall sounds good.
	I have been attending the Gumeracha Medieval Fair since its inception and am a bit concerned that the stakeholders of this Unique community event have not been consulted adequately. This is a National event and contributes 10's of thousands of dollars back into the community each year and is growing. I would hate to have lack of consultation see the Fair moved away from the community that it supports. I can certainly see areas where the Park can be improved but I am worried some of the implementations planned may spoil the Rustic Sylvan Nature of the Park and inhibit some of the valued usage. I could also suggest some improvement to some of the design work proposed. Please give this project a little more

	thought and consultation.
	<p>The park is currently well used by visitors and locals and people enjoy the natural beauty and open space of the park. Care would need to be taken not to lose that appeal by introducing too many changes. One of the biggest priority for locals is our sporting facilities. The tennis courts badly need resurfacing - they are in a beautiful setting but the tree roots cause ongoing problems with cracking. The current tennis/netball clubrooms have been badly damaged by tree roots and need major repair. Drainage and irrigation of the oval is also a major issue. The playground is also a very important part of the park. I love the idea of upgrading it with more natural style play equipment rather than the current worn plastic equipment. I agree with the idea of upgrading the current entrance to the park and making it more inviting. I do not think you need to add additional entrances - this would make it more difficult for families to supervise safety of children with more entrances and cause difficulty policing entrance to the park during larger events held in the park. I support the idea of neatening the area along the front fence with more consistent and neater plantings. I am concerned that the amphitheatre may use up valuable open space of the park and limit use of that area. More tables in the park may be useful - perhaps some in the smaller shelter area. An art trail would be a low priority for me. I am not in support of a RV camping area in the park as this would take up space currently used for parking and encroach on the park. If there was to be one, it may be better situated over near the oval. We do already have people park overnight from time to time near the tennis courts or at the rear of the oval and that seems to work ok. The creek is a lovely natural area. The current bridge could possibly be widened - I don't think we need multiple bridges across the creek. I like the idea of making the area to the rear of the community centre more of a feature and connecting this with the park. It would be beneficial for the toilets there to be upgraded. The Town Hall is a beautiful old heritage building. The idea of developing a courtyard area in front of the hall may further enhance it and increase/improve the use of it in community events such as markets etc.</p>
	<p>An incredible amount of work. I congratulate you all on this and the extensive community consultation you have done from the very beginning. I am so excited to see your vision come to light and support it 100%</p>
	<ul style="list-style-type: none"> <li>'- I think it is important to renew and enhance the creek as it's an underused feature within the park</li> <li>- Lighting within the park should be investigated, especially along pathways, so that more people can use it for walking/jogging etc in the early morning or evenings</li> <li>- An additional access point should be installed off Albert Street between the Creek and the existing entrance opposite the pub. This lack of connectivity creates an area of the park which is hidden/under utilised</li> <li>- Having motorhomes etc use the park near the tennis court area would be a great way to ensure ongoing activation at the park, plus assist the town's businesses</li> <li>- New, more contemporary playground equipment for a variety of ages and incorporating nature play elements would be great</li> <li>- Given the park is used by people from all over Adelaide, improvements to the skate park would work well, as well as further recognition of the park's regional status</li> <li>- The rear of the park needs better accessibility (nearest to the vineyard area) and could be used for more walking trails or a pump track</li> </ul>
	<p>This park is such an asset to our town and any enhancement will make for a better location and environment, beneficial for all users, locals &amp; visitors..</p> <p>I support all recommendations, provided that due to high rainfall events when flooding occurs in Federation Park, none of the proposed infrastructure will be under threat..</p>



	<p>Please redo the tennis court surfaces, upgrade the main entrance and clear away the horrid weeds along the main Albert road side of park. Redecorate the public toilets, render them and paint a lighter colour. A butterfly garden on flat part at the back of oval, incorporating the huge log upended (Main Street Project owned) large metal butterfly sculpture on top by jhamiltontdesign and buddleias all around.</p> <p>Possibly another bridge over creek.</p> <p>Clear up the creek, keeping a chain of ponds for seepage and water slowing but clear the horrible reeds away.</p>
	<p>This seems extreme, when we only wanted minimal changes. These cancel out events like Medieval Fair etc Why plant trees around. Tennis Court? - In (6) where do they go? Parking of 'grey nomads' - near hotel.</p>
	<p>Do not create anymore entry points to reserve. Do not put sealed paths through reserve. Do not over plant with trees. Keep open areas.</p>
	<p>Top crossing point at Top Shop driveway? Consultation occurred? Great to have ??? Near rocking horse. Finish off path to rocking horse.</p>
	<p>Everything needs to be toddler friendly. BINS!!</p>
	<p>Please make new playspace unobstructed. There is nothing worse than losing sight of young kids on/in play equipment. Thank you.</p>
	<p>Flying fox, splash zone area / water park, jumping pillow</p>
	<p>The park is used a lot, every weekend even mid winter people are using it. Please don't destroy for 'Grand Ideas' Money better spent on good tennis courts.</p>
	<p>Didn't consult the relevant people involved already with the park &amp; events.</p>
	<p>Maintain the play equipment, put solar sails over the play equipment to protect the children.</p>
	<p>Maintain what we have. Put sun cover over children's play area.</p>
	<p>Have current facilities i.e. Oval/Clubrooms are improved &amp; public toilets incorporated into Clubrooms.</p>
	<p>A wonderful addition to the park would be a dog park. Many people in Gumeracha have dogs and a controlled environment would be excellent.</p>
	<p>Dog park addition to project</p>

**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 18 December 2018  
AGENDA BUSINESS ITEM**

**Item:** 12.3

**Originating Officer:** Lachlan Miller, Executive Manager Governance & Performance

**Responsible Director:** Andrew Aitken, Chief Executive Officer

**Subject:** Review of Advisory Groups

**For:** Decision

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**SUMMARY**

Advisory Groups are created to provide advice to the Administration on specific matters, generally in areas in which the Council Administration requires additional expertise or community perspectives.

At its 23 October 2018 Ordinary Meeting, Council received and noted a report which was the culmination of the Review of S41 Council Committees and Advisory Groups. The focus of the report was a series of recommendations for the future of Advisory Groups (as the s41 Committee review element was completed in 2017).

In considering the report, Council reflected on the upcoming election and resolved to make a number of recommendations to the incoming council regarding the retention of some of the Advisory Groups and the ceasing of others that had become defunct.

The purpose of this report is to provide an overview of the Advisory Group review outcomes and the (then) Council's 23 October 2018 recommendations with a view to Council resolving its preference for Advisory Groups in this new term.

Once the future of Advisory Groups has been determined Council can turn its attention to the appointment of Council Members onto the retained Advisory Groups and the commencement of recruitment activities to engage, where applicable, independent, agency and community members on the Groups.

## RECOMMENDATION

### Council resolves:

1. That the report be received and noted.
2. To cease the following Advisory Groups:
  - a. Adelaide Hills Business & Tourism Centre Advisory Group
  - b. Australia Day Awards Panel
  - c. Social Planning Advisory Group
  - d. Sport & Recreation Advisory Group
  - e. Youth Advisory Committee
3. To retain the following Advisory Groups and adopt the revised Terms of Reference for each respective Group:
  - a. Bushfire Advisory Group as contained in Appendix 3
  - b. Biodiversity Advisory Group as contained in Appendix 4
  - c. Cemetery Advisory Group as contained in Appendix 5
  - d. Property Advisory Group as contained in Appendix 6
  - e. Rural Land Management Advisory Group as contained in Appendix 7
  - f. Sustainability Advisory Group as contained in Appendix 8
4. That the Chief Executive Officer be authorised to make minor content, formatting or design changes necessary to finalise the Advisory Group Terms of Reference documents contained in Appendices 3-8.
5. With an effective date of 2 January 2019, to revoke the 10 December 2013 *Procedures for Advisory Groups* and to adopt the *Advisory Group Operation and Conduct Policy* as contained in Appendix 9.
6. To determine that the method of selecting the Council Members for each Advisory Group be by an indicative vote to determine the preferred person(s) utilising the process set out in this Agenda report.
7. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred person(s) for the respective Advisory Group Council Member roles and for the meeting to resume once the results of the indicative votes have been declared.
8. That in relation to each Advisory Group listed below to appoint the Council Members identified against the relevant Group for a 24 month term to commence 18 December 2018 and conclude on 17 December 2020 (inclusive).
  - a. Bushfire Advisory Group – (up to 2 Council Members)
  - b. Biodiversity Advisory Group – (3 Council Members)
  - c. Cemetery Advisory Group - (up to 4 Council Members)
  - d. Property Advisory Group - (up to 4 Council Members)
  - e. Rural Land Management Advisory Group - (up to 4 Council Members)
  - f. Sustainability Advisory Group - (up to 4 Council Members)

9. To establish Selection Panels for the recruitment of Independent, Agency and Community Members for the retained Advisory Groups with the following Council Members, assisted by the respective Executive Officers, to undertake the short-listing and interviews of the candidates with a view to making recommendations for appointment at a future Council meeting(s):
- a. Biodiversity Advisory Group – ..... and .....
  - b. Cemetery Advisory Group - ..... and .....
  - c. Rural Land Management Advisory Group - ..... and .....
  - d. Sustainability Advisory Group - ..... and .....
- 

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal: Organizational Sustainability  
Strategy: Governance

A key element of the Governance Strategy within the Strategic Plan is that Council ‘is committed to open, participative and transparent decision making and administrative processes’.

While Advisory Groups do not have a legal structure and do not make decisions for or on behalf of Council, it is important that the governance arrangements relating to these Advisory Groups are clearly documented and understood.

Due to the nature of Advisory Group meetings and the Council Member membership of these Groups, Council’s *Informal Council and Council Committee Gatherings and Discussions Policy* applies to these meetings.

➤ Legal Implications

Advisory Groups are a creation of the Council for the purpose (as stated in the *Procedures for Advisory Groups*) ‘..to provide advice to staff on specific matters’.

The Groups do not have a legal foundation under the *Local Government Act 1999* (the Act), as opposed to Section 41 Council Committees but under the provisions of the Act are considered to be informal gatherings.

Section 90(8) of the Act is very specific that informal gatherings cannot deal with matters that would ordinarily form part of an agenda for a council or council committee meeting in such a way as to obtain, or effectively obtain, a decision on the matter outside a formally constituted meeting of the council or council committee. Council’s *Informal Council and Council Committee Gatherings and Discussions Policy* created under s90(8a) of the Act sets out the provisions for the conduct of a Designated Informal Gathering.

Sections 73 and 74 of the Act set out the provisions regarding Material Conflicts of Interest. Council Member membership of an Advisory Group may possibly constitute a personal benefit under s73 of the Act. As there are no allowance or fees payable it is unlikely that a Member would receive a pecuniary benefit under s73.

Sections 75 and 75A of the Act set out the provisions regarding Actual and Perceived Conflicts of Interest. A Council Member seeking to be appointed to an Advisory Group may in actuality, or could be perceived by an impartial person to, have a conflict between their personal interests and the public interest that might lead to a decision that is contrary to the public interest.

Therefore a Council Member seeking to be appointed to an Advisory Group could have a Material, Actual or Perceived Conflict of Interest and would need to consider declaring the interest and leave the Chamber prior to the discussion of the matter under s74(1) or s75A(2), as appropriate.

➤ **Risk Management Implications**

The adoption of practical and legislatively compliant Advisory Group arrangements will assist in mitigating the risk of:

*Poor governance practices occur which lead to a loss of stakeholder (i.e. customer and regulator) confidence and/or legislative breaches.*

Inherent Risk	Residual Risk	Target Risk
Extreme (5C)	Medium (3D)	Medium (3D)

Note that there are many other controls that assist in mitigating this risk.

➤ **Financial and Resource Implications**

Council's current budget contains provisions for the costs associated with Advisory Groups.

➤ **Customer Service and Community/Cultural Implications**

It is reasonable to assume that the community could expect Council to have mechanisms to provide advice and consideration of matters to assist the Council to discharge its responsibilities and achieve its strategic intent.

➤ **Environmental Implications**

Not applicable in relation to the revision of the TORs however a number of the Groups are directly concerned with environmental matters.

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Consultation in the preparation of this report has included:

*Council Committees:* Not Applicable

*Council Workshops:* A number of workshop sessions have been conducted regarding the Advisory Group structure and functions.

*Advisory Groups:* The Advisory Groups have been consulted by their respective Executive Officers regarding potential changes to their TORs and these are reflected in this report.

*Administration:* All Advisory Group Executive Officers have been consulted regarding potential changes to their TORs and these are reflected in this report.

The Executive Leadership Team was consulted on the various structural options for Advisory Groups.

*Community:* Not Applicable

## 2. BACKGROUND

### **Advisory Group Review**

Council has used Advisory Groups (in various forms) over many years to provide advice to staff and, ultimately, to the Council in relation to a variety of subject matters.

That last holistic review of the Advisory Group arrangements occurred in December 2013 when Council resolved to adopt the current suite of Advisory Group TORs and the *Procedures for Advisory Groups* (the Procedures).

The current review commenced in 2017 and was a Review of Section 41 Committees and Advisory Groups. The Review of the two meeting regimes was undertaken concurrently with the Section 41 Committees resolved in August 2017 with the revising of the TORs for the Audit Committee, CEO Performance Review Panel and the Strategic Planning & Development Policy Committee.

With the completion of the Section 41 Committee component, focus returned to the Advisory Groups.

At its 14 November 2017 Special meeting, Council received a report on the status, structure and functioning of Advisory Groups (see **Appendix 1**). The report analysed key issues such as the use of specialist and local advice, management of Group Member conflicts of interest, meeting frequency and attendance, legislative changes, and other structural arrangements. The discussion culminated with the presentation of four (4) options as follows:

- I. To resolve to abolish Advisory Groups
- II. To resolve to amend the Advisory Group membership to remove Council Members
- III. To resolve to retain Council Members on Advisory Groups and for these meetings to operate as designated informal gatherings.
- IV. In concert with Options I, II and III above, Council may determine that one or more functional areas currently the subject of an Advisory Group may benefit from a more formal arrangement as a s41 Council Committee

In consideration of the report, Council resolved the following:

**Council resolves that:**

- 1. That the report be received and noted**
- 2. To cease the Hills Voice Reference Panel**
- 3. Nominations for Australia Day awards to be assessed only by staff and a report for decision to come to Council**
- 4. Any grant applications currently considered by advisory groups will be assessed only by staff and a report for decision to come to Council**
- 5. To 'in principle' retain Council and Community/Independent Members on Advisory Groups**
- 6. That the Chief Executive Officer prepares a report for the Council's consideration at a future meeting regarding the appropriateness of the current governance arrangements for the Advisory Groups including, but not limited to, whether they would benefit from an alternate structure (such as a s41 Committee), a revised Terms of Reference in their current form, or to be ceased.**

The above resolution set the direction for the Advisory Group review process that was undertaken in 2018. This process involved consultation with Council Members, Advisory Group Members, Executive Officers and Council Officers of all Advisory Groups regarding the appropriateness and effectiveness of the Advisory Group arrangements and the exploration of alternative arrangements.

Council received a report at its 23 October 2018 meeting, providing the outcome of these review activities and proposed the retention of a number of the Advisory Groups and the cessation of a number of other Groups that had become defunct due to changed circumstances and/or Council decisions. A copy of this report (less the appendices) is at **Appendix 2**.

In consideration of the 23 October 2018 report, Council resolved as follows:

Moved Cr John Kemp

S/- Cr Malcolm Herrmann

267/18

1. That the report be received and noted.
2. To recommend the Terms of Reference to the incoming Council for the following Advisory Groups:
  - a. Bushfire Advisory Group (with revisions to nomenclature and strategic plan references)
  - b. Biodiversity Advisory Group (with revisions to nomenclature and strategic plan references)
  - c. Cemetery Advisory Group (with revisions to nomenclature and strategic plan references)
  - d. Property Advisory Group (with revisions to nomenclature and strategic plan references, removal of the function related to formulating asset management plans and the addition of functions related to road reserve management and management of Crown Land under Council's care and control)
  - e. Rural Land Management Advisory Group (with revisions to nomenclature and strategic plan references and addition of membership from a representative of the strawberry/berry industry)
  - f. Sustainability Advisory Group (with revisions to nomenclature and strategic plan references and the refinement of the role and functions to include resilient communities and resource recovery and the removal of conservation and biodiversity)
3. To recommend to the incoming Council that the following Advisory Groups be discontinued, and the members thanked for their service.
  - a. Adelaide Hills Business & Tourism Centre Advisory Group
  - b. Australia Day Awards Panel
  - c. Social Planning Advisory Group
  - d. Sport & Recreation Advisory Group
  - e. Youth Advisory Committee

Carried
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### Procedures for Advisory Groups

As advised above, when Council last reviewed the Advisory Group Terms of Reference on 10 December 2013 they also considered a set of procedures to guide Advisory Group conduct.

In relation to this, Council resolved on 10 December 2013 as follows:

Moved Cr Jan Loveday

S/- Cr Simon Jones

Carried

225

That:

1. Council adopts the Procedures for Advisory Groups the clauses of which will apply to all Advisory Groups unless Council endorses differently in the Terms of Reference for an individual Advisory Group.
2. That the Procedures for Advisory Groups be amended to read "Minutes of meetings will be circulated to Advisory Group Members and posted on the Elected Member portal within 5 working days following a meeting".



### **Independent Membership of Advisory Groups**

With the commencement of the Advisory Group Review, all of the membership terms of the Independent Members were extended until Council had resolved the future of the Groups.

This has resulted in some Groups operating with reduced membership due to resignations over time.

## **3. ANALYSIS**

### **Revised Terms of Reference**

In accordance with Part 2 of Council's 27 October 2018 resolution (above), the TORs for each of the Advisory Groups recommended to be retained have been revised as recommended and are at Appendices 3-8.

Should Council require further changes to the TORs, these can either be accommodated in a minor modification to Recommendation 3 above for the respective Advisory Group or for more substantive changes; the Administration may need to provide a subsequent report at a later meeting.

### **Recommendations to cease certain Advisory Groups**

The Council report on 27 October 2018 provides the rationale against each of the identified Advisory Groups for cessation (see **Appendix 2**). While the reasons are bespoke to each Group, in general terms, the reason for existence of each of these Groups has become eroded either by changes or progress in Council policy and activities or in modifications to incorporate standards of good governance.

### **Advisory Group Operation and Conduct Policy**

As advised in the Background section above, the *Procedures for Advisory Groups* (the Procedures) were adopted by Council to compliment the Advisory Group TORs and to guide the operation of meetings and the conduct of Members.

Since the adoption of these procedures in 2013 there has been significant legislative change in how informal gatherings and discussions in local government must be managed. These changes lead Council to adopt the *Informal Council and Council Committee Gatherings and Discussions Policy* in 2016.

The informal gathering provisions have required considerable change as to how the Advisory Groups operate and this rendered some elements of the Procedures inconsistent with the legislation and Informal Gatherings Policy.

To this end, the Procedures have been converted into a policy document titled *Advisory Group Operation and Conduct Policy* (see **Appendix 9**) and amended to achieve compliance with the informal gatherings legislation. The document has not been provided in track changes due to the significant reformatting required to accommodate the policy format.

The key changes from the Procedures are as follows:

- Clause 1.3 Recognition of the applicability of the informal gatherings legislation;
- Clause 8.3 Acknowledging that some Advisory Groups such as the Bushfire Advisory Group have members nominated by external organisations.
- Clause 11.4 Clarification that there are no specific quorums and give the Executive Officer the ability to cancel a meeting if attendance is predicted to be ineffectively low.
- Clause 11.5 Clarifying the requirements of the informal gatherings legislation to meeting notification and venues and the holding of confidential meetings.
- Clause 12.1 Designating the Executive Officer as the Presiding Member, this is consistent with the Informal Gatherings Policy and reinforces the function of Advisory Groups to provide advice to the Executive Officer. .
- Clause 14.1 Providing more guidance on the requirements of the minutes, again linking in with the provisions of the Informal Gatherings Policy.

#### **Indicative Voting Process for Determining Council Appointed Positions**

Due to the potential implications of the Material Conflict of Interest provisions under s73 and the Actual and Perceived Conflicts of Interest under s75 (see Legal Implications above) regarding the appointment of Council Members, it is proposed that the Council adjourn the meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote (Indicative Voting Process) to determine the preferred person(s) for the positions of Advisory Group member.

As the Indicative Voting Process involves discussion of a matter that is, or is intended to be, part of the agenda for a formal meeting of the Council or Council Committee, it is a Designated Informal Gathering for the purposes of s90 and the *Informal Council and Council Committee Gatherings and Discussions Policy* (the Policy). As a Designated Informal Gathering, the Chief Executive will conduct the meeting in accordance with the Policy.

The proposed Indicative Vote Process below is based on the Appointments to Positions Process contained in Clause 4.7 Council's *Code of Practice for Code of Practice for Council Meeting Procedures* with modifications to suit the legislative requirements of the conflict of interest and informal gatherings provisions.

The proposed Indicative Voting Process is:

- a) Chief Executive Officer calls for self-nominations for the available positions of Advisory Group membership for each Advisory Group in turn.
- b) If the number of nominees is equal to or less than the number of positions, no election will be required. If the number of nominees is greater, an election will be necessary.
- c) The CEO (or another Council staff member) will be appointed as the Returning Officer and may enlist other Council staff to assist with the conduct of the vote and the count.
- d) The method of voting will be by secret ballot utilising the preferential counting system.
- e) Each Council Member (including the Mayor) shall have one vote.
- f) Ballot papers will be provided to each Council Member.

- g) The nominee's names will be drawn to determine the order on the ballot paper.
- h) Each nominee will have two (2) minutes to speak to the Gathering in support of the candidacy. The speaking order will be as listed on the ballot paper.
- i) Completed ballot papers will be collected by the Returning Officer and the count will be undertaken in a separate room with an observer (another Council staff member) present.
- j) In the event of a tie, the result will be decided by the Returning Officer drawing lots, the candidate first drawn being the candidate excluded.
- k) After all votes have been counted, publicly announce the final votes cast for each candidate and formally declare the result of the election (i.e. the preferred person).
- l) The ballot papers will be shredded.

### **Independent Membership of Advisory Groups**

Once Council has determined the future of the Advisory Groups through the consideration of Recommendations 2 and 3 primarily and then the consequential Recommendations 6-8, as required, consideration can turn to the matter of the Independent Members of the Groups.

Should Council determine to cease some or all of the Advisory Groups as per Recommendation 2, the Independent Members of those Groups will receive correspondence advising the Council's decision and thanking them for their service to the Council.

Should Council determine to resolve to retain some or all of the Advisory Groups as per Recommendation 3, there will be a need to commence recruitment action for Independent Members for each of those Groups. Recruitment activities will be as per clause 8 of the proposed *Advisory Group Operation and Conduct Policy* (see **Appendix 9**).

The starting point will be the creation of Selection Panels for each Advisory Group. As per clause 8.4, it proposed that the Panels consist of two (2) Council Members (preferably those familiar with the business of the Advisory Group) appointed by the Council, the Chief Executive Officer (or delegate), and the Executive Officer.

### **Proposed Chronology of Events**

The mechanics are relatively complicated due to the legislative provisions regarding conflict of interest and informal gatherings.

The following chronology has been based on guidance from the LGA regarding the election of Council Members to Committee and Presiding Member positions:

- I. Council consider whether to retain the respective Advisory groups with the Terms of Reference as contained in Appendices 3-8. Council would give effect to this by dealing with Recommendation 3 (or a variant) at this time.
- II. Council will then consider the process that it will use to choose the preferred persons for the respective Advisory Group positions. Council would give effect to this by dealing with Recommendation 6 (or a variant) at this time.

- III. Having decided the method, Council will then have to adjourn the meeting to enable the process to be undertaken. Council would give effect to this by dealing with Recommendation 7 (or a variant) at this time.
- IV. Once the Indicative Voting Process has been completed the Council meeting will resume in accordance with the previous resolution.

Upon resumption, the Council Members who nominated for the Advisory Group roles would be advised to consider their obligations to declare a Material, Actual or Perceived Conflict of Interest as appropriate.

- V. Council can then resolve for the preferred persons to be appointed as the respective Advisory Group members for an identified term (the proposed *Advisory Group Operation and Conduct Policy* provides for 24 months terms). Council would give effect to this by dealing with Recommendation 8 (or a variant) at this time.

Once this matter is resolved, the Members who have declared Conflicts of Interest and left the Chamber can return to the Chamber.

- VI. Council will then consider the process that it will use to choose the preferred person(s) for appointment to the respective Advisory Group Selection Panels. Council may wish to use the same process as for the appointment of Council Members to the Advisory Groups, if so processes aligned to steps II-IV above would be required.
- VII. Having undertaken the process to determine preferred persons for the Selection Panels, Council would give effect to these by dealing with Recommendation 9 (or a variant) at this time.

#### 4. OPTIONS

The Council has the following options:

- I. To resolve in general accordance with the recommendations proposed in this report. Doing so would enable the Advisory Groups to be renewed and the membership refreshed (**Recommended**)
- II. To determine not to progress in accordance with this report (**Not Recommended**). Doing so may leave the Advisory Group regime in a continued state of uncertainty.

#### 5. APPENDICES

- (1) 14 November 2017 Special Council Meeting - Item 5.6 – Review of Advisory Groups
- (2) 27 October 2018 Ordinary Council Meeting – Item 12.5– Review of Advisory Groups
- (3) Bushfire Advisory Group (BAG) – Revised Terms of Reference
- (4) Biodiversity Advisory Group (BioAG) – Revised Terms of Reference
- (5) Cemetery Advisory Group (CAG) – Revised Terms of Reference
- (6) Property Advisory Group (PAG) – Revised Terms of Reference
- (7) Rural Land Management Advisory Group (RLMAG) – Revised Terms of Reference
- (8) Sustainability Advisory Group (SAG) – Revised Terms of Reference
- (9) Advisory Group Operation and Conduct Policy - draft

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# **Appendix 1**

*14 November 2017 Special Council Meeting - Item 5.6 –  
Review of Advisory Groups*

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**ADELAIDE HILLS COUNCIL  
SPECIAL COUNCIL MEETING  
Tuesday 14 November 2017  
AGENDA BUSINESS ITEM**

**Item:** 5.6

**Originating Officer:** Lachlan Miller, Executive Manager Governance & Performance

**Responsible Director:** Terry Crackett, Director Corporate Services

**Subject:** Review of Advisory Groups

**For:** Decision

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**SUMMARY**

In 2016/17, Council determined that a key project (given CEO Performance Target status) was the review of s41 Committees and Advisory Groups to align with the (then) draft Strategic Plan.

With the finalisation of the Strategic Plan in October 2016 and its rollout in early 2017, Council has progressively worked through the review process by focusing initially on the structure and arrangements of its section 41 Council Committees. Now that the Council Committee structure is bedded down, it is appropriate to progress the arrangements for the Advisory Groups.

The legislative landscape regarding informal gatherings has changed considerably since the Advisory Groups were last reviewed (Dec 2013) along with the maturity of Council's policy and strategy environment and the acquisition of specialist skill sets within the Administration.

The purpose of this report is to provide contextual information regarding the current status of the Advisory Group's structure and operations and to seek Council's direction on the future arrangements for Advisory Groups, specifically with regards to membership.

**RECOMMENDATION**

**Council resolves:**

- 1. That the report be received and noted**
  - 2. To cease the Hills Voice Reference Panel**
  - 3. To consider its preferred position with respect to the membership of Council Members on Advisory Groups**
  - 4. That the Chief Executive Officer prepares revised Advisory Group Terms of Reference for the Council's consideration at a future meeting consistent with the Council's resolution on membership and associated arrangements.**
-

## 1. GOVERNANCE

### ➤ Strategic Management Plan/Council Policy

Goal: Organisational Sustainability  
Strategy: Governance

A key element of the Governance Strategy within the Strategic Plan is that Council 'is committed to open, participative and transparent decision making and administrative processes'.

While Advisory Groups do not have a legal structure and certainly do not make decisions for or on behalf of Council, it is important that the governance arrangements relating to these Advisory Groups are clearly documented and understood.

Due to the nature of Advisory Groups meetings and the Council Member membership of these Groups, Council's *Informal Council and Council Committee Gatherings and Discussions Policy* and the *Code of Practice for Access to Council, Council Committee and Designated Informal Gathering Meetings & Documents* applies to these meetings.

### ➤ Legal Implications

Advisory Groups are a creation of the Council for the purpose (as stated in the adopted *Procedures for Advisory Groups*) '..to provide advice to staff on specific matters'.

The Groups do not have a legal foundation under the *Local Government Act 1999* (the Act), as opposed to Section 41 Council Committees but under the provisions of the Act are considered to be informal gatherings.

Section 90(8) is very specific that informal gatherings cannot deal with matters, that would ordinarily form part of an agenda for a council or council committee meeting, in such a way as to obtain, or effectively obtain, a decision on the matter outside a formally constituted meeting of the council or council committee.

Further, Regulation 8AB(2) of the *Local Government (General) Regulations 2013* (the Regulations) defines a **designated informal gathering or discussion** as an event organised and conducted by or on behalf of the Council or Chief Executive Officer (CEO) to which Members of the Council or Council Committee (as the case may be) have been invited and that involves discussion of a matter that is, or is intended to be, part of the agenda for a formal meeting of the Council or Council Committee.

Advice received confirms that the number of Council Members is irrelevant for the triggering of Regulation 8AB.

Further Regulation 8AB(1)(b)(ii) provides that the Council or CEO may on a case-by-case basis, may declare that the gathering is held in confidence if it:

- is a planning session of a strategic or general nature; or
- is a briefing session relating to information or a matter of a confidential nature within the ambit of section 90(3) of the Act.

➤ **Risk Management Implications**

The adoption of practical and legislatively compliant Advisory Group arrangements will assist in mitigating the risk of:

*Poor governance practices occur which lead to a loss of stakeholder (i.e. customer and regulator) confidence and/or legislative breaches.*

Inherent Risk	Residual Risk	Target Risk
Extreme (5C)	Medium (3D)	Medium (3D)

Note that there are many other controls that assist in mitigating this risk.

➤ **Financial and Resource Implications**

Council’s current budget contains provisions for the costs associated with Advisory Groups.

➤ **Customer Service and Community/Cultural Implications**

It is reasonable to assume that the community could expect Council to have mechanisms to provide advice and consideration of matters to assist the Council to discharge its responsibilities and achieve its strategic intent.

➤ **Environmental Implications**

Not applicable in relation to the adoption of the Terms of Reference however a number of the Groups are directly concerned with environmental matters.

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Consultation in the preparation of this report has included:

*Council Committees:* Not Applicable

*Council Workshops:* A number of workshop sessions have been conducted regarding the Advisory Group structure and functions.

*Advisory Groups:* A number of the Advisory Groups have been consulted by their respective Executive Officers regarding potential changes to their Terms of Reference.

*Administration:* All Advisory Group Executive Officers have been consulted on the effectiveness of the Advisory Group structure and functioning and on potential changes to their Terms of Reference.

The Executive Leadership Team was consulted on the various structural options for Advisory Groups.

*Community:* Not Applicable



## 2. BACKGROUND

Council has used Advisory Groups (in various forms) over many years to provide advice to staff and, ultimately, to the Council in relation to a variety of subject matters.

That last holistic review of the Advisory Group arrangements occurred in December 2013 when Council resolved to adopt the current suite of Advisory Group Terms of Reference and the *Procedures for Advisory Groups* (the Procedures).

Since that time there have been some bespoke changes to the arrangements of individual Advisory Groups including:

- Cessation of the following Groups:
  - Animal Management Plan
  - Stirling Linear Park
  - The Summit Community Centre
  - Torrens Valley Community Centre
- Creation of the following Groups:
  - Biodiversity Advisory Group (by splitting the functions out of the Sustainability Advisory Group)
  - Hills Voice (designated as a Working Party but essentially the same status as an Advisory Group)
  - Australia Day Awards (designated as a Working Party but essentially the same status as an Advisory Group)

The current listing of Advisory Groups (and Working Parties) is as follows:

- Adelaide Hills Business & Tourism Centre Advisory Group (AHBTCAG)
- Australia Day Awards Panel (ADAP)\*
- Bushfire Advisory Group (BAG)
- Biodiversity Advisory Group (BioAG)
- Cemeteries Advisory Group (CAG)
- Hills Voice Reference Panel (HVRP)\*
- Property Advisory Group (PAG)\*
- Rural Land Management Advisory Group (RLMAG)
- Social Planning Advisory Group (SPAG)\*
- Sport & Recreation Advisory Group (SRAG)
- Sustainability Advisory Group (SAG)
- Youth Advisory Committee (YAC)

Advisory Groups consist (generally) of Council Members and Independent (Community) Members (who are selected because of their interest in the 'business' of the Advisory Group), although there are a number with Council Members only which have an asterisk (\*) above.

At the workshops held with both the Council Members and the Advisory Group Executive Officers, the following issues have been raised in relation to the functioning of the Groups:

1. They provide opportunity for fruitful and considered exploration of options for inclusion in Council reports
2. The attendance by members is variable (sometimes leading to the need to reschedule meetings)
3. There is the potential to consider items coming to council (potential breaches of s90(8) and Regulation 8AB)
4. They provide the opportunity for informal, exploratory discussion
5. Notwithstanding that their purpose is to provide advice to staff, they can create their own agenda & advocacy which has resource implications
6. They provide access to subject matter expertise & local knowledge
7. Members can have conflicts of interest depending on the matters discussed which may/or may not be appropriately identified and managed
8. There is the potential for domination of the Group discussion by certain members
9. Administrative arrangements, such as minute production, could be improved and timelier.

Notwithstanding some of the potentially negative issues identified above, Council Members have indicated a desire to continue with the concept of Advisory Groups with changes proposed in relation to the structure and arrangements to facilitate consistency with the Strategic Plan, improve their effectiveness and achieve legislative compliance.

### 3. ANALYSIS

#### 3.1 Specialist and Local Advice

It is understood that one of the drivers for Advisory Groups in the past was to obtain specialist advice that was not available within the Council Administration to inform the formulation of policy and strategy development and implementation.

Since that time, two significant changes have occurred within the Council:

1. In December 2013, Council adopted its Strategic Plan 2014-18, '*Lofty Aspirations Sustainable Actions*'. This Plan contained a significant policy/strategy development agenda and over its life resulted in the adoption of a robust and comprehensive suite of policies and strategies. These documents are now being implemented and Council receives periodic reports on their status.
2. Associated with the above, Council has invested in the recruitment of specialist skills within the Administration in fields including, but not limited to, recreation, arts, culture, economic development, sustainability, biodiversity, property management and communications.

Notwithstanding the above, a number of Advisory Groups comprise Independent (Community) Members who either represent an important stakeholder (such as the CFS Groups on the BAG) or bring personal expertise to the deliberations of the Groups and it is important that these sources of expertise and their contribution to Council's policy/strategy development process continues to be nurtured.

Equally Council Members and Independent Members are a source of valuable local knowledge that is essential in the formulation and implementation of policies and strategies. While this information can be obtained from other sources (e.g. public consultation) rarely is it in such a rich form as in the Advisory Groups.

### **3.2 Conflicts of Interest**

Allied to the above point, selecting Council and Independent Members on the basis of their knowledge and involvement in the subject areas of the respective Advisory Groups invariably creates the potential for conflicts of interest, most likely of a personal nature. The Procedures set out the expectation for members to be 'aware of any conflicts (real or perceived) between their role as a Group Member and their private interests and disclose these conflicts either prior to the relevant matter being discussed or as soon as the conflict becomes apparent.'

### **3.3 Meeting Frequency**

Advisory Groups are required to meet at least four times per year (i.e. quarterly), or more frequently if determined by the Executive Officer in consultation with the Group members.

Meeting frequency varies considerably amongst the Advisory Groups. In some cases there is a body of work to be done that is time-specific which necessitates frequent meetings (e.g. RLMAG input into the Primary Production Lands DPA). In other cases, anecdotally, the Group members have requested meetings to discuss topics of interest to them even if they aren't topics that the Executive Officer is seeking advice on (i.e. the Advisory Group creates its own agenda).

The latter point is important as the purpose of Advisory Groups (as per the Procedures) is 'to provide advice to staff on specific matters'. As the need for the policy and strategy is set by the Council (in the form of a Strategic Plan and/or Annual Business Plan actions) it is the Executive Officer who is best placed to decide when and what type of advice is needed rather than the Advisory Group.

Given the resource inputs by Executive Officers to support and conduct Advisory Group meetings, prescriptions around meeting frequency need to be carefully considered and it is proposed that the Procedures are amended to clarify that it is the Executive Officer that determines meeting frequency and agenda.

Additionally, the notion of seeking advice from the Group's membership can be achieved by means other than the traditional face-to-face meeting format. To this end, a productive dialogue can be achieved through email discussion groups and on-line surveys in addition to 'normal' meetings.

### **3.4 Meeting Attendance**

Meeting attendance is also variable between the various Groups with, anecdotally, a number of meetings needing to be rescheduled because members do not attend. The Procedures provide that a member of an Advisory Group can be removed from office on the grounds that (amongst other grounds) the member 'was absent, without leave of the Group, from two or more consecutive meetings'.

Notwithstanding that this provision exists and that, again anecdotally, there have been a number of members who have been in breach, no members have been removed from their positions in recent history.

### **3.5 Legislative Matters**

The informal gatherings legislation, that has come into effect since the Advisory Groups were last reviewed, has significant implications for the business and arrangements of these Groups.

#### **Designated Informal Gatherings**

As set out in the Legal Implications section above, the informal gathering legislation defines meetings attended by Council Members that involve discussion of a matter that is, or is intended to be, part of the agenda for a formal meeting of the Council or Council Committee as *designated informal gatherings*. This specific type of informal gathering, under s8AB(2), is required to be held at a place open to the public, except where the gathering is declared to be a planning session of a general or strategic nature or confidential within the ambit of s90(3) of the Act.

This provision has important implications as all of Council's Advisory Groups contain Council Members and that matters discussed at these meetings are generally matters that will form part of a Council agenda, therefore deductively, these Groups in their current form should all be declared as designated informal gatherings.

This means that the Advisory Groups must be open to the public and that the appropriate website notification and vicinity signage will need to be in place. While it could be suggested that some (possibly many) of the discussions at Advisory Groups are planning of a general or strategic nature and can therefore occur in confidence, this provision should be used judiciously.

With the notification of the agenda items on the Council website, there will be limited opportunity to deal with 'other matters from the floor' as the discussion topics have not been appropriately notified.

It also follows that topics of interest may attract members of the public which, by itself is desirable, but would result in additional effort to manage these attendees' expectations and eagerness to participate.

The above arrangements would have some additional resource implications but these are not insurmountable if Council is committed to retaining Council Members on the Groups.

#### **Decisions outside of Council/Committee Meetings**

Also set out in the Legal Implications section above, under s90(8) informal gatherings cannot deal with matters that would ordinarily form part of an agenda for a Council or Council Committee meeting, in such a way as to obtain, or effectively obtain, a decision on the matter outside a formally constituted meeting of the Council or Council Committee.

For this reason, Council should be extremely cautious in creating/maintaining Advisory Group structures in which matters are discussed and recommendations made to the Executive Officer and that these recommendations are subject to little or no modification prior to being presented as recommendations from the Administration to Council for adoption.

To ensure compliance with s90(8) it would be prudent to re-examine the role (or even need for) any Advisory Group that considers applications/nominations for grants or awards for recommendation to Council. Matters of this nature are most appropriately dealt with via the analysis of the applications/nominations by the Administration and recommendations for grants/awards being provided to a Council meeting for debate and resolution.

### **3.6 Cessation of the Hills Voice Reference Panel**

At the 24 October 2017 meeting, Council resolved that the Hills Voice hardcopy be discontinued and that alternative communication methods be pursued.

On this basis, it is proposed the cease the Hills Voice Reference Panel.

### **3.7 Administrative Arrangements**

The administrative arrangements associated with Advisory Groups entail calling meetings, arranging agendas, preparing reports and associated handouts, (In some cases) chairing meetings and preparing meeting minutes.

Feedback from Council Members indicates that there is a degree of variability in the discharge of these arrangements. Following Council resolutions regarding the review of the Advisory Groups, internal training will be conducted to clarify the role of Executive Officers including the establishment of standards for agenda and minute preparation.

### **3.8 Consideration of other structural arrangements**

Returning to first principles, Advisory Groups were created ‘..to provide advice to staff on specific matters’ however, over time, some Groups have evolved into expanded roles including monitoring the implementation of strategies/policies, an example of this is the AHBTCAG.

Further, the language in the Council Chamber is sometimes along the lines of ‘..that is something for the Advisory Group to deal with’. To an extent the Advisory Groups are being given a status (and a role) beyond their created intention.

If Council is seeking a more formal arrangement in relation to a specific function(s), consideration could be given to the creation of a s41 Council Committee(s) (potentially with the delegation to determine certain matters on behalf of Council). Section 41 Committees are resource intensive due, in large part, to the legislative parameters around these forms of meetings, however it may well be a valid investment depending on the outcomes being sought by the Council.

#### 4. OPTIONS

Since the last review of Advisory Groups in December 2013, there has been significant contextual change, in areas including, but not limited to: the adoption of a comprehensive suite of policies/strategies; the recruitment of subject matter experts; and fundamental legislative change.

Council needs to consider the current and future role of Advisory Groups in this context in terms of the following key options (or variations on these themes):

- I. To resolve to abolish Advisory Groups. Advisory Groups (despite their nuances) have served Council well and provide a valuable opportunity to access subject matter and local knowledge within the community to assist with policy/strategy development and implementation. While greater flexibility in consultation processes outside of the formal quarterly meeting would be beneficial, the abolition of the Groups appears to be unwise.
- II. To resolve to amend the Advisory Group membership to remove Council Members. This would require no other significant changes to the Advisory Groups operations (i.e. no public meetings) however those Groups comprising only Council Members (ADAP, HVRP, PAG and SPAG) will require further consideration whether to cease the Group, to recruit Independent Members and/or significantly refocus the role of the Group. Under this option Council Members would have input into policy/strategy in Council workshops (subject to s90(8)) and in the Chamber.

The key advantages of this option include:

- The compliance issues, and the resultant resource implications, regarding s90(8) and Regulation 8AB are eliminated
- Independent Members may feel freer to express their opinions, particularly where these are contrary to current Council policy/strategy
- The Administration is able to explore policy/strategy options with the Advisory Group prior to obtaining Council Members' perspectives
- Reduction in the time demands on Council Members through no longer having to attend Advisory Group meetings

The key disadvantages of this option are:

- Council Members would not have the opportunity to directly hear from the Independent Members on the Advisory Group (and would be reliant on the Administration report on a matter detailing the detail of the Advisory group consultation)
- Council Members may not have an opportunity to shape policy/strategy in its infancy
- Policy/strategy development would necessarily be two stage by Council (i.e. an initial decision on policy/strategy parameters and then a later decision on policy/strategy content)
- Executive Officers would not be able to tap into Council Member knowledge in the Advisory Group setting (although this could be mitigated through direct communication with Members known to have an interest in particular subject matters)

- III. To resolve to retain Council Members on Advisory Groups and for these meetings to operate as designated informal gatherings. This would require significant changes to the operations of the Advisory Groups (i.e. public meetings, Executive Officer training) and potentially one or more Advisory Groups being ceased/refocused.
- IV. In concert with Options I, II and III above, Council may determine that one or more functional areas currently the subject of an Advisory Group may benefit from a more formal arrangement as a s41 Council Committee (potentially with the delegation from Council to determine matters). Like Advisory Groups themselves, these Committees could have either a short-term or indefinite duration.

In working through these options Council may wish to consider a Short-Term Suspension of Proceedings to enable a more free-flowing discussion of the options prior to resuming proceedings and formally debating and resolving the matter.

Once these decisions have been made, the Group Terms of Reference and Procedures can be amended and scheduled for (nominally) the November 2017 Ordinary meeting for adoption.

APPENDIX

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## **Appendix 2**

*27 October 2018 Ordinary Council Meeting – Item 12.5–  
Review of Advisory Groups*

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**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 23 October 2018  
AGENDA BUSINESS ITEM**

**Item:** 12.5

**Originating Officer:** Lachlan Miller, Executive Manager Governance & Performance

**Responsible Director:** Andrew Aitken, Chief Executive Officer

**Subject:** Review of Advisory Groups

**For:** Decision

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**SUMMARY**

In 2016-17 Council determined that a key project (given CEO Performance Target status) was the review of s41 Committees and Advisory Groups to align with the (then) draft Strategic Plan.

With the finalisation of the Strategic Plan in October 2016 and its rollout in early 2017, Council has progressively worked through the review process by focusing initially on the structure and arrangements of its section 41 Council Committees. This was completed on 22 August 2017 with the revision of the s41 Committee Terms of Reference (TOR).

Council last considered an update on the Advisory Group Review in November 2017 and provided guidance on the way forward with respect to the ongoing relevance of Advisory Groups, revisions to ensure compliance with (then) recent legislative changes, and the composition of Advisory Group membership.

The purpose of this report is for the Council to consider proposed changes to the suite of Advisory Group TORs with a proposal to cease some Groups that have exceeded their reason for being and to inform the post-election Council of a reasoned basis to progress with the remaining Advisory Groups.

**RECOMMENDATION**

**Council resolves:**

- 1. That the report be received and noted.**
- 2. To recommend the Terms of Reference to the incoming Council for the following Advisory Groups:**
  - a. Bushfire Advisory Group (with revisions to nomenclature and strategic plan references)**
  - b. Biodiversity Advisory Group (with revisions to nomenclature and strategic plan references)**
  - c. Cemetery Advisory Group (with revisions to nomenclature and strategic plan references)**

- d. **Property Advisory Group (with revisions to nomenclature and strategic plan references, removal of the function related to formulating asset management plans and the addition of a function related to road reserve management)**
  - e. **Rural Land Management Advisory Group (with revisions to nomenclature and strategic plan references and addition of membership from a representative of the strawberry/berry industry)**
  - f. **Sustainability Advisory Group (with revisions to nomenclature and strategic plan references and the refinement of the role and functions to include resilient communities and resource recovery and the removal of conservation and biodiversity)**
3. **To cease the following Advisory Groups:**
- a. **Adelaide Hills Business & Tourism Centre Advisory Group**
  - b. **Australia Day Awards Panel**
  - c. **Social Planning Advisory Group**
  - d. **Sport & Recreation Advisory Group**
  - e. **Youth Advisory Committee**
- 

## 1. **GOVERNANCE**

### ➤ **Strategic Management Plan/Council Policy**

Goal: Organisational Sustainability  
Strategy: Governance

A key element of the Governance Strategy within the Strategic Plan is that Council 'is committed to open, participative and transparent decision making and administrative processes'.

While Advisory Groups do not have a legal structure and certainly do not make decisions for or on behalf of Council, it is important that the governance arrangements relating to these Advisory Groups are clearly documented and understood.

Due to the nature of Advisory Group meetings and the Council Member membership of these Groups, Council's *Informal Council and Council Committee Gatherings and Discussions Policy* and the *Code of Practice for Access to Council, Council Committee and Designated Informal Gathering Meetings & Documents* applies to these meetings.

Cognisant that this matter is to be considered and, potentially resolved, during an 'election period' the provisions of the *Caretaker Policy* have been reviewed and it is not considered that resolving on this matter constitutes either a designated decision (prohibited by legislation) or a significant decision (prohibited by Policy).

➤ **Legal Implications**

Advisory Groups are a creation of the Council for the purpose (as stated in the adopted *Procedures for Advisory Groups*) ‘..to provide advice to staff on specific matters’.

The Groups do not have a legal foundation under the *Local Government Act 1999* (the Act), as opposed to Section 41 Council Committees but under the provisions of the Act are considered to be informal gatherings.

Section 90(8) of the Act is very specific that informal gatherings cannot deal with matters that would ordinarily form part of an agenda for a council or council committee meeting in such a way as to obtain, or effectively obtain, a decision on the matter outside a formally constituted meeting of the council or council committee.

➤ **Risk Management Implications**

The adoption of practical and legislatively compliant Advisory Group arrangements will assist in mitigating the risk of:

*Poor governance practices occur which lead to a loss of stakeholder (i.e. customer and regulator) confidence and/or legislative breaches.*

Inherent Risk	Residual Risk	Target Risk
Extreme (5C)	Medium (3D)	Medium (3D)

Note that there are many other controls that assist in mitigating this risk.

➤ **Financial and Resource Implications**

Council’s current budget contains provisions for the costs associated with Advisory Groups.

➤ **Customer Service and Community/Cultural Implications**

It is reasonable to assume that the community could expect Council to have mechanisms to provide advice and consideration of matters to assist the Council to discharge its responsibilities and achieve its strategic intent.

➤ **Environmental Implications**

Not applicable in relation to the revision of the TORs however a number of the Groups are directly concerned with environmental matters.

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Consultation in the preparation of this report has included:

*Council Committees:* Not Applicable

*Council Workshops:* A number of workshop sessions have been conducted regarding the Advisory Group structure and functions.

*Advisory Groups:* The Advisory Groups have been consulted by their respective Executive Officers regarding potential changes to their TORs and these are reflected in this report.

*Administration:* All Advisory Group Executive Officers have been consulted regarding potential changes to their TORs and these are reflected in this report.

The Executive Leadership Team was consulted on the various structural options for Advisory Groups.

*Community:* Not Applicable

## 2. **BACKGROUND**

Council has used Advisory Groups (in various forms) over many years to provide advice to staff and, ultimately, to the Council in relation to a variety of subject matters.

That last holistic review of the Advisory Group arrangements occurred in December 2013 when Council resolved to adopt the current suite of Advisory Group TORs and the *Procedures for Advisory Groups* (the Procedures).

Membership of the Advisory Groups has not been refreshed during the conduct of the Review which has resulted in some vacancies due to natural attrition.

At its 14 November 2017 Special meeting, Council received a report on the status, structure and functioning of Advisory Groups (see **Appendix 1**). The report analysed key issues such as the use of specialist and local advice, management of Group Member conflicts of interest, meeting frequency and attendance, legislative changes, and other structural arrangements. The discussion culminated with the presentation of four (4) options as follows:

- I. To resolve to abolish Advisory Groups
- II. To resolve to amend the Advisory group membership to remove Council Members
- III. To resolve to retain Council Member son Advisory Groups and for these meetings to operate as designated informal gatherings.
- IV. In concert with Options I, II and III above, Council may determine that one or more functional areas currently the subject of an Advisory Group may benefit from a more formal arrangement as a s41 Council Committee

In consideration of the report, Council resolved the following:

**Council resolves that:**

- 1. That the report be received and noted**
- 2. To cease the Hills Voice Reference Panel**
- 3. Nominations for Australia Day awards to be assessed only by staff and a report for decision to come to Council**
- 4. Any grant applications currently considered by advisory groups will be assessed only by staff and a report for decision to come to Council**
- 5. To 'in principle' retain Council and Community/Independent Members on Advisory Groups**
- 6. That the Chief Executive Officer prepares a report for the Council's consideration at a future meeting regarding the appropriateness of the current governance arrangements for the Advisory Groups including, but not limited to, whether they would benefit from an alternate structure (such as a s41 Committee), a revised Terms of Reference in their current form, or to be ceased.**

**3. ANALYSIS**

**3.1 Current Status**

Consistent with Council's 14 November 2017 resolution, the current listing of Advisory Groups is as follows:

- Adelaide Hills Business & Tourism Centre Advisory Group (AHBTCAG)
- Australia Day Awards Panel (ADAP)\*
- Bushfire Advisory Group (BAG)
- Biodiversity Advisory Group (BioAG)
- Cemetery Advisory Group (CAG)
- Property Advisory Group (PAG)\*
- Rural Land Management Advisory Group (RLMAG)
- Social Planning Advisory Group (SPAG)\*
- Sport & Recreation Advisory Group (SRAG)
- Sustainability Advisory Group (SAG)
- Youth Advisory Committee (YAC)

\* denotes Advisory Groups with only Council Member membership (i.e. no Independent or Community Organisation membership).

### 3.2 Proposed Terms of Reference

As identified in the Governance Section above, each Advisory Group was consulted on proposed changes to the TORs, the following is a summary of the proposed changes provided by each Advisory Group Executive Officer:

#### Adelaide Hills Business & Tourism Centre Advisory Group (AHBTCAG)

The role of the AHBTCAG, as per the current TOR, is to provide advice to Council staff on the operation of the Adelaide Hills Business & Tourism Centre (AHBTC) through the involvement of the Centre's relevant public and private stakeholders.

As Members are aware the implementation of the AHBTC Masterplan with its resultant creation of allotments for disposal (sale to the markets) and the creation of the community precinct (including the Arts and Heritage Hub) has significantly changed the AHBTC environment.

As such following feedback from the Advisory Group, it is proposed to cease the AHBTCAG with the residual property management matters to be considered in the context of the wider property portfolio by the Property Advisory Group (PAG). Draft TOR for a body to advise on the development of the Arts and Heritage Hub, as envisaged in the *Arts and Heritage Hub Business Development Framework*, are currently being developed and will be put to Council for consideration in early 2019.

#### Australia Day Awards Panel (ADAP)

The role of the ADAP, as per the current TOR, is to assist Council staff in evaluating nominations for the Awards and advising on which nominees should be recommended to the Council to receive Awards.

As advised above, with Council's 24 November 2017 resolution for the assessment of Australia Day awards to be performed by Council staff, the Panel's role is effectively defunct. As such it is proposed to cease the ADAP.

#### Bushfire Advisory Group (BAG)

The role of the BAG, as per the current TOR, is to provide advice to the Executive Officer on bushfire mitigation issues. This includes issues such as local bushfire risks, threat assessment and knowledge of other organisations' bushfire mitigation plans.

There are no changes proposed to the BAG TOR (**Appendix 2**) other than to revise nomenclature and strategic plan references.

#### Biodiversity Advisory Group (BioAG)

The role of BioAG, as per the current TOR, is to provide specialist advice to Council staff in the implementation of Council's Biodiversity Strategy and provide feedback and information from and to other interested community groups and community members.

There are no changes proposed to the BioAG TOR (**Appendix 3**) other than to revise nomenclature and strategic plan references.

#### Cemetery Advisory Group (CAG)

The role of the CAG, as per the current TOR, is to provide advice to Council staff on issues and strategies for the cemeteries operated by Council.

In consultation with the Group there are no changes proposed to the TOR (**Appendix 4**) other than to revise nomenclature and strategic plan references.

#### Property Advisory Group (PAG)

The role of PAG, as per the current TOR, is to provide advice to Council staff on matters relating to the operations, maintenance, improvement and rationalisation of Council's building and property portfolio.

In general the Group considers itself to be operating well however does not fulfil its function (see TOR in **Appendix 4**) of 'formulation of annual asset management plans and works programs related to property and building matters.' This type of function is beyond the reasonable scope of an Advisory Group and would be more appropriate as part of the TOR of Infrastructure and Services/Operations-type of s41 committee.

Another function proposed to be added to the PAG TOR to reflect the actual 'business' of the Group is 'to provide advice to the Executive Officer on road closures, widenings, encroachments and rents.'

As such, in addition to revisions to the nomenclature and strategic plan references, the function related to formulating asset management plans is proposed to be removed and the function related to road reserve management added.

#### Rural Land Management Advisory Group (RLMAG)

The role of RLMAG, as per the current TOR, is to provide advice to Council staff on how:

- it can support achievement of objectives for the primary production component of the Strategic Management Plan;
- to help the Council staff develop policies and strategies for the retention of and optimum utilisation of rural land;
- to ensure protection of the rural landscape qualities of the district;
- to act as a conduit for information between rural land users and Council staff; and,
- to be pro-active in initiating work and providing expertise to Council staff on matters that the Advisory Group considers warrants attention and consideration by the Council staff where Council has jurisdiction in the matter.

As with other Groups revisions are proposed to the RMAG TOR (**Appendix 5**) to the nomenclature and strategic plan references. In addition feedback from the Group is that the membership should be expanded to include a representative of the strawberry/berry industry.

### Social Planning Advisory Group (SPAG)

The role of SPAG, as per the current TOR, is to provide advice to Council staff on community development programs and assessment of community grants. The group consisted of Council Members only, i.e. there were no independent community members.

As advised above, with Council's 24 November 2017 resolution that any grant applications currently considered by advisory groups will be assessed only by staff and a report for decision to come to Council, the predominant element of the Group's practice is effectively defunct.

Notwithstanding the inclusion of a broad range of topics on the group's agendas in recent years, attendance levels at meetings other than those where grant applications were considered, was varied. Typically only 2-3 of the 6 members attended each meeting.

In consideration of the Group's future, Members recommended that SPAG cease operating as it does not meet the purposes of an Advisory Group and that other avenues such as workshops and emails be used to maintain contact between staff and Council Members and enable advice and input to be sought.

In relation to the latter the opportunity for Council Members to raise matters related to community programs will remain unchanged with the Director Community Capacity and the Manager Community Development being available as required. In relation to policy development, more topics and strategies are being workshopped with all Council Members at Designated Informal Gatherings than had typically been the case in the past, which gives all Council Members the opportunity for input into key social development issues as they arise.

As such it is proposed to cease the SPAG.

### Sport & Recreation Advisory Group (SRAG)

The role of the SRAG, as per the current TOR, is to provide:

- representation for the various sport and recreation groups and,
- advice to Council staff involved with sport and recreation

Given Council's 14 November 2017 resolution that grant assessment would be conducted by Council staff and not Advisory Groups and with the reinforcement of the conflict of interest and informal gatherings provisions, the Group Members advised that providing commentary on strategic documents, rather than advocating for clubs they are members for, wasn't what they originally signed up for. Members felt that they were restricted when compared with how meetings had been conducted previously, and these changes didn't allow them to discuss issues impacting their respective clubs / groups.

Considering the recent introduction of various workshops for clubs, Advisory Group Members thought that their clubs needs could be met through these, rather than the Advisory Group. The workshops provide a development opportunity, but also networking, and an opportunity to engage with Council staff.



The opportunity for Council Members to raise matters related to sport and recreation issues will remain unchanged with the Director Infrastructure & Operations, the Manager Open Space and the Sport & Recreation Planner being available as required.

In relation to policy development, more topics and strategies are being workshopped with all Council Members at Designated Informal Gatherings than had typically been the case in the past, which gives all Council Members the opportunity for input into key sport and recreation issues as they arise.

As such it is proposed to cease the SRAG.

#### Sustainability Advisory Group (SAG)

The role of the SAG, as per the current TOR, is provide advice to Council staff on sustainability matters including climate change, energy management, water management, waste reduction, environment, conservation and biodiversity.

In considering changes to the current SAG TOR (**Appendix 6**) Group Members recommend addressing the overlap with BioAG's TOR by removing conservation and biodiversity from the role and including more targeted sustainability matters such as resilient communities and resource recovery.

As with the other Groups it is also proposed to revise nomenclature and strategic plan references.

#### Youth Advisory Committee (YAC)

The role of the YAC, as per the current TOR, is to provide advice to Council staff on youth issues and on the impact of current affairs on youth in the Council area. While it does perform this function, it has also served as a vehicle for interested young people to get involved in planning, promoting and organising activities for young people.

Members may be aware that most councils have had a YAC, especially when State Government grant funding was tied to having one. This is no longer the case and a number of councils are moving away from the traditional YAC model and toward a program or issues based approach. For instance, schools are less inclined to engage with and promote participation in a traditional YAC, but have shown more interest in promoting opportunities associated with, for instance, youth leadership development.

The Council has recently allocated funding for a Youth Leadership Series of training and development programs and resources will be prioritised towards using this forum to provide advice to and inform Council staff on matters pertinent to the cohort.

Additionally, opportunities will be explored for young people participating in the programs to present to Council periodically.

Further, application of the Advisory Group concept, the fluidity of membership and, specifically, the informal gatherings provisions, has proven to be problematic with the youth cohort. Traditional 'committee' approaches are not familiar with the emerging generations and they do not align with the manner in which young people typically prefer to communicate and participate.

The opportunity for Council Members to raise matters related to youth issues will remain unchanged with the Director Community Capacity, the Manager Community Development and the Community Development Officer Youth & Recreation being available as required. It would be quite appropriate for Council Members to attend particular elements of youth engagement programs and this can be arranged on a case by case basis or more formally as part of the Youth Leadership Programs. Where necessary, meetings can be considered and organised as Designated Informal Gatherings.

In light of the above, it is proposed to cease the YAC

### **Next Steps**

If Council resolves to cease one or a number of Advisory Groups as recommended (Recommendation 2), the Administration will write to each of the Group Members advising them that Council has resolved to cease the Group and thanking them for their service.

If Council resolves to recommend the revised TORs to the incoming Council (Recommendation 3) a report will be prepared for the new Council setting out the background to the Advisory groups, some of the detail from the 24 November 2017 report on the operation of Advisory Groups and the revised TORs with a view to obtaining a direction from the new Council as to whether they wish to progress with Advisory Groups. If the new Council resolves in the affirmative recruitment action will be required in the first instance.

The report would also address some of the learnings obtained from the Review process in the form of revisions to the *Procedures for Advisory Groups*.

## **4. OPTIONS**

Due to the upcoming election and the importance of not unnecessarily binding the future Council, the following options are proposed:

- I. To resolve to cease the identified Advisory Groups due to their original role/purpose becoming defunct (Recommended); and/or
- II. To resolve to amend the Advisory Group TORs for those recommended to be retained (Recommended); or
- III. To resolve to receive and note the report only and to leave all decisions regarding the future of the Advisory groups to the incoming Council (Not Recommended).

In working through these options Council may wish to consider a Short-Term Suspension of Proceedings to enable a more free-flowing discussion of the options prior to resuming proceedings and formally debating and resolving the matter.

## **5. APPENDICES**

- (1) 14 November 2017 Special Council Meeting - Item 5.6 – Review of Advisory Groups
- (2) Bushfire Advisory Group (BAG) – Terms of Reference
- (3) Biodiversity Advisory Group (BioAG) – Terms of Reference
- (4) Cemetery Advisory Group (CAG) – Terms of Reference
- (5) Rural Land Management Advisory Group (RLMAG) – Terms of Reference
- (6) Sustainability Advisory Group (SAG) – Terms of Reference

# APPENDIX 2

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## **Appendix 3**

*Bushfire Advisory Group (BAG) –  
Revised Terms of Reference*

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# BUSHFIRE ADVISORY GROUP

## TERMS OF REFERENCE December 2018

**These Terms of Reference are to read in conjunction with Council's Procedures for Advisory Groups**

### BACKGROUND

The Adelaide Hills Council area contains extensive areas of high bushfire risk. The Council recognises the extent of the threat to lives and property that is created by that Bushfire risk.

Over many years Council has undertaken works on its land to reduce the bushfire threat to the assets on that land and the adjoining community. It has also worked with government agencies and the community to manage the overall bushfire threat in the Adelaide Hills Council area.

In the past a key component of the coordination of these activities has been via the District Bushfire Prevention Committee. This committee was made up of Council staff, CFS brigade representatives, representatives from government agencies and was formed pursuant to powers in the *Fire & Emergency Services Act 2005*.

That act was amended in 2010 and the requirement to convene these committees was removed. Since that time the groups that made up that committee have continued to meet to discuss bushfire mitigation issues.

Council recognises the expertise and knowledge that lies within such a committee and has decided to maintain a Bushfire Advisory Group to assist it with its bushfire mitigation responsibilities.

### ROLE

The Bushfire Advisory Group provides advice to the Executive Officer on bushfire mitigation issues. This will include issues such as local bushfire risks, threat assessment and knowledge of other organisations' bushfire mitigation plans.

The Bushfire Advisory Group will provide links to other member organisations' bushfire knowledge and skills and will be consulted by staff during the preparation and implementation of Council's bushfire mitigation programs and activities.

### STRATEGIC LINKS

#### Strategic Plan

*Prosper - People and business prosper*

1.12

We will seek opportunities to increase the wellbeing and resilience of our community to withstand, recover and grow in the face of challenges

## **FUNCTIONS**

The Bushfire Advisory Group is expected to provide advice to the Executive Officer on:

- Bushfire mitigation issues on Council land and roads.
- Potential bushfire hazards on private or public land.
- Fire mitigation activities being undertaken on government land.
- Opportunities for coordination of bushfire mitigation activities.
- Preparation and implementation of Council's bushfire mitigation programs and activities  
Networking opportunities so that Council maintains links with experts, community groups, organisations and skilled individuals in the areas of bushfire mitigation.

## **MEMBERSHIP**

The Bushfire Advisory Group shall comprise up to two (2) Council Members and up to eleven (11) independent representatives.

The eleven (11) independent members shall be organisation representatives nominated by the following:

- Up to two representatives each from CFS Groups:
  - Onkaparinga Group
  - Gumeracha Group
  - East Torrens Group
  - Mt Lofty Group
  - One representative from a Bushfire Region
  - One representative from DEWNR
  - One representative from SA Water

The following Council Officers shall also attend:

- One AHC Fire Prevention Officer

The Team Leader Regulatory Services (or nominee) or other officer appointed by the Chief Executive Officer shall act as Executive Officer for the Bushfire Advisory Group.

Nominations for organisation representatives will be sought from member organisations in writing not less than two (2) months prior to the expiry of members terms of office.

Where a representative of an agency or department or stakeholder group is able to designate a proxy, the details of that proxy shall be forwarded to the Council at the time of appointment of the substantive representative.

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# **Appendix 4**

*Biodiversity Advisory Group (BioAG) –  
Revised Terms of Reference*

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# BIODIVERSITY ADVISORY GROUP

## TERMS OF REFERENCE December 2018

**These Terms of Reference are to be read in conjunction with Council's Advisory Group Operation and Conduct Policy.**

### BACKGROUND

In November 2013, Adelaide Hills Council adopted a Biodiversity Strategy (the Strategy) to guide how Council manages land under its care and control in order to achieve regional biodiversity outcomes.

The Strategy outlines a number of short, medium, and long term objectives, strategies and actions. It was recognised that the development of an advisory group whose focus was to provide advice and direction to Council for the district as a whole, would be the most efficient and effective way to achieve a number of these objectives, strategies and actions.

These Terms of Reference set out the operating framework, roles and responsibilities of the Biodiversity Advisory Group ('the Group') and its members.

### ROLE

The role of the Advisory Group shall be to provide specialist advice to the Executive Officer in the implementation of Council's Biodiversity Strategy and provide feedback and information from and to other interested community groups and community members.

The Advisory Group shall provide Council staff with access to external expertise, networks and links to other organisations, community groups and the wider community with regard to biodiversity issues.

### STRATEGIC LINKS

#### Strategic Plan

<b><i>Prosper</i></b> - People and business prosper	1.12	We will seek opportunities to increase the wellbeing and resilience of our community to withstand, recover and grow in the face of challenges
<b><i>Connect</i></b> - Activities and opportunities to connect	2.5	We will support opportunities for learning in our community to increase the confidence, wellbeing and health of our citizens
<b><i>Place</i></b> - Activities and opportunities to connect	3.3	We will complete the road reserves and reserve assessments (blue marker project, leading the nation in conservation and biodiversity management practices



## FUNCTIONS

The advice the Biodiversity Advisory Group would provide to Council is based on achieving (but not limited to) the following objectives and actions outlined in the Biodiversity Strategy:

- Identify policy options to better address issues between native vegetation and surrounding incompatible activities.
- Plan for connectivity linkages between habitats to increase range and enable adaptability of native flora and fauna
- Undertake a proactive, strategic and practical program to balance bushfire management with biodiversity outcomes
- Maintain road safety while supporting biodiversity value (within the Blue Marker Sites)
- Keep a register of council areas where known populations of threatened or declining indigenous species are extant and prioritise management
- Generate community interest and facilitate new community involvement in conservation activities
- Build community capacity to deliver biodiversity outcomes
- Facilitate and engage in liaison between experienced land management groups to learn from each other
- Improve, expand on and develop new partnerships that assist in biodiversity planning, management and funding opportunities within the region

## MEMBERSHIP

The Biodiversity Advisory Group shall comprise of up to nine (9) members;

- Three (3) of whom shall be Council Members.
- Three (3) from partnering conservation organisations, assessed against selection criteria below
- Three (3) members shall be community representatives, assessed against selection criteria listed below

The Manager Open Space (or delegate) or other officer appointed by the Chief Executive Officer shall act as Executive Officer for the Biodiversity Advisory Group.

## SELECTION CRITERIA

A partnering conservation organisation is an organisation that has a focus on biodiversity and meets one or more of the following criteria,

- provide programs within the district.
- have entered into a formal Agreement with Council
- are closely linked to Council in delivery of biodiversity projects
- provide or gain financial support to or from Council for biodiversity projects within the district

Organisations that meet the criteria to be a partnering conservation organisation shall then be eligible to be selected on the basis of the criteria outlined below.

Community representatives and partnering conservation organisations shall be selected on the basis of their skills, knowledge and experience in one or more of the following:

- natural resource management;
- native flora and fauna conservation;
- active participation in regional biodiversity projects;
- community education and development;
- managing fire risk in high conservation/biodiversity areas

- Grant processes (Government or otherwise);
- Links to relevant networks, community groups, and wider community;
- any other areas of relevance.

Appointments shall be to persons and not representatives of particular interest groups (with the exception of the 3 members from partnering conservation organisations), organisations or partisan interests. Appointees shall be appointed to represent all stakeholders. This does not preclude members of particular interest groups or those aligned with particular stakeholder interests from being appointed to the Group.

It shall be a pre-requisite that community representatives live, work or have an active interest in the Adelaide Hills Council area.

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# **Appendix 5**

*Cemetery Advisory Group (CAG) –  
Revised Terms of Reference*

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## CEMETERY ADVISORY GROUP

### TERMS OF REFERENCE December 2018

These Terms of Reference are to read in conjunction with Council's Advisory Group Operation and Conduct Policy

#### BACKGROUND

Adelaide Hills Council operates 17 cemeteries across the Council area.

#### ROLE

The Cemetery Advisory Group (the Group) provides advice to the Executive Officer on issues and strategies for the cemeteries operated by Council.

#### STRATEGIC LINKS

##### Strategic Plan

<b><i>Prosper</i></b> - People and business prosper	1.9	We will work to make the district more age-friendly
<b><i>Places</i></b> - Places for People & Nature	3.5	We will take a proactive approach, and a long term view, to infrastructure maintenance and renewal
<b><i>Organisational Sustainability</i></b>	5.5	Risk & responsibility <ul style="list-style-type: none"> <li>- Legal compliance</li> <li>- Asset sustainability</li> </ul>

#### Function

The Cemetery Advisory Group provides advice to the Executive Officer on:

- formulating and overseeing the implementation of Strategic and Business/Operating Plans for the Cemeteries
- making recommendations for the improvement and development of the Cemeteries to enhance their social and financial sustainability
- other matters requiring advice as determined by staff

## **MEMBERSHIP**

The Group shall comprise up to four (4) Council Members and up to four (4) independent members.

The independent members shall include as a minimum:

- One (1) person from a local historical society
- One (1) person from the funeral industry
- One (1) person from the community

The Manager Property Services (or his/her delegate) or other officer appointed by the Chief Executive Officer, shall act as Executive Officer for the Cemetery Advisory Group.

The Advisory Group shall be supported by the Community Development Officer – Retirement Villages & Cemeteries who shall be responsible for administrative duties such as agendas, minutes, correspondence and reports and other matters that may arise from time to time.

## **SELECTION CRITERIA**

Independent members shall be selected on the basis of their skills, knowledge and experience in one or more of the following:

- Knowledge of industry trends
- Knowledge of industry services
- Involvement in local historical societies
- Involvement in management of cemeteries
- Knowledge of Social Trends

It shall be a pre-requisite that the local historical society representative be a member of an historical society whose interests include the Adelaide Hills Council area.

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# **Appendix 6**

*Property Advisory Group (PAG) –  
Revised Terms of Reference*

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## PROPERTY ADVISORY GROUP

### TERMS OF REFERENCE December 2018

**These Terms of Reference are to be read in conjunction with Council's Procedures for Advisory Groups**

#### BACKGROUND

Council owns and has care and control over a large portfolio of property, buildings and land. This is comprised of reserves, parks, roads (both made and unmade), community land such as halls and sporting facilities and buildings ranging from council offices and community halls, to commercially leased heritage buildings. Council also maintains a community land register.

The Property Advisory Group was established to provide advice to Council staff administering the property portfolio and community land register.

#### ROLE

The Property Advisory Group provides advice to the Executive Officer on matters relating to the operations, maintenance, improvement and rationalisation of Council's building and property portfolio.

#### STRATEGIC LINKS

##### Strategic Plan

<b>Place</b> - Places for people and nature	3.3	We will complete the road reserves and reserve assessments (blue marker project), leading the nation in conservation and biodiversity management practices
<b>Place</b> - Places for people and nature	3.5	We will take a proactive approach and a long term view, to infrastructure maintenance and renewal
<b>Explore</b> - Explore ideas and work with others	4.6	We will actively pursue opportunities to share resources and partner with other for better community outcomes
<b>Organisational Sustainability</b>		Risk & responsibility <ul style="list-style-type: none"> <li>• Legal compliance</li> <li>• Financial &amp; asset sustainability</li> </ul>

## **FUNCTIONS**

The Property Advisory Group is expected to provide advice to the Executive Officer on:

- matters relating to the operations, maintenance, improvement and rationalisation of Adelaide Hills Council's building and property portfolio
- progress of rationalisation, management and key transactions as resolved by Council
- specific property transactions, leases or other issues related to property and building matters
- road closures, widenings, encroachments and rents

## **MEMBERSHIP**

The Property Advisory Group shall comprise up to four (4) Council Members.

The Manager Property Services (or nominee) or other officer as appointed by the Chief Executive Officer shall act as Executive Officer for the Property Advisory Group.



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**Appendix 7**  
*Rural Land Management Advisory Group (RLMAG) –  
Revised Terms of Reference*

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## RURAL LAND MANAGEMENT ADVISORY GROUP

### TERMS OF REFERENCE December 2017

**These Terms of Reference are to be read in conjunction with Council's Advisory Group Operation and Conduct Policy**

#### BACKGROUND

The Rural Land Management Advisory Group (hereafter referred to as the "Advisory Group" was established by Council shortly after amalgamation to provide advice on rural land management matters and issues affecting primary producers generally.

#### ROLE

The role of the Advisory Group is to provide advice to the Executive Officer on how:

- it can support achievement of objectives for the primary production component of the Strategic Management Plan;
- to help the Council staff develop policies and strategies for the retention of and optimum utilisation of rural land;
- to ensure protection of the rural landscape qualities of the district;
- to act as a conduit for information between rural land users and Council staff; and,
- to be pro-active in initiating work and providing expertise to Council staff on matters that the Advisory Group considers warrants attention and consideration by the Council staff where Council has jurisdiction in the matter

#### STRATEGIC LINKS

##### Strategic Plan

<i>Prosper - people and business prosper</i>	1.1	We will pursue World Heritage Listing for the Mt Lofty Ranges as a working agricultural landscape
<i>Prosper - people and business prosper</i>	1.2	We will work with governments and industry to achieve Pest Free Area status for the Adelaide Hills primary production area
<i>Prosper - people and business prosper</i>	1.8	We will amend the Development Plan to make farming in the Hills easier

## **FUNCTIONS**

Matters requiring the consideration of the Council shall be referred to the Executive Officer for referral to the Strategic Planning and Development Policy Committee of Council where it relates to matters within that Committee's terms of reference, or to Council if required. Such matters shall include, but not be limited to matters within the scope of the Group such as:

- Advice and recommendations on matters that are referred to it related to rural land management and primary production practice and policy
- Consultation on and/or research with appropriate organisations and individuals on matters within the scope of these terms of reference
- Alerting Council staff to matters which may have an impact on the primary production industry and/or land management practices

The Advisory Group is to provide advice to Executive Officer on:

- Land use
- Land use conflicts
- Biosecurity issues
- Water resources
- Demographic & social impacts
- The relationship between primary production and the environment
- Sustainable and viable primary industry
- Education and Public Relations
- Performance criteria – industry/community best practice
- Supporting infrastructure
- Best practices
- Trends affecting use of rural land and primary production
- Rural land management issues, eg fire
- Natural resources management
- Climate Change

## **MEMBERSHIP**

The Rural Land Management Advisory Group shall comprise up to three (3) Council Members.

The Advisory Group shall also include rural landholders who are involved in primary production activities in the district and who have expertise in one or more of the criteria listed below.

Membership of the Advisory Group shall be limited to a maximum of twelve (12) members (including Council Members).

The Advisory Group will be supported by such Technical Reference Groups or specific working parties as are required. A Technical Reference Group could include representatives of:

- Conservation Council
- Country Fire Service
- Department of Environment, Water and Natural Resources
- Department of Planning, Transport and Infrastructure
- Forestry SA
- Native Vegetation Council
- Primary Producers SA

- SA Water

Where a representative of an agency or department or stakeholder group is able to designate a proxy, the details of that proxy shall be forwarded to the Council at the time of appointment of the substantive representative.

## **SELECTION CRITERIA**

Membership of the Advisory Group shall comprise representatives from the following areas of expertise or organisations:

- Viticulture
- Horticulture
- Horse Keeping
- Grazing/Broad acre
- Strawberry/Berry
- Primary Production Industry representative
- Natural Resources Adelaide & Mt Lofty Ranges (NRAML) Representative (staff representative)
- NRAML Representative (Board/Group representative)
- Dept. of Primary Industry and Regions SA (PIRSA)

Any independent members of the Advisory Group shall be rural landholders who are actively involved in primary production activities in the district and who have expertise in one or more of the areas outlined above.

It shall be a pre-requisite that community representatives live, work or have an active interest in the Council area.

Agency representatives will be nominated by the respective agency.

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# **Appendix 8**

*Sustainability Advisory Group (SAG) –  
Revised Terms of Reference*

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# SUSTAINABILITY ADVISORY GROUP

## TERMS OF REFERENCE December 2018

**These Terms of Reference are to be read in conjunction with Council’s Advisory Group Operation and Conduct Policy.**

### BACKGROUND

Adelaide Hills Council (the Council) recognises that responding to key issues such as sustainability, biodiversity, climate change, greenhouse gas reduction, energy management, water and waste management are important for achieving a sound future for both the Adelaide Hills area and the planet as a whole.

The Council has initiated steps to reduce its environmental footprint by undertaking a range of sustainable actions. A Council resolution dated 14 August 2012 adopted the Adelaide Hills Environmental Sustainability Framework which sets out a strategic direction aimed at achieving sustainability through reductions in greenhouse gas emissions, energy usage, overall water usage, delivery of solid waste to landfill and management of biodiversity.

The Council also recognises the vast wealth of knowledge and expertise residing in community members and external organisations therefore Council has resolved to establish a Sustainability Advisory Group (SAG) comprising members of the public who will give their time voluntarily to advise Council staff and support Council in its sustainability agenda.

### ROLE

The Sustainability Advisory Group provides advice to the Executive Officer on sustainability matters including climate change, energy management, water management, waste reduction, environment, resilient communities and resource recovery.

The Sustainability Advisory Group shall provide Council staff with access to external expertise, networks and links to other organisations with regard to sustainability issues including climate change, energy management, water management, waste reduction, environment, conservation and biodiversity.

Where applicable it is recognised that members of the SAG may provide informal feedback to the community on how the Council is pursuing its sustainability objectives.

### STRATEGIC LINKS

#### Strategic Plan

<i>Place - Places for people and nature</i>	3.1	We will work with our community to encourage sustainable living and commercial practices
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<b>Place</b> - Places for people and nature	3.2	We will strive for carbon neutrality as an organisation and encourage our community to do likewise
<b>Place</b> - Places for people and nature	3.7	We will drive further reduction in waste consigned to landfill
<b>Place</b> - Places for people and nature	3.10	We will investigate 'off-grid' power opportunities for facilities and households in our community. We're open to the idea of whole townships doing the same.

## **FUNCTIONS**

The Sustainability Advisory Group (SAG) is expected to provide advice to the Executive Officer on:

- Climate change issues including scientific findings, current knowledge and the implications of predicted climate change
- Likely impacts of climate change and appropriate methods of adapting to its potential effects and the building of resilient communities
- Appropriate actions, methods and/or technology to reduce greenhouse gas emissions, reduce energy use, reduce water use, reduce waste production and promote resource recovery.
- Opportunities for grant and other project funding
- Networking opportunities so Council may develop links with experts, community groups, organisations and skilled individuals in the areas of climate change; climate adaptation; water, energy and waste minimisation; natural resource management and biodiversity
- Achieving the Strategic Goals of Council that relate to sustainability
- Linkage of Council's Strategic Goals, Policy and objectives with those of State and Federal Governments within the domain of sustainability

## **MEMBERSHIP**

The Sustainability Advisory Group shall comprise up to four (4) Council Members and up to five (5) independent representatives.

The five (5) independent members shall be community representatives selected on the basis of skills, knowledge and experience based on selection criteria listed below.

The Manager Sustainable Assets (or nominee) or other officer appointed by the Chief Executive Officer shall act as Executive Officer for the Sustainability Advisory Group.

## **SELECTION CRITERIA**

Independent members shall be selected on the basis of their skills, knowledge and experience in one or more of the following:

- Environmental sustainability natural resource management, climate change, climate adaptation or similar
- Energy, water and/or waste reduction strategies and/or technology

- Government grants process particularly as related to climate change, energy, water and waste reduction
- Advisory committees and/or community consultation
- Links to networks and/or groups with expertise in environment, sustainability, and climate change and/or climate adaption.

It shall be a pre-requisite that community representatives live, work or have an active interest in the Council area.




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## **Appendix 9**

*Advisory Group Operation and Conduct Policy - draft*

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# COUNCIL POLICY

 <p><b>Adelaide Hills</b> COUNCIL</p>	<b>ADVISORY GROUP OPERATION AND CONDUCT</b>
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<b>Policy Number:</b>	GOV - 15
<b>Responsible Department(s):</b>	Governance & Performance
<b>Other Relevant Policies:</b>	<i>Council Member Conduct Informal Council and Committee Gatherings and Discussions Volunteer Engagement</i>
<b>Relevant Procedure(s):</b>	Nil
<b>Relevant Legislation:</b>	<i>Local Government Act 1999 Local Government (General) Regulations 2013</i>
<b>Policies and Procedures Superseded by this policy on its Adoption:</b>	Procedures for Advisory Groups, v1.0, 13 December 2013
<b>Adoption Authority:</b>	Council
<b>Date of Adoption:</b>	<i>To be entered administratively</i>
<b>Effective From:</b>	<i>To be entered administratively</i>
<b>Minute Reference for Adoption:</b>	<i>To be entered administratively</i>
<b>Next Review:</b>	No later than December 2021 or as required by legislation or changed circumstances

## ADVISORY GROUP OPERATION AND CONDUCT POLICY

### 1. INTRODUCTION

- 1.1 Council has used Advisory Groups (in various forms) over many years to provide advice to the Administration and, ultimately, to the Council in relation to a variety of subject matters.
- 1.2 While the specific composition arrangements of each Advisory Group vary, they provide the means by which the Administration can access technical and/or community advice to inform the development of Council strategies, policies and initiatives.
- 1.3 In contrast to the more formal meeting structures such as Council and Council Committees (created under s41 of the *Local Government Act 1999*), Advisory Groups do not have any legal standing but are required to comply with the informal gatherings legislative provisions.

### 2. OBJECTIVES

- 2.1 The objectives of this policy are:
- To provide clear guidance to Council Members, Officers and Independent Members on the operational arrangements and conduct expectations of Advisory Groups; and
  - To ensure that Advisory groups are conducted in accordance with the applicable obligations contained in legislation.

### 3. DEFINITIONS

- 3.1 **“Executive Officer”** means the Council Officer appointed by the Chief Executive Officer to coordinate and conduct the respective Advisory Group
- 3.2 **“Designated informal gathering or discussion”** is an event organised and conducted by or on behalf of the Council or Chief Executive Officer (CEO) to which Members of the Council or Council Committee (as the case may be) have been invited and that involves discussion of a matter that is, or is intended to be, part of the agenda for a formal meeting of the Council or Council Committee. (Regulation 8AB(2), *Local Government (General) Regulations 2013*)

### 4. SCOPE

- 4.1 This policy applies to all Council Members, Officers and Independent Members appointed to Advisory Groups.

## **5. POLICY STATEMENT**

- 5.1 Council values the experience and specialist knowledge that exists in the Adelaide Hills community and is committed to seeking opportunities to access this expertise for use in developing Council strategies, policies and initiatives.

## **6. ROLE AND FUNCTIONS**

- 6.1 An Advisory Group is a Group formed by Council to provide advice to staff on specific matters. It is not a committee formed pursuant to Section 41 of the Local Government Act which would provide advice direct to Council.
- 6.2 Each Advisory Group has a Terms of Reference adopted by Council and the Group is expected to stay within these terms.
- 6.3 Advisory Groups will not commission work in its own right or have any decision making powers delegated by Council, but rather provide advice to their Executive Officer.
- 6.4 Given that Advisory Groups provide advice to Council staff, it is appropriate that only the Mayor, Council's CEO and where delegated, the Executive Officer, be the media spokespersons on behalf of the Group.

## **7. MEMBERSHIP**

- 7.1 The membership of each Advisory Group is set out in the respective Terms of Reference.
- 7.2 The Mayor is an ex-officio member of all Advisory Groups.
- 7.3 Council Members can attend meetings of all Advisory Groups but do so as observers and can only speak at the invitation of the Executive Officer.

## **8. APPOINTMENTS**

- 8.1 Appointments to Advisory Groups shall be at the Council's sole discretion and be based upon the skills, knowledge and experience of appointees relevant to the Advisory Group.
- 8.2 In the general course of events, the selection process for Advisory Groups will begin with an advertising campaign calling for nominations. Advertising will be through Council's website, newspapers, council service centres and libraries. Interested parties will be requested to submit a written application which will identify responses to the selection criteria.
- 8.3 For a small number of Advisory Groups, the Terms of Reference will identify an alternative process for appointing the Independent Members (i.e. as representatives of other organisations).
- 8.4 The selection process for independent members will be conducted by a panel comprising two (2) Council Members (preferably those familiar with the business of the Advisory Group) appointed by the Council, Council's Chief Executive Officer (or delegate), and the Executive Officer.
- 8.5 Recommendations for independent membership of Advisory Groups will be made to Council and appointment will be made by resolution.

8.6 Council Members will be appointed to Advisory Groups by resolution of the Council.

## **9. TERM OF OFFICE**

9.1 The term of office for Independent Members on an Advisory Group will be two (2) years or such other time as resolved by Council at the time of appointment.

9.2 The term of office for Council Members will be two (2) years or such other time as resolved by Council.

9.3 Casual vacancies may be filled using the selection process with any appointment(s) made by resolution of Council. Where a vacancy occurs less than six (6) months before the expiry of the term of office, the vacancy may remain unfilled.

## **10. STATUS OF OFFICE OF MEMBERS**

10.1 Independent Members of Advisory Groups have status as volunteers of the Council and are insured in accordance with the Volunteer Insurance Policy that is part of the Council's membership of the Mutual Liability Scheme.

10.2 Independent Members are not indemnified by the Council against any liability arising as a result of their actions or omissions related to their involvement with the Advisory Group or undertaken in connection with their role as a member of an Advisory Group.

10.3 Council Members' involvement with an Advisory Group constitutes the exercise of official functions and duties of office of an elected member under the *Local Government Act 1999*. Council Members are, therefore, protected from civil liability in their role as Advisory Group members pursuant to section 39 of the *Local Government Act 1999*.

## **11. MEETINGS**

11.1 An Advisory Group shall meet at least four times per year, or more frequently if determined by the Executive Officer in consultation with the Group Members.

11.2 The Executive Officer will determine the meeting schedule in consultation with Advisory Group Members.

11.3 A special meeting may be convened to consider a matter of urgency by the Executive Officer with at least five calendar days' notice. If such a special meeting is at the request of a member of an Advisory Group, then such a request shall have the support of the majority of the members before it can be convened.

11.4 While Advisory Groups do not make formal decisions, there is no specific requirement for a quorum. If however the Executive Officer determines that the likely number of attendees will be insufficient to generate the required advice, the meeting will be cancelled and alternative communication methods used.

11.5 In accordance with the *Informal Council and Committee Gatherings and Discussions Policy*, meetings will be advertised on Council's website, and held in venues open to the public unless the meeting has been declared by the Chief Executive Officer to be a 'confidential informal discussion'.

**12. PRESIDING MEMBER**

12.1 The Executive Officer (or their delegate) will be the Presiding Member of the Advisory Group.

12.2 The role of the Presiding member includes:

- Overseeing and facilitating the conduct of meetings in accordance with *Local Government Act 1999*, the *Local Government (General) Regulations 2013* and the *Informal Council and Committee Gatherings and Discussions Policy*; and
- Ensuring all Committee members have an opportunity to participate in discussions in an open and encouraging manner

**13. AGENDAS**

13.1 The Executive Officer will determine the matters to be discussed at the Advisory Group meeting on the basis of the advice required.

13.2 In accordance with the *Informal Council and Committee Gatherings and Discussions Policy*, only matters listed on the published Agenda will be discussed during the Advisory Group meeting.

13.3 The Agenda will be distributed to members by email no later than five (5) days prior to the next meeting date.

13.4 The Agenda will be distributed to members no later than five (5) days prior to the next meeting date.

**14. MINUTES**

14.1 As an Advisory Group is not a formal meeting of Council, the minutes will reflect this lack of formality but will (as minimum) record:

- The place, date and time at which the designated informal gathering or discussion was held;
- The meeting attendees and apologies;
- The topics discussed; and
- Recommendations arising from the discussion and advice provided to the Executive Officer (see Recommendations section below).

**15. RECOMMENDATIONS OF ADVISORY GROUPS**

15.1 Advisory Groups provide advice to their Executive Officer which may be in the form of recommendations.

15.2 These recommendations will be made by consensus. Consensus decision-making is a group decision making process that seeks the consent of all participants. Consensus may be defined as an acceptable resolution, one that can be supported, even if not the "favourite" of each individual.

- 15.3 The minutes will record if consensus on a matter was not able to be achieved
- 15.4 An Advisory Group may make recommendations on changes to these Terms of Reference to its Executive Officer to enhance achievement of the Advisory Group's purpose and role.

## **16. CONDUCT OF ADVISORY GROUP MEMBERS**

- 16.1 Council Members and Council Officers have conduct standards set by both legislation and policy and are required to comply with these in the context of Advisory Group meetings.
- 16.2 Independent Members will be expected to:
- a) Comply with Council's policies in relation to volunteers;
  - b) Be honest and fair when dealing with all persons present at meetings;
  - c) Deal with information received in their capacity as a member in a responsible manner;
  - d) Be aware of any conflicts (real or perceived) between their role as a Group Member and their private interests and disclose these conflicts either prior to the relevant matter being discussed or as soon as the conflict becomes apparent;
  - e) Endeavour to provide accurate information to the Group and to the public at all times; and
  - f) Endeavour to establish and maintain respectful relationships with all Group members and Council staff, regardless of difference of views and opinions.
- 16.3 Matters presented to an Advisory Group as confidential shall be dealt with and remain in confidence until such time as confidentiality is withdrawn as advised by the Executive Officer.
- 16.4 A Member of an Advisory Group may be removed from office on the grounds that:
- He or she was absent, without leave from the Advisory Group, from two or more consecutive meetings; or
  - Has made public statements that may be detrimental to the effective functioning of the Advisory Group; or
  - Has, or is, behaving in a way which is detrimental to the smooth, efficient and effective workings of the Advisory Group.
- 16.5 The determination as to whether a Member's conduct constitutes grounds for removal from office will be made by a Reference Panel comprising the Mayor, Chief Executive Officer (or delegate) and the Executive Officer. The Reference Panel will observe the principles of natural justice in making any decision to remove a member from office. That is, the member will be given an opportunity to comment in relation to any adverse allegations against him/her and in relation to any proposal that he/she be removed from office. Any comments made by the member will be taken into account by the Reference Panel before a decision is made.

**17. DELEGATION**

5.1 The Chief Executive Officer has the delegation to:

- Approve, amend and review any procedures that shall be consistent with this Policy; and
- Make any formatting, nomenclature or other minor changes to the Policy during the period of its currency.

**18. AVAILABILITY OF THE POLICY**

6.1 This Policy will be available for inspection at the Council's Offices during ordinary business hours and via the Council's website [www.ahc.sa.gov.au](http://www.ahc.sa.gov.au). Copies will also be provided to the public upon request, and upon payment of a fee in accordance with the Council's Schedule of Fees and Charges.



**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 18 December 2018  
AGENDA BUSINESS ITEM**

<b>Item:</b>	<b>12.4</b>
<b>Originating Officer:</b>	<b>Natalie Westover, Manager Property Services</b>
<b>Responsible Director:</b>	<b>Terry Crackett, Director Corporate Services</b>
<b>Subject:</b>	<b>Acquisition of Private Roads – Garrod Place and Crescent Stirling</b>
<b>For:</b>	<b>Decision</b>

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**SUMMARY**

Garrod Place and a portion of Garrod Crescent, Stirling are private roads in private ownership (*Appendix 1*).

Allotments 89 and 90 in Filed Plan No. 158344 contained in Certificate of Title Volume 5938 Folio 729 (“Land”) are designated as private roads and are subject to free and unrestricted rights of way to land owners adjoining the Land (*Appendix 2*).

By agreement with the land owner, Council currently maintains the road infrastructure on the Land and the Land is included in the Council’s Asset Management Plan.

For clarity and appropriate management of risk and liability it is proposed that the Land be transferred to Council for no consideration to be declared as public road.

**RECOMMENDATION**

**Council resolves:**

- 1. That the report be received and noted**
  - 2. To accept a transfer of Allotments 89 and 90 in Filed Plan No. 158344 Private Roads being portion of the land in Certificate of Title Volume 5938 Folio 729 (“Land”) from Stephanie Jane Evans as executor for Peter Richard Sergeant (deceased) for no consideration subject to the Council paying the costs of the transfer of the Land**
  - 3. That the Land be excluded as Community Land pursuant to s193(4) of the *Local Government Act 1999***
  - 4. That following the transfer of the Land, the Land be declared as public road**
  - 5. That the Mayor and CEO be authorised to sign all necessary documentation to give effect to this resolution.**
-

## 1. GOVERNANCE

### ➤ Strategic Management Plan/Council Policy

Goal 3 Places for People and Nature  
Strategy 3.5 We will take a proactive approach and a long term view to infrastructure maintenance and renewal

The Land is included in the Council’s Asset Management Plan for maintenance and renewal.

### ➤ Legal Implications

The transfer of the Land will be undertaken in accordance with s96 of the *Real Property Act 1886*.

The Land is excluded as community land pursuant to s193(4) of the *Local Government Act 1999*.

The Land is declared as public road upon publication of a notice in the Government Gazette pursuant to s208(4) & (5) of the *Local Government Act 1999*.

### ➤ Risk Management Implications

*The transfer of the Land and subsequent declaration as public road will assist in mitigating the risk of:*

*Publicly accessible roads and footpaths being in private ownership leading to inadequate liability insurance being maintained, maintenance not being undertaken and service providers not having access.*

Inherent Risk	Residual Risk	Target Risk
Medium (3C)	Low (1E)	Low (1E)

### ➤ Financial and Resource Implications

Legal costs and disbursements to undertake the transfer of the land and the subsequent declaration as public road will be in the vicinity of \$2,000 excl. GST.

Administrative processes to effect the transfer and declaration will be managed within existing resources.

The Land is already included in the Council’s Asset Management Plan for maintenance and renewal and as such there are no additional financial implications associated with maintenance and renewal.

➤ **Customer Service and Community/Cultural Implications**

The transfer of the Land, and the declaration of the Land as public road, will ensure that the Land is maintained to an appropriate standard and is insured for public liability insurance as a public thoroughfare.

➤ **Environmental Implications**

Not Applicable

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Consultation on the development of this report was as follows:

*Council Committees:* Not Applicable

*Council Workshops:* Not Applicable

*Advisory Groups:* Not Applicable

*Administration:* Manager Sustainable Assets  
Manager Civil Services

*Community:* Not Applicable

**2. BACKGROUND**

In 2015, Council undertook a project to upgrade Garrod Crescent, Stirling. At this time it was discovered that a strip of land running along Garrod Crescent and the full extent of Garrod Place were privately owned. These two parcels of land are designated as private roads and are subject to free and unrestricted rights of way in favour of the adjoining land owners.

At that time the owner of the Land provided Council with authority to upgrade Garrod Crescent and authority to enter onto the Land to maintain the road. The owner of the Land also advised Council staff that he had been unaware that he owned the Land and was agreeable to the transfer of the Land to Council on the basis that he was not out of pocket for the transfer.

The owner of the Land passed away in 2018 and the property is to be sold by his executor.

The executor has confirmed that they are willing to honour the agreement made by the late land owner to transfer the Land to Council for no consideration.

### 3. ANALYSIS

The Land is publicly accessible by the community to traverse along Garrod Crescent and also by the land owners on Garrod Place to access their properties. There is no identifiable delineation of the public road and the Land which would advise users that the footpath or road they are traversing is private road. Council cannot enforce any particular level of public liability insurance to be maintained over the private road which creates some risk if a person was to have an accident on the Land.

Garrod Place is accessed by service providers such as East Waste, in addition to the adjoining land owners of 3, 4, 5, 6, 7, 8, 9 and 10 Garrod Place.

For consistency and the management of risk, it is preferable that the Land be transferred to the Council and declared as public road.

### 4. OPTIONS

Council has the following options:

- I. Resolve to accept a transfer of the Land and declare as public road (***Recommended***)
- II. Resolve not to accept a transfer of the Land which will result in the Land remaining in private ownership without certainty regarding insurance and maintenance (***Not Recommended***)

### 5. APPENDICES

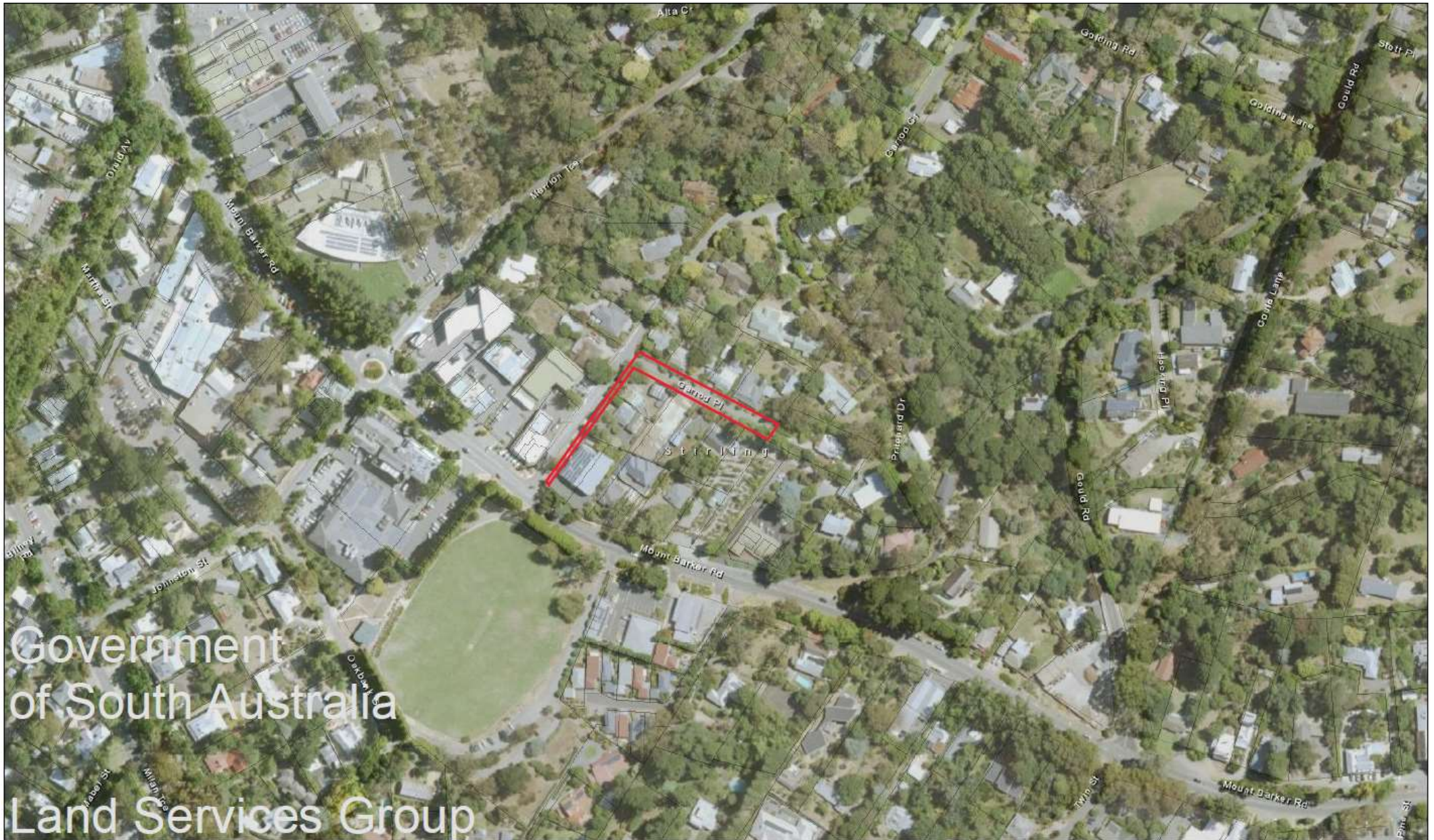
- (1) Aerial Map identifying the location of the Land
- (2) Copy of Certificate of Title

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# **Appendix 1**

*Aerial Map identifying the location of the Land*

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Government  
of South Australia

Land Services Group



Garrod Crescent

Garrod Place

Government of South Australia

Land Services Group

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## **Appendix 2**

*Copy of Certificate of Title*

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REAL PROPERTY ACT, 1885



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



## Certificate of Title - Volume 5938 Folio 729

Parent Title(s) CT 2519/110  
Creating Dealing(s) CONVERTED TITLE  
Title Issued 06/04/2005 Edition 2 Edition Issued 11/04/2005

### Estate Type

FEE SIMPLE

### Registered Proprietor

PETER RICHARD SERGEANT  
OF 6 GARROD CRESCENT STIRLING SA 5152

### Description of Land

ALLOTMENTS 88, 89 AND 90 FILED PLAN 158334  
IN THE AREA NAMED STIRLING  
HUNDRED OF NOARLUNGA

ALLOTMENTS 89 AND 90 ARE PRIVATE ROADS

### Easements

SUBJECT TO FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE WITHIN ALLOTMENTS 89 AND 90

### Schedule of Dealings

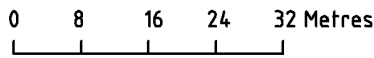
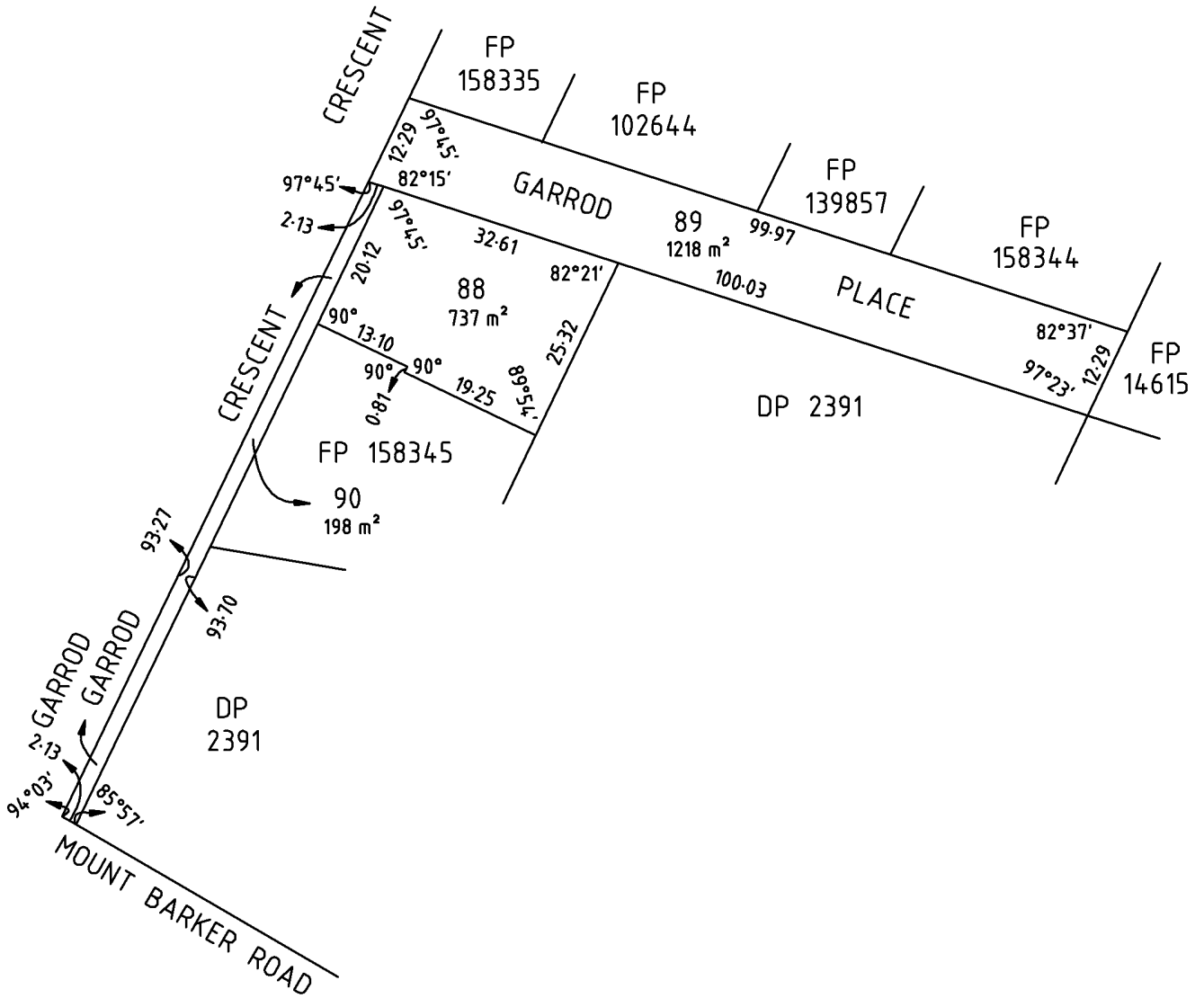
NIL

### Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL

THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE 2519/110

LAST PLAN REF: DP 2391



NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION

**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 27 November 2018  
AGENDA BUSINESS ITEM**

**Item:** 12.5

**Originating Officer:** Mike Carey, Manager Financial Services

**Responsible Director:** Terry Crackett, Director Corporate Services

**Subject:** 2017-18 End of Year Financial Results

**For:** Decision

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**SUMMARY**

Council is required, pursuant to Regulation 10 of the *Local Government (Financial Management) Regulations 2011* to consider a report showing the audited financial results of the Council for the Statement of Comprehensive Income, Statement of Financial Position and Financial Indicators compared with the estimated financial results set out in the budget presented in a manner consistent with the Model Financial Statements.

This report meets those legislative requirements in relation to Council's financial performance to budget for the year ended 30 June 2018 and was presented to the Audit Committee on 5 November 2018.

In addition, in accordance with Council's *Treasury Policy* and Section 140 of the *Local Government Act 1999*, a council must review the performance of its investments at least annually and it is considered appropriate to also include this analysis in this report.

**RECOMMENDATION**

**Council resolves that:**

- 1. The report be received and noted.**
  - 2. The 2017-18 End of Year Financial Results in comparison to budget have been appropriately considered by Council.**
-

## 1. GOVERNANCE

### ➤ Strategic Management Plan/Council Policy

Goal 5                      Organisational Sustainability  
Strategy                    Financial Sustainability

The Council is committed to open, participative and transparent decision making and administrative processes. We diligently adhere to legislative requirements to ensure public accountability and exceed those requirements where possible.

Legislation requires Council to review and monitor Council's Annual Budget with reference to actual results and its overall financial position to ensure Council continues to be financially sustainable.

### ➤ Legal Implications

Sections 124-130 of the *Local Government Act 1999* covering Accounts, financial statements and audit.

Section 140 of the *Local Government Act 1999* - Review of Investments requires Council to at least once in each year, review the performance of its investments.

Regulation 10 of the *Local Government (Financial Management) Regulations 2011* (the *Regulations*) requires Council to report on the financial results of Council by no later than 31 December in each year.

### ➤ Risk Management Implications

Monitoring and reporting on Council's financial results will assist in mitigating the risk of:

*Inaccurate budgets and unforecasted deficits leading to inadequate resourcing for current and future activities.*

Inherent Risk	Residual Risk	Target Risk
Medium (4D)	Low (2E)	Low (2E)

It ensures that financial resources are deployed in areas that align with Council's Strategic Management Plans, are affordable and support Council's Long Term Financial Plan.

### ➤ Financial and Resource Implications

The 2017-18 financial result means that Council is well positioned to continue to be financially sustainable into the future. Council will continue to review and monitor future financial results and its financial position in conjunction with its Long Term Financial Plan (LTFP).

➤ **Customer Service and Community/Cultural Implications**

It is important to the Community to be aware and understand Council's financial results for the year in the context of its longer term financial sustainability. Council's audited Financial Statements are provided to the community within its Annual Report.

➤ **Environmental Implications**

Not applicable.

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

*Council Committees:* The 2017-18 Financial Results together with Proposed 2017-18 Capital Works Carry Forwards were presented to the Audit Committee at its meeting on 5 November 2018.

*Advisory Groups:* Not Applicable

*Administration:* All budget holders have reviewed the end of year financial position for their respective areas of responsibility to ensure variations are identified and explained. The Executive Leadership Team has also reviewed the end of financial year result.

*Community:* Not Applicable

## 2. **BACKGROUND**

This report provides details of Council's financial performance to budget for the year ended 30 June 2018.

Council is required, pursuant to *Regulation 10* of the *Regulations* to consider a report showing the audited financial results of the Council for the Statement of Comprehensive Income, Statement of Financial Position and Financial Indicators compared with the estimated financial results set out in the budget presented in a manner consistent with the Model Financial Statements.

The Statement of Comprehensive Income, Statement of Financial Position and Financial Indicators and associated commentary for 2017-18, are shown as **Attachment 1** to this Report. As the Statement of Comprehensive Income largely focuses on Council's Operating Income and Expenditure, discussion on these items is included in **Attachments 2 & 3** of the report.

In addition, in accordance with Council's *Treasury Policy* and Section 140 of the *Local Government Act 1999*, a council must review the performance of its investments at least annually. Given the timing of this report covering financial performance, it is considered that it is appropriate to also consider annual investment performance at this time.

The 2017-18 Financial Results were presented to the Audit Committee at its meeting on 5 November 2018 where the following recommendation was adopted.

6.2. 2017-18 End of Year Financial Report

Moved Cr John Kemp  
S/- Peter Brass

AC23/18

The Audit Committee resolves:

1. That the report be received and noted
2. To note the Audited 2017-18 Financial Results compared to Budget contained within this report

Carried
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3. ANALYSIS

**Summary of Financial Performance**

\$000's	Actual 30 June 2018	Budget 30 June 2018	Variance from Budget
Operating income	44,533	44,404	129
Operating expenditure	44,025	42,418	(1,607)
<b>Operating Surplus before Capital</b>	<b>508</b>	<b>1,986</b>	<b>(1,478)</b>
Capital Income	1,356	2,831	(1,475)
Capital Expenditure	14,744	16,874	2,130
<b>Net expenditure - Capital projects</b>	<b>(13,388)</b>	<b>(14,043)</b>	<b>655</b>
Depreciation	8,246	8,027	219
Net Lending / (Borrowing) Result for Financial Year	<b>(4,634)</b>	<b>(4,030)</b>	<b>(604)</b>

In terms of Council's operating result, Council's Operating Surplus before Capital is \$508k which is \$1.478m less than budget. This variance is as a result of three large end of year adjustments, all of which are non cash in nature. Details are as follows:

- Additional provisioning of remediation and post closure costs of \$1.2m relating to closed landfills within the Council area.
- Depreciation was \$220k higher than budget with the most significant increase of \$243k occurring in buildings as a result of a revaluation of that class for the 2017-18 financial year.
- Council's net result from Equity Accounted Council Businesses was a loss of \$216k which was unbudgeted. The loss largely relates to the Adelaide Hills Regional Waste Management Authority for the year as a result of legal costs in defending a claim in the Supreme Court.

Further discussion on these items is included in **Attachments 1-3** of the report.

### Statement of Financial Position

<b>\$000s</b>	<b>Actuals 30 June 2018</b>	<b>Budget 30 June 2018</b>	<b>Movement</b>
Assets	<b>376,320</b>	327,982	<b>48,338</b>
Liabilities - Borrowings	<b>(14,918)</b>	(17,671)	<b>2,753</b>
Other Liabilities	<b>(12,774)</b>	(10,124)	<b>(2,650)</b>
<b>Net Assets (Liabilities)</b>	<b>348,628</b>	<b>300,187</b>	<b>48,441</b>

The Statement of Financial Position shows an overall net assets position favourable to budget by \$48.4m. This was largely as a result as the increase of \$55.5m in infrastructure assets due to the revaluation of certain asset classes which are not normally budgeted for.

Three assets classes were revalued in 2017-18 with a significant increase in building assets of \$25m (previously revalued using cost indices), Land of \$29m (last revalued in 2014), and a relatively minor increase in Community Wastewater Management System assets of less than \$1m.

Borrowings at \$14.9m including the short term drawdown facility are favourable to budget by \$2.8m. Borrowings at the end of the previous year were \$13.6m.

Although Council's Net Borrowings were favourable to budget, Council's Actual Net Financial Liabilities at 30 June 2018 were similar to budget due to the unbudgeted increase in provisioning of remediation and post closure costs and a reduction in working capital.

### Cash Flow Position

<b>\$000s</b>	<b>Actuals 30 June 2018</b>	<b>Budget 30 June 2018</b>	<b>Movement</b>
Net Flows from Operating	11,710	10,013	1,697
Net Flows from Investing Activities	<b>(13,363)</b>	<b>(13,999)</b>	636
New Flows from Financing Activities	<b>(122)</b>	4,020	<b>(4,142)</b>
<b>Net Change in Cash Position</b>	<b>(1,775)</b>	<b>34</b>	<b>(1,809)</b>
<b>Cash &amp; Investments</b>	<b>491</b>	<b>1,000</b>	<b>(509)</b>
<b>CAD Drawdown</b>	<b>(4,900)</b>	<b>(3,600)</b>	<b>(1,300)</b>
<b>Net Cash Position</b>	<b>(4,409)</b>	<b>(2,600)</b>	<b>(1,809)</b>
<b>Fixed Term Borrowings</b>	<b>(10,018)</b>	<b>(14,071)</b>	<b>4,053</b>
<b>Net Borrowings</b>	<b>(14,427)</b>	<b>(16,671)</b>	<b>2,244</b>

Both Operational and Investing (Capital) cash flows were favourable to budget for the year resulting in a significantly better than anticipated cash position and no new borrowing required for the year. This resulted in a favourable net borrowing result to budget of \$2.2m.

### **Overall Capital Result**

Council’s capital works variation to budget of \$655k comprises an unfavourable capital income variance of \$1.475m and a favourable capital expenditure variance of \$2.130m.

Discussion on the capital result by Asset Category was presented in the Preliminary End of Year Results and Carry Forward Report presented to Council and approved on 11 September 2018. In summary, the report highlighted Council’s capital spend of \$14.744m against a budget of \$16.874m, being a significant increase over previous years. In comparing to budget, it is noted that there was carry forward expenditure of \$2.091m across 43 projects and carry forward income of \$1.451m.

### **Annual Investment Performance**

In accordance with Council’s Treasury Policy and Section 140 of the *Local Government Act 1999*, a council must review the performance of its investments at least annually.

Given that Council is utilising its short term drawdown facility throughout the period, Council’s investments are kept at a minimum during the year. As such the focus of Treasury Management has been on minimising interest expense and maintaining appropriate working capital rather than investment return.

As a result, interest earnings largely relate to:

- cash balances being transferred to an overnight investment account from Council’s general bank account with NAB, and
- where grants and other funds are placed directly with the Local Government Finance Authority (LGFA).

Both the NAB and LGFA investments are in accordance with Council’s Treasury Policy.

Year	RBA cash rate for June	LGFA Weighted Average Return	NAB Weighted Average Return	Overall Weighted Average Return	\$ Investment Earnings for year	2017-18 Budget
2014-15	2.00%	2.36%	2.85%	2.61%	\$38k	\$68k
2015-16	1.75%	1.88%	2.38%	2.00%	\$58k	\$56k
2016-17	1.50%	1.52%	2.02%	1.77%	\$36k	\$81k
2017-18	1.50%	1.50%	2.00%	1.75%	\$30k	\$34k

As shown in the above table, revenue from investments was slightly unfavourable to budget by \$4k for the 2017-18 financial year. The original budget for Investments for the 2017-18 financial year was \$58k but this was adjusted down in Budget Review 3 to better reflect anticipated returns.



**4. OPTIONS**

Council has the following options:

- I. To resolve that the report be received and confirm that the 2017-18 End of Year Financial Results in comparison to budget have been appropriately considered by Council (**Recommended**); or
- II. To defer this report in order for further information to be provided (**Not recommended**).

**5. APPENDICES**

- (1) Audited 2017-18 Financial Results Compared to Budget
- (2) Operating Income
- (3) Operating Expenditure

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# **Appendix 1**

*Audited 2017-18 Financial Results Compared to Budget*

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Adelaide Hills Council  
Statement of Comprehensive Income  
for the year ended 30 June 2018

\$ '000	Actuals 2018	Budget 2018	Variance	Note
<b>Income</b>				
Rates Revenues	35,512	35,528	(16)	
Statutory Charges	1,069	1,066	3	
User Charges	1,479	1,346	133	
Grants, Subsidies and Contributions	5,508	5,419	89	
Investment Income	30	34	(4)	
Reimbursements	447	520	(73)	
Other Income	488	492	(4)	
Net Gain - Equity Accounted Council Businesses	-	-	-	
<b>Total Income</b>	<b>44,533</b>	<b>44,404</b>	<b>129</b>	<b>A</b>
<b>Expenses</b>				
Employee Costs	14,956	15,572	616	
Materials, Contracts & Other Expenses	19,961	18,151	(1,810)	
Depreciation, Amortisation & Impairment	8,246	8,027	(219)	
Finance Costs	646	668	22	
Net loss - Equity Accounted Council Businesses	216	-	(216)	
<b>Total Expenses</b>	<b>44,025</b>	<b>42,418</b>	<b>(1,607)</b>	<b>B</b>
<b>Operating Surplus / (Deficit)</b>	<b>508</b>	<b>1,986</b>	<b>(1,478)</b>	
Asset Disposal & Fair Value Adjustments	(2,401)	-	(2,401)	<b>C</b>
Amounts Received Specifically for New or Upgraded Assets	867	1,087	(220)	<b>D</b>
Physical Resources Received Free of Charge	2,068	-	2,068	<b>E</b>
<b>Net Surplus / (Deficit) <sup>1</sup></b>	<b>1,042</b>	<b>3,072</b>	<b>(2,031)</b>	
<b>Other Comprehensive Income</b>				
<i>Amounts which will not be reclassified subsequently to operating result</i>				
Changes in Revaluation Surplus - I,PP&E	55,488	5,069	50,419	<b>F</b>
Share of Other Comprehensive Income - Equity Accounted Council Businesses	20	-	20	
Impairment (Expense) / Recoupments Offset to Asset Revaluation Reserve	-	-	-	
Other Equity Adjustments - Equity Accounted Council Businesses	32	-	32	
<b>Total Other Comprehensive Income</b>	<b>55,540</b>	<b>5,069</b>	<b>50,471</b>	
<b>Total Comprehensive Income</b>	<b>56,582</b>	<b>8,141</b>	<b>48,440</b>	

Note	Comments - Statement of Comprehensive Income
<b>A</b>	Refer to Attachment 2 - Operating Income
<b>B</b>	Refer to Attachment 3 - Operating Expenditure
<b>C</b>	Council does not budget for the impairment of assets or writedown of asset values relating to the capitalisation of assets and subsequent disposal of the renewed asset. In addition, for 2017-18, Council's revaluation of land identified some land that had been disposed of in previous years and these transactions were reflected in the current year
<b>D</b>	Variance largely relates to the transfer of \$240k of 2017-18 budgeted Capital Grants to 2018-19 in line with Accounting Standards
<b>E</b>	Council received contributed assets in relation to the Woodforde Development of \$1.6m and Public Artwork of \$475k the Hills Sculpture Trail. These contributions are not budgeted for
<b>F</b>	Three assets classes were revalued in 2017-18 with a significant increase in building assets of \$25m (previously revalued cost indices), Land of \$29m (last revalued in 2014), and a relatively minor increase in Community Wastewater Management System assets of less than \$1m. A nominal amount of \$5m was budgeted for revaluations.

Adelaide Hills Council  
Statement of Financial Position  
as at 30 June 2018

\$ '000	Actuals 2018	Budget 2018	Variance	Note
<b>ASSETS</b>				
<b>Current Assets</b>				
Cash and Cash Equivalents	491	1,000	(509)	A
Trade & Other Receivables	2,853	2,709	144	
Other Financial Assets	-	44	(44)	
Inventories	13	14	(1)	
<b>Subtotal</b>	<b>3,357</b>	<b>3,767</b>	<b>(410)</b>	
Non-Current Assets Held for Sale	1,260	-	1,260	B
<b>Total Current Assets</b>	<b>4,617</b>	<b>3,767</b>	<b>850</b>	
<b>Non-Current Assets</b>				
Financial Assets	50	27	23	
Equity Accounted Investments in Council Businesses	838	984	(146)	
Infrastructure, Property, Plant & Equipment	370,815	323,204	47,611	B
<b>Total Non-Current Assets</b>	<b>371,703</b>	<b>324,215</b>	<b>47,488</b>	
<b>TOTAL ASSETS</b>	<b>376,320</b>	<b>327,982</b>	<b>48,338</b>	
<b>LIABILITIES</b>				
<b>Current Liabilities</b>				
Trade & Other Payables	8,645	8,493	152	C
Borrowings	4,918	7,671	(2,753)	A
Provisions	3,478	1,357	2,121	C
<b>Total Current Liabilities</b>	<b>17,041</b>	<b>17,521</b>	<b>(480)</b>	
<b>Non-Current Liabilities</b>				
Borrowings	10,000	10,000	-	
Provisions	651	141	510	C
Other Non-Current Liabilities	-	133	(133)	
<b>Total Non-Current Liabilities</b>	<b>10,651</b>	<b>10,274</b>	<b>377</b>	
<b>TOTAL LIABILITIES</b>	<b>27,692</b>	<b>27,795</b>	<b>(103)</b>	
<b>Net Assets</b>	<b>348,628</b>	<b>300,187</b>	<b>48,441</b>	
<b>EQUITY</b>				
Accumulated Surplus	137,081	138,643	(1,562)	
Asset Revaluation Reserves	210,121	159,702	50,419	B
Other Reserves	1,426	1,842	(416)	
<b>Total Council Equity</b>	<b>348,628</b>	<b>300,187</b>	<b>48,441</b>	

Note	Comment - Statement of Financial Position
A	Both operational and capital cash flows were favourable to budget for the year resulting in an overall improvement in net borrowings compared to budget and no requirement to access new borrowings within the financial year. There was also a focus on keeping cash balances to a minimum and reduce Council's Cash Advance Debenture
B	The overall balance is more than budgeted as a result of annual revaluation of Infrastructure Assets not budgeted for (\$50m) offset by a number of projects not being completed by year end and requiring carry forward to the 2018-19 financial year of just over \$2m. In addition, an amount of \$1.26m relating to the Southern side of AHBTC has been transferred to Non-Current Assets Held for Sale under Current Assets. This was not reflected in Council's Budget
C	Provisions have increased as a result of transferring Annual Leave entitlements from Trade & Other Payables in the Model set of Accounts and the additional provisioning of remediation and post closure costs relating to closed landfills within the Council area

Adelaide Hills Council  
Financial Indicators  
as at 30 June 2018

\$ '000	Amounts 2018	Actuals 2018	Budget 2018	Variance	Note
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These Financial Indicators have been calculated in accordance with *Information paper 9 - Local Government Financial Indicators* prepared as part of the LGA Financial Sustainability Program for the Local Government Association of South Australia.

**1. Operating Surplus Ratio**

<u>Operating Surplus</u>	508	1.1%	4.5%	(3.4%)	A
Total Operating Revenue	44,533				

*This ratio expresses the operating surplus as a percentage of total operating revenue.*

**Council's target range is between 0% - 10%**

**2. Net Financial Liabilities Ratio**

<u>Net Financial Liabilities</u>	24,298	55%	54%	(1%)	B
Total Operating Revenue	44,533				

*Net Financial Liabilities are defined as total liabilities less financial assets (excluding equity accounted investments in Council businesses). These are expressed as a percentage of total operating revenue.*

**Council's target range is between 0% to 100%.**

**3. Asset Sustainability Ratio**

<u>Net Asset Renewals</u>	10,493	128%	149%	(21%)	C
Infrastructure & Asset Management Plan required expenditure	8,213				

*Net asset renewals expenditure is defined as net capital expenditure on the renewal and replacement of existing assets, and excludes new capital expenditure on the acquisition of additional assets.*

**Council's target range is between 90% and 110%.**

Note	Comment - Financial Indicators
A	Although income was favourable by \$129k, as a result of three operating expenditure variances relating to the provisioning of remediation and post closure costs of \$1.2m, depreciation increases of \$219k and unbudgeted losses relating to Council's Equity Accounted Council Businesses of \$216k, Council Operating Surplus was less than Budgeted by \$1.478m, with a corresponding reduction in the Operating Surplus Ratio.
B	Although Council Operating Surplus was less than budgeted, the key items impacting on the reduction in Surplus were non-cash and as such did not significantly impact Council's net borrowing result
C	The carry forward of approximately \$1.1m of renewal expenditure to the 2018- 19 financial year had a significant impact on the Asset Sustainability Ratio compared to Budget

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# **Appendix 2**

*Operating Income*

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### Operating Income compared to Budget - Favourable to Budget

\$ '000	Actuals 2018	Budget 2018	Variance
<b>Income</b>			
Rates Revenues	35,512	35,528	(16)
Statutory Charges	1,069	1,066	3
User Charges	1,479	1,346	133
Grants, Subsidies and Contributions	5,508	5,419	89
Investment Income	30	34	(4)
Reimbursements	447	520	(73)
Other Income	488	492	(4)
Net Gain - Equity Accounted Council Businesses	-	-	-
<b>Total Income</b>	<b>44,533</b>	<b>44,404</b>	<b>129</b>
<p>Income is favourable by \$129k (0.3%) compared to budget.</p> <p>Rate income was less than budgeted, largely as a result of mandatory and discretionary rebates being higher than budgeted (\$24k).</p> <p>For Statutory Income, the small favourable variance related to Development Act fees of \$12k and Animal Management Fees of \$3k offsetting small unfavourable variances in Section 7 searches \$7k and Parking Fines/Expiations of \$5k.</p> <p>The \$133k favourable variance for User Charges largely relates to favourable cemetery income to budget in the order of \$157k for the year offset by an unfavourable AHBTC Income variance of \$42k.</p> <p>For Grants &amp; Subsidies a favourable variance of \$89k has resulted. The variance largely relates to \$77k difference between the early receipts of the 2018-19 Financial Assistance Grants (FAGs) in 2017-18 compared to the budget which reflected in part the 2017-18 FAG amount received late in the previous year.</p> <p>The unfavourable variance in Reimbursement Income related in part to Private Works with an unfavourable variance of \$26k as a result of the focus on Council activities and delivery and \$40k in relation to property management reimbursements</p> <p>Other income was in line with budget with a favourable variance in insurance recoveries of \$26k offset by a number of small unfavourable variances including fuel tax credits \$13k and unmade road rentals \$11k.</p> <p>Council recorded a loss on the results for Joint Ventures and Associates and as such this has been shown under expenditure.</p>			

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# **Appendix 3**

*Operating Expenditure*

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### Operating Expenditure compared to Budget - Unfavourable to Budget

\$ '000	Actuals 2018	Budget 2018	Variance
<b>Expenses</b>			
Employee Costs	14,956	15,572	616
Materials, Contracts & Other Expenses	19,961	18,151	(1,810)
Depreciation, Amortisation & Impairment	8,246	8,027	(219)
Finance Costs	646	668	22
Net loss - Equity Accounted Council Businesses	216	-	(216)
<b>Total Expenses</b>	<b>44,025</b>	<b>42,418</b>	<b>(1,607)</b>

An unfavourable expenditure variance of \$1.607m (3.8%) has occurred for the year.

For employee costs, a number of favourable variances were realised as a result of a reallocation of resourcing within Infrastructure & Operations between employees and contractors as well as some vacancies in other parts of the organisation including Service Improvement, Policy & Planning, Procurement, Administration Support & Information Management.

The unfavourable variance from budget within Materials, Contracts & Other Expenses was largely as a result of:

- Additional provisioning of remediation and post closure costs of \$1.2m relating to closed landfills within the Council area
- Additional contract labour/contractors in the order of \$400k used to undertake additional infrastructure maintenance work in stormwater and sealed roads as well as the backfilling of a number of areas with vacancies and projects
- plant and vehicle expenditure over budget as a result of higher fuel and maintenance costs in the order of \$200k
- Unbudgeted Capital Work-in-Progress write-off of \$119k

These were offset by some favourable variances with the larger items including waste disposal and street litter bin savings in the order of \$140k and development court fees \$47k favourable.

In relation to depreciation, actual expenditure was \$219k higher than budget with the most significant increase above budget occurring in the buildings category (\$243k) as a result of a revaluation of that class at the beginning of the 2017-18 financial year.

The loss of \$216k from Council's Equity Accounted Council Businesses resulted from Gawler River Floodplain Management Authority (\$8k), East Waste \$48k and Adelaide Hills Regional Waste Management Authority (\$160k). The Adelaide Hills Regional Waste Management Authority loss for the year is largely as a result of legal costs in defending a claim in the Supreme Court.

**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 18 December 2018  
AGENDA BUSINESS ITEM**

**Item:** 12.6

**Originating Officer:** Mike Carey, Manager Financial Services

**Responsible Director:** Terry Crackett, Director Corporate Services

**Subject:** Budget Review 1

**For:** Decision

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**SUMMARY**

The *Local Government (Financial Management) Regulations 2011* (the Regulations) requires Council to formally consider its budget three times per year. This statutory requirement recognises the likelihood that events will occur that require, or offer opportunities for, changes to the budget during the year.

This report presents the first Budget Review (BR1) of the 2018-19 financial year to Council after being considered by the Audit Committee on 5 November 2018.

The budget changes proposed do not change the current budgeted Operating Surplus of \$302k. However, as a result of an endorsed Motion on Notice relating to the bringing forward of \$15k of stormwater expenditure and a late Budget Review 1 adjustment subsequent to Audit Committee consideration to address the failure of a key operational loader, Council's Net Borrowing Result for the year will increase from \$4.333m to \$4.513m.

This increase in Council's net borrowing result will be more than offset by the next Budget Review (BR2) which will address the sale of Council's retirement villages and result in a significant reduction in Council's 2018-19 net borrowing position and Net Financial Liabilities.

**RECOMMENDATION**

**Council resolves that:**

- 1. The report be received and noted.**
  - 2. The Operating Budget variations presented in Budget Review 1 be endorsed, noting they do not impact on the Budgeted Operating Surplus of \$302k for the 2018-19 financial year.**
  - 3. The proposed Capital Works expenditure amendments of \$215k, offset by additional Capital Revenue of \$35k be endorsed, resulting in an increased total Capital Works Program of \$17.917m.**
  - 4. The revised Net Borrowing result of \$4.513m be endorsed.**
-

## 1. GOVERNANCE

### ➤ Strategic Management Plan/Council Policy

Goal 5                      Organisational Sustainability  
Strategy                    Financial Sustainability

A key aspect of Council's formal budget reviews is to review and monitor Council's Annual Budget with reference to its overall financial position and its Long Term Financial Plan (LTFP) to ensure Council continues to be financially sustainable.

### ➤ Legal Implications

The undertaking of formal budget reviews is a requirement of the *Local Government Act 1999*, and the *Local Government (Financial Management) Regulations 2011*.

### ➤ Risk Management Implications

Conducting the budget review process as required by Regulations will assist in mitigating the risk of:

*Failure to conduct the budget review process as required by Regulations results in inaccurate budgets and unforecasted deficits leading to inadequate resourcing for current and future activities.*

Inherent Risk	Residual Risk	Target Risk
Medium (4D)	Low (2E)	Low (2E)

It ensures that financial resources are deployed in areas that align with Council's Strategic Management Plans, are affordable and support Council's Long Term Financial Plan.

### ➤ Financial and Resource Implications

The proposed variations do not impact on Council's Operating Surplus of \$302k.

In terms of capital, it is proposed to increase the Capital Works Program by \$215k to undertake additional stormwater works (\$15k) and to address the failure of a key operational loader (net \$165k). These amendments will result in an increase to Council's Net Borrowing Result from \$4.333m to \$\$4.513m.

### ➤ Customer Service and Community/Cultural Implications

Not applicable.

### ➤ Environmental Implications

Not applicable.

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

<i>Council Committees:</i>	Budget Review 1 was considered by the Audit Committee on 5 November 2018
<i>Advisory Groups:</i>	Not Applicable
<i>Administration:</i>	The budget review was prepared in consultation with Directors and Managers to obtain detailed information for each budget area
<i>Community:</i>	Not Applicable

## 2. BACKGROUND

The Regulations require Council to formally consider its budget three times per year. This statutory requirement recognises the likelihood that events will occur that require, or offer opportunities for changes to the budget during the year. This report presents the first Budget Review (BR1) of the 2017-18 financial year.

At the Council meeting held on the 26 June 2018, Council adopted the original Annual Business Plan and Budget, reflecting a Budgeted Operating Surplus before Capital Revenue of \$302k and an estimated Net Borrowing for the financial year of \$3.693m as per the Uniform Presentation of Finances Statement.

Subsequently on 11 September 2018 the Preliminary End of Year Results and Carry Forward Report was presented to Council resulting in Council approving a revision of the 2018-19 budget for carry forwards of \$2.091m relating to capital expenditure and \$1.451m of capital income. Whilst not impacting on Council's adopted operating surplus of \$302k, those budget adjustments increased Council's Net Borrowings for the 2018-19 financial year to \$4.333m. Budget Review 1 was presented to the Audit Committee at its meeting on 5 November 2018 where the following recommendation was adopted.

### 6.6. Budget Review 1

Moved Peter Brass  
S/- Cr Malcolm Herrmann

AC27/18

The Audit Committee:

1. Resolves that the report be received and noted.
2. Notes that:
  - a. The Operating Budget variations presented in Budget Review 1 do not impact on the Budgeted Operating Surplus of \$302k for the 2018-19 financial year.
  - b. The proposed Capital Works amendment of \$15k will increase the total Capital Works Program to \$17.717m.
  - c. There will be an increased Net Borrowing result of \$4.348m, up from \$4.333m as a result of the proposed Capital Program amendment

Carried
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### **Budget Review Presentation**

As a result of changes to the Regulations, the Budget Review Presentation has been simplified for the First and Third Budget Review for the year whereby it is now required to produce under Section 9(1)(a):

*“a report showing a revised forecast of its operating and capital investment activities for the relevant financial year compared with the estimates for those activities set out in the budget presented in a manner consistent with the note in the Model Financial Statements entitled Uniform Presentation of Finances”*

In accordance with the Regulations the Uniform Presentation of Finances showing the movements in the current and proposed budgets is provided as **Appendix 1** to this report.

### **3. ANALYSIS**

The budget review has been prepared in consultation with Directors and Managers who have provided information for each budget area.

Given the timing of Budget Review 1, the focus of this first budget review for the year was largely on obtaining expenditure approval for any significant items and projects related to grant funded opportunities or Council Decisions.

It is noted that with the end of year financial statements just being finalised, a review will now commence to assess the 2017-18 end of year result to ensure that the 2018-19 budget is consistent with these results and identify any future budget changes.

It is proposed that the results of this review, along with the adjustments required for the sale of the retirement village portfolio and Adelaide Hills Business Tourism Centre sale of the southern side, will be addressed as part of Budget Review 2.

### **Budget Review 1 Proposed Adjustments**

<b>\$000s</b>	<b>Adopted Budget</b>	<b>Proposed BR1 Adjustments</b>	<b>Revised Budget after BR1</b>
Operating Income	44,270	200	44,470
Operating Expenditure	43,968	200	44,168
<b>Operating Surplus</b>	<b>302</b>	<b>-</b>	<b>302</b>
Depreciation	8,358	-	8,358
Capital income	4,709	35	4,744
Capital Expenditure	(17,702)	(215)	(17,917)
<b>Net Borrowing Position</b>	<b>(4,333)</b>	<b>(180)</b>	<b>(4,513)</b>

## **Proposed Budget Adjustments**

### **Operating:**

- At Council's Meeting on 28 August 2018, Council endorsed the provision of \$10k from the Chief Executive Officer's contingency allocation to contribute to the regional transport study into passenger transport linkages between Adelaide and Mount Barker and beyond. This will reduce the CEO contingency from \$50k to \$40k. As both are shown within the Materials, contract and other expenses category this transaction does not impact on that category's total as presented in the Uniform Presentation of Finances.
- Council has been advised as part of the State Government Budget that it will receive \$200k towards the construction of a pedestrian crossing at Kersbrook Primary School. As the main road is owned by the Department of Planning, Transport and Infrastructure (DPTI), the resultant expenditure requirement is not capital for Council and therefore will be shown under the materials, contracts and other operating expenditure category with Council involved in project managing the works. The \$200k State Government contribution will be shown under the Grants, subsidies and contributions income category and as such the funding and associated expenditure will not impact on Council's Operating Surplus.

### **Capital Items:**

- At Council's Meeting on 24 July 2018, Council endorsed a Motion on Notice for "*the CEO to provide a report as part of Budget Review 1, on a request to advance proposed expenditure for "Henry Street Stormwater" scheduled for 2019/20 to 2018/19*" at Woodside. Discussion with the Capital Works Delivery team has indicated that this can be accommodated within the 2018-19 Capital Works Program and with a proposed budget of \$15k will only have a minor impact on Council's funding position with Net Borrowings to increase by \$15k.
- Subsequent to the Budget Review 1 Report to the Audit Committee in November 2018, Administration has become aware of a significant equipment failure of the Volvo loader at Gumeracha which is over 10 years old.

Given that this equipment is pivotal in terms of any bushfire recovery phase as well as for normal maintenance operations, it is proposed to include the replacement as a matter of urgency as part of Budget Review 1 to ensure that this essential plant is available as soon as possible. Advice received indicates that the purchase price of a new loader is in the order of \$200k with estimated proceeds on the sale of the existing vehicle with a faulty transmission of \$35k.

- In summary, the two capital budget requests will increase Capital Works renewal expenditure by \$215k and together with the additional Capital Revenue of \$35k will result in a net increase of \$180k to the Capital Works Program.

### Movement in Net Financial Liabilities

As a result of the proposed Budget Review 1, Net Financial Liabilities will increase by \$180k to \$28.911m as shown in Attachment 1.

The Net Financial Liabilities balance is largely represented by forecast borrowings of \$19.5m as calculated below. The forecast borrowings is a reduction from Council’s Original 2018-19 Budget adopted in June 2018 which estimated borrowings of \$21.355m at 30 June 2019.

<b>Borrowings</b>	<b>Opening Balance July 2018 \$’000s</b>	<b>New Borrowings \$’000s</b>	<b>Repayments \$’000s</b>	<b>Forecast June 2019 \$’000s</b>
<b>CAD (Short Term Drawdown)</b>	4,900	-	-	4,900
<b>Current Fixed Term Borrowings</b>	18	4,600	(18)	4,600
<b>Non-Current Borrowings</b>	10,000	-	-	10,000
<b>Total Borrowings</b>	<b>\$14,918</b>	4,600	(18)	<b>\$19,500</b>

### Summary

The proposed Budget Review 1 changes do not change Council’s Operating Surplus but the proposed increase in capital expenditure will result in an increase in Council’s Net Borrowing Position from \$4.333m to \$\$4.513m. This will be more than offset by the next Budget Review (BR2) which will address the sale of Council’s retirement villages and result in a significant reduction in Council’s 2018-19 net borrowing position and Net Financial Liabilities.

## **4. OPTIONS**

Council has a range of options in relation to this report.

- i. It can adopt the budget review as prepared without making any further amendment to the adopted budget (***Recommended***).
- ii. It can determine required changes to the review and adopt a revised Budget Review 1, recognising the likely impact upon future Budget Reviews and Council’s Long Term Financial Plan.
- iii. It can refuse to adopt the review, in which case it will risk breaching the requirements of the *Regulations* unless an alternative review is adopted.

The recommended option will ensure Council meets the requirements of Section 7 and 9 of the *Regulations*.

## **5. APPENDIX**

- (1) 2018-19 Budgeted Uniform Presentation of Finances

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# **Appendix 1**

*2018-19 Budget Review 1 – Uniform Presentation of  
Finances*

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## Adelaide Hills Council

### BUDGETED UNIFORM PRESENTATION OF FINANCES 2018-19 Revised Budget

	2018-19 Original Budget \$'000	Carry Forwards	BR1	2018-19 Proposed Budget \$'000
<b>Total Income</b>	44,270	0	200	44,470
<b>Total Expenses</b>	43,968	0	200	44,168
<b>NET BUDGETED SURPLUS / (DEFICIT) BEFORE CAPITAL AMOUNTS</b>	<b>302</b>	<b>0</b>	<b>0</b>	<b>302</b>
<b>Net Outlays on Existing Assets</b>				
Capital Expenditure on Renewal and Replacement of Existing Assets	(10,408)	(1,115)	(215)	(11,738)
Proceeds from Sale of Replaced Assets	501		35	536
Depreciation	8,358			8,358
<b>NET OUTLAYS ON EXISTING ASSETS</b>	<b>(1,549)</b>	<b>(1,115)</b>	<b>(180)</b>	<b>(2,844)</b>
<b>Net Outlays on new and Upgraded Assets</b>				
Capital Expenditure on New and Upgraded Assets & Remediation costs	(5,203)	(976)	0	(6,179)
Capital Grants and Monetary Contributions for New and Upgraded Assets	500	241	0	741
Proceeds from Sale of Surplus Assets	2,257	1,210	0	3,467
<b>NET OUTLAYS ON NEW AND UPGRADED ASSETS</b>	<b>(2,446)</b>	<b>475</b>	<b>0</b>	<b>(1,971)</b>
<b>Net Lending/ (Borrowing) for Financial Year</b>	<b>(3,693)</b>	<b>(640)</b>	<b>(180)</b>	<b>(4,513)</b>
<b>Net Financial Liabilities at Beginning of Year</b>	<b>(24,298)</b>	<b>-</b>	<b>-</b>	<b>(24,298)</b>
Non Cash Equity Movement	(100)	-	-	(100)
<b>Net Financial Liabilities at End of Year</b>	<b>(28,091)</b>	<b>(640)</b>	<b>(180)</b>	<b>(28,911)</b>

In a year, the financing transactions identified below are associated with either applying surplus funds stemming from a net lending result or accommodating the funding requirement stemming from a net borrowing result.

### Financing Transactions

New Borrowings	3,900	500	200	4,600
Community Loans repaid to us	22	-	-	22
(Increase)/Decrease in Cash & Investments	87	(58)	(20)	9
Principal Repayments on Borrowings	(216)	198	0	(18)
Non Cash Equity Movement	(100)	-	-	(100)
	<b>3,693</b>	<b>640</b>	<b>180</b>	<b>4,513</b>

**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 18 December 2018  
AGENDA BUSINESS ITEM**

**Item:** 12.7

**Originating Officer:** Alexis Black, Team Leader Environmental Health

**Responsible Director:** Marc Salver, Director Development & Regulatory Services

**Subject:** Wastewater System Application Fee Refunds Policy Review

**For:** Decision

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**SUMMARY**

Council adopted the current *Wastewater System Application Fee Refunds Policy* (the Policy) on 8 December 2015 and it is scheduled for review. Since then, an average of one fee refund application per annum has been received and processed. Administration has reviewed the Policy and considers that it is working well and that no substantive changes to the current Policy are required. One minor change has been made to update the Director's title referred to in the Policy as a result of the organisational restructure which came into effect on 1 July 2018. Administration is recommending that the revised Policy be readopted without any substantive changes.

**RECOMMENDATION**

**Council resolves:**

1. That the report be received and noted
  2. With an effective date of 7 January 2019, to revoke the 8 December 2015 *Wastewater System Application Fee Refunds Policy* and adopt the draft 18 December 2018 *Wastewater System Application Fee Refunds Policy*.
- 

**1. GOVERNANCE**

➤ **Strategic Management Plan/Council Policy**

Goal 1                      People and business prosper

Council has statutory responsibilities for processing Wastewater Applications lodged within the Council area. The Policy is associated with this role. On occasions there is a need to refund fees when a wastewater application is withdrawn. The Policy ensures a consistent and efficient approach to the refunding of application fees where appropriate.

➤ **Legal Implications**

Wastewater systems are required to be approved by Council under the *South Australian Public Health (Wastewater) Regulations* which also prescribes the fees for lodgement, assessment and various mandatory inspections. Hence wastewater application fees are statutory.

*South Australian Public Health Act 2011*

*South Australian Public Health (Wastewater) Regulations 2013*

*South Australian Public Health (Fees) Regulations 2018*

Wastewater System Application fee refunds can only be authorised by nominated staff in accordance with this Policy.

➤ **Risk Management Implications**

The Policy was updated in December 2015 and is working well. Nominated staff are able to authorise wastewater application fee refunds in accordance with the Policy. The Policy thereby reduces the risk of fees being refunded inappropriately or inconsistently. On this basis the risk of fees being refunded inappropriately or inconsistently is considered low.

The maintenance of a Wastewater System Application Fee Refunds Policy will assist in mitigating the risk of:

*Poor governance practices occurring which may lead to a loss of stakeholder (i.e. customer and audit) confidence.*

Inherent Risk	Residual Risk	Target Risk
Medium (3C)	Low (2E)	Low (2E)

➤ **Financial and Resource Implications**

Fees are only refunded in accordance with the Policy where a Wastewater Application is withdrawn prior to any works being undertaken on site.

➤ **Customer Service and Community/Cultural Implications**

The Policy provides consistency for Wastewater Application fee refunds.

➤ **Environmental Implications**

Not Applicable

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

As no amendments to the Policy have been made community consultation was not deemed to be necessary.

*Council Committees:* Not Applicable

*Council Workshops:* Not Applicable

<i>Advisory Groups:</i>	Not Applicable
<i>Administration:</i>	Director Development & Regulatory Services
<i>Community:</i>	Not Applicable

## 2. BACKGROUND

Wastewater application fee refunds are at the discretion of Council and there is no schedule set by the public health legislation in this regard. Council has had the Policy in place since 9 August 2012 to manage such fee refunds.

The current Policy was adopted by Council on 8 December 2015.

Wastewater applications can be withdrawn at any time during the assessment process or after approval is given. Applicants can apply for a refund if the fees have been paid in full and application is withdrawn prior to works being undertaken onsite. Once the installation works have commenced, no refund is permitted due to staff having committed time and effort to the approval process. Since the inception of the Policy, requests for refund have occurred on average of once per annum.

## 3. ANALYSIS

The current version of the Policy was adopted on 8 December 2015 and is working well. Since then, only a few of refunds have been requested and processed in accordance with the policy.

In recent times there have been no matters or legislative changes that have arisen which require amendment of the Policy, and therefore the Policy content in **Appendix 1** remains unchanged. One minor change has been made to update the Director's title referred to in the Policy which occurred as a result of the organisational restructure which came into effect on 1 July 2018. Further, the format of the Policy has been updated to the current Council policy template version.

## 4. OPTIONS

Council has the following options:

- I. To readopt the Policy as amended and attached (**Recommended**).
- II. To alter or substitute elements of the Policy (**Not Recommended**).

## 5. APPENDIX

- (1) Wastewater System Application Fee Refunds Policy for readoption


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# **Appendix 1**

## **Wastewater System Application Fee Refunds Policy for Readoption**

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# COUNCIL POLICY

 <p><b>Adelaide Hills</b> COUNCIL</p>	<b>WASTEWATER SYSTEM APPLICATION FEE REFUNDS</b>
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<b>Policy Number:</b>	COM-24
<b>Responsible Department(s):</b>	Waste, Health & Regulatory Services
<b>Relevant Delegations:</b>	<i>SA Public Health Act 2011</i> <i>SA Public Health (Wastewater) Regulations 2013</i>
<b>Other Relevant Policies:</b>	Fees and Charges Policy
<b>Relevant Procedure(s):</b>	Nil
<b>Relevant Legislation:</b>	<i>SA Public Health Act 2011</i> <i>SA Public Health (Wastewater) Regulations 2013</i>
<b>Policies and Procedures Superseded by this policy on its Adoption:</b>	14 August 2012, Item 10.3, 201 8 December 2015, Item 12.2, 59
<b>Adoption Authority:</b>	Council
<b>Date of Adoption:</b>	18 December 2018
<b>Effective From:</b>	7 January 2019
<b>Minute Reference for Adoption:</b>	
<b>Next Review:</b>	December 2021

## WASTEWATER SYSTEM APPLICATION FEE REFUNDS

### 1. INTRODUCTION

This policy provides Council and its Administration with principles and guidelines for assessing any application for the refund of fees associated with withdrawn wastewater applications.

The policy was developed to ensure that all requests received by Council are assessed in a transparent, fair and consistent manner providing an equitable and accountable outcome for all applicants. While also permitting applicants to receive a partial refund if they choose not to proceed with the intended works.

### 2. OBJECTIVES

The objective of the policy is to provide guidance with regard to how much of the wastewater system application fees should be refunded to an applicant in the event the application is withdrawn. In all other instances all application fees are to be retained by Council.

### 3. POLICY STATEMENT

In situations where a wastewater system application is withdrawn and upon a written request from the applicant, the maximum fee that may be refunded shall be calculated in accordance with the policy.

Fee	Refund
1. Lodgement Fee <ul style="list-style-type: none"> <li>• Where no inspections have been undertaken by an Environmental Health Officer</li> </ul>	All fees minus lodgement fee to be refunded
2. Site inspection Fee <ul style="list-style-type: none"> <li>• Where desk top assessment and site inspection only has been undertaken by an Environmental Health Officer</li> </ul>	All fees minus lodgement fee to be refunded
3. Plumbing Inspection fee <ul style="list-style-type: none"> <li>• Where plumbing compliance inspection has been undertaken by an Environmental Health Officer</li> </ul>	No refund
4. Wastewater System / Drains Inspection fee <ul style="list-style-type: none"> <li>• Where tanks/drains compliance inspection has been undertaken by an Environmental Health Officer</li> </ul>	No refund
5. Wastewater System Disposal Inspection fee <ul style="list-style-type: none"> <li>• Where final compliance inspection has been undertaken by an Environmental Health Officer</li> </ul>	No refund
6. Where the value of a Council Officer's time devoted to a particular proposal is estimated to be greater than the fees retained by Council, the Director Development & Regulatory Services may reduce the refund accordingly.	

**4. DELEGATION**

The Chief Executive Officer has the delegation under the SA Public Health Act 2011 to approve, amend and review any procedures that shall be consistent with this Policy.

**5. AVAILABILITY OF THE POLICY**

This Policy will be available for inspection at the Council's Offices during ordinary business hours and via the Council's website [www.ahc.sa.gov.au](http://www.ahc.sa.gov.au) . Copies will also be provided to the public upon request, and upon payment of a fee in accordance with the Council's Schedule of Fees and Charges.



**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 18 December 2018  
AGENDA BUSINESS ITEM**

**Item:** 12.8

**Originating Officer:** Marc Salver, Director Development & Regulatory Services

**Responsible Director:** Marc Salver, Director Development & Regulatory Services

**Subject:** Review of Genetically Modified Crops Policy

**For:** Decision

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**SUMMARY**

The purpose of this report is to advise the Council of the outcome of a review of the Genetically Modified (GM) Crops Policy in accordance with its 2014 resolution in this regard. Further, on 14 September 2018 Primary Industries and Regions SA (PIRSA) announced their intention to undertake a high level independent review of the Genetically Modified Crop Moratorium in South Australia. In particular, PIRSA requested comments in relation to the enquiry areas put forward in the review's Terms of Reference (refer to **Appendix 1**). Council made a submission in this regard and submitted it to PIRSA on 26 October 2018. A copy of the submission is contained in **Appendix 2**.

With the above in mind, Administration has reviewed the Policy and made some non-substantive amendments to:

- update details in the introductory section regarding the Primary Production Lands Development Plan Amendment which was abandoned in 2017 due to the Planning Reforms currently underway, and
- update section 2.6 regarding the GM Crop trial sites in South Australia.

The abovementioned changes have been made to the Policy (refer to **Appendix 3** to see the tracked changes) and Administration is recommending it for adoption for another four years. However, it is noted that an earlier review may be required once PIRSA has completed its enquiry into the possible lifting of the GM Crop Moratorium, or if there are any changes in State or Federal Government policies or legislation in relation to GM crops, or if there is compelling scientific justification for changing Council's position in this regard.

No public consultation is required as no substantive changes to the Policy are proposed. Administration is therefore recommending that the revised Policy be readopted.

## RECOMMENDATION

### Council resolves:

1. That the report be received and noted
2. With an effective date of 7 January 2019, to revoke the 9 December 2014 *Genetically Modified Crops Policy* and to adopt the revised 18 December 2018 *Genetically Modified Crops Policy*
3. That the Policy be reviewed no later than December 2022 or earlier if there are changes in State or Federal Government policies or legislation in this regard, or if there is a compelling scientific justification for a further review.

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## 1. GOVERNANCE

### ➤ Strategic Management Plan/Council Policy

- Goal 1. Business and People Prosper  
Goal 3. Places for People and Nature

Agriculture is one of the Adelaide Hills' key economic development drivers. Encouraging food and drink producing agricultural industries in a manner which is safe for final consumers and consistent with Council's Strategic Plan is an important aspect of the Policy.

It is noted that Council has no legal basis for implementing this Policy, as controlling legislation exists at the Commonwealth and State levels, with no delegations to the local government level. That said this policy provides Council with a basis for lobbying other levels of government, the private sector, and land owners within its jurisdiction in relation to GM crops.

### ➤ Legal Implications

*Genetically Modified Crops Management Act, 2004*  
*Genetically Modified Crops Management Regulations, 2008*

It is noted that the *Genetically Modified Crops Management Regulations, 2008*, are due to expire on 1 September 2025. The State Government is currently reviewing its position in relation to Genetically Modified Crops which may or may not have an impact on the content of these Regulations. These will therefore require review prior to the expiry of the current Regulations. It is noted that Council has no legal capacity to implement its Policy in this regard and there are no legal implications by readopting the Policy.

### ➤ Risk Management Implications

The Policy was updated on 9 December 2014 and provides Council with a policy position as a basis for lobbying other levels of government, the private sector, and land owners within its jurisdiction in relation to GM crops.

The maintenance of a GM Crops Policy will assist in mitigating the risk of:

*Not having a policy position on GM Crops and therefore unable to lobby other levels of government or the private sector in relation to protecting the environment, the primary production sector and its associated economy from the potential negative impacts of GM Crops*

Inherent Risk	Residual Risk	Target Risk
Medium (3C)	Low (2D)	Low

It is noted that there may be considerable risks to farmers and consumers from the use of Genetically Modified crops, however relevant science in this regard is still not conclusive. This Policy therefore represents a precautionary position.

➤ **Financial and Resource Implications**

There are no financial or resources implications to Council by adopting this Policy.

➤ **Customer Service and Community/Cultural Implications**

Having a policy position in relation to GM Crops provides a basis for Council to lobby other levels of government, the private sector, and land owners within its jurisdiction in relation to GM crops on behalf of its community, if required.

➤ **Environmental Implications**

Staff have conducted a further review of papers on the GM Crops issue available on the internet since the 2014 review of the Policy and established that the research to date provides no clear evidence of negative impacts of GM Crops on the environment with scientists arguing for both sides. However, it is considered that maintaining the Council area as GM free will ensure food production continues without genetic modification and remains 'clean and green'.

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Extensive public consultation was conducted when the Policy was first drafted in 2012. As now substantive changes are being recommended as a result of this review, it is considered that no further public consultation is required.

*Council Committees:* Not Applicable

*Council Workshops:* Not Applicable

*Advisory Groups:* Rural Land Management Advisory Group

*Administration:* Manager Economic Development  
Director Development & Regulatory Services

*Community:* Not required as no substantive changes have been made to the Policy

## 2. BACKGROUND

In 2009 a ratepayer indicated that Council should not permit the growing of genetically modified crops within its District. The matter was referred to Council's Rural Land Management Advisory Group (RLMAG) as the issue would primarily affect the District's primary producers/farmers.

The RLMAG prepared a draft Genetically Modified Crops policy, which was considered by Council on 12 June 2012 (Item 10.7). Public consultation was then undertaken for a period of 6 weeks. In response 30 submissions were received and relevant comments were incorporated into a revised Draft which was considered and adopted by Council at its meeting on 25 September 2012 (Item 10.3) where it resolved:

### 10.3 Genetically Modified Crops Policy for Adoption

Mike Flehr

Moved Cr Simon Jones  
S/- Cr Jan Loveday

Carried Unanimously  
242

That:

1. Council Adopts the Genetically Modified Crops Policy as detailed in this report.
2. The CEO informs the wider community of its adoption of this policy by notifying:
  - the State Government that it does not support the use of GM organisms, crops or products within its District;
  - the State Minister responsible for the *Gene Technology Act 2001*;
  - the Commonwealth Minister responsible for the *Gene Technology Act 2000* and the *Gene Technology (Licence Changes) Act 2000*;
  - the Gene Technology Regulator;
  - the Premier of South Australia;
  - the Leader of the Opposition;
  - the Shadow Minister for Agriculture;
  - other members of the House of Representatives and the Legislative Council;
  - all adjoining Councils;
  - the Local Government Association of SA.

As part of the periodic review Council considered the Policy again at its 9 December 2014 (Item 14.5) when it resolved:

### 14.5 Review of Genetically Modified Crops Policy

Moved Cr John Kemp  
S/- Cr Nathan Daniell

271

That Council resolves that:

1. the report be received and noted
2. the Genetically Modified Crops Policy dated 25 September 2012 be readopted for 4 years or earlier if there are changes in State or Federal Government policies or legislation in this regard, or there is a compelling scientific justification for a further review.

Carried Unanimously

It is noted that Council's Genetically Modified Crops Policy is a cautious response to the current lack of independent and credible scientific evidence that Genetically Modified crops are safe for human consumption or for any surrounding ecologies.

On the 14 September 2018 Primary Industries and Regions SA (PIRSA) announced their intention to undertake a high level independent review of the Genetically Modified Crop Moratorium in South Australia. In particular, PIRSA requested comments in relation to the enquiry areas put forward in the review's Terms of Reference (refer to **Appendix 1**).

Due to the limited timeframes to provide a response, a draft submission was circulated to Council Members on the 15 October 2018 for comment. The deadline for submissions to PIRSA was the 26<sup>th</sup> of October 2018. Feedback received from Council Members was incorporated into the final response (refer to **Appendix 2**) and submitted to PIRSA by the aforementioned deadline.

The submission highlighted the following key points:

- The Adelaide Hills Agricultural Profile is largely characterised by premium products underpinned by a strong reputation for quality food and beverage production produced within a clean and green environment
- Informed by the GM Food Crop Policy (reviewed December 2014) Council's current position does not support GM Food Crops
- Council's Strategic Directions seeks to spur innovation and sustainable agriculture, including the pursuit of Pest Free Status for the region
- There is strong support for the need to consider the social, economic and environmental impacts of lifting the moratorium
- Despite general support for the independent review, on account of the highly dynamic and emerging technology within this field, it was emphasised that the State should take a cautious approach to any consideration to lift the Moratorium.

### 3. ANALYSIS

Council's policy position is stated in section 5 of the Policy (refer to **Appendix 3**) which is as follows:

**“5. POLICY STATEMENT**

5.1 *Adelaide Hills Council **does not** support the growing of genetically modified crops within its District.*

5.2 *Council will work cooperatively with neighbouring councils to ensure that proposals or applications for approval to trial or to produce genetically modified crops within those areas are also referred to the Adelaide Hills Council for consultation before approval is obtained.”*

The trigger for a further review of the policy is detailed in section 6 of the current Policy which states the following:

**“6. REVIEW OF THE POLICY**

*The following general principles will be applied in an instance where a change to the above stated Policy of the Adelaide Hills Council is being contemplated:*

- 6.1 *The area of Genetically Modified Crops/Organisms is very ‘fluid’ and can change very rapidly. It is noted that flexibility to review and change policy is required to enable individuals, the agricultural industry, the community and/or government to adapt to and adopt change where appropriate.*
- 6.2 *Public Consultation is paramount in this instance. Any changes to this Policy shall provide an opportunity for public input and debate/discussions before any changes are made.*
- 6.3 *Council is aware of the need for agricultural industry to remain internationally competitive and as a result Council considers that there should be flexibility to review this policy position in order for the industry to react to specific market forces and requirements. For example, if the South Australian Apple and Pear industry were to suffer the effects of the Fire Blight disease, the industry would be seeking immediate access to any products including rootstocks and varieties that were resistant to the disease and that would assist the industry in returning to a viable situation in the shortest possible time. It is noted that the industry wishes to ensure a flexible approach to deal with this type of scenario.*
- 6.4 *If any legislative changes are proposed, then Council considers that the widest possible public consultation be undertaken by the State Government. Council would seek to have the opportunity to consider all issues and then comment on those that are appropriate. Where a legislative change by the State Government relating to GM crops impacts on the Council’s policy position, then the Policy shall be reviewed as expeditiously as possible.”*

Since the previous review and adoption of this policy there has been:

- a) no new credible scientific evidence has been identified which could indicate that this policy should be reviewed, and
- b) no legislative changes have been mooted at either the State or Commonwealth level.

There is therefore no evidence that this policy position should be altered or changed at this time. However, some non-substantive amendments to the Policy have been made as follows:

- i. Amendments updating the second paragraph in the Introductory section of the Policy paragraph which refers to the preparation of the Primary Productions Lands Development Plan Amendments which was abandoned in 2017 as a result of the Planning Reforms.
- ii. Amendments updating the details in section 2.6 of the Policy relating to GM Crop trial sites in South Australia.

The abovementioned changes have been made to the Genetically Modified Crops Policy (refer to **Appendix 3** to see the tracked changes) and the Administration is recommending it for adoption. It is noted that a further review may be required once PIRSA has completed its enquiry into the possible lifting of the GM Crop Moratorium.

#### 4. OPTIONS

Council has the following options:

- I. To adopt the revised Policy as amended and attached (Recommended).
- II. To alter or substitute elements of the Policy (Not Recommended). Should Council resolve to amend the Policy, it is recommended that any substantive changes be referred back to the Administration for analysis before the actual change is made.

Administration is therefore recommending that the revised Policy as detailed in **Appendix 3** be adopted for a further period of four years. However, an earlier review may be required if PIRSA makes any changes to the State's Moratorium in this regard. Further, an earlier review may also be required if there are changes in State or Federal Government policies or legislation in this regard, or if there is a compelling scientific justification for a further review of the Policy.

#### 5. APPENDICES

- (1) PIRSA Terms of Reference for GM Moratorium Review
- (2) Council's Submission to PIRSA regarding the GM Moratorium Review
- (3) Revised Genetically Modified Crops Policy for adoption

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# **Appendix 1**

*PIRSA Terms of Reference for GM Moratorium Review*

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# Terms of Reference – Review of the South Australian GM Food Crop Moratorium

PRIMARY  
INDUSTRIES  
& REGIONS SA  
PIRSA

South Australia currently has a moratorium on the commercial cultivation of GM food crops which is scheduled to continue until 2025. The practical impact of the moratorium has been to restrict grain producers from using GM canola varieties in South Australia, where those varieties have been available for use in neighbouring states. The moratorium has been justified to the South Australian grains industry and public on the grounds maintaining a GM-free status would deliver an economic premium to the state's agricultural and food production industries.

This Review is to investigate the benefits and costs of the moratorium to the state of South Australia and to the state's agricultural and food production industries, and to consider whether it is in the interests of maximising the state's economy and of maximising returns for the state's agricultural and food production industries for the moratorium to continue, and if so, under what conditions.

The Review will:

1. Assess available evidence on the market benefits of South Australia's moratorium on the commercial cultivation of GM crops.
2. Assess the degree of awareness of South Australia's moratorium by key trading partners and food production businesses operating in South Australia and other Australian states.
3. Where there is evidence of market benefits resulting from the moratorium, examine whether it is possible to retain such benefits for industry through the use of systems of segregation in the supply chain, having regard to segregation protocols adopted in other jurisdictions.
4. Consider evidence from South Australian businesses and industry, market and trade data, the experience in other Australian and international jurisdictions and other relevant evidence to inform the analysis.
5. Explore whether there are potential innovations likely to be available for commercial adoption by South Australia's agricultural industries prior to 2025 that would justify a reconsideration of the moratorium on grounds of economic benefit to the state.
6. Quantify where possible the economic costs and benefits of maintaining, modifying or removing the moratorium, not limited to but including on-farm impacts, food manufacturing, supply chain costs and impacts on research and development investment in South Australia.

Under a policy principle established within the *Gene Technology Act 2000*, the current SA moratorium exists for trade and market access purposes.

Outside the scope of this review are matters that are the responsibility of regulatory agencies in other jurisdictions, such as matters relating to the human health, safety and environmental impacts of GM crops.



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## **Appendix 2**

*Council's Submission to PIRSA regarding the GM  
Moratorium Review*

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Woodside SA 5244  
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File Ref: 05.3.2 OC18/15680

26 October 2018

GM Review  
Primary Industries and Regions SA  
GPO Box 1671  
ADELAIDE SA 5001

Email: [pirsa.gmreview@sa.gov.au](mailto:pirsa.gmreview@sa.gov.au)

Dear Sir/Madam

**Submission on PIRSA's Independent Review of South Australia's Moratorium on the Commercial Cultivation of Genetically Modified Food Crops**

The Adelaide Hills Council understands that on the 14 September 2018 PIRSA announced its intention to commission a high-level independent review of South Australia's Moratorium (the Moratorium) on the commercial cultivation of Genetically Modified (GM) food crops.

In commencing this process, it is understood that the independent review will provide an opportunity for stakeholders and Government to build a relevant evidence base pertaining to the benefits and costs of the Moratorium, to ultimately inform future policy directions. Council appreciates the opportunity to provide comments in this regard.

**Adelaide Hills Council Agricultural Profile**

The Adelaide Hills has a rich and diverse agricultural history and continues to be a key producer for State, National and Global markets. Primary production in the Adelaide Hills consists of a mix of horticulture (82%), grazing (10%) and viticulture (8%) generating a combined farm gate value of approximately \$145 million annually.

Approximately 60% of South Australian horticulture is undertaken in the Adelaide Hills, supplying 83% of the States apple and pear crops annually. The Adelaide Hills also has a reputation for cooler climate wines, with 21 wineries, 90 wine labels and 48 cellar doors producing wine for local and overseas markets, with 7.9 million litres of wine exported annually. There is also a burgeoning distillery and cidery scene.

Key economic development drivers and opportunities in the region are intrinsically linked to the primary production and tourism sectors, both of which are underpinned by the Adelaide Hills having a reputation as a premium food and beverage producer.

### **Council's Position on GM Food Crops**

With the significance of the primary production sector to our region in mind, Council adopted a GM Food Crop Policy in September 2012 (reviewed in December 2014) which applies across the Council area. We understand that this is the first of its kind for a local council in the state, a copy of which is attached for your reference as **Enclosure A**.

The objectives of the Policy primarily seek:

- To increase the level of sustainable agriculture within the Adelaide Hills Council area for current and future generations
- To state Council's position with regard to the growing of genetically modified crops within the Adelaide Hills Council area
- To protect existing agricultural activities and enterprises from potential negative impacts and lost opportunities as a result of GM agriculture, and
- To link agricultural activity more closely with the protection of biological diversity and the maintenance of essential ecological processes and life-support systems upon which agriculture and all other activities depend

In summary, the policy considers that genetically modified crops have the potential (until proven otherwise) for irreversible and unforeseen serious environmental and economic impacts and does not consider that the agricultural industry would be adversely affected by any continued restrictions on the cultivation of GM crops within the Adelaide Hills Region.

As such Council has adopted a position that **does not** support the growing of genetically modified crops.

Notwithstanding, Council respects the need for evidence based policy making and it understands that the area of genetically modified crops is very 'fluid' and changes rapidly.

In particular in supporting local producers, Council is aware of the need for agricultural industry to remain internationally competitive and understands that a flexible policy position may need to be considered in order for the industry to react to specific market forces and requirements.

For example, if the South Australian Apple and Pear industry were to suffer the effects of the Fire Blight disease, the industry would be seeking immediate access to any products including rootstocks and varieties that were resistant to the disease and that would assist the industry in returning to a viable situation in the shortest possible time. It is noted that the industry wishes to ensure a flexible approach to deal with this type of scenario.

Notwithstanding unforeseen circumstances, Council holds a precautionary position to the broad introduction of any genetically modified crops to the Adelaide Hills and South Australia.

## Council's Strategic Direction

Council is working on a number of strategic projects that aim to solidify the Adelaide Hills as a leader and innovator in sustainable agriculture.

Council aims to achieve this by seeking planning policy changes to make farming easier and providing expanded value adding opportunities for farmers. Further, Council will assist the horticultural industry where possible to attain Pest Free Area status across the district.

In addition, the Mount Lofty Ranges UNESCO World Heritage Listing Bid seeks to value add to these initiatives by putting the region on the world stage so to speak by recognising the significant historical and working agrarian landscape aspects of the region.

These projects aim to spur on innovation and secure the Adelaide Hills' reputation and image as a high quality primary production and tourism region.

## Terms of Reference

With respect to the points raised in the PIRSA Terms of Reference, Council advises that it generally supports all six of the review topics. However, it is considered that there is a need to expand the scope of the Terms of Reference to include human health, safety and environmental impacts of genetically modified crop use, the reasoning for which is expanded below.

The following provides additional commentary to each point in the Terms of Reference and the recommended inclusions for any subsequent review:

### ***Review Topic 1: Assess available evidence on the market benefits of South Australia's moratorium on the commercial cultivation of GM crops***

Most GM crops have been aimed at providing agronomic benefits such as drought and pest resistance. It would also be useful for the review to consider the market costs associated with the moratorium and whether South Australia's agricultural productivity and profitability has been negatively impacted by not having access to GM crops. Further, the potential impacts on the organic sector should also be considered in this context. In effect, a retrospective look at and review of topic 6 is considered appropriate.

### ***Review Topic 2: Assess the degree of awareness of South Australia's moratorium by key trading partners and food production businesses operating in South Australia and other Australian states***

With regard to market access, it is considered that this review would benefit from analysing examples where South Australia has gained or may gain market access over other trading partners as a result of the moratorium i.e. markets where GM crops act as a barrier to trade and where non-GM or organically grown crops are considered to have a higher value in the food supply chain. Such investigation would be assisted by determining the long term value of continuing the moratorium over long term forecasts.

***Review Topic 3: Where there is evidence of market benefits resulting from the moratorium, examine whether it is possible to retain such benefits for industry through the use of systems of segregation in the supply chain, having regard to segregation protocols adopted in other jurisdictions***

It is considered that segregation in the supply chain should be considered at the regional scale as well as the individual producer. For instance, retaining market benefits where an entire region declares that it is GM free, particularly where economics of scale in the supply chain could be more efficiently unlocked should be considered.

The findings of such analysis would present the basis for GM crop legislation to allow for GM crop cultivation zoning regions thereby reducing the potential conflicts and negative impacts on non-GM producers. This would allow for a flexible framework that could respond to regional preferences i.e. a region and its producers that elect to identify as non-GM versus those that wish to utilize GM crops.

***Review Topic 4: Consider evidence from South Australian businesses and industry, market and trade data, the experience in other Australian and international jurisdictions and other relevant evidence to inform the analysis***

It is noted that the European Union Member States have the right to prohibit or restrict the cultivation of approved GM crops based on adverse effects on health and the environment. Notably both France and Germany are two such Member States that have similar restrictions to South Australia's current Moratorium. By comparison the United States imposes no such restrictions on the cultivation of GM crops.

For the purposes of this high level review, a detailed comparative analysis of the EU and US markets using the Terms of Reference lens (the 6 review points and the additional points suggested below) would be beneficial to identify long term trends within these legislative settings, and hopefully conclude which is the best option for South Australia.

***Review Topic 5: Explore whether there are potential innovations likely to be available for commercial adoption by South Australia's agricultural industries prior to 2025 that would justify a reconsideration of the moratorium on grounds of economic benefit to the state***

It is considered that the exclusion of human health, safety and environmental considerations from providing the 'grounds' to justify lifting the moratorium, implies that the review does not intend to undertake a comprehensive economic assessment.

This is considered unacceptable particularly when in other jurisdictions it is for the abovementioned reasons, citing the EU example, that the use of GM crops can be and is restricted. Therefore it is considered that the review should be expanded to include human health, safety and environmental impacts of GM crop use.

Notwithstanding the aforementioned aspects, it is considered that there is sufficient local and international research out there from which to draw on, both for and against GM food production, in order to come to an appropriate conclusion regarding whether or not to lift the moratorium.

***Review Topic 6: Quantify where possible the economic costs and benefits of maintaining, modifying or removing the moratorium, not limited to but including on-farm impacts, food manufacturing, supply chain costs and impacts on research and development investment in South Australia***

It is considered imperative that any on farm cost and benefit analysis should consider the influence of GM crops on the use of synthetic agricultural inputs, including but not limited to fertilizers, herbicides and pesticides, and any subsequent impacts on the long term health of soils, regional biodiversity and the environment more generally.

In addition, it is considered that the protection of existing agricultural activities and enterprises from the potential negative impacts and lost opportunities as a result of the introduction of GM agriculture should also be considered. A recent Western Australian Court Case<sup>1</sup> highlights the importance of such a consideration, whereby in this instance an organic farmer attempted to sue his neighbour over GM crop contamination. The case highlighted how grossly inadequate the legislative framework was to appropriately protect the livelihoods of both the GM farmer and their non-GM neighbours.

It is considered that the legislative framework in South Australia relating to this matter should also be reviewed to ensure such gaps are addressed should the moratorium be lifted.

**Additional Comments**

Community concern for human health and environmental impacts of GM crop usage is influenced by inadequate scientific understanding of the likely long-term physiological and health impacts on humans, and on surrounding crops, ecologies and other food chains as a result of the use of GM crops/foods. Therefore the review should consider the best available science on this issue to better inform policy makers, the industry and the community more broadly. If the science is inconclusive on the long term impacts of GM crops, then it is considered that the Moratorium should not be lifted.

There are also concerns regarding the economic and social impacts of GM products being subject to strict intellectual property law. These legal parameters quite often require farmers to sign licence agreements with seed companies that give over many of their rights, just to be able to grow a GM crop. This type of agreement – already exploited in developing countries – is considered an onerous level of control, and policy makers ought to consider the extent to which intellectual property rights should be able to control farmers and their ability to grow and sell their crops. The economic and social implications of these arrangements should also be assessed over the long term as part of the review.

Finally, Council considers that the widest possible public consultation should be undertaken prior to any legislative change resulting from the high-level review. This should include all tiers of Government, industry, producers, NGO's and the community more broadly.

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<sup>1</sup> <http://www.abc.net.au/news/rural/2014-05-28/gm-court-case-debate/5349598>

## Summary

In general, the Adelaide Hills Council supports a high-level review of GM crop cultivation on the basis that this is a highly dynamic and rapidly changing area of agricultural research and development.

However, as highlighted above, the scope of the review needs to be expanded to encompass human health, environmental and social considerations before any recommendations can be fully supported.

It is imperative that the Adelaide Hills remains renowned for its clean, sustainable and premium food and beverage production and that this is protected. Council is therefore opposed to any legislative changes that would threaten this image and the economic base of the region moving forward.

For these reasons and in line with Council's current Policy in this regard, we would implore the State to take a cautious approach to any consideration of lifting the Moratorium.

Adelaide Hills Council appreciates the opportunity to support the high-level review and welcomes any further involvement in the establishment of a successful GM framework for South Australia.

Should you have any further queries in this regard please contact Marc Salver, Director Development & Regulatory Services, on 8408 0522.

Yours sincerely



**Andrew Aitken**  
**Chief Executive Officer**

enc: A – Council Policy: Genetically Modified Crops



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## **Appendix 3**

*Revised Genetically Modified Crops Policy for adoption*

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## COUNCIL POLICY

 <p><b>Adelaide Hills</b> COUNCIL</p>	<b>GENETICALLY MODIFIED CROPS</b>
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<b>Policy Number:</b>	ENV-01
<b>Responsible Department(s):</b>	Development & Regulatory Services
<b>Relevant Delegations:</b>	None
<b>Other Relevant Policies:</b>	None
<b>Relevant Procedure(s):</b>	None
<b>Relevant Legislation</b>	<i>Genetically Modified Crops Management Act 2004</i>
<b>Policies and Procedures Superseded by this policy on its Adoption:</b>	25 September 2012, Item 10.3, 242 9 December 2014, Item 14.5, 271
<b>Adoption Authority:</b>	Council
<b>Date of Adoption:</b>	18 December 2018
<b>Minute Reference for Adoption:</b>	
<b>Next Review:</b>	No later than December 2022 or earlier if there are changes in State or Federal Government policies or legislation in this regard, or if there is a compelling scientific justification for a further review

## GENETICALLY MODIFIED CROPS

### 1. INTRODUCTION

This policy has been prepared to state Council's position with regard to the growing of genetically modified (GM) crops within the Adelaide Hills Council area, and to the protection of existing agricultural activities and enterprises from the potential negative impacts and lost opportunities as a result of GM agriculture. The Policy also outlines the general principles that will be applied in an instance where a change to the Council's adopted policy position in this instance is being contemplated.

Council is ~~seeking changes to its preparing a Primary Production Lands~~ Development Plan Amendment (DPA) as part of the transition to the State's Planning & Design Code. The intent of these changes is to ~~aimed at~~ increasing the level of sustainable agriculture in the Adelaide Hills. ~~These is DPA changes will be are become~~ linked to the Council wide planning policy initiatives to protect primary production land for this purpose, and other associated strategies as outlined in its Strategic Management Plan.

Council considers that genetically modified crops have the potential (until proven otherwise) for irreversible and unforeseen serious environmental and economic impacts. Given the possibility of the introduction of genetically modified crops into the Council Region, there is a need to state Council's precautionary position on this issue.

At this point in time, Council does not consider that the agricultural industry would be adversely affected by any restrictions on the cultivation of GM crops within the Adelaide Hills Region.

### 2. BACKGROUND

#### 2.1 What are Genetically Modified Crops<sup>1</sup>:

Genetically modified foods (crops & animals) derive from genetically modified organisms which have had specific changes introduced into their DNA through genetic engineering techniques. Genetically engineered plants are generated in a laboratory by altering their genetic makeup, usually by adding one or more genes of a plant's genome using genetic engineering techniques.

While it is theoretically possible to genetically modify all types of plants, in practice there are technical problems with inserting DNA into some plants, and some plants do not regenerate well under laboratory conditions. There are currently GM varieties of 13 different plants available worldwide which are commercially grown and used in the production of food and animal feeds. These include Canola, Corn, Papaya, Soybean, Tomato, Chicory, Flax/Linseed, Potato, Squash, Cotton, Melon (Cantaloupe), Rice, and Sugarbeet.

Currently only 6 of the above 13 plants have GM varieties approved for use in food for human consumption in Australia by Food Standards Australia New Zealand (refer to [www.foodstandards.gov.au](http://www.foodstandards.gov.au)). Cotton, Canola and carnations are grown commercially in Australia.

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<sup>1</sup> Sourced from various Wikipedia articles and **Introduction: GM Organisms**, John Pickrell, *New Scientist* 11:05 4/9/2006.

## 2.2 The Controversy

Genetic modification is promoted as a means to enhance food supply, by providing crops or animals with improved resistance to diseases, pests, herbicides, or drought, longer shelf life, better nutrition, flavour, colour, or texture, and higher yields.

Critics objections are based on “Frankenfood fears” due to *inadequate scientific understanding* of likely long-term physiological and health impacts on humans, and on surrounding crops, ecologies and related human and other food chains. The spread of GM crop genes into adjoining non-GM farms is also a major concern. A recent study<sup>2</sup> has indicated that claims of increased yields were not supported during a 13 year study showing that “increased yields” are “*reductions in crop losses*”. There are also concerns about economic impacts due to these products being subject to *intellectual property law*. This may be a major problem in poor countries where genetic modification has the potential to ensure seeds for future crops are sterile unless “unlocked” with expensive chemical keys. This technology has not been commercially deployed to date, however it is not actually required by the vendors as their clients are legally obliged to buy new seed at the beginning of every season by their purchase contracts from most (GM and non-GM) seed suppliers.

## 2.3 Plant Development Terms

**Cisgenic** – an organism where genetic material from the same species or a species that can naturally breed with the host is used.<sup>[5]</sup>

**Cloning** and **stem cell research**, although not considered genetic engineering,<sup>[2]</sup> are closely related and genetic engineering can be used within them.<sup>[3]</sup>

**Genetic engineering** alters the genetic makeup of an organism using techniques that introduce heritable material prepared outside the organism either directly into the host or into a cell that is then fused or hybridized with the host.<sup>[1]</sup> This involves using recombinant nucleic acid (DNA or RNA) techniques to form new combinations of heritable genetic material followed by the incorporation of that material either indirectly through a vector system or directly through micro-injection, macro-injection and micro-encapsulation techniques.

**Genetic engineering** does not include traditional animal and plant breeding, in vitro fertilisation, induction of polyploidy, mutagenesis and cell fusion techniques that do not use recombinant nucleic acids or a genetically modified organism in the process.<sup>[1]</sup>

**Mutagenesis** is a process by which the genetic information of an organism is changed in a stable manner, resulting in a mutation. It may occur spontaneously in nature, or as a result of exposure to mutagens. It can also be achieved experimentally using laboratory procedures. In nature mutagenesis can lead to cancer and various heritable diseases, but it is also the driving force of evolution

**Synthetic biology** is an emerging discipline that takes genetic engineering a step further by introducing artificially synthesized genetic material from raw materials into an organism.<sup>[4]</sup>

**Transgenic** – an organism where genetic material from another species is added to the host.

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<sup>2</sup> **Failure to Yield: Evaluating the performance of genetically engineered crops**, Doug Gurian-Sherman, *Union of Concerned Scientists*, 2009 A response to this and similar research from Monsanto is at <http://www.monsanto.com/newsviews/pages/do-gm-crops-increase-yield.aspx> - and response to Monsanto by Dvinder Sharma is at <http://www.countercurrents.org/sharma210309.htm>.

Genetic engineering can also be used to remove genetic material from the target organism, creating a **gene knockout organism**.<sup>[6]</sup>

In Europe genetic modification is synonymous with genetic engineering while within the United States of America it can also refer to conventional breeding methods.<sup>[7]</sup>

Within the scientific community, the term *genetic engineering* is not commonly used; more specific terms such as *transgenic* are preferred.

Genetic modification techniques are much more precise than *mutagenesis* (mutation breeding), where an organism is exposed to radiation or chemicals to create a non-specific but stable change.

Other techniques by which humans modify food organisms include selective breeding; plant breeding, and animal breeding, and somaclonal variation (under sterile conditions on a nutrient culture medium of known composition).

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### Notes for section 2.3

1. The European Parliament and the council of the European Union (12 March 2001). *Directive on the release of genetically modified organisms (GMOs) Directive 2001/18/EC ANNEX I A*. Official Journal of the European Communities. p. page 17. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:106:0001:0038:EN:PDF>
  2. Van Eenennaam, Alison. "[Is Livestock Cloning Another Form of Genetic Engineering?](http://agribiotech.info/details/Alison%20-%20cloning%20March%208%20-%2003.pdf)". agribiotech. <http://agribiotech.info/details/Alison%20-%20cloning%20March%208%20-%2003.pdf>.
  3. David M. Suter, Michel Dubois-Dauphin, Karl-Heinz Krause (2006). "[Genetic engineering of embryonic stem cells](http://www.smw.ch/docs/pdf200x/2006/27/smw-11406.PDF)". *Swiss Med Wkly* **136** (27–28): 413–415. PMID 16897894. <http://www.smw.ch/docs/pdf200x/2006/27/smw-11406.PDF>.
  4. Ernesto Andrianantoandro, Subhayu Basu, David K Kariga & Ron Weiss (16 May 2006). "[Synthetic biology: new engineering rules for an emerging discipline](http://www.nature.com/msb/journal/v2/n1/full/msb4100073.html)". *Molecular Systems Biology* **2** (2006.0028): 2006.0028. doi:10.1038/msb4100073. PMC 1681505. PMID 16738572. <http://www.nature.com/msb/journal/v2/n1/full/msb4100073.html>.
  5. Jacobsen, E.; Schouten, H. J. (2008). "Cisgenesis, a New Tool for Traditional Plant Breeding, Should be Exempted from the Regulation on Genetically Modified Organisms in a Step by Step Approach". *Potato Research* **51**: 75–88. doi:10.1007/s11540-008-9097-y. [edit](#)
  6. Capecchi, M. R. (2001). "Generating mice with targeted mutations". *Nature Medicine* **7** (10): 1086–1090. doi:10.1038/nm1001-1086. PMID 11590420. [edit](#)
  7. James H. Maryanski (19 October 1999). "[Genetically Engineered Foods](http://www.fda.gov/NewsEvents/Testimony/ucm115032.htm)". Center for Food Safety and Applied Nutrition at the [Food and Drug Administration](http://www.fda.gov/NewsEvents/Testimony/ucm115032.htm). <http://www.fda.gov/NewsEvents/Testimony/ucm115032.htm>.
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## 2.4 History

A hybrid cereal was first created in 1875, by crossing wheat and rye. The first field trials of genetically engineered plants occurred in France and the USA in 1986, when tobacco plants were engineered to be resistant to herbicides. The People's Republic of China was the first country to allow commercialized transgenic plants, introducing a virus-resistant tobacco in 1992. Developing countries grew 48% of genetically engineered crops in 2010.

GM foods were first put on the market in 1996. Typically, genetically modified foods are transgenic plant products, i.e. soybean, corn, canola, rice, and cotton seed oil. Animal products have also been developed, although as of July 2010 none are currently on the market. In 2006 a pig was controversially engineered to produce omega-3 fatty acids through the expression of a roundworm gene. Researchers have also developed a genetically-modified breed of pigs that are able to absorb plant phosphorus more efficiently, and as a consequence the phosphorus content of their manure is reduced by as much as 60%.

GM tomatoes, as puree, first appeared on British supermarket shelves in 1996. However, a consumer reaction to GM technology did not occur until February 1999, after a controversial study suggested that a few strains of GM potatoes might be toxic to laboratory rats. A European anti-GM food campaign of near religious fervour followed. Spearheaded in the UK by environmental groups and some newspapers, the campaign had far-reaching consequences, culminating in an unofficial moratorium on the growth and import of GM crops in Europe and a trade dispute with the US.

GM crops are today very rare in Europe. Strict labelling laws and regulations are in place for food (DNA bar codes), and public opinion towards the technology remains largely negative. Several UK government reports have offered qualified support for GM crops and produce, though they argue that the economic benefits of the technology are currently small. Some African nations have also opposed engineered crops, even to the point of rejecting international food aid containing them.

GM produce has been taken up with much less concern in the US (where it doesn't have to be label[ed]), India, China, Canada, Argentina, Australia and elsewhere. In the USA, controversy over a type of GM corn - only approved for animal feed - which turned up in taco shells and other products, has stirred opinion.

## 2.5 Genetically Modified Crops In South Australia (SA)

The *Genetically Modified Crops Management Act 2004* (hereafter referred to as the Act) is in place to control the cultivation of genetically modified crops in South Australia.

Section 5 of the Act enables, by regulation:

- the designation of areas in which genetically modified food crops of a specified class must not be cultivated
- the designation of areas in which no genetically modified food crops may be cultivated
- the designation of an area as an area in which a genetically modified food crop must not be cultivated unless it is a genetically modified food crop of a specified class
- the designation an area as the only part of the State in which genetically modified food crops of a specified class may be cultivated.

The *Genetically Modified Crops Management (Designation of Areas) Regulations 2008*, made under the Act, designate the whole of the state of South Australia as an area in which no genetically modified food crops may be cultivated. However, the Act enables the Minister to issue Exemption Notices for the limited scale cultivation of GM food crops, including experimental crops in areas where the cultivation of GM crops is otherwise prohibited under section 4 or 5 of the Act. Exemption Notices will have conditions attached for the thorough containment of the cultivated GM crop to ensure that local production and supply chains are unaffected.

## 2.6 GM Crop Trial Sites in SA<sup>3</sup>

There are currently no GM crops grown commercially in SA. However, there are field trials of GM canola being undertaken where licences are generally issued on an annual basis. There are currently 128 trial sites where GM crops are being grown in South Australia under exemption notices issued under section 6[2][a][ii] of the Act for canola (*Brassica napus*). Trials for GM canola varieties, cotton seed, Indian mustard, oilseed, wheat and barley were recently licensed by the Regulator to proceed over a 3 year period. The University of Adelaide CSIRO are also doing a single trials at their Waite Campus at Urrbrae and also at Glenthorne (O'Halloran Hill). However, there are no trials or other GM sites within the Adelaide Hills Council area. Field trials occur under strict licence conditions, set and monitored by the Gene Technology Regulator.

## 3. DEFINITIONS

**crop** *n* **1.** The cultivated produce of the ground, such as grain or fruit, while growing or gathered. **2.** The yield of such produce for a particular season. **3.** The yield of some other product in a season: *the lamb crop*). **4.** A supply produced. ... *v.i.* **23.** To bear or yield a crop or crops. (Source: *Macquarie Dictionary 2009*)

**environment** includes:

- (a) ecosystems and their constituent parts; and
- (b) natural and physical resources; and
- (c) the qualities and characteristics of locations, places and areas. (Source: *Gene Technology Act 2000* (amended 2011)).

**gene technology** means any technique for the modification of genes or other genetic material, but does not include:

- (a) sexual reproduction; or
- (b) homologous recombination; or
- (c) any other technique specified in the regulations for the purposes of this paragraph. (Source: *Gene Technology Act 2000* (amended 2011)).

**genetically modified crop** (also referred to as genetically engineered [GE] crops or genetically modified organisms [GMO]) is a crop cultivar or variety that has been modified by a process of artificially inserting specific genes from a source organism into the gene sequence of another, with the purpose of producing specific traits in the resulting crop.

<sup>3</sup> Source: Primary Industries & Regions South Australia (PIRSA) Website

**genetically modified organism** means:

- (a) an organism that has been modified by gene technology; or
- (b) an organism that has inherited particular traits from an organism (the initial organism), being traits that occurred in the initial organism because of gene technology; or
- (c) anything declared by the regulations to be a genetically modified organism, or that belongs to a class of things declared by the regulations to be genetically modified organisms;

but does not include:

- (d) a human being, if the human being is covered by paragraph (a) only because the human being has undergone somatic cell gene therapy; or
- (e) an organism declared by the regulations not to be a genetically modified organism, or that belongs to a class of organisms declared by the regulations not to be genetically modified organisms. (Source: *Gene Technology Act 2000* (amended 2011).

**GMO** means a genetically modified organism. (Source: *Gene Technology Act 2000* (amended 2011).

**GM product** means a thing (other than a GMO) derived or produced from a GMO. (Source: *Gene Technology Act 2000* (amended 2011).

**Sustainable agriculture (1)** is agriculture that contributes positively to the lives of rural people and their communities, to the region's productivity and economy, and which also protects the biological and physical resource base on which it depends. Sustainable agriculture is focused on ensuring the long-term viability of agricultural land for the purpose of agriculture and therefore integrates consideration of economic, social and environmental aspects to achieve balance, rather than emphasising the importance of one over the others.

**Sustainable agriculture (2)** n. farming systems which meet the needs of society now and into the future by maintaining or improving profitable food and fibre production while conserving natural resources. (Source: *Macquarie Dictionary 2009*)

**Sustainable agriculture (3)** is an integrated system of plant and animal production practices having a site-specific application that will last over the long term:

- satisfy human food and fiber needs
- enhance environmental quality and the natural resource base upon which the agricultural economy depends
- make the most efficient use of [non-renewable resources](#) and on-farm resources and integrate, where appropriate, natural biological cycles and controls
- sustain the economic viability of farm operations
- enhance the quality of life for farmers and society as a whole."

(Source: Gold, M. (July 2009). [What is Sustainable Agriculture?](#). United States Department of Agriculture, Alternative Farming Systems Information Center.



#### 4. OBJECTIVES

- 4.1 To increase the level of sustainable agriculture within the Adelaide Hills Council area for current and future generations.
- 4.2 To state Council's position with regard to the growing of genetically modified crops within the Adelaide Hills Council area.
- 4.3 To protect existing agricultural activities and enterprises from potential negative impacts and lost opportunities as a result of GM agriculture.
- 4.4 To link agricultural activity more closely with the protection of biological diversity and the maintenance of essential ecological processes and life-support systems upon which agriculture and all other activities depend.

#### 5. POLICY STATEMENT

- 5.1 Adelaide Hills Council **does not** support the growing of genetically modified crops within its District.
- 5.2 Council will work cooperatively with neighbouring councils to ensure that proposals or applications for approval to trial or to produce genetically modified crops within those areas are also referred to the Adelaide Hills Council for consultation before approval is obtained.

#### 6. REVIEW OF THE POLICY

The following general principles will be applied in an instance where a change to the above stated Policy of the Adelaide Hills Council is being contemplated:

- 6.1 The area of Genetically Modified Crops/Organisms is very 'fluid' and can change very rapidly. It is noted that flexibility to review and change policy is required to enable individuals, the agricultural industry, the community and/or government to adapt to and adopt change where appropriate.
- 6.2 Public Consultation is paramount in this instance. Any changes to this Policy shall provide an opportunity for public input and debate/discussions before any changes are made.
- 6.3 Council is aware of the need for agricultural industry to remain internationally competitive and as a result Council considers that there should be flexibility to review this policy position in order for the industry to react to specific market forces and requirements. For example, if the South Australian Apple and Pear industry were to suffer the effects of the Fire Blight disease, the industry would be seeking immediate access to any products including rootstocks and varieties that were resistant to the disease and that would assist the industry in returning to a viable situation in the shortest possible time. It is noted that the industry wishes to ensure a flexible approach to deal with this type of scenario.
- 6.4 If any legislative changes are proposed, then Council considers that the widest possible public consultation be undertaken by the State Government. Council would seek to have the opportunity to consider all issues and then comment on those that are appropriate. Where a legislative change by the State Government relating to GM crops impacts on the Council's policy position, then the Policy shall be reviewed as expeditiously as possible.

**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 18 December 2018  
AGENDA BUSINESS ITEM**

**Item:** 12.9

**Originating Officer:** Lachlan Miller, Executive Manager Governance & Performance

**Responsible Director:** Andrew Aitken, Chief Executive Officer

**Subject:** Delegations Review – December 2018

**For:** Decision

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**SUMMARY**

Council's Register of Delegations is required to be reviewed in accordance with Section 44 (6) of the *Local Government Act 1999* at least once in every financial year. At Adelaide Hills Council a review occurs quarterly covering a proportion of the Register examining delegations under a number of Acts. This manages the annual review of each delegation in four manageable segments and also allows changes in legislation to be enacted in a timely fashion.

This report addresses delegations under the following Acts:

- *Community Titles Act 1996*
- *Crown Land Management Act 2009*
- *Heavy Vehicle National Law (South Australia) Act 2013*
- *Liquor Licensing Act 1997*
- *Private Parking Areas Act 1986*
- *South Australian Public Health Act 2011*
- *Strata Titles Act 1988*
- *Work Health and Safety Act 2012*

Council currently has delegations operating for all of the above Acts. Council must now determine if it will continue to delegate some or all of the powers and functions contained in the attached Instruments.

## RECOMMENDATION

### Council resolves:

1. That the report be received and noted
2. That, having conducted its quarterly review of Council's Delegations Register, in accordance with Section 44(6) of the *Local Government Act 1999*, the Council:

#### 2.1 Revocation

Hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following Acts:

- 2.1.1 *Community Titles Act 1996*
- 2.1.2 *Crown Land Management Act 2009*
- 2.1.3 *Heavy Vehicle National Law (South Australia) Act 2013*
- 2.1.4 *Liquor Licensing Act 1997*
- 2.1.5 *Private Parking Areas Act 1986*
- 2.1.6 *South Australian Public Health Act 2011*
- 2.1.7 *Strata Titles Act 1988*
- 2.1.8 *Work Health and Safety Act 2012*

#### 2.2 Delegations made under the *Local Government Act 1999*

2.2.1 In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the following Acts and specified in the proposed Instruments of Delegation contained in Appendices 3, 4, 5, 6, 7, 8, 9 and 10 (each of which is individually identified as indicated below) are hereby delegated this 18<sup>th</sup> day of December 2018 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.

- *Community Titles Act 1996 (Appendix 3)*
- *Crown Land Management Act 2009 (Appendix 4)*
- *Heavy Vehicle National Law (South Australia) Act 2013 (Appendix 5)*
- *Liquor Licensing Act 1997 (Appendix 6)*
- *Private Parking Areas Act 1986 (Appendix 7)*
- *South Australian Public Health Act 2011 (Appendix 8)*
- *Strata Titles Act 1988 (Appendix 9)*
- *Work Health and Safety Act 2012 (Appendix 10)*

2.2.2 Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.

**1. GOVERNANCE**

➤ **Strategic Management Plan/Council Policy**

Goal Organisations Sustainability  
 Strategy Governance

The review of Delegations is an important element of Council’s commitment to open and transparent decision making which facilitates public accountability.

➤ **Legal Implications**

An annual review of the legislation and delegations to staff is required under Section 44(6) of the *Local Government Act 1999*.

➤ **Risk Management Implications**

The maintenance of a robust legislative delegation regime is an important control in managing the risk of:

*Poor governance practices occur which lead to a loss of stakeholder (i.e. customer and regulator) confidence and/or legislative breaches.*

Inherent Risk	Residual Risk	Target Risk
Extreme (5C)	Medium (3D)	Medium (3D)

Note: there are many other controls that also assist in mitigating this risk.

➤ **Financial and Resource Implications**

Not directly applicable

➤ **Customer Service and Community/Cultural Implications**

Delegations allow Council’s legislative obligations to be discharged in an effective and efficient manner and enable the administration to provide more timely service.

➤ **Environmental Implications**

Not directly applicable

➤ **Engagement/Consultation with Committee, Regional Subsidiary, Advisory Group and Community**

*Council Committees:* Not Applicable

*Council Workshops:* Not Applicable

*Advisory Groups:* Not Applicable

*Administration:* The following officers are to be consulted following Councils consideration:

- Director Corporate Services
- Director Strategy & Development
- Director Community & Customer Services
- Director Engineering & Assets
- Executive Manager Governance & Performance
- Executive Manager Organisational Development
- Manager Property Services
- Manager Development Services
- Manager Waste & Emergency Management
- Team Leader Regulatory Services
- Team Leader Public Health

*Community:* Not Applicable

## 2. BACKGROUND

Legislation is constantly changing and a review is required to ensure Council and staff are working with the updated legislation and have the appropriate delegations to carry out the various legislative functions. Model Delegations are prepared by Norman Waterhouse Lawyers on behalf of the Local Government Association (LGA) and have been used as a basis for this review.

Delegations can be revoked by the Council at any time and Council retains the right to act on any matter even if it has been delegated.

A schedule of reviews (**Appendix 1**) has been developed to ensure delegations under all Acts/Regulations are reviewed over the course of the year.

## 3. ANALYSIS

This report incorporates the remainder of updates identified in the 'Table of Updates' (**Appendix 2**), dated 1 August 2017, provided by the Local Government Association in Circular 36.8 .

As per the table of updates and Council's schedule of reviews, the following Acts and Regulations are being reviewed this quarter:

- *Community Titles Act 1996 (Appendix 3)*
- *Crown Land Management Act 2009 (Appendix 4)*
- *Heavy Vehicle National Law (South Australia) Act 2013 (Appendix 5)*
- *Liquor Licensing Act 1997 (Appendix 6)*
- *Private Parking Areas Act 1986 (Appendix 7)*
- *South Australian Public Health Act 2011 (Appendix 8)*
- *Strata Titles Act 1988 (Appendix 9)*
- *Work Health and Safety Act 2012 (Appendix 10)*

The Acts/Regulations with amendments in this review are:

- *Liquor Licensing Act 1997 (Appendix 6)*
- *South Australian Public Health Act 2011 (Appendix 8)*

All changes have been highlighted or tracked on the attached instruments.

### **3.1 *Liquor Licensing Act 1997***

It is recommended that additional powers and functions relating to Section, 131(1ab), Section 131(1ad) and Section 131(1c) be delegated to the Chief Executive Officer.

### **3.2 *South Australian Public Health Act 2011***

It is recommended that additional powers and functions relating to Reg 5(3), Reg 5(6), Reg 21(4), Reg 21(5), Reg 9(7), Reg 25(6), Reg 26(2), Reg 33, Clause 2(1), Schedule 1, Clause 2(2), Schedule 1 be delegated to the Chief Executive Officer.

There have been no changes to the other delegations in this review.

If the powers contained in the attached instruments were not delegated all decisions must come to Council for its consideration and the Chief Executive Officer will not be empowered to act in relation to such matters.

As with all Council delegations, delegating a power under these Acts does not transfer that power from the Council to the delegate, it merely replicates it. As such, where the situation requires, matters will be brought to Council for decision.

## **4. OPTIONS**

It is a matter for Council to determine whether it will delegate to the Chief Executive Officer some or all of the powers and functions contained in the appendices. The previous delegations must be revoked and replaced with the new delegations.

## **5. APPENDICES**

- (1) Delegations Review Schedule
- (2) LGA Table of updates dated 30 September 2018
- (3) Instrument of Delegation under the *Community Titles Act 1996*
- (4) Instrument of Delegation under the *Crown Land Management Act 2009*
- (5) Instrument of Delegation under the *Heavy Vehicle National Law (SA) Act 2013*
- (6) Instrument of Delegation under the *Liquor Licensing Act 1997*
- (7) Instrument of Delegation under the *Private Parking Areas Act 1986*
- (8) Instrument of Delegation under the *South Australian Public Health Act 2011*
- (9) Instrument of Delegation under the *Strata Titles Act 1988*
- (10) Instrument of Delegation under the *Work Health and Safety Act 2012*

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# **Appendix 1**

*Delegations Review Schedule – December 2018*

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## DELEGATIONS REVIEW SCHEDULE

Act	Mar-18	Jun-18	Sep-18	Dec-18
<b>LGA Circular Number</b>	6.11	19.6	34.8	
Burial & Cremation Act 2013 and the Burial and Cremation Regulations 2014	27-Mar			
Community Titles Act 1996				18-Dec
Crown Land Management Act 2009				18-Dec
Development Act 1993 and Development Regulations 2008	27-Mar	26-Jun		
Dog & Cat Management Act 1995				
Electronic Conveyancing National Law (SA) Act			25-Sep	
Environment Protection Act 1993 and Environment Protection (Waste to Resources) Policy 2010	27-Mar	26-Jun		
Expiation of Offences Act 1996	27-Mar	26-Jun		
Fences Act 1975		26-Jun		
Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005			25-Sep	
Food Act 2001	27-Mar			
Freedom of Information Act 1991 & Freedom of Information (Fees & Charges) Regulations 2003		26-Jun		
Heavy Vehicle National Law (South Australia) Act 2013				18-Dec
Land & Business (Sale and Conveyancing) Act 1994		26-Jun		
Liquor Licensing Act 1997				18-Dec
Local Government Act 1999		26-Jun		
Local Nuisance and Litter Control Act 2016 and Local Nuisance and Litter Control Regulations 2017	27-Mar			
Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005		26-Jun		
Planning, Development and Infrastructure Act 2016			25-Sep	
Private Parking Areas Act 1986				18-Dec
Real Property Act 1886		26-Jun		
Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014		26-Jun		
Roads (Opening & Closing) Act 1991			25-Sep	
Safe Drinking Water Act 2011	27-Mar			
South Australian Public Health Act 2011, South Australian Public Health (Legionella) Regulations 2013 and the South Australian Public Health (Wastewater) Regulations 2013			25-Sep	
Strata Titles Act 1999				18-Dec
Supported Residential Facilities Act 1992	27-Mar			
Unclaimed Goods Act 1987	27-Mar			
Water Industry Act 2012 and Water Industry Regulations 2012	27-Mar			
Work Health Safety Act 2012				18-Dec



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## **Appendix 2**

*LGA Table of updates 30 September 2018*

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**LOCAL GOVERNMENT ASSOCIATION**  
**UPDATES OF DELEGATION TEMPLATES ON WEBSITE**

**(Note: Paragraph references below refer to updated version – As at 30 September 2018)**

<b>Act Document/ Page on Website</b>	<b>Para number in instrument which contain changes</b>	<b>Section number of Act/ Regulation</b>	<b>Whether change is Addition/ Amendment/ Deletion</b>	<b>Reason for change</b>	<b>Date of latest version</b>	<b>Recommendation</b>
Webpage entitled – 'Delegations – Introduction'						
Webpage entitled – 'General Information'						
Instrument of Delegation under the Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014						
Instrument of Delegation under the Community Titles Act						
Instrument of Delegation under the Development Act, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008						
Instrument of Delegation under the Dog & Cat Management Act						
Instrument of Delegation under the Electronic Conveyancing National Law (South Australia) Act 2013						

Act Document/ Page on Website	Para number in instrument which contain changes	Section number of Act/ Regulation	Whether change is Addition/ Amendment/ Deletion	Reason for change	Date of latest version	Recommendation
Instrument of Delegation under the Environment Protection Act						
Instrument of Delegation under the Expiation of Offences Act						
Instrument of Delegation under the Fences Act						
Instrument of Delegation under the Fines Enforcement and Debt Recovery Act 2017						
Instrument of Delegation under the Fire & Emergency Services Act						
Instrument of Delegation under the Food Act						
Instrument of Delegation under the Freedom of Information Act						
Instrument of Delegation under the Heavy Vehicle National Law Act						
Instrument of Delegation under the Land & Business (Sale & Conveyancing) Act						
Instrument of Delegation under the Liquor Licensing Act	6.1	131(1ab)	Addition	Legislative amendment	30 September 2018	Adopt updated Instrument as soon as possible.
	6.2	131(1ad)	Addition	Legislative amendment		
	6.3	131(1c)	Addition	Legislative amendment		

Act Document/ Page on Website	Para number in instrument which contain changes	Section number of Act/ Regulation	Whether change is Addition/ Amendment/ Deletion	Reason for change	Date of latest version	Recommendation
Instrument of Delegation under the Local Government Act 1999						
Instrument of Delegation under the Local Nuisance and Litter Control Act 2016 and Local Nuisance and Litter Control Regulations 2017						
Instrument of Delegation under the Natural Resources Management Act						
Instrument of Delegation under the Planning, Development and Infrastructure Act 2016						
Instrument of Delegation under the Real Property Act						
Instrument of Delegation under the Roads (Opening & Closing) Act						
Instrument of Delegation under the Road Traffic Act 1961, Road Traffic (Miscellaneous_ Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014						
Subdelegations to Chief Executive Officer under the Road Traffic Act 1961						
Authorisations under Road Traffic Act 1961						

Act Document/ Page on Website	Para number in instrument which contain changes	Section number of Act/ Regulation	Whether change is Addition/ Amendment/ Deletion	Reason for change	Date of latest version	Recommendation
Instrument of Delegation under the Safe Drinking Water Act 2011						
Instrument of Delegation under the South Australian Public Health Act 2011, South Australian Public Health (Legionella) Regulations 2013, South Australian Public Health (Wastewater) Regulations 2013, South Australian Public Health (General) Regulations 2013 and South Australian Public Health (Fees) Regulations 2018	18.1	Reg 5(3)	Amendment	Legislative amendment	30 September 2018	Use updated instrument as soon as possible.
	18.2	Reg 5(6)	Amendment	Legislative amendment		
	21.2	Reg 21(4)	Deletion	Legislative amendment		
	21.3	Reg 21(5)	Deletion	Legislative amendment		
	24.5	Reg 9(7)	Amendment	Legislative amendment		
	29.3	Reg 25(6)	Amendment	Legislative amendment		
	30.1	Reg 26(2)	Amendment	Legislative amendment		
	33	Reg 33	Deletion	Legislative amendment		
	35.1	Clause 2(1), Schedule 1	Addition	New Regulation		
	35.2	Clause 2(1), Schedule 1	Addition	New Regulations		
Instrument of Delegation under the Strata Titles Act 1988						
Instrument of Delegation under the Supported Residential Facilities Act						

Act Document/ Page on Website	Para number in instrument which contain changes	Section number of Act/ Regulation	Whether change is Addition/ Amendment/ Deletion	Reason for change	Date of latest version	Recommendation
Instrument of Delegation under the Water Industry Act 2012 and Water Industry Regulations 2012						
Instrument of Delegation under the Work Health Safety Act 2012						
Instrument of Delegation under the Unclaimed Goods Act 1987						
Webpage entitled – 'Guide for use – Template Resolutions'						
Draft Resolutions for the making of Delegations						
Webpage entitled – 'Documents for Making Subdelegations'						
Template Instrument of Subdelegation						
Notification of Subdelegations for Council Officers						
Notification of delegations to Officers who are 'acting' in a position						
Webpage entitled – 'Legislative Requirements'						
Webpage entitled – 'Best Practice Recommendations'						

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## **Appendix 3**

*Instrument of Delegation under the  
Community Titles Act 1996*

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	Direct Delegation from Council	Conditions/ Limitations
<b>INSTRUMENT OF DELEGATION UNDER THE COMMUNITY TITLES ACT 1996</b>		
<b>1. Interpretation</b>		
1.1 The duty pursuant to Section 3(11) of the Community Titles Act 1996 (“the Act”) where the Act requires the scheme description lodged with the Registrar-General to be endorsed by the relevant development authority, and:	CEO	NIL
1.1.1 all the consents or approvals required under the Development Act 1993 in relation to the division of the land (and a change in the use of the land (if any)) in accordance with the scheme description and the plan of community division have been granted; or	CEO	NIL
1.1.2 no consent or approval is required under that Act in relation to the division of the land (or a change in the use of the land), to, as the relevant development authority, endorse a scheme description to the effect of either subsection 3(11)(b)(i) or (ii) of the Act.	CEO	NIL
<b>2. Application</b>		
2.1 The power pursuant to Section 14(1) of the Act, where the Council is the registered proprietor of an estate in fee simple in:	CEO	NIL
2.1.1 land comprising an allotment or allotments;	CEO	NIL
2.1.2 land comprising a primary lot or a secondary lot,	CEO	NIL
to apply to the Registrar-General for the division of the land by a plan of community division.	CEO	NIL
<b>3 Application May Deal With Statutory Encumbrances</b>		
3 The power pursuant to Section 15A(b)(i) of the Act, where the Council is the holder of a statutory encumbrance, to sign a certificate certifying that the requirements of the Act under which the encumbrance was entered into, or is in force, as to the variation or termination of the statutory encumbrance (if any) have been complied with.	CEO	NIL
<b>4. Consents to Application</b>		
4.1 The power pursuant to Section 16(1)(a) of the Act,	CEO	NIL
4.1.1 where the Council is the holder of a registered encumbrance over the land to be divided; or	CEO	NIL
4.1.2 where deposit of the plan in the Lands Titles Registration Office will affect the estate or interest of	CEO	NIL



		Direct Delegation from Council	Conditions/ Limitations
the Council in land outside the community parcel; or			
4.1.3	where deposit of the plan in the Lands Titles Registration Office will operate to vest an estate or interest in land (whether within or outside the community parcel) in the Council to consent to the application.	CEO	Limited to associated road widenings or additions to reserves
<b>5. Application to Amend Schedule of Lot Entitlements</b>			
5.1	The power pursuant to Section 21(4)(a) of the Act, where the Council is	CEO	NIL
5.1.1	the owner of a community lot at the relevant time but did not have the opportunity of voting against the resolution of the corporation authorising the proposed amendment because the Council was not a member of the corporation when the vote was taken; or	CEO	NIL
5.1.2	a prospective owner at the relevant time of a community lot; or	CEO	NIL
5.1.3	a registered encumbrancee or prospective encumbrancee at the relevant time of a community lot; or	CEO	NIL
5.1.4	where the Council is a person referred to in Section 21(5) of the Act, to consent to the proposed amendment.	CEO	NIL
5.2	The power pursuant to Section 21(5) of the Act:	CEO	NIL
5.2.1	where the corporation is a primary corporation and a primary lot is divided by a secondary plan, and where the Council is:	CEO	NIL
5.2.1.1	a person who is the owner of a secondary lot at the relevant time but did not have the opportunity of voting against the proposed amendment because the Council was not a member of the secondary corporation when the vote was taken; or	CEO	NIL
5.2.1.2	a prospective owner at the relevant time of a secondary lot; or	CEO	NIL
5.2.1.3	a registered encumbrancee or prospective encumbrancee at the relevant time of a secondary lot; or	CEO	NIL
5.2.2	where the corporation is a primary corporation and a primary lot is divided by a secondary plan and a secondary lot created by that plan is divided by a tertiary plan or where the corporation is a secondary corporation and a secondary lot is divided by a tertiary plan, and where the Council is:	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
5.2.2.1	a person who is the owner of a tertiary lot at the relevant time but did not have the opportunity of voting against the proposed amendment because the Council was not a member of the tertiary corporation when the vote was taken; or	CEO	NIL
5.2.2.2	a prospective owner at the relevant time of a tertiary lot; or	CEO	NIL
5.2.2.3	a registered encumbrancee or prospective encumbrancee at the relevant time of a tertiary lot, to grant consent.	CEO	NIL
<b>6. Encroachments</b>			
6.1	The power pursuant to Section 27(1)(b)(i) of the Act to consent to the encroachment of a building over land not included in a community parcel where the encroachment is over land vested in, or under the control or management of the Council.	CEO Strategic Planning Development Policy Committee (SPDPC)	NIL
<b>7. Scheme Description</b>			
7.1	The power pursuant to Section 30(4) of the Act as the relevant development authority to require modifications to a scheme description before endorsing the scheme description to:	CEO	NIL
7.1.1	add any information that is necessary or desirable; or	CEO	NIL
7.1.2	clarify any part of the description; or	CEO	NIL
7.1.3	remove any unnecessary detail.	CEO	NIL
7.2	The power pursuant to Section 31(3) of the Act as the relevant development authority to endorse a certified copy of an amended scheme description.	CEO	NIL
<b>8. Application May Deal With Statutory Encumbrances</b>			
8.1	The power pursuant to Section 53A(b)(i) of the Act, where the Council is the holder of a statutory encumbrance, to sign a certificate certifying that the requirements of the Act under which the encumbrance was entered into, or is in force, as to the variation or termination of the statutory encumbrance (if any) have been complied with.	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
<b>9.</b>	<b>Persons Whose Consents are Required</b>		
9.1	The power pursuant to Section 32(1) of the Act, where the Council is:	CEO	NIL
9.1.1	a person who is the owner of a community lot at the relevant time but did not have the opportunity of voting against the resolution of the corporation amending the scheme description because the Council was not then a member of the corporation; or	CEO	NIL
9.1.2	the prospective owner at the relevant time of a community lot;	CEO	NIL
9.1.3	the owner or prospective owner at the relevant time of a development lot;	CEO	NIL
9.1.4	a registered mortgagee or prospective mortgagee and a registered lessee or prospective lessee at the relevant time of a community lot or development lot; or	CEO	NIL
9.1.5	the owner or prospective owner at the relevant time of a development lot in a secondary or tertiary scheme that comprises part of the community scheme to which the scheme description relates; or	CEO	NIL
9.1.6	a person referred to Section 32(2) of the Act, to grant consent.	CEO	NIL
9.2	The power pursuant to Section 32(2) of the Act:	CEO	NIL
9.2.1	where the corporation is a primary corporation and a primary lot is divided by a secondary plan and the Council is:	CEO	NIL
9.2.1.1	a person who is the owner of a secondary lot at the relevant time but did not have the opportunity of voting against the proposed amendment to the scheme description because the Council was not then a member of the secondary corporation; or	CEO	NIL
9.2.1.2	the prospective owner at the relevant time of a secondary lot; or	CEO	NIL
9.2.1.3	a registered mortgagee or prospective mortgagee and a registered lessee or prospective lessee at the relevant time of a secondary lot or development lot; or	CEO	NIL
9.2.2	where the corporation is a primary corporation and a primary lot is divided by a secondary plan and a secondary lot created by that plan is divided by a tertiary plan or where the corporation is a secondary corporation and a secondary lot is divided by a tertiary plan and the Council is:	CEO	NIL
9.2.2.1	a person who is the owner of a tertiary lot at the relevant time but did not have the opportunity of voting against the proposed amendment to the scheme description	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
	because the Council was not then a member of the tertiary corporation; or		
9.2.2.2	the prospective owner at the relevant time of a tertiary lot; or	CEO	NIL
9.2.2.3	a registered mortgagee or prospective mortgagee and a registered lessee or prospective lessee at the relevant time of a tertiary lot or development lot, to grant consent.	CEO	NIL
<b>9A.</b>	<b>By-laws</b>		
9A.1	The power pursuant to Section 34(6)(e) of the Act, to, within 60 days after service of the notice, apply to the Magistrates Court for revocation of the notice.	CEO	NIL
9A.2	The power pursuant to Section 34(6)(g) of the Act to withdraw or otherwise discontinue the application for revocation.	CEO	NIL
<b>9B.</b>	<b>By-law as to the Exclusive Use of Part of the Common Property</b>		
9B.1	The power pursuant to Section 36(5) of the Act to provide written consent to the community corporation to make a by-law under Section 36 of the Act.	CEO	NIL
<b>9C.</b>	<b>Enforcement of Development Contract</b>		
9C.1	The power pursuant to Section 49(2) of the Act, where the Council is an owner or occupier of a lot, who is, by virtue of Section 49(1) of the Act, a party to a development contract, to take proceedings for its enforcement (including damages for breach of the contract) in the Magistrates Court against:	CEO	NIL
9C.1.1	the developer; and	CEO	NIL
9C.1.2	if the contract is for the development of a development lot or a community lot – the subsequent owner or owners (if any) of the lot,	CEO	NIL
	even though no obligations attach to the corporation, owner and occupier under the contract.	CEO	NIL
9C.2	The power pursuant to Section 49(2a) of the Act to make application to the Magistrates Court to transfer the proceedings to the District Court.	CEO	NIL
9C.3	The power pursuant to Section 49(2b) of the Act to make application to a court to:	CEO	NIL
9C.3.1	transfer an application under Section 49 of the Act to the Supreme Court on the ground that the application raises a matter of general importance; or	CEO	NIL
9C.3.2	state a question of law for the opinion of the Supreme Court.	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
<b>10. Application for Amendment</b>		
10.1 The power pursuant to Section 52(1)(a)(ii) of the Act to make an application for the amendment of a deposited community plan, where the Council is the owner of a community lot that will be affected by the amendment.	CEO	NIL
10.2 The power pursuant to Section 52(2)(b) of the Act, if the boundaries of a community lot or a development lot are affected by the amendment or if a community lot or a development lot is extinguished by the amendment, and the Council is:	CEO	NIL
10.2.1 the owner of the lot (not being an applicant in accordance with Section 52(1)(a)(ii) of the Act; or	CEO	NIL
10.2.2 a person who holds a registered encumbrance over the lot, consent to the amendment	CEO	NIL
10.3 The power pursuant to Section 52(2)(c) of the Act, where amendment of the plan will operate to vest an estate or interest in land in the Council, to consent to the application.	CEO	NIL
<b>11. Status of Application for Amendment of Plan</b>		
11.1 The power pursuant to Section 53(2) of the Act, where the Council has consented to an application, to consent to an application being withdrawn or amended.	CEO	NIL
11.2 The power pursuant to Section 53(3) of the Act to amend the application in order to comply with the Act or the <i>Real Property Act 1886</i> or with a requirement of the Registrar-General under the Act or the <i>Real Property Act 1886</i> .	CEO	NIL
<b>12. Application May Deal With Statutory Encumbrances</b>		
12.1 The power pursuant to Section 53A(b)(i) of the Act, where the Council is the holder of a statutory encumbrance, to sign a certificate certifying that the requirements of the Act under which the encumbrance was entered into, or is in force, as to the variation or termination of the statutory encumbrance (if any) have been complied with.	CEO	NIL
<b>13. Alteration of Boundaries of Primary Community Parcel</b>		
<b>13.1 The power pursuant to Section 57(2)(b) of the Act, if part of an allotment is to be included in the primary parcel and the Council is the registered proprietor of the allotment to be divided from outside the parcel, to make the application jointly with the community corporation.</b>	CEO	NIL
<b>14. Amendment of Plan Pursuant to Development Contract</b>		
14.1 The power pursuant to Section 58(1) of the Act and in accordance with Sections 58(2), (3) and (4) of the Act,	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
where the Council is the registered proprietor of an estate in fee simple in a development lot, to apply to the Registrar-General for the division of the development lot in pursuant of the development contract and for the consequential amendment of the community plan.		
<b>15. Amendment by Order of ERD Court</b>		
15.1 The power pursuant to Section 59(1) of the Act and in accordance with Sections 59(2) and (3) of the Act to apply to the ERD Court to amend a community plan.	CEO	NIL
15.2 The power pursuant to Section 59(3a) of the Act to make submissions to the court in relation to the matter.	CEO	NIL
<b>16. Persons Whose Consents are Required</b>		
16.1 The power pursuant to Section 61(1) of the Act, where the Council is:	CEO	NIL
16.1.1 a person who is the owner of a community lot at the relevant time but did not have the opportunity of voting against the resolution of the corporation authorising the proposed amalgamation because the Council was not then a member of the corporation; or	CEO	NIL
16.1.2 the prospective owner at the relevant time of a community lot; or	CEO	NIL
16.1.3 the owner or prospective owner at the relevant time of a development lot; or	CEO	NIL
16.1.4 a registered encumbrancee or prospective encumbrancee at the relevant time of a community lot or a development lot; or	CEO	NIL
16.1.5 a person referred to in Section 61(2) of the Act,	CEO	NIL
to consent to the amalgamation.	CEO	NIL
16.2 The power pursuant to Section 61(2) of the Act,	CEO	NIL
16.2.1 where the plans to be amalgamated are primary plans and a primary lot is divided by a secondary plan where the Council is:	CEO	NIL
16.2.1.1 a person who is the owner of a secondary lot at the relevant time but did not have the opportunity of voting against the proposed amalgamation because the Council was not then a member of the secondary corporation; or	CEO	NIL
16.2.1.2 the prospective owner at the relevant time of a secondary lot; or	CEO	NIL
16.2.1.3 the owner or prospective owner at the relevant time of a development lot in the	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
	secondary scheme; or		
16.2.1.4	a registered encumbrancee or prospective encumbrancee at the relevant time of a secondary lot or development lot; or	CEO	NIL
16.2.2	where the plans to be amalgamated are primary plans and a primary lot is divided by a secondary plan and a secondary lot created by that plan is divided by a tertiary plan or where the plans to be amalgamated are secondary plans a secondary lot is divided by a tertiary plan where the Council is:	CEO	NIL
16.2.2.1	a person who is the owner of a tertiary lot at the relevant time but did not have the opportunity of voting against the proposed amalgamation because the Council was not then a member of the tertiary corporation; or	CEO	NIL
16.2.2.2	the prospective owner at the relevant time of a tertiary lot; or	CEO	NIL
16.2.2.3	the owner or prospective owner at the relevant time of a development lot in the tertiary scheme; or	CEO	NIL
16.2.2.4	a registered encumbrancee or prospective encumbrancee at the relevant time of a tertiary lot or development lot, to consent.	CEO	NIL
<b>17.</b>	<b>Deposit of Amalgamated Plan</b>		
17.1	The power pursuant to Section 62(3) of the Act, where the Council is:	CEO	NIL
17.1.1	the owner of the servient land; or	CEO	NIL
17.1.2	a person who appears from the Register Book to hold a registered encumbrance over the servient land (other than an easement that will not be affected) to endorse an application for amalgamation with the Council's consent.	CEO	NIL
<b>18.</b>	<b>Persons Whose Consent is Required</b>		
18.1	The power pursuant to Section 66(1) of the Act, to, where the Council is:	CEO	NIL
18.1.1	an owner at the relevant time of a community lot and a development lot (if any); or	CEO	NIL
18.1.2	the prospective owner at the relevant time of a community lot or a development lot; or	CEO	NIL
18.1.3	a registered encumbrancee or prospective encumbrancee at the relevant time of a community lot	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
or development lot, to give consent to the application.		
<b>18A. Application to ERD Court</b>		
18A.1 The power pursuant to Section 67(1) of the Act, to make an application to the ERD Court for an order cancelling a community plan.	CEO	NIL
18A.2 The power pursuant to Section 67(1a) of the Act to make submissions to the Court in relation to the matter.	CEO	NIL
<b>19. Cancellation</b>		
19.1 The power pursuant to Section 69(2)(e) of the Act to consent to the cancellation of a community plan where the Council is the owner of the servient land or holds a registered encumbrance over the servient land (other than an easement that will not be affected).	CEO	NIL
19.2 The power pursuant to Section 69(6) of the Act to where the Council is the registered proprietor of the servient land or the dominant land (if any) request an easement be reinstated on cancellation of a plan.	CEO	NIL
<b>20. Division of Primary Parcel Under Part 19AB</b>		
20.1 The power pursuant to Section 70(2) of the Act, where the Council is:	CEO	NIL
20.1.1 an owner of a primary lot or an owner of a development lot (if any) comprising the primary parcel;	CEO	NIL
20.1.2 if a primary lot is divided by a secondary plan – an owner of the secondary lot and an owner of the development lot (if any) comprising the secondary parcel; or	CEO	NIL
20.1.3 if a secondary lot is divided by a tertiary plan – an owner of a tertiary lot and the owner of a development lot (if any) comprising the tertiary parcel,	CEO	NIL
to endorse a plan of division lodged with the application with the Council's consent.	CEO	NIL
<b>21. Voting at General Meetings</b>		
21.1 The power pursuant to Section 84(3) of the Act, subject to Section 84(8) of the Act and in accordance with Sections 84(5), (5a) and (6) of the Act, to nominate another person to attend and vote at meetings on the Council's behalf.	CEO	NIL
21.2 The power pursuant to Section 84(11) of the Act, to exercise an absentee vote on a proposed resolution by giving the secretary written notice of the proposed vote at least six hours before the time of the meeting.	CEO	NIL
<b>22. Administrator of Community Corporation's Affairs</b>		



		Direct Delegation from Council	Conditions/ Limitations
22.1	The power pursuant to Section 100(1) of the Act to make application to the District Court or the Magistrates Court to appoint an administrator of the community corporation, or remove or replace an administrator previously appointed.	CEO	NIL
<b>23.</b>	<b>Power to Enforce Duties of Maintenance and Repair etc</b>		
23.1	The power pursuant to Section 101(6) of the Act, where:	CEO	NIL
23.1.1	-	CEO	NIL
23.1.1.1	the Council incurs costs in complying with a notice under Section 101(1) of the Act; or	CEO	NIL
23.1.1.2	the corporation recovers costs from the Council under Section 101(5) of the Act; and	CEO	NIL
23.1.2	the circumstances out of which the work was required are attributable to the act or default of another person,	CEO	NIL
	to recover those costs from that other person as a debt.	CEO	NIL
<b>24.</b>	<b>Right to Inspect Policies of Insurance</b>		
24.1	The power pursuant to Section 108(1) of the Act, to request to inspect policies of insurance that are in force and were taken out by or on behalf of the community corporation.	CEO	NIL
24.2	The power pursuant to Section 108(2) of the Act, to request to inspect policies of insurance that are in force and were taken out by or on behalf of the primary community corporation.	CEO	NIL
24.3	The power pursuant to Section 108(3) of the Act, to request to inspect policies of insurance that are in force and were taken out by or on behalf of the primary or secondary corporation.	CEO	NIL
<b>25.</b>	<b>Information to be Provided by Corporation</b>		
25.1	The power pursuant to Section 139(1) of the Act to, make application to a community corporation to:	CEO	NIL
25.1.1	provide a statement setting out:	CEO	NIL
25.1.1.1	particulars of any contribution payable in relation to the lot (including details of any arrears of contributions in relation to the lot); and	CEO	NIL
25.1.1.2	particulars of the assets and liabilities of the corporation; and	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
25.1.1.3	particulars of any expenditure that the corporation has incurred, or has resolved to incur, and to which the owner of the lot must contribute, or is likely to be required to contribute; and	CEO	NIL
25.1.1.4	particulars in relation to any other matter prescribed by regulations; and	CEO	NIL
25.1.2	provide copies of:	CEO	NIL
25.1.2.1	the minutes of general meetings of the corporation and meetings of its management committee (if any) for such period, not exceeding two years, specified in the application; and	CEO	NIL
25.1.2.2	the statement of accounts of the corporation last prepared by the corporation; and	CEO	NIL
25.1.2.3	current policies of insurance taken out by the corporation; and	CEO	NIL
25.1.3	make available for inspection such information as is required to establish the current financial position of the corporation including:	CEO	NIL
25.1.3.1	a copy of the accounting records of the corporation; and	CEO	NIL
25.1.3.2	the minute books of the corporation; and	CEO	NIL
25.1.3.3	any other documentary material prescribed by regulation; and	CEO	NIL
25.1.4	if the community corporation is a party to a contract with a body corporate manager – make available for inspection a copy of the contract; and	CEO	NIL
25.1.5	make available for inspection the register maintained under Section 135 of the Act.	CEO	NIL
25.2	The power pursuant to Section 139(1a) of the Act to, subject to Sections 139(2) and (4) of the Act, make application to a community corporation to provide, on a quarterly basis, ADI statements for all accounts maintained by the corporation.	CEO	NIL
<b>26.</b>	<b>Information as to Higher Tier of Community Scheme</b>		
26.1	The power pursuant to Section 140(1) of the Act to apply to the primary corporation for information under Section 139 of the Act.	CEO	NIL
26.2	The power pursuant to Section 140(2) of the Act to apply to the primary or secondary corporation for	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
information under Section 139 of the Act.			
<b>27.</b>	<b>Persons Who May Apply for Relief</b>		
27.1	The power pursuant to Section 141(1) of the Act to apply for relief under Part 14 of the Act.	CEO	NIL
<b>28.</b>	<b>Resolution of Disputes, etc</b>		
28.1	The power pursuant to Section 142(2) of the Act, subject to Section 142(1) of the Act, to make an application to the Magistrates Court.	CEO	NIL
28.2	The power pursuant to Section 142(3) of the Act to apply for the permission of the District Court, to bring an application under Section 142 of the Act in the District Court.	CEO	NIL
28.3	The power pursuant to Section 142(3) of the Act to, with the permission of the District Court, bring an application under Section 142 in the District Court.	CEO	NIL
28.4	The power pursuant to Section 142(4) of the Act to make an application to the District Court that proceedings that have been commenced in the Magistrates Court be transferred to the District Court.	CEO	NIL
28.5	The power pursuant to Section 142(6) of the Act to make an application to a court to:	CEO	NIL
28.5.1	transfer an application under Section 142 of the Act to the Supreme Court on the ground that the application raises a matter of general importance; or	CEO	NIL
28.5.2	state a question of law for the opinion of the Supreme Court.	CEO	NIL
<b>29.</b>	<b>Holding of Deposit and Other Contract Moneys When Lot is Pre-sold</b>		
29.1	The power pursuant to Section 142A(3) of the Act, in the event of a contravention of Section 142A(1) of the Act, to, by notice in writing given at any time before the plan of community division is deposited in the Lands Titles Registration Office, avoid the contract of sale.	CEO	NIL
29.2	The power pursuant to Section 142A(4) of the Act, if the plan of community division is not deposited in the Lands Titles Registration Office:	CEO	NIL
29.2.1	within such period after the date of the contract as is specified in the contract in accordance with any requirements specified in the regulations; or	CEO	NIL
29.2.2	if the contract does not specify a period in accordance with Section 142A(4)(a) of the Act, within 6 months after the date of the contract,	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
to, by notice in writing to the vendor, avoid the contract of sale at any time before the plan is deposited.		CEO	NIL
<b>30.</b>	<b>Entry onto Lot or Common Property</b>		
30.1	The power pursuant to Section 146(1) of the Act, subject to Sections 146(2) - (9) of the Act, where the Council needs to enter another lot or the common property, in order to exercise rights under an easement for the establishment, maintenance and repair of part of the service infrastructure, to:	CEO	NIL
30.1.1	give notice to the owner of the lot to be entered; or	CEO	NIL
30.1.2	where it is necessary to enter the common property, to give notice to the corporation.	CEO	NIL
30.2	The power pursuant to Section 146(4) of the Act, if notice is not given (in an emergency) or the period of the notice has expired and it is not possible to gain entry without using force, to use such force as is reasonable in the circumstances.	CEO	NIL
30.3	The power pursuant to Section 146(6) of the Act, in an emergency to enter another lot or the common property to assist a person on the lot or common property or to prevent or reduce damage to the lot or another lot or to the common property.	CEO	NIL

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## **Appendix 4**

*Instrument of Delegation under the  
Crown Land Management Act 2009*

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	Direct Delegation from Council	Conditions/ Limitations
<b>INSTRUMENT OF DELEGATION UNDER CROWN LAND MANAGEMENT ACT 2009</b>		
<b>1. Management Plans</b>		
Where the Minister develops a Management Plan for the management of Crown land leased by or under the care, control and management of the Council, the power:	CEO	NIL
1.1 pursuant to Section 12(3)(a) of the Crown Land Management Act 2009 (the Act) to consent to the plan relating to that land; and	CEO	NIL
1.2 pursuant to Section 12(3)(b) of the Act to consent to or request works to be carried out on the land by the Minister.	CEO	NIL
<b>2. Dedicated Land</b>		
2.1 The power pursuant to Section 18(3) of the Act to consult with the Minister before a dedication to place land under the Council's care, control and management is effected.	CEO	NIL
2.2 The power pursuant to Section 18(5) of the Act to consult with the Minister before the purpose for which land has been dedicated to the Council's care, control and management is altered.	CEO	NIL
<b>3 Care, Control and Management of Dedicated Land</b>		
3.1 The power pursuant to Section 20(3) of the Act, where land is under the Council's care, control and management, to consult with the Minister prior to the Minister exercising powers under Section 20 of the Act.	CEO	NIL
<b>4. Lease of Dedicated Land</b>		
4.1 The duty pursuant to Section 22(1) of the Act, where the Council grants a lease in relation to dedicated land, to obtain the written consent of the Minister to the grant of the lease.	CEO	NIL
<b>5. Disposal Subject to Crown Condition Agreement</b>		
5.1 The power pursuant to Section 26(1) of the Act, where the Minister intends to dispose of Crown land by transfer or grant of the fee simple on condition that the Council enters into a Crown condition agreement, to enter into the Crown condition agreement	CEO	Subject to compliance with the <i>Local Government Act 1999</i> Community Land Register requirements

		Direct Delegation from Council	Conditions/ Limitations
5.2	The power pursuant to Section 26(3) of the Act, where a Crown condition agreement is entered into:	CEO	NIL
5.2.1	to vary or revoke the agreement by agreement with the Minister;	CEO	NIL
5.2.2	to make application to the court to vary or revoke the agreement.	CEO	NIL
<b>6.</b>	<b>Easements</b>		
6.1	The power pursuant to Section 28(1) of the Act, to request an easement in, or over, Crown land.	CEO	NIL
6.2	The power pursuant to Section 28(2) of the Act, where the Council has an interest in, or rights in relation to, land the subject of the proposed easement, to consent to the grant of the easement.	CEO	NIL
6.3	the duty pursuant to Section 28(6) of the Act, where the Minister issues such a requirement, to provide the Minister with any instruments, plans or other documents necessary for the purpose of granting the easement.	CEO	NIL
<b>7.</b>	<b>Surrenders</b>		
7.1	The power pursuant to Section 37(1) of the Act, where the Council has a registered interest in, or Caveat lodged over, a lease and the lease is to be wholly or partially surrendered, to consent to that surrender.	CEO	NIL
<b>8.</b>	<b>Licences</b>		
8.1	The power pursuant to Section 46 of the Act to request that the Minister grants a licence to the Council in relation to Crown land.	CEO	NIL
<b>9.</b>	<b>Remediation of Land</b>		
9.1	The duty pursuant to Section 57 of the Act, where the Council has an interest in, or right in relation to, Crown land and the Minister is satisfied that the Council has caused or contributed to a condition on or of the land that requires remediation, to comply with a remediation notice issued by the Minister.	CEO	Remediation of land (Sect 57) to be exercised only to the extent that the expenditure is specified in a budget adopted by Council

		Direct Delegation from Council	Conditions/ Limitations
<b>10.</b>	<b>Waterfront Land</b>		
10.1	The power pursuant to Section 59(1) of the Act, and subject to Section 59(3) of the Act, where the Minister proposes to lease or dispose of waterfront land, to make written submissions to the Minister in relation to the proposal within the period specified in the Notice.	NIL	NIL
<b>11.</b>	<b>Offences</b>		
11.1	The power pursuant to Section 60(2) of the Act, where the Council is the custodian of dedicated land, to make written request to the Minister for a declaration that Division 5 of Part 4 of the Act applies to that land.	CEO	NIL
<b>12.</b>	<b>Applications for Review</b>		
	The power pursuant to Section 65(1) of the Act to make applications for review to the Minister:	CEO	NIL
12.1	where the Council is the holder of a lease, for review of a determination as to the current market rent applicable in relation to the lease or the market value of any improvements made to the land subject to the lease;	CEO	NIL
12.2	where the Council has applied for consent of the Minister under Section 22 of the Act and that consent is refused, for a review of that determination of the Minister;	CEO	NIL
12.3	where the Council is the holder of a lease, for a review of	CEO	NIL
	12.3.1 a determination of the Minister to cancel the lease or resume land subject to the lease; or	CEO	NIL
	12.3.2 the terms and conditions of a new lease granted by the Minister in accordance with Section 38(4)(b) following the resumption of land;	CEO	NIL
12.4	where the Council is served a remediation notice under Section 57 of the Act, for a review of the notice;	CEO	NIL
12.5	where the Council is required to lodge a financial assurance with the Minister under Section 58 of the Act, for a review of that requirement; or	CEO	NIL
12.6	where the Council is required to remove property or fixtures by notice under Section 74(1) of the Act, for a review of the notice.	CEO	NIL
<b>13.</b>	<b>Valuation Reviews</b>		
13.1	The power pursuant to and in accordance with Section 66(1) of the Act, and subject to Section 66(2) of the Act, where the Council has applied for a review under Section 65(1)(a) of the Act and is dissatisfied with the	CEO	NIL



		Direct Delegation from Council	Conditions/ Limitations
determination made by the Minister to apply to the Minister for a valuation review.			
<b>14.</b>	<b>Valuation Appeal</b>		
14.1	The power pursuant to Section 67(1) of the Act, where the Council has applied for a review under Section 65(1)(a) of the Act and is dissatisfied with the determination made on the review or the determination on a valuation review under Section 66 of the Act, to appeal to the court against the determination.	CEO	NIL
NB.	The delegate, in exercising any power, duty or function under delegation from the Council shall do so in a manner which is consistent with any Council resolution and/or Policy or Procedure that may be in place and relevant to the power, duty or function being exercised at that time.	CEO	NIL

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## **Appendix 5**

*Instrument of Delegation under the  
Heavy Vehicle National Law (South Australia) Act 2013*

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		Direct Delegation from Council	Conditions/ Limitations
<b>INSTRUMENT OF DELEGATION UNDER THE HEAVY VEHICLE NATIONAL LAW (SOUTH AUSTRALIA) ACT 2013</b>			
<b>1. Deciding Request for Consent Generally</b>			
<b>1.1</b>	The power pursuant to Section 156(1) of the <i>Heavy Vehicle National Law (South Australia) Act 2013 (the Act)</i> , to, subject to Sections 156(2), (3) (4) and (6) of the Act, if the Regulator asks for the Council's consent to the grant of a mass or dimension authority, decide to give or not to give the consent:	CEO	NIL
<b>1.1.1</b>	within:	CEO	NIL
<b>1.1.1.1</b>	28 days after the request is made, unless Section 156(1)(a)(ii) of the Act applies; or	CEO	NIL
<b>1.1.1.2</b>	if Section 156 of the Act applies because the Council gave the Regulator a notice of objection to the grant under Section 167 of the Act – 14 days after giving the notice of objection; or	CEO	NIL
<b>1.1.2</b>	within a longer period, of not more than 6 months after the request is made, agreed to by the Regulator.	CEO	NIL
<b>1.2</b>	The power pursuant to Section 156(2) of the Act, to ask for a longer period under Section 156(1)(b) of the Act only if:	CEO	NIL
<b>1.2.1</b>	consultation is required under a law with another entity (including, for example, for the purpose of obtaining that entity's approval to give the consent); or	CEO	NIL
<b>1.2.2</b>	the delegate considers a route assessment is necessary for deciding whether to give or not to give the consent; or	CEO	NIL
<b>1.2.3</b>	the Council is the road authority for the participating jurisdiction and the delegate considers that a local government authority that is not required under a law to be consulted should nevertheless be consulted before deciding whether to give or not to give the consent.	CEO	NIL
<b>1.3</b>	The power pursuant to Section 156(2)(c) of the Act to, in relation to the Regulator obtaining the consent of the road manager for a road for the purpose of granting a mass or dimension authority make submissions where the road manager is the road authority for the participating jurisdiction and considers that the Council, whilst not required under a law to be consulted should nevertheless be consulted before the road manager decides whether to give or not to give consent.	CEO	NIL
<b>1.4</b>	The power pursuant to Section 156(3) of the Act to decide not to give the consent only if the delegate is satisfied:	CEO	NIL
<b>1.4.1</b>	the mass or dimension authority will, or is likely to:	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
<b>1.4.1.1</b>	cause damage to road infrastructure; or		
<b>1.4.1.2</b>	impose adverse effects on the community arising from noise, emissions or traffic congestion or from other matters stated in approved guidelines; or	CEO	NIL
<b>1.4.1.3</b>	pose significant risks to public safety arising from heavy vehicle use that is incompatible with road infrastructure or traffic conditions; and	CEO	NIL
<b>1.4.2</b>	it is not possible to grant the authority subject to road conditions or travel conditions that will avoid, or significantly minimise:	CEO	NIL
<b>1.4.2.1</b>	the damage or likely damage; or	CEO	NIL
<b>1.4.2.2</b>	the adverse effects or likely adverse effects; or	CEO	NIL
<b>1.4.2.3</b>	the significant risks or likely significant risks.	CEO	NIL
<b>1.5</b>	The power pursuant to Section 156(4) of the Act, in deciding whether or not to give the consent, to have regard to:	CEO	NIL
<b>1.5.1</b>	for a mass or dimension exemption – the approved guidelines for granting mass or dimension exemptions; or	CEO	NIL
<b>1.5.2</b>	for a class 2 heavy vehicle authorisation – the approved guidelines for granting class 2 heavy vehicle authorisations.	CEO	NIL
<b>1.6</b>	The power pursuant to Section 156(6) of the Act, if the delegate decides not to give consent to the grant of the authority, to give the Regulator a written statement that explains the delegate’s decision and complies with Section 172 of the Act.	CEO	NIL
<b>2.</b>	<b>Action Pending Consultation with Third Party</b>		
<b>2.1</b>	The power pursuant to Section 158(2) of the Act, if the consultation with the other entity is not yet completed, to, as far as practicable, deal with the request for consent and decide to give or not to give the consent (even though the consultation with the other entity is not completed).	CEO	NIL
<b>2.2</b>	The power pursuant to Section 158(4) of the Act, if:	CEO	NIL
<b>2.2.1</b>	the consultation with the other entity is completed and the other entity’s approval is required; and	CEO	NIL
<b>2.2.2</b>	the delegate has not yet decided to give or not to give the consent,	CEO	NIL
	To -	CEO	NIL
<b>2.2.3</b>	decide not to give the consent, on the ground that the consent would be inoperative; or	CEO	NIL
<b>2.2.4</b>	decide to give the consent.	CEO	NIL
<b>3.</b>	<b>Deciding Request for Consent if Route Assessment Required</b>		
<b>3.1</b>	The power pursuant to Section 159(1) and (2) of the Act to, form the opinion a route assessment is necessary for deciding whether to give or not to give the consent and notify the Regulator of the following:	CEO	NIL
<b>3.1.1</b>	that a route assessment is required for deciding whether to give or not to give the consent;	CEO	NIL
<b>3.1.2</b>	the fee payable (if any) for the route assessment under a law of the jurisdiction in which the road is	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
	situated.		
<b>3.2</b>	The power pursuant to Section 159(4) of the Act, if a fee is payable for the route assessment under a law of the jurisdiction in which the road is situated to stop considering whether to give or not to give the consent until the fee is paid.	CEO	NIL
<b>4.</b>	<b>Imposition of Road Conditions</b>		
<b>4.1</b>	The power pursuant to Section 160(1) of the Act and in accordance with Section 160(2) of the Act, to consent to the grant of the authority subject to:	CEO	NIL
<b>4.1.1</b>	except in the case of a class 2 heavy vehicle authorisation (notice) – the condition that a stated road condition is imposed on the authority; or	CEO	NIL
<b>4.1.2</b>	in the case of a class 2 heavy vehicle authorisation (notice) – the condition that a stated road condition of a type prescribed by the national regulations is imposed on the authority.	CEO	NIL
<b>4.2</b>	The power pursuant to Section 160(2) of the Act to, if the delegate consents to the grant of the authority subject to a condition as mentioned in Section 160(1)(a) of the Act to give the Regulator a written statement that explains the decision to give consent to the grant of the authority subject to the condition and complies with Section 172 of the Act.	CEO	NIL
<b>5.</b>	<b>Imposition of Travel Conditions</b>		
<b>5.1</b>	The power pursuant to Section 161(1) of the Act, to, consent to the grant of the authority subject to the condition that a stated travel condition is imposed on the authority.	CEO	NIL
<b>5.2</b>	The power pursuant to Section 161(2) of the Act, if the delegate consents to the grant of the authority as mentioned in Section 161(1) of the Act to give the Regulator a written statement that explains the decision to give consent to the grant of the authority subject to the condition and complies with Section 172 of the Act.	CEO	NIL
<b>6.</b>	<b>Imposition of Vehicle Conditions</b>		
<b>6.1</b>	The power pursuant to Section 162(1) of the Act, where the delegate gives consent to the grant of the authority to ask the Regulator to impose a stated vehicle condition on the authority.	CEO	NIL
<b>7.</b>	<b>Expedited Procedure for Road Manager's Consent for Renewal of Mass or Dimension Authority</b>		
<b>7.1</b>	The power pursuant to Section 167(2)(b) of the Act, to give the Regulator a notice of objection to the application of Section 167 of the Act to the proposed replacement authority within the period of:	CEO	NIL
<b>7.1.1</b>	14 days after the request for consent is made; or	CEO	NIL
<b>7.1.2</b>	28 days after the request for consent is made if the delegate seeks the extension of time within the initial 14 days.	CEO	NIL
<b>8.</b>	<b>Granting Limited Consent for Trial Purposes</b>		
<b>8.1</b>	The power pursuant to Section 169(1) of the Act to give consent to the grant of a mass or dimension authority for a trial period of no more than 3 months specified by the delegate.	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
<b>9. Renewal of Limited Consent for Trial Purposes</b>			
<b>9.1</b>	The power pursuant to Section 170(3) of the Act to give the Regulator a written objection within the current trial period to the renewal of a mass or dimension authority for a further trial period of no more than 3 months.	CEO	NIL
<b>10. Amendment or Cancellation on Regulator's Initiative</b>			
<b>10.1</b>	The power pursuant to Section 173(3)(d) of the Act to make written representations about why the proposed action should not be taken.	CEO	NIL
<b>11. Amendment or Cancellation on Request by Relevant Road Manager</b>			
<b>11.1</b>	The power pursuant to Section 174(1) of the Act to form the opinion and be satisfied that the use of heavy vehicles on a road under the authority:	CEO	NIL
<b>11.1.1</b>	has caused, or is likely to cause, damage to road infrastructure; or	CEO	NIL
<b>11.1.2</b>	has had, or is likely to have, an adverse effect on the community arising from noise, emissions or traffic congestion or from other matters stated in approved guidelines; or	CEO	NIL
<b>11.1.3</b>	has posed, or is likely to pose, a significant risk to public safety arising from heavy vehicle use that is incompatible with road infrastructure or traffic conditions.	CEO	NIL
<b>11.2</b>	The power pursuant to Section 174(2) of the Act to ask the Regulator to:	CEO	NIL
<b>11.2.1</b>	amend the mass or dimension authority by:	CEO	NIL
<b>11.2.1.1</b>	amending the category of vehicle to which the authority applies; or	CEO	NIL
<b>11.2.1.2</b>	amending the type of load that may be carried by vehicles to which the authority applies; or	CEO	NIL
<b>11.2.1.3</b>	amending the areas or routes to which the authority applies; or	CEO	NIL
<b>11.2.1.4</b>	amending the days or hours to which the authority applies; or	CEO	NIL
<b>11.2.1.5</b>	imposing or amending road conditions or travel conditions; or	CEO	NIL
<b>11.2.2</b>	cancel the authority.	CEO	NIL
<b>12. Amendment or Cancellation on Application by Permit Holder</b>			
<b>12.1</b>	The power pursuant to Section 176(4)(c) of the Act to consent to the amendment of a mass or dimension authority.	CEO	NIL
<b>13. Amendment or Cancellation on Request by Relevant Road Manager</b>			
<b>13.1</b>	The power pursuant to Section 178(1) of the Act to form the opinion and be satisfied that the use of heavy vehicles on a road under the authority:	CEO	NIL
<b>13.1.1</b>	has caused, or is likely to cause, damage to road infrastructure; or	CEO	NIL
<b>13.1.2</b>	has had, or is likely to have, an adverse effect on the community arising from noise, emissions or traffic congestion or from other matters stated in approved guidelines; or	CEO	NIL
<b>13.1.3</b>	has posed, or is likely to pose, a significant risk to public safety arising from heavy vehicle use that is	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
incompatible with road infrastructure or traffic conditions.		
<b>13.2</b> The power pursuant to Section 178(2) of the Act to ask the Regulator to:	CEO	NIL
<b>13.2.1</b> amend the mass or dimension authority, including, for example, by:	CEO	NIL
<b>13.2.1.1</b> amending the areas or routes to which the authority applies; or	CEO	NIL
<b>13.2.1.2</b> amending the days or hours to which the authority applies; or	CEO	NIL
<b>13.2.1.3</b> imposing or amending road conditions or travel conditions on the authority; or	CEO	NIL
<b>13.2.2</b> cancel the authority.	CEO	NIL

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## **Appendix 6**

*Instrument of Delegation under the  
Liquor Licensing Act 1997*

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	Direct Delegation from Council	Conditions/ Limitations
<b>INSTRUMENT OF DELEGATION UNDER THE LIQUOR LICENSING ACT 1997</b>		
<b>0. Application for Review of Commissioner's Decision</b>		
<b>0.1</b>	The power pursuant to Section 22(1) and subject to Sections 22(2) and (3) of the Liquor Licensing Act 1997 (the Act), to apply to the Court for a review of the Commissioner's decision.	CEO NIL
<b>1. Extension of Trading Area</b>		
<b>1.1</b>	The power pursuant to Section 69(3)(e) of the <u>Liquor Licensing Act 1997 ("the Act"), Act</u> , on application by a licensee who holds a licence authorising the sale of liquor for consumption on the licensed premises to the extent the authority conferred by the licence so that the licensee is authorised to sell liquor in a place adjacent to the licensed premises for consumption in that place, to approve or not approve the application for extension where the relevant place is under the control of the Council.	CEO NIL
<b>2. Rights of Intervention</b>		
<b>2.1</b>	The power pursuant to Section 76(2) of the Act where licensed premises exist or premises propose to be licensed are situated in the Council area, to introduce evidence or make representations on any question before the licensing authority where proceedings are on foot or underway.	CEO NIL
<b>3. Noise</b>		
<b>3.1</b>	The power pursuant to Section 106(2)(b) of the Act to lodge a complaint about an activity on, or the noise emanating from licensed premises, or the behaviour of persons making their way to or from licensed premises in the Council area with the Commissioner under Section 106(1).	CEO NIL
<b>3.2</b>	The power pursuant to Section 106(4) of the Act to engage in conciliation between the parties facilitated by the Commissioner.	CEO NIL
<b>3.3</b>	The power pursuant to Section 106(5) of the Act to request the Commissioner to determine the matter where the complaint is not to be conciliated, or is not resolved by conciliation under Section 106(4).	CEO NIL
<b>4. Disciplinary Action Before the Court</b>		
<b>4.1</b>	the power pursuant to Section 120(1) and (2) of the Act to lodge a complaint, provided the subject matter of the complaint is relevant to the responsibilities of the Council and within whose area the licensed premises are situated, with the Court alleging that proper grounds for disciplinary action exists on those grounds stated in the complaint, against a specified person.	CEO NIL
<b>5. Commissioner's Power to Suspend or Impose Conditions Pending Disciplinary Action</b>		
<b>5.1</b>	The power pursuant to Section 120A(3) of the Act to apply to the Court for a review of the Commissioner's decision as if the Council were a party to proceedings before the Commissioner.	CEO NIL
<b><u>6. Control of consumption etc of liquor in public places</u></b>		
<b><u>6.1</u></b>	<u>The power pursuant to Section 131(1ab) of the Act and subject to Section 131 of the Act, to, by notice in the Gazette, prohibit the consumption or possession or both of liquor in the public place or public places within the area of the Council specified in the notice during the period (not exceeding 48 hours) specified in the notice.</u>	CEO NIL
<b><u>6.2</u></b>	<u>The power pursuant to Section 131(1ad) of the Act to, within 7</u>	CEO NIL

	Direct Delegation from Council	Conditions/ Limitations
<u>days after publishing a notice under Section 131(1ab) of the Act, give a copy of the notice to the Commissioner of Police.</u>		
<u>6.3 The power pursuant to Section 131(1c) of the Act to vary or revoke a notice under Section 131(1ab) of the Act by further notice in the Gazette.</u>	CEO	NIL

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## **Appendix 7**

*Instrument of Delegation under the  
Private Parking Areas Act 1986*

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	Direct Delegation from Council	Conditions/ Limitations
<b>INSTRUMENT OF DELEGATION UNDER THE PRIVATE PARKING AREAS ACT 1986</b>		
<b>1.</b> Power: Agreements by owner of private parking area and council for the area		
<b>1.1</b> The power pursuant to Section 9(1) of the Act to make an agreement with the owner of a private parking area in the Council area for the enforcement of the provisions of Part 3 of this Act in relation to that private parking area.	CEO	NIL

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## **Appendix 8**

*Instrument of Delegation under the  
South Australian Public Health Act 2011*

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		Direct Delegation from Council	Conditions/ Limitations
<b>INSTRUMENT OF DELEGATION UNDER THE SOUTH AUSTRALIAN PUBLIC HEALTH ACT 2011</b>			
<b>1. Power to Require Reports</b>			
<b>1.1</b>	The power pursuant to Section 18(2) of the South Australian Public Health Act 2011 ( <b>the Act</b> ) to, if required by the Minister, provide a report on any matter relevant to the administration or operation of the Act.	CEO	NIL
<b>1.2</b>	The power pursuant to Section 18(3) of the Act to, if required by the Minister, in a case involving the Council provide a combined report with 1 or more other councils.	CEO	NIL
<b>1.3</b>	The power pursuant to Section 18(5) of the Act to provide the report in accordance with the requirements of the Minister.	CEO	NIL
<b>2. Risk of Avoidable Mortality or Morbidity</b>			
<b>2.1</b>	The power pursuant to Section 22(2) of the Act, if the Council receives a request under Section 22(1) of the Act, to consider the request and then respond in accordance with Section 22(3) of the Act to the Chief Public Health Officer within a reasonable time.	CEO	NIL
<b>2.2</b>	The power pursuant to Section 22(3) of the Act to include in a response under Section 22(2) of the Act details about:	CEO	NIL
<b>2.2.1</b>	any steps already being taken by the Council that may be relevant in the circumstances; and	CEO	NIL
<b>2.2.2</b>	any plans that the Council may have that may be relevant in the circumstances; and	CEO	NIL
<b>2.2.3</b>	any steps that the Council is willing to take in the circumstances; and	CEO	NIL
<b>2.2.4</b>	any other matter relating to the Council that appears to be relevant.	CEO	NIL
<b>3. Cooperation Between Councils</b>			
<b>3.1</b>	The power pursuant to Section 39(1) of the Act to, in performing the Council's functions or exercising the Council's powers under the Act, act in conjunction or partnership with, or cooperate or coordinate the Council's activities with, 1 or more other councils	CEO	NIL
<b>3.2</b>	The power pursuant to Section 39(2) of the Act to, if requested by the Chief Public Health Officer, cooperate with 1 or more other councils.	CEO	NIL
<b>3.3</b>	The power pursuant to Section 39(3) of the Act to, if the Council receives a request under Section 39(2) of the Act, within 28 days after receiving the request or such longer period as the Chief Public Health Officer may	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
	specify, furnish the Chief Public Health Officer with a written report on the action that the Council intends to take in response to the request.		
<b>4.</b>	<b>Power of Chief Public Health Officer to Act</b>		
<b>4.1</b>	The power pursuant to Section 40(2) of the Act to consult with the Chief Public Health Officer.	CEO	NIL
<b>5.</b>	<b>Council Failing to Perform a Function Under Act</b>		
<b>5.1</b>	The power pursuant to Section 41(1) of the Act to consult with the Minister in relation to the Minister's opinion that the Council has failed, in whole or in part, to perform a function conferred on the Council under the Act.	CEO	CEO to provide a report to Council within 14 days
<b>5.2</b>	The power pursuant to Section 41(6) of the Act to:	CEO	NIL
<b>5.2.1</b>	make written submissions to the Minister in relation to the matter within a period specified by the Minister; and	CEO	NIL
<b>5.2.2</b>	request in the written submissions to the Minister that the Minister discuss the matter with a delegation representing the Council; and	CEO	NIL
<b>5.2.3</b>	appoint a delegation representing the Council to discuss the matter with the Minister.	CEO	NIL
<b>6.</b>	<b>Transfer of Function of Council at Request of Council</b>		
<b>6.1</b>	The power pursuant to Section 42(1) of the Act to request, in accordance with Section 42(2), of the Act that a function of the Council under the Act be performed by the Chief Public Health Officer.	CEO	NIL
<b>6.2</b>	The power pursuant to Section 42(10) of the Act to enter into an agreement with the Minister for the Minister to recover costs and expenses associated with the Chief Public Health Officer acting under Section 42 of the Act.	CEO	NIL
<b>6.3</b>	The power pursuant to Section 42(11) of the Act to request that the Minister vary or revoke a notice under Section 42 of the Act.	CEO	NIL
<b>6.4</b>	The power pursuant to Section 42(11) of the Act to consult with the Minister in relation to the Minister varying or revoking a notice under Section 42 of the Act.	CEO	NIL
<b>7.</b>	<b>Local Authorised Officers</b>		
<b>7.1</b>	The power pursuant to Section 44(1) of the Act, subject to Section 45 of the Act, to, by instrument in writing,	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
	appoint a suitably qualified person to be a local authorised officer.		
<b>7.2</b>	The power pursuant to Section 44(2) of the Act to make an appointment under Section 44 subject to such conditions or limitations as the Delegate thinks fit.	CEO	NIL
<b>7.3</b>	The power pursuant to Section 44(4) of the Act to direct a local authorised officer.	CEO	NIL
<b>7.4</b>	The power pursuant to Section 44(6) of the Act to vary or revoke an appointment at any time.	CEO	NIL
<b>7.5</b>	The power pursuant to Section 44(7) of the Act to notify the Chief Public Health Officer in accordance with Section 44(8) of the Act, if the Council or the Delegate:	CEO	NIL
<b>7.5.1</b>	makes an appointment under Section 44 of the Act; or	CEO	NIL
<b>7.5.2</b>	revokes an appointment under Section 44 of the Act.	CEO	NIL
<b>7.6</b>	The power pursuant to Section 44(9) of the Act to determine the number of local authorised officers who should be appointed for the Council's area and in determining the number of local authorised officers who should be appointed for the Council's area, take into account any policy developed by the Chief Public Health Officer for the purposes of Section 44 of the Act.	CEO	NIL
<b>8.</b>	<b>Identity Cards</b>		
<b>8.1</b>	The power pursuant to Section 46(1) of the Act to issue in accordance with Section 46(2) of the Act to an authorised officer appointed under the Act an identity card in a form approved by the Chief Public Health Officer:	CEO	NIL
<b>8.1.1</b>	containing the person's name and a photograph of the person; and	CEO	NIL
<b>8.1.2</b>	stating that the person is an authorised officer for the purposes of the Act; and	CEO	NIL
<b>8.1.3</b>	setting out the name or office of the issuing authority.	CEO	NIL
<b>9.</b>	<b>Specific Power to Require Information</b>		
<b>9.1</b>	The power pursuant to Section 49(1) of the Act to require a person to furnish such information relating to public health as may be reasonably required for the purposes of the Act.	CEO	NIL
<b>10.</b>	<b>Regional Public Health Plans</b>		
<b>10.1</b>	The power pursuant to Section 51(1) of the Act to in accordance with Sections 51(2), (5), (6), (8), (9), (11), (12), (13) and (15) of the Act prepare and maintain a plan or, if the Minister so determines or approves, with a	CEO	NIL



		Direct Delegation from Council	Conditions/ Limitations
	group of councils, prepare and maintain a plan, for the purposes of the operations of the Council or Councils under the Act (a regional public health plan).		
<b>10.2</b>	The power pursuant to Section 51(10) of the Act, to, subject to Section 51(11), amend a regional public health plan at any time.	CEO	NIL
<b>10.3</b>	The power pursuant to Section 51(11) of the Act to, in relation to any proposal to create or amend a regional public health plan:	CEO	NIL
<b>10.3.1</b>	prepare a draft of the proposal; and	CEO	NIL
<b>10.3.2</b>	when the draft plan is completed, subject to Section 51(12) of the Act:	CEO	NIL
<b>10.3.2.1</b>	give a copy of it to:	CEO	NIL
	<b>(a)</b> the Minister; and	CEO	NIL
	<b>(b)</b> any incorporated hospital established under the <i>Health Care Act 2008</i> that operates a facility within the region; and	CEO	NIL
	<b>(c)</b> any relevant public health partner authority under Section 51(23); and	CEO	NIL
	<b>(d)</b> any other body or group prescribed by the regulations; and	CEO	NIL
<b>10.3.2.2</b>	take steps to consult with the public.	CEO	NIL
<b>10.4</b>	The power pursuant to Section 51(12) of the Act to, if required by the Minister, consult with the Minister, or any other person or body specified by the Minister, before the Council or the Delegate releases a draft plan under Section 51(11).	CEO	NIL
<b>10.5</b>	The power pursuant to Section 51(13) of the Act to, before bringing a regional public health plan into operation, submit the plan to the Chief Public Health Officer for consultation.	CEO	NIL
<b>10.6</b>	The power pursuant to Section 51(15) of the Act to take into account any comments made by the Chief Public Health Officer, SAPHC, and any other body within the ambit of a determination under Section 51(14) of the Act, at the conclusion of the consultation processes envisaged by Sections 51(13) and (14).	CEO	NIL
<b>10.7</b>	The power pursuant to Section 51(16) of the Act to then adopt a plan or amend a plan with or without alteration.	CEO	NIL
<b>10.8</b>	The power pursuant to Section 51(17) of the Act to undertake the processes set out in Section 51 of the Act in	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
conjunction with the preparation and adoption of its strategic management plans under Section 122 of the <i>Local Government Act 1999</i> (and the power if the delegate thinks fit, incorporate a regional public health plan into the Council's strategic management plans under that Act).			
<b>10.9</b>	The power pursuant to Section 51(18) of the Act to provide in a regional public health plan, by agreement with the public health partner authority, for a public health partner authority to take responsibility for undertaking any strategy, or for attaining any priority or goal, under the plan.	CEO	NIL
<b>10.10</b>	The power pursuant to Section 51(19) of the Act to review a regional public health plan at least once in every 5 years.	CEO	NIL
<b>10.11</b>	The power pursuant to Section 51(20) of the Act to, in preparing and reviewing the Council's regional public health plan insofar as is reasonably practicable, give due consideration to the plans of other councils insofar as this may be relevant to issues or activities under the Council's plan.	CEO	NIL
<b>10.12</b>	The power pursuant to Section 51(21) of the Act to, when performing functions or exercising powers under the Act or any other Act, insofar as may be relevant and reasonable, have regard to the State Public Health Plan, any regional public health plan that applies within the relevant area and any other requirement of the Minister, and in particular to give consideration to the question whether the Council or the Delegate should implement changes to the manner in which, or the means by which, the Council or the Delegate performs a function or exercises a power or undertakes any other activity that has been identified in the State Public Health Plan as requiring change.	CEO	NIL
<b>11. Reporting on Regional Public Health Plans</b>			
<b>11.1</b>	The power pursuant to Section 52(1) of the Act to, in relation to a regional health plan for which the Council is responsible, on a 2 yearly basis, prepare a report that contains a comprehensive assessment of the extent to which, during the reporting period, the Council has succeeded in implementing its regional public health plan to the Chief Public Health Officer in accordance with Sections 52(2), (3) and (4) of the Act.	CEO	NIL
<b>12. Action to Prevent Spread of Infection</b>			
<b>12.1</b>	The power pursuant to Section 66(6) of the Act to recover as a debt costs and expenses reasonably incurred in exercising powers under Section 66(5) of the Act from the person who failed to take the required action.	CEO	NIL
<b>12.2</b>	The power pursuant to Section 66(9) of the Act to, if the Chief Public Health Officer informs the Council of the occurrence of a disease constituting a notifiable condition, take such action as is reasonably open to the Delegate to assist in preventing the spread of the disease.	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
<b>13.</b>	<b>Notices</b>		
<b>13.1</b>	The power pursuant to Section 92(1) of the Act and subject to Sections 92(2), (3), (4), (5) and (12) of the Act to issue a notice for the purpose of:	CEO	NIL
<b>13.1.1</b>	securing compliance with a requirement imposed by or under the Act (including the duty under Part 6 or a requirement imposed under a regulation or a code of practice under the Act); or	CEO	NIL
<b>13.1.2</b>	averting, eliminating or minimising a risk, or a perceived risk, to public health.	CEO	NIL
<b>13.2</b>	The power pursuant to Section 92(2) of the Act and subject to Section 92(12) of the Act, to, before issuing a notice to secure compliance with the general duty under Part 6 of the Act:	CEO	NIL
<b>13.2.1</b>	have regard to:	CEO	NIL
<b>13.2.1.1</b>	the number of people affected, or potentially affected, by the breach of the duty;	CEO	NIL
<b>13.2.1.2</b>	the degree of harm, or potential degree of harm, to public health on account of the breach of the duty;	CEO	NIL
<b>13.2.1.3</b>	any steps that a person in breach of the duty has taken, or proposed to take, to avoid or address the impact of the breach of the duty,	CEO	NIL
	and such other matters as the Delegate thinks fit; and	CEO	NIL
<b>13.2.2</b>	subject to Section 92 of the Act, give the person to whom it is proposed that the notice be given a preliminary notice in writing:	CEO	NIL
<b>13.2.2.1</b>	stating the proposed action, including the terms of the proposed notice and the period within which compliance with the notice will be required; and	CEO	NIL
<b>13.2.2.2</b>	stating the reasons for the proposed action; and	CEO	NIL
<b>13.2.2.3</b>	inviting the person show, within a specified time (of a reasonable period), why the proposed action should not be taken (by making representations to the Delegate or a person nominated to act on behalf of the Council).	CEO	NIL
<b>13.3</b>	The power pursuant to Section 92(2)(b)(iii) of the Act to nominate a person to act on behalf of the Council.	CEO	NIL
<b>13.4</b>	The power pursuant to Section 92(3) of the Act to, in a case where Section 92(2)(b) of the Act applies, after considering representations made within the time specified under Section 92(2)(b) of the Act:	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
<b>13.4.1</b>	issue a notice in accordance with the terms of the original proposal; or	CEO	NIL
<b>13.4.2</b>	issue a notice with modifications from the terms of the original proposal; or	CEO	NIL
<b>13.4.3</b>	determine not to proceed further under Section 92.	CEO	NIL
<b>13.5</b>	The power pursuant to Section 92(4) of the Act to:	CEO	NIL
<b>13.5.1</b>	not give notice under Section 92(2)(b) of the Act if the Delegate considers that urgent or immediate action is required in the circumstances of the particular case; and	CEO	NIL
<b>13.5.2</b>	not give further notice before issuing a notice with modifications under Section 92(3)(b) of the Act.	CEO	NIL
<b>13.6</b>	The power pursuant to Section 92(5) of the Act issue a notice under Section 92 of the Act:	CEO	NIL
<b>13.6.1</b>	in the form of a written notice served on the person to whom it is issued; and	CEO	NIL
<b>13.6.2</b>	specifying the person to whom it is issued (whether by name or by a description sufficient to identify the person); and	CEO	NIL
<b>13.6.3</b>	directing 2 or more persons to do something specified in the notice jointly; and	CEO	NIL
<b>13.6.4</b>	without limiting any other provision, in the case of a notice that relates to the condition of any premises, to any person who:	CEO	NIL
<b>13.6.4.1</b>	is the owner or occupier of the premises; or	CEO	NIL
<b>13.6.4.2</b>	has the management or control of the premises; or	CEO	NIL
<b>13.6.4.3</b>	is the trustee of a person referred to in Section 92(5)(i) or (ii) of the Act or is managing the affairs of such a person on some other basis; and	CEO	NIL
<b>13.6.5</b>	stating the purpose for which the notice is issued and giving notice of the requirement or the risk to which it relates; and	CEO	NIL
<b>13.6.6</b>	imposing any requirement reasonably required for the purpose for which the notice is issued including 1 or more of the following:	CEO	NIL
<b>13.6.6.1</b>	a requirement that the person discontinue, or not commence, a specified activity indefinitely or for a specified period or until further notice from a relevant authority;	CEO	NIL
<b>13.6.6.2</b>	a requirement that the person not carry on a specified activity except at specified times	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
	or subject to specified conditions;		
<b>13.6.6.3</b>	a requirement that the person take specified action in a specified way, and within a specified period or at specified times or in specified circumstances;	CEO	NIL
<b>13.6.6.4</b>	a requirement that the person take action to prevent, eliminate, minimise or control any specified risk to public health, or to control any specified activity;	CEO	NIL
<b>13.6.6.5</b>	a requirement that the person comply with any specified code or standard prepared or published by a body or authority referred to in the notice;	CEO	NIL
<b>13.6.6.6</b>	a requirement that the person undertake specified tests or monitoring;	CEO	NIL
<b>13.6.6.7</b>	a requirement that the person furnish to a relevant authority specified results or reports;	CEO	NIL
<b>13.6.6.8</b>	a requirement that the person prepare, in accordance with specified requirements and to the satisfaction of the relevant authority, a plan of action to secure compliance with a relevant requirement or to prevent, eliminate, minimise or control any specified risk to public health;	CEO	NIL
<b>13.6.6.9</b>	a requirement prescribed under or for the purposes of the regulations; and	CEO	NIL
<b>13.6.7</b>	stating that the person may, within 14 days, apply for a review of the notice or institute an appeal against the notice under the provisions of the Act.	CEO	NIL
<b>13.7</b>	The power pursuant to Section 92(9) of the Act by written notice served on a person to whom a notice under Section 92 of the Act has been issued by the Delegate or the Council, vary or revoke the notice.	CEO	NIL
<b>13.8</b>	The power pursuant to Section 92(15) of the Act to, not comply with any other procedure, or hear from any other person, except as provided by Section 92 of the Act before the Delegate issues a notice under Section 92 of the Act.	CEO	NIL
<b>14.</b>	<b>Action on Non-compliance with Notice</b>		
<b>14.1</b>	The power pursuant to Section 93(1) of the Act if the requirements of a notice under Part 12 of the Act are not complied with, to take any action required by the notice.	CEO	NIL
<b>14.2</b>	The power pursuant to Section 93(2) of the Act to authorise a person for the purpose of taking action on the Council's behalf under Section 93(1) of the Act.	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
<b>14.3</b>	The power pursuant to Section 93(4) of the Act to recover the reasonable costs and expenses incurred by the Council in taking action under Section 93 of the Act as a debt from the person who failed to comply with the requirements of the notice.	CEO	NIL
<b>14.4</b>	The power pursuant to Section 93(5) of the Act, if an amount is recoverable from a person by the Council under Section 93, to, by notice in writing to the person, fix a period, being not less than 28 days from the date of the notice, within which the amount must be paid by the person.	CEO	NIL
<b>15. Action in Emergency Situations</b>			
<b>15.1</b>	The power pursuant to Section 94(5) of the Act to recover the reasonable costs and expenses incurred by a local authorised officer in taking action under Section 94 from any person who caused the risk to which the action relates, as a debt.	CEO	NIL
<b>16. Reviews – Notices Relating to General Duty</b>			
<b>16.1</b>	The power pursuant to Section 95(13) of the Act to appear in proceedings before the Review Panel as a representative of the Council.	CEO	NIL
<b>16.2</b>	The power pursuant to Section 95(15) of the Act to make an application to the Review Panel to:	CEO	NIL
<b>16.2.1</b>	dismiss or determine any proceedings that appear:	CEO	NIL
<b>16.2.1.1</b>	to be frivolous or vexatious; or	CEO	NIL
<b>16.2.1.2</b>	to have been instituted for the purpose of delay or obstruction, or for some other improper purpose;	CEO	NIL
<b>16.2.2</b>	bring any proceedings to an end that appear:	CEO	NIL
<b>16.2.2.1</b>	to be more appropriate suited to proceedings before the District Court rather than the Review Panel; or	CEO	NIL
<b>16.2.2.2</b>	to be unable to be satisfactorily resolved (or resolved within a reasonable period) by proceedings before the Review Panel; or	CEO	NIL
<b>16.2.3</b>	bring any proceedings to an end for any other reasonable cause.	CEO	NIL
<b>17. Appeals</b>			
<b>17.1</b>	The power pursuant to Section 96(3) of the Act and subject to Section 96(4) of the Act, appeal to the District	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
Court against the outcome of review proceedings under Division 3, Part 12 of the Act.			
<b>INSTRUMENT OF DELEGATION UNDER THE SOUTH AUSTRALIAN PUBLIC HEALTH (LEGIONELLA) REGULATIONS 2013</b>			
<b>18. Duty to Register High Risk Manufactured Water System</b>			
<b>18.1</b>	The power pursuant to Regulation 5(3) of the South Australian Public Health (Legionella) Regulations 2013 ( <b>the Legionella Regulations</b> ) to, on application made in a manner and form approved by the Council or Delegate and payment of the <del>registration fee specified in Schedule 1</del> <b>prescribed fee</b> to the Council, register the high risk manufactured water system to which the application relates.	CEO	NIL
<b>18.2</b>	The power pursuant to Regulation 5(6) of the Legionella Regulations, to, on application made in a manner and form approved by the Council or Delegate and payment of the <del>renewal fee specified in Schedule 1</del> <b>prescribed fee</b> to the Council, renew the registration of the high risk manufactured water system to which the application relates.	CEO	NIL
<b>19. Register of High Risk Manufactured Water Systems</b>			
<b>19.1</b>	The power pursuant to Regulation 6(2) of the Legionella Regulations and subject to Regulation 6(3) of the Legionella Regulations to determine the manner and form of a register of high risk manufactured water systems registered by the Council.	CEO	NIL
<b>19.2</b>	The power pursuant to Regulation 6(3) of the Legionella Regulations to include in relation to each high risk manufactured water system on the register:	CEO	NIL
<b>19.2.1</b>	the type of water system; and	CEO	NIL
<b>19.2.2</b>	the address of the premises on which the water system is installed; and	CEO	NIL
<b>19.2.3</b>	the location of the water system on the premises; and	CEO	NIL
<b>19.2.4</b>	the full name and residential and business addresses of the owner of the premises; and	CEO	NIL
<b>19.2.5</b>	the full name, residential and business addresses, and residential and business telephone numbers, of the person nominated by the owner of the premises as being responsible for the operation and maintenance of the water system,	CEO	NIL
	and such other information as the Delegate thinks fit.	CEO	NIL
<b>19.3</b>	The power pursuant to Regulation 15(2) of the Legionella Regulations to, at least once in every 12 months,	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
give the owner of each of the premises on which a high risk manufactured water system registered with the Council is installed, written notice:			
<b>19.3.1</b>	requiring the owner, within the period specified in the notice:	CEO	NIL
<b>19.3.1.1</b>	to cause an inspection of the water system to be carried out by a competent person (not being the owner or person responsible for the operation and maintenance of the system); and	CEO	NIL
<b>19.3.1.2</b>	to arrange for a NATA accredited laboratory to conduct microbiological testing, in accordance with AS/NZS 3896:	CEO	NIL
	<b>(a)</b> of at least 1 sample of water taken from a cooling water system; and	CEO	NIL
	<b>(b)</b> of at least 2 samples of water taken from a warm water system,	CEO	NIL
	to determine the presence and number of colony forming units of Legionella in the water; and	CEO	NIL
<b>19.4</b>	requiring the owner to submit to the Council written reports setting out the findings of the inspection and the results of the microbiological testing within 1 month of receiving the reports.	CEO	NIL
<b>20. Power of Council to Require Microbiological Testing in Other Circumstances</b>			
<b>20.1</b>	The power pursuant to Regulation 16(1) of the Legionella Regulations, if:	CEO	NIL
<b>20.1.1</b>	the Council is investigating the occurrence of Legionellosis in the near vicinity of premises on which a high risk manufactured water system is installed; or	CEO	NIL
<b>20.1.2</b>	the Council or Delegate has reason to believe that a high risk manufactured water system installed on premises situated in its area is not being maintained as required by these regulations,	CEO	NIL
	to give the owner of the premises written notice:	CEO	NIL
<b>20.1.3</b>	requiring the owner (either immediately or within a period specified in the notice) to arrange for a NATA accredited laboratory to conduct microbiological testing, in accordance with AS/NZS 3896, of water taken from the system, to determine the presence and number of colony forming units of Legionella in the water; and	CEO	NIL
<b>20.1.4</b>	requiring the owner to submit to the Council a written report setting out the results of the	CEO	NIL



		Direct Delegation from Council	Conditions/ Limitations
microbiological testing within 24 hours of receiving the report.			
<b>21. Fees</b>			
<b>21.1</b>	The power pursuant to Regulation 21(3) of the Legionella Regulations, if a person is liable to pay a fee to the Council, to give the person written notice requiring the person to pay the fee within the period specified in the notice.	CEO	NIL
<b>21.2</b>	<del>The power pursuant to Regulation 21(4) of the Legionella Regulations, to reduce or remit a fee payable to the Council under the Legionella Regulations if satisfied that it is appropriate to do so in a particular case.</del> <u>Deliberately left blank.</u>	Deliberately Left Blank	Deliberately Left Blank
<b>21.3</b>	<del>The power pursuant to Regulation 21(5) of the Legionella Regulations, to recover a fee payable to the Council under the Legionella Regulations by action in a court of competent jurisdiction as a debt due to the Council.</del> <u>Deliberately left blank.</u>	Deliberately Left Blank	Deliberately Left Blank
<b>INSTRUMENT OF DELEGATION UNDER THE SOUTH AUSTRALIAN PUBLIC HEALTH (WASTEWATER) REGULATIONS 2013</b>			
<b>22. Relevant Authority</b>			
<b>22.1</b>	The power pursuant to Regulation 6(1)(b) of the South Australian Public Health (Wastewater) Regulations 2013 ( <b>the Wastewater Regulations</b> ) to, agree to act as the relevant authority for a matter relating to an on-site wastewater system with a capacity that does not, or will not, on completion of wastewater works, exceed 40 EP and that is located or to be located in another council area if the system is to be operated by another council or wastewater works related to the system are to be undertaken by another council, or by a person acting in partnership, or in conjunction with that other council.	CEO	NIL
<b>23. Public Notification of Proposed Community Wastewater Management System</b>			
<b>23.1</b>	The power pursuant to Regulation 8(1) of the Wastewater Regulations to, if the Council proposes to establish a community wastewater management system for the whole or part of its area in the interests of public and environmental health, to give notice to the owners of land in the area affected by the proposal containing the prescribed details relating to the proposal and inviting submissions in relation to the proposal within a period (which must be at least 21 days) specified in the notice.	CEO	NIL
<b>24. Connection to Community Wastewater Management System</b>			
<b>24.1</b>	The power pursuant to Regulation 9(1) of the Wastewater Regulations and subject to Regulation 9(2) of the	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
	Wastewater Regulations on obtaining a wastewater works approval for a community wastewater management system, to, by written notice, require the operator of an on-site wastewater system:		
<b>24.1.1</b>	to connect the system to the community wastewater management system; and	CEO	NIL
<b>24.1.2</b>	for that purpose, to complete and submit an application to the Council, within the period specified in the notice, for a wastewater works approval for:	CEO	NIL
<b>24.1.2.1</b>	the connection; and	CEO	NIL
<b>24.1.2.2</b>	if necessary, consequential alterations to the on-site wastewater system.	CEO	NIL
<b>24.2</b>	The power pursuant to Regulation 9(4) of the Wastewater Regulations, if the operator of an on-site wastewater system does not submit an application within the period specified in a notice under Regulation 9(1) of the Wastewater Regulations, to grant a wastewater works approval for the required wastewater works as if the application had been made.	CEO	NIL
<b>24.3</b>	The power pursuant to Regulation 9(6) of the Wastewater Regulations, if wastewater works are not carried out in accordance with a wastewater works approval for the connection of an on-site wastewater system to a community wastewater management system required under Regulation 9 of the Wastewater Regulations, to cause the requirements to be carried out (and a person authorised to do so by the Council may enter land at any reasonable time for the purposes of carrying out the relevant work).	CEO	NIL
<b>24.4</b>	The power pursuant to Regulation 9(6) of the Wastewater Regulations to if wastewater works are not carried out in accordance with a wastewater approval for the connection of an on-site wastewater system to a community wastewater management system required under Regulation 9 of the Wastewater Regulations, authorise a person to enter land at any reasonable time for the purpose of carrying out the relevant work.	CEO	NIL
<b>24.5</b>	The power pursuant to Regulation 9(7) of the Wastewater Regulations to recover as a debt the costs and expenses reasonably incurred in exercising a power under Regulation 9(6) of the Wastewater Regulations and the <b>prescribed</b> fee that would have been payable had the application been made as required under Regulation 9(1) of the Wastewater Regulations from the person who failed to comply with the notice.	CEO	NIL
<b>25. Exemptions</b>			
<b>25.1</b>	The power pursuant to Regulation 10(3) of the Wastewater Regulations to give an exemption by written notice and subject to conditions determined by the Delegate and stated in the notice.	CEO	NIL
<b>25.2</b>	The power pursuant to Regulation 10(4) of the Wastewater Regulations to vary or revoke an exemption by	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
further written notice to the holder of the exemption.			
<b>26. Exemptions From Prescribed Codes</b>			
<b>26.1</b>	The power pursuant to Regulation 15(3) of the Wastewater Regulations to give an exemption by written notice and is subject to conditions determined by the Delegate and stated in the notice.	CEO	NIL
<b>26.2</b>	The power pursuant to Regulation 15(5) of the Wastewater Regulations to vary or revoke an exemption by further written notice to the holder of the exemption.	CEO	NIL
<b>27. Application</b>			
<b>27.1</b>	The power pursuant to Regulation 23(2) of the Wastewater Regulations to, by written notice, ask the applicant to provide the Council with further technical specifications, information or documents relevant to the application or to modify the technical specifications submitted for approval.	CEO	NIL
<b>28. Determination of Application</b>			
<b>28.1</b>	The power pursuant to Regulation 24(1) of the Wastewater Regulations to refuse to grant a wastewater works approval:	CEO	NIL
<b>28.1.1</b>	if the applicant fails to satisfy the Delegate of either or both of the following:	CEO	NIL
<b>28.1.1.1</b>	that the technical specifications for the wastewater works comply with the prescribed codes;	CEO	NIL
<b>28.1.1.2</b>	that the wastewater works will not, if undertaken in accordance with the conditions of approval, adversely affect or threaten public or environmental health; or	CEO	NIL
<b>28.1.2</b>	for any other sufficient reason.	CEO	NIL
<b>28.2</b>	The power pursuant to Regulation 24(2) of the Wastewater Regulations, if an application for a wastewater works approval relates to the connection of a community wastewater management system to SA Water sewerage infrastructure or a significant increase in the amount of wastewater to be discharged from a community wastewater management system to SA Water sewerage infrastructure, to give SA Water a reasonable opportunity to comment on the application and take into account any comments so made.	CEO	NIL
<b>29. Conditions of Approval</b>			

		Direct Delegation from Council	Conditions/ Limitations
<b>29.1</b>	The power pursuant to Regulation 25(2) of the Wastewater Regulations to impose:	CEO	NIL
<b>29.1.1</b>	any 1 or more of the following prescribed expiable conditions:	CEO	NIL
<b>29.1.1.1</b>	a condition that sets out mandatory notification stages during the progress of wastewater works when a person is required to notify the Council in a specified manner and stop the work pending an inspection carried out at the person's expense;	CEO	NIL
<b>29.1.1.2</b>	a condition that requires the display of specified notices on the premises on which the wastewater system is located;	CEO	NIL
<b>29.1.1.3</b>	a condition that requires a person to monitor the performance of the wastewater system in a specified manner (including by inspections carried out at specified times at the person's expense) and to provide the Council with specified information in a specified manner and at specified times;	CEO	NIL
<b>29.1.1.4</b>	a condition that provides that specified material must not, or that only specified material may, be discharged into, or from, the wastewater system;	CEO	NIL
<b>29.1.1.5</b>	a condition that requires the wastewater system to be operated, maintained or serviced by a person of a specified class;	CEO	NIL
<b>29.1.1.6</b>	a condition that requires records of a specified kind to be created, maintained, and provided to the Council; or	CEO	NIL
<b>29.1.2</b>	any other conditions including any 1 or more of the following:	CEO	NIL
<b>29.1.2.1</b>	a condition that requires decommissioning of the wastewater system:	CEO	NIL
	(a) after a specified trial period; or	CEO	NIL
	(b) in specified circumstances; or	CEO	NIL
	(c) on written notice to the operator of the system;	CEO	NIL
<b>29.1.2.2</b>	a condition that requires a wastewater system to be connected to a community wastewater management system;	CEO	NIL
<b>29.1.2.3</b>	a condition that prevents activities that would adversely affect the operation or maintenance of a drain or treatment or disposal system or the reuse of wastewater from	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
	the wastewater system;		
<b>29.1.2.4</b>	a condition that requires a wastewater system to have various access points for maintenance or inspection (raised to or terminating at surface level, or as required by the Council);	CEO	NIL
<b>29.1.2.5</b>	a condition that provides that a wastewater system must not be used unless or until it has been inspected or tested by an independent wastewater engineer and the Council supplied with a certificate given by that expert certifying that the wastewater works have been undertaken in accordance with the approved technical specifications;	CEO	NIL
<b>29.1.2.6</b>	a condition that otherwise specifies requirements relating to:	CEO	NIL
	<b>(a)</b> the installation of the <del>wastewater system</del> <u>waste watersystem</u> ; or	CEO	NIL
	<b>(b)</b> the decommissioning of the wastewater system; or	CEO	NIL
	<b>(c)</b> the connection of the wastewater system to a community wastewater management system or SA Water sewerage infrastructure or the disconnection of the wastewater system from a community wastewater management system or from SA Water sewerage infrastructure; or	CEO	NIL
	<b>(d)</b> the operation, servicing and maintenance of the wastewater system; or	CEO	NIL
	<b>(e)</b> the reuse or disposal of wastewater from the wastewater system.	CEO	NIL
<b>29.2</b>	The power pursuant to Regulation 25(3) of the Wastewater Regulations to impose a condition of approval that:	CEO	NIL
<b>29.2.1</b>	provides that a matter or thing is to be determined according to the discretion of the Council or some other specified person or body; and	CEO	NIL
<b>29.2.2</b>	operates by reference to the manuals referred to in a product approval for the wastewater system; and	CEO	NIL
<b>29.2.3</b>	operates by reference to a specified code as in force at a specified time or as in force from time to time.	CEO	NIL
<b>29.3</b>	The power pursuant to Regulation 25(6) of the Wastewater Regulations to, on application and payment of the <u>prescribed</u> fee <del>fixed by Schedule 1</del> , by written notice to the applicant, vary or revoke a condition of a	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
	wastewater works approval.		
<b>29.4</b>	The power pursuant to Regulation 25(7) of the Wastewater Regulations to, on the Delegate's own initiative, by written notice to the operator of a wastewater system to which a wastewater works approval applies, vary or revoke a condition of the approval or impose a further condition, provided that the variation, revocation or imposition does not take effect until at least 6 months after the giving of the notice unless:	CEO	NIL
<b>29.4.1</b>	the operator consents; or	CEO	NIL
<b>29.4.2</b>	the Delegate states in the notice that, in his/her opinion, the variation, revocation or imposition is necessary in order to prevent or mitigate significant harm to public or environmental health or the risk of such harm.	CEO	NIL
<b>30.</b>	<b>Expiry of Approval</b>		
<b>30.1</b>	The power pursuant to Regulation 26(2) of the Wastewater Regulations to, on application and payment of the <u>prescribed</u> fee <del>fixed by Schedule 1</del> , postpone the expiry of a wastewater works approval for a specified period.	CEO	NIL
<b>31.</b>	<b>Registers of Wastewater Works Approvals</b>		
<b>31.1</b>	The power pursuant to Regulation 27(3) of the Wastewater Regulations, to extend the registers to include wastewater works approvals granted under the revoked regulations.	CEO	NIL
<b>31.2</b>	The power pursuant to Regulation 27(6) of the Wastewater Regulations to include in the registers other information considered appropriate by the Delegate.	CEO	NIL
<b>32.</b>	<b>Requirement to Obtain Expert Report</b>		
<b>32.1</b>	The power pursuant to Regulation 29(1) of the Wastewater Regulations, if the Delegate suspects on reasonable grounds that a wastewater system is adversely affecting or threatening public or environmental health, to give the operator of the system a written notice requiring the operator to obtain and provide to the Council a written report from an independent wastewater engineer within a specified period addressing specified matters.	CEO	NIL
<b>32.2</b>	The power pursuant to Regulation 29(3) of the Wastewater Regulations, if the requirements of a notice under Regulation 29 of the Wastewater Regulations are not complied with to obtain the required report and recover the costs and expenses reasonable incurred in doing so from the person who failed to comply with the notice, as a debt.	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
<b>32.3</b> The power pursuant to Regulation 29(3) of the Wastewater Regulations, to authorise a person to enter land at any reasonable time for the purposes of the report.	CEO	NIL
<b>33. <u>Fees Deliberately left blank</u></b>		
<del>33.1 The power pursuant to Regulation 33(1) of the Wastewater Regulations, to refund, reduce or remit payment of a fee payable under the Wastewater Regulations if the Delegate considers that appropriate in the circumstances.</del>	Deliberately Left Blank	Deliberately Left Blank
<del>33.2 The power pursuant to Regulation 33(2) of the Wastewater Regulations, to recover a fee payable to the Council by action in a court of competent jurisdiction as a debt due to the Council.</del>	Deliberately Left Blank	Deliberately Left Blank
<b><u>INSTRUMENT OF DELEGATION UNDER THE SOUTH AUSTRALIAN PUBLIC HEALTH (GENERAL) REGULATIONS 2013</u></b>		
<b><u>SOUTH AUSTRALIAN PUBLIC HEALTH (GENERAL) REGULATIONS 2013</u></b>		
<b>34. Non-compliance with Notices (Section 93(6) of Act)</b>		
<b>34.1</b> The power pursuant to Regulation 5B(2) of the South Australian Public Health (General) Regulations 2013 (the General Regulations), for the purposes of the creation of a charge on land under Section 93 of the Act, to deliver to the Registrar-General a notice, in a form determined by the Minister on the recommendation or with the approval of the Registrar-General:	CEO	NIL
<b>34.1.1</b> setting out the amount recoverable under Section 93 of the Act; and	CEO	NIL
<b>34.1.2</b> setting out the land in relation to which the relevant action was taken; and	CEO	NIL
<b>34.1.3</b> requesting the Registrar-General to make a notation under Regulation 5B of the General Regulations in relation to the relevant land.	CEO	NIL
<b>34.2</b> The power pursuant to Regulation 5B(8) of the General Regulations, if or when the amount to which the charge relates is paid, to by further notice in writing to the Registrar-General (being a notice in a form determined by the Minister on the recommendation or with the approval of the Registrar-General) cancel the charge.	CEO	NIL
<b><u>SOUTH AUSTRALIAN PUBLIC HEALTH (FEES) REGULATIONS 2018</u></b>		
<b><u>35. Refund and Recovery of Fees</u></b>		
<del>35.1 The power pursuant to Clause 2(1) of Schedule 1 of the South Australian Public Health (Fees) Regulations</del>	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
<u>2018 (the Fees Regulations), to, where the Council is the relevant authority within the meaning of the respective regulations specified in Schedule 1 of the Fees Regulations, refund, reduce or remit payment of a fee payable under those regulations if the delegate considers that appropriate in the circumstances.</u>		
<b>35.2</b> <u>The power pursuant to Clause 2(2) of the Fees Regulations to recover a fee payable to the Council by action in a Court of competent jurisdiction as a debt due to the Council.</u>	CEO	NIL



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## **Appendix 9**

*Instrument of Delegation under the  
Strata Titles Act 1988*

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	Direct Delegation from Council	Conditions/ Limitations
<b>INSTRUMENT OF DELEGATION UNDER THE STRATA TITLES ACT 1999</b>		
<b>1. Application for Amendment</b>		
<b>1.1</b> The power pursuant to Section 12(2)(b) of the <i>Strata Titles Act 1988 (the Act)</i> , where the Council has an encumbrance registered in relation to units or common property affected by a proposed amendment, to consent to the amendment.	CEO	NIL
<b>1.2</b> The power pursuant to Section 12(2)(c) of the Act, where units or common property affected by the proposed amendment are subject to a statutory encumbrance held by the Council, to consent to the amendment.	CEO	NIL
<b>1.3</b> The power pursuant to Section 12(3a) of the Act, where:	CEO	NIL
<b>1.3.1</b> the erection or alteration of a building on the site causes an encroachment over public land in the area of the Council not included in the site; and	CEO	NIL
<b>1.3.2</b> the application for amendment relates (wholly or in part) to the erection or alteration of that building,	CEO	NIL
to consent to the encroachment.	CEO	NIL
<b>1.4</b> The power pursuant to Section 12(8) of the Act, where on amendment of a deposited strata plan, part, but not the whole, of an allotment within the meaning of Part 194AB of the <i>Real Property Act 1886</i> is to be included in the site from outside the site, and the Council is the registered proprietor of the allotment to be divided, to make the application jointly with the strata corporation.	CEO	NIL
<b>2. Application May Deal with Statutory Encumbrances</b>		
<b>2.1</b> The power pursuant to Section 12A of the Act, where the Council is the holder of a statutory encumbrance, to sign a certificate certifying that the requirements of the Act under which the encumbrance was entered into, or is in force, as to the variation or termination of the statutory encumbrance (if any) have been complied with.	CEO	NIL
<b>2A. Amendment by Order of ERD Court</b>		
<b>2A.1</b> The power pursuant to Sections 13(1) and (2) of the Act and subject to Section 13(3) of the Act to make an application to the ERD Court.	CEO	NIL
<b>2A.2</b> The power pursuant to Section 13(3a) of the Act to make submissions to the Court in relation to the matter.	CEO	NIL
<b>3. Amalgamation of Adjacent Sites</b>		

		Direct Delegation from Council	Conditions/ Limitations
<b>3.1</b>	The power pursuant to Section 16(2)(c) of the Act, where the Council has a registered interest in the units, to consent to an application for amalgamation.	CEO	NIL
<b>3.2</b>	The power pursuant to Section 16(2)(c) of the Act, to endorse an application for amalgamation with the consent of the Council where the Council has a registered interest in the units.	CEO	NIL
<b>4.</b>	<b>Cancellation</b>		
<b>4.1</b>	The power pursuant to Section 17(2)(b) of the Act, where the Council has a registered interest in the unit or the common property to approve an instrument of cancellation.	CEO	NIL
<b>4.2</b>	The power pursuant to Section 17(2)(b) of the Act to, endorse an instrument of cancellation with the approval of the Council where the Council has a registered interest in a unit or the common property.	CEO	NIL
<b>4.3</b>	The power pursuant to Section 17(4) of the Act to make an application for an order of the ERD Court cancelling a strata plan.	CEO	NIL
<b>4.4</b>	The power pursuant to Section 17(4a) of the Act to make submissions to the Court in relation to the matter.	CEO	NIL
<b>5.</b>	<b>Application for Division</b>		
<b>5.1</b>	The power pursuant to Section 17AAA(2) of the Act where the Council is the owner of the units comprising the site or is a person whose consent is required by Part 19AB Division 2 of the Real Property Act 1886 to consent to a plan of division lodged with the application.	CEO	NIL
<b>5.2</b>	The power pursuant to Section 17AAA(2) of the Act to endorse the plan of division lodged with the application with the consent of the Council where the Council is the owner of the units comprising the site or is a person whose consent is required by Part 19AB Division 2 of the Real Property Act 1886.	CEO	NIL
<b>6.</b>	<b>Articles of Strata Corporation</b>		
<b>6.1</b>	The power pursuant to Section 19(3b)(e) of the Act, to, within 60 days after service of the notice, apply to the Magistrates Court for revocation of the notice.	CEO	NIL
<b>7.</b>	<b>Certain Articles May be Struck Out by Court</b>		
<b>7.1</b>	The power pursuant to Sections 19A(1) and (2) of the Act to make an application to the Magistrates Court or the District Court under Part 3A of the Act.	CEO	NIL
<b>8.</b>	<b>Offences</b>		
<b>8.1</b>	The power pursuant to Section 27D(5) of the Act to make an application to the delegate of a strata	CEO	NIL

		Direct Delegation from Council	Conditions/ Limitations
	corporation to be provided with, on a quarterly basis, a statement setting out details of dealings by the delegate with the corporation's money.		
<b>8.2</b>	The power pursuant to Section 27D(7) of the Act to request a delegate of a strata corporation who holds records of the corporation to:	CEO	NIL
<b>8.2.1</b>	make those records available for the Council or the Council's delegate to inspect within 10 business days of the request; and	CEO	NIL
<b>8.2.2</b>	provide the Council or the Council's delegate with a copy of any of the records on payment of a fee.	CEO	NIL
<b>9.</b>	<b>Power to Enforce Duties of Maintenance and Repair</b>		
<b>9.1</b>	The power pursuant to Section 28(5) of the Act, where:	CEO	NIL
<b>9.1.1</b>	the strata corporation recovers costs from the Council under Section 28(4) of the Act; and	CEO	NIL
<b>9.1.2</b>	the circumstances out of which the work was required are attributable to the act or default of another person,	CEO	NIL
	to recover those costs from that other person as a debt.	CEO	NIL
<b>10.</b>	<b>Right of Unit Holders etc to Satisfy Themselves as to Insurance</b>		
<b>10.1</b>	The power pursuant to Section 32(1) of the Act, to request a strata corporation to produce for inspection all current policies of insurance taken out by the corporation.	CEO	NIL
<b>11.</b>	<b>Holding of General Meetings</b>		
<b>11.1</b>	The power pursuant to and in accordance with Section 33(2) of the Act, subject to Sections 33(3), (3a), (4a) and (4b) of the Act, to convene a meeting.	CEO	NIL
<b>11.2</b>	The power pursuant to Section 33(2)(e) of the Act to apply to the Magistrates Court for a meeting to be convened.	CEO	NIL
<b>12.</b>	<b>Voting at General Meetings</b>		
<b>12.1</b>	The power pursuant to Section 34(2a) of the Act, subject to Sections 34(3a), (3b) and (3c) of the Act, to nominate another person to attend and vote at meetings on the Council's behalf.	CEO	NIL
<b>12.2</b>	The power pursuant to Section 34(4) of the Act to exercise an absentee vote on a proposed resolution by giving the secretary written notice of the proposed vote at least six hours before the time of the meeting.	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
<b>13. Administrator of Strata Corporation's Affairs</b>		
<b>13.1</b> The power pursuant to Section 37(1) of the Act to make application to a relevant court to appoint an administrator of the strata corporation, or remove or replace an administrator previously appointed.	CEO	NIL
<b>14. Information to be Furnished</b>		
<b>14.1 The power pursuant to Section 41(1) of the Act to make application to a strata corporation to:</b>	CEO	NIL
<b>14.1.1</b> furnish:	CEO	NIL
<b>14.1.1.1</b> particulars of any contribution payable in relation to the unit (including details of any arrears of contribution related to the unit);	CEO	NIL
<b>14.1.1.2</b> particulars of the assets and liabilities of the corporation;	CEO	NIL
<b>14.1.1.3</b> particulars of any expenditure that the corporation has incurred, or has resolved to incur, and to which the unit holder of the unit must contribute, or is likely to be required to contribute;	CEO	NIL
<b>14.1.1.4</b> particulars in relation to any prescribed matter;	CEO	NIL
<b>14.1.2</b> provide copies of:	CEO	NIL
<b>14.1.2.1</b> the minutes of general meetings of the corporation and meetings of its management committee for such period, not exceeding two years, specified in the application;	CEO	NIL
<b>14.1.2.2</b> the statement of accounts of the corporation last prepared by the corporation;	CEO	NIL
<b>14.1.2.3</b> the articles for the time being in force;	CEO	NIL
<b>14.1.2.4</b> current policies of insurance taken out by the corporation;	CEO	NIL
<b>14.1.3</b> make available for inspection:	CEO	NIL
<b>14.1.3.1</b> a copy of the accounting records of the corporation;	CEO	NIL
<b>14.1.3.2</b> the minute books of the corporation;	CEO	NIL
<b>14.1.3.3</b> any other prescribed documentary material;	CEO	NIL
<b>14.1.4</b> if the strata corporation is a party to a contract with a body corporate manager – make available for inspection a copy of the contract;	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
<b>14.1.5</b> make available for inspection the register maintained under Section 39A of the Act.	CEO	NIL
<b>14.2</b> The power pursuant to Section 41(1a) of the Act, subject to Sections 41(2) and (3) of the Act, to make application to a strata corporation to provide, on a quarterly basis, ADI statements for all accounts maintained by the corporation.	CEO	NIL
<b>15. Persons Who May Apply for Relief</b>		
<b>15.1</b> The power pursuant to Sections 41AA and 41A of the Act to, subject to Section 41A(2) of the Act, apply for relief under Part 3 of the Act.	CEO	NIL
<b>16. Resolution of Disputes, etc</b>		
<b>16.1</b> The power pursuant to Section 41A(3) of the Act to seek the permission of the District Court, to bring an application under Section 41A of the Act in the District Court.	CEO	NIL
<b>16.2</b> The power pursuant to Section 41A(3) of the Act bring an application under Section 41A of the Act in the District Court.	CEO	NIL
<b>16.3</b> The power pursuant to Section 41A(4) of the Act to apply to the District Court for proceedings under Section 41A of the Act that have been commenced in the Magistrates Court, to be transferred to the District Court.	CEO	NIL
<b>16.4</b> The power pursuant to Section 41A(6) of the Act to make an application to a court to:	CEO	NIL
<b>16.4.1</b> transfer an application under Section 41A to the Supreme Court on the ground that the application raises a matter of general importance; or	CEO	NIL
<b>16.4.2</b> state a question of law for the opinion of the Supreme Court.	CEO	NIL
<b>16.5</b> The power pursuant to Section 41A(10)(b) of the Act to make submissions to the court in relation to the matter.	CEO	NIL
<b>17. Unit Holder's Power of Entry</b>		
<b>17.1</b> Where the Council is the unit holder of a unit (Unit A) and:	CEO	NIL
<b>17.1.1</b> -	CEO	NIL
<b>17.1.1.1</b> the proper supply of hot or cold water, gas, electricity, heating oil or air-conditioned air to Unit A fails; or	CEO	NIL
<b>17.1.1.2</b> the sewerage, garbage or drainage system as it affects Unit A fails to operate properly;	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
and		
<b>17.1.2</b> some other unit (Unit B) must be entered in order to investigate the cause of the failure, or to carry out necessary repairs,	CEO	NIL
the power pursuant to Section 42(1) and (2) of the Act to, after giving such notice to the unit holder of Unit B as may be practicable in the circumstances, enter Unit B for that purpose.	CEO	NIL
<b>17.2</b> Where the Council is the unit holder of a unit (Unit A) and	CEO	NIL
<b>17.2.1</b> -	CEO	NIL
<b>17.2.1.1</b> the proper supply of hot or cold water, gas, electricity, heating oil or air-conditioned air to Unit A fails; or	CEO	NIL
<b>17.2.1.2</b> the sewerage, garbage or drainage system as it affects Unit A fails to operate properly; and	CEO	NIL
<b>17.2.2</b> some other unit (Unit B) must be entered in order to investigate the cause of the failure, or to carry out necessary repairs,	CEO	NIL
the power pursuant to Sections 42(1) of the Act to authorise a person to, after giving such notice to the unit holder of Unit B as may be practicable in the circumstances, enter Unit B for that purpose.	CEO	NIL
<b>18. Dealing with Part of Unit</b>		
<b>18.1</b> The power pursuant to Section 44(2) of the Act, subject to any other law, to grant a lease or licence over a part of a unit:	CEO	NIL
<b>18.1.1</b> if all of the units comprised in the strata scheme consist of non-residential premises; or	CEO	NIL
<b>18.1.2</b> where Section 44(2)(a) does not apply:	CEO	NIL
<b>18.1.2.1</b> if the lease or licence is granted to another unit holder; or	CEO	NIL
<b>18.1.2.2</b> if the lease or licence is authorised by unanimous resolution of the strata corporation.	CEO	NIL
<b>19. Body Corporate May Act as Officer, etc</b>		
<b>19.1</b> The power pursuant to Section 44A(2) of the Act, and subject to Sections 44A(2a), (2b) and (4) of the Act if the Council is appointed as the presiding officer, secretary or treasurer of a strata corporation, or as a member of a management committee, to, by instrument in writing, appoint a person to perform on its behalf	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
any function that is conferred on the Council by virtue of the appointment.		
<b>20. Relief Where Unanimous Resolution Required</b>		
<p><b>20.1</b> The power pursuant to Section 46(1) of the Act, and in accordance with Section 46(2) of the Act, where a unanimous resolution is necessary under the Act before an act may be done and that resolution is not obtained but the resolution is supported to the extent necessary for a special resolution, and the Council is included in the majority in favour of the resolution to apply to a relevant court to have the resolution declared sufficient to authorise the particular act proposed.</p>	CEO	NIL



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# **Appendix 10**

*Instrument of Delegation under the  
Work Health and Safety Act 2012*

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	Direct Delegation from Council	Conditions/ Limitations
<b>INSTRUMENT OF DELEGATION UNDER THE WORK HEALTH SAFETY ACT 2012</b>		
<b>51. Determination of work groups</b>		
(1) The power pursuant to Section 51(1) of the Work Health and Safety Act 2012 ( <b>the Act</b> ), to, if a request is made under Section 50 of the Act, facilitate the determination of one or more work groups of workers.	CEO	NIL
<b>52. Negotiations for agreement for work group</b>		
(1) The power pursuant to Section 52(1) of the Act, and in accordance with Sections 52(2), (3) and (6) of the Act, to determine a work group by negotiation and agreement with the workers who will form the work group or their representatives.	CEO	NIL
(4) The power pursuant to Section 52(4) of the Act to, in relation to an agreement concerning the determination of a work group or groups, at any time, negotiate a variation of the agreement in accordance with Section 52(6) of the Act.	CEO	NIL
<b>54. Failure of negotiations</b>		
(1) The power pursuant to Section 54(1) of the Act to, if there is a failure of negotiations (including negotiations concerning the variation of an agreement), ask the regulator to appoint an inspector for the purposes of Section 54 of the Act.	CEO	NIL
<b>55. Determination of work groups of multiple businesses</b>		
(2) The power pursuant to Section 55(2) of the Act to determine the particulars of the work groups by negotiation and agreement, in accordance with Section 56 of the Act, between each of the persons conducting the businesses or undertakings and the workers.	CEO	NIL
(3) The power pursuant to Section 55(3) of the Act to, in relation to an agreement concerning the determination of a work group or groups, at any time, negotiate a variation of the agreement.	CEO	NIL
<b>56. Negotiation of agreement for work groups of multiple businesses</b>		
(3) The power pursuant to Section 56(3) of the Act to, if agreement cannot be reached on a matter relating to the determination of a work group (or a variation of an agreement) within a reasonable time after negotiations commence under Subdivision 3 of Division 3, Part 5 of the Act, ask the regulator to appoint an inspector to assist the negotiations in relation to that matter.	CEO	NIL
<b>58. Withdrawal from negotiations or agreement involving multiple businesses</b>		

	Direct Delegation from Council	Conditions/ Limitations
(1) The power pursuant to Section 58(1) of the Act to, in relation to a negotiation for an agreement, or an agreement, concerning a work group under Subdivision 3 of Division 3, Part 5 of the Act, withdraw from the negotiation or agreement at any time by giving reasonable notice (in writing) to the other parties.	CEO	NIL
(2) The power pursuant to Section 58(2) of the Act to, if a party withdraws from an agreement concerning a work group under Subdivision 3 of Division 3, Part 5 of the Act, negotiate a variation to the agreement in accordance with Section 56 of the Act.	CEO	NIL
<b>65. Disqualification of health and safety representatives</b>		
(1) The power pursuant to Section 65(1) of the Act, to make an application to the SAET to disqualify a health and safety representative on the ground that the representative has:	CEO	NIL
(a) exercised a power or performed a function as a health and safety representative for an improper purpose; or	CEO	NIL
(b) used or disclosed any information he or she acquired as a health and safety representative for a purpose other than in connection with the role of health and safety representative,	CEO	NIL
where the Council is adversely affected by the exercise of a power or the performance of a function referred to in Section 65(1)(a) of the Act or the use or disclosure of information referred to in Section 65(1)(b) of the Act.	CEO	NIL
<b>70. General obligations of person conducting business or undertaking</b>		
(1) The power pursuant to Section 70(1) of the Act, to	CEO	NIL
(a) consult, so far as is reasonably practicable, on work health and safety matters with any health and safety representative for a work group of workers carrying out work for the Council; and	CEO	NIL
(b) confer with a health and safety representative for a work group, whenever reasonably requested by the representative, for the purpose of ensuring the health and safety of the workers in the work group; and	CEO	NIL
(c) allow any health and safety representative for the work group to have access to information that the Council has relating to:	CEO	NIL
(i) hazards (including associated risks) at the workplace affecting workers in the work group; and	CEO	NIL
(ii) the health and safety of the workers in the work group; and	CEO	NIL
(d) with the consent of a worker that the health and safety representative represents, allow the health and safety representative to be present at an interview concerning work health and safety between the	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
worker and:		
(i) an inspector; or	CEO	NIL
(ii) the Council or the Council's representative; and	CEO	NIL
(e) with the consent of one or more workers that the health and safety representative represents, allow the health and safety representative to be present at an interview concerning work health and safety between a group of workers, which includes the workers who gave the consent, and:	CEO	NIL
(i) an inspector; or	CEO	NIL
(ii) the Council or the Council's representative; and	CEO	NIL
(f) provide any resources, facilities and assistance to a health and safety representative for the work group that are reasonably necessary or prescribed by the regulations to enable the representative to exercise his or her powers or perform his or her functions under the Act.	CEO	NIL
(g) allow a person assisting a health and safety representative for the work group to have access to the workplace if that is necessary to enable the assistance to be provided; and	CEO	NIL
(h) permit a health and safety representative for the work group to accompany an inspector during an inspection of any part of the workplace where a worker in the work group works; and	CEO	NIL
(i) provide any other assistance to the health and safety representative for the work group that may be required by the regulations.	CEO	NIL
<b>71. Exceptions for obligations under Section 70(1)</b>		
(5) The power pursuant to Section 71(5) of the Act to refuse on reasonable grounds to grant access to the workplace to a person assisting a health and safety representative for a work group.	CEO	NIL
<b>72. Obligation to train health and safety representatives</b>		
(1) The power pursuant to Section 72(1) of the Act to, consult with a health and safety representative in relation to the health and safety representative attending a course of training in work health and safety that is subject to Section 72(6), chosen by the health and safety representative.	CEO	NIL
(3) The power pursuant to Section 72(3) of the Act to:	CEO	NIL
(a) as soon as practicable within the period of 3 months after the request is made, allow the health and safety representative time off work to attend the course of training; and	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
(b) pay the course fees and any other reasonable costs associated with the health and safety representative's attendance at the course of training.	CEO	NIL
(6) The power pursuant to Section 72(6) of the Act to, if agreement cannot be reached between the Council or Council's delegate and the health and safety representative within the time required by Section 72(3) of the Act as to the matters set out in Sections 72(1)(c) and (3) of the Act, ask the regulator to appoint an inspector to decide the matter.	CEO	NIL
<b>73. Obligation to share costs if multiple businesses or undertakings</b>		
(1) The power pursuant to Section 73(1) of the Act to, if a health and safety representative, or deputy health and safety representative (if any), represents a work group of workers carrying out work for the Council and one or more other person conducting businesses or undertakings, agree that:	CEO	NIL
(a) the costs of the representative exercising powers and performing functions under the Act; and	CEO	NIL
(b) the costs referred to in Section 72(3)(b) of the Act,	CEO	NIL
for which the Council or any of the other persons conducting those businesses or undertakings are liable, are to be apportioned between each of those persons otherwise than equally.	CEO	NIL
(2) The power pursuant to Section 73(2) of the Act, to vary an agreement to apportion the costs in another way, at any time by negotiation and agreement between each of the persons conducting the businesses or undertakings.	CEO	NIL
<b>75. Health and safety committees</b>		
(2) The power pursuant to Section 75(2) of the Act to, establish a health and safety committee for the workplace or part of the workplace.	CEO	NIL
<b>76. Constitution of committee</b>		
(1) The power pursuant to Section 76(1) of the Act and subject to Sections 76(2) to (4) of the Act, to agree the constitution of a health and safety committee with the workers at the workplace.	CEO	NIL
(5) The power pursuant to Section 76(5) of the Act to, if agreement is not reached under Section 76 within a reasonable time, ask the regulator to appoint an inspector to decide the matter.	CEO	NIL
<b>82. Referral of issue to regulator for resolution by inspector</b>		
(2) The power pursuant to Section 82(2) of the Act to, ask the regulator to appoint an inspector to attend the	CEO	NIL

	Direct Delegation from Council	Conditions/ Limitations
workplace to assist in resolving the issue.		
<b>87. Alternative work</b>		
The power pursuant to Section 87 of the Act to, if a worker ceases work under Division 6, Part 5 of the Act, direct the worker to carry out suitable alternative work at the same or another workplace if that work is safe and appropriate for the worker to carry out until the worker can resume normal duties.	CEO	NIL
<b>89. Request to regulator to appoint inspector to assist</b>		
The power pursuant to Section 89 of the Act to ask the regulator to appoint an inspector to attend the workplace to assist in resolving the issue arising in relation to the cessation of work.	CEO	NIL
<b>100. Request for review of provisional improvement notice</b>		
(1) The power pursuant to Section 100(1) of the Act, to, within 7 days after a provisional improvement notice is issued to the Council or a worker who carries out work at the Council, ask the regulator to appoint an inspector to review the notice.	CEO	NIL
<b>141. Application for assistance of inspector to resolve dispute</b>		
The power, pursuant to Section 141 of the Act, to, if a dispute arises about the exercise or purported exercise by a WHS entry permit holder of a right of entry under the Act, ask the regulator to appoint an inspector to attend the workplace to assist in resolving the dispute.	CEO	NIL
<b>142. Authorising authority may deal with a dispute about a right of entry under this Act</b>		
(4) The power pursuant to Section 142(4) of the Act to apply to the authorising authority to deal with a dispute where the dispute relates to the Council.	CEO	NIL
<b>180. Return of seized things</b>		
(1) The power pursuant to Section 180(1) of the Act to, if a seized thing has not been forfeited, and the Council is the person entitled to the thing, apply to the regulator for the return of the thing after the end of 6 months after it was seized.	CEO	NIL
<b>181. Access to seized things</b>		
(1) The power pursuant to Section 181(1) of the Act to, until a seized thing is forfeited or returned, inspect it and, if it is a document, to make copies of it at all reasonable times.	CEO	NIL
<b>224. Application for internal review</b>		

	Direct Delegation from Council	Conditions/ Limitations
(1) The power pursuant to Section 224(1) of the Act, to, where the Council is an eligible person in relation to a reviewable decision, other than a decision made by the regulator or a delegate of the regulator, apply to the regulator for review (an internal review) in accordance with Section 224(2) of the Act, of the decision within:	CEO	NIL
(a) the prescribed time after the day on which the decision first came to the Council's notice; or	CEO	NIL
(b) such longer period as the regulator allows.	CEO	NIL
<b>229. Application for external review</b>		
(1) The power pursuant to Section 229(1) of the Act, to, where the Council is an eligible person, apply to SAET under Part 3 Division 1 of the South Australian Employment Tribunal Act 2014, in accordance with Section 229(2) of the Act, of:	CEO	NIL
(a) a reviewable decision made by the regulator; or	CEO	NIL
(b) a decision made, or taken to have been made, on an internal review.	CEO	NIL

**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 18 December 2018  
AGENDA BUSINESS ITEM**

**Item:** 12.10

**Originating Officer:** Lachlan Miller, Executive Manager Governance & Performance

**Responsible Director:** Andrew Aitken, Chief Executive Officer

**Subject:** Council Resolutions Update including 2 year update to outstanding resolutions

**For:** Decision

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**SUMMARY**

The Action List is updated each month and outlines actions taken on resolutions passed at Council meetings. The completed items are removed from the list each month. In some cases actions can take months or years to be completed.

In March 2015, Council resolved that outstanding resolutions passed before 31 March 2013 would be the subject of a report outlining the reasons why the resolutions have not been completed, detailing what actions have been taken and an estimated date of completion.

While the above resolution referred to a date, the duration was two (2) years and the intent of the Council's resolution has been carried forward as a prudent accountability mechanism.

**RECOMMENDATION**

**Council resolves:**

- 1. The Council Action List be received and noted**
- 2. The following completed items be removed from the Action List:**



Date	Meeting	No	Heading
25/10/2016	Ordinary Council	220	CWMS Expression of Interest – Period of Confidentiality
28/02/2017	Ordinary Council	53/17	Community Wastewater Management Systems Review – Period of Confidentiality
26/09/2017	Ordinary Council	234/17	CWMS Review Update - Period of Confidentiality
14/11/2017	Special Council	268/17	Review of Advisory Groups
27/03/2018	Ordinary Council	68/18	Milan Terrace Pedestrian Safety
27/03/2018	Ordinary Council	69/18	Play Space Policy
24/07/2018	Ordinary Council	161/18	MON Stormwater Henry Street Woodside
24/07/2018	Ordinary Council	167/18	Road Widening - Edward Avenue Crafers
1/08/2018	Special Council	181/18	Stonehenge Reserve Masterplan Update
1/08/2018	Special Council	184/18	Retirement Village Review
28/08/2018	Ordinary Council	196/18	Shannons Adelaide Rally Support for Road Closure
11/09/2018	Special Council	223/18	Pomona Road Bike Track Trial
11/09/2018	Special Council	230/18	Burials outside Cemeteries Policy
11/09/2018	Special Council	234/18	Sale of closed unnamed road off Burton Road, Mt Torrens
5/11/2018	Audit Committee	AC22/18	Action Report, 2017 Work Plan Update and Adoption of 2019 Work Plan
5/11/2018	Audit Committee	AC24/18	Draft Annual Report
5/11/2018	Audit Committee	AC29/18	Internal Audit Quarterly Update
5/11/2018	Audit Committee	AC31/18	2019 Audit Committee Meeting Dates
27/11/2018	Ordinary Council	274/18	Petition - Stirling Rotunda
27/11/2018	Ordinary Council	279/18	Election of Deputy Mayor
27/11/2018	Ordinary Council	280/18	Time & Place of Council Meetings 2018 - 2019
27/11/2018	Ordinary Council	281/18	Time & Place of Workshops & Personal Development
27/11/2018	Ordinary Council	282/18	Council Member Allowances & Support Policy
27/11/2018	Ordinary Council	28/18	Membership CEO PRP - Appointment of Members
27/11/2018	Ordinary Council	286/18	CEO PRP - Appointment of Presiding Member
27/11/2018	Ordinary Council	288/18	Membership SPDPC - Appointment of Members
27/11/2018	Ordinary Council	290/18	Membership SPDPC - Appointment of Presiding Member
27/11/2018	Ordinary Council	291/18	Membership Audit Committee
27/11/2018	Ordinary Council	294/18	Membership Audit Committee - Appointment of Presiding Member
27/11/2018	Ordinary Council	295/18	Audit Committee Presiding Member's Report
27/11/2018	Ordinary Council	300/18	S43 Membership - East Waste
27/11/2018	Ordinary Council	301/18	S43 Membership - AHRWMA
27/11/2018	Ordinary Council	302/18	S43 Membership - GRFMA
27/11/2018	Ordinary Council	303/18	S43 Membership - SHLGA
27/11/2018	Ordinary Council	304/18	LG Amendment Bill - Feedback for LGA
27/11/2018	Ordinary Council	307/18	Review of Confidential Items
27/11/2018	Ordinary Council	310/18	Designated Administrative Contacts for CMs
4/12/2018	Special Council	316/18	Appointment of Council Member to CAP
4/12/2018	Special Council	318/18	GRFMA Audit Committee Registration of Interest

## 1. GOVERNANCE

### ➤ Strategic Management Plan/Council Policy

Goal Organizational Sustainability  
Strategy Governance

The timely completion of Council resolutions assists in meeting legislative and good governance responsibilities and obligations.

### ➤ Legal Implications

Not applicable

### ➤ Risk Management Implications

Regular reporting on outstanding action items will assist in mitigating the risk of:

*Actions arising from Council resolutions may not be completed in a timely manner*

Inherent Risk	Residual Risk	Target Risk
High (4C)	Medium (4E)	Medium (4E)

### ➤ Financial and Resource Implications

Not applicable

### ➤ Customer Service and Community/Cultural Implications

Not applicable

### ➤ Environmental Implications

Not applicable

### ➤ Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community

Not applicable

## 2. BACKGROUND

At its meeting of 24 March 2015 Council resolved:

*That the CEO provides a report to the 28 April 2015 Council meeting in relation to outstanding resolutions passed before 31 March 2013 outlining the reasons why the resolutions have not been completed, detailing what actions have been taken and an estimated date of completion.*

The contents of this report formed a workshop discussion with Council Members on 3 May 2017.

While the above resolution referred to a date, the duration was two (2) years and the intent of the Council's resolution has been carried forward as a prudent accountability mechanism.

**3. ANALYSIS**

The Action list has been updated to provide Council with information regarding outstanding actions. Completed resolutions are identified in the recommendation for removal from the Action List.

There are currently no resolutions requiring a 2 year update.

**4. OPTIONS**

Council has the following options:

- I. Note the status of the outstanding items and the proposed actions
- II. Resolve that other actions are required.

**5. APPENDIX**

- (1) Action List

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# **Appendix 1**

*Action List*

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Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Dire	Status	Est. Completion	Status (for Council reporting)
28/08/2012	Ordinary Council	214/12	Kersbrook Stone Reserve – Heritage Agreement	Chief Executive Officer, or delegate, be authorised to take all necessary actions to bring the Heritage Agreement into effect	Peter Bice	In Progress	31/12/2018	Council has recently received correspondence from the Acting Chief Executive of DEW outlining that Crown Solicitor's Office has now completed its review of the 'Memorandum of Agreement' template, and that the agreement documents will be sent to Council shortly for completion. Memorandum of Agreement has been signed by Council and returned to the Department of Environment and Water.
22/04/2014	Ordinary Council	85	Adelaide Hills Region Waste Management Authority - Period of Confidentiality	That the documents and reports pertaining to this matter, including discussions and considerations, be retained in confidence until the legal action has been concluded, but no longer than 12 months, pursuant to section 91(9).	Peter Bice	In Progress		Confidentiality order extended to remain confidential until legal proceedings and deliberations have concluded.
13/05/2014	SPDPC	30/14	Adelaide Hills Trails Network Strategy	1. The Adelaide Hills 20 Year Trail Network Strategy & Action Plan be adopted; 2. An implementation plan be prepared by staff in 2014 to inform spending priorities for consideration in future budgets	Peter Bice	In Progress	29/03/2019	The outcomes of the Trails Strategy review were discussed at a workshop in May. An update to the strategy is proposed with a framework to assist in the identification of future priorities. The trails strategy update will link with the bike plan and also the State Government current trails strategy. Progress report now scheduled for Council Meeting in early 2019.
27/05/2014	Ordinary Council	95/14	William St Birdwood Street Furniture, plaque	That Council, as a consequence of the SPDPC resolution No 29 dated 13 May 2014, approves: 1. The construction of a piece of street furniture and installation in William Street Birdwood, in the vicinity of where the trees will be removed, provided suitable timber is available from those trees. 2. The erection of a plaque acknowledging the residents who donated funds to plant the initial avenue. 3. Place a memorial with names in the Birdwood Institute in consultation with the Friends of the Birdwood Institute. 4. Suitable timber to be made available to the Friends of the Birdwood Institute (FBI) to enable the Committee to make some small wood pieces (e.g. bowls) to display in the Institute. 5. The CEO investigate a source of funds for the projects. 1 and 2 to be undertaken in consultation with the community.	Peter Bice	In Progress	28/02/2019	As timber is unsuitable we are currently looking at an alternative solution. We are working with members of the Birdwood institute regarding the wording for the plaque. Small pieces of timber were made available to the Birdwood Institute but the timber was not suitable for turning.
24/03/2015	Ordinary Council	57/15	Confidential Item - Morella Grove	As per confidential minute	Peter Bice	In Progress	31/03/2019	Report to Council early in 2019.
19/01/2016	Ordinary Council	6a/16	Amy Gillett Bikeway Extension	The CEO investigates all funding options including how the Jack Bobridge Bikeway in the Barossa Valley was funded.	Peter Bice	In Progress	30/06/2019	Council is working collaboratively with neighbouring Councils as part of a broader Inter-Regional Cycle Network project.
22/03/2016	Ordinary Council	59/16	Sturt Valley Road reconstruction	2. That a capital budget allocation of \$160,000 be provided in the 2015/16 financial year for the reconstruction of a 230m section of Sturt Valley Road, Stirling. 3. That a further report be presented to Council for consideration regarding the possible placement of a footpath or walking trail along sections of Sturt Valley Road prior to installing any additional safety barriers	Peter Bice	In Progress	31/07/2019	Council are in discussions with a key landowner regarding construction of a walking loop along Sturt Valley Rd, through their private property, and connecting to Upper Sturt Rd. A concept plan is being prepared for consultation with affected residents.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Dire	Status	Est. Completion	Status (for Council reporting)
22/03/2016	Ordinary Council	69/16	Land Acquisition Colonial Drive Norton Summit	Negotiate with the Anglican Church and CFS regarding the proposed boundary realignment and the preparation of preliminary plans	Terry Crackett	In Progress	31/03/2019	Final plans and valuation are being considered by the Anglican Church State Diocese and upon confirmation from them a report will be presented to Council for consideration. Norton Summit Church has advised on 9/8/18 that the matter is still under consideration by the State Diocese. Norton Summit Church advised on 13.11.18 that the State Diocese had received their own valuation which was being considered by them and they would revert in due course.
26/04/2016	Ordinary Council	83/16	Croft & Harris Road Precinct, Lenswood	2. That the Office for Recreation and Sport and Department of Planning, Transport and Infrastructure be approached to discuss any potential funding opportunities to undertake bituminising works up to where the bicycle access occurs. 3. That a further report be presented on potential road treatments for Croft Road Lenswood and the surrounding road network once additional data has been collected on peak traffic numbers generated through a major event and staff continue negotiations with ForestrySA regarding infrastructure improvements for Cudlee Creek Forest Reserve.	Peter Bice	In Progress	30/06/2019	A Building Better Regions Fund application was submitted in round 2 (which closed December 19). This was in partnership with Bicycle SA, and Forestry SA. There was also in principle support from DEWNR towards the project.  The submission was unsuccessful. Consideration to any future project investment is being discussed with the funding application partners, and may form part of the 2019/20 Capital Program consideration.
24/05/2016	Ordinary Council	105/16	Land at Houghton Request to Purchase	The acquisition of the land described as CT 5363/842 and CT 5363/452 consisting of two parcels of land, one 819m2 the other 36m2 respectively, and currently owned by R J Day and B E Day for nil consideration. Council to pay all transfer fees, charges and GST that may be applied.  To undertake a Section 210 process for the conversion of private road to public road for the land described as CT 5343/355 of 27m2 currently owned by Marinus Maughan and Alick Stephen Robinson. To negotiate and accept a transfer of the land described as CT 5343/354 of 476m2 from the City of Tea Tree Gully for nil consideration. To negotiate and accept a transfer or vesting of the land described as CT 5421/887 from the Department of Planning, Transport & Infrastructure for nil consideration.	Terry Crackett	In Progress	30/09/2019	The acquisition from RJ & BE Day has been completed and registered at the Lands Titles Office.  Title for the land held by City of Tea Tree Gully has been reissued in the name of Adelaide Hills Council.  The request to DPTI for the transfer of land has been made and awaiting a response. Follow up to be undertaken and awaiting a response.  The Section 210 process has been commenced with investigations to locate beneficiaries of the deceased owners underway including advertisements.
12/07/2016	SPDPC	29/16	MON - Woodforde Road and Reserve Naming	1. Staff pursue, with the developer, the inclusion of indigenous names within Hamilton Park and in relation to future stages 2. A progress report be made to Council or the Strategic Planning & Development Policy Committee within 3 months	Peter Bice	In Progress	26/02/2019	Council staff have now received the high level concept designs for the reserve areas. Discussion is now underway with the Kaurna Elders.

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23/08/2016	Ordinary Council	163/16	Piccadilly CFS Relocation	<p>2. To delegate to the Chief Executive Officer , following consultation with the CFS, to determine the area of the portion of Atkinson Reserve to be used as the site of the Proposed CFS Location</p> <p>3. To commence a community consultation process, for a minimum period of 21 clear days in accordance with AHC's public consultation policy, in relation to the proposed:</p> <p>3.1 amendment of the Community Land Management Plan for that portion of Atkinson Reserve identified as the Proposed CFS Location from the current Category 4 Recreation and Sport to Category 6 – CFS</p> <p>3.2 lease to the CFS for use as a CFS station (the proposed term being 21 years with an option to renew for another 21 years) of the Proposed CFS Location</p> <p>3.3 road closure of an area of unmade road reserve adjacent to Atkinson Reserve as identified in Appendix 2 ("Road Closure Land") to provide overflow car-parking for both the CFS station and users of Atkinson Reserve</p> <p>3.4 the adoption of a community land management plan for the Road Closure Land for use as car parking conditional upon the Council issuing a Road Process Order</p> <p>4. That Council's approval (as land owner) be given to the CFS to submit a Development Application for the construction of a fire station on the Proposed CFS Location noting that a Development Approval is conditional upon:</p> <ul style="list-style-type: none"> <li>• Council resolving to amend the Community Land Management Plan as detailed in 2.1 above</li> <li>• Council resolving to enter into a lease for the Proposed CFS Location in a</li> </ul>	Terry Crackett	In Progress	31/12/2018	DA granted by DPTI on 15 December 2017. Final leases executed by Council on 31 October 2018. Road closure process and finalisation of community land management plan being progressed.
25/10/2016	Ordinary Council	220	CWMS Expression of Interest – Period of Confidentiality	That the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until 31 December 2017 except public statements which outline the rationale and process for seeking a review of options related to Council's CWMS	Peter Bice	Completed	31/12/2019	Retain in confidence. CWMS Request for Tender is underway - Confidentiality period extended on 12/12/17 to remain confidential until 26/09/2018. Further extended to 31 December 2019. Item will be managed through the Confidential Items Register.
7/12/2016	Special Council	267/16	Woorabinda Bushland Reserves Heritage Agreement	<p>2. That the Chief Executive Officer, or delegate, be authorised to commence discussions with DEWNR in regard to entering into individual Heritage Agreements, over the following Council properties:</p> <p>a. Council owned land located at 9 Woorabinda Drive, Stirling (Woorabinda) described in Certificate of Title 5292 Folio 381</p> <p>b. Council owned land located at 9 Ethel Street , Stirling (Stirling Park) described in Certificate of Title 5315 Folio 98</p> <p>c. Council owned land located at 71 Longwood Road, Heathfield (Hender Reserve) Certificate of Title 5753 Folio 715</p> <p>d. Council owned land located at 34 Madurta Avenue, Aldgate (Madurta Reserve) described in Certificate of Title 5902 Folio 219</p> <p>3. That following the assessment by DEWNR, a further report be brought back to Council prior to approval to enter into the Heritage Agreements</p>	Peter Bice	In Progress	31/12/2018	Applications for the Woorabinda BR Heritage Agreements were completed on the 7th of December 2017. Currently in assessment with DEWNR; Advice 5th of June 2018 from DEWNR - HA application has a revised completion date no later than the 31 December 2018. Mapping component complete, awaiting authorisation from DEW. Memorandum of Agreement has been signed by Council and returned to the Department of Environment and Water.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Dire	Status	Est. Completion	Status (for Council reporting)
24/01/2017	Ordinary Council	7/17	Cromer Cemetery Revocation of Community Land	a report be prepared and submitted to the Minister for Local Government seeking approval for the revocation of the community land classification of a portion of the land contained in Certificate of Title Volume 5880 Folio 219 identified in red on the plan attached as Appendix 1.	Terry Crackett	In Progress	31/12/2019	DEWNR have requested that the revocation be put on hold whilst they investigate the requirements to alter the trust affecting the land and undertake an assessment of the native vegetation on the land, this is likely to take some months. DEW advised on 4/12/18 that there are some impediments to the progression of the proposed boundary realignment due to the mining operations on the adjacent land, which are being negotiated with the Dept for Mining. Advice is that these negotiations could take considerable time (2yrs). In the interim, consideration will be given to the granting of a right of way to ensure that the cemetery has legal access.
28/02/2017	Ordinary Council	53/17	Community Wastewater Management Systems Review – Period of Confidentiality	That the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until 30 June 2018.	Peter Bice	Completed	31/12/2019	Retain in confidence as the CWMS Request for Tender process is underway extended to 31 December 2019. Item will be managed through the Confidential Items Register.
25/07/2017	Ordinary Council	155/17	Reserve Gifting Proposal - Dunnfield Estate, Mt Torrens	Subject to the approval of the land division variation application 473/D38/2011 by the Development Assessment Commission and the required Council engineering approvals for the infrastructure, being obtained: 1. That council accepts from Paul & Michele Edwards (the Developer), the donation of additional reserve land as described in Appendix 6 – Amended Plan of Division rev K dated 16.06.2017 Agenda Item 14.1, subject to the following conditions: The Council specified construction standards are metThe cost of all works are to be met by the DeveloperThe Developer enters into a legally binding Landscape Maintenance Agreement to agreed maintenance standards for a period of ten (10) yearsThe landscaping works are completed within two (2) years from the date of final approval. 2. That, in the event that there is a dispute between the Council and the Developer, the dispute is referred to an Independent Arbitrator for resolution, with costs being shared equally by the parties.	Peter Bice	In Progress	4/02/2020	The land division variation application 473/D38/2011 has been approved by the Development Assessment Commission. Council staff have drafted a maintenance agreement which we will work through with the Developer.  Council staff and the developer have been working through the management of significant and regulated trees on the site, and recent works progressed very well. We are now looking to formally progress the draft maintenance agreement.  Final Approvals were obtained by the Developer on 5 February 2018, and Landscape works remain ongoing, with vesting of the reserve land occurring once these are completed, and Section 51 clearance is provided for the relevant stage.
25/07/2017	Ordinary Council	159b/17	Lobethal Recreation Ground - Transfer of Land	That the Subject Land be transferred to the Lobethal Recreation Ground Sports Club Inc (LRGSCI) for the consideration of one (1) dollar subject to the following: Each party meeting their own costs and expenses for the transfer LRGSCI granting the Council a first right of refusal to repurchase the land for one (1) dollar should the Subject Land cease to be owned by the LRGSCI and/or used for community recreation purposes LRGSCI be responsible for the day to day maintenance and cleaning of the public toilets and public playground and associated infrastructure to the standard required by Council The LRGSCI, if requested, grant a long term lease to Council for the area identified in Appendix 7 for one (1) dollar per annum The LRGSCI granting the Council a long term licence over the site of the public toilets and public playground for the purposes of structural maintenance, audit and insurance. The Mayor and CEO be authorised to sign all necessary documents to effect the Transfer of the Subject Land.	Terry Crackett	In Progress	31/12/2018	LRGSCI have received Development Approval for the boundary realignment and transfer will progress in conjunction with the boundary realignment. Contract has been executed by Council and settlement will occur on a date to be confirmed by the LRGSCI.



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8/08/2017	SPDPC	SP39/17	Update on Primary Production Lands DPA	That as a result of the implementation of the new planning reforms and the introduction of the <i>Planning, Development &amp; Infrastructure Act 2016</i> , Council supports staff working with DPTI to prepare the Rural Planning Policy element of the Planning & Design Code in a manner consistent with the issues and investigations outlined in the second Statement of Intent for the Primary Production Lands DPA That reports be prepared for future SPDPC meetings as milestones are reached and notable work is released for comment.	Marc Salver	In Progress	24/12/2019	Staff have attended a number of meetings of the P&D Code Primary Production Working Group since May 2018. A further meeting is to be arranged early in the new year, date of which DPTI is yet to confirm. This Group will progress the development of the Rural Policy Module of the Code. Staff will provide further updates as this work progresses in 2019.
8/08/2017	SPDPC	SP42/17	Public Liability Insurance for Community Owned & Managed Halls	That the costs of public liability insurance for community owned and managed halls be referred to the Chief Executive Officer for consideration with the preparation of the Community and Recreation Facilities Framework.	Terry Crackett	In Progress	30/06/2019	Information from LGRS received on 10/9 and will be incorporated into the framework information to be presented to Council at the Feb 19 workshop
26/09/2017	Ordinary Council	207a/17	Heritage Agreement Reports - Woorabinda Bushland Reserves	1. That Heritage Agreements be entered into between the Council and the Minister for Sustainability, Environment and Conservation pursuant to section 23(5) of the <i>Native Vegetation Act 1991</i> for the conservation, management and protection of native flora and fauna in relation to the following properties: Council owned land located at 9 Woorabinda Drive, Stirling (Woorabinda) described in Certificate of Title 5292 Folio 381 Council owned land located at 9 Ethel Street, Stirling (Stirling Park) described in Certificate of Title 5315 Folio 98 Council owned land located at 34 Madurta Avenue, Aldgate (Madurta Reserve) described in Certificate of Title 5902 Folio 219	Peter Bice	In Progress	31/12/2018	Applications for the Woorabinda BR Heritage Agreements were completed on the 7th of December 2017. Currently in assessment with DEWNR; Advice 5th of June 2018 from DEWNR - HA application has a revised completion date no later than the 31 December 2018. Mapping component complete, awaiting authorisation from DEW. Memorandum of Agreement has been signed by Council and returned to the Department of Environment and Water.
26/09/2017	Ordinary Council	207b/17	Heritage Agreement Reports - Woorabinda Bushland Reserves	That the Heritage Agreements retain the existing Dog Access Arrangements currently in place in each of those properties. That the Heritage Agreements be registered with the Lands Titles Office pursuant to section 23b of the <i>Native Vegetation Act 1999</i> .	Peter Bice	In Progress	31/12/2018	Existing dog access arrangements within a Heritage Agreement are requested in the HA application. The implementation of legislation to sit with Health and Regulatory Services and Lands Title Office registration for AHC Property action. Applications for the Woorabinda BR Heritage Agreements were completed on the 7th of December 2017. Currently in assessment with DEWNR; Advice 5th of June 2018 from DEWNR - HA application has a revised completion date no later than the 31 December 2018. Mapping component complete, awaiting authorisation from DEW. Memorandum of Agreement has been signed by Council and returned to the Department of Environment and Water.
26/09/2017	Ordinary Council	207c/17	Heritage Agreement Reports - Woorabinda Bushland Reserves	That the Community Land Management Plans for the above properties be reviewed and updated to reflect the provisions of the Heritage Agreements including community consultation (where necessary) as required under section 197 of the <i>Local Government Act 1999</i> . That the Chief Executive Officer be authorised to sign all necessary documentation to effect this resolution.	Peter Bice	In Progress	31/12/2018	Community Land Management Plan review and update is in readiness. On receipt of Heritage Agreement notification over the Woorabinda Bushland Reserves, we will then initiate the CLMP review and the CEO to then authorise (sign) as required. Applications for the Woorabinda BR Heritage Agreements were completed on the 7th of December 2017. Currently in assessment with DEWNR; Advice 5th of June 2018 from DEWNR - HA application has a revised completion date no later than the 31 December 2018. Mapping component complete, awaiting authorisation from DEW. Memorandum of Agreement has been signed by Council and returned to the Department of Environment and Water.

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26/09/2017	Ordinary Council	207d/17	Heritage Agreement Reports - Woorabinda Bushland Reserves	That a separate report be brought back to Council in relation to a Heritage Agreement for the land under the care, control and management of Council located at 71 Longwood Road, Heathfield (Hender Reserve) in Crown Record 5753 Folio 715 following receipt of further advice from the Land Titles Office and Native Vegetation Branch of the Department of Environment, Water and Natural Resources regarding the dedicated purpose of the land and options for registration of the Heritage Agreement over Crown Land.	Peter Bice	In Progress	31/12/2018	A separate Council report will be provided following clarification on the Heritage Application process in respect to the Crown Land status of Hender Reserve. Report has been provided to Council and the Heritage Agreement application was completed and sent to DEWNR, receipt date 08/02/18. Currently in assessment with DEWNR. Advice 5th of June 2018 from DEWNR - HA application has a revised completion date no later than the 31 December 2018. Mapping component complete, awaiting authorisation from DEW. Memorandum of Agreement has been signed by Council and returned to the Department of Environment and Water.
26/09/2017	Ordinary Council	234/17	CWMS Review Update - Period of Confidentiality	An order be made that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until 26 September 2018.	Peter Bice	Completed	31/12/2019	Report, related attachments and the minutes of Council held in confidence. Retain in confidence as the CWMS Request for Tender is underway until 31 December 2019. Item will be managed through the Confidential Items Register.
24/10/2017	Ordinary Council	246/17	Road Closure and Disposal – Schapel Road, Lobethal	To make a Road Process Order pursuant to the <i>Roads (Opening &amp; Closing) Act 1991</i> to close and merge the land identified as "A" in Preliminary Plan No 16/0020 ( <i>Appendix 3</i> ) with Allotment 28 in Filed Plan No 155743 comprised in Certificate of Title Volume 5502 Folio 372 create an easement for transmission of electricity in favour of Distribution Lessor Corporation create a free and unrestricted right of way in favour of Allotment 13 being the land in CT Volume 5502 Folio 373 accept consideration in the amount of \$40,000 (excl. GST) as detailed in <i>Appendix 3</i> of this report. The issuing of the Road Process Order is subject to: Boral Resources (SA) Ltd agreeing to enter into a Land Management Agreement with Council for the preservation of the native vegetation for the protection of native flora and fauna on the areas identified in the report attached as <i>Appendix 7</i> which is to be lodged with the Land Titles Office in conjunction with the Road Process Order. Boral Resources (SA) Ltd paying all fees and charges associated with the road closure process. The closed road be excluded as Community Land pursuant to the <i>Local Government Act 1999</i> . To authorise the Chief Executive Officer (or delegate) to finalise and sign all necessary documentation to close and sell the above portion of closed road pursuant to this resolution.	Terry Crackett	In Progress	30/06/2019	Surveyor has prepared final plan and road process order. Final LMA has been agreed on 7.11.18 by Boral and is with Boral for execution. Boral have indicated that completion will likely be in March - June 19.
24/10/2017	Ordinary Council	250/17	DEW Fuel Reduction on Private Lands Program	That DEW's Strategic Fuel Reduction program is approved for the Adelaide Hills Council region	Peter Bice	In Progress	1/04/2019	2018 spring burns completed on Lobethal Bushland Park, Yanagin Reserve, Belair (Upper Sturt) site and Mylor Oval (recently included in the DEW Burning on Private Lands Program). Heathfield Waste Facility site is intended for autumn 2019. Council will collaborate with DEW on post weed management activities. Weed management activities by DEW and AHC were undertaken at Heathfield Stone Reserve on June 28th 2018. More weed management planned for this site. An information report was provided to Council at its 25 September Ordinary Council Meeting.

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14/11/2017	Special Council	268/17	Review of Advisory Groups	<p>To cease the Hills Voice Reference Panel</p> <p>Nominations for Australia Day awards to be assessed only by staff and a report for decision to come to Council</p> <p>Any grant applications currently considered by advisory groups will be assessed only by staff and a report for decision to come to Council</p> <p>To 'in principle' retain Council and Community/Independent Members on Advisory Groups</p> <p>That the Chief Executive Officer prepares a report for the Council's consideration at a future meeting regarding the appropriateness of the current governance arrangements for the Advisory Groups including, but not limited to, whether they would benefit from an alternate structure (such as a s41 Committee), a revised Terms of Reference in their current form, or to be ceased.</p>	Andrew Aitken	Completed	23/10/2018	<p>HVRP ceased, Australia Day Awards 2018 assessed by staff. Further consultation occurring with Council Members, ELT and AG EOs and AG Membership. Council report delivered at 23 October 2018 Council meeting.</p> <p>Item has been superceded</p>
28/11/2017	Ordinary Council	281/17	LED Streetlight Review	<p>That Council awaits on the outcomes from the LGASA process and for the outcomes of this report to inform a transition to LED street lighting</p> <p>A further report to Council to be provided following the completion of the LGASA process and subsequent review of the most appropriate model for Adelaide Hills Council to adopt.</p>	Peter Bice	In Progress	30/01/2019	<p>Public Lighting will move from a negotiated service to an Alternate Control Service.</p> <p>This means that the maximum tariff price will be set by the Australian Energy Regulator (AER).</p> <p>The working group being established will look to understand the service levels (to get agreement with/ across LGA) and establish cost base on those service levels and a joint understanding between LGA and SAPN</p> <p>SAPN will put there initial pricing to the AER in January 2019 and consultation etc and reviewed submission in March 2020 for final determination of AER in probably Aril 2020 for commencement of new regulatory framework pricing in 1 July 2020.</p> <p>Council has now received the outcome of the LGASA process which states that the LGASA will not be involved in council streetlighting. Council staff need to obtain expert advice as to the best approach and tariff available to proceed to a transition to LED streetlights. A report to Council will be provided identifying the next steps.</p>
23/01/2018	Ordinary Council	4/18	Road Exchange - Mt Torrens Walking Loop	<p>To issue a Road Process Order pursuant to the <i>Roads (Opening &amp; Closing) Act 1991</i> to:Close and merge the land identified as "A" in Preliminary Plan No 17/0041 (<i>Appendix 1</i>) with Allotment comprising pieces 81 &amp; 82 in Filed Plan No. 218134 comprised in Certificate of Title Volume 6025 Folio 732 owned by Brian Bruce WillisonOpen the land identified as "1" in Preliminary Plan No 17/0041 as public road being portion of Allotment comprising pieces 81 &amp; 82 in Filed Plan No. 218134 comprised in Certificate of Title Volume 6025 Folio 732 owned by Brian Bruce Willison</p> <p>The closed road be excluded as Community Land pursuant to the Local Government Act 1999</p> <p>To undertake the road exchange for nil consideration with the Council to pay all necessary costs to effect this resolution</p> <p>To authorise the Chief executive Officer (or delegate) to finalise and sign all necessary documentation to effect the road exchange and this resolution</p>	Terry Crackett	In Progress	30/06/2019	<p>Mr Willison passed away in late January prior to documents being signed.</p> <p>The road exchange process will be held pending issue of Grant of Probate of Mr Willison's estate.</p>

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20/02/2018	Audit Committee	AC18/4(4)	Appointment of External Auditor - Release of Confidentiality Order	That the report and related attachments of the Committee and the discussion and considerations of the subject matter be retained in confidence until the completion of the contract	Terry Crackett	In Progress	30/03/2021	Given the commercial in confidence information, the release of the confidentiality order is unlikely to occur for 3-5 years depending on whether the option under the contract is exercised. Nevertheless the cost of Statutory Audit services is reported in the Annual Report.
27/02/2018	Ordinary Council	30/18	Master Plan Woodside Recreation Ground	That the master planning exercise for the Woodside Recreation Ground, as resolved by Council at its 28 November 2017 meeting (275/17), be expanded to include the adjoining recreation and car parking precinct between Tiers Road and Langbein Avenue, Woodside.	Peter Bice	In Progress	18/02/2019	Associated investigations underway, Water Sensitive Urban Design and Water Reuse potential. The recent announcement of the successful funding in relation to the Mount Barker Swimming Pool, will enable appropriate considerations to be made in regards to the requirements for the Woodside Recreation Ground site. Initial site analysis has been undertaken and information sought from the Woodside Recreation Ground committee. A key stakeholder was undertaken on Monday 3rd December 2018 incorporating the recreation and car parking precinct between Tiers Road and Langbein Avenue. Workshop outcomes are currently being prepared.
27/02/2018	Ordinary Council	31/18	Arts & Heritage Hub	That the report be received and noted. That the Business Development Framework for the establishment of an Arts and Heritage Hub in the Old Woollen Mill at Lobethal, contained in Appendix 1, be noted. That the Administration proceeds with the establishment of an Arts and Heritage Hub using the Business Development Framework as a guide. That the development of a Hub Evaluation Framework, as envisaged in the Business Development Framework, occur as early as possible and include key performance and results targets, and mechanisms for review of the implementation by Council to ensure alignment with budget allocations and strategic objectives. That \$50,000 be allocated to the 2017-18 Operating Budget from the Chief Executive Officer's contingency provision to enable the initial actions to be taken. The CEO provides a progress report on the implementation of the Business Development Framework within 6 months from the date of appointment of the Director.	David Waters	In Progress	31/01/2019	The Hub Director commenced on 23 July.  The progress report is therefore due, and is scheduled for, January 2019.
27/02/2018	Ordinary Council	48/18	Investigation of Speed Limit Jungfer Road Charleston	That the CEO investigate the request for a reduction of the speed limit to a maximum of 60kph on Jungfer Road Charleston and, should the investigation justify a change, make the appropriate submissions to the Department Planning Transport & Infrastructure.	Peter Bice	In Progress	15/02/2019	A traffic impact report has been commissioned and received from the consultants - Council officers are reviewing the report and preparing a report to Council for the January meeting.
27/02/2018	Ordinary Council	57/18	Confidential Item - AH Swimming Centre Shade Sail	As per confidential minute	Terry Crackett	In Progress	30/06/2019	Matter being progressed per resolution
27/02/2018	Ordinary Council	58/18	AH Swimming Centre Shade Sail - Period of Confidentiality	that an order be made under the provisions of sections 91(7) and (9) of the <i>Local Government Act 1999</i> that the report and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the matter is determined but not longer than 12 months. Pursuant to section 91(9)(c) of the <i>Local Government Act 1999</i> , Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.	Terry Crackett	In Progress	30/06/2019	Progressing per confidential minutes

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27/03/2018	Ordinary Council	68/18	Milan Terrace Pedestrian Safety	<ol style="list-style-type: none"> <li>That the report be received and noted</li> <li>That a Traffic Plan concept be developed for a wombat or zebra crossing pedestrian facility</li> <li>That Council undertakes consultation with the community, Stirling Hospital and other relevant stakeholders on the concept plan for a wombat or zebra crossing</li> <li>That Council submits a proposal to the Department of Planning, Transport &amp; Infrastructure to reduce the speed limit on Milan Terrace to 30km/h from a point approximately 80 metres west of the Druid Avenue intersection and approximately 40 metres east of the Johnston Street intersection</li> <li>That a report be brought back to Council to determine whether future budget considerations are applicable including costings for a wombat or zebra crossing.</li> </ol>	Peter Bice	Completed	10/12/2018	<p>Report to Council and now complete - superseded by Motion 305/18</p> <p>Final report has now been received assessing the merits of a potential Zebra or Wombat Crossing, a draft concept plan has been prepared for consultation with stakeholders.</p> <p>Meeting held with Stirling Hospital CEO 19/7/2018</p> <p>Car parking loss will occur if either a zebra or wombat crossing is installed.&amp;nbsp;The Stirling Hospital are aware of this requirement.&amp;nbsp;The wombat crossing is associated with a 40km/h speed limit.&amp;nbsp;DPTI has indicated that a&amp;nbsp;30km/h is not supported as it does not meet the speed limit criteria and guidelines.&amp;nbsp;The cost of a crossing will be significant as flashing lights and new public lighting is required.&amp;nbsp;A concept budget amount would be in the range of \$50,000 - 70,000 (construction), however, funding for detailed design of \$25,000 is likely to be required.&amp;nbsp;This will allow officer to gain a better cost estimate of the works.</p>
27/03/2018	Ordinary Council	69/18	Play Space Policy	Implement policy and communicate to staff and/or community if applicable.	Peter Bice	Completed		The Play Space Policy came into effect in July 2018. Communication to relevant staff & the community has occurred.
24/04/2018	Ordinary Council	102/18	Sale of Land for Non Payment of Rates	Refer to Confidential Minute	Terry Crackett	In Progress	31/12/2018	Actions continuing in accordance with resolution and anticipate that this will be completed in December 2018/January 2019
19/06/2018	Special Council	132/18	CWMS EOI Outcome - Period of Confidentiality	the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until 31 December 2019.	Peter Bice	In Progress	31/12/2019	Minutes of this confidential item have been released from confidentiality.
26/06/2018	Ordinary Council	136/18	AHC PLEC Projects	<ol style="list-style-type: none"> <li>That the report be received and noted.</li> <li>That the CEO be authorised to lodge a formal application to the Power Line Environment Committee for stage 1 of undergrounding power lines in the township of Gumeracha to be undertaken in 2019/2020, with stage 2 to be undertaken at a later date.</li> <li>That future allocation and prioritisation of PLEC projects be considered as part of the next review of the LTFP January 2019.</li> </ol>	Peter Bice	In Progress	30/03/2019	AHC submitted the application for undergrounding powerlines on 11 October as per PLEC guidelines. No response has been received yet
17/07/2018	Special Council	156/18	LED Street Lighting Program	That the report be received and notedThat further investigation is undertaken to understand the best approach and tariff structure for transitioning to LED street lighting as soon as practicable.	Peter Bice	In Progress		As per LED review
24/07/2018	Ordinary Council	161/18	MON Stormwater Henry Street Woodside	I move that the CEO provide a report as part of Budget Review 1, on a request to advance proposed expenditure for "Henry Street Stormwater" scheduled for 2019/20 to 2018/19.	Peter Bice	Completed	28/06/2019	A report will be prepared for BR1 with the view to undertaking detailed design for Henry St stormwater in FY 2018/19.
24/07/2018	Ordinary Council	162/18	MON Use of Recycled Material in Capital Works	I move that Council measures, and reports on, the amount and origin of recycled material it uses in Council's Capital works programs, at least annually.	Peter Bice	In Progress		Council Staff are in the process of identifying, measuring and recording recycled material usage as part of Capital Works projects.
24/07/2018	Ordinary Council	163/18	MON Magarey Road Access	That, before the commencement of the bushfire season, the CEO, in consultation with residents and the Bushfire Advisory Committee, provides a report on possibilities to improve access by fire-fighting appliances and other emergency vehicles to properties on Magarey Road, Mount Torrens.	Peter Bice	In Progress	30/11/2018	Report to Council at 27 November 2018 Council meeting. Resolution to rename Magarey road to Magarey Rd North and Magarey Rd South. Public consultation occurring 12 December 2018. Road renaming process is being undertaken.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Dire	Status	Est. Completion	Status (for Council reporting)
24/07/2018	Ordinary Council	167/18	Road Widening - Edward Avenue Crafers	That the report be received and notedTo purchase the area of land, being 45m2, identified in red on the plan attached as Appendix 1 ("Land") from Zara Marina Parent and Guy Damien Parent for the consideration of \$9,500 (excl GST) plus all reasonable costs to vest the Land as public road.That the Mayor and CEO be authorised to sign all necessary documentation to effect this resolution.	Peter Bice	Completed	31/12/2018	Road Widening plans have been approved by the LTO. Final lodgment has occurred.
24/07/2018	Ordinary Council	176/18	Mobile Skate Ramp	That the Council considers placing the mobile skate ramp in Lobethal, along with any other requests, at the conclusion of its time in Birdwood.	Peter Bice	In Progress	31/03/2019	Council will begin planning for the the next site for the skate ramp in early 2019, & consider placing it at Lobethal.
1/08/2018	Special Council	181/18	Stonehenge Reserve Masterplan Update	Confidential Item	Peter Bice	In Progress		Consultation with the local community commenced in mid November.
1/08/2018	Special Council	181/18	Stonehenge Reserve Masterplan Update	Period of Confidentiality the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the consultation has concluded.	Peter Bice	Completed	31/07/2020	Item will be managed through the Confidential Items Register.
1/08/2018	Special Council	184/18	Retirement Village Review	Period of Confidentiality that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until settlement with the exception of Clause 8 and Appendix 2 which shall be retained in confidence until 31 July 2023	Terry Crackett	Completed	3/07/2023	Most parts have been released, although unable to fully close out due to Council's Resolution which details 'with the exception of Clause 8 and Appendix 2 which shall be retained in confidence until 31 July 2023'. Item will be managed through the Confidential Items Register.
14/08/2018	Special SPDPC	SP18/1	Local Heritage Stage 1 (Public Places) Development Plan Amendment	That the report be received and notedTo approve the attached Summary of Consultations and Proposed Amendments report and the draft Local Heritage – Stage 1 (Public Places) Development Plan Amendment (DPA) for submission to the Minister for Planning for approval, with the exception of those sections of the Kersbrook Hall which do not form part of the original structure. If the aforementioned condition is not possible, then the exception lapses.To recommend to Council that it consider the establishment of a heritage incentive fund in its 2019/20 budgetary processThat the Chief Executive Officer be authorised to make any necessary minor amendments to the DPA as directed by relevant officers of the Department of Planning, Transport and Infrastructure or by the Minister for Planning.	Marc Salver	In Progress	28/02/2019	The DPA was submitted to the Minister on 20 August 2018 and we are now awaiting his approval. Staff attended a meeting of the State Planning Commission (SCP) on 26 October who considered the objections to the listings. The SCP is now considering the submissions and will shortly provide advice to the Minister in this regard. The Minister for Planning will then make a final decision in relation to the DPA, anticipated to occur early in the new year.
28/08/2018	Ordinary Council	193/18	MON Kenton Valley Memorial Park	That the Chief Executive Officer, in consultation with residents and community groups, investigates and provides a report by 31 March 2019, on future management options for the Kenton Valley Memorial Park.	Terry Crackett	In Progress	31/03/2019	Investigations have commenced to determine trust arrangements to guide options
28/08/2018	Ordinary Council	194/18	MON Randell's Workers' Cottages	I move that the Chief Executive Officer, in consultation with residents and interest groups, investigates and provides a report by 31 March 2019 on future management options for Randell's Workers' Cottages, 1 Beavis Court Gumeracha.	Terry Crackett	In Progress	31/03/2019	Preliminary investigations have commenced

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Dire	Status	Est. Completion	Status (for Council reporting)
28/08/2018	Ordinary Council	195/18	Traditional Aboriginal Names of Localities and Places	I move that Council requests that the Administration prepare a report on the potential for dual naming, incorporating traditional Aboriginal place names alongside existing place names, of localities and places in the Adelaide Hills Council district. That, considering the report, resourcing for signage be considered for the 2019-20 budget.	David Waters	In Progress	28/02/2019	Staff have scoped this exercise and are receiving guidance from an Aboriginal elder. A report back to Council is planned for February 2019.
28/08/2018	Ordinary Council	196/18	Shannons Adelaide Rally Support for Road Closure	That the report be received and noted.That, in relation to the Shannons Adelaide Rally 2018, Council's support of the event is contingent on the organisers, to the satisfaction of the Chief Executive Officer:Providing evidence of satisfactory insurance to cover any damage to 3rd party property caused by the event;Providing confirmation that affected business owners are aware of the road closures;Providing written confirmation to confirm that the concerns raised by affected residents have been addressed and that arrangements for egress and regress from those properties can be managed within the event;Written confirmation from the organisers that they will erect advance notices of road closures on the affected roads, at least 3 weeks prior to the event.That subject to the requirements of 2. being undertaken, Council provides consent for road closure orders in relation to the Shannons Adelaide Rally 2018, to be held between Wednesday 28 November and Saturday 1 December 2018 as follows: (see Minutes for road details)	David Waters	Completed	31/12/2018	The event was held 29 Nov - 2 Dec. As at 10/12/18, staff have not received any post-event complaints about the Council's decision to consent to the road closures.
28/08/2018	Ordinary Council	197/18	Household Hazardous Waste Disposal	That the report be received and noted.That the Council supports, in principle, acceptance of funding from Green Industries SA to establish and operate a Household Chemical and Paint Drop-off Facility at the Heathfield Resource Recovery Centre.That delegation is given to the CEO to negotiate and if to their satisfaction, enter into a funding agreement between Green Industries SA and the Adelaide Hills Region Waste Management Authority and Adelaide Hills Council for a Household Chemical and Paint Drop-off Facility at the Heathfield Resource Recovery Centre.A future report to be provided to Council on the outcome of the negotiation with Green Industries SA, the Adelaide Hills Region Waste Management Authority and Adelaide Hills Council.	Peter Bice	In Progress	30/06/2019	Development application has been lodged for use of the site as a household chemical and paint drop off facility. Application currently being assessed by Development Services. Agreement currently being reviewed by all parties with a view to executing in the near future. No change in progress as at 7/12/18
28/08/2018	Ordinary Council	199/18	Reconciliation Action Plan Working Group	That the report be received and noted.To endorse a regional approach to the establishment of a Reconciliation Action Plan Working Group in partnership with Mount Barker District Council.Subject to a commitment to the same effect by the Mount Barker District Council, adopt the draft Terms of Reference as contained in <i>Appendix 1</i> .To authorise the Chief Executive Officer to make any minor alterations to the Terms of Reference as may be required.To appoint Cr Ian Bailey to the Reconciliation Action Plan Working Group for the remainder of the current term of Council.	David Waters	In Progress	30/04/2019	Recruitment of community members for this group is currently underway. Advertising has been undertaken Expressions of Interest close 1 Feb 2019

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Dire	Status	Est. Completion	Status (for Council reporting)
28/08/2018	Ordinary Council	200/18	Proposal to enter 11 AHC Reserves into Heritage Agreements 2018	<p>1. That the report be received and noted.</p> <p>2. That the Biodiversity Officer be authorised to enter: Doris Coulls Reserve, 152 Old Mt Barker Road, Aldgate Heathfield Waste Facility, 32 Scott Creed Road, Heathfield Kiley Reserve, 15 Kiley Road, Aldgate Shanks Reserve, 1 Shanks Road, Aldgate Stock Reserve, Stock Road, Mylor Leslie Creek Reserve, Leslie Creek Road, Mylor Mi Mi Reserve, 125 Aldgate Valley Road, Mylor Aldgate Valley 2 Reserve, 114 Aldgate Valley Road, Mylor Kyle Road Nature Reserve, Kyle Road, Mylor Carey Gully Water Reserve, Deviation Road, Carey Gully Heathfield Stone Reserve, 215 Longwood Road, Heathfield</p> <p>all being of significant biodiversity value, into Heritage Agreements.</p> <p>3. That the Heritage Agreements retain the existing dog access arrangements in place for each of those reserves.</p>	Peter Bice	In Progress	30/06/2021	<p>Heritage Agreement applications lodged for:</p> <p>Following CTs (13/11/18) TRIM reference OC 18/16631</p> <ul style="list-style-type: none"> <li>• Doris Coulls Reserve, 152 Old Mt Barker Road, Aldgate</li> <li>• Heathfield Waste Facility, 32 Scott Creed Road, Heathfield</li> <li>• Kiley Reserve, 15 Kiley Road, Aldgate</li> <li>• Shanks Reserve, 1 Shanks Road, Aldgate</li> <li>• Kyle Road Nature Reserve, Kyle Road, Mylor</li> </ul> <p>Following CRs (27/11/18) TRIM reference OC18/17474</p> <ul style="list-style-type: none"> <li>• Leslie Creek Reserve, Leslie Creek Road, Mylor</li> <li>• Aldgate Valley 2 Reserve, 114 Aldgate Valley Road, Mylor</li> </ul> <p>We have another \$10,000 budget approved for Heritage Agreement expenses in FY 19/20 (item 661 in the AHC Annual Business Plan), so will use that budget on HA reports for:</p> <ul style="list-style-type: none"> <li>• Stock Reserve, Stock Road, Mylor</li> <li>• Mi Mi Reserve, 125 Aldgate Valley Road, Mylor</li> <li>• Carey Gully Water Reserve, Deviation Road, Carey Gully</li> <li>• Heathfield Stone Reserve, 215 Longwood Road, Heathfield and fencing for Shanks Heritage agreement.</li> </ul>
28/08/2018	Ordinary Council	203/18	Community Wastewater Management Systems Review - Update and Consultation Outcomes	<p>The report be received and noted. The CEO undertakes a request for tender process for the divestment of Council's CWMS assets to inform Council's decision to sell or retain these assets. The resolution to undertake a request for tender process is subject to there being no matters of material impact identified through further due diligence and request for tender preparation activities, as determined by the CEO. Subject to Council resolving to proceed to a request for tender for the divestment of Council's CWMS assets, the CEO be delegated to prepare and approve an evaluation plan for the purposes of assessing responses received including but not limited to the following criteria: CWMS customer pricing and fees Sale price for CWMS assets Respondents financial capacity Respondents operational capacity and capability Network investment and expansion That ongoing analysis be undertaken on continued Council ownership of CWMS assets for request for tender comparison purposes to inform future decision making. The Prudential Review Report and the Probity Report be received and noted. The Council acknowledges that whilst S48 of the Local Government Act 1999 does not require a prudential review to be undertaken, the report in relation to this project is consistent with the provisions of S48. The Administration is to continue to work collaboratively with the City of Onkaparinga and Rural City of Murray Bridge for the potential divestment of Council's CWMS. That probity advisory services continue to be maintained throughout the CWMS review process. That a further report be provided to Council detailing the outcomes of the second stage request for tender and evaluation process with recommended next steps.</p>	Peter Bice	In Progress	30/06/2019	<p>In progress. Currently establishing due diligence requirements and Request for Tender timelines with Joint Working Group. Evaluation underway of current Council management structure to identify most cost efficient ways of providing CWMS services internally.</p>
28/08/2018	Ordinary Council	205/18	Regional Transport Study Funding Request	<p>That the report be received and noted. To endorse the provision of \$10,000 from the Chief Executive Officer's contingency allocation to contribute to the regional transport study into passenger transport linkages between Adelaide and Mount Barker and beyond.</p>	David Waters	In Progress	31/03/2018	<p>RDA is leading this project. GTA Consultants have been commissioned to undertake the study. Public survey being conducted in November. Council staff are contributing to the study which is due to be completed by March 2019.</p>



Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Dire	Status	Est. Completion	Status (for Council reporting)
28/08/2018	Ordinary Council	207/18	Road Widening Oakwood Road Oakbank	That the report be received and noted To purchase the area of land, being 104.6m2, identified in red on the plan attached as <i>Appendix 2</i> ("Land") from the owners of the adjoining land at 2 Oakwood Road Oakbank in consideration of fencing and asphalt works with an estimated value of \$5,285 plus all reasonable costs to vest the land as public road, including lodgement fees and stamp duty costs totalling approximately \$3,000 (and thus a total value of approximately \$8,285). That the Mayor and CEO be authorised to sign all necessary documentation to effect this resolution.	Terry Crackett	In Progress	31/01/2019	Plans have just been finalised ready for lodgement with the Lands Titles Office. Documents being drafted by Conveyancer for lodgement with the Lands Titles Office
28/08/2018	Ordinary Council	213/18	MWN Review of Community Grants Policy	That the community grants policy be reviewed before the next round of community grants.	David Waters	In Progress	30/04/2019	The review has been earmarked for the first half of 2019, i.e. prior to the next grants round.
11/09/2018	Special Council	223/18	Pomona Road Bike Track Trial	Council support a trial of a BMX facility in Stirling, within the Service Women's War Memorial Reserve (adjacent Pomona Road)	Peter Bice	Completed	26/11/2019	The trial track has been completed, and memorial area refreshed, and the trial is now underway. A number of safety enhancements have also been made in the vicinity.
11/09/2018	Special Council	223/18	Pomona Road Bike Track Trial	A report is prepared to Council by 26 November 2019 on completion of the trial.	Peter Bice	In Progress	26/11/2019	A report will be prepared for the 26 November 2019 Council Meeting.
11/09/2018	Special Council	224/18	Draft Gumeracha Main Street Masterplan	Council endorses a broader community engagement process from 11 October to 2 November 2018 to enable the local community to provide feedback on the outcomes within the draft Masterplan. The Chief Executive Officer be authorised to consider and respond to minor changes to the draft Masterplan and to timing, advertisements and extent of the broader community engagement process.	Peter Bice	In Progress		The community consultation outcomes will be presented to Council at a workshop on 11 December 2018 and provided to Council for endorsement on the 18 December 2018.
11/09/2018	Special Council	224/18	Draft Gumeracha Main Street Masterplan	A report is provided back to Council by January 2019.	Peter Bice	In Progress	29/01/2019	The community consultation outcomes will be presented to Council at a workshop on 11 December 2018 and provided to Council for endorsement on the 18 December 2018.
11/09/2018	Special Council	225/18	Draft Gumeracha Precinct Federation Park and Oval Masterplan	Council endorse a broader community engagement process from 11 October to 2 November 2018 to enable the local community to provide feedback on the outcomes within the draft Masterplan. The Chief Executive Officer be authorised to consider and respond to minor changes to the draft Masterplan and to the timing, advertisements and extent of the broader community engagement process.	Peter Bice	In Progress		The community consultation outcomes will be presented to Council at a workshop on 11 December 2018 and provided to Council for endorsement on the 18 December 2018.
11/09/2018	Special Council	225/18	Draft Gumeracha Precinct Federation Park and Oval Masterplan	A report is provided back to Council by January 2019.	Peter Bice	In Progress	29/01/2019	The community consultation outcomes will be presented to Council at a workshop on 11 December 2018 and provided to Council for endorsement on the 18 December 2018.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Dire	Status	Est. Completion	Status (for Council reporting)
11/09/2018	Special Council	229/18	Road Exchange McBeath Drive, Skye Horsnell Gully	<p>In accordance with sections 12 and 15 of the Roads (Opening and Closing) Act 1991, as regards the land within the Adelaide Hills Council area, enter into an Agreement for Exchange with Boral Resources (SA) Ltd and issue a Road Process Order to open as road portions of Section 906 Hundred of Adelaide numbered "1", "2" and "3" on Preliminary Plan No. 17/0066 (Appendix 1) and in exchange to close portions of McBeath Drive marked "A", "B", "C" and "D" on Preliminary Plan No. 17/0066, subject to the following: Boral Resources (SA) Ltd agreeing to pay all costs associated with the road exchange process including but not limited to all survey, valuation and reasonable legal costs; Boral Resources (SA) Ltd agreeing to pay all costs associated with a Council boundary adjustment between Adelaide Hills Council and the City of Burnside to rectify the resulting Council boundary anomaly from the road exchange process</p> <p>The closed road is excluded as Community Land pursuant to the Local Government Act 1999.</p> <p>Council approves the sale of the differential between the total area of closed road and the total area of opened road of approximately 1,242m<sup>2</sup> to Boral Resources (SA) Ltd for the amount of \$6,210 as determined by an independent valuation.</p> <p>Subject to the successful completion of the road exchange process, Council undertakes a process in conjunction with the City of Burnside to realign the local government boundary along the new location of McBeath Drive to the south side of pieces 42, 52 and 62 of the proposed residential allotments in accordance with the provisions of the Local Government (Boundary Adjustment) Amendment Act 2017 (to commence on 1 January 2019) and/or Part 2 of Chapter 3 of the Local Government Act 1999.</p>	Terry Crackett	In Progress	30/06/2019	<p>Council has executed the Agreement for Exchange and Road Process Order.</p> <p>Boundary realignment requirements under the new legislation to commence on 1.1.19 are being reviewed and progressed in conjunction with City of Burnside. It is anticipated that a submission to the new Boundaries Commission will be lodged in mid - late January 19 once the final guidelines are published</p>
11/09/2018	Special Council	230/18	Burials outside Cemeteries Policy	<p>The Burials outside Cemeteries Policy as provided as Appendix 1 is endorsed for community consultation.</p> <p>That the CEO be authorised to consider and respond to minor changes to the draft Policy and to the timing, advertisements and extent of the broader consultation process.</p>	Terry Crackett	Completed	31/12/2018	<p>Consultation will commenced on 14 November and ceased on 5 December 2018. A report will be presented to Council at the January meeting for consideration.</p>
11/09/2018	Special Council	232/18	Revocation of Community Land – Bridgewater Retirement Village	<p>To commence a process to revoke the Community Land classification of the land located on the corner of Mt Barker Road and Second Avenue Bridgewater known as 511 Mt Barker Road Bridgewater contained in Certificate of Title Volume 5488 Folio 788 (Land) on which a portion of the Bridgewater Retirement Village is located by: Preparing a report as required under section 194(2)(a) of the Local Government Act 1999 and making it publicly available. Undertaking consultation in accordance with its Public Consultation Policy as required under section 194(2)(b) of the Local Government Act 1999.</p> <p>To commence a process to vary the charitable trust affecting the Land by investigating land parcels owned by the Adelaide Hills Council, including Carripook Park, Candlebark Reserve and Vincent Playground Reserve, that may be suitable for the development of a landscaped garden for the benefit of the community and for the construction of a memorial to the Ash Wednesday Bushfires of 1983 as contemplated by the charitable trust over the Land and invite community suggestions and feedback in relation to any appropriate land parcels.</p> <p>To approve a budget allocation in the amount of \$10,000 for legal expenses for the preparation of an Application to the Supreme Court to vary the charitable trust.</p> <p>That a further report be presented to Council for consideration after community consultation and further investigations have been completed</p>	Terry Crackett	In Progress	31/03/2019	<p>Initial consultation to identify possible locations for the establishment of a garden and memorial commenced in November and will run until 28.1.2019.</p>

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Dire	Status	Est. Completion	Status (for Council reporting)
11/09/2018	Special Council	233/18	Road Closure Glenside Lane, Crafers	<p>Subject to there being no objections lodged during the public notification period, to make a Road Process Order pursuant to the Roads (Opening &amp; Closing) Act 1991 in accordance with the Preliminary Plan attached to this report as Appendix 2 as follows:</p> <p>to close and merge the piece of land identified as "A" in the Preliminary Plan with Allotment 105 in Deposited Plan No 42581 comprised in Certificate of Title Volume 5291 Folio 390;</p> <p>to close and merge the pieces of land identified as "B" and "D" in the Preliminary Plan with Allotment 103 in Deposited Plan No 42581 comprised in Certificate of Title Volume 5291 Folio 388; and</p> <p>to close and merge the pieces of land identified as "C" and "E" in the Preliminary Plan with Allotment comprising pieces 101 and 102 in Deposited Plan No 42581 comprised in Certificate of Title Volume 5281 Folio 387.</p> <p>2. Subject to issue of a Road Process Order in accordance with the Preliminary Plan, that: The closed road be excluded as Community Land pursuant to the Local Government Act 1999; and The piece marked "A" be sold to Mr Ken Lehmann and Mrs Nydia Lehmann, the owners of Certificate of Title Volume 5291 Folio 390 for the amount of \$46,500 plus GST (if applicable) and all fees and charges associated with the road closure process. The pieces marked "B", "C", "D" and "E" be sold to Mr Mark Edward Penfold Jolly, Mr Christopher Rawson Penfold Jolly and Mrs Angela Evelyn Penfold Foley, as Executors for the Estate of the Late Marjorie Anne Patterson Jolly, the owners of Certificates of Title Volume 5291 Folios 387 and 388 for the amount of \$45,500 plus GST (if applicable) and all fees and charges associated with the road closure process.</p>	Terry Crackett	In Progress	31/03/2019	Public consultation has been completed by the Surveyor-General and no objections received. Surveyor preparing the final plan and documents for lodgement at the Lands Titles Office.
11/09/2018	Special Council	234/18	Sale of closed unnamed road off Burton Road, Mt Torrens	<p>To sell the land comprised in Certificate of Title Volume 6191 Folio 688 known as Closed Road U in Road Plan No. 1793 and identified on the plan attached as Appendix 1 (Land) for the amount of \$9,500 (exclusive of GST) to the adjoining land owner R T &amp; T L Gladigau.</p> <p>To delegate to the Chief Executive Officer to sign all documentation necessary to effect the sale of the Land.</p>	Terry Crackett	Completed	30/11/2018	Settlement Completed
11/09/2018	Special Council	238/18	Ashton Landfill – Confidential Item	<p>Until 10 September 2019.</p> <p>Pursuant to section 91(9)(c) of the <i>Local Government Act 1999</i>, Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.</p> <p>Council takes all reasonable actions, including initiating legal proceedings to recover losses associated with an alleged breach of contract by Tonkin Consulting when designing and overseeing slip remediation works they undertook during 2013 and 2014 at the former Ashton Landfill allegedly leading to a further landfill cap slip in 2015.</p> <p>The Chief Executive Officer is delegated to undertake all necessary actions to affect this resolution.</p>	Peter Bice	In Progress		Council continues to progress the matter.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Dire	Status	Est. Completion	Status (for Council reporting)
25/09/2018	Ordinary Council	13.2	Harms Avenue Birdwood	That Council resolves that the report be received and noted. That the CEO provides a further report to Council by the end of March 2019.	Terry Crackett	In Progress	30/06/2019	Correspondence was sent out on 19/9/2018 to land owners seeking expressions of interest in road closure. Of the 12 land owners, only 6 have responded to our communication. Of the 12 land owners contacted, we received responses from 5. The consensus was that land owners opposed a road closure process, and generally were opposed to a permit arrangement for access to their properties.  Currently the options available are: (1) <del>To</del> consider merging Harms Avenue (east) with Torrens Valley Road and renaming and re-addressing the properties as Torrens Valley Road properties (2) <del>S</del> uggest street signage directing to 2-20 Harms Avenue (3) <del>C</del> onsider formalising Harms Avenue with bitumen and a buffer  Options (1) and (2) will require further consultation with land owners and residents of this area. We are currently seeking costings for option (3) to see if this is a feasible option. Option 3 would require the removed of some trees to facilitate a made road.  We will be going back to land owners early in the new year for further consultation in relation to options 1 & 2 and will report to Council based on that feedback together with the information obtained regarding the cost of bituminising the road.
25/09/2018	Ordinary Council	252/18	Unmade Road Reserves, Charleston Conservation Park	That the CEO provides a report to Council by the end of February 2019 on future options for the unmade road reserves adjacent to the Charleston Conservation Park.	Terry Crackett	In Progress	28/02/2019	DEW have advised that they have requested a valuation from the Valuer-General's Dept but it has not as yet been received. Discussions between Council staff and DEW have suggested that the road closure process commence to undertake the necessary consultation with adjoining land owners and the community whilst the valuation is being obtained. Council staff are awaiting confirmation from DEW that they want to progress in that manner. Following completion of the consultation and receipt of the valuation, a report will be prepared for Council for consideration.
23/10/2018	Ordinary Council	261/18	Lobethal Primary School Safety Concerns	That the CEO, in consultation with the Governing Council and the Principal of the Lobethal Primary School, provides a report to the February 2019 Council meeting, on opportunities to improve safety for students and parents on streets within the vicinity of the School.	Peter Bice	In Progress	28/02/2019	A previous report was undertaken in 2017 by Tonkin Consulting to look at traffic and pedestrian movements with suggested works.
23/10/2018	Ordinary Council	263/18	Naming the Arts & Heritage Hub	That the report be received and noted. That the Council's arts and heritage hub in the former Lobethal Woollen Mill be called Fabrik. That further development of Fabrik incorporate the naming of specific elements of, or programs run at, the complex. This should include consideration of other suggested names made by the community as part of the current process, including Interwoven and Yarn Space.	David Waters	In Progress	30/06/2019	The naming of other elements will occur as part of the development of the detailed design for the redevelopment, which will occur in the first half of 2019.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Dire	Status	Est. Completion	Status (for Council reporting)
23/10/2018	Ordinary Council	267/18	Review of Advisory Groups	<p>That the report be received and noted.To recommend the Terms of Reference to the incoming Council for the following Advisory Groups: Bushfire Advisory Group (with revisions to nomenclature and strategic plan references) Biodiversity Advisory Group (with revisions to nomenclature and strategic plan references) Cemetery Advisory Group (with revisions to nomenclature and strategic plan references) Property Advisory Group (with revisions to nomenclature and strategic plan references, removal of the function related to formulating asset management plans and the addition of functions related to road reserve management and management of Crown Land under Council's care and control) Rural Land Management Advisory Group (with revisions to nomenclature and strategic plan references and addition of membership from a representative of the strawberry/berry industry) Sustainability Advisory Group (with revisions to nomenclature and strategic plan references and the refinement of the role and functions to include resilient communities and resource recovery and the removal of conservation and biodiversity)</p> <p>3. To recommend to the incoming Council that the following Advisory Groups be discontinued, and the members thanked for their service. Adelaide Hills Business &amp; Tourism Centre Advisory Group Australia Day Awards Panel Social Planning Advisory Group Sport &amp; Recreation Advisory Group Youth Advisory Committee</p>	Andrew Aitken	In Progress	18/12/2018	Report on Advisory Groups to be considered at 18 December 2018 Ordinary Council Meeting.
5/11/2018	Audit Committee	AC22/18	6.1 Action Report, 2017 Work Plan Update and Adoption of 2019 Work Plan	The Audit Committee resolves: That the report be received and noted That the status of the Action Report and Work Plan be noted That the 2019 Work Plan be adopted	Andrew Aitken	Completed		Workplan will be utilised at future Audit Committee Meetings.
5/11/2018	Audit Committee	AC24/18	Draft Annual Report	The Audit Committee resolves that the: Report be received and noted. Draft 2017-18 Annual Report, as contained in Appendix 1, be endorsed – recognising the need for inclusion of the General Purpose Financial Statements and Council's Regional Subsidiaries Annual Reports.	Terry Crackett	Completed		No Further Action required. Draft Audit Committee to be considered by Council on 27.11.18 for adoption.
5/11/2018	Audit Committee	AC29/18	Internal Audit Quarterly Update	The Audit Committee resolves: To receive and note the report. To note the implementation status of Internal and External Audit actions.	Andrew Aitken	Completed		NFA required
5/11/2018	Audit Committee	AC31/18	2019 Audit Committee Meeting Dates	<p>That the report be received and noted. To approve the Audit Committee meeting schedule, timings and locations for 2019 as follows:</p> <p>Commencement 6.00pm Meeting Dates and Locations 11 February 2019, 63 Mt Barker Road, Stirling 15 April 2019, 63 Mt Barker Road, Stirling 12 August 2019, 63 Mt Barker Road, Stirling 14 October 2019, 63 Mt Barker Road, Stirling 11 November 2019, 63 Mt Barker Road, Stirling</p>	Andrew Aitken	Completed		Dates placed on Council website
27/11/2018	Ordinary Council	274/18	Petition - Stirling Rotunda	Council resolves that the petition signed by 27 signatories, requesting that the Stirling Rotunda be rebuilt, be received and noted.	Andrew Aitken	Completed		Letter sent to Head Petitioner confirming that Council has received and noted petition, and advising of community consultation commencing 28/11/18

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Status (for Council reporting)
27/11/2018	Ordinary Council	275/18	Draft Annual Report	The 2017-18 Annual Report, as contained in Appendix 1, be adopted. That the Chief Executive Officer be authorised to make minor content, formatting or design changes necessary for publication purposes. That copies of the Annual Report be provided to each member of the Council the Presiding Members of both Houses of Parliament the South Australian Local Government Grants Commission	Terry Crackett	In Progress	14/12/2018	The Annual Report is being printed and will be distributed to the required bodies by 31.12.18 in line with legislative requirements.
27/11/2018	Ordinary Council	279/18	Election of Deputy Mayor	Council resolves to appoint Cr Nathan Daniell to the position of Deputy Mayor for a 12 month term to commence 27 November 2018 and conclude on 26 November 2019.	Andrew Aitken	Completed		Website updated
27/11/2018	Ordinary Council	280/18	Time & Place of Council Meetings 2018 - 2019	The Ordinary Council meeting schedule, with meetings commencing at 6.30pm, to be held at 63 Mt Barker Road, Stirling be adopted, as follows: Meeting Date Tuesday, 18 December 2018 Tuesday, 22 January 2019 Tuesday, 26 February 2019 Tuesday, 26 March 2019 Tuesday, 23 April 2019 Tuesday, 28 May 2019 Tuesday, 25 June 2019 Tuesday, 23 July 2019 Tuesday, 27 August 2019 Tuesday, 24 September 2019 Tuesday, 22 October 2019 Tuesday 26 November 2019 Tuesday, 17 December 2019 Special Council meeting times and venues are to be determined by the Chief Executive Officer in consultation with the Mayor.	Andrew Aitken	Completed	14/12/2018	Council meeting dates being advertised in December 2018
27/11/2018	Ordinary Council	281/18	Time & Place of Workshops & Personal Development	That regarding the Workshop and Professional Development Informal Gatherings: Workshop Sessions be scheduled ordinarily at 6.30pm on the 2nd Tuesday of each month, to be held at 36 Nairne Road, Woodside. Professional Development Sessions be scheduled ordinarily at 6.30pm on the 3rd Tuesday of each month, to be held at 63 Mt Barker Road, Stirling. The Chief Executive Officer be delegated to make changes to the informal gathering schedule, timings and locations.	Andrew Aitken	Completed	14/12/2018	Dates being advertised in December 2018
27/11/2018	Ordinary Council	282/18	Council Member Allowances & Support Policy	That the report be received and noted That the allowances payable under s76 of the <i>Local Government Act 1999</i> will be paid monthly in arrears With an effective date of 27 November 2018, to adopt the <i>Council Member Allowances and Support Policy</i> , as contained in Appendix 1. That the Chief Executive Officer be authorised to make minor content, formatting or design changes necessary to publish the Policy.	Andrew Aitken	Completed		Policy finalised and placed on Council website
27/11/2018	Ordinary Council	28/18	Membership CEO PRP - Appointment of Members	Council resolves to appoint Councillors Kirsty Parkin and Mark Osterstock as members of the Chief Executive Officer Performance Review Panel for a 12 month term to commence 27 November 2018 and conclude on 26 November 2019 (inclusive).	Andrew Aitken	Completed		Website updated
27/11/2018	Ordinary Council	286/18	CEO PRP - Appointment of Presiding Member	Council resolves to appoint Cr Mark Osterstock to the position of Chief Executive Officer Performance Review Panel Presiding Member for a 12 month term to commence 27 November 2018 and conclude on 26 November 2019 (inclusive).	Andrew Aitken	Completed		Website updated

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Dire	Status	Est. Completion	Status (for Council reporting)
27/11/2018	Ordinary Council	288/18	Membership SPDPC - Appointment of Members	Council resolves to appoint Mayor Jan-Claire Wisdom, Cr Ian Bailey, Cr Nathan Daniell, Cr Linda Green, Cr Chris Grant, Cr Leith Mudge, Cr Andrew Stratford, Cr John Kemp, Cr Pauline Gill, Cr Kirsty Parkin, Cr Mark Osterstock and Cr Malcolm Herrmann as members of the Strategic Planning & Development Policy Committee for the term of the current Council.	Andrew Aitken	Completed		Website updated
27/11/2018	Ordinary Council	290/18	Membership SPDPC - Appointment of Presiding Member	Council resolves to appoint Cr Linda Green to the position of Strategic Planning Development Policy Committee Presiding Member for a 12 month term to commence 27 November 2018 and conclude on 26 November 2019 (inclusive).	Andrew Aitken	Completed		Website updated
27/11/2018	Ordinary Council	291/18	Membership Audit Committee	Council resolves to appoint Cr Malcolm Herrmann & Cr Leith Mudge as members of the Audit Committee for a 24 month term to commence 27 November 2018 and conclude on 26 November 2020 (inclusive).	Andrew Aitken	Completed		Website updated
27/11/2018	Ordinary Council	294/18	Membership Audit Committee - Appointment of Presiding Member	Council resolves to appoint Cr Malcolm Herrmann to the position of Audit Committee Presiding Member for a 12 month term to commence 1 December 2018 and conclude on 26 November 2019 (inclusive).	Andrew Aitken	Completed		Website updated
27/11/2018	Ordinary Council	295/18	Audit Committee Presiding Member's Report	1. That the report be received and noted. 2. That Council formally thanks Ms Paula Davies for her service as Presiding Member of the Audit Committee.	Andrew Aitken	Completed	27/11/2018	
27/11/2018	Ordinary Council	297/18	Magarey Road Emergency Services Access	1. The report be received and noted 2. The administration undertake the process to rename Magarey Road Mount Torrens in accordance with Council's <i>Public Place and Road Naming Policy</i> . 3. Subject to the <i>Public Place and Road Naming Policy</i> requirements being met and there being no objections following public consultation, that the two sections of Magarey Road Mount Torrens (as shown in <i>Appendix 1</i> ) be renamed Magarey Road North and Magarey Road South.	Peter Bice	In Progress	31/03/2019	Road renaming process is being undertaken. Public consultation beginning 12/12/18.
27/11/2018	Ordinary Council	300/18	S43 Membership - East Waste	Council resolves that in relation to the Eastern Waste Management Authority Board: a. To appoint Cr Linda Green to the Board Member position for a two year term to commence from 27 November 2018 and conclude on 26 November 2020 (inclusive) b. To appoint John McArthur, Manager Waste & Emergency Management, to the Deputy Board Member position for a two year term to commence from 27 November 2018 and conclude on 26 November 2020 (inclusive)	Andrew Aitken	Completed		Letter sent to East Waste advising of Board appointments
27/11/2018	Ordinary Council	301/18	S43 Membership - AHRWMA	Council resolves that in relation to the Adelaide Hills Region Waste Management Authority Board: a. To appoint Cr John Kemp to the Board Member (Council Member) position for a 2 year term to commence from 27 November 2018 and conclude on 26 November 2020 (inclusive). b. To appoint John McArthur, Manager Waste & Emergency Management, to the Board Member (Council Officer) position for a 2 year term to commence from 27 November 2018 and conclude on 26 November 2020 (inclusive). c. To appoint Cr Ian Bailey to the Deputy Board Member position for a 2 year term to commence from 27 November 2018 and conclude on 26 November 2020 (inclusive).	Andrew Aitken	Completed		Letter sent to AHRWMA advising of Board Appointments

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Dire	Status	Est. Completion	Status (for Council reporting)
27/11/2018	Ordinary Council	302/18	S43 Membership - GRFMA	<p>Council resolves that in relation to the Gawler River Floodplain Management Authority Board:</p> <p>a. To note that the Chief Executive Officer has nominated Marc Salver to the Board Member (Chief Executive Officer) position for a 2 year term to commence from 27 November 2018 and conclude on 26 November 2020 (inclusive)</p> <p>b. To appoint Cr Malcolm Herrmann to the Board Member (Council Member) position for a 2 year term to commence from 27 November 2018 and conclude on 26 November 2020 (inclusive)</p> <p>c. To appoint Cr Pauline Gill to the Deputy Board Member position for a 2 year term to commence from 27 November 2018 and conclude on 26 November 2020 (inclusive)</p>	Andrew Aitken	Completed		Letter sent to GRFMA advising of Board appointments
27/11/2018	Ordinary Council	303/18	S43 Membership - SHLGA	<p>Council resolves that in relation to the Southern &amp; Hills Local Government Association Board:</p> <p>1. To appoint Mayor Jan-Claire Wisdom to the Board Member (Council Member) position for a 2 year term to commence from 27 November 2018 and conclude on 26 November 2020 (inclusive)</p> <p>2. To appoint Lachlan Miller, Executive Manager Governance &amp; Performance, to the Deputy Board Member position for a 2 year term to commence from 27 November 2018 and conclude on 26 November 2020 (inclusive)</p>	Andrew Aitken	Completed		Letter sent to SHLGA advising of Board appointments.
27/11/2018	Ordinary Council	304/18	LG Amendment Bill - Feedback for LGA	<p>That the report be received and noted To approve the submission in Appendix 2 to the Local Government Association regarding the <i>Local Government (Ratepayer Protection and Related Measures) Amendment Bill 2018</i>. To delegate to the Chief Executive Officer to make any minor content changes to reflect discussion on the item and formatting changes for the purpose of finalising the submission to the Local Government Association.</p>	Andrew Aitken	Completed	30/11/2018	Lodged with LGA on 30 November 2018
27/11/2018	Ordinary Council	305/18	Milan Tce Pedestrian Crossing Investigation	<p>That the report be received and noted. That funding of \$25,000 is allocated in the 2018/19 Capital Budget to complete detailed design and detailed cost estimates of the Wombat crossing. That the construction of the project be considered as part of the 2019/20 annual business planning process. That it is acknowledged that a 30km/h speed limit is not supported by the Department of Planning, Transport and Infrastructure.</p> <p>5 To seek the approval of the Department of Planning, Transport and Infrastructure to reduce the speed limit on Milan Terrace to 40km/h from a point 120 metres north west of the Druid Avenue intersection to a point 50 metres south east of the Mabel Street intersection.</p>	Peter Bice	In Progress	22/02/2019	Detailed design process commenced. DPTI has been approached.



Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Dire	Status	Est. Completion	Status (for Council reporting)
27/11/2018	Ordinary Council	307/18	Review of Confidential Items	Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council's decision(s) in this matter in the performance of the duties and responsibilities of office, Council resolves that an order be made under the provisions of sections 91(7) and (9) of the <i>Local Government Act 1999</i> that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence for a period as specified below: SPDPC Meeting 22 April 2014 Adelaide Hills Regional Waste Management Authority Section 90(3)(b) Information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and would, on balance, be contrary to the public interest; Section 90(3)(d) – commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and would, on balance, be contrary to the public interest.	Andrew Aitken	Completed		To remain in confidence until matter concluded. Item will be managed through the Confidential Items Register.
27/11/2018	Ordinary Council	310/18	Designated Administrative Contacts for Council Members	To note, that under Section 61(2) of the <i>Local Government Act 1999</i> and clauses 2.12 and 2.13 of the Code of Conduct for Council Members, the Chief Executive Officer has nominated the following Council Officers (or the Council Officers acting in these positions) as the Designated Administration Contacts for Council Members: (see minutes) To note that the Chief Executive Officer will provide contact and portfolio details of the Designated Administration Contacts for Council Members following the Council meeting. To note that the Chief Executive Officer may revise the Designated Administration Contacts, during the course of the Council term, with notification provided to Council Members. To note the provisions of the <i>Council Member Conduct Policy</i> and the <i>One Team – Communication Protocols for Council Members and the Administration</i> .	Andrew Aitken	Completed		Administration Contacts listing provided to Council Members and placed on Council Member Portal
4/12/2018	Special Council	316/18	Appointment of Council Member to CAP	That Council resolves to appoint Cr Linda Green as Member and Cr Leith Mudge as Deputy Member of the Council Assessment Panel for a 17 month term to commence 4 December 2018 and conclude on 30 May 2020 (inclusive).	Marc Salver	Completed		The Independent Members of CAP have been notified of the recent appointments.
4/12/2018	Special Council	317/18	Appointment to CAP Selection Panel for Independent Members	That the Mayor and Councillors John Kemp and Kirsty Parkin be appointed to a Council Assessment Panel Independent Member Selection Panel, assisted by the CEO and Director Development & Regulatory Services, to undertake the short-listing and interviews of the candidates with a view to selecting an Independent Presiding Member and three (3) Independent Ordinary Members. That the Council Assessment Panel Independent Member Selection Panel report their recommendations to Council for approval by no later than April 2019.	Marc Salver	In Progress	23/04/2019	Staff are preparing the adverts for this expression of interest process which will commence in mid January for a period of 4 weeks. The shortlisting and interview process will then be undertaken in late February/March 2019, in order to complete the process for reporting to Council on 23 April 2019
4/12/2018	Special Council	318/18	GRFMA Audit Committee Registration of Interest	That Council resolves to nominate Cr Malcolm Herrmann for the Gawler River Floodplain Management Authority Audit Committee.	Andrew Aitken	Completed		GRFMA advised by email and follow up letter.

**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 18 December 2018  
AGENDA BUSINESS ITEM**

**Item:** 14.1

**Originating Officer:** David Collins, Manager Sustainable Assets

**Responsible Director:** Peter Bice, Director Infrastructure & Operations

**Subject:** Applying the Council Seal – Asset Improvement Program Funding Deed

**For:** Decision

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**SUMMARY**

The Department of Planning Transport and Infrastructure (DPTI) has advised that Council has been granted funding for footpath upgrades of Terlinga Road, Mount Torrens and Frick Street, Lobethal for the amounts of \$120,000 and \$70,000 respectively.

This report recommends that the funding be accepted and that the Mayor and Chief Executive Officer are authorised to sign and affix the seal to the Funding Deed (**Appendix 1**).

**RECOMMENDATION**

**Council resolves:**

1. The report be received and noted.
  2. The Chief Executive Officer and Mayor are authorised to sign and affix the seal of the Adelaide Hills Council to the Funding Deed under the Asset Improvement Program.
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**1. GOVERNANCE**

➤ **Strategic Management Plan/Council Policy**

Goal 3 Places for People and Nature  
Strategy 3.5 We will take a proactive approach and a long term view to infrastructure maintenance and renewal

The external funding that is being offered is considered to be in line with Council's considerations for the acceptance of external funding under Council's Acceptance of External Funding Policy.

➤ **Legal Implications**

Accepting the funding will require Council to adhere to the terms and conditions of the funding agreement.

Section 38 of *the Local Government Act 1999* provides that the common seal of the council must not be affixed to a document except to give effect to a resolution of the council. Further the affixation of the seal must be attested by the principal member of the council and the chief executive officer.

➤ **Risk Management Implications**

Affixing the Common Seal to the Funding Deed *will assist in mitigating the risk of:*

*Council expending unbudgeted fund on projects leading to unfavourable financial operating impact*

Inherent Risk	Residual Risk	Target Risk
Medium (1A)	Low (1C)	Low (1C)

➤ **Financial and Resource Implications**

The funding enables the delivery of the Terlinga Road and Frick Street upgrades. If for any reason the costs exceed these amounts, then Adelaide Hills Council will fund the remaining expenditure. Council as part of its 2018/19 Annual Business Plan decided to fund both these projects. The external funding will reduce the current capital funding commitment of Council. The projects are part of the 2018/19 adopted annual business plan and hence there is no increase in resource requirements.

➤ **Customer Service and Community/Cultural Implications**

The community will benefit from improved safety on Terlinga Road and Frick Street. The footpath construction is a response to community concern regarding the increased use of the route from Murray Bridge to Lobethal for heavy vehicle transport.

➤ **Environmental Implications**

Not applicable

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Consultation on the development of this report was as follows:

*Council Committees:* Not Applicable

*Council Workshops:* Not Applicable

*Advisory Groups:* Not Applicable

*Administration:* Executive Manager Governance & Performance

*Community:* Not Applicable

## 2. BACKGROUND

The Liberal Party committed \$190,000 to undertake footpath works in Frick Street Lobethal and Terlinga Road, Mount Torrens.

This Deed is the formal instrument that allows the \$190,000 to be transferred from the State Government to Adelaide Hills Council.

## 3. ANALYSIS

Council needs to sign two copies of the Deed. The Deed is to be signed by the CEO and Principal Officer of Council.

The Deed requires the Council to utilise the funding to construct footpaths on Frick Street and Terlinga Road. Council funded both of these projects as part of its 2018/19 annual business plan. The first stage of works on Frick Street has been completed and planning and design work is underway on Terlinga Road.

Once Council has signed 2 copies of the Deeds and returned them to the State Government they are signed by the Minister. The \$ 190,000 funding will be provided via the Department of Planning, Transport and Infrastructure.

## 4. OPTIONS

Council has the following options:

- I. Council can accept the funding and sign and seal the Funding Deed (**Recommended**)
- II. Decline the funding offer (**Not Recommended**)

## 5. APPENDIX

- (1) Funding Deed under Asset Improvement Program

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# **Appendix 1**

*Funding Deed under Asset Improvement Program*

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**FUNDING DEED**  
**UNDER**  
**ASSET IMPROVEMENT PROGRAM**  
(Terlinga Road Footpath Upgrade, Mount Torrens; and  
Frick Street footpath upgrade, Lobethal)

**BETWEEN**

**MINISTER FOR TRANSPORT AND INFRASTRUCTURE**  
(**“Minister”**)

**AND**

**THE COUNCIL NAMED IN THE SCHEDULE**  
(**“Council”**)



- 3.2 Any power or discretion exercisable by the Council under this deed may be exercised by the person ("**Council's Representative**") for the time being in the position within the Council set out in the Schedule.

#### 4. **PROVISION OF FINANCIAL INFORMATION**

- 4.1 The Council must provide the Minister with appropriate and regular information, records and reports as the Minister may request from time to time about:
- 4.1.1 the administration and financial affairs of the Council;
  - 4.1.2 the progress of and any change to the authorised scope of the Purpose;
  - 4.1.3 any significant changes to the nature and scope of the activities conducted by the Council;
  - 4.1.4 any other matter relevant to the granting of assistance;
  - 4.1.5 any other funding or financial assistance promised or received from any source other than the Minister;
  - 4.1.6 the Council's management of the Funding, including, but not limited to, the economic and efficient use of resources to achieve the outcomes of the Purpose; and
  - 4.1.7 the performance of the Council's undertakings and obligations under this deed.
- 4.2 The information provided by the Council must be sufficient for the Minister to make an informed judgement about:
- 4.2.1 the Council's ongoing financial position and its resources and expertise in relation to the Purpose;
  - 4.2.2 the Council's performance in managing public moneys, acquiring and using resources economically and efficiently and in achieving specified objectives in relation to the Purpose;
  - 4.2.3 the overall effectiveness of the Funding throughout the Funding Period;
  - 4.2.4 compliance with legislation and generally accepted accounting principles; and
  - 4.2.5 compliance with the Council's constitution and the conditions of this deed.
- 4.3 The Council must permit any officer authorised by the Minister:
- 4.3.1 to enter the Council's premises and to have access to all accounting records, equipment, documents and information in possession of the Council; and
  - 4.3.2 to interview employees of the Council on matters pertaining to the operations of the Council.

#### 5. **OBLIGATIONS OF THE COUNCIL**

The Council must:

- 5.1 ensure that any works undertaken towards the Purpose are undertaken in accordance with (and to the standard required by) any applicable Standards published by Austroads and Standards Australia Limited;



- 5.2 maintain accounting records of the Funding in accordance with generally accepted accounting principles;
- 5.3 ensure that any activity carried out by the Council in connection with the Council's use of the Funding complies with the laws from time to time in force in South Australia;
- 5.4 comply with its constitution;
- 5.5 comply with the reporting requirements set out in the Schedule;
- 5.6 prepare financial statements in accordance with Australian Accounting Standards at the end of the Funding Period and submit the financial statements, signed by a senior office holder of the Council, to the Minister no later than one calendar month after the expiry of the Funding Period; and
- 5.7 where requested by the Minister, provide to the Department management accounts, annual reports, financial statements and any other information or documents relevant to the Council's operations.

## 6. TERMINATION

- 6.1 If the Council fails to comply with this deed, the Minister may:
  - 6.1.1 require the Council to repay either the whole or a portion of the Funding (whether expended or not);
  - 6.1.2 withhold all future funding from the Council;
  - 6.1.3 pursue any legal rights or remedies which may be available to the Minister; and
  - 6.1.4 terminate or curtail any program or project conducted by the Minister of which the Purpose conducted by the Council is part.
- 6.2 The Minister may review any decision made pursuant to this clause if the Council is able to satisfy the Minister within a period of 30 days from the decision that the Council has complied with the conditions of this deed.
- 6.3 Nothing in this deed is to be taken to limit the Minister's discretion to determine whether and how any program or project of the Minister is to be conducted, except if and to the extent that the Minister gives an express undertaking in that regard.

## 7. INSURANCE

The Council warrants that it is a member of the Local Government Association Mutual Liability Scheme ("**Scheme**") and is bound by the Scheme pursuant to section 142 and Schedule 1, Part 2 of the *Local Government Act 1999* (SA) ("**Act**") and in the event that the Council ceases to be a member of the Scheme it will forthwith, pursuant to Section 142(1) of the Act and the regulations under that Act, take out and maintain insurance to cover its civil liabilities at a minimum level of cover of AUD \$50 million.

## 8. ACKNOWLEDGEMENTS

The Council acknowledges that the Funding represents a one-off contribution by the Minister towards the Purpose, and the Council agrees that any request for subsequent funding will require a new application to the Minister.

The Minister is under no obligation to agree to pay any subsequent funding to the Council.

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The Council further acknowledges and agrees that the Minister will not be liable to reimburse the Council for any losses (or cost over runs) that may result from the operation of this Agreement or the carrying out of the Purpose or a Project.

9. **INDEMNITY**

The Council acknowledges and agrees that it remains at all times solely responsible for the conduct of the Purpose and any Project and it releases and indemnifies the Minister, the Commissioner of Highways and the Crown in right of the State of South Australia together with their employees, contractors and agents ("**those indemnified**") from and against any loss or liability incurred or suffered by any of those indemnified as a result of any claim, suit, demand, action or proceeding brought by any person against any of those indemnified in respect of the works to carry out the Purpose and/or a Project or otherwise caused by any breach or default of the Council under this Agreement.

10. **AUDIT**

The Minister may direct the Council to arrange for the financial accounts relating to the Funding to be audited at the Council's expense. The Minister may specify the minimum qualifications to be held by a person appointed to conduct the audit.

11. **ASSIGNMENT**

The Council must not assign, novate or encumber any of its rights or obligations under this deed.

12. **PUBLICITY**

The Council must not make or permit a public announcement or media release to be made about any aspect of this deed without first obtaining the Minister's consent.

13. **CONSENT**

If the Council requires the Minister's consent under this deed, the Minister may, in its absolute discretion, give or withhold its consent and if giving consent, the Minister may impose any condition on that consent that it considers appropriate. The Minister's consent will not be effective unless it is in writing and signed.

14. **ENTIRE DEED**

This deed incorporates any attached schedules and annexures. This deed contains the entire agreement between the parties with respect to its subject matter and supersedes any prior agreement, understanding or representation of the parties on the subject matter.

15. **PROPER LAW**

The laws in force in South Australia apply to this deed.

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**16. JURISDICTION OF COURTS**

The courts of South Australia have non-exclusive jurisdiction to determine any proceeding in relation to this deed. Any proceeding brought in a Federal Court must be instituted in (and remain with) the Adelaide Registry of that Federal Court.

**17. COMPLIANCE WITH LAWS**

The Council must comply with the laws in force in South Australia in the course of performing its obligations under this deed.

**18. NOTICES**

A notice is properly given or served if the party delivers it by hand, posts it or transmits it by electronic mail or facsimile, to the address of the Representative of the other party. A notice is taken to be received:

- 18.1 if sent by post, at the time it would have been delivered in the ordinary course of the post to the address to which it was sent;
- 18.2 if sent by facsimile, at the time which the sender's facsimile machine records that the communication has been transmitted satisfactorily (or, if such time is outside normal business hours (9am to 5pm on a business day), at the time of resumption of normal business hours);
- 18.3 if sent by electronic mail or other electronic means, only in the event that the other party acknowledges receipt by any means; or
- 18.4 if delivered by hand, the party who sent the notice holds a receipt for the notice signed by a person employed at the physical address for service.

**19. WAIVER**

Any waiver of any provision of this deed is ineffective unless it is in writing and signed by the party waiving its rights. A waiver by either party in respect of a breach of a provision of this deed by the other party is not a waiver in respect of any other breach of that or any other provision. The failure of either party to enforce any of the provisions of this deed at any time must not be interpreted as a waiver of that provision.

**20. VARIATION**

Any variation of this deed must be in writing and signed by each party (or its Representative).

Any request by the Council for agreement to vary the Funding or the Purpose must be accompanied by sufficient details explaining the reasons for the requested variation to enable the Minister to have regard to its merits.

**21. READING DOWN AND SEVERANCE**

In the event that any provision (or portion of any provision) of this deed is held to be unenforceable or invalid by a Court of competent jurisdiction, the validity and enforceability of the remaining provisions (or portions of such provisions) of this deed shall not be adversely affected.

The offending provision or part of a provision shall be read down to the extent necessary to give it legal effect, or shall be severed if it cannot be read down, and the remaining part and provisions of this deed shall remain in full force and effect.

**22. AUDITOR GENERAL**

Nothing in this deed derogates from the powers of the Auditor-General under the *Public Finance and Audit Act 1987* (South Australia). Without limiting this clause, the Council acknowledges the Auditor General's obligations and powers under sections 32 and 34 of the *Public Finance and Audit Act 1987* (South Australia).

**23. PUBLIC DISCLOSURE**

The Minister may disclose this deed and/or information relating to this deed in both printed or electronic form and either generally to the public or to a particular person as a result of a specific request. Nothing in this clause derogates from the Council's obligations under any provision of this deed or the provisions of the *Freedom of Information Act, 1991*.

**24. ADDITIONAL CONDITIONS**

The additional conditions set out in the Schedule (if any) form part of this deed.



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## SCHEDULE

### 1. THE COUNCIL

Legal Name: ADELAIDE HILLS COUNCIL

Trading Name: ADELAIDE HILLS COUNCIL

Site Address: 28 Onkaparinga Valley Road, WOODSIDE SA, SA, Australia, 5244

Postal Address: PO Box 44, WOODSIDE SA, SA, Australia, 5244

2. **ABN:** 23 955 071 393

### 3. REPRESENTATIVES

#### Minister's Representative

Name: Mr Scott Cooper

**Position:** Manager Infrastructure  
Planning and Investment

Address: Level 7, 50 Flinders Street,  
ADELAIDE SA 5000

Telephone: 8343 2844

Fax: 8343 2805

E-mail: scott.cooper@sa.gov.au

#### Council's Representative

Name: David Collins

**Position:** Manager of Sustainable  
Assets

Address: PO Box 44, Woodside SA  
5244

Telephone: 8408 0501

E-mail: dacollins@ahc.sa.gov.au

### 4. PURPOSE

The Funding is provided for the Purpose of the Council undertaking (within the Funding Period) the "**Project**" described below (and in the proposal and plans attached to this deed) in accordance with (and to the standard required by) any applicable Standards published by Austroads and Standards Australia Limited.

#### Description of Project

- Election commitment (\$120,000) for footpath upgrade, Terlinga Road, Mount Torrens.
- Election commitment (\$70,000) for footpath upgrade, Frick Street, Lobethal.

### 5. FUNDING PERIOD

**Start Date:** 15 November 2018

**End Date:** 30 June 2019

### 6. FUNDING

**Amount (AUD):** \$ 190,000.00 AUD (GST exclusive)

## 7. MANNER & CONDITIONS OF PAYMENT

### Limit on payments

The Funding of \$ 190,000.00 (GST exclusive) is the maximum total amount the Minister may be liable to pay the Council under this deed.

### Invoice

The Minister is **not** obligated to pay an invoice unless properly rendered. An invoice is properly rendered if it:

- (a) is issued in respect of a payment for which the Council is entitled to invoice for under this deed;
- (b) quotes the relevant purchase order number allocated by the Minister;
- (c) reflects the correct amount for payment under this deed; and
- (d) is a valid Tax Invoice in accordance with GST Law.

### Payment Term

Provided that the total amount of the Funding has not been (or will be) exceeded, the Minister must pay the amount of a properly rendered invoice for the Funding within 30 days of receiving the Council's invoice.

## 8. ADDITIONAL REPORTING REQUIREMENTS

Report (Title)	Frequency (By when)	Requirements (Information and applicable standard)
<b>Project Report</b>	31 March 2019  or  7 days from request.	<ul style="list-style-type: none"> <li>• The progress of the Project and scheduling of works.</li> <li>• Updated Expenditure forecasts during the term of the funding period</li> <li>• The management of the Funding (i.e. break down of expenditure of the Funding).</li> <li>• Any changes to the authorised scope of the Project.</li> <li>• Any significant changes to the nature and scope of the activities conducted by the Council.</li> <li>• Any operational matters requested from time to time by the Minister for inclusion in the Project Report.</li> </ul>
<b>Financial Statements</b> (As referred to in clause 5)	Within 30 days from the expiry of the Funding Period.	Financial Statements prepared in accordance with Australian Accounting Standards setting out in detail the Council's expenditure of the Funding (with invoices attached from any contractors engaged for the Purpose) and signed by a senior office holder of the Council.

9. **SPECIAL CONDITIONS**

**Alteration to DPTI Roads or other Assets**

If the Project requires any traffic management, alteration to (or effect on) a road or other asset that is under the care, control and management of (or is otherwise the responsibility of) the Commissioner of Highways or is the responsibility of the Department of Planning, Transport and Infrastructure (“DPTI”) the Council must seek the written approval of the appropriate DPTI Regional Manager prior to commencing any work.

**Traffic Control Devices**

The installation of Traffic Control Devices must comply with the requirements outlined in the Manual of Legal Responsibilities and Technical Requirements for Traffic Control devices – Part 2 – Code of Technical Requirement – February 2012.



**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 18 December 2018  
CONFIDENTIAL AGENDA BUSINESS ITEM**

**Item:** 19.1

**Originating Officer:** Ebony Priest, Communications Officer

**Responsible Director:** David Waters, Director Community Capacity

**Subject:** Australia Day Awards 2019

**For:** Decision

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**1. Australia Day Awards 2019 – Exclusion of the Public**

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except:

- CEO, Andrew Aitken
- Director Infrastructure & Operations, Peter Bice
- Director Development & Regulatory Services, Marc Salver
- Director Corporate Services, Terry Crackett
- Director Community Capacity, David Waters
- Executive Manager Governance & Performance, Lachlan Miller
- Governance & Risk Coordinator, Steven Watson
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 19.1: (Australia Day Awards 2019) in confidence.

The Council is satisfied that it is necessary that the public, with the exception of Council staff in attendance as specified above, be excluded to enable Council to consider the report at the meeting on the following grounds:

Section 90(3) (a) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), the disclosure of which could reasonably be expected to publicise the personal affairs of the Australia Day Award nominees, in that details of their nominations will be discussed.

Accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

## **2. Australia Day Awards 2019 – Confidential Item**

### **SUMMARY**

The purpose of this report is to:

- Advise Council of nominations for the 2019 Australia Day Awards
- Advise Council of the recommendations made by Council staff
- Enable Council to confer the applicable awards.

### **RECOMMENDATION**

**Council resolves:**

- 1. That Council confer the 2019 Citizen of the Year Award on Robert Brooksby of Gumeracha.**
- 2. That Council confer the 2019 Young Citizen of the Year Award on Rhys Jarrett of Bridgewater.**
- 3. That Council confer the 2019 Community Event of the Year Award on The Sustainability Fair held in Uraidla.**
- 4. That Civic Awards (13) be presented to:**
  - **Neil Mullard of Uraidla**
  - **Shaun Clarke of Woodside**
  - **Alison Cranwell of Basket Range**
  - **Chris Barry of Mt Torrens**
  - **Irene Barry of Mt Torrens**
  - **Ron Nelson of Scott Creek**
  - **hART Advocates Group of Lobethal**
  - **Peter Holderness of Mylor**
  - **Helen Atkinson of Houghton**
  - **Brianna Green of Montacute**
  - **Sheryl Collins of Mt Torrens**
  - **Ian Carpenter of Birdwood**
  - **Anne Cooper of Forreston**

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## **1. GOVERNANCE**

### **➤ Strategic Management Plan/Council Policy**

Goal 2 Strategy	Activities and opportunities to connect We recognise diversity in the community is one of our greatest strengths and we will support and promote opportunities for social inclusion.
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The annual awards presented on Australia Day are an opportunity for Council to recognise and celebrate members of the Adelaide Hills community who contribute to its success and inclusiveness.

➤ **Legal Implications**

Not applicable

➤ **Risk Management Implications**

The recognition of community achievements through the Australia Day Awards program will assist in mitigating the risk of:

*Failure to provide for the wellbeing and interests of the community (through an outlet for formal recognition of community leaders) leading to negative attitudes towards Council in the community, disengaged community members and possible reduction in volunteerism.*

Inherent Risk	Residual Risk	Target Risk
High (2A)	Low (3E)	Low

The residual takes into consideration our current practice of making annual awards, and assumes continued Council support of these awards.

A number of other initiatives also contribute to mitigating this risk.

➤ **Financial and Resource Implications**

Australia Day Awards are supported by the Australia Day Council of South Australia (ADCSA). Financial and human resources surrounding the events to support these awards are included in the operating budget.

➤ **Customer Service and Community/Cultural Implications**

Conferring awards such as these creates a sense of civic pride in personal and group achievement. It encourages others to take similar steps in providing selfless community service.

➤ **Environmental Implications**

Not applicable.

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

In accordance with the decision made at the Special Council Meeting on 14 November 2017, recommendations have been made by a panel of staff members, convened by the Director of Community Capacity.

*Council Committees:* Not Applicable  
*Advisory Groups:* Not Applicable  
*Administration:* Director Community Capacity  
Sport and Recreation Planner  
Community Development Officer – Community Centres

*Community:* While the community is not consulted on the recipients of the award the community is the primary source of nominations.

## 2. BACKGROUND

Local Australia Day Awards are conferred by local councils as part of the national ‘citizen’ awards scheme coordinated by the National Australia Day Council (NADC) and local branches.

The Awards recognise outstanding contributions to the local community by local Australians. For many years the Adelaide Hills Council has conferred the following awards on Australia Day:

- Citizen of the Year (1)
- Young Citizen of the Year (1)
- Community Event of the Year (1)
- Civic Awards (as many as determined by Council)

The Citizen and Young Citizen (under 30 years of age) of the Year Awards recognise outstanding individual achievements and contributions to the local community, while the Community Event of the Year Award recognises collaborative accomplishment.

The Civic Award category, which is not technically part of the NADC scheme, provides Council with the opportunity to recognise individuals or groups who may not be given one of the major awards, but who are considered to warrant recognition nonetheless. The Council has discretion as to how many Civic Awards are conferred and it has typically awarded multiple each year.

## 3. ANALYSIS

Nominations for the Awards were sought through advertisements placed in the local press, on the Council’s website, in Council’s libraries and Community Centres, and through Council’s e-newsletter and social media platforms. The National Australia Day Council also promoted the scheme state-wide. Nominations for the 2019 Awards closed on 16 November 2018.

The panel of staff members convened to evaluate the nominations and make recommendations contained in this report. The panel was:

David Waters – Director Community Capacity (convenor)  
Sarah Hunt – Community Development Officer, Community Centres  
Renee O’Connor – Sport and Recreation Planner

The panel evaluated nominations for Citizen and Young Citizen of the year against the criteria recommended by ADCSA, which were:

- Contribution to the community
- Scope of impact on the Adelaide Hills
- Inspirational role model.

Likewise, the Community Event of the Year nominations were evaluated against the following criteria:

- The quality of the event
- The scope of impact the event has on the local government area
- The event's contribution to the community.

A summary of the nominations is provided in **Appendix 1**. It should be noted that the names of those nominees not recommended for individual awards have been removed to protect the integrity and privacy of those individuals (who it is assumed are not aware of their nominations).

### **Citizen of the Year**

Robert (Bob) Brooksby was considered the most worthy recipient among the nominees for Citizen of the Year. Like most of the others, he has made a substantial contribution to his local community and dedicates a significant amount of time to volunteering.

The factor that placed Bob ahead of other nominees was that his contribution is diverse and long-standing. Bob's particular focus in recent years in mentoring young volunteers to continue his work was also highly regarded.

### **Young Citizen of the Year**

Rhys Jarrett was selected as the proposed Young Citizen of the Year in recognition of his volunteering background over a number of years, especially from one so young.

His advocacy on behalf of his peers through a number of influential groups is an admirable quality and a sign of a future leader in the community. Rhys recently volunteered to create a number of videos encouraging youth engagement in the 2018 Council Elections.

### **Event of the Year**

A number of events were nominated for Community Event of the Year, but the selection panel felt that the nomination presented for the Sustainability Fair demonstrated the most beneficial impact on the wider community.

Both the Lights of Lobethal and the Uraidla and Summertown Country Show were nominated for this award, but as former recipients of this award, and with no significant changes to the event formats, they were not considered for the award again in line with guidelines issued by ADCSA.

In conferring the Awards, the Council should consider the following factors:

- Individual recipients must be Australian Citizens and their contributions should affect the Adelaide Hills Council district (they do not have to reside in the district)
- The Young Citizen of the Year must be under 30 years of age on Australia Day
- Outstanding contribution to the community and inspirational achievements must be evident.

The panel considers each of the recommended recipients to meet these factors where applicable.

The three major awards will be presented by the Mayor at Council's Australia Day Event, as well as being acknowledged at each of the community events around the district, which the recipients may also attend. The custom is for Civic Awards to be presented by a Council Member at Australia Day community events around the district in accordance with the recipient's preferred location.

Recipients of the three major awards will be forwarded to the Australia Day Council of South Australia for consideration in the State Awards, presented by the Governor of South Australia.

#### **4. OPTIONS**

Council must determine which individuals and/or groups, if any, should receive Australia Day Awards. The Council is not obliged to confer each award; to preserve the integrity of the awards it should only do so where genuine merit has been established.

The staff panel assigned to assess the Australia Day Awards nominations was formed to allow time to properly consider each nomination and establish worthy award recipients. Its recommendations should therefore be strongly considered.

#### **5. APPENDIX**

(1) Nominations for Australia Day Awards 2019

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# **Appendix 1**

*Nominations for Australia Day Awards 2019*

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## Australia Day Awards 2019 – Summary of Nominations

Nominee name	Reason for nomination	Other significant contributions/achievements	Panel Recommendation
Robert (Bob) Brooksby	<p>Robert Brooksby is a valued member of the Gumeracha RSL and the Gumeracha Community Association. His passion for preserving antique war literature and his dedication to planning and preparing memorial events is inspiring and the outcomes of such bring the community closer, both in respect to our fallen heroes and with one another. His past as the former principal of Gumeracha Primary School has earned him the respect and admiration from the entirety of our township. He works closely with his community members to ensure all is running well, and he invites all to embark on his community passions, such as the Medieval Fair, Film Nights and ANZAC/Remembrance ceremonies. His work in our township and the surrounds does not go unnoticed and his dedication spreads from every responsibility to every member of the public.</p> <p>From a personal perspective, Robert Brooksby has taken both myself and my brother under his wing since we first moved to the hills from the city suburbs. Recognising our struggle with confidence, Robert endeavoured to provide opportunities for which we would become comfortable and confident with both ourselves and in a new community. From small jobs such as helping with town hall set up, to the major and honourable position of acting sentinel in the WW1 centenary ANZAC Dawn Services from 2015 to 2018. His dedication to our success saw Robert volunteer hours of his time to tutor my public speaking ability, where Robert specially attended Oakbank Area School Remembrance Day ceremony in 2017 to watch my conduction of the service. Each of these contributions made myself and my brother feel like a part of the community, and over these years, he has mentored us into the young, proud men we are today.</p>		Citizen of the Year
Rhys Jarrett	<p>Rhys is one of those unsung heroes who serve in supporting roles in various community groups and organisations, contributing a lot of hard work without seeking the spotlights:</p> <ul style="list-style-type: none"> <li>* Rhys has been a member of Adelaide Hills Council Youth Advisory Committee (YAC) since October 2008 and as such has initiated many YAC programs and activities. These include advocacy for public transport solutions and input in consultations regarding changes to the graduated licensing scheme; YAC programs such as the bi-annual YAC Charity Quiz nights, Politics 4 Dummies projects, Year 12 Support programs and many other council youth development programs. Most recently Rhys produced a series of short videos for the YAC Politics 4 Dummies project focussing on young voter involvement in the 2018 local government elections.</li> <li>* Rhys is also an integral member of the organising group of Council's regular Xbox and PC gaming events, XiTH.</li> <li>* Rhys is a member of Young Mayo, the youth advisory group for Rebekha Sharkie MP for Mayo.</li> <li>* Rhys is the secretary (amongst other things) and founding member of Kids Arthritis, Australia's premier foundation supporting people living with Juvenile Arthritis.</li> </ul>	24 years old	Young Citizen of the Year



Nominee name	Reason for nomination	Other significant contributions/achievements	Panel Recommendation
The Sustainability Fair	<p>&lt;extract of full nomination&gt;</p> <p>The Sustainability Fair is one of the exciting community forums that has contributed to the development of the profile of Uraidla and surrounding areas as a place for people who want to create a sustainable community oriented future. The active presence of the Fair in the community for the last 14 years has been a part of the revitalisation of the area and supported the Uraidla Show in its renewal processes. The outreach of the Fair into the broader Hills and greater Adelaide communities through its connection to communities of interest has enhanced the reputation of Uraidla whilst bringing into the Hills knowledge of sustainability issues and creative ways of addressing them.</p> <p>The Fair is provided as a venue to showcase local activities that contribute to creating a more sustainable society particularly through a reduction in our carbon use. The Fair encourages businesses, community groups and individuals whose work will lead to greater sustainability to showcase successful achievements or otherwise promote their work.</p> <p>The Sustainability Fair has been run alongside the Uraidla Country Show for 14 years. It complements the Uraidla Show, a major community event that has been promoting local produce for over a century. Locating the Fair alongside the Show enhances the environmental focus of this important community event whilst at the same time enabling discussion of some of the challenging environmental issues in our Adelaide Hills.</p>		Community Event of the Year
Neil Mullard	<p>Throughout every year Neil contributes his time and money to his community by helping the small local businesses. He is always supplying his machinery and using his employees for renovations and general odd jobs around the community. Neil also supports and helps with the Uraidla Show every year he donates his time and money for the show. He owns 2 sandstone quarries in the local area and also provides and donates stone to any business that requires it such as schools for their nature playgrounds.</p> <p>Without Neils donation and contributions to the community many of the small local businesses would not be able to afford to pay someone for the work work Neil provides that's is why Neil does it so that local businesses can stay in business.</p>	Neil has not really ever been recognised for all his contributions although everyone says thank you he hasn't ever been officially recognised.	Civic Award
Shaun Clarke	Shaun has encouraged young people to be involved in the redevelopment of the "Woody Trails" BMX track at Woodside. His passion for the environment and a healthy lifestyle and mentoring of young riders is amazing.	Letters of support from community members	Civic Award

Nominee name	Reason for nomination	Other significant contributions/achievements	Panel Recommendation
Alison Cranwell	<p>Co-ordinated the conversion of the old bus shelter at Basket Range into a community sharing shed</p> <p>Alison was concerned that the old unused bus shelter on Lobethal Road was falling into disrepair, and saw the potential to renovate it and create a combined Street Library and Grow Free cart for the community to share their books and garden produce in a central location. She approached and co-ordinated various members of the community to deal with the renovation, including dealing with termites, replacing some parts of the termite-damaged structure, fixing the leaky roof and crumbling floor, sourcing and installing the shelving units and repainting the front panels of the shelter. Our Sharing Shed is now highly valued and well used by the community and has given the neglected bus shelter a new lease on life.</p>	She hasn't received any other recognition for making this project happen.	Civic Award
Mr Chris and Mrs Irene Barry	<p>Nomination is for a joint award on the basis of their continued service to the community. Chris has been an interested and active member of the Mt Torrens Community since 1994. As an Accountant he been the honorary auditor for a number of local organisations including the Torrens Valley Lions Football Club. He has undertaken voluntary work to assist with the preparation of Tax Returns. Chris has embraced the need to preserve the history and built environment of Mt Torrens. He has worked tirelessly for the Mt Torrens &amp; District Community Association for more than 10 years and has served as Secretary &amp; Treasurer during that time. His "Community Talk" newsletters have been of great interest to the residents of the area. Together with his wife he has attended many Bunnings sausage sizzles, fund raising for the Mt Torrens Centenary Park. Last year he did a wonderful job as quizmaster for that organisations major fundraiser of the year.</p> <p>Irene has spread herself widely across the Community over the last 24 years. She had a long involvement with Riding for the Disabled (which included caring for one of its retired horses for more than 15 years). She served as Treasurer of the Mt Pleasant Golf Club for over 5 years. She is a very active committee member of the Mt Torrens Centenary Park and has served as Treasurer previously and is currently serving in that role. She has contributed tirelessly with the catering for countless monthly Community dinners which are fund raisers for the Mt Torrens Centenary Park. For the past 2 years she has been on the volunteer roster to clean the Public toilets currently provided by the Mt Torrens Centenary Park.</p>		Civic Award (recommend each receive individual award recognition)
Ron Nelson	<p>Ron has throughout his life worked endlessly for the community, whether it be on school councils, progress Associations, the CFS or local Council. The contribution is endless and outlined in the attached file.</p> <p>Ron is the type of citizen that so many aspire to be. One cannot but admire the time, dedication and endless enthusiasm he has for his community activities. Fundraising, pulling vehicles out of boggy paddocks to chatting with the local school children on how he grows his veggies so well are all slotted in around his busy schedule.</p>	Ron was awarded the CFS National Medal 3rd clasp in 2015 for 45 years active service Recipient of the 25yr service award from the Local Government Association in 2017.	Civic Award

Nominee name	Reason for nomination	Other significant contributions/achievements	Panel Recommendation
hART Advocates group c/-Kirsty Emery	The five original members of this group (Rose Kemp, Anne Griffiths, Kirsty Emery, Bronwen Klose, Kim Jiordan) have worked tirelessly with the council and the community to run over 13 inclusive exhibitions for the last 4 years. Their mission was to further arts and heritage in the hills and this has been achieved through the new FabriK Arts and Heritage Hub in Lobethal. Many people in the community have creative talents that the hARTgroup were able to showcase and be inclusive at the same time. Art has become celebrated by all and many friendships have been formed as every singles exhibition was mostly organized, installed and run by volunteers.	Has worked with Council in the Arts & Heritage Hub in Lobethal	Civic Award
Peter Holderness	Peter has made an outstanding contribution to the Adelaide Hills community through his efforts in a number of organisations where he has applied his skills to assist in the preservation of old historical photographs and the development of marketing materials to promote the history of the area. Peter is an active member of the following organisations: *Mt Lofty Districts Historical Society Inc (MLDHS) - Member of Management Committee *Mylor History Group - Member *Mylor Heritage Group - Member *Scott Creek, Bradbury, Longwood History Group - Member *Adelaide Hills Council Cemetery Committee - MLDHS representative *Scott Creek, Bradbury, Longwood Cemetery Committee - community representative *Stirling Business Association - Member *Organising Committee for Australia Day Celebrations at Mylor - Member	Through Peter's involvement in a number of organisations throughout the Adelaide Hills, his contribution is widely recognised and appreciated. The Attachment provides further details.	Civic Award
Helen Atkinson	Helen is an active member of the community groups detailed below. She is the primary event organiser for the Anzac and Remembrance day services. Helen is the Vice President of the HIHMP and I believe she is the treasurer of the CWA Houghton Branch. Up until recently Helen has engaged in indoor netball with a group of community ladies. Helen is always involved in the community events held at the Houghton oval and is the main driver behind seeking donations from local business for raffles and auction items. Helen also drives the fundraising efforts of the local CWA, which then donates funds to local worthy causes. Helen is one of those "pillars of the community" that often get referred to. Helen has been a member of the Houghton, Inglewood & Hermitage Memorial Park for over 25 years, Member of the CWA Houghton Branch for over 20 years(Not sure exactly how long) and Member of the Northern Adelaide Hills Community Leaders Group.		Civic Award

Nominee name	Reason for nomination	Other significant contributions/achievements	Panel Recommendation
Brianna Green	<p>Brianna is a young person who is highly regarded by her peers and older members of our community alike. Her inclusive friendly approach results in other young people in the community or organisations quickly building confidence and becoming involved. Her capacity to use her own initiative, take responsibility for planning and organising to completing tasks has undoubtedly been key to Brianna successfully working in Agriculture and holding part time jobs since she was 15. At Urrbrae High School Brianna was named Year 12 Merino Senior Captain and is completing her South Australian Certificate of Education in 2018. All this as well as being an active member of the Montacute Progress Association and Montacute CFS Brigade since ?.</p> <p>A key objective of the Montacute Progress Association is to promote a sense of community amongst residents of Montacute and organise a range of community activities. As a committee member Brianna has played a valuable role in helping us achieve this and keeping the committee focused on engaging young children and youth, In 2017 Brianna single handedly organised a successful video film night in the local hall which was well attended by the younger members in our community.</p> <p>Like many community organisations it is essential to continue to grow the numbers of young people joining our local CFS Brigade. Captain Rob Possingham the current Captain of Montacute CFS attests to Brianna's contribution to the Brigade. As well as completing her training in Basic Fire Fighting Level 1 and being an active crew member on call outs, Brianna has fulfilled the role of Cadet Supervisor for the Brigade since 2017. Over this time number the number of new cadets have increased and Brianna has lead the cadets with regular training sessions. She has set a high standard of uniform and behaviour for the new members by modelling this herself and articulating clear expectations as well as providing positive feedback as new members develop their skills. Most recently Brianna assisted in a region wide Cadet exercise at the 2018 Uraidla Show.</p> <p>As a young citizen Brianna is a natural leader and great asset to the Montacute Community.</p>	<p>Brianna's participation in the Montacute Progress Association, the CFS, her Urrbrae School Community has earned her recognition as a reliable person always willing to put her hand up and be involved as well as helping out practically with any jobs that come along. As a young leader in the community she plays a vital role in encouraging the involvement of other young people.</p> <p>In the work place Brianna has worked at Moncherry Orchards and Montacute Valley Orchards for the last three seasons. She has taken responsibility for picking, sorting and other jobs. She has worked at Foodland since she was 15 and recognition of her skill level and competence has seen her progress through a number of positions of responsibility to being a senior deli staff member.</p>	Civic Award

Nominee name	Reason for nomination	Other significant contributions/achievements	Panel Recommendation
Sheryl Collins	<p>Countless hours volunteering for CFS and St Johns Ambulance. Prior to being a CFS member Sheryl was an active St Johns Ambulance volunteer at Mt Pleasant. Joining Mount Torrens CFS in 1982, regularly attending training and incidents, elected Mount Torrens CFS Captain in 2009 Sheryl takes attending training, the well being of her crew and protecting our community as priorities. Sheryl regularly attends Group meetings representing Mt Torrens CFS. Sheryl shares her knowledge through training Mt Torrens CFS volunteers and volunteers as a CFS trainer for Region 2. Sheryl maintains good relationships with neighbouring CFS units. A passionate supporter of Farm Fighter units she has nurtured the concept to other brigades, supported existing Farm Fighting units and offered advice to new people to the area with what to do in case of fire.</p> <p>As Captain of Mt Torrens CFS she leads by example. An active volunteer, Sheryl seeks and encourages people to join CFS as a volunteer. Sheryl suggests ideas including fostering the idea, and brought to fruition a catering unit, which is highly appreciated on the fireground, giving hot meals, at call, to firefighters. She has also supported new people to the area with knowledge so they feel more confident manning their Farm Fighter units. As a practising nurse she brings her experience to her volunteer role.</p>	Award of National Medal.	Civic Award
Ian Jeffrey Carpenter	<p>Ian Carpenter has made a significant contribution to the Gumeracha community over the past 40 years. Whilst he has achieved many memorable personal milestones in sports, it is his leadership and mentoring of young people that sets him apart.</p> <p>In addition, on a voluntary basis, he has almost single handedly maintained the Gumeracha Oval (including upgrading of its drainage system) and surrounds for 30 years to the very high standard required by the football and Cricket Associations, for football and cricket finals. Ian has been inspirational to the young people in the community, encouraging them to participate in sport.</p> <p>He has also assisted in maintaining Federation Park with its general upkeep and watering.</p> <p>He is a life member of the Gumeracha Football Club (four premierships), Club's Best and Fairest 1988, President for four years, represented the Hills Football League at the Association level, Junior Coach, Football Central Umpire for five years, assists with canteen duties and meals. Life Member of the Gumeracha Cricket Club, President 30 years, Coach, including six years as captain (12 premierships). Oversaw the laying of a new cricket pitch.</p> <p>Served on the Gumeracha Sporting club Management Committee (which includes netball, football, tennis and cricket) for 30 years and the Executive Committee of the Torrens Valley Cricket Association.</p> <p>He has been a major contributor to the quality of community life in the Gumeracha area.</p>		Civic Award

Nominee name	Reason for nomination	Other significant contributions/achievements	Panel Recommendation
Anne Cooper	<p>I feel that Anne needs to be acknowledged for her work. Anne has been a tireless worker for her community: teacher (Birdwood High), manages the Treasure House (Albert St Gumeracha), runs the knitting group at Gumeracha Uniting Church - articles knitted she sends to the needy in Adelaide and Mt Barker. Helps with CFS at Forreston.</p> <p>Forreston Community Hall also is her interest. Anne stretches herself to people who need help. Also helps on the vineyard for her son and looks after her 90 year old husband who has dementia. Anne makes rugs for the homeless and organises wool for her knitting group.</p>		Civic Award

**3. Australia Day Awards 2019– Period of Confidentiality**

**Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council’s decision(s) in this matter in the performance of the duties and responsibilities of office, including provision of information on an embargoed basis to the media and to award winners and their nominators, Council, having considered Agenda Item 19.1 in confidence under sections 90(2) and 90(3) (a) of the *Local Government Act 1999*, resolves that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the presentation of the awards on 26 January 2018.**

**Pursuant to section 91(9)(c) of the *Local Government Act 1999*, Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.**