



ORDINARY COUNCIL MEETING

NOTICE OF MEETING

To: Mayor Jan-Claire Wisdom

Councillor Ian Bailey
Councillor Kirilee Boyd
Councillor Nathan Daniell
Councillor Pauline Gill
Councillor Chris Grant
Councillor Linda Green
Councillor Malcolm Herrmann
Councillor John Kemp
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
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 26 February 2019
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.

Andrew Aitken
Chief Executive Officer



ORDINARY COUNCIL MEETING

AGENDA FOR MEETING
Tuesday 26 February 2019
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 Kaurna 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 Mayor Jan-Claire Wisdom
- 3.2. Leave of Absence
- 3.3. Absent

4. MINUTES OF PREVIOUS MEETINGS

Council Meeting – 22 January 2019

That the minutes of the ordinary meeting held on 22 January 2019 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
Nil
- 8.2. Deputations
 - 8.2.1. Mr Joe Frank re Freedom of Information
- 8.3. Public Forum

9. PRESENTATIONS (by exception)

Nil

10. QUESTIONS ON NOTICE

- 10.1. Local Nuisance and Litter Control Act - Cr Malcolm Herrmann
 - 1. For the year 2017/18, what was the estimated cost of administering the Local Nuisance and Litter Control Act 2016?
 - 2. For the year 2017/18, how much is the quantum of and how much revenue was received from expiation notices?
 - 3. Has the requirement required additional resources to be applied in the administration of the legislation?
 - 4. What are the strategies identified to "combat this expensive and environmentally damage crime" as mentioned in the 2017/18 Annual Report?
- 10.2. Burning Permits – Cr Chris Grant

Can landholders, outside of townships, burn off piles of debris such as prunings and other tree waste after the close of the fire ban season in 2019 without the need for a permit from the AHC (assuming other CFS requirements are met)?

10.3. Road Safety on Council Roads – Cr Chris Grant

What measures are AHC taking to improve safety and traffic flow for motorists and cyclists on AHC roads in view of the increasing number of cyclists on our roads, many of which are narrow and winding?

11. MOTIONS ON NOTICE

11.1. Presentations at Designated Informal Gatherings & Workshops

That the CEO ensures all audio/visual presentations for Designated Informal Gatherings (DIG) and Professional Development Workshops be made available to Councillors via the Elected Members Portal prior to DIGs and all workshops.

11.2. Road Safety

That AHC write to DPTI to ascertain what measures they are taking to improve safety and traffic flow for motorists and cyclists on DPTI roads in view of the increasing number of cyclists on Adelaide Hills roads, particularly in relation to narrow and winding roads such as (but not restricted to) Greenhill Road, Lobethal Road and Gorge Roads

12. OFFICER REPORTS – DECISION ITEMS

12.1. Code of Practice Access to Council Meetings, Committees & Documents Policy

1. *That the report be received and noted*
2. *To approve the proposed Code of Practice for Access to Council, Council Committee and Designated Informal Gathering Meetings & Documents at Appendix 1 for public consultation in accordance with the provisions of Council's Public Consultation Policy and for the further report to be provided to Council following the consultation process.*
3. *That the CEO be authorised to:*
 - a. *Make any formatting, nomenclature or other minor changes to the Code prior to being released for public consultation and*
 - b. *Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of applicable legislation and Council's Public Consultation Policy.*

12.2. Community Forums

1. *That the report be received and noted.*
2. *That Community Forums be held in 2019 according to the following indicative schedule:*
 - a. *Tuesday 30 April 2019 at Houghton*
 - b. *Tuesday 30 July 2019 at Gumeracha*
 - c. *Tuesday 29 October 2019 at Norton Summit*
3. *That the Chief Executive Officer be and is hereby authorised to make changes to the Community Forum schedule to accommodate venue availability or other matters arising which necessitate change.*

12.3. External Audit Engagement Letter and Plan

1. *That the report be received and noted*
2. *To approve the:*
 - a. *Audit Engagement Letter between Adelaide Hills Council and Galpins Accountants, Auditors and Business Consultants as contained in Appendix 1 and authorise the Chief Executive Officer to execute the Letter on behalf of Council; and*
 - b. *External Audit Plan (Appendix 2) by Galpins Accountants, Auditors and Business Consultants as contained in Appendix 2.*

12.4. Electricity Procurement

1. *That the report be received and noted*
2. *To delegate to the Chief Executive Officer the authority:*
 - a. *To accept tenders from and enter into contracts with the successful tenderers for the supply of electricity for:*
 - I. *sites above 160 MWh per annum; and*
 - II. *sites below 160 MWh per annum; and*
 - III. *12 hour and 24 hour unmetered lighting*
 - b. *To make, vary and discharge contracts; and*
 - c. *To sign all relevant documentation in this matter.*

12.5. Ministerial Advisory Committee

1. *That the report be received and noted*
2. *To determine that the method of selecting the Council Members to be nominated for the Local Government Ministerial Advisory Committee be by an indicative vote utilising the process set out in this Agenda report.*
3. *To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred persons for nomination for the Local Government Ministerial Advisory Committee and for the meeting to resume once the results of the indicative vote have been declared.*
4. *To nominate _____ & _____ for the Local Government Ministerial Advisory Committee and authorise the Chief Executive Officer to lodge the completed nomination to the Local Government Association by 8 March 2019.*

12.6. Nomination to Dog and Cat Management Board

1. *That the report be received and noted.*
2. *To determine that the method of selecting the Council Members to be nominated for the Dog & Cat Management Board be by an indicative vote utilising the process set out in this Agenda report.*
3. *To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred persons for nomination for the Dog & Cat Management Board and for the meeting to resume once the results of the indicative vote have been declared.*
4. *To nominate _____ & _____ for the Dog & Cat Management Board and authorise the Chief Executive Officer to lodge the completed nomination to the Local Government Association by 14 March 2019.*

12.7. Budget Review 2

1. *Receive and note the report.*
2. *Adopt the Operating Budget adjustments presented in Budget Review 2 which increase the Budgeted Operating Surplus of \$302k to \$398k for the 2018-19 financial year.*
3. *Adopt the proposed capital program adjustments which increase capital income by \$9.719m and reduce total capital expenditure by \$291k, resulting in a proposed capital expenditure budget of \$17.626m.*
4. *Adopt the change in Council's current Net Borrowing Result of \$4.513m to a Net Lending Result of \$5.993m for the 2018-19 financial year as a result of the operating budget and capital program adjustments.*

12.8. Long Term Financial Plan 2019 Update

1. *Receives and notes the report.*
2. *Endorse the Draft Long Term Financial Plan, as contained in Appendix 1 for community consultation in accordance with Section 122 of the Local Government Act 1999 and Council's Public Consultation Policy.*
3. *Make any formatting, nomenclature or other minor changes to the Plan prior to being released for public consultation and*
4. *Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of applicable legislation and Council's Public Consultation Policy.*

12.9. Proposal to Undertake CEO Performance Review Internally

1. *That the report be received and noted*
2. *To undertake the 2019 CEO Performance Review using an internal process incorporating all of the Elected Members and utilise a consultant to undertake the TEC package review.*

12.10. Burning Permit Policy Review

1. *That the report be received and noted.*
2. *With an effective date of 12 March 2019, to rescind the 23 May 2017 Burning Permit Policy and adopt the revised Burning Permit Policy contained in Appendix 2 of this report.*
3. *That the Chief Executive Officer be authorised to make minor content, grammatical and formatting amendments to the Burning Permit Policy prior to the effective date of adoption.*
4. *Subject to resolution 2 above, a review of the Burning Permit Policy be undertaken in November 2020 and be reported to Council outlining the results of the review and any recommendations prior to the end of the 2020/21 fire danger season, and to adopt a permit which covers the metropolitan areas of the Council as contained in Appendix 5 of this report.*

12.11. Directional Signage Policy Review

1. *That the report be received and noted.*
2. *With an effective date of 12 March 2019, to revoke the 22 September 2015 Directional Signage Policy and to adopt the draft February 2019 Directional Signage Policy.*
3. *That the Chief Executive Officer be authorised to make minor content, grammatical and formatting amendments to the Directional Signage Policy prior to the effective date of adoption.*

12.12. Revision of Strategic Internal Audit Plan 2018 – 2022

1. *That the report be received and noted*
2. *To adopt the revised Strategic Internal Audit Plan 2018/19 – 2021/22 (v1.1a) as contained in Appendix 1.*

12.13. Status Report – Council Resolutions Update

Refer to Agenda Item

13. OFFICER REPORTS – INFORMATION ITEMS

- 13.1. Service Standards Report Quarter 2
- 13.2. Boundary Reform Proposal Woodforde & Rostrevor
- 13.3. Water Management Plan Update
- 13.4. Road Closure, adjacent Charleston Conservation Park
- 13.5. Policy Register Review

14. MISCELLANEOUS ITEMS

Nil

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 – 13 February 2019

That the minutes of the CAP meeting held on 13 February 2019 as supplied, be received and noted.

18.2. Strategic Planning & Development Policy Committee

Nil

18.3. Audit Committee - 18 February 2019

That the minutes of the Audit Committee meeting held on 18 February 2019 as supplied, be received and noted

18.4. CEO Performance Review Panel – 20 February 2019

That the minutes of the CEO Performance Review Panel Committee meeting held on 20 February 2019 as supplied, be received and noted

19. CONFIDENTIAL ITEMS

19.1. Reconciliation Working Group Representation

20. NEXT MEETING

Tuesday 26 March 2019, 6.30pm, 63 Mt Barker Road, Stirling

21. CLOSE MEETING

Council Meeting/Workshop Venues 2019

DATE	TYPE	LOCATION	MINUTE TAKER
MARCH 2019			
Tues 12 March	Workshop	Woodside	N/A
Wed 13 March	CAP	TBA	Karen Savage
Tues 19 March	Professional Development	Stirling	N/A
Tues 26 March	Council	Stirling	Kylie Hopkins
Fri 29 – Sat 30 March	Budget Workshop	TBA	N/A
APRIL 2019			
Tues 9 April	Workshop	Woodside	N/A
Wed 10 April	CAP	TBA	Karen Savage
Mon 15 April	Audit	Stirling	TBA
Tues 16 April	Professional Development	Stirling	N/A
Tues 23 April	Council	Stirling	Pam Williams
MAY 2019			
Wed 8 May	CAP	TBA	Karen Savage
Mon 13 May	Special Audit	Stirling	TBA
Tues 14 May	Workshop	Woodside	N/A
Tues 21 May	Professional Development	Stirling	N/A
Tues 28 May	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.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 February 2019
AGENDA BUSINESS ITEM**

Item: 10.1 Question on Notice

Originating from: Cr Malcolm Herrmann

Subject: Local Nuisance & Litter Control Act 2016

1. QUESTION

1. For the year 2017/18, what was the estimated cost of administering the Local Nuisance and Litter Control Act 2016?
2. For the year 2017/18, how much is the quantum of and how much revenue was received from expiation notices?
3. Has the requirement required additional resources to be applied in the administration of the legislation?
4. What are the strategies identified to "combat this expensive and environmentally damage crime" as mentioned in the 2017/18 Annual Report?

2. OFFICER'S RESPONSE – Marc LeBrun, Ranger Development & Regulatory Services

1. During the 2017/18 period there were approximately 120 CRM cases investigated by officers authorised under the *Local Nuisance and Litter Control Act 2016*. While there is no way of accurately calculating the cost involved with investigating these cases, on average an officer may take one to two hours to undertake an investigation.

Officers authorised under the *Act* are the Rangers, Development Compliance Officer, Environmental Health Officers and their respective people leaders. Wage rates range from \$36.01/h to \$46.70 so on average it could be said each investigation has a cost association of approximately \$84.00 for the two hours per case. The administration of the *Act* therefore had an estimated cost of \$10,000 in staff wages for the period 2017/18. This excludes vehicle and stationery costs.

It should be noted that while the *Act* is a new piece of legislation, it has combined issues that Authorised Officers have previously attended to under other Acts or Regulations and these cases may have been attended to in the course of normal officer duties.

2. For the period 2017/18 three expiation notices were issued and revenue of \$710.00 was received.
3. As previously indicated, Council officers have in the past have attended to a large number of similar cases raised by customers using alternative legislation. At this time there does not appear to have been a significant resource impact associated with the administration of the *Act* compared to previous cases dealt with under other legislation that Officers worked with.
4. The current strategies being employed involve staff monitoring activities when they are brought to our attention and educating the community about the rules with regard to noise, dust, unsightly properties etc. when attending sites where a complaint has been lodged. Further, staff have also collaborated with the EPA as and when required, including involvement in their 'Dob in a Litterer' campaign.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 February 2019
AGENDA BUSINESS ITEM**

Item: 10.2 Question on Notice

Originating from: Cr Chris Grant

Subject: Burning Permits

1. **Can landholders, outside of townships, burn off piles of debris such as prunings and other tree waste after the close of the fire ban season in 2019 without the need for a permit from the AHC (assuming other CFS requirements are met)?**

2. **OFFICER'S RESPONSE – Dennis Rainsford, Team Leader Regulatory Services**

Landholders outside of township boundaries are permitted to burn dry vegetation and prunings for fire prevention or control purposes without the need to acquire an individual permit from Council. Individual permits are only required where a property is within a township boundary. However, all landholders wishing to burn such dry vegetation need to comply with the relevant CFS codes of practice to ensure burning in the open is conducted safely and minimises the risk of a fire getting away. The relevant codes of practice in this instance are:

- CFS Broad Acre Burning Code of Practice
- CFS Vegetation Pile Burning Code of Practice

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 February 2019
AGENDA BUSINESS ITEM**

Item: 10.3 Question on Notice

Originating from: Cr Chris Grant

Subject: Road Safety on Council Roads

1. **QUESTION - What measures are AHC taking to improve safety and traffic flow for motorists and cyclists on AHC roads in view of the increasing number of cyclists on our roads, many of which are narrow and winding?**

2. **OFFICER'S RESPONSE – David Collins, Manager Sustainable Assets**

Council undertakes a review of crash data on a yearly basis to identify potential projects for submission into the Federal and State Government Black Spot Programs. Council has 3 projects currently identified that have been submitted to the Black Spot Program, including Paracombe Road, Ironbank Road and Morgan Road. If successful, the projects will be included in the 2019/20 capital works program, subject to Council approval as part of the budget process.

Council is currently undertaking works in Woodside to improve connectivity for cyclist along the Amy Gillet Bikeway through the Woodside Township. In addition, Council has a current budget of \$ 500,000 to extend the Amy Gillet Bikeway to Birdwood. This will provide additional off road cycling options. This extension work is subject to funding for the State Government. The Council has identified \$500,000 in 2020/21 in its current adopted Long Term Financial Plan for further extension of the Amy Gillet Bikeway beyond Birdwood. Again, this extension work would be subject to external grant funding.

As part of Council's adopted Long Term Financial Plan and commencing in 20120/21 financial year Council has identified a shoulder sealing program of \$ 200,000 per annum. This program will consider cyclist routes as part of the investment priority. Whilst shoulder sealing significantly reduces off road crashes for vehicles, the sealed shoulder also provides benefits for users such as cyclists.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 February 2019
AGENDA BUSINESS ITEM**

Item: 11.1 Motion on Notice

Originating from: Cr John Kemp

Subject: Presentations at Designated Informal Gatherings & Workshops

1. MOTION

I move that the CEO ensures all audio/visual presentations for Designated Informal Gatherings (DIG) and Professional Development Workshops be made available to Councillors via the Elected Members Portal prior to DIGs and all workshops.

2. BACKGROUND

It has long been the practice for Council staff and other presenters to project PowerPoint presentations or other forms of visual information to accompany or aid their presentation at DIGs or workshops. Whilst, whenever I've asked if the presentation will be available on the elected member's portal the answer is yes, it would be more convenient if they were available beforehand.

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

The preparation of presentations by Council Officers is generally undertaken on a just-in-time basis to balance both multiple priorities and the inclusion of the latest status information. As such it is not unusual for a presentation to be finalised close to the commencement of the workshop/professional development session.

Equally presentations by external parties are often updated and finalised on the basis of a review of the draft presentation and a discussion with the contracting Council Officer on the day of the workshop/professional development session. This often results in the presenter bringing the presentation to the session for uploading immediately prior to the presentation.

Should the proposed motion be resolved, the above protocols will need to be amended to provide additional lead time.

The potential benefit of adopting this approach could be to enable Council Members to review the presentations prior to the commencement of the session and be in a position to frame questions and points of clarification in anticipation of the presentation delivery. This benefit derived from this advance viewing would be largely dependent on the amount of detail in the presentation slides (which are generally not designed to be stand-alone).

The potential detriments of adopting this approach could be presentations containing information that is dated (albeit only by a couple of days) and occasions where the presentation has needed to be updated, thereby superseding the presentation loaded onto the Portal. Further, it is possible that during the presentation itself, the Members may be more focused on their tablets than focused on the presenter. Council Members accessing the presentation slides prior to the workshop will also be viewing the slides without the context provided by the presenter at the workshop.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 February 2019
AGENDA BUSINESS ITEM**

Item: 11.2 Motion on Notice

Originating from: Cr Chris Grant

Subject: Road Safety on DPTI Roads

1. MOTION

I move that AHC write to DPTI to ascertain what measures they are taking to improve safety and traffic flow for motorists and cyclists on DPTI roads in view of the increasing number of cyclists on Adelaide Hills roads, particularly in relation to narrow and winding roads such as (but not restricted to) Greenhill Road, Lobethal Road and Gorge Roads

2. BACKGROUND

3. OFFICER'S RESPONSE – David Collins, Manager Sustainable Assets

The South Australian Government has an adopted Road Safety Strategy 'Towards Zero Together' and subsequently has its current Road Safety Action Plan for 2018/19.

A link to the South Australia's Road safety Action Plan 2018-19 is provided below;

https://www.dpti.sa.gov.au/_data/assets/pdf_file/0003/414579/MAC-DPTI_South_Australias_Road_Safety_Action_Plan_2018-019_visual_p12.pdf

The Department for Planning Transport and infrastructure has a key role in the delivery of this strategy along with other Government Departments, such and SA Police, other organisations such as MAC and the community.

Council officers are not aware of any current projects specifically for Adelaide Hills Council Arterial Roads associated with cyclist facility upgrades.

Included is an extract of the Safer Roads area of the Action Plan that highlights some previous actions and current proposed actions.

Safer Roads



Treating roads to make them safer tends to have high community support and there are a number of treatments that are known to be highly effective. Generally, treating high volume roads with effective treatments over long distances provides the biggest overall benefits.

Single vehicle run-off-road, and intersection crashes remain key issues on our roads.

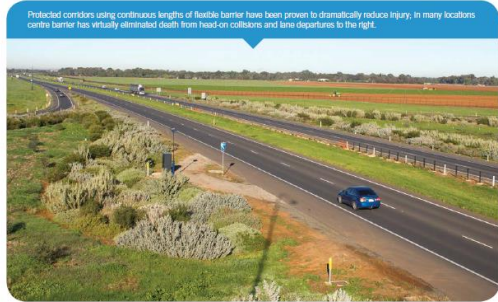
Casualties in metropolitan Adelaide commonly occur at intersections on main roads, as a result of right turn and right angle crashes. Casualties in rural areas are declining at a slower rate compared to metro roads and are most often the result of a run-off-road crash on a higher speed road.

Shoulder sealing offers a reduction of up to 40 percent in single vehicle run-off road crashes and head-on crashes.

Wide centreline treatment with audio tactile line markings (ATLMs), centreline and roadside barriers and ATLM on median and edgelines can also contribute considerably to injury reductions in rural areas.

One of the most difficult tasks undertaken by drivers, is to judge gaps in the opposing traffic when turning right, or entering a major road from a local road. Reducing points of conflict at intersections such as controlling right turns and greater use of roundabouts will be effective when applied more broadly across the network. Many of these measures also benefit motorcyclists, cyclists and pedestrians.

Further specific treatments are required to protect vulnerable road users such as targeted speed control measures, guardrail and segregating bicycle traffic from vehicles.



Protected corridors using continuous lengths of flexible barrier have been proven to dramatically reduce injury, in many locations centre barrier has virtually eliminated death from head-on collisions and lane departures to the right.

PRIORITY ACTIONS 2018-2019

Continue to invest in improving the infrastructure of South Australia's road network:

- Embed the Safe System Evaluation Framework to focus alignment of road infrastructure upgrades with safe system principles. (DPTI, CASR)
- Develop network safety plans for mass action treatments across the network including an aspirational plan for transforming major traffic and freight routes with primary safe system treatments such as shoulder sealing, hazard protection and removal, roundabouts, median and roadside barriers. (DPTI, CASR)
- Develop metrics to monitor infrastructure improvements that align with safe system principles. (DPTI, CASR)
- Implement the Australian National Risk Assessment Model (ANRAM) to assess infrastructure-related road safety risk across the network. (DPTI)

Reduce run-off-road type crashes on rural roads and intersection crashes in urban areas:

- Expand the implementation of shoulder sealing, audio tactile line marking, delineation and barriers along high risk roads, such as major traffic and freight routes. (DPTI, LG)
- Controlling right turns at high risk intersections. (DPTI, LG)
- Upgrade intersections including new traffic signals at the intersections of Bridge Road / Maxwell Road, Para Hills, and Main North Road / Dalkeith Road / Smith Road, Evanston South and a roundabout at the intersection of Yorktown Road and Blair Park Drive, Craigmore.
- Continue investment in targeted Black Spot locations from the National Black Spot Programme and complete the four-year State Government commitment to spend \$36.6 million by 2017-18. (DPTI, LG)

Improve safety for pedestrians and cyclists:

- Ensure major road and public transport upgrades, such as Flinders Link, Northern Connector and Torrens Junction, include walking and cycling infrastructure designed to best practice standards (including Disability Discrimination Act provisions). (DPTI)
- Increase separation for cyclists on arterial roads, including Gawler Greenway and Hart Street, Ebelton. (DPTI)

Improve safety for motorcyclists along popular motorcycling routes with \$1.6 million over four years for barrier installation and improved signage and line marking. (DPTI)

Implement South Australia's Railway Crossing Safety Strategy to improve safety at level crossings, through the upgrades of signage, installation of boom gates and lights, and speed reductions in key locations. (DPTI)

ACTIONS COMPLETED 2013-2017

- \$100 million was allocated from MAC to improve road safety infrastructure across the State, including \$4 million for local government road improvements. This included upgrading Brisbane Roundabout, Victor Harbor Road, Main South Road, Port Wakefield to Port Augusta Road, improvements to the South Eastern Freeway, shoulder sealing and audio tactile line marking on the Stuart Highway and from Port Pirie to Port Broughton.
- Rural road upgrades included shoulder sealing on Stuart Highway between Northern Territory border and Marla, shoulder sealing on 11km section of Port Pirie to Port Broughton Road, audio tactile line marking on 765 km of the Stuart Highway, wide centre line treatment on Victor Harbor Road, and hazard protection and removal on Augusta Highway
- Rural Intersection improvements were completed at Karoonda Highway/Boundary Road, Tea Tree Gully Mannum Road and Chain of Ponds- Cudlee Creek Road and Williamstown Brynowa and Springton Road. Roundabouts were also installed at Watersport/ Welch intersection with Victor Harbor Road and the intersection of Elizabeth-Williamstown Road and Gawler-Kerbrook Road.
- Metro Intersection improvements were undertaken at North East Road and Stotholz Road, at Magill Road/Glynburn Road and Golden Grove Road/ Grenfell Road intersections. Thirteen other intersections were upgraded in the metropolitan Adelaide area.
- The Brisbane roundabout project was completed and was recognised by the Institute of Public Works Engineering Australia (IPWEA) in their annual Excellence Awards.
- Bicycle lanes and bike boxes were installed, and greenways and bike boulevards are being established.
- Pedestrian safety works, including the installation of Pedestrian Actuated Crossings, were installed at Port Elliot and Mount Gambier.
- Motorcycle safety improvements were installed on Gorge Road, Cudlee Creek Road, Tea Tree Gully to Mannum Road and Burnside to Bahannah Road.
- Construction commenced on safety upgrades to Main South Road from Port Road to Malpas Road), Alings including median wire-rope safety barrier and a roundabout on the intersection of Port Road.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 February 2019
AGENDA BUSINESS ITEM**

Item:	12.1
Originating Officer:	Lachlan Miller, Executive Manager Governance & Performance
Responsible Director:	Andrew Aitken, Chief Executive Officer
Subject:	Code of Practice for Access to Council, Council Committee and Designated Informal Gathering Meetings and Documents - Draft for Public Consultation
For:	Decision

SUMMARY

Council adopted its current *Code of Practice for Access to Council, Council Committee and Designated Informal Gatherings Meetings & Documents* (the Code) at its 14 November 2017 meeting following a mandatory public consultation period.

Section 92(2) of the *Local Government Act 1999* provides that the Code must be reviewed within the 12 months of a new Council term. While there has not been any legislative change, the commencement of a new term of Council has brought fresh perspectives to the Chamber and it is opportune to ensure that the Code is reflective not only of the legislative provisions but also the openness and transparency expectations of the Council Members, both new and returning.

Prior to the Code being adopted it is required to be made available for public consultation in accordance with Council's *Public Consultation Policy*.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted**
 - 2. To approve the proposed Code of Practice for Access to Council, Council Committee and Designated Informal Gathering Meetings & Documents at Appendix 1 for public consultation in accordance with the provisions of Council's Public Consultation Policy and for the further report to be provided to Council following the consultation process.**
 - 3. That the CEO be authorised to:**
 - a. Make any formatting, nomenclature or other minor changes to the Code prior to being released for public consultation and**
 - b. Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of applicable legislation and Council's Public Consultation Policy.**
-

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.' Ensuring that members of public have appropriate access to Council and Council Committee meetings and documents is an important foundation stone to achieving this strategy.

Council's *Informal Council and Council Committee Informal Gatherings and Discussions Policy* impacts on the Code with respect to the conduct of *designated informal gatherings* held both open to the public and in confidence.

The provisions of the Code (for access to meetings and documents) have close links to the Code of Practice for Council Meeting Procedures. The latter is current also under review and there is the potential for changes in one document to require changes in the corresponding provisions in the other to achieve synchronicity.

➤ Legal Implications

Section 92 of the *Local Government Act 1999* (the Act) sets out the provisions relating to the Code as follows:

92—Access to meetings and documents—code of practice

- (1) A council must prepare and adopt a code of practice relating to the principles, policies, procedures and practices that the council will apply for the purposes of the operation of Parts 3 and 4.
- (2) A council must, within 12 months after the conclusion of each periodic election, review the operation of its code of practice under this section.
- (3) A council may at any time alter its code of practice, or substitute a new code of practice.
- (4) A code of practice must include any mandatory provision prescribed by the regulations.
- (5) Before a council adopts, alters or substitutes a code of practice under this section it must—
 - (a) make copies of the proposed code, alterations or substitute code (as the case may be) available for inspection or purchase at the council's principal office and available for inspection on a website determined by the chief executive officer; and
 - (b) follow the relevant steps set out in its public consultation policy.

Council's *Public Consultation Policy* requires that notices will be published inviting interested persons to make submissions to the Council within a period being at least 21 clear days from the date of the notice.

➤ **Risk Management Implications**

The adoption of practical and legislatively compliant Code 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)

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

➤ **Financial and Resource Implications**

There are minor financial implications associated with the advertising component of the Code. Where possible, Council consolidates advertisements to achieve cost efficiencies.

Once the Code is adopted, the resource implications of administering the provisions are accommodated in the current budget.

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

Council and Committee agendas and minutes are a key source of information for the community to be informed about Council’s considerations and deliberations on matters of interest.

Equally public access to Council, Council Committee and Designated Informal Gathering meetings to observe and participate in these deliberations (where appropriate) is an important mechanism in the local government system of democracy.

➤ **Environmental Implications**

Not applicable.

➤ **Engagement/Consultation with Committee, Regional Subsidiary, Advisory Group and Community**

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: The Code of Practice for Access to Council, Council Committee and Designated Informal Gathering Meetings and Documents was briefly discussed at the Council’s 12 February 2019 workshop.

Advisory Groups: Not Applicable

Administration: Director Community Capacity
 Manager Communications, Engagement and Events
 Governance & Risk Coordinator
 Executive Assistant CEO & Mayor

Community: Not Applicable

2. BACKGROUND

The Code was significantly reviewed in 2017 to incorporate the provisions of the *Local Government (General) Variation Regulations 2016*, which amended the *Local Government (General) Regulations 2013*.

The key changes were the definition of a ‘designated informal gathering or discussion’; the requirement for these gatherings or discussions to be open to the public unless specifically determined to be in confidence; and for the details of these gatherings or discussions to be published on Council’s website.

In consideration of the revised Code, following public consultation, Council at its 14 November 2017 Special Meeting resolved as follows:

Moved Cr Linda Green 264/17
S/- Cr John Kemp

Council resolves that:

1. That the report be received and noted.
2. With an effective date of 28 November 2017, to revoke the 13 October 2015 Code of Practice for Access to Council and Council Committee Meetings & Documents and to adopt the revised Code of Practice for Access to Council, Council Committee and Designated Informal Gathering Meetings & Documents in Appendix 1.

Carried Unanimously

3. ANALYSIS

While there have no been any legislative changes, minor revisions were made to the Code to facilitate integration of the associated policy suite (specifically the *Code of Practice for Council Meeting Procedures* and the *Informal Council and Council Committee Informal Gatherings and Discussions Policy*).

The key changes to the Code (shown in track changes in **Appendix 1**) are as follows:

1. Separating out the guidance for the public’s access to meeting agendas between Council & Council Committees and Designated Informal Gatherings due to the material differences (clauses 5 & 6)
2. Clarifying that Designated Informal Gathering agendas and minutes are not be published on the website or generally made available to the public (clauses 6.2 & 14.2)
3. Strengthening references to the *Informal Council and Council Committee Informal Gatherings and Discussions Policy* via footnotes
4. Separating out the guidance for the process to exclude the public from a meeting between Council & Council Committees and Designated Information Gatherings due to the material differences (clauses 8 & 9)
5. Inclusion of the provision to report details of Designated Informal Gatherings in the Annual Report (clauses 16.2).

4. OPTIONS

The Committee has the following options:

- I. To approve the proposed Code for public consultation in accordance with the *Public Consultation Policy*. (Recommended)
- II. To determine not to approve the proposed Code for public consultation at this time, potentially to make further changes to the Code.

Should Council identify the need for substantial amendments to the proposed Code, it is recommended that they be referred to staff for review, so as to allow for analysis of the implications of the amendments, prior to being brought back to Council for consideration.


5. APPENDIX

- (1) Draft Code of Practice for Access to Council, Council Committee and Designated Informal Gathering Meetings and Documents for public consultation – February 2019

Appendix 1

*Draft Code of Practice for Access to Council, Council
Committee and Designated Informal Gathering
Meetings and Documents for public
consultation – February 2019*

COUNCIL POLICY

 Adelaide Hills COUNCIL	CODE OF PRACTICE FOR ACCESS TO COUNCIL, COUNCIL COMMITTEE AND DESIGNATED INFORMAL GATHERING MEETINGS & DOCUMENTS
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Policy Number:	GOV-17
Responsible Department(s):	Governance & Performance
Relevant Delegations:	None
Other Relevant Policies:	<i>Code of Practice for Meeting Procedures Council Member Conduct Policy Informal Council and Council Committee Gatherings and Discussions Policy</i>
Relevant Procedure(s):	None
Relevant Legislation:	<i>Local Government Act 1999 Local Government (General) Regulations 2013</i>
Policies and Procedures Superseded by this policy on its Adoption:	<i>Code of Practice for Access to Council, Council Committee and Designated Informal Gatherings Meetings & Documents - 14 November 2017, Item 5.2, 264/17</i>
Adoption Authority:	Council
Date of Adoption:	<i>To be updated administratively</i>
Effective From:	<i>To be updated administratively</i>
Minute Reference for Adoption:	<i>To be updated administratively</i>
Next Review:	No later than November 2019-2023 or as required by legislation or changed circumstances

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CODE OF PRACTICE FOR ACCESS TO COUNCIL, COUNCIL COMMITTEE AND DESIGNATED INFORMAL GATHERING MEETINGS & DOCUMENTS

1. STATEMENT OF PRINCIPLE

- 1.1. In fulfilling the role of an effective council that is responsive to the needs of the community and which operates within the legal framework prescribed by the *Local Government Act 1999* (the Act), the Adelaide Hills Council (Council) is fully committed to the principle of open and accountable government.
- 1.2. However, Council also recognises that on a limited number of occasions it may be necessary, in the broader community interest, to restrict public access to discussion/decisions and/or documents.

2. OBJECTIVES

- 2.1. The objectives of the Code of Practice for Access to Council and Council Committee¹ and Designated Informal Gathering² Meetings & Documents (Code) are:
 - Clearly outline to the community for what purpose and on what basis Council may apply the provisions of the Act to restrict public access to meetings or documents;
 - Provide information on Council's code of practice to the community; and
 - Summarise the legal position relating to public access to Council and Council Committee meetings and documents.

3. INTRODUCTION

- 3.1. This Code sets out the commitment of Council to provide public access to Council, Council Committee and Designated Informal Gathering meetings and [Council and Council Committee](#) documents and outlines the policies and procedures contained within the Act, to restrict public access. The Code includes:
 - information on the relevant provisions of the Act;
 - Council's policy on public access and participation;
 - the process that will be adopted where public access to a meeting or a document is restricted;
 - grievance procedures to be followed if a member of the public believes that the Council has unreasonably restricted public access on a particular matter.

¹ Council Committee means a committee established under Section 41 of the *Local Government Act 1999*

² Designated Informal Gathering as defined in Regulation 8AB(2) of the *Local Government (General) Regulations 2013* 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

3.2. This Code sets out the policy of Council for access to meetings and documents and includes information relating to:

- access to the agenda for meetings;
- public access to meetings;
- the process to exclude the public from meetings;
- matters for which the Council, a Council Committee, or a Designated Informal Gathering can order that the public be excluded;
- how the Council will approach the use of the confidentiality provisions in the Act;
- public access to documents, including minutes;
- review of confidentiality orders;
- accountability and reporting to the community, and the availability of the code; and
- grievances about the use of the code by Council.

4. COMMUNITY INVOLVEMENT IN THE DEVELOPMENT OF THE CODE

4.1. In preparing this Code of Practice for adoption, and prior to alteration or substitution of a Code, the Council must make copies available for inspection or purchase at the principal office and follow the relevant process set out in its public consultation policy.

~~4.2. The Code was made available for public consultation in accordance with Council's Public Consultation Policy from 20 September until 13 October 2017.~~

5. PUBLIC ACCESS TO THE AGENDA FOR COUNCIL AND COUNCIL COMMITTEE MEETINGS

5.1. At least three (3) clear days³ before the Council or Council Committee meeting (unless it is a special meeting⁴) the Chief Executive Officer (CEO) must give written notice of the meeting to all Council/Committee ~~M~~members setting out the date, time and place of the meeting. ~~The practice of Council is to provide the notice five (5) clear days before the Council meeting. Where possible, the CEO will endeavour to have notices available in advance of the above timeframe.~~

5.2. The notice of meeting and agenda will be placed on public display at each office of the Council that is open to the public for the general administration of Council business ~~within its area at Council's Service Centres, and~~ on Council's website www.ahc.sa.gov.au ~~and in the mobile library.~~

5.3. Items listed on the agenda will be described accurately and in reasonable detail.

5.4. The notice and agenda will be kept on public display and continue to be published on the website until the completion of the relevant Council or Council Committee meeting.

³ 'clear days' means that the time between the giving of the notice and the day of the meeting, but excluding both the day on which the notice was given and the day of the meeting, e.g. notice is given on a Thursday for a following Monday meeting, the clear days are Friday, Saturday and Sunday.

⁴ Special meetings under s83(2) of the *Local Government Act 1999* require at least four (4) hours' notice.

- 5.5. Copies of the agenda documents and non-confidential reports that are to be considered at the meeting will be made available to members of the public ~~in attendance. A reasonable number of copies will also be available for public inspection as soon as practicable after they are supplied to the members of Council/Committee both prior to and at the meeting.~~
- 5.6. Members of the public may obtain a copy of the agenda and any particular reports for a fee to cover the costs of photocopying, in accordance with a Council's schedule of fees and charges.
- 5.7. Where the CEO (after consultation with the principal member, or in the case of a Committee - the presiding member) believes that a document or report on a particular matter should be considered in confidence with the public to be excluded, the basis under which the order could be made in accordance with section 90(3) of the Act will be specified. [see sections 83(5) (Council) and 87(10) (Committee) of the Act.]
- 5.8. The above provisions apply to Council meetings, committees that have as part of their responsibility some regulatory activities and those other committees to which Council has determined these procedures will apply⁵. Where a committee is not performing a regulatory activity these procedures may be varied, e.g. notice may be given in a form decided by the committee, and need not be given for each meeting separately. Public notice may be given at a place determined by the CEO taking into account the nature and purpose of the Committee.

6. PUBLIC ACCESS TO THE AGENDA FOR DESIGNATED INFORMAL GATHERINGS⁶

- 6.1. Prior to a designated informal gathering the CEO will ensure that the following information will be published on the Council's website:
- the place, date and time at which the designated informal gathering or discussion will be held;
 - the matter that is to be discussed at the designated informal gathering or discussion;
 - whether or not the designated informal gathering or discussion is to be held at a place open to the public.
- 6.2. Agenda documents will not be published on the website or generally made available to the public (see clause 15 regarding Access to Documents).
- 6.3. Where a confidential informal discussion declaration applies to a designated informal gathering or discussion, the reason for the designated informal gathering or discussion being held entirely or partially in confidence must be published on the Council's website.

6.7. PUBLIC ACCESS TO MEETINGS

⁵ Council's Code of Practice for Meeting procedures sets out the Council Committees to which clause 5 applies.

⁶ Further details of the provisions applying to Designated Informal Gatherings, are contained in Council's *Informal Council and Council Committee Informal Gatherings and Discussions Policy* available at ahc.sa.gov.au

~~6.1.7.1.~~ Council, Council Committee and Designated Informal Gathering meetings are open to the public and attendance is encouraged, except where the Council, the Council Committee or in the case of a Designated Informal Gathering, the Council or CEO, believes it is necessary in the broader community interest to exclude the public from the discussion (and, if necessary, decision⁷) of a particular matter.

7.2. The public will only be excluded when considered proper and necessary (i.e. the need for confidentiality outweighs the principle of open decision-making). The following is an example:

Council is intending to bid at an auction to acquire land and would not want others involved, such as the vendor to have prior knowledge of what Council was setting as an upper limit to bid at the auction, as to do so would prejudice the position of Council and disadvantage the community.

~~6.2.7.3.~~ Council encourages public attendance at meetings of the Council, Committees and Designated Informal Gatherings through public notification of meetings in the Council, Committee and Designated Informal Gatherings Meetings Schedule, located on Council's website.

~~6.3.7.4.~~ Council has adopted the *Informal Council and Council Committee Gatherings and Discussions Policy* which provides information on the manner in which the provisions in Section 90 relating to informal gatherings and designated informal gatherings will be managed.

~~7.8.~~ **PROCESS TO EXCLUDE THE PUBLIC FROM A COUNCIL OR COUNCIL COMMITTEE MEETING**

~~7.1.8.1.~~ Before a Council or Council Committee meeting orders that the public be excluded to enable the receipt, discussion and consideration of a particular matter, the meeting must, in public, formally determine if this is necessary and appropriate, and then pass a resolution to exclude the public while dealing with that particular matter.

~~7.2.8.2.~~ If this occurs then the public must leave the room. This means that all members of the public (including staff), unless exempted by being named in the resolution as entitled to remain, are required to leave the room. For the operation of section 90(2) a member of the public does not include a Member of Council/Committee.

~~7.3.8.3.~~ Once Council or a Council Committee has made the order, it is an offence for a person, who knowing that an order is in force, enters or remains in a room in which such a meeting is being held. It is lawful for an employee of Council or a member of the police to use reasonable force to remove the person from the room if he or she fails to leave on request.

~~7.4.8.4.~~ Once discussion on that particular matter is concluded, the public are then permitted to re-enter the meeting. If there is a further matter that needs to be considered in confidence it is necessary to again undertake the formal determination process and to resolve to exclude the public as above.

⁷ Designated Informal Gatherings do not make decisions on any matter that is, or is intended to be, part of the agenda for a formal meeting of the Council or Council Committee

~~7.5-8.5.~~ Please note that the Council, or the Council Committee, can by inclusion within the resolution permit a particular person or persons to remain in the meeting. An example would be allowing a ratepayer who is suffering personal hardship to remain in the meeting when their circumstances concerning the payment of rates are being discussed.

~~7.6-8.6.~~ Council's practice is that, for the convenience of the public present at a meeting, where it is resolved to consider a matter in confidence, that the matter (unless there are pressing reasons as to why it should be debated at that point of the meeting) may be deferred until all other business has been dealt with. This is the preferred option of Council rather than asking the public to leave the room and wait for however long it takes until the matter is concluded and then invite them back to the meeting room with the possibility of the same process being repeated for a subsequent matter.

9. PROCESS TO EXCLUDE THE PUBLIC FROM A DESIGNATED INFORMAL GATHERING⁸

~~7.7-9.1.~~ The Council or CEO may, on a case-by-case basis, declare a designated informal gathering or discussion to be a 'confidential informal discussion' where the designated informal gathering or discussion is either:

- (i) a planning session of a general or strategic nature; or
- (ii) is a briefing session relating to information or a matter of a confidential nature within the ambit of section 90(3) of the Local Government Act ([see clause 10 below for the provisions of s90\(3\)](#)).

~~7.8-9.2.~~ If a designated informal gathering or discussion has been declared to be a 'confidential informal discussion', then the designated informal gathering or discussion may be attended by Council Members, the CEO and any other person invited to attend by the Council or the CEO.

~~7.9-9.3.~~ If a confidential informal discussion declaration has been made in respect of only some of the matters to be discussed at a designated informal gathering or discussion, then these confidential matters will [normally](#) be scheduled to be discussed at the end of the agenda for the designated informal gathering or discussion. The designated informal gathering or discussion will be open to the public until immediately prior to the discussion on confidential matters commencing [and post the discussion, as applicable](#).

8.10. MATTERS FROM WHICH THE PUBLIC CAN BE EXCLUDED

~~8.1-10.1.~~ In accordance with the requirements of section 90(3) of the Act, Council, or a Council Committee, may order that the public be excluded in the following circumstances:

- (a) *information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);*

⁸ Further details of the provisions applying to Designated Informal Gatherings, are contained in Council's [Informal Council and Council Committee Informal Gatherings and Discussions Policy](#) available at ahc.sa.gov.au

- (b) *information the disclosure of which—*
 - (i) *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*
 - (ii) *would, on balance, be contrary to the public interest;*
- (c) *information the disclosure of which would reveal a trade secret;*
- (d) *commercial information of a confidential nature (not being a trade secret) the disclosure of which—*
 - (i) *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*
 - (ii) *would, on balance, be contrary to the public interest;*
- (e) *matters affecting the security of the Council, members or employees of the Council, or Council property, or the safety of any person;*
- (f) *information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;*
- (g) *matters that must be considered in confidence in order to ensure that the Council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;*
- (h) *legal advice;*
- (i) *information relating to actual litigation, or litigation that the Council or Council committee believes on reasonable grounds will take place, involving the Council or an employee of the Council;*
- (j) *information the disclosure of which—*
 - (i) *would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Council, or a person engaged by the Council); and*
 - (ii) *would, on balance, be contrary to the public interest;*
- (k) *tenders for the supply of goods, the provision of services or the carrying out of works;*
- (l) *information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Plan Amendment Report relating to the amendment is released for public consultation under that Act; or*

- (m) *information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Development Plan Amendment proposal relating to the amendment is released for public consultation under that Act;*
- (n) *information relevant to the review of a determination of a Council under the Freedom of Information Act 1991.*

8.2.10.2. The Act provides for a definition of “personal affairs”, being a person’s financial affairs, criminal records, marital or other personal relationships, personal qualities, attributes or health status, or that person’s employment records, employment performance or suitability for a particular position, or other personnel matters relating to the person, but does not include the personal affairs of a body corporate.

8.3.10.3. In some sections under section 90(3) of the Act a public interest balancing test must be satisfied for the ground of exclusion to apply. The “*public interest balancing test*” applies to sections:

- 90(3)(b)(ii) – ‘commercial advantage’;
- 90(3)(d)(ii) – ‘commercial information’; and
- 90(3)(j)(ii) – ‘information provided on a confidential basis’.

This test requires that public interest reasons for closing a meeting to the public must outweigh the general requirements for meetings to be held in public. This requirement to satisfy a public interest test is mirrored in certain provisions of the *Freedom of Information Act 1999 (SA)* (“the FOI Act”).

8.4.10.4. In considering whether an order should be made under section 90(2), it is irrelevant that discussion of a matter in public may:

- cause embarrassment to the Council or Committee concerned, or to members or employees of the Council; or
- cause a loss of confidence in the Council or Committee. [s.90(4)]

8.5.10.5. If a decision to exclude the public is taken, the Council or the Council Committee is required to make a note in the minutes of the making of the order and the grounds on which it was made. Sufficient detail of the grounds on which the order was made will be included in the minutes.

9.11. USE OF THE CONFIDENTIALITY PROVISIONS

9.1.11.1. Any consideration of the use of the confidentiality provisions to exclude the public from the discussion of a particular matter at a meeting will require the identification of one or more of the grounds listed within section 90(3) of the Act and the factual reasons for the relevance and application of the ground(s) in the circumstances. These are listed in paragraph 8.1 of this Code.

9.2.11.2. In relation to Council and Council Committee meetings, Council’s policy approach is as follows:

~~9.2.1,11.2.1.~~ 11.2.1. The principle of open and accountable government is strongly supported;

~~9.2.2,11.2.2.~~ 11.2.2. Information of the grounds on which an order to exclude the public is made will be conveyed to the public at the time of them being ordered to leave the meeting – the public will not be excluded until after a confidentiality motion has been debated and passed and sufficient reasons for the need to exclude the public given;

~~9.2.3,11.2.3.~~ 11.2.3. Once discussion of the matter is concluded, the meeting will then consider if it is necessary to make an order that a document associated with this agenda item (including minutes) remain confidential. In determining this, the meeting will have regard to the provisions of section 91 and in particular section 91(8) which details when a Council or Committee must not order that a document remain confidential;

~~9.2.4,11.2.4.~~ 11.2.4. If the meeting determines that it is proper and necessary to keep a document confidential, then a resolution for an order to this effect is required to be resolved by the meeting in accordance with section 91(7) of the Act. When making an order the meeting must specify the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed. ;

~~9.2.5.~~ 11.2.5. ~~The Council or Committee will not consider a number of agenda items “in confidence” together (i.e. en bloc). It will determine each item separately and consider the exemptions relevant to each item.~~

~~9.2.6,11.2.5.~~ 11.2.5. Once discussion of the matter is concluded and the public have returned, the decision of the meeting in relation to this matter will be made publicly known unless the Council or Committee has resolved to order that some information remain confidential. Details relating to any order to keep information or a document confidential in accordance with section 91(7) are also to be made known. ~~When making an order the meeting must specify the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed.~~

~~9.2.7,11.2.6.~~ 11.2.6. In all cases the objective is that the information be made publicly available at the earliest possible opportunity and that the community is informed of any Council or Committee order and the associated implications; and

11.2.7. Where a person provides information to the Council or Committee and requests that it be kept confidential, Council or Committee is not able to even consider this request unless the matter is one that falls within section 90(3). If this is the case, Council or Committee will then be in a position to consider the request on its merits.

11.3. There is no legal requirement to resolve to “come out of confidence” or to go back into “public session”. The public may and should be invited to re-enter the meeting when consideration of the relevant Agenda Item has concluded. The public are also entitled to be present for the debate on whether any subsequent item should be considered in confidence.

11.4. The Council or Committee will not consider a number of agenda items “in confidence” together (i.e. en bloc). It will determine each item separately and consider the exemptions relevant to each item.

9.3.

10.12. EXAMPLE CONFIDENTIALITY PROVISIONS

~~10.1.12.1.~~ The Council will record in the minutes of any Council or Council Committee meetings the making of an order in accordance with sections 90(2) and (3) and section 91(7) as follows:

Example: If Council were considering the terms for a waste resources contract.

A Section 90(3)(b) order would be made before Council went into confidence such as:

Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except Joe Bloggs, CEO of ABC Council and Ivana Citizen, lawyer, XYZ Lawyers, be excluded from attendance at the meeting for Agenda Item 10.1 (Terms of Waste Resources Contract).

The Council is satisfied that, pursuant to section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is proposing to conduct business, and the information would prejudice the commercial position of the Council, in that the Council is currently engaged in a post tender negotiation with a preferred tenderer to finalise the terms and conditions of engagement for this service – the information to be considered in relation to this Agenda Item include detailed costings for in-house provision of waste resources services and other specific financial information, the disclosure of which would prejudice the Council’s commercial position during the current ongoing negotiations.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of Council’s commercial position may severely prejudice Council’s ability to be able to negotiate a cost-effective proposal for the benefit of the Council and the community in this matter and in relation to other contract negotiations.

If the Council resolved for the report containing the commercial information to remain in confidence, a Section 91(7) would be made at the conclusion of considering the item, such as:

That having considered Agenda Item 10.1 (Terms of Waste Resources Contract) in confidence under section 90(2) and (3)(b) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that the Tender documents and related Council reports and all minutes be retained in confidence for a period of 2 years, or until a contract has been signed.

11.13. REVIEW OF CONFIDENTIALITY ORDERS

~~11.1.13.1.~~ A confidentiality order made under section 91(7) of the Act must specify the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed.

~~11.2.13.2.~~ An order will lapse if the time or event specified has been reached or carried out. There is no need for the Council to resolve for the confidential order to be lifted. Once the order has lapsed, the minutes and/or documents automatically become public.

Orders that exceed 12 months must be reviewed annually and the Council must assess whether the grounds for non-disclosure are still relevant and, if so, provide the relevant grounds and reasons for the minutes and/or documents remaining confidential.

~~11.3.13.3.~~ The conduct of the annual review can be delegated to the Chief Executive Office and sub-delegated to an employee of the Council if appropriate.

~~11.4.13.4.~~ If there are any items that require a fresh confidentiality order because the original order is about to expire, then the reviewer will prepare a report to Council making recommendations with respect to each item to be retained in confidence.

~~11.5.13.5.~~ Each item must then be addressed separately and assessed against section 90(3) and section 91(7) of the Act.

~~11.6.13.6.~~ While a Council may delegate the power to undertake an annual review, the Council cannot delegate the power to apply sections 90(3) and 91(7) of the Act.

~~11.7.13.7.~~ A Council may resolve to exclude the public from a meeting to discuss and undertake consideration of the recommendations arising from the annual review in confidence, subject to the application of the relevant ground under section 90(3) of the Act. Section 90(3) of the Act must be applied separately to each item and not en bloc.

~~11.8.13.8.~~ If there is no longer any need for the confidentiality order then the Council or Council Committee may delegate to an employee of the Council the power to revoke an order made in accordance with section 91(7) of the Act. The Council or Council Committee may also include in the resolution whether any delegation is given to an employee to revoke the order and if relevant, any conditions associated with the delegation.

12,14. PUBLIC ACCESS TO MINUTES

14.1. Minutes of a meeting of Council or a Council Committee will be publicly available, within 5 days after the meeting, at each office of the Council that is open to the public for the general administration of Council business at Council's Service and Community Centres, and on Council's website www.ahc.sa.gov.au.

14.2. Formal minutes are not recorded at designated informal gatherings. While notes may be taken at these gatherings, they will not be published on the website or made available to the public unless otherwise provided for in Council policy (see clause 15 regarding Access to Documents).

13,15. PUBLIC ACCESS TO DOCUMENTS

13.1.15.1. Various documents can be available for inspection and purchase (for a fee) by the public. Council may also make a document available in electronic form and place it on the Internet for public access.

13.2.15.2. The Council or the Council Committee will only order that a document associated with a discussion from which the public are excluded is to remain confidential if it is considered proper and necessary in the broader community interest (as per the processes described above).

13.3.15.3. The Council or the Council Committee can only resolve to keep minutes and/or documents confidential under section 91(7) if they were considered in confidence pursuant to sections 90(2) and 90(3).

13.4.15.4. In accordance with section 91(8) the Council or the Council Committee must not make an order to prevent:

- the disclosure of the remuneration or conditions of service of an employee of the Council after the remuneration or conditions have been set or determined; or
- the disclosure of the identity of a successful tenderer for the supply of goods or the provision of services (including the carrying out of works), or of any reasons adopted by the Council as to why a successful tenderer has been selected; or
- the disclosure of the amount or amounts payable by the Council under a contract for the supply of goods or the provision of services (including the carrying out of works) to, or for the benefit of, the Council after the contract has been entered into by all parties to the contract; or
- the disclosure of the identity of land that has been acquired or disposed of by the Council, or of any reasons adopted by the Council as to why land has been acquired or disposed of by the Council.

~~13.5.15.5.~~ Where keeping a document confidential is considered proper and necessary, a resolution to this effect is required which shall include:

- the grounds for confidentiality; and
- the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed – if the order has a duration of more than 12 months, the order must be reviewed at least once in every year; [and](#)
- (if applicable) whether the power to revoke the order will be delegated to an employee of the Council. [s.91(9)]

~~13.6.15.6.~~ Requests to access Council and Council Committee documents can be made under the *Freedom of Information Act 1991*.

~~13.6.1.15.6.1.~~ Freedom of Information applications should be submitted using the correct application form and be as specific as possible to enable the correct documents to be identified.

~~13.6.2.15.6.2.~~ Application forms are available from Council's Service and Community Centres or on the State Records website: www.archives.sa.gov.au, under Freedom of Information, Forms for FOI Process. The application form contains details of the fees payable and fee waivers available.

~~13.6.3.15.6.3.~~ Freedom of Information requests should be addressed to:
Freedom of Information Officer
Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244

~~14.16.~~ ACCOUNTABILITY AND REPORTING TO THE COMMUNITY

~~14.1.16.1.~~ A report on the use of sections 90(2) and 91(7) by the Council and Council Committees must be included in the annual report of Council as required by Schedule 4 of the Act. This supports commitment to the principle of accountability to the community. The reporting should include the following information, separately identified for both Council and Council Committees:

- Number of occasions each of the provisions of sections 90(2) and 90(3) were utilised;
- Number of occasions each of the provisions of sections 90(2) and 90(3) and section 91(7) were utilised, expressed as a percentage of total agenda items considered;
- An indication of any particular issues that contributed to the use of confidentiality provisions on more than one occasion (e.g. a proposal to acquire a parcel of land was considered on 3 separate occasions);

- Number of occasions that information originally declared confidential has subsequently been made publicly available; and
- Number of occasions that information declared confidential has not been made publicly available and the reason for this in each case.

16.2. The Council's Annual Report will include details of informal gatherings held by Council in the preceding financial year, including their purpose, the matters discussed at workshops and professional development/training sessions and whether the public were able to attend⁹.

15.17. AVAILABILITY OF THE CODE

15.1.17.1. This Code is available for inspection at the Council's Offices during ordinary business hours and via the Council's website 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.

16.18. REVIEW OF THE CODE

16.1.18.1. Council is required to review this Code within 12 months after the conclusion of each periodic election, therefore the next mandated review is due to occur in November 20192023. However, Council has the ability to review this Code at any time if considered desirable.

17.19. GRIEVANCE

17.1.19.1. Council has established procedures for the review of decisions under section 270 of the Act for:

- Council, and its Committees;
- employees of the Council; and
- other persons acting on behalf of the Council.

17.2.19.2. Should a person be aggrieved about public access to either a meeting or a document then they can lodge an application for review of that decision under the procedures established by Council. The Procedures are available in Council's *Internal Review of Council Decisions Policy* which is available at Council's Service and Community Centres or on Council's website www.ahc.sa.gov.au.

18.20. DELEGATION

18.1.20.1. The CEO has the delegation to:

⁹ Further details of the provisions applying to Designated Informal Gatherings, are contained in Council's *Informal Council and Council Committee Informal Gatherings and Discussions Policy* available at ahc.sa.gov.au

~~18.1.1.~~20.1.1. Approve, amend and review any procedures that shall be consistent with this Code.

~~18.1.2.~~20.1.2. Make any formatting, nomenclature or other minor changes to the Code during the period of its currency.

DRAFT FOR PUBLIC CONSULTATION

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 February 2019
AGENDA BUSINESS ITEM**

Item: 12.2

Originating Officer: David Waters, Director Community Capacity

Responsible Director: David Waters, Director Community Capacity

Subject: Community Forums 2019

For: Decision

SUMMARY

The purpose of this report is to seek a decision in the holding of Community Forums in 2019.

For a number of years, the Council has held forums in venues throughout the district (usually away from where Council Meetings are held) to enable community members to engage directly with Council Members.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
 2. That Community Forums be held in 2019 according to the following indicative schedule:
 - a. Tuesday 30 April 2019 at Houghton
 - b. Tuesday 30 July 2019 at Gumeracha
 - c. Tuesday 29 October 2019 at Norton Summit
 3. That the Chief Executive Officer be and is hereby authorised to make changes to the Community Forum schedule to accommodate venue availability or other matters arising which necessitate change.
-

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal 4	Explore ideas and work with others.
Strategy 4.1	We will embrace contemporary methods of engagement so it's easy for everyone to have their say.

While Community Forums might not be considered 'contemporary' they have been valued by those who attend them. They essentially provide an opportunity for those people who want direct face to face interaction with their Council Members to do so and thus contribute to the goal objective: *"Council working with our community and others to pursue new ideas and address emerging needs."*

➤ **Legal Implications**

Community Forums are not Council Meetings and no decisions are made at them. They are, however, deemed to be Informal Gatherings under Section 90 of the *Local Government Act 1999* and are managed accordingly.

➤ **Risk Management Implications**

The holding of Community Forums will assist in mitigating the risk of:

Failure to identify and respond to key community issues, leading to a loss of confidence in the Council and community needs being unmet.

Inherent Risk	Residual Risk	Target Risk
High (3B)	Medium (3D)	Low

Community Forums have been held for a number of years, so holding them again in 2019 essentially maintains the current risk mitigation level.

➤ **Financial and Resource Implications**

Community Forums typically cost \$1,000 - \$1,500 each in venue hire, catering and advertising (including newspaper advertising, roadside signage and venue banners).

Each forum requires about 40 hours of staff time in planning and execution, plus additional time post forum to follow up items arising on the night.

The staff and other costs are accommodated in the Council's Operating Budget.

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

The premise behind holding Community Forums is that the community would appreciate the opportunity to have direct face to face access to Council Members in a venue closer to their homes.

The gesture of 'going to communities' has generally been appreciated by those who have attended Community Forums, however, it is acknowledged that the Council's ability to repeat visit any particular community at regular intervals is limited.

➤ **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: A workshop with Council Members was held on 11 December 2018.

Advisory Groups: Not applicable.

Administration: Manager, Communications, Engagement and Events.

Community: Not applicable.

2. **BACKGROUND**

The Council has held Community Forums, in various forms, for many years. For some time they were held in conjunction with Council Meetings, but in recent years they have been held as standalone events.

Structure

Since 2015, Community Forums have been structured as follows:

- Part A Welcome and introduction by the Mayor, including a summary of key Council activities or initiatives affecting the area in which the forum is held, as well as any broader issues affecting the entire district at the time.
- Part B Presentations (10 minutes each) by 2-3 community members or groups who have pre-registered to do so. Sometimes a Council staff member will make a presentation on a key project/initiative relevant to the particular community, but community presentations are prioritised.
- Part C Community conversations (30 minutes) – an opportunity for attendees to have informal conversations over supper with Council Members and senior staff. Depending on the topics raised earlier, or if there are matters Council is currently engaging on, there may be subject specific ‘discussion tables’ facilitated by staff with Council Member participation. A Council Customer Service Officer is also present to take down any routine requests or answer any routine queries.
- Part D Reflections and wrap-up (20-30 minutes) – an opportunity to regather as a group and for Council Members to reflect on any conversations they’ve had with community members and for staff to report back on matters raised at any of the discussion tables. This is also an opportunity for those present to raise anything else ‘from the floor’.

The presentation opportunities (Part B) are usually taken up by local community groups that want to showcase what they are doing to those present and/or bring forward any significant issues for Council’s attention.

Community members are encouraged to use the community conversations segment (Part C) to raise any matters particular to them. This enables deeper and more meaningful conversations than could occur 'from the floor'. It also allows a far greater number of topics to be addressed overall as all Council Members can be engaged in conversations at the same time.

People can ultimately raise any issue from the floor toward the end of the forum (Part D) if they feel they haven't had the chance to raise it with anyone earlier. This segment also allows issues raised during the conversations segment to be summarised for the whole audience – usually by way of Council Members reflecting on their particular conversations. Importantly, this demonstrates that people have been heard.

There are typically a number of items raised at each forum which need follow up. In these instances, staff members take the details and endeavour to follow them up in the days immediately following the forum.

Promotion and attendance

Community Forums are generally promoted through newspaper advertisements, social media, roadside signage (concentrated nearer to the location of the forum), onsite banners and the Council's email subscriber list. However, the most effective method would appear to be 'word of mouth' through local community groups associated with the venue.

Attendance can vary, with as few as six and as many as 66 community members attending Community Forums in the last few years. Typical attendance is around 25-30. Attendance records suggest very few, if any, people attend multiple Community Forums each year.

Attendees overwhelmingly come from the township or locality where the forum is being held, with usually only 5-10% travelling from another area. As such, an effort is made to ensure content is locally focussed or relevant to the whole district.

Interest in Community Forums seems to be higher in smaller communities or where there is a current 'hot topic.' The most recent forums held in Stirling and Woodside attracted fewer than 10 attendees each, while recent forums at Paracombe, Upper Sturt and Montacute attracted around 30 each. The forum held at Woodforde in 2016 attracted 66 attendees, with significant interest in the impending Woodforde development.

Value

Community Forums are one way in which Council Members can inform themselves of matters of interest or concerns in particular communities. They also provide an opportunity for community groups to showcase their activities to those present.

Attendance at Community Forums represents an extremely small proportion of the Council's residential community on an overall basis, however, in particular localities the percentage attending can be a reasonable percentage of that area's population.

In essence, Community Forums seem to be of value to those people who like to engage that way, but they are of limited value to the broader population.

3. ANALYSIS

The Council Workshop held on 11 December 2018 included discussion around the value of, and factors of success for, Community Forums.

One aspect explored was the opportunity to have a topic of interest promoted as part of the forum, with the idea being that people are likely to find greater value in Community Forums if they know what they can engage on. But there also seemed to be interest in continuing to have forums where community members could come and present to Council Members, and to raise any matters of interest on the night.

In developing options for 2019, the success factors for past forums were considered, with a view to having a topic of interest promoted for each one, while also allowing opportunities for raising issues unrelated to the topic. With this in mind, a potential program of Community Forums could be as follows, with topics promoted as indicated:

- Tuesday 30 April 2019 at Houghton – community plans for upgrades to the recreation ground facilities.
- Tuesday 30 July 2019 at Gumeracha – updating the community on plans for undergrounding powerlines as well as any planned streetscape works and Federation Park upgrades in Gumeracha.
- Tuesday 29 October 2019 at Norton Summit – topic to be identified closer to the date, but possibly an update on boundary reform.

It is also considered that if a particular topic is of considerable interest to the broader community, such as disaster resilience for instance, a forum on that matter is better dealt with as a standalone forum held in a central location.

Given the various views on the form and function of Community Forums, it is proposed that a program of Community Forums is held this year in a similar manner to recent years, but with an identified focus topic for each one, with a review undertaken toward the end of the year. This will enable the new Council to experience the forums and consider ways they can be enhanced or reshaped.

4. OPTIONS

Council has the following options:

- I. To resolve to have Community Forums in 2019 (Recommended)
On balance, it is considered worthwhile to continue with Community Forums in 2019, to allow the new Council time to evaluate their value before considering their future again toward the end of 2019.
- II. To resolve not to have Community Forums in 2019 (Not Recommended).

5. APPENDIX

Nil

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 February 2019
AGENDA BUSINESS ITEM**

Item: 12.3

Originating Officer: Lachlan Miller, Executive Manager Governance & Performance

Responsible Director: Andrew Aitken, Chief Executive Officer

Subject: 2018/19 External Audit Plan

For: Decision

SUMMARY

As part of the planning for the 2018/19 Annual Financial Statements and Internal Control Audit, Council's external auditors (Galpins) have prepared an Engagement Letter and an External Audit Plan.

Under the Audit Committee's Terms of Reference, two of the key roles in relation to External Audit relate to recommending the approval of the auditor's terms of engagement and reviewing and making recommendations regarding the proposed external audit plan

At its 18 February 2019 meeting, the Audit Committee considered the proposed 2018/19 External Audit Engagement Letter and the External Audit Plan and recommended these documents to Council for approval.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted**
 - 2. To approve the:**
 - a. Audit Engagement Letter between Adelaide Hills Council and Galpins Accountants, Auditors and Business Consultants as contained in Appendix 1 and authorise the Chief Executive Officer to execute the Letter on behalf of Council; and**
 - b. External Audit Plan (Appendix 2) by Galpins Accountants, Auditors and Business Consultants as contained in Appendix 2.**
-

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal	Organisational Sustainability
Strategy	Risk and responsibility
Strategy	Governance

External audit is a key accountability function to the community regarding the financial governance of the organisation.

➤ Legal Implications

Chapter 8 – Administrative and financial accountability, Part 3 – Accounts, financial statements and audit, Division 4 – Audit of the *Local Government Act 1999* and Part 6 - Audit of the *Local Government (Financial Management) Regulations 2011* set out the requirements regarding the appointment of the external auditor and the conduct of the audit.

➤ Risk Management Implications

The appointment of the external auditor consistent with the requirements of legislation assists 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 makes a budget allocation each year for the expenses associated with the conduct of the external audit.

The external audit function is managed by the Governance & Performance Department although the Finance Services Department is most significantly impacted throughout the external audit process.

➤ Customer Service and Community/Cultural Implications

There is a high expectation that Council's accounts are audited by appropriately qualified and independent external auditors.

➤ 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: Council's Audit Committee considered the Engagement Letter and External Audit Plan at its 18 February 2019 meeting and recommended their approval to Council.

Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Director Corporate Services
Manager Financial Services

Community: Not Applicable

2. **BACKGROUND**

The Audit Committee's Terms of Reference set out a number of specific functions, one of which relates to External Audit and contains key roles for the Committee, relevant to the conduct of the 2018/19 Annual Financial Statement and Internal Control Audit, as follows:

- Recommending the approval of the external auditor's terms of engagement, including any engagement letter issued at the commencement of each audit and the scope of the audit (clause 3.5.2.2);
- Assessing the external auditor's independence and objectivity taking into account relevant professional and regulatory requirements and the extent of Council's relationship with the auditor, including the provision of any non-audit services (clause 3.5.2.3)
- Satisfying itself that there are no relationships (such as family, employment, investment, financial or business) between the external auditor and the Council (other than in the ordinary course of business) (clause 3.5.2.4); and
- Review and make recommendations on the annual audit plan, and in particular its consistency with the scope of the external audit engagement (clause 3.5.4).

On 27 February 2018, Galpins Accountants, Auditors and Business Consultants (Galpins) were appointed by Council for the provision of external audit services for a three year period (with and option of a further period for up to two years) commencing with the audit of the financial year ending 30 June 2018. Galpins completed the 2017/18 audit with the Final Completion Report received and noted by the Audit Committee (AC25/18) at its 5 November 2018 meeting.

At its 18 February 2019 meeting, the Audit Committee the Audit Committee considered the proposed 2018/19 External Audit Engagement Letter and the External Audit Plan and recommended these documents to Council for approval, as follows:

6.2. External Audit Plan

Moved Peter Brass
S/- Paula Davies

3/19

The Audit Committee resolves:

1. That the report be received and noted
2. To recommend to Council the approval of the:
 - a. Audit Engagement Letter between Adelaide Hills Council and Galpins Accountants, Auditors and Business Consultants as contained in Appendix 1; and
 - b. External Audit Plan (Appendix 2) by Galpins Accountants, Auditors and Business Consultants as contained in Appendix 2, with amendments to the timetable and risk assessment commentary.

Carried

Tim Muhlhausler (Partner) and Juliano Freitas (Audit Manager) attended the Audit Committee meeting to present the External Audit Plan and answer the Committee's queries.

3. ANALYSIS

The Engagement Letter and the External Audit Plan are the guiding documents to the scope and conduct of the mandatory Financial Statement and Internal Control audits.

Both the Administration and the Audit Committee have reviewed these documents and are agreeable with the scope, responsibilities and timeframes set out in the documents. As such, Council should take some comfort that this important accountability process will be undertaken in a legislatively compliance and professional manner.

4. OPTIONS

The Committee has the following options:

- I. To approve the scope of work and timing of the 2018/19 External Audit by Galpins Accountants, Auditors and Business Consultants as contained in **Appendices 1 and 2**. (Recommended)
- II. To seek amendments to the scope of work and timing of the 2018/19 External Audit by Galpins Accountants, Auditors and Business Consultants as contained in **Appendices 1 and 2**. Seeking amendment may impact on the timeliness and/or cost of External Audit service provision (Not Recommended)

5. APPENDICES

- (1) Audit Engagement Letter – Galpins – dated 13 February 2019
- (2) 2018/19 External Audit Plan

Appendix 1

*Audit Engagement Letter – Galpins – dated 13 February
2019*

David Chant CA, FCPA
Simon Smith CA, FCPA
David Sullivan CA, CPA
Jason Seidel CA
Renaë Nicholson CA
Tim Muhlhausler CA
Aaron Coonan CA
Luke Williams CA, CPA
Daniel Moon CA



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13 February 2019

Mr Andrew Aitken
CEO
Adelaide Hills Council
PO Box 44
Woodside SA 5244

Dear Andrew,

AUDIT ENGAGEMENT LETTER

Scope

You have requested that we audit the financial report of Adelaide Hills Council (the Council) which comprises the balance sheet as at 30 June 2019, and the statement of comprehensive income, statement of changes in equity and cash flow statement for the year then ended, and notes comprising a summary of significant accounting policies and other explanatory information, and Council certificate. You have also requested that we provide an audit of the compliance of the Council with the requirements of Section 125 of the *Local Government Act 1999* in relation only to the Internal Controls established by the Council to ensure that financial transactions relating to the receipt, expenditure and investment of money, acquisition and disposal of property and incurring of liabilities for the period 1 July 2018 to 30 June 2019 have been conducted properly and in accordance with law. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter. Our audit will be conducted with the objective of expressing an opinion on the financial report and financial controls in place.

The responsibilities of the auditor

We will conduct our audit of the financial report of the Council in accordance with Australian Auditing Standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial report is free from material misstatement. An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial report.

-

We will conduct our audit of the compliance of the Council with the requirements of Section 125 of the *Local Government Act 1999* in accordance with applicable Australian Standards on Assurance Engagements ASAE 3000 *Assurance Engagements Other than Audits or Reviews of Historical Financial Information* and ASAE 3150 *Assurance Engagements on Controls*, issued by the Australian Auditing and Assurance Standards Board, in order to state whether, in all material respects, the Council has complied with Section 125 of the *Local Government Act 1999* in relation only to the Internal Controls specified above for the period 1 July 2018 to 30 June 2019. ASAE 3000 also requires us to comply with the relevant ethical requirements of the Australian professional accounting bodies.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, there is an unavoidable risk that some material misstatements may not be detected, even though the audit is properly planned and performed in accordance with Australian Auditing Standards

In making our risk assessments, we consider internal control relevant to the Council's preparation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Council's internal control. However, we will communicate to you in writing concerning any significant deficiencies in internal control relevant to the audit of the financial report that we have identified during the audit.

The responsibilities of the Council and management

Our audit will be conducted on the basis that the Council and management acknowledge and understand that they have responsibility:

- (a) for the preparation of the financial report that presents fairly in accordance with the *Local Government Act 1999*, *Local Government (Financial Management) Regulations 2011* and Australian Accounting Standards;
- (b) for such internal control as the Council and management determine is necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error;
- (c) for the identification of risks that threaten compliance with section 125 of the *Local Government Act 1999*;
- (d) for design of the system, comprising controls which will mitigate those risks so that those risks will not prevent achievement of compliance with section 125 of the *Local Government Act 1999*;
- (e) for ensuring that the financial controls established by the Council were suitably designed to ensure compliance with section 125 of the *Local Government Act 1999*;
- (f) for operation of the controls as designed throughout the period;
- (g) to provide us with:
 - (i) access to all information of which the Council and management are aware that is relevant to the preparation of the financial report and compliance with section 125 of the *Local Government Act 1999* such as records, documentation and other matters;

- (ii) additional information that we may request from the Council and management for the purpose of the audit of the financial report and the controls opinion;
- (iii) unrestricted access to persons within the Council from whom we determine it necessary to obtain audit evidence;
- (h) for adjusting the financial report to correct material misstatements and for confirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial report as a whole;
- (i) for informing us of your knowledge of any allegations of fraud or suspected fraud affecting The Adelaide Hills Council received in communications from employees, former employees, regulators, or others;
- (j) for identifying and ensuring that the Council complies with applicable laws and regulations.

As part of our audit process, we will request from the Council and management written confirmation concerning representations made to us in connection with the audit.

We look forward to full cooperation from your staff during our audit.

Quality control

The conduct of our audit in accordance with Australian Auditing Standards means that information acquired by us in the course of our audit is subject to strict confidentiality requirements. Information will not be disclosed by us to other parties except as required or allowed for by law or professional standards, or with your express consent.

Our audit files may, however, be subject to review as part of the quality control review program of CPA Australia and/or The Institute of Chartered Accountants in Australia which monitors compliance with professional standards by its members. We advise you that by signing this letter you acknowledge that, if requested, our audit files relating to this audit will be made available under this program. Should this occur, we will advise you. The same strict confidentiality requirements apply under this program as apply to us as your auditor.

Independence

We confirm that, to the best of our knowledge and belief, we currently meet the independence requirements of the Australian professional accounting bodies or any applicable code of professional conduct in relation to the audit of the financial report. In conducting our audit of the financial report, should we become aware that we have contravened the independence requirements, we shall notify you on a timely basis.

To assist us in meeting the independence requirements, and to the extent permitted by law and regulation, we request you discuss with us:

- (a) the provision of services offered to you by us prior to engaging or accepting the service; and

- (b) the prospective employment opportunities of any current or former partner or professional employee of our firm prior to the commencement of formal employment discussions with the current or former partner or professional employee.

Communication

We may communicate with you or others via email transmission. Due to the nature of email transmission, we cannot guarantee that emails from us will be properly delivered and/or read only by the addressee. Therefore, we accept no liability or responsibility for any loss or damage to any person or entity resulting from the use of email transmissions in connection with this engagement.

Limitation of liability

Our liability is limited by a scheme approved under Professional Standards Legislation. Further information on the scheme is available from the Professional Standards Councils' website:

<http://www.professionalstandardscouncil.gov.au>.

Paperless files

We advise that our firm maintains paperless files. Necessary documents that we need will be retained as scanned copies only. We will not keep original documents belonging to you – these will be scanned and returned to you. If documents are required by you in future for any purpose, we will only be able to provide scanned copies.

Presentation of audited financial report on the internet

The Council may intend to publish a hard copy of the audited financial report and auditor's report for members, and to electronically present the audited financial report and auditor's report on its internet web site. When information is presented electronically on a web site, the security and controls over information on the web site should be addressed by the Council to maintain the integrity of the data presented. The examination of the controls over the electronic presentation of audited financial information on the Council's web site is beyond the scope of the audit of the financial report. Responsibility for the electronic presentation of the financial report on the Council's web site is that of the Council.

Fees

We look forward to full cooperation from your staff and we trust that they will make available to us whatever records, documentation and other information we request in connection with our audit. Audit fees are specified in our tender. Our fees, which will be billed as work progresses, are based on the time required by the individuals assigned to the engagement. Individual hourly rates vary according to the degree of responsibility involved and the experience and skill required. The audit fees will be due within 30 days from the end of the month in which the Council receives a correctly rendered tax invoice from Galpins.

Our fee assumes that unaudited data (including trial balance, financial statements and notes to the accounts) are presented for audit in a satisfactory, auditable and timely manner, with full supporting schedules and documentation. While we will use our best endeavours to work with the Council to achieve a positive outcome,

our fee does not allow for rework of the financial report after submission for audit, other than for minor audit adjustments. Where we consider that the quality of data presented will result in additional audit effort, we may need to negotiate an additional fee. In order to maintain audit independence, it is necessary that we avoid providing assistance to the Council to prepare the financial report.

Additional grant audits provided is charged on hourly basis, it depends on the number, size and nature of grants requiring acquittal.

Ownership of documents

All original documents obtained from the client arising from the engagement shall remain the property of the client. However, we reserve the right to make a reasonable number of copies of the original documents for our records. All other documents produced by us in respect of this engagement will remain the property of the firm.

The firm has a policy of exploring a legal right of lien over any client documents in our possession in the event of a dispute. The firm has also established dispute resolution processes.

Other

This letter will be effective for future years unless we advise you of its amendment or replacement, or the engagement is terminated.

Please sign and return this letter to indicate your acknowledgement of, and agreement with, the arrangements for our audit of the financial report including our respective responsibilities.

Yours sincerely,



Tim Muhlhausler CA, Registered Company Auditor
Partner

Acknowledged and agreed on behalf of Adelaide Hills Council by

Mr Andrew Aitken
CEO

Date

Appendix 2

2018/19 External Audit Plan

ADELAIDE HILLS COUNCIL

2018/19 External Audit Plan

February 2019

Galpins

Local Expertise : Real Access



1. Audit Scope

Audit opinions	Key Legislation	Scope
Control	Section 125 of the Local Government Act 1999	Auditors to provide an opinion on whether Adelaide Hills Council has complied, in all material aspects, with section 125 of the Local Government Act 1999 in relation to Internal Controls established by the Council in relation to the receipt, expenditure and investment of money, acquisition and disposal of property and incurring of liabilities so as to provide reasonable assurance that the financial transactions of the Council have been conducted properly and in accordance with law.
Financial Report	Australian Accounting Standards Local Government Act 1999 Local Government (Financial Management) Regulations 2011.	Opinion on the fair presentation of the financial report in accordance with Australian Accounting Standards, the Local Government Act 1999 and the Local Government (Financial Management) Regulation 2011.

2. Audit Methodology

Our financial statements Audit Methodology is a risk based methodology consisting of four main stages – Audit Planning, Internal Controls, Substantive Procedures and Completion. The stages are managed in an environment of ongoing monitoring and review and consultation with stakeholders.



We conduct our audits in accordance with the requirements of Australian Auditing Standards and Auditing Guidance Statements adopted from time to time by CPA Australia and The Institute of Chartered Accountants in Australia.

3. Audit Planning

Understanding the Entity and Inherent Risks

We research and document the Council's nature of operations, industry, regulatory environment, legislative responsibilities, financial reporting environment, use of information technology, capital investment, critical accounting policies and process of reviewing the Council's financial performance. This understanding enables us to identify the initial inherent risks. Structured interviews with management will also be carried out to identify other inherent risks.

Planning Analytical Review

The planning analytical review will help us to identify the existence of unusual transactions or events that may represent a risk of material misstatement. Our planning analytical review will also assist us to understand the classes of transactions and account balances to be expected in the financial report that should be subject to a specific audit program.

Identification of Business Cycle and Definition of Audit Approach

The procedures performed when obtaining an understanding of the entity and the planning analytical review will assist us to identify the main business cycles and the account balances expected to be in the financial report. Also, this knowledge will enable us to define our audit approach for each class of transactions or account balances being a controls approach, a substantive approach or a combination of both.

Once we have identified all inherent risks based on our understanding of the entity's business, planning analytical review and enquiries of management and have defined our audit approach for each class of transaction and account balances, we will be able to commence the next stage of our audit (Internal controls stage).

3. Audit Planning (cont.)

Audit Plan Summary Table – Statement of Comprehensive Income - Income

Area	2018	2017	Audit approach	Business cycle	Audit Response/Audit Approach	Inherent Risk
Rates and charges	35,512,000	34,301,000	Controls and Substantive	Rates	Internal Controls and Substantive tests	High
Statutory charges	1,069,000	1,022,000	Substantive	User Pay Income	Substantive tests	Moderate
User charges	1,479,000	1,337,000	Substantive	User Pay Income	Substantive tests	Moderate
Grants, subsidies and contributions	5,508,000	5,048,000	Substantive	Grants	Substantive tests	Moderate
Investment Income	30	36,000	Substantive	Investment Income	Substantive tests	Low
Reimbursements	447	265,000	Substantive	Other Revenue	Substantive tests	Low
Other Income	488	483,000	Substantive	Other Revenue	Substantive tests	Low
Equity Accounted Businesses	-	57,000	Substantive	Other Revenue	Substantive tests	Low

Audit Plan Summary Table – Statement of Comprehensive Income – Expenses

Area	2018	2017	Audit approach	Business cycle	Audit Response/Audit Approach	Inherent Risk
Employee costs	14,956,000	14,505,000	Controls and Substantive	Payroll	Internal Controls and Substantive tests	High
Materials / Contracts / Other Expenses	19,961,000	18,687,000	Controls and Substantive	Purchasing, Procurement and Contracting	Internal Controls and Substantive tests	High
Depreciation and amortisation	8,246,000	7,792,000	Controls and Substantive	Fixed Assets	Internal Controls and Substantive tests	High
Finance Costs	646,000	781,000	Substantive	Other Expenses	Substantive tests	Low
Equity Accounted Businesses	216,000	334,000	Substantive	Other Expenses	Substantive tests	Low

Audit Plan Summary Table – Statement of Comprehensive Income – Other Comprehensive Income

Area	2018	2017	Audit approach	Business cycle	Audit Response/Audit Approach	Inherent Risk
Asset Disposals & Fair Value Adjustments	(2,401,000)	(1,325,000)	Substantive	Fixed Assets	Internal Controls and Substantive tests	High
Amounts Received Specifically for New or Upgrade Assets	867,000	672,000	Substantive	Grants	Substantive tests	Moderate
Physical Resources Received Free of Charge	2,068,000	118,000	Substantive	Other Revenue	Substantive tests	Low

3. Audit Planning (cont.)

Audit Plan Summary Table – Statement of Financial Position – Assets

Area	2018	2017	Audit approach	Business cycle	Audit Response/Audit Approach	Inherent Risk
Cash and cash equivalents	491,000	966,000	Controls and Substantive	Banking	Internal Controls and Substantive tests	High
Trade and other receivables	2,831,000	2,709,000	Controls and Substantive	Debtors	Internal Controls and Substantive tests	Moderate
Other Financial Assets	22,000	44,000	Substantive	Loans to Community Groups	Substantive tests	Low
Inventories	13,000	14,000	Substantive	Inventory	Substantive tests	Low
Financial Assets – NC	50,000	71,000	Substantive	Loans to Community Groups	Substantive tests	Low
Equity Accounted Businesses - NC	838,000	984,000	Substantive	Other Assets	Substantive tests	Low
Infrastructure, Property, Plant & Equipment	370,815,000	311,033,000	Controls and Substantive	Fixed Assets	Internal Controls and Substantive tests	High

Audit Plan Summary Table – Statement of Financial Position - Liabilities

Area	2018	2017	Audit approach	Business cycle	Audit Response/Audit Approach	Inherent Risk
Trade and other payables	8,645,000	8,493,000	Controls and Substantive	Accounts Payable	Internal Controls and Substantive tests	High
Borrowings	4,918,000	3,651,000	Substantive	Borrowings	Substantive tests	Low
Provisions	3,478,000	1,357,000	Substantive	Employee Provisions	Substantive tests	Moderate
Borrowings - NC	10,000,000	10,000,000	Substantive	Borrowings	Substantive tests	Low
Provisions - NC	651,000	274,000	Substantive	Employee Provisions	Substantive tests	Moderate

Audit Plan Summary Table – Statement of Financial Position - Equity

Area	2018	2017	Audit approach	Business cycle	Audit Response/Audit Approach	Inherent Risk
Accumulated Surplus	137,081,000	135,571,000	Substantive	Other business cycles	Substantive tests	Low
Asset Revaluation Reserves	210,121,000	154,633,000	Controls and Substantive	Fixed Assets	Internal Controls and Substantive tests	High
Other Reserves	1,426,000	1,842,000	Substantive	Other business cycles	Substantive tests	Low

4. Internal Controls / Controls Opinion

The audit opinion is restricted per s129 of the Act to the application of s125 as it relates to financial internal controls, specifically the controls exercised by the council during the relevant financial year in relation to the receipt, expenditure and investment of money, the acquisition and disposal of property and the incurring of liabilities.

During our interim audit we perform procedures to gain an understanding of the internal controls in place relevant to the financial statements and perform tests of design and effectiveness for these controls.

We review the internal controls we consider as key controls to be in place for the purpose of addressing the requirement of s129. These key internal controls consist of a prioritised list of controls from the Better Practice Model – Internal Financial Controls 2017 (BPM). This list was based on the key business cycles identified during our audit planning and from our planning analytical review and the internal controls listed in the BPM for these business cycles.

The key core controls for the following key business cycles have been identified as critical for the purpose of issuing a controls opinion this financial year:

Business cycles	Account Balance	BPM controls	Inherent Risk
Fixed Assets	IPPE, Depreciation expense, Asset Disposals and FV adjustments, Revaluation Reserves	16	High
Purchasing and Procurement / Contracting	Materials / Contracts / Other Expenses	10	High
Rates / Rates Rebates	Rates charges	10	High
Payroll	Employee Costs	19	High
Accounts Payables	Accounts Payables	13	High
Debtors	Debtors	6	Moderate
Receipting	Debtors	5	Moderate
Banking	Cash and cash equivalents	5	High
General Ledger	All accounts	11	N/A
Credit Cards	Materials / Contracts / Other Expenses	5	High
Total number of controls		100	

A prioritised list of controls from the better practice model can be seen in Appendix 1. After completing our test of effectiveness of internal controls we perform a controls risk assessment for each account balance. The controls risks are combined with our initial inherent risk assessment performed during our audit planning for determining the risk of material misstatements for each account balance (see more details in the item 5 of this document).

5. Risk of Material Misstatements

Risk of material misstatement consists of the following components:

Risks	Definition
Inherent Risks	How susceptible to fraud or error the financial statements assertions are given the nature of the entity, considering external factors such as competency of staff, availability of information, prior period misstatements, accounting systems, level of supervision, etc before consideration of any related controls. The inherent risk assessment is performed during the planning stage when obtaining understanding of the entity's business (please refer to item 3 of this document).
Controls Risks	Risk of a misstatement due to error or fraud that could occur and not be prevented or detected by Council's internal controls. The assessment of internal controls risks is performed during the internal controls stage after performing test of internal controls (please refer to item 4 of this document).

The risk of material misstatement will be based on the combination of inherent and controls risks as demonstrated in the table below:

		Inherent Risks		
		HIGH	MEDIUM	LOW
Controls	HIGH	H	H	M
	MEDIUM	H	M	L
	LOW	M	L	L

The risk of material misstatement will determine the nature and extent of our audit procedures and sample sizes to be utilised. Once we assess the risk of material misstatements we will be able to design our substantive audit procedures.

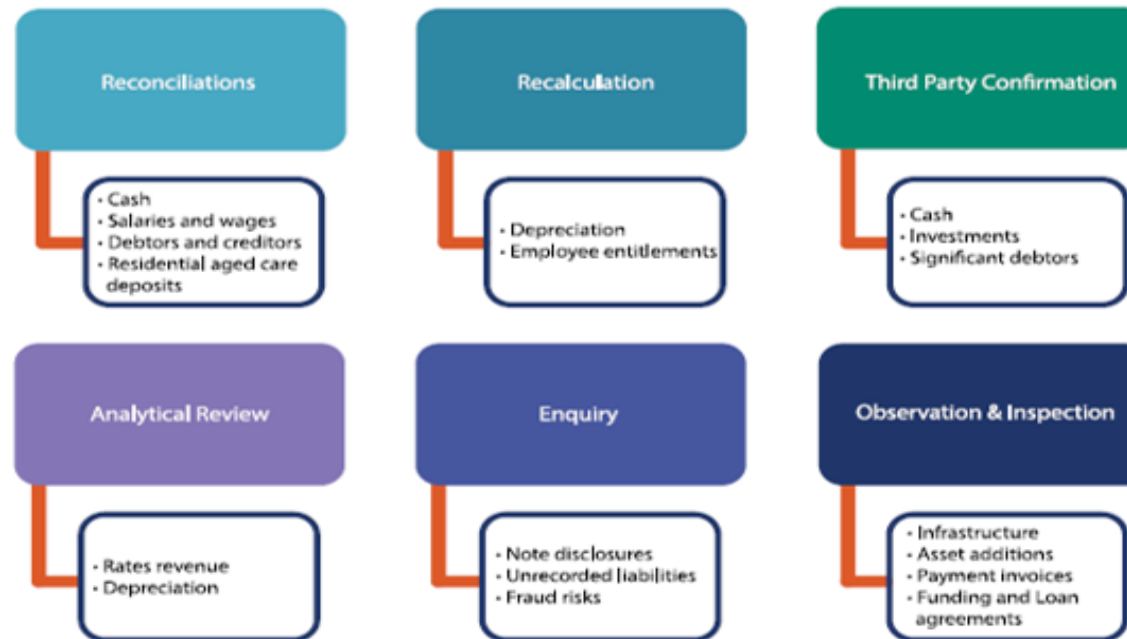
5. Risk of Material Misstatements (cont.)

Below, a summary of the impact of risk of material misstatement on our audit strategy:

Inherent Risk	Controls Risk	Risk of Material Misstatements	Impact on audit strategy
Low	Low	Low	High reliance on controls a minimum level of substantive tests.
	Medium	Low	Medium reliance on controls and a low level of substantive tests.
	High	Medium	No reliance on controls and a medium level of substantive tests.
Medium	Low	Low	High reliance on controls and a low level of substantive tests.
	Medium	Medium	Medium reliance on control and a medium level of substantive tests.
	High	High	No reliance on controls and a high level of substantive tests.
High	Low	Medium	High reliance on controls and a medium level of substantive tests.
	Medium	High	No reliance on controls and a high level of substantive tests.
	High	High	No reliance on controls and a high level of substantive tests.

6. Substantive Procedures

From our risk analysis (please refer to item 5 of this document), we are able to design and refine appropriate substantive procedures, including analytical review and test of details, to address identified risks of material misstatements of financial statements. Testing methods to be applied to account balances and transactions include:



Please refer to the audit timetable indicating the dates for our final visit to perform our final substantive procedures (please refer to the item 8 of this report).

7. Completion

This stage consolidates all the audit work performed during the previous stages. We perform a final risk of material misstatements assessment and conclude whether procedures performed were sufficient to reduce the audit risk to an acceptable level. We evaluate the results of audit testing and determine whether adjustments to the financial statements are required. We also review the final financial statements regarding the best presentation of these reports.



Review of the final financial statements include:

- Reviewing the presentation of the Statement of Comprehensive Income;
- Reviewing the presentation of the Statement of Financial Position;
- Reviewing the presentation of the Statement of Changes in Equity;
- Reviewing the presentation of the Statement of Cash Flows; and
- Reviewing the key note disclosures

Key deliverables to complete the engagement include:

- List of Immaterial Uncorrected Misstatements;
- Final report listing key matters addressed during the audit;
- Final auditor's report; and
- Final Management Letter

8. Audit Timetable

The following is an indicative timetable for the audit. Actual audit dates will be negotiated with the Council to ensure that dates are convenient.

Audit Activities	Indication of Dates
1. Initial Meeting with the audit committee	18 Feb 2019
2. Detailed Audit Plan / Audit Program Development	18 Feb 2019
3. Meeting with Finance Management and Key Staff Members	01-03 April 2019
4. Interim Site Visit	01-03 April 2019
5. Interim Management Letter	30 April 2019
6. Final Audit Visit - TBA	TBA
7. Final Auditor's Report – TBA	TBA
8. Final Management Letter - TBA	TBA

9. Contact Details



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APPENDIX 1 – CRITICAL INTERNAL FINANCIAL CONTROLS

FIXED ASSETS

Risks

R1	Fixed asset acquisitions, disposals and write-offs are fictitious, inaccurately recorded or not recorded at all. Fixed Asset Register (FAR) does not remain pertinent.
R2	If fixed assets are not securely stored, they may be subject to damage or theft.
R3	If fixed assets are not valued correctly, the management reports and financial statements will be misstated. For example, incorrect carrying values may result from the use of inappropriate depreciation rates.
R4	Depreciation charges are either invalid, not recorded at all or are inaccurately recorded which includes inappropriate useful lives and residuals.
R5	Fixed Asset maintenance and/or renewals are inadequately planned.

RISKS	Control	Control Type
R1	There is a process in place for the verification of fixed assets which is reconciled to the FAR.	Core
R1	Recorded changes to the FAR and/or masterfile are approved by appropriate staff compared to authorised source documents and General Ledger to ensure accurate input.	Core
R1	All fixed asset acquisitions and disposals are approved in accordance with Delegation of Authority and relevant Procurement and Fixed Asset Policies.	Core
R1	Maintenance of the fixed asset register is limited to appropriate staff with consideration to segregation of duties.	Core
R1	Council has an asset accounting policy which details thresholds for recognition of fixed assets which is monitored to ensure adherence.	Core
R1	Reconciliation of fixed assets to the General Ledger is performed in accordance with schedule of review or procedure.	Core
R1	Asset register calculations are reviewed for accuracy.	Core
R1	Fixed assets are recorded on acquisition, creation or when provided free of charge to facilitate accurate identification of assets and recording of details with regards to the Asset Accounting Policy.	Core
R1	Asset maintenance is planned and monitored with relevant staff in accordance with the Asset Management Plans	Additional
R2	Where appropriate, fixed assets are secured and access is restricted to appropriate staff and authorised users.	Core

RISKS	Control	Control Type
R2	Where appropriate, identification details are recorded for portable and attractive assets such as IT and fleet assets, on acquisition to facilitate accurate identification.	Additional
R3	Relevant staff review useful lives, residuals, valuations, depreciation methodology and test for impairment as required by Accounting Standards and legislation to ensure that methods used are still appropriate and significant changes are incorporated into Asset Management Plans.	Core
R3	Profit or loss on disposal calculations can be substantiated and verified with supporting documentation.	Core
R4	Depreciation charges are calculated in accordance with the asset accounting policy and compliant with relevant accounting standards, including the useful life, depreciation method and residual values.	Core
R5	Asset Management Plans are prepared and renewal expenditure and programmed maintenance required is reviewed periodically to reflect changing priorities, additional asset data and other relevant factors.	Core
R5	Asset Management Plans for all major asset classes are adopted and reviewed by Council as required by the Local Government Act 1999.	Core

Purchasing and Procurement

Risks

R1	Council does not obtain value for money in its purchasing and procurement.
R2	Purchases of goods and services are made from non-preferred suppliers.
R3	Purchase orders are either recorded inaccurately or not recorded at all.
R4	Purchase orders are made for unapproved goods and services.
R5	Supplier master file data does not remain pertinent and/or unauthorised changes are made to the supplier master file.

RISKS	Control	Control Type
R1	Council has a Procurement Policy that provides direction on acceptable methods and the process for procurement activities to ensure transparency and value for money within a consistent framework, with consideration of any potential conflicts of interest.	Core
R1,R2	Employees must ensure all purchases are in accordance with Council's Procurement Policy and approved in accordance with the Delegations of Authority and other relevant policies.	Core
R1	The organisation has a process in place to ensure use of preferred suppliers where relevant to maximise the best value for money to Council	Core
R2,R3	There is a process in place to review purchasing patterns and ensure maximum use of preferred suppliers	Additional
R3	Purchase order numbers are either system generated and/or sequentially numbered.	Core
R3	There is a process in place to ensure all invoices for payment are matched to relevant source documents such as purchase orders where applicable and are in line with Procurement Policy guidelines.	Core
R3	There is a process in place to follow up and action incomplete purchase orders.	Additional
R5	Access to the supplier master file and ability to make changes is restricted to appropriately authorised staff.	Core
R5	There is a process in place to review the supplier master file for ongoing pertinence and ensure all changes are checked against source documents to ensure they were input accurately.	Additional

CONTRACTING

Risks

R1	Council is not able to demonstrate that all probity issues have been addressed in the Contracting process.
R2	Council does not obtain value for money in relation to its Contracting.
R3	Commitments are made for unapproved goods and services

RISKS	Control	Control Type
R1,R2	There are robust and transparent evaluation and selection processes in place to engage contractors where relevant in accordance with the Code of Conduct, Conflict of Interest and Procurement Policy.	Core
R1	The selection panel is made up of appropriate personnel who have declared any relevant conflict of interest to ensure that informed and objective decision is made when selecting contractors.	Core
R1	Council maintains a current contract register.	Core
R1,R3	There is a process in place to ensure that commitments are made with approval by Council or delegated staff.	Core
R1,R2	There is a contract management process in place throughout the term of the contract to ensure that supplier/contractor meet their obligations.	Core
R2	There is an ongoing management in place that identifies and manages deliverables, key contact clauses, responsibilities, milestones and includes dispute resolution procedures.	Core

RATES / RATES REBATES

Risks

- R1 Council does not raise the correct level of rate income.
- R2 Rates and rate rebates are either inaccurately recorded or not recorded at all.
- R3 The Property master file data does not remain pertinent.
- R4 Rates are not collected on a timely basis.

RISKS	Control	Control Type
R1,R2	Rates are automatically generated by the rate system, including the calculation of rate rebates and other parameters as applicable.	Core
R2	Rates are generated and tested for accuracy of calculation methodology prior to the rates billing run	Core
R1	All software changes to rate modelling functionality fully tested and reviewed by relevant staff.	Core
R1	There is a rating policy in place that is reviewed annually that provides clear guidance on rating methodology and relevant rebates and remissions in line with legislation.	Core
R2	Annual valuation update is balanced prior to the generation of rates; all mismatches resolved prior to finalising rate generation.	Core
R2	All rate rebates and adjustments including write offs are appropriately authorised, with reference to Delegations of Authority and source documents.	Core
R4	There is a process in place to ensure that rates are collected in a timely manner and overdue rates are followed up.	Core
R3	Recorded changes to property master file data and any rate adjustments are compared to authorised source documents to ensure that they were input accurately. An audit trail is maintained for all changes.	Core
R3	Access to the Property master file is restricted to appropriately designated personnel, with a process in place to ensure changes are in line with policies and procedures.	Core
R2	Employees responsible for processing rate payments and rebates cannot process their own payments or rebates unless the transaction is approved by someone independent of the process	Core

PAYROLL

Risks

R1	Payroll expense is inaccurately calculated.
R2	Payroll disbursements are made to incorrect or fictitious employees.
R3	Time and/or attendance data is either invalid, inaccurately recorded or not recorded at all.
R4	Payroll master file does not remain pertinent and/or unauthorised changes are made to the payroll master file.
R5	Voluntary and statutory payroll deductions are inaccurately processed or without authorisation.
R6	Employees termination payments are not in accordance with statutory and enterprise agreements.

RISKS	Control	Control Type
R1	Where possible standard programmed formulae perform payroll calculations.	Core
R1, R3	There is a process to ensure all overtime is verified and approved by relevant appropriate staff.	Core
R1	All calculations for generating payroll payments are verified for accuracy.	Core
R4,R5	Managers periodically review listings of current employees within their departments and variances are investigated.	Additional
R1	Payroll is periodically reconciled to the General Ledger accounts.	Additional
R2	The payment for the payroll must be reconciled to a system generated report detailing amount and employee prior to payment.	Core
R2	There is a process to ensure an independent review of proposed payroll payments by authorised staff.	Additional
R2	The payment of the payroll is authorised by appropriate staff not involved in the preparation of the payroll.	Core
R2	Employee records to include employment details and/or contract terms and conditions, authorisations for payroll deductions and leave entitlements.	Core
R2	There is a process to ensure employees are made inactive in payroll records upon termination	Core

RISKS	Control	Control Type
R2	There is a process to ensure employees are made inactive in payroll records upon termination	Core
R5	All payroll deductions must be approved by the relevant employee.	Core
R3	There is a process to ensure the total of payment summaries for the year is reconciled to the general ledger and payroll and is appropriately reviewed.	Core
R3	Relevant staff are required to complete timesheets and/or leave forms, authorise them and have approved by the relevant supervisor.	Core
R2	There is a segregation of duties from those preparing the payroll to those responsible for preparation of source documents (e.g. timesheets, leave requests etc).	Core
R2	Payroll system generates audit reports detailing all payroll changes and there is a process in place to ensure all changes are reviewed and verified against source documents.	Core
R2	There is a process in place to ensure employees are not added to the payroll masterfile, nor details amended or amounts paid without receipt of the appropriate forms which have been authorised by relevant staff.	Core
R5	Access to the payroll deduction listing is restricted to authorised staff.	Core
R6	There is a process in place to ensure termination payments comply with relevant policies, procedures and legislation.	Core
R3	Time recording and attendance exceptions such as TOIL or flexitime are based on relevant policies/agreement are identified, monitored and corrected.	Core
R4	The ability to access, modify or transfer information contained in the payroll master files is restricted to authorised staff.	Core

ACCOUNTS PAYABLE

Risks

R1	Accounts payable amounts and disbursements are either inaccurately recorded or not recorded at all.
R2	Credit notes and other adjustments to accounts payable are either inaccurately recorded or not recorded at all.
R3	Disbursements are not authorised properly.
R4	Accounts are not paid on a timely basis.
R5	Supplier master file data does not remain pertinent and/or unauthorised changes are made to the supplier master file.

RISKS	Control	Control Type
R1,R2,R4	Statements received from suppliers are reconciled to the supplier accounts in the accounts payable subledger regularly and differences are investigated.	Additional
R3	Records must be maintained of all payments with supporting documentation.	Core
R1	Payments are endorsed by relevant staff separate to the preparer, who ensures that they are paid to the correct payee.	Core
R5	Access to the supplier masterfile is restricted to authorised staff	Core
R2,R5	Separation of Accounts Payable and Procurement duties.	Core
R3	All invoices and payment requests are approved in accordance with relevant policies and/or Delegations of Authority.	Core
R1	Predetermined variances between Purchase Orders and Invoices are assessed and payment released only after verification by the officer with delegation to do so.	Additional
R1	Payments are verified to appropriate supporting documentation and are in line with Delegations of Authority.	Core
R4	Relevant staff to review aged payables listing on a predetermined basis and investigate where appropriate.	Core
R5	Recorded changes to the supplier master file are compared to authorised source documents to ensure that they were input accurately.	Core

RISKS	Control	Control Type
R5	Requested changes or additions to supplier masterfile are verified independently of source documentation.	Additional
R3	Employee expenses claims must be approved by authorised staff and independently verified and include relevant substantiation.	Core
R4	There is a system generated report detailing supplier invoices due for payment at any one time.	Core
R5	There is a process in place to ensure the supplier master file is periodically reviewed for ongoing pertinence.	Additional

DEBTORS

Risks

R1	Debtors are either inaccurately recorded or not recorded at all.
R2	Rebates and credit notes to debtors are either inaccurately recorded or not recorded at all
R3	An appropriate provision for doubtful debts is not recorded
R4	Debtors are either not collected on a timely basis or not collected at all
R5	The Debtors master file data does not remain pertinent.

RISKS	Control	Control Type	CSA Importance	Weighting
R1, R4	Debtor's reconciliation performed on a regular basis to the General Ledger and reviewed by an independent person.	Core		4
R1	Council maintains a Debt Collection Policy.	Core		5
R2, R3, R4	Management and/or Council review and approve all rebates, credit notes, bad debt write-offs and movements in the provision for doubtful debts, in accordance with delegations of authority and Local Government Act.	Core		5
R3, R4	Management reviews debtors ageing profile on a regular basis and investigates any outstanding items.	Core		4
R5	Access to the debtor's master file is restricted to appropriately designated personnel and is reviewed by management for accuracy and on-going pertinence.	Core		5
R5	Recorded changes to debtor's master file data are compared to authorised source documents or confirmed with customers/ratepayers to ensure that they were input accurately.	Core		4

RECEIPTING

Risks

- | | |
|----|---|
| R1 | Receipts are either inaccurately recorded or not recorded at all. |
| R2 | Receipts are not deposited at the bank on a timely basis. |

RISKS	Control	Control Type
R2	Prior to and during the banking process, cash is stored securely at all times.	Core
R1	Customers are provided with a system generated or pre-numbered (manual) sequential tax compliant receipt detailing payment made.	Core
R1	There is a review process for the authorisation of the reversal of transactions.	Additional
R1	Receipt transactions are reconciled to the daily takings and out-of-balance banking is corrected promptly.	Core
R2	Receipts are deposited regularly at the bank by a person independent from the initial recording of the cash receipts.	Additional

BANKING

Risks

- | | |
|----|---|
| R1 | Banking transactions are either inaccurately recorded or not recorded at all. |
| R2 | Fraud (i.e. misappropriation of funds) |

RISKS	Control	Control Type
R1,R2	There is a process in place to ensure all cash, blank cheques and/or cheque signing machine are adequately safeguarded.	Core
R1	Access to EFT Banking system is restricted to appropriately designated personnel.	Core
R1,R2	Bank reconciliations are performed on a predetermined basis and are reviewed by an appropriate person. Any identified discrepancies are investigated.	Core
R2	Cash transfers between bank accounts and investment bodies are undertaken by appropriate staff.	Core
R2	There is a process in place to ensure all cash collected is adequately recorded and banked regularly.	Core

GENERAL LEDGER

Risks

R1	General Ledger does not contain accurate financial information
R2	Data contained within the General Ledger is permanently lost.

RISKS	Control	Control Type
R1,R2	All major updates and changes to General Ledger finance system are authorised, tested and documented.	Core
R1,R2	Access to General Ledger maintenance is restricted to appropriately authorised personnel.	Core
R1	Reconciliation of all balance sheet accounts are completed in accordance with a schedule of review and/or procedure.	Core
R1	All balance sheet reconciliations are reviewed by a person other than the preparer at least annually.	Core
R1	Journal entry access is restricted to appropriately authorised personnel.	Core
R1,R2	Financial data is backed up and stored offsite.	Core
R1	Finance system does not allow posting of unbalanced journals or if it does regular reviews are conducted on the suspense account and discrepancies investigated and actioned.	Core
R1	Amendments to the structure of the General Ledger framework and accounts are reviewed and approved by appropriately authorised personnel.	Core
R1,R2	General Ledger policies and procedures are appropriately created, updated and communicated to relevant staff.	Core
R2	Formal disaster recovery plan is in place and communicated to relevant staff.	Core
R1	There is a process in place to review actual vs budget and significant variances investigated.	Core

CREDIT CARDS

Risks

- | | |
|----|---|
| R1 | Credit Cards are issued to unauthorised employees. |
| R2 | Credit Cards are used for purchases of a personal nature. |
| R3 | Credit Card limits are set at inappropriate levels. |

RISKS	Control	Control Type
R1,R3	There is a process in place to ensure there are appropriate approvals prior to the issuing of Credit Cards and limits.	Core
R1,R2	Credit card holders sign a declaration confirming compliance with Council policy and procedures prior to the Credit Card being released.	Core
R2	There is a process in place to approve all credit card transactions to ensure compliance with the policies and procedures covering credit card usage.	Core
R2	Cardholders must check their statement to ensure all transactions are correct and identify any transactions of a personal nature which must be reimbursed to Council.	Core
R3	There is a process in place to ensure credit card limits and usage is reviewed for operational efficiency.	Core

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 February 2019
AGENDA BUSINESS ITEM**

Item: 12.4

Originating Officer: Mike Carey, Manager Financial Services

Responsible Director: Terry Crackett, Director Corporate Services

Subject: Electricity Procurement Contract Post 31 December 2019

For: Decision

SUMMARY

Adelaide Hills Council currently has three electricity supply contracts for its facilities, all with Origin Energy, that finish on 31 December 2019. These contracts were previously negotiated on Councils behalf by Local Government Association Procurement (LGAP) using the combined purchasing power of the Local Government sector to achieve a positive financial and service outcome.

LGAP has recently commenced the renegotiation process on for these contracts, and given the positive outcomes previously achieved, it is proposed that AHC continue to be a party to the negotiations.

As in previous tenders involving LGAP in the contestable electricity market, once tenders are received, there is only limited time (7 -14 days) for LGAP to accept or reject the tenderers offers. Given this limited period of time the LGAP is requesting that Councils sign an agreement providing the details of the person who has the delegated authority to commit Council once final pricing has been submitted.

As the anticipated expenditure of the contract period is in excess of the Chief Executive Officer's financial delegation, this report is seeking a delegation to the Chief Executive Office to accept the LGAP recommendation.

The current proposed procurement timeline from LGAP indicates that they would be seeking council responses of acceptance or otherwise to take up the offer and be included in the relevant contracts by 22 March 2019.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. To delegate to the Chief Executive Officer the authority:
 - a. To accept tenders from and enter into contracts with the successful tenderers for the supply of electricity for:
 - I. sites above 160 MWh per annum; and
 - II. sites below 160 MWh per annum; and
 - III. 12 hour and 24 hour unmetered lighting
 - b. To make, vary and discharge contracts; and
 - c. To sign all relevant documentation in this matter.
-

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal 4 Explore ideas and work with others
Strategy 4.6 We will actively pursue opportunities to share resources and partner with others for better community outcomes.

Working together as a local government sector through the Local Government Association Procurement (LGAP) will provide Council with the best opportunity to benefit from negotiation with energy supplies on larger electricity volumes.

Under Council's Procurement Policy, Council is able to utilise Strategic Alliances as an acceptable procurement method whereby the Council undertakes procurement through contract arrangements already established and administered by other organisations.

➤ Legal Implications

The ability for the LGAP to act on behalf of all councils does not breach legislation or anti-competitive requirements of the ACCC obligations.

➤ Risk Management Implications

The use of Local Government Procurement to act on Council's behalf will assist in mitigating the risk of:

Council entering an electricity supply contract or contracts that does not lead to the greatest community benefit.

Inherent Risk	Residual Risk	Target Risk
High (2B)	Low (2D)	Low

This process is current practice and hence no new mitigation action is required.

➤ **Financial and Resource Implications**

Council's annual electricity budget for 2018/19 is approximately \$630k, with the larger elements relating to AHBTC (\$217k) and street lighting (\$223k).

With the scheduled divestment of areas currently leased at AHBTC, it is anticipated that the total expenditure will reduce to approximately \$500k in future years.

As the street lighting electricity budget also includes charges from DPTI \$16k and SAPN of \$115k for street lighting use of system charges, it is estimated that the annual spend relating to the new electricity supply contract would be in the order of \$380k.

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

Not Applicable

➤ **Environmental Implications**

In addition to the Green Power product offering, which the LGAP is obtaining pricing for, The LGAP will also be offering alternate options for procuring carbon mitigation products that provide significant cost savings to options such as Green Power that support local carbon mitigation projects.

It should be noted that Council previously resolved not to continue with a contribution to the Green Power scheme but instead included sustainability outcomes and criteria into the Recreation and Facilities grant program supported by a contribution of \$20k from the sustainability program budget. Council was previously paying in the order of \$6k for the Green Power program.

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

Consultation on the development of this report was as follows:

<i>Council Committees:</i>	Nil
<i>Council Workshops:</i>	Nil
<i>Advisory Groups:</i>	Nil
<i>Administration:</i>	Executive Leadership Team Procurement Coordinator Strategic and Sustainability Officer
<i>Community:</i>	Nil

2. BACKGROUND

Adelaide Hills Council has three electricity supply contracts for its facilities, all with Origin Energy, finishing on 31 December 2019 that cover the following categories:

- Large sites (over 160 MWh)
- Small sites (under 160MWh) and
- 12, 24 hour and unmetered sites including street lighting

Historically Local Government Association Procurement (“LGAP”) have undertaken competitive tendering for electricity supply on behalf of the majority of Councils across South Australia. This has provided Council with the benefit of going to market with the highest possible volume and certainty with a partner with strategic procurement expertise and experience in negotiating in this complex market environment.

South Australia’s electricity market is continuing to undergo significant transition that is impacting on both the security and cost of supply to end consumers. Multiple factors, including the retirement of ageing baseload coal generators, rapidly fluctuating supply and demand and the rising cost of domestic gas has resulted in cost increases to SA consumers particularly since 2016.

Whilst the SA market has stabilised somewhat in recent times, there are still challenges ahead to balance supply and demand in a rapidly changing landscape of increased renewable supply and a further shrinking of traditional baseload supply. The short-term appears to show stable pricing to 2021, with pricing beyond that difficult to predict given the material changes occurring within the Australian energy markets.

The South Australian market has also evolved since 2017 with opportunities to enter into agreements with established wind farms and new SA project developers for solar and wind, representing an opportunity to SA councils to purchase low cost renewable energy that supports SA projects.

Given the above the LGAP has indicated that an early engagement with the market is required to ensure the best possible outcome for local government. As such LGAP has recently written to all SA Councils offering to act on behalf of local government again in negotiation with the electricity market for Council’s current contracts expiring on 31 December 2019.

3. ANALYSIS

To assist with the procurement process, LGAP have engaged CQ Partners, who they have indicated is one of Australia’s most respected energy advisory consultancies, to develop an electricity procurement solution that addresses the challenges faced by SA councils.

LGAP is proposing a 2-stage procurement process for Councils for the supply of energy for contracts to commence on 1 January 2020. The initial stage is to obtain a “no obligation” approval for LGAP to act on Council’s behalf to obtain pricing for consideration.

Due to the uncertainty in the electricity market, previous offerings from LGAP in recent years have had fixed terms of one or two years. However, LGAP are this time requesting the providers to tender for:

- traditional retail black and green energy of varying terms for consideration and
- Power Purchase Agreements (PPA) sourced from South Australian based Renewable Energy projects for various periods ranging from 3 to 10 years.

In addition to the GreenPower product offering which LGAP will seek pricing for those councils wishing to participate in the program, LGAP will offer alternate options for procuring carbon mitigation products that provide significant cost savings to options such as GreenPower that support local carbon mitigation projects.

As in previous tenders involving LGAP in the contestable electricity market, once tenders are received, there is only limited time (7 -14 days) for LGAP to accept or reject the tenderers offers. Given the limited period of time available the LGAP is requesting that Councils sign an agreement providing the details of the person who has the delegated authority to commit Council once final pricing has been submitted.

Once initial pricing is obtained, councils have a choice to consider accepting the traditional supply of black energy, whether they wish to include any green supply or whether to enter into a PPA. Depending on pricing, once firm numbers are available, LGAP will seek final pricing for consideration and final agreement by each individual council.

To meet this limited turnaround time, LGAP is requesting that Councils sign an agreement providing the details of the person who has the delegated authority to commit Council once final pricing has been submitted if Council considers it meets their financial and environmental outcomes. The current proposed procurement timeline from LGAP indicates that they would be seeking council responses of acceptance or otherwise to take up the offer and be included in the relevant contracts by 22 March 2019.

As the anticipated expenditure of the contract period is in excess of the Chief Executive Officer's financial delegation, this report is seeking a delegation to the Chief Executive Office to accept the LGAP recommendation.

4. OPTIONS

Council has the following options:

- I. To delegate the Chief Executive Officer to act as per the resolution within this report (Recommended).
- II. To seek its own offers from the market in relation to electricity supply contract (Not Recommended). Given that Council is not a large volume user of power from a National or State perspective, the ability for Council officers to negotiate a better outcome than the LGAP are unlikely.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 February 2019
AGENDA BUSINESS ITEM**

Item: 12.5

Originating Officer: Lachlan Miller, Executive Manager Governance & Performance

Responsible Director: Andrew Aitken, Chief Executive Officer

Subject: Nomination to the Local Government Ministerial Advisory Committee

For: Decision

SUMMARY

The Minister for Planning has written to the Local Government Association (LGA) requesting nominations for a local government member on the Local Government Ministerial Advisory Committee (the Committee) for a term commencing immediately upon appointment.

Nominations must be forwarded to the LGA by 8 March 2019.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. To determine that the method of selecting the Council Members to be nominated for the Local Government Ministerial Advisory Committee be by an indicative vote utilising the process set out in this Agenda report.
 3. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred persons for nomination for the Local Government Ministerial Advisory Committee and for the meeting to resume once the results of the indicative vote have been declared.
 4. To nominate _____ & _____ for the Local Government Ministerial Advisory Committee and authorise the Chief Executive Officer to lodge the completed nomination to the Local Government Association by 8 March 2019.
-

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal	Organisational Sustainability
Strategy	Governance

➤ Legal Implications

The position, role and function of the Committee are set out in the Terms of Reference (**Appendix 1**).

Sections 73 and 74 of the Act set out the provisions regarding Material Conflicts of Interest. A Council Member registration of interest for membership of the Committee may possibly constitute a personal benefit under s73 of the Act.

Sections 75 and 75A of the Act set out the provisions regarding Actual and Perceived Conflicts of Interest. A Council Member registration of interest for membership of the Committee 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 have a registration of interest for membership of the Committee role nominated by Council 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.

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.

➤ Risk Management Implications

While Council has little direct influence in the election of members to the Local Government Ministerial Advisory Committee, the need for robust governance practices 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)

➤ **Financial and Resource Implications**

Membership is on a voluntary basis and, as such, will not be remunerated. However should Council appoint an AHC, Council Member or Staff Member reimbursement for travel and other expenses may occur in accordance Council Member Allowances and Support Policy or employment terms and conditions.

➤ **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**

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Director Development & Regulatory Services
Governance & Risk Coordinator

Community: Not Applicable

2. **BACKGROUND**

The Committee is pursuant to the *Planning, Development and Infrastructure Act 2016* and was promoted via LGA Circular 4, 24 January 2019.

The Committee will consist of no more than 12 people appointed by the Minister for a term not exceeding 12 months. Membership will include a Chair appointed by the Minister, an Executive Officer from DPTI and representatives from Local Government.

The objective of the Committee is to:

1. Meet the requirements set out in Section 244 of the *Planning, Development and Infrastructure Act 2016* (the Act)
2. Provide advice on and represent the interests of local government in South Australia on matters related to the implementation of the Act as referred to it by the Minister
3. Act as a conduit for information and assist in the facilitation of engagement activities between local government and the DPTI Planning Reform Project team through the implementation process.

A copy of the Terms of Reference is attached as **Appendix 1** and includes the following Principles:

The Committee will work together to support the successful implementation of the Planning Reform Project by:

- Working with purpose and alignment to achieve quality outcomes for the new system
- Creating an environment of participation, where honest, open and robust discussions are encouraged
- Remaining open, acting with integrity and providing frank and fearless advice
- Being professional on all fronts, including in the respectful recognition of differing views and opinions
- Recognising that Communication, information sharing and consultation are the keys to facilitating effective cooperation and a spirit of trust.

Appointment to the Committee commences immediately and expires on 30 June 2020. The position is available due to the resignation of one of the LGA nominated persons, Mayor Michael Lange (Barossa Council).

Nominations are sought from inner, middle and outer metropolitan councils and regional councils.

Membership of the Committee is on a voluntary basis with the Committee meeting at least four times during the year. The Committee will operate during the implementation phase of the new planning system as outlined in the Act.

The LGA Board of Directors will consider nominations received at its meeting on Thursday 21 March 2019.

3. ANALYSIS

LGA nominations on outside bodies will, unless determined otherwise by the LGA Board of Directors, be currently serving council members or council staff. The LGA Nominations to Outside Bodies Policy is attached as **Appendix 2**. No more than two nominees should be provided by each council.

Nominations addressing the Selection Criteria provided in Part A for the Committee must be forwarded to lgasa@lga.sa.gov.au by a council using Part B along with an up-to-date CV/resume by close of business, Friday 8 March 2019, see **Appendix 3**.

Council Officer Nominations

The Chief Executive Officer has sought expressions of interest from senior Council Officers for nomination to the Committee. No expressions of interest were received.

Indicative Voting Process for Determining Council Appointed Positions

Due to the potential implications of the Conflict of Interest provisions (see Legal Implications above) regarding the nomination of a Council Member, 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 to be nominated

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 position.
- 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, the Returning Officer shall formally declare the result of the election (i.e. the preferred person).
- l) The ballot papers will be shredded.

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 will then consider the process that it will use to choose the preferred persons for the nomination to the LGA. Council would give effect to this by dealing with Recommendation 2 (or a variant) at this time.
- II. 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 3 (or a variant) at this time.
- III. 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 Committee role would be advised to consider their obligations to declare a Material, Actual or Perceived Conflict of Interest as appropriate.

- IV. Council can then resolve for the preferred person to be nominated to the LGA. Council would give effect to this by dealing with Recommendation 4 (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.

4. OPTIONS

Council has the following options:

- I. To nominate a current Council Member or staff member to the Committee.
- II. To not provide a nomination to the Committee.

5. APPENDICES

- (1) Terms of Reference – Local Government Advisory Committee
- (2) LGA Appointments or Nominations to Outside Bodies Policy
- (3) LGA Nominations to Outside Bodies Part A & Part B

Appendix 1

Terms of Reference

Local Government Advisory Committee

Terms of Reference – Local Government Advisory Committee

OBJECTIVE

The objective of the Local Government Advisory Committee is to:

- Meet the requirements set out in Section 244 of the *Planning, Development and Infrastructure Act 2016* (the Act).
- Provide advice on and represent the interests of Local Government in South Australia on matters related to the implementation of the Act as referred to it by the Minister.
- Act as a conduit for information and assist in the facilitation of engagement activities between Local Government and the DPTI Planning Reform Project team through the implementation process.

PRINCIPLES

The Committee will work together to support the successful implementation of the Planning Reform Project by:

- Working with purpose and alignment to achieve quality outcomes for the new system;
- Creating an environment of participation, where honest, open and robust discussions are encouraged;
- Remaining open, acting with integrity and providing frank and fearless advice;
- Being professional on all fronts, including in the respectful recognition of differing views and opinions; and
- Recognising that Communication, information sharing and consultation are the keys to facilitating effective cooperation and a spirit of trust.

MEMBERSHIP

The Local Government Advisory Committee will be constituted of no more than 12 persons appointed by the Minister.

Each member will be appointed for a term not exceeding 12 months.

Membership is on a voluntary basis and, as such, will not be remunerated.

Membership will include an independently appointed Chair, an Executive Officer from within DPTI and no less than 10 representatives from Local Government to be selected from a pool of nominees provided to the Minister by the Local Government Association. The membership of this Committee shall be broadly inclusive of all areas of the state, including regions, as far as practicable.

Presiding member (Chairperson)

The Minister will appoint an independent Member of the Committee to act as the Presiding Member (Chairperson).

ROLES & RESPONSIBILITIES

Minister

In accordance with the Act, the Minister will be responsible for determining:

- The membership of the Committee
- The procedures of the Committee
- The functions and scope of operation of the Committee; and
- Any other matters of interest.

Chairperson

The primary role and function of the Chairperson is to lead and manage the processes and practices of the Committee and ensure the effective delivery of the group's Objectives.

Executive Officer

An Executive Officer shall be assigned from the DPTI Planning Reform management team to support the Committee.

The Executive Officer will ensure agendas, minutes, including a record of agreed actions, and other appropriate documentation for each meeting are recorded, prepared and distributed.

The Executive Officer provides advice in relation to project management aspects of planning reform.

Guests

The Minister or Executive Officer may arrange for guests to attend or contribute to scheduled meetings for the purpose of providing specialised expertise or guidance on a particular item.

Conflict of Interest

Committee Members must declare any conflicts of interest at the start of each meeting or before discussion of the relevant agenda item. The Chairperson will determine whether the Committee member should:

- Not take part in any discussion by the Board relating to the matter; and
- Not vote in relation to the matter; and
- Be absent from the meeting room when any such discussion or voting takes place.

Independent Commission Against Corruption

In accordance with the Directions and Guidelines published by the Independent Commissioner Against Corruption, members of the Committee are classified as 'public officers' because they are:

- A person who is a member of a local government body; and
- A person who is an officer or employee of a local government body.

In accordance with the Commissioner's Directions and Guidelines all 'public officers' have an obligation to report a matter that is reasonably suspected of involving corruption, misconduct or maladministration in public administration to the OPI. The process for reporting such a matter to the OPI is outlined in the Directions and Guidelines document and on the Independent Commissioner Against Corruption internet site at www.icac.sa.gov.au.

Confidentiality

Committee Members must ensure confidential information received in the process of acting as a Committee Member remains confidential and is not disclosed improperly to others.

Committee Members must refer all enquiries from all external parties (including media) directly to the Executive Officer for action.

MEETINGS & PROCEEDINGS

Meeting schedule

The Committee shall meet at least four times in a calendar year or more frequently as required by the Minister or his delegate.

Special meetings may be held at any time as required and agreed by the Minister or his delegate.

Agendas and supporting documentation

An agenda and any associated papers for prior reading will be distributed through the Executive Officer not less than one week (five working days) prior to the next scheduled meeting.

Proceedings

The Chairperson presides at meetings of the Committee. If the Chairperson is absent, an Acting (Alternate) Chairperson or a Committee Member chosen by the Committee Members present presides at the meeting.

A quorum of the Committee consists of a number ascertained by dividing the total number of appointed Members by half, ignoring any fraction resulting from the division, and adding one (and no business may be transacted at a meeting of the Board unless a quorum is present).

Meetings are carried out in such a manner as to ensure the fair and full participation of all Committee Members

If required, Committee business may be conducted 'out-of-session' by electronic correspondence between the Executive Officer on behalf of the Chairperson and Committee Members.

Proxy

If a Member is not able to attend a scheduled meeting, a proxy of appropriate level and experience may attend in their place, otherwise an apology is to be tendered.

Minutes

Minutes are to be collated and distributed electronically by the Executive Officer to the Minister's office, Chairperson and Committee Members no later than one week after the meeting was held.

REVIEW

These Terms of Reference, including membership composition, shall be reviewed:

- Every 12 months, or more frequently at the discretion of the Minister; and
- The review will include an assessment of the effectiveness of the Committee and individual members with particular reference to the group meeting its Objectives and its interface with the CAT.

TERMS

Minister	Minister for Planning
DPTI	Department of Planning, Transport and Infrastructure
LGA	Local Government Association

ADOPTED

.....

Date: / /

ADOPTED by the Chairperson

Appendix 2

*LGA Appointments or Nominations
to Outside Bodies Policy*

Title: Appointments or Nominations to Outside Bodies

DATE OF POLICY:	July 2006
DATE OF LAST REVIEW BY	May 2013
LGA:	May 2014

Requests for Local Government nominees on boards and committees are received from Ministers, Government Agencies and other organisations regularly. The importance of Local Government nominations to boards and committees is recognised by the LGA and appointments/nominations will be made on merit based principles giving due weight to gender balance. Appointees or nominees to outside bodies are not expected to 'represent' Local Government, or the views of any particular stakeholder or interest group. They are expected to apply their skills and experience, particularly their skills and experience arising from their participation in Local Government, to the betterment of the work and understanding of the board or committee to which they are appointed.

Appointments by Minister/Governor

Appointments to be made by the Minister or Governor, drawn from nominations from the LGA, will be determined by the LGA Board or between meetings the LGA Executive Committee. The Secretariat will call for nominations from Member Councils using the proforma (attachment 1) and upon the close of nominations (attachment 2) prepare a report for consideration. The template (attachment 3) is to be prepared by the Secretariat and tabled at the relevant meeting to assist with the assessment of the most appropriate nominations. However, where the appointments are to be made to non-statutory boards or committees, the nomination selection process may be delegated to the LGA Executive Committee.

Right to Decline Nomination

The LGA reserves the right to decline to appoint or nominate a person to a board or committee, unless it is required by law. The LGA Board (or between meetings the LGA Executive Committee) will consider recommendations from the Secretariat that the LGA decline to appoint or nominate a person to a board or committee. A brief report stating the reasons for declining to appoint or nominate will be prepared by the Secretariat to be considered by the LGA Board (or between meetings, the LGA Executive Committee).

Nominees to be Current Council Members or Staff

LGA nominees to outside bodies will, unless determined otherwise by the LGA Board/LGA Executive Committee, be current Council Members or staff of a Member Council or other Local Government entity.

When an existing appointment to an outside body ceases to be a Council or staff Member or a member of another Local Government entity, then under normal circumstances that person will be requested to resign his/her membership of the outside body forthwith. However the LGA Board/LGA Executive Committee may waive this requirement in circumstances where the person:

- has unique qualifications, experience or other personal qualities which allow him or her to continue to remain on the particular board or committee and/or;
- is appointed directly by a Minister or the Governor for a fixed term, and the appointment is specific to that person.

The LGA Board or LGA Executive Committee will review the list of all existing appointments following each general Local Government Election, to consider whether existing appointments comply with this policy.

Submitting Nominations to the LGA

LGA nominations to outside bodies are determined by Councils as corporate bodies. Each Council determines its own policy on how Council nominations are lodged. Only two (2) nominations will be accepted from any one Council. The LGA Board / LGA Executive Committee does not accept nominations from individual Councillors or staff.

LGA Board/LGA Executive Committee Process for Determining Appointments/Nominations

The process for determining appointments/nominations at LGA Board or LGA Executive Committee meetings is as follows:

- a) Where the LGA Board/LGA Executive Committee is being asked to appoint a member and a proxy, this will be done as two separate processes, i.e. the selection of the person to be the member is to be completed prior to the selection of who is to be the deputy. This avoids the potential problem of two names being considered at once where it is quite likely that a member is supportive of one of the people but not necessarily both.
- b) Where the appointment is to a statutory authority and is to be made by the Governor, the provisions of section 36A of the *Acts Interpretation Act 1915* apply regarding gender balance and the number of nominations to be provided (see Attachment 4). In situations where there is an insufficient number of nominations from women to achieve an appropriate gender balance, the LGA may use the Local Government Women's Register described in Attachment 5 to source the names of additional persons.
- c) If the requirement is to choose a panel of three **or more** names, this can be done 'on block'.
- d) Unless otherwise determined, the President or Chairperson for the meeting, will invite members to nominate a person, no seconder is required.
- e) If the number of nominations received exceeds the number of positions, the President or Chairperson shall then invite members to make any comment they wish on the merits of any of the persons who have been nominated.
- f) Each member shall then be invited to indicate their preference by way of a secret ballot using the confidential matrix provided.
- g) Each member shall be entitled to vote on as many occasions as there are positions to be filled. Counting will be conducted on the basis of 'first past the post'.
- h) The President or Chairperson shall indicate to members the nominee who has received the most votes and has been selected. The President or Chairperson shall then invite a member to formally move that the nominee(s) with the most votes be selected.
- i) Nominations received from Councils after the deadline stipulated in the relevant LGA Circular will be shown as having been received late. This does not in itself mean that such nominations are invalid. The relevant agenda item will stipulate the closing date. The LGA Board/LGA Executive Committee is able to consider any late nomination on merit, unless it determines otherwise.

- j) Where there are insufficient nominations the LGA Board/LGA Executive Committee may delegate to the LGA Chief Executive Officer, in consultation with the LGA President, approval to seek further nominations and forward these nominations to the relevant Minister, Government agency or organisation.

If a member of the LGA Board/LGA Executive Committee or an officer of the LGA Secretariat is nominated, that person must leave the room prior to the matter being discussed and determined.

Advising of LGA Nominees and Policy

When LGA nominees to an outside body have been determined by LGA Board/LGA Executive Committee in accordance with this policy, the names of the nominees and a copy of this policy shall be provided to the relevant Minister or agency, highlighting the conditions of the nomination.

Responsibilities of Appointees

While recognising that the deliberations of many external boards and committees are confidential in nature, this policy nevertheless requires LGA nominees and appointees to external bodies to provide a short general report annually, outlining the achievements of the board or committee which are likely to be of interest to Local Government.

Insurance for LGA Appointees

Where a Board is a Statutory Board or Committee of the State Government or a State agency the South Australian Insurance Corporation (SAICORP) provides insurance cover. In the event that insurance is not available through SAICORP the LGA through contact with the outside body or its Mutual Liability Scheme will ensure that the appointee is adequately covered.

Review

This Policy may be reviewed by the LGA Board from time to time as necessary, to ensure that it remains up to date and relevant.

Nominations to Outside Bodies



PART A

Name of Body	
Legal Status of Body	<p>**Delete those that don't apply:</p> <p>Statutory Authority</p> <p>Incorporated Body</p> <p>Committee</p> <p>Advisory Committee</p> <p>Other (please provide information)</p>
Summary Statement	
<p><u>SELECTION CRITERIA FOR MEMBERSHIP ON OUTSIDE BODIES</u></p> <p>The following selection criteria must be addressed when completing Part B</p>	
<p>Qualifications Required</p> <p><i>(formal qualifications relevant to the appointment)</i></p>	
Industry Experience	
Board / Committee Experience	
<p>Key Expertise</p> <p><i>(other relevant experience i.e. those requirements established for a Board/Committee under an Act)</i></p>	
<p><u>LIABILITY AND INDEMNITY COVER</u></p> <p>The LGA requires that nominees to outside bodies be appropriately insured throughout the period of their appointment and seeks to collect details of the insurances provided by that organisation (on an annual basis) **CHECK THE BODY INSURED**</p>	
Insurance information (Certificates of Currencies or equivalent) supplied by the Outside Body	Yes
Insurance Policies are Valid & Current	Yes

Nominations to Outside Bodies



PART B: This form must be completed by Council electronically and emailed as a word document to:
##@lga.sa.gov.au
(Nominee's details must not exceed this single page)

Name of Body: ****Insert name of body**

Council Name:			
Full Name of Nominee:			
Position/Title:			
Address:			
Work Phone:		Facsimile:	
A/H Phone:		Mobile:	
Email:			
1. <u>Summary of relevant skills, knowledge and/or experience</u>			
2. <u>Other comments in relation to this role</u>			

DO NOT EXCEED ONE PAGE
An email confirming receipt of your nomination will be forwarded

Attachment 4

Extract from the *Acts Interpretation Act 1915*

36A—Gender balance in nomination of persons for appointment to statutory bodies

- (1) This section applies if an Act provides for a member of a body to be appointed by the Governor or a Minister on the nomination of a non-government entity.
- (2) If the Act provides for the non-government entity to nominate a panel of persons from which the Governor or Minister is to select a person for appointment, the Act will be taken to provide that the panel—
 - (a) must include at least 1 woman and 1 man; and
 - (b) must, as far as practicable, be comprised of equal numbers of women and men.
- (3) If the Act does not provide for the non-government entity to nominate a panel of persons from which the Governor or Minister is to select a person for appointment, the Act will be taken to provide that—
 - (a) the non-government entity must nominate a panel of persons comprised of not less than twice the number of members of the body to be appointed on the nomination of the entity plus one; and
 - (b) the panel—
 - (i) must include at least 1 woman and 1 man; and
 - (ii) must, as far as practicable, be comprised of equal numbers of women and men; and
 - (c) the Governor or Minister must select the person for appointment from the panel.
- (4) This section does not derogate from the need to properly assess merit in selecting persons for appointment.
- (5) In this section—

non-government entity means a person or body other than an officer, agency or instrumentality (including a Minister) of the Crown in right of the State or the Commonwealth or another State or a Territory of the Commonwealth.

Attachment 5

Local Government Women's Board and Committee Membership Register

The LGA will establish and maintain a register of Local Government women interested in being appointed to Local Government related Boards and Committees. (The 'LG Women's Register')

The process of establishment and maintenance of the LG Women's Register will include:

- 1 An LGA Circular will advise of the establishment of the LG Women's Register and request interested women (Council Members and Council Officers) to complete a registration of interest form providing:
 - name and contact details
 - fields of interest
 - details of previous skills, knowledge and experience relevant to board or committee membership
 - names and contact details of two referees
 - permission to supply details provided above to Local Government stakeholders requiring female board or committee members.
 - advice if/when the applicant requires their details to be removed from the Register.
- 2 Information about the LG Women's Register will be provided on the LGA website on the front page under *LGA.net for Councils*, the *Women on the Move* page and the *Governance* page, with a link to the registration of interest form.
- 3 The LGA will record information on the LG Women's Register when a registration of interest is received. The LGA will use this information to assist with filling Local Government related board or committee positions, only when sufficient nominations are not received as part of its 'Representatives on Outside Bodies' Process. The LGA will not disclose the information from the LG Women's Register to a third party without the express permission of the relevant person.
- 4 The LGA will also promote the LG Women's Register to all Local Government stakeholders advising them to contact the LGA if they are seeking a female Board or Committee member.
- 5 Upon request, the LGA may provide external stakeholders with the details of individual(s) listed on the LG Women's Register, but only if the registered person(s) have consented to their information being made available to third parties. The stakeholder will be invited to contact the person(s) direct.

Appendix 3

LGA Nominations to Outside Bodies
Part A & Part B

Nominations to Outside Bodies - Part A

Local Government Ministerial Advisory Committee	
Legal Status of Body	Advisory Committee
Summary Statement	<p>The objectives of the LGAC are to:</p> <ol style="list-style-type: none"> 1. Meet the requirements set out in Section 244 of the Planning Development and Infrastructure Act 2016 2. Provide advice on and represent the interests of local government in South Australia on matters related to the implementation of the Act as referred to it by the Minister 3. Act as a conduit for information and assist in the facilitation of engagement activities between local government and the DPTI Planning Reform Project team through the implementation process.
Selection criteria	
<i>The following selection criteria must be addressed when completing Part B</i>	
Qualifications Required <i>(formal qualifications relevant to the appointment)</i>	No formal qualifications required
Industry Experience	Experience and knowledge of the Local Government Act and Development Act.
Board / Committee Experience	n/a
Key Expertise <i>(other relevant experience i.e. those requirements established for a Board/Committee under an Act)</i>	Description of likely contribution in terms of skills and experience with local government sector.
Liability and indemnity cover	
<i>The LGA requires that persons appointed to outside bodies be appropriately insured throughout the period of their appointment and seeks to collect details of the insurances provided by the outside body (on an annual basis)</i>	
Insurance information (Certificates of Currencies or equivalent) supplied by the Outside Body	Yes
Insurance Policies are valid & current	Yes



Nominations to Outside Bodies - Part B

This form:

- must not exceed 2 pages;
- must be submitted by a council; and
- must be emailed in PDF format to lgasa@lga.sa.gov.au
- upon receipt at the LGA, will be acknowledged by return email.

Local Government Ministerial Advisory Committee

Council details			
Name of council submitting the nomination			
Name of council officer submitting this form – refer LGA Policy	Name:		
	Position:		
	Email:		
	Telephone:		
Nominee details			
Name of Nominee			
<input type="checkbox"/> Current Elected Member	or	<input type="checkbox"/> Current council officer	
Home / Postal Address			
Phone		Mobile:	
Email			
Is a CV attached or will it be forwarded separately?			
Information relevant to the appointment sought (address the selection criteria from Part A)			
Industry Experience:			
Key Expertise:			
Any other comments:			
Undertaking:			
<p><i>The LGA Board resolved in January 2015 to ensure that appointees to external Boards and Committees remain current local government members or officers. If you leave local government for any reason during the term of your appointment, are you prepared to resign your appointment if requested to do so by the LGA?</i></p>			



Yes No

Signature of Nominee: _____

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 February 2019
AGENDA BUSINESS ITEM**

Item: 12.6

Originating Officer: Lachlan Miller, Executive Manager Governance & Performance

Responsible Director: Andrew Aitken, Chief Executive Officer

Subject: Nomination to Dog & Cat Management Board

For: Decision

SUMMARY

The Minister for Environment & Water has written to the Local Government Association (LGA) requesting nominations for two local government members on the Dog & Cat Management Board (DCMB) for a term of up to 3 years. Nominations must be forwarded to the LGA by 14 March 2019.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted.**
 - 2. To determine that the method of selecting the Council Members to be nominated for the Dog & Cat Management Board be by an indicative vote utilising the process set out in this Agenda report.**
 - 3. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred persons for nomination for the Dog & Cat Management Board and for the meeting to resume once the results of the indicative vote have been declared.**
 - 4. To nominate _____ & _____ for the Dog & Cat Management Board and authorise the Chief Executive Officer to lodge the completed nomination to the Local Government Association by 14 March 2019.**
-

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal Collaboration on public policy setting
 Strategy We foster positive relationships with relevant government departments and agencies

➤ **Legal Implications**

The DCMB has been established pursuant to the *Dog and Cat Management Act 1995*.

Sections 73 and 74 of the Act set out the provisions regarding Material Conflicts of Interest. A Council Member registration of interest for membership of the DCMB may possibly constitute a personal benefit under s73 of the Act.

Sections 75 and 75A of the Act set out the provisions regarding Actual and Perceived Conflicts of Interest. A Council Member registration of interest for membership of the DCMB 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 have a registration of interest for membership of the DCMB role nominated by Council 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.

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.

➤ **Risk Management Implications**

Participating on state-wide government auspiced bodies will assist in mitigating the risk of:

Failure to engage in sector-wide reform initiatives leading to the Adelaide Hills community not being adequately represented.

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

Undertaking robust nomination processes 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**

There are no financial or resource implications for council.

➤ **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**

Highlight this row, hit delete and then start typing here - delete the blue text below

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Director Development & Regulatory Services

Community: Not Applicable

2. BACKGROUND

The DCMB was established in 1995 under the *Dog & Cat Management Act* to work with key partner organisations and state government to improve dog and cat management in South Australia.

The appointment is for a period of three years commencing immediately. The LGA was previously represented by Ms Jan Loveday (Adelaide Hills Council) and Ms Gail Kilby (City of Onkaparinga) who have both resigned.

The DCMB generally meets on the last Wednesday of each month between 1.30pm and 5.30pm, at both metropolitan and regional councils.

The sitting fee for Board members is currently \$258 per four hour session attended.

LGA nominations on outside bodies will, unless determined otherwise by the LGA Board of Directors, be current serving Council Members or Council Officers. No more than two nominees should be provided by each council.

Nominations addressing the Selection Criteria in Part A (Appendix 1) must be forwarded by a council using the attached Part B (Appendix 2), along with a current resume, by 5.00pm on Thursday 14 March 2019.

The LGA Board of Directors will consider nominations received at its meeting on 21 March 2019.

3. ANALYSIS

The DCMB, in accordance with the Act, require applicants to meet the following criteria:

- practical knowledge of and experience in local government, including local government processes, community consultation and the law as it applies to local government
- experience in the administration of legislation
- experience in financial management and
- experience in education and training.

Relevant knowledge of dog and cat management issues as they impact local government and relevant experience serving on high level intergovernmental boards, committees or funding allocation bodies is highly desirable.

Council Officer Nominations

The Chief Executive Officer has sought expressions of interest from senior Council Officers for nomination to the DCMB.

Dennis Rainsford, Team Leader Regulatory Services, has expressed an interest on the basis of his extensive experience in a regulatory services role dealing with animal management issues and associated legislative provisions.

Indicative Voting Process for Determining Council Appointed Positions

Due to the potential implications of the Conflict of Interest provisions (see Legal Implications above) regarding the nomination of a Council Member, 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 to be nominated

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 position.
- 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, the Returning Officer shall formally declare the result of the election (i.e. the preferred person).
- l) The ballot papers will be shredded.

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 will then consider the process that it will use to choose the preferred persons for the nomination to the LGA. Council would give effect to this by dealing with Recommendation 2 (or a variant) at this time.
- II. 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 3 (or a variant) at this time.
- III. 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 Dog & Cat Management Board role would be advised to consider their obligations to declare a Material, Actual or Perceived Conflict of Interest as appropriate.

- IV. Council can then resolve for the preferred person to be nominated to the LGA. Council would give effect to this by dealing with Recommendation 4 (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.

4. OPTIONS

Council has the following options:

- I. To nominate a current Council Member or staff member to the Committee.
- II. To not provide a nomination to the Committee.

5. APPENDICES

- (1) LGA Part A
- (2) LGA Part B

Appendix 1

LGA Part A Dog and Cat Management Board

Nominations to Outside Bodies - Part A

Dog and Cat Management Board	
Legal Status of Body	Statutory Authority
Summary Statement	The Dog and Cat Management Board operates under the Dog and Cat Management Act 1995 and its functions include monitoring the administration and enforcement of this Act by Councils.
Selection criteria	
<i>The following selection criteria must be addressed when completing Part B</i>	
Qualifications <i>(formal qualifications relevant to the appointment)</i>	No formal qualifications required.
Industry Experience	Relevant knowledge of dog and cat management issues as they impact local government.
Board / Committee Experience	Relevant experience serving on high level intergovernmental boards, committees or funding allocation bodies is highly desirable.
Key Expertise <i>(other relevant experience i.e. those requirements established for a Board/Committee under an Act)</i>	Section 12(2) of the Dog and Cat Management Act 1995 requires LGA nominees, together, to have the following attributes: (a) practical knowledge of and experience in local government, including local government processes, community consultation and the law as it applies to local government; (b) experience in the administration of legislation; (c) experience in financial management; (d) experience in education and training.
Liability and indemnity cover	
<i>The LGA requires that representatives on outside bodies be appropriately insured throughout the period of their appointment and seeks to collect details of the insurances provided by that organisation (on an annual basis)</i>	
Insurance information (Certificates of Currencies or equivalent) supplied by the Outside Body	Yes
Insurance Policies are valid & current	Yes

Appendix 2

LGA Part B Dog and Cat Management Board



Nominations to Outside Bodies - Part B

This form:

- must not exceed 2 pages;
- must be submitted by a council;
- must be emailed in PDF format to lgasa@lga.sa.gov.au; and
- upon receipt at the LGA, will be acknowledged by return email.

Dog and Cat Management Board

Council details			
Name of council submitting the nomination			
Name of council officer submitting this form – refer LGA Policy	Name:		
	Position:		
	Email:		
	Telephone:		
Nominee details			
Name of Nominee			
<input type="checkbox"/> Current Elected Member		or	<input type="checkbox"/> Current council officer
Home / Postal Address			
Phone		Mobile:	
Email			
Is a CV attached or will it be forwarded separately?			
Information relevant to the appointment sought			
<i>(address the selection criteria from Part A)</i>			
Industry Experience:			
Board/Committee Experience:			
Key Expertise:			
Any other comments:			



Undertaking:

The LGA Board resolved in January 2015 to ensure that appointees to external Boards and Committees remain current local government members or officers. If you leave local government for any reason during the term of your appointment, are you prepared to resign your appointment if requested to do so by the LGA?

Yes No

Signature of Nominee: _____

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 February 2019
AGENDA BUSINESS ITEM**

Item: 12.7

Originating Officer: Mike Carey, Manager Financial Services

Responsible Director: Terry Crackett, Director Corporate Services

Subject: 2018-19 Budget Review 2

For: Decision

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 second Budget Review (BR2) of the 2018-19 financial year for consideration after being considered by the Audit Committee on 18 February 2019.

As a result of undertaking a detailed review of the 2017-18 end of year result in comparison to the 2018-19 budget a number of changes including savings were identified as part of BR2. Together with operational adjustments proposed for the budget in relation to the sale of retirement villages and AHBTC holdings, these changes if adopted will result in the current budgeted Operating Surplus of \$302k increasing to \$398k.

This BR2 has also considered capital budgetary impacts of the divestment of the Retirement Villages with net proceeds of over \$9m once the transfer of debenture loans is taken into account. This is a significant component of the proposed changes in the capital works program, increasing capital income by \$9.719m and reducing total capital expenditure by \$291k. Together with the increased operating surplus, this has resulted in Council's current Net Borrowing Result of \$4.513m changing to a Net Lending result for the financial year of \$5.993m.

RECOMMENDATION

Council resolves to:

- 1. Receive and note the report.**
 - 2. Adopt the Operating Budget adjustments presented in Budget Review 2 which increase the Budgeted Operating Surplus of \$302k to \$398k for the 2018-19 financial year.**
 - 3. Adopt the proposed capital program adjustments which increase capital income by \$9.719m and reduce total capital expenditure by \$291k, resulting in a proposed capital expenditure budget of \$17.626m.**
 - 4. Adopt the change in Council's current Net Borrowing Result of \$4.513m to a Net Lending Result of \$5.993m for the 2018-19 financial year as a result of the operating budget and capital program adjustments.**
-

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*, (the Act) and the *Local Government (Financial Management) Regulations 2011* (the Regulations). In particular:

Section 123(13) of the Act states that a council must, as required by the regulations, and may at any time, reconsider its annual business plan or its budget during the course of a financial year and, if necessary or appropriate, make any revisions.

Section 9 of the Regulations requires a council to prepare and consider the following reports:
(a) at least twice, between 30 September and 31 May (both dates inclusive) 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; and
(b) between 30 November and 15 March (both dates inclusive) a report showing a revised forecast of each item shown in its budgeted financial statements for the relevant financial year compared with estimates set out in the budget presented in a manner consistent with the Model Financial Statements.

➤ 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 operating variations will result in the current budgeted Operating Surplus of \$302k increasing to \$398k.

In terms of capital, it is proposed to increase capital income by \$9.719m and reduce total capital expenditure by \$291k. Together with the increased operating surplus, this has resulted in Council's current Net Borrowing Result of \$4.513m changing to a Net Lending result for the financial year of \$5.993m.

As a consequence, this has had a significant flow on effect reducing Council's Net Financial Liabilities and Ratio.

➤ **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**

Consultation on the development of this report was as follows:

<i>Council Committees:</i>	Budget Review 2 was considered by the Audit Committee on 18 February 2019
<i>Council Workshops:</i>	Not Applicable
<i>Advisory Groups:</i>	Not Applicable
<i>Administration:</i>	The budget review and comparison to the 2017-18 end of year result 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 second Budget Review of the 2018-19 financial year.

At the Council meeting held on the 18 December 2018, Council adopted the 2018-19 Budget Review 1 (BR1) with a Budget Operating Surplus before Capital Revenue of \$302k and an estimated Net Borrowings of \$4.513m.

Council's 2018-19 Original Annual Business Plan and Budget was adopted on 26 June 2018 with a further update relating to 2017-18 Preliminary End of Year Results and Carry Forward Report presented to Council on 11 September 2018. The update resulted 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.

Where possible Council’s customary practice is to include Budget Reviews as an agenda item at Audit Committee meetings prior to consideration of Council.

Budget Review Presentation

In accordance with the Local Government (Financial Management) Regulations, the Budget Review presentation for BR2 needs to include the full budgeted financial statements presented in a manner consistent with the Model Financial Statements.

In addition, a council must also include in this report revised forecasts for the relevant financial year of the council's operating surplus ratio, net financial liabilities ratio and asset renewal funding ratio compared with estimates set out in the budget presented in a manner consistent with the note in the Model Financial Statements entitled Financial Indicators (**Appendix 2**).

3. ANALYSIS

BR2 has been prepared in consultation with Directors and Managers who have provided information for each budget area.

Council’s customary practice is to include Budget Reviews as an agenda item at Audit Committee meetings. The Audit Committee considered Budget Review 2 at its meeting on 18 February 2019, and resolved as follows:

6.3. 2018 – 19 Budget Review 2

Moved Cr Leith Mudge
S/- Geoff Purdie

4/19

The Audit Committee:

1. Resolves that the report be received and noted.
2. Notes and recommends to Council that:
 - c. the Operating Budget variations presented in Budget Review 2 increase the Budgeted Operating Surplus of \$302k to \$398k for the 2018-19 financial year.
 - d. the proposed Capital Works amendments increase capital income by \$9.719m and reduce total capital expenditure by \$291k, resulting in a proposed capital expenditure budget of \$17.626m.
 - e. the proposed operating and capital adjustments result in Council’s current Net Borrowing Result of \$4.513m changing to a Net Lending Result of \$5.993m for the 2018-19 financial year.

Carried Unanimously

The previous BR1 Report adopted by Council at the Council meeting held on the 18 December 2018 noted that with the end of year financial statements being finalised, a detailed review would be undertaken 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. As such, 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 are addressed as part of BR2.

Budget Review 2 Proposed Adjustments

\$000s	Adopted Budget	Revised Budget after BR2	Proposed BR2 Adjustments Fav/(Unfav)
Operating Income	44,470	44,504	34
Operating Expenditure	44,168	44,106	62
Operating Surplus	302	398	96
Depreciation	8,358	8,758	400
Capital income	4,744	14,463	9,719
Capital Expenditure	(17,917)	(17,626)	291
Net (Borrowing)/Lending Position	(4,513)	5,993	10,506

Operating

To assist in understanding the proposed adjustments, the table below has separated out the retirement village and depreciation budget changes from all other operating changes.

The retirement village budget has been adjusted to reflect the divestment of the retirement villages in October 2018 and therefore removes the last 8 months of operation and also includes the impact on cash flow as a result of the sale.

Depreciation budgets for infrastructure assets have been increased for 2018-19 based on revaluation work currently being undertaken.

Proposed Budget Adjustments Fav/(Unfavourable) \$000s	Retirement Villages	Depreciation	Other	Total
Rates			85	85
Statutory charges			20	20
User charges	(320)		4	(316)
Grants and contributions			25	25
Investment income	10			10
Reimbursements			111	111
Other income			99	99
Operating Income	(310)	-	344	34
Employee costs	31		129	160
Materials, contracts & other expenses	82		20	102
Depreciation	78	(478)		(400)
Finance costs	200			200
Operating Expenses	391	(478)	149	62
Operating Surplus	81	(478)	493	96

In terms of the proposed “Other” operating variations, key adjustments are as follows:

Operating Income

- Rates revenue has exceeded budget by \$69k as a result of growth from new development at both Woodforde and Inverbrackie as well as additional CWMS rates income of \$16k.
- Statutory income budget has been increased for Development Act fees as a result of Actuals Year-to-date (YTD) and trends from previous years.
- The proposed increase in Grants and Contributions largely relates to unbudgeted CWMS connection fee contributions received in the 2018-19 financial year.
- Reimbursements increases relate to the grossing up of utility costs for AHBTC of \$68k (contra on the expenditure side as well) and \$48k received from Mt Barker Council as a reimbursement for Hills Sculpture Trail costs.
- Other income changes largely relate to additional income in relation to Fuel Tax credits \$64k and unbudgeted insurance distributions received of \$35k.

Operating Expenditure

- For employee costs the proposed decrease largely relates the reallocation of field staff costs for work undertaken internally on the Unsealed and Shoulder Capital Works Program of \$144k, not budgeted in Council’s current 2018-19 budget.
- For Materials, Contract and Other, proposed reductions in expenditure in:
 - Planning & Development of \$55k, largely relating to legal & court costs,
 - Policy & Planning function contractors and light vehicle costs totalling \$36k, and
 - waste disposal costs to AHRWMA of \$53k and landfill monitoring costs of \$36k,offset the grossing up of utilities of \$68k for AHBTC as discussed above and additional costs relating to the Ashton landfill site of \$85k.

There has been no change to the CEO contingency which remains at \$40k.

Capital

The net impact resulting from proposed changes in the capital works program increases capital income by \$9.719m and reduces total capital expenditure by \$291k as summarised below:

Capital Income - increase of \$9.719m

- Accounting for Proceeds from Sale of Surplus Assets - \$9.282m (Retirement Village and AHBTC Divestments).
- Capital Grants for New & Upgraded Assets - \$437k increase relating to a Sport & Recreation grant.

Capital Expenditure –reduction of \$291k

- Increase in capital renewals of \$132k.
- Reduction in new capital expenditure of \$423k.

Details of the Capital Program proposed changes are included at **Appendix 1**.

Movements in Budgeted Borrowings

As a result of proposed BR2 changes, forecast borrowings have been revised downwards from \$19.5m to \$12.1m including Council’s short term drawdown. Council had previously budgeted for New Borrowings of \$4.6m for the 2018-19 financial year.

The forecast borrowing movements are shown below.

Borrowings \$000s	Opening Balance July 2018	New Borrowings	Repayments	Forecast June 2019
CAD (Short Term Drawdown)	4,900	-	(2,785)	2,115
Current Fixed Term Borrowings	18	-	(18)	-
Non-Current Fixed Term Borrowings	10,000	-	-	10,000
Total Borrowings	\$14,918	-	(2,803)	\$12,115

Summary

The proposed budget changes increase the Operating Surplus from \$302k to \$398k.

The net impact resulting from proposed adjustments from Budget Review 2 for capital is \$10.010m, being an increase in capital income of \$9.719m, largely as a result of Council's retirement village divestment and a reduction in total capital expenditure of \$291k.

A summary of the impact on Council's Net Borrowing Position is shown below:

\$000s	
Current Adopted Budget Net Borrowings	(4 513)
Impact of Operating Budget Adjustments for BR2	96
Impact of Capital Budget Adjustments for BR2	10,010
Change in Depreciation – non cash item	400
BR2 Revised Net Lending Position	5,993

Financial Indicator Analysis

The BR2 Revised Budget Financial Indicators are shown with reference to both the 2018-19 Original Budget adopted in June 2018 and the Current Adopted Budget for 2018-19 adopted in December 2018.

Financial Indicator	Target	Original Adopted Budget for 2018-19	Current Adopted Budget for 2018-19 (BR1 Dec 2018)	Proposed Revised Budget 2018-19
Operating Surplus Ratio	0% to 10%	0.7%	0.7%	0.9%
Net Financial Liabilities Ratio	0% to 100%	63%	65%	41%
Asset Renewal Funding Ratio	90% to 110%	91%	103%	104%

Contributing factors that have impacted on the changes in ratios per the table above are as follows:

Operating Surplus Ratio

The slight increase in the Operating Surplus Ratio is as a direct result of the increase in Operating Surplus from \$302k as per Original Budget and Budget Review 1 to \$398k as proposed in BR2.

Net Financial Liabilities Ratio

There has been a significant decrease in this ratio from the currently adopted budget as a result of adjusting for the proceeds from the retirement villages divestment with net proceeds of over \$9m. This allowed the short term draw down facility to be paid off as well as accounting for the transfer of the Retirement Villages debenture deposit liabilities to the new owner thus significantly reducing forecast Net Financial Liabilities to 41% at 30 June 2019.

The small increase in this ratio between the Original Budget and the Current Adopted Budget was as a result of accounting for the carry forward of capital projects from 2017-2018 to the current financial year.

Asset Renewal Funding Ratio

As the Asset Renewal Funding Ratio uses budgeted renewal capital expenditure in the calculation the proposed increase of \$132k in capital renewal results in a minor increase in the ratio from 103% to 104%.

This ratio also increased from the Original Budget to BR1 as a result of accounting for the carry forwards from 2017-18 which included over \$1.1m of renewals.

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.
- ii. It can determine required changes to the review and adopt a revised Budget Review 2, 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 Local Government Financial Management Regulations (2011) unless an alternative review is adopted.

5. APPENDICES

- (1) Capital Works Budget Review 2 Proposed Changes
- (2) Budget Review 2 Statutory Financial Statements

Appendix 1

Capital Works Budget Review 2 Proposed Changes

Project Name		BR1 Budget	2018-19 Proposed BR2 Revised Budget	Proposed BR2 Adjustment/ (Increase)/ Decrease	Comment
RENEWAL CAPITAL EXPENDITURE					
Buildings					
3665	Gumeracha Retirement Village-Roof Renewal of full roof	\$108,000	\$Nil	\$108,000	Due to the sale of the retirement villages, this project will not proceed.
3113	Retirement Villages Refurbishment-Region wide	\$120,000	\$25,000	\$95,000	Due to the sale of the retirement villages, this project will not incur further costs.
Library					
New	Trolley for external chute at Coventry library	\$Nil	\$7,480	(\$7,480)	Current automated trolley is over 11 years old and is failing intermittently resulting in issues with capacity, bin jamming and WHS impacts.
New	Radio-frequency identification (RFID technology) wand	\$Nil	\$5,974	(\$5,974)	Current wand used for stocktaking and for regular checking of shelves for missing items is eight years old and no longer works. Wand saves considerable staff time on a regular basis.
Roads					
3707	Seal Renewals-Region wide based on Asset Management Plan assessment	\$852,176	\$1,002,176	(\$150,000)	Increase is due to additional works on Montacute Road.
Stormwater					
New	Sturt Valley Road, culvert replacement	\$Nil	\$21,509	(\$21,509)	A culvert under Sturt Valley Rd collapsed, creating a sink hole under the road. This was repaired via replacing the culvert and reinstating the road, as an urgent road safety project.
New	Balhannah Train Station Stormwater renewal	\$Nil	\$ 150,000	(\$150,000)	Renewal of failed stormwater in easement under train tracks at Balhannah Train Station
Proposed Capital Renewal Adjustments				(\$131,963)	

Project Name		BR1 Budget	2018-19 Proposed BR2 Revised Budget	Proposed BR2 Adjustment/ (Increase)/ Decrease	Comment
NEW CAPITAL EXPENDITURE					
Buildings					
3505	AHBTC Masterplan and Divestment Project Capital Expenditure	\$1,985,000	\$900,000	\$1,085,000	Revised costings for 2018-19. Next Financial Year proposed expenditure budget will increase by \$205k to \$700k
New	Crafers Hall site works	\$Nil	\$35,000	(\$35,000)	Due to winter flooding, proposed to construct new drainage and retaining wall infrastructure at Crafers Hall canteen and shed.
Sport & Recreation					
New	Stirling Tennis Club and Heathfield Netball Club Courts	\$Nil	\$437,000	(\$437,000)	To redevelop existing courts and construct new courts at the Stirling Tennis Club and resurface courts at Heathfield Netball Clubs funded by grant received from Office of Recreation and Sport under Sporting Surfaces Program
Stormwater					
New	Bridgewater Cox Creek - Rectification Works	\$Nil	\$150,000	(\$150,000)	Cox Creek adjacent Bridgewater Oval suffered damage as part of the 2016 storm events. In particular, the creek banks were badly eroded and flood wall compromised. This project seeks to construct rock armouring to the creek banks as well as reinstate the flood wall.
New	Gould Rd Stormwater	\$Nil	\$40,000	(\$40,000)	Construction of stormwater infrastructure within an existing easement, to formalise discharge of Gould Rd and adjacent properties.
Proposed New Capital Adjustments				\$423,000	

Project Name		BR1 Budget	2018-19 Proposed BR2 Revised Budget	Proposed BR2 Adjustment/ Increase/ (Decrease)	Comment
CAPITAL INCOME					
Buildings					
	AHBTC Masterplan and Divestment Project – Proceeds	\$3,404,950	\$3,500,000	\$95,050	Division and sale of new allotments for the various tenancy areas of the AHBTC site (except the identified Arts & Heritage Hub) - this project reflects the forecast revenue from the sales of the new allotments.
	Sale of Retirement Villages	\$Nil	\$9,187,129	\$9,187,129	Proceeds from the Sale of Retirement Villages (excluding Bridgewater) including cash and transfer of debentures to new owner.
Proceeds from Sale of Surplus Assets Adjustments				\$9,282,179	
Sport & Recreation					
New	Stirling Tennis Club and Heathfield Netball Club Courts Grant Funding from Office of Recreation and Sport	\$Nil	\$437,000	\$437,000	Funding to redevelop existing courts and construct new courts at the Stirling Tennis Club and resurface courts at Heathfield Netball Clubs from Office of Recreation and Sport under Sporting Surfaces Program
Capital Grants for New and Upgraded Assets				\$437,000	

Appendix 2

*2018-19 Budget Review 2 – Statutory Financial
Statements*

Adelaide Hills Council

**BUDGETED UNIFORM PRESENTATION OF FINANCES
2018-19 Revised Budget**

	2018-19 Original Budget \$'000	Carry Forwards	BR1	BR2	2018-19 Revised Budget \$'000
Total Income	44,270	-	200	34	44,504
Total Expenses	43,968	-	200	(62)	44,106
NET BUDGETED SURPLUS / (DEFICIT) BEFORE CAPITAL AMOUNTS	302	-	-	96	398
Net Outlays on Existing Assets					
Capital Expenditure on Renewal and Replacement of Existing Assets	(10,408)	(1,115)	(215)	(132)	(11,870)
Proceeds from Sale of Replaced Assets	501	-	35	-	536
Depreciation	8,358	-	-	400	8,758
NET OUTLAYS ON EXISTING ASSETS	(1,549)	(1,115)	(180)	268	(2,576)
Net Outlays on new and Upgraded Assets					
Capital Expenditure on New and Upgraded Assets & Remediation costs	(5,203)	(976)	-	423	(5,756)
Capital Grants and Monetary Contributions for New and Upgraded Assets	500	241	-	437	1,178
Proceeds from Sale of Surplus Assets	2,257	1,210	-	9,282	12,749
NET OUTLAYS ON NEW AND UPGRADED ASSETS	(2,446)	475	-	10,142	8,171
Net Lending/ (Borrowing) for Financial Year	(3,693)	(640)	(180)	10,506	5,993
Net Financial Liabilities at Beginning of Year	(24,298)	-	-	-	(24,298)
Non Cash Equity Movement	(100)	-	-	-	(100)
Net Financial Liabilities at End of Year	(28,091)	(640)	(180)	10,506	(18,405)

Adelaide Hills Council

STATEMENT OF COMPREHENSIVE INCOME 2018-19 Revised Budget

2017-18 Actuals		2018-19 Original Budget \$'000	BR1	BR2	2018-19 Revised Budget \$'000
	INCOME				
35,512	Rates	37,101	-	85	37,186
1,069	Statutory charges	1,080	-	20	1,100
1,479	User charges	1,207	-	(316)	891
5,508	Grants, subsidies and contributions	4,109	200	25	4,334
30	Investment income	28	-	10	38
447	Reimbursements	266	-	111	377
488	Other income	379	-	99	478
-	Net gain - equity accounted Council businesses	100	-	-	100
44,533	Total Income	44,270	200	34	44,504
	EXPENSES				
14,956	Employee costs	16,621	-	(160)	16,461
19,961	Materials, contracts & other expenses	18,121	200	(102)	18,219
8,246	Depreciation, amortisation & impairment	8,358	-	400	8,758
646	Finance costs	868	-	(200)	668
216	Net loss - equity accounted Council businesses				-
44,025	Total Expenses	43,968	200	(62)	44,106
	508 OPERATING SURPLUS / (DEFICIT)	302	-	96	398
(2,401)	Asset disposal & fair value adjustments	-	-	1,867	1,867
867	Amounts received specifically for new or upgraded assets	500	241	437	1,178
2068	Physical Resources Received Free of Charge	-			
1,042	NET SURPLUS / (DEFICIT)	802	241	2,400	3,443
55,488	Changes in revaluation surplus - infrastructure, property, plant & equipment <i>Amounts which will be reclassified subsequently to operating result</i>	5,000			5,000
20	Other Comprehensive Income				-
32	Share of Other Comprehensive Income JV	-			-
55,540	Total Other Comprehensive Income	5,000	-	-	5,000
56,582	TOTAL COMPREHENSIVE INCOME	5,802	241	2,400	8,443

Adelaide Hills Council
STATEMENT OF FINANCIAL POSITION
2018-19 Revised Budget

2017-18 Actuals	ASSETS	2018-19 Revised Budget
\$'000		\$'000
	Current Assets	
491	Cash and cash equivalents	491
2,853	Trade & other receivables	2,853
	- Other financial assets	-
13	Inventories	13
3,357		3,357
1,260	Non-current Assets held for Sale	-
4,617	Total Current Assets	3,357
	Non-current Assets	
50	Financial assets	28
838	Equity accounted investments in Council businesses	938
370,815	Infrastructure, property, plant & equipment	374,525
371,703	Total Non-current Assets	375,491
376,320	Total Assets	378,848
	LIABILITIES	
	Current Liabilities	
8,645	Trade & other payables	5,533
4,900	Borrowings - Short Term Draw Down	2,115
	18 Borrowings - Other	-
3,478	Provisions	3,478
17,041	Total Current Liabilities	11,126
	Non-current Liabilities	
10,000	Borrowings	10,000
651	Provisions	651
	- Other Non-current Liabilities	-
10,651	Total Non-current Liabilities	10,651
27,692	Total Liabilities	21,777
348,628	NET ASSETS	357,071
	EQUITY	
137,081	Accumulated Surplus	140,524
210,121	Asset Revaluation Reserves	215,121
1,426	Other Reserves	1,426
348,628	TOTAL EQUITY	357,071
24,298	NET FINANCIAL LIABILITIES	18,405

Adelaide Hills Council

STATEMENT OF CHANGES IN EQUITY AND FINANCIAL RATIOS 2018-19 Revised Budget

	Accumulated Surplus	Asset Revaluation Reserve	Other Reserves	TOTAL EQUITY
2018-19	\$'000	\$'000	\$'000	\$'000
Balance at end of previous reporting period	137,081	210,121	1,426	348,628
Net Surplus / (Deficit) for Year	3,443	-	-	3,443
Other Comprehensive Income				
Gain on revaluation of infrastructure, property, plant & equipment	-	5,000	-	5,000
Transfers between reserves	-	-	-	-
Balance at end of period	140,524	215,121	1,426	357,071

2017-18 Budget Review

Balance at end of previous reporting period	135,571	154,633	1,842	292,046
Restated opening balance				
Net Surplus / (Deficit) for Year	1,042			1,042
Other Comprehensive Income				
Changes in revaluation surplus - infrastructure, property, plant & equipment		55,488		55,488
Share of Other Comprehensive Income JV	32			32
Share of other comprehensive income - equity accounted Council businesses	20			20
Transfers between reserves	416		(416)	-
Balance at end of period	137,081	210,121	1,426	348,628

FINANCIAL RATIOS

	2018-19 Revised Budget
Operating Surplus Ratio	
<u>Operating Surplus</u> Total Operating Revenue	0.9%
Net Financial Liabilities Ratio	
<u>Net Financial Liabilities</u> Total Operating Revenue	41%
Asset Sustainability Ratio	
<u>Net Asset Renewals</u> Infrastructure & Asset Management Plan required expenditure	104%

Adelaide Hills Council
CASH FLOW STATEMENT
2018-19 Revised Budget

2017-18 Actuals		2018-19 Revised Budget
\$'000	<u>CASH FLOWS FROM OPERATING ACTIVITIES</u>	\$'000
	<u>Receipts</u>	
35,348	Rates - general & other	37,186
1,069	Fees & other charges	1,100
1,479	User charges	891
6,322	Grants	4,334
30	Investments	38
447	Reimbursements	377
246	Other revenues	478
	<u>Payments</u>	
(15,199)	Employee costs	(16,461)
(17,386)	Materials, contracts & other expenses	(18,219)
(646)	Finance payments	(668)
11,710	NET CASH USED IN OPERATING ACTIVITIES	9,056
	<u>CASH FLOWS FROM FINANCING ACTIVITIES</u>	
	<u>Receipts</u>	
-	Proceeds from Borrowings	-
1	Proceeds from Bonds & Deposits deposits	-
-	Proceeds from Aged Care facility deposits	-
	<u>Payments</u>	
(33)	Repayment from Borrowings	(18)
(90)	Repayments of Aged Care facility deposits	(3,112)
(122)	NET CASH USED IN FINANCING ACTIVITIES	(3,130)
	<u>CASH FLOWS FROM INVESTING ACTIVITIES</u>	
	<u>Receipts</u>	
867	Grants for new or upgraded assets	1,178
489	Sale of replaced assets	536
	Sale of surplus assets	12,749
43	Repayment of loans to Community Groups	22
	Distributions received from Equity Accounted Businesses	-
	<u>Payments</u>	
(4,251)	Expenditure on new/ upgraded assets	(5,756)
(10,493)	Expenditure on renewal/ replacement of assets	(11,870)
-	- Loans Made to Community Group loans	-
(18)	Capital Contributed to Equity Accounted Businesses	-
(13,363)	NET CASH USED IN INVESTING ACTIVITIES	(3,141)
(1,775)	NET INCREASE / (DECREASE) IN CASH HELD	2,785
(2,634)	CASH AT BEGINNING OF YEAR	(4,409)
(4,409)	CASH AT END OF YEAR	(1,624)
	491 Cash & Investments	491
(4,900)	Short Term Drawdown	(2,115)
(4,409)		(1,624)

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 February 2019
AGENDA BUSINESS ITEM**

Item: 12.8

Originating Officer: Mike Carey, Manager Financial Services

Responsible Director: Terry Crackett, Director Corporate Services

Subject: Long Term Financial Plan for Public Consultation

For: Decision

SUMMARY

Prior to commencement of the budget process each year a review of the Long Term Financial Plan (LTFP) is undertaken. This review ensures that the LTFP is updated to reflect movements following the adoption of the most recent Annual Business Plan, revised projections in key economic indicators and any amended strategies or plans considered by Council.

A workshop of Council was held on 12 December 2018 to provide an overview of the process undertaken to develop the LTFP as well as a review the key inputs and resulting sustainability ratios.

On 18 February 2019 the Audit Committee reviewed an updated version of Council's Long Term Financial Plan (LTFP) and recommended in part that *"Council endorse the Long Term Financial Plan, as contained in Appendix 1 for community consultation in accordance with Section 122 of the Local Government Act 1999."*

This report provides the updated LTFP to Council for consideration.

RECOMMENDATION

That Council:

- 1. Receives and notes the report.**
 - 2. Endorse the Draft Long Term Financial Plan, as contained in Appendix 1 for community consultation in accordance with *Section 122 of the Local Government Act 1999* and Council's Public Consultation Policy.**
 - 3. That the CEO be authorised to:**
 - a. Make any formatting, nomenclature or other minor changes to the Plan prior to being released for public consultation and**
 - b. Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of applicable legislation and Council's Public Consultation Policy.**
-

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal	Organisational Sustainability
Key Issue	Risk and Responsibility

➤ Legal Implications

The Long Term Financial Plan is prepared as a part of the Strategic Management Plans as required under Section 122 of the *Local Government Act 1999* (the Act). In particular:

Clause 1 (ab) - provide assessments that relate to the following matters (with particular reference to the relevant period):

- (i) the sustainability of the council's financial performance and position; and
- (ii) the extent or levels of services that will be required to be provided by the council to achieve its objectives; and
- (iii) the extent to which any infrastructure will need to be maintained, replaced or developed by the council; and
- (iv) anticipated changes in its area with respect to—
 - (A) real property development; and
 - (B) demographic characteristics of its community to the extent that is reasonable taking into account the availability of appropriate and accurate data; and
- (v) the council's proposals with respect to debt levels; and
- (vi) any anticipated or predicted changes in any factors that make a significant contribution to the costs of the council's activities or operations

Clause 1a (a) - A council must, in conjunction with the plans required under subsection (1), develop and adopt a long-term financial plan for a period of at least 10 years;

Clause 4 - A council may review its strategic management plans under this section at any time but must—

- (a) undertake a review of—
 - (i) its long-term financial plan; and
 - (ii) any other elements of its strategic management plans prescribed by the regulations for the purposes of this paragraph,as soon as practicable after adopting the council's annual business plan for a particular financial year; and
- (b) in any event, undertake a comprehensive review of its strategic management plans within 2 years after each general election of the council.

Clause (4a) - A council must, for the purposes of a review under subsection (4), take into account—

- (a) in relation to a review under subsection (4)(a)(i)—a report from the chief executive officer on the sustainability of the council's long-term financial performance and position taking into account the provisions of the council's annual business plan and strategic management plans; and
- (b) insofar as may be relevant—any other material prescribed by the regulations.

Clause 6 - A council must adopt a process or processes to ensure that members of the public are given a reasonable opportunity to be involved in the development and review of its strategic management plans

The Long Term Financial Plan is also required to comply with Section 5 of the *Local Government (Financial Management) Regulations 2011*. In particular:

Clause 1 - A long-term financial plan developed and adopted for the purposes of section 122(1a)(a) of the Act must include—

- (a) a summary of proposed operating and capital investment activities presented in a manner consistent with the note in the Model Financial Statements entitled Uniform Presentation of Finances; and
- (b) estimates and target ranges adopted by the council for each year of the long-term financial plan with respect to an operating surplus ratio, a net financial liabilities ratio and an asset renewal funding ratio presented in a manner consistent with the note in the Model Financial Statements entitled Financial Indicators.

Clause 2 - A long-term financial plan must be accompanied by a statement which sets out—

- (a) the purpose of the long-term financial plan; and
- (b) the basis on which it has been prepared; and
- (c) the key conclusions which may be drawn from the estimates, proposals and other information in the plan.

➤ **Risk Management Implications**

Preparing a Long Term Financial Plan as required by the Act and Regulations will assist in mitigating the risk of:

Inability to discharge role and functions of a local government entity leading to a breach of legislation and loss of stakeholder confidence.

Inherent Risk	Residual Risk	Target Risk
Extreme (5C)	Medium (4D)	Medium (3D)

It ensures that financial resources are deployed in areas that align with Council's Strategic Management Plans, are affordable and supported within the Council's Long Term Financial Plan.

➤ **Financial and Resource Implications**

Satisfactory internal financial controls provide the foundation for ensuring Council's ongoing financial sustainability. The LTFP is a financial model that aims to achieve long term financial sustainability, using the key financial indicators and benchmarks for guidance, projected over 10 years using inputs from the Strategic Management Plan, Asset Management Plan and other key Strategies.

A Council's long-term financial performance and position is sustainable where planned long-term service and infrastructure levels and standards are met without unplanned increases in rates or disruptive cuts to services.

The LTFP is based on continuing existing service levels including infrastructure renewal and upgrade and is regularly updated to account for any changes.

➤ **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**

Consultation on the development of this report was as follows:

Council Committees: The Audit Committee considered the updated LTFP on 18 February 2019.

Council Workshops: A workshop of Council was held on 12 December 2018 to provide an overview of the process undertaken to develop the LTFP as well as a review the key inputs and resulting sustainability ratios.

Advisory Groups: Not Applicable

Administration: The Executive Leadership Team (ELT) has reviewed the updated LTFP and endorsed for presentation to Council.

Community: Public consultation will be undertaken following consideration by Council on 26 February 2019.

2. **BACKGROUND**

The Act requires Council to prepare a LTFP as part of its Strategic Management Plan, and to update it on the same basis. Members of the public are to be given a reasonable opportunity to be involved in the development and review of the Council's plan.

Council considers that its LTFP is a fundamental instrument of accountability and provides projections for Council's planned activities over a ten year timeframe.

The key objective of Council's LTFP is financial sustainability in the medium to long term, while still achieving Council's corporate objectives as specified in its Strategic Plan and Corporate Plans. At the same time the LTFP ensures that there is an understanding of the impact of decisions made today on future sustainability. This means ensuring the cost effective delivery of works and services, and the appropriate maintenance and renewal of our asset base in a financially sustainable manner.

The purpose of this plan is not to provide specific detail about individual works or services. It does however provide a decision making tool that allows various assumptions and sensitivity analysis to be carried out that will indicate the ability of Council to deliver cost effective services to our community in the future in a financially sustainable manner.

A Council's LTFP must contain a summary of the proposed operating and capital investment activities in the Uniform Presentation of Finance format for a period of at least ten years. It should include estimates of the key ratios, operating surplus, net financial liabilities and

asset sustainability. This illustrates the expected long term financial performance of the Council, and hence whether financial sustainability is being achieved.

The model is a fluid document, continually reviewed, modified and refined as new information is discovered, usually at each Budget Review and during the construction and adoption of the annual budget.

The Audit Committee considered the updated LTFP on 18 February 2019, and resolved as follows:

6.4 Long Term Financial Plan 2019 Review

Moved Paula Davies
S/- Peter Brass

5/19

The Audit Committee:

1. Receives and notes the report.
2. Notes the updated Long Term Financial Plan.
3. Recommends Council endorse the Long Term Financial Plan, as contained in Appendix 1, for community consultation in accordance with Section 122 of the Local Government Act 1999.

Carried

3. ANALYSIS

The LTFP is prepared using a number of assumptions, with regard to projected rate income, projected fees, charges and grants and also includes assumptions about future operational and capital expenditure. Given that long term financial plans are derived from an estimate of future performance, it should be appreciated that actual results are likely to vary from the information contained in the LTFP.

The Long Term Financial Plan will continue to be amended to incorporate feedback from different sources (Management, Council Members, Public, new initiatives, new legislation and identified savings).

The LTFP is based upon 2018/19 adopted budget that has been revised for amendments required by Budget Review 1 (BR1) and Budget Review 1 (BR2) considerations. Indices have been applied to categories within the LTFP to produce an uplifted 2019/20 LTFP budget that is capable of being used as a “target” for the 2019/20 budget setting process.

Intuitively, if the LTFP demonstrates sustainability over a ten year period, and the 2019/20 LTFP target budget is embedded within the LTFP, then the development of a 2019/20 budget that aligns with the LTFP target also demonstrates financial sustainability.

Key considerations

Whilst the projected Operating Surplus in Year 1 of the LTFP (i.e. 2019/20) at \$300k is lower than the forecast of \$416k in the last review of the LTFP in 2018, there are a number of key variations that have been accounted for that are outlined in the following table:

Description	Variance \$'000 Fav / (Unfav)
Impact of the 'China Sword' on the disposal of recyclable waste. This was included as part of the development of the 2018/19 budget with a decision not to increase rates until such time as the ongoing impact was assessed.	(338)
Base Rate revenue exceeded forecast as revised CPI for last year was higher than anticipated in the LTFP. Growth from new development at both Woodforde and Inverbrackie also exceeded expectations as well as additional CWMS rates income of \$16k. However this is offset by lower CPI estimates for 2019-20	190
Depreciation forecasts for infrastructure assets have been increased based on revaluation work currently being undertaken	(250)
Net operating impact of divestment strategy associated with Retirement Villages and AHBTC (noting that finance charges and capital expenditure forecasts have been reduced to more than offset this cost)	(270)
Inclusion of a provision for additional 'ongoing' operating initiatives of \$200,000 to account for items that will be considered during the development of the 2019/20 budget (including community consultation feedback). Current initiatives have also been reviewed and reduced by approximately \$100,000 to reflect updated expenditure forecasts	(100)
A proposed reduction in the increase in CWMS charges from 10% to 5% following the completion of additional financial modelling against the principles established by Essential Services Commission of South Australia. This modelling has indicated that recovery can be achieved over time with a lower level of increase.	(80)
Significant reductions in the level of interest expense following the sale of the Retirement Villages and land parcels at AHBTC	315
Increased funding advised for Roads to Recovery over the next 4 years	55
Reduced forecasted expenditure for FABRIK to reflect those items that are captured as corporate costs (previously only captured in 2018/19 budget)	40
Removal of an additional maintenance provision in Year 1 forecasts based on current year expenditure requirements	53
Removal of an annual accrual for LG Election costs. These are now captured within the relevant year of the LTFP based on the election cycle	40
In addition to the above items, a detailed review of all 2018/19 budgets was undertaken as part of BR2 to reflect outcomes achieved in 2017/18 as well as year-to-date revenue and expenditure to provide for an improved ongoing financial position (refer to separate report on agenda)	230

Key Outcomes:

Importantly the current LTFP demonstrates that the Council is financially sustainable over the 10 year term of the LTFP, whilst achieving the objectives outlined in the Strategic Plan.

This includes:

- Implementation and funding of the appropriate level of maintenance and renewal of the portfolio of infrastructure assets
- Meeting the ongoing expectations of service delivery to our community
- Managing the impact of cost shifting from other levels of government
- The appropriate use of debt as a means of funding asset renewal
- Ensuring the financial sustainability of Council's operations.

Financial sustainability has been demonstrated through adherence to the agreed target ranges in all of the following three key ratios:

- Operating Surplus Ratio, target range 0% to 10%
- Net Financial Liabilities Ratio, target range 0% to 100%
- Asset sustainability Ratio, target range 90% to 110%

In achieving these targets, which are explained in more detail within the LTFP, there is a level of certainty provided to the community that financial sustainability will be maintained.

4. OPTIONS

1. To endorse the Draft Long Term Financial Plan as prepared without making any further amendments to enable community consultation to be undertaken
2. Decline to adopt the Long Term Financial Plan, and make further amendments prior to consultation.

5. APPENDIX

- (1) Draft Long Term Financial Plan (February 2019)

Appendix 1
Draft Long Term Financial Plan
February 2019



Adelaide Hills
COUNCIL

2019-20

DRAFT Long Term Financial Plan



Draft Long Term Financial Plan

February 2019



Why does Council prepare a Long Term Financial Plan?

The *Local Government Act 1999* requires Council to prepare a Long Term Financial Plan (LTFP) as part of its Strategic Management Plan. This means that members of the public are to be given a reasonable opportunity to be involved in the development and review of the Council's plan.

Council considers that its Long Term Financial Plan (LTFP) is a fundamental instrument of accountability and provides projections for Council's planned activities over a ten year timeframe.

The key objective of Council's LTFP is financial sustainability in the medium to long term, while still achieving Council's corporate objectives as specified in its Strategic Plan, Corporate Plans and Functional Strategies. At the same time the LTFP ensures that there is an understanding of the impact of decisions made today on future sustainability. This means ensuring the cost effective delivery of works and services, and the appropriate maintenance and renewal of our asset base in a financially sustainable manner.

The purpose of this plan is not to provide specific detail about individual works or services. The LTFP provides a decision making tool that allows various assumptions and sensitivity analysis to be carried out that will indicate the ability of Council to deliver cost effective services to our community in the future in a financially sustainable manner.

A Council LTFP must contain estimated financials for a period of at least ten years. It should include estimates of the key ratios, operating surplus, net financial liabilities and asset renewal funding. This illustrates the expected long term financial performance of the Council, and hence whether financial sustainability is being achieved.

The model is a fluid document, continually reviewed, modified and refined as new information is discovered, usually at each Budget Review and during the construction and adoption of the annual budget.

How does Council prepare the plan?

The 10 year LTFP is prepared using a number of assumptions, with regard to projected rate income, projected fees, charges and grants and also includes assumptions about future operational and capital expenditure. Given that long term financial plans are derived from an estimate of future performance, it should be appreciated that actual results are likely to vary from the information contained in the LTFP.

The LTFP is based on a model which projects Council's future financial performance based on a very large range of variables applied to its performance in recent years. Because there are a large number of variables the model is quite complex. In order to use it to guide each year's budget setting process, the key variables have been divided into two groups:

- » Controllable variables – items that Council can control such as service levels, capital expenditure, rate increases and wage increases
- » Non-controllable variables – items outside Council's control, such as interest rates, inflation and economic growth (eg. residential development, new businesses, etc).

For controllable variables, Council is able to model different levels of activity to see what effect they have on financial performance. The long term effects of each decision can then be assessed.

For non-controllable variables, the plan uses reasonable long term estimates which do not change (except to update them at the beginning of each budget cycle). In this way the impact of different choices about the controllable variables can be assessed. For instance, inflation measured by CPI has fluctuated substantially in recent years. Because inflation works differently on different elements of Council's income and expense it can quickly and materially distort the LTFP, especially in its later years.

What key conclusions may be drawn from the plan?

Importantly the current LTFP demonstrates that the Council is financially sustainable over the 10 year term of the LTFP, whilst achieving the objectives outlined in the Strategic Plan. This includes:

- » Implementation and funding of the appropriate level of maintenance and renewal of the portfolio of infrastructure assets
- » Meeting the ongoing expectations of service delivery to our community
- » Managing the impact of cost shifting from other levels of government
- » Enabling the delivery of strategies identified within the Strategic Plan as well as other endorsed Functional Strategies
- » The appropriate use of debt as a means of funding new capital expenditure
- » Ensuring the financial sustainability of Council's operations.

Financial sustainability has been demonstrated through adherence to the agreed target ranges in all of the following three key ratios:

1. **Operating Surplus Ratio, target range 0% to 10%**
2. **Net Financial Liabilities Ratio, target range 0% to 100%**
3. **Asset Renewal Funding Ratio, (formerly titled Asset Sustainability Ratio) target range 90% to 110%**

In achieving these targets, which are explained in more detail below, there is a level of certainty provided to the community that financial sustainability will be maintained.

How to provide feedback....

The LTFP is available for inspection from 6 March to 29 March 2019 at Council's Libraries and Community Centres, and on Council's website ahc.sa.gov.au.

Interested persons are invited to make a written submission by **no later than 5.00pm Friday, 29 March 2019**. Submissions may be made online at engage.ahc.sa.gov.au, via post to PO Box 44, Woodside SA 5244 or mail@ahc.sa.gov.au.

The results of the feedback provided will be discussed with Council and incorporated into the Final Long Term Financial Plan prior to consideration of the 2019/20 Annual Business Plan and Budget.

Ratios

Operating Surplus Ratio

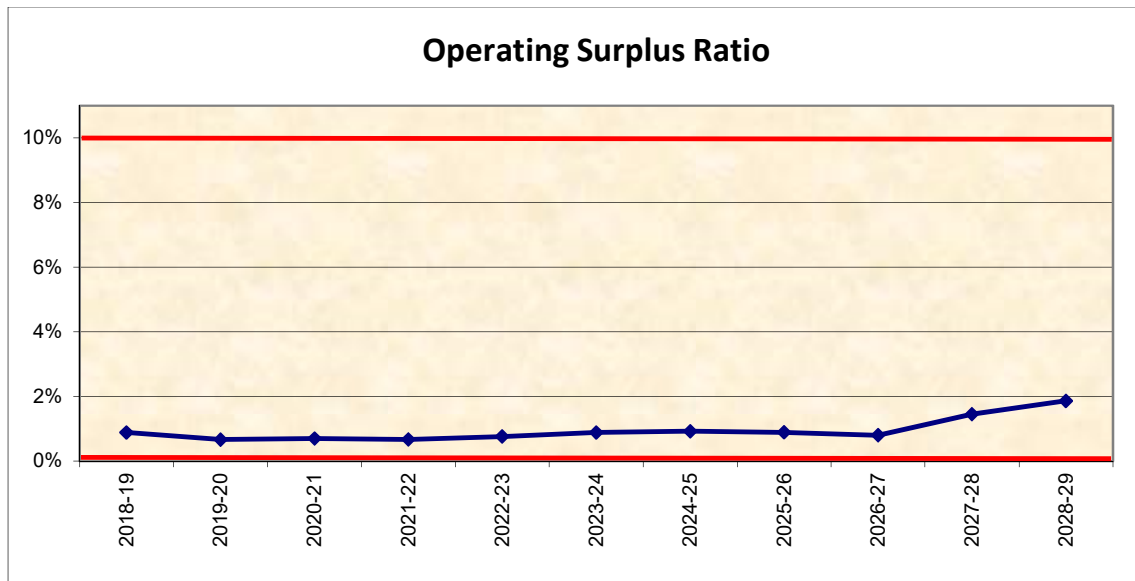
The operating surplus ratio indicates the extent to which operating revenue is sufficient to meet all operating expenses and whether current ratepayers are paying for their consumption of resources.

The Operating Surplus ratio expresses the operating surplus as a percentage of total operating income. A negative ratio indicates the percentage increase in total operating income required to achieve a break-even operating result. A positive ratio indicates the percentage of total rates available to fund capital expenditure over and above the level of depreciation expense without increasing council's level of net financial liabilities.

Target: 0–10%

10 Year Result Range: 0.7% - 1.9%

The ratio indicates the cost of services provided to ratepayers is being met from operating revenues with surplus's being used to fund infrastructure works in line with our LTFP projections.



Net Financial Liabilities Ratio

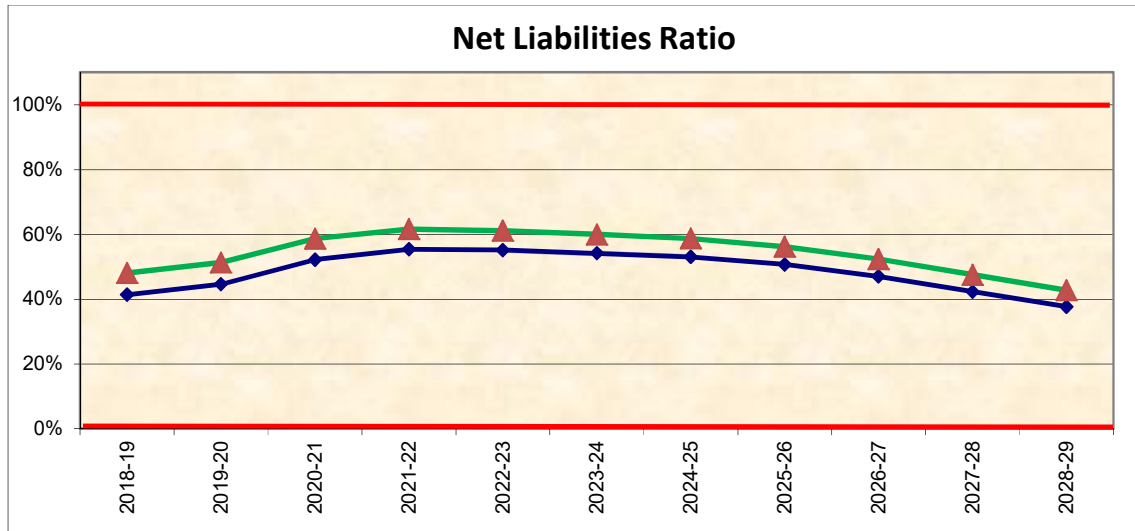
Net Financial Liabilities is an indicator of the Council's total indebtedness and includes all Council's obligations including provisions for employee entitlements and creditors.

This ratio indicates the extent to which the net financial liabilities of the Council can be met by the Council's total operating revenue. Where the ratio is falling, it indicates that the Council's capacity to meet its financial obligations from operating revenues is strengthening. Where the ratio is increasing, it indicates that a greater amount of Council's operating revenues is required to service its financial obligations.

Target: 0–100%

10 Year Result Range: 38% - 55%

This ratio demonstrates that council's total indebtedness (including borrowings) can be met by operating revenue.



Note: The additional liabilities ratio included above in 'green' projects the financial impact should a significant event (i.e. fire or storm) in the order of \$10m impact on the region.

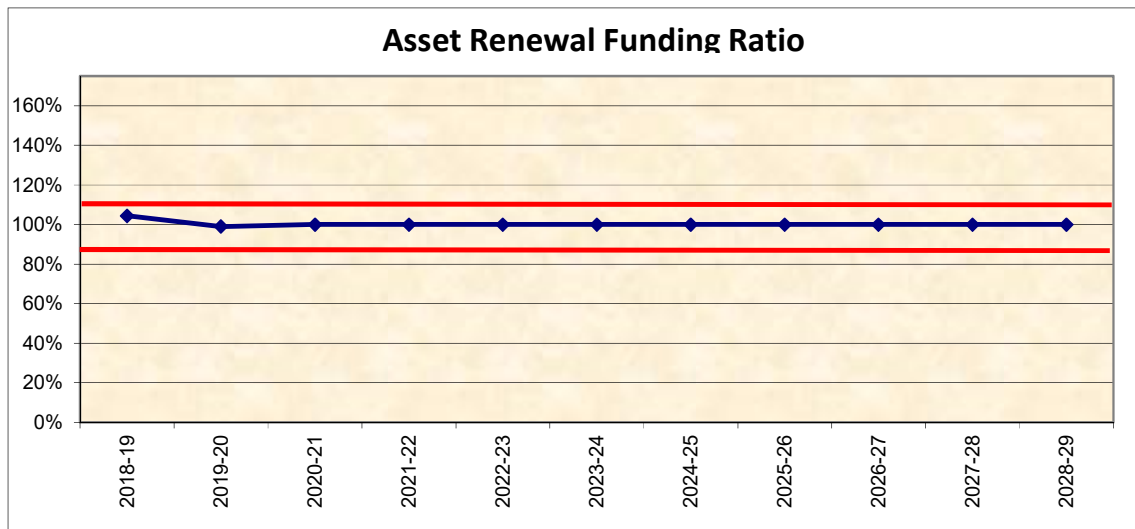
Asset Renewal Funding Ratio (formerly titled Asset Sustainability Ratio)

This ratio indicates whether a Council is renewing or replacing existing infrastructure assets at the same rate that its asset management plan requires.

The target for this ratio is to be between 90% and 110% in any given year, with 100% on average over five years. This would mean that Council is replacing 100% (or all) of the assets that require renewal.

Target: 90–110%
10 Year Result Range: 99% - 100%

The result achieved for this measure only varies minimally throughout the 10 year horizon of the LTFP as the amount of future renewal expenditure is based on the required asset management expenditure.



Key sections explained.....

Uniform Presentation of Finances

In accordance with the *Local Government (Financial Management) Regulations 2011* this section of the LTFP presents the financial position for the next 10 years in a manner consistent with the note in the *Model Financial Statements* entitled "Uniform Presentation of Finances".

This section of the LTFP is broken into three key elements as follows:

- » A summary of all operating income and expenditure to highlight the Net Operating Surplus
- » Net Outlays on Existing Assets after providing for depreciation and proceeds from any replacement asset sales
- » Net outlays on new and upgraded assets after providing for grants received and proceeds from any surplus asset sales

The result of these three elements for each forecast year represents the impact on Council's net financial liabilities whereby a net lending result reduces net financial liabilities, and a net borrowing result increasing net financial liabilities.

Statement of Comprehensive Income

This Statement provides a 10 year projection of operating income and expenditure using the 2018/19 adjusted Budget as the base year. The projections result from the application of the indices mentioned in a subsequent section of this Plan.

Key points of note include:

- » Rates revenue is shown to increase by CPI +1.75% from 2019/20 through 2022/23. The 1.75% in initial years is attributable to:
 - growth from new development of 0.75%, and
 - a 1% increase to support increased levels of renewal of capital works as forecast within current Asset Management Plans.After 2022/23 the increase applied is CPI + 0.5% (growth).
- » Projected Grant income falls significantly for 2019/20 as a result of the following:
 - Reduced levels of Supplementary Local Roads Funding
 - Removal of 'once off' disaster recovery funding received as a result of storm damage that occurred during 2016/17
- » Employee costs increase by 2.7% throughout the 10 years in line with forecasts for average weekly earnings and a provision for revaluation of current provisions and grade step increases. An allowance has been made for the proposed increase in Superannuation Guarantee levy from 2021-22.
- » Materials, Contractors and Other costs increased by CPI as well as being driven by projected movements in the cost of Power, Water and Waste.

Statement of Financial Position

This Statement provides a 10 year projection of Council's assets and liabilities using the projected 30 June 2019 Budget as the base year. The projections result from proposed capital expenditure emanating from the Asset Management Plans and adopted strategies, together with borrowings necessary to meet those capital requirements, and net funding generated by operations.

Key points of note include:

- » The Written Down Value (WDV) of Infrastructure and Fixed Assets increases from \$375m to \$443m over the ten year term.
- » Borrowings (both short term including draw down and long term) peak at \$23.0m in 2024/25.

Capital Investment by Asset Category

The Asset Management Plans are currently being reviewed given the previous adopted Plans were completed seven years ago in 2012 (refer to Council's website for details).

This review has highlighted the need for additional renewal expenditure in some of the infrastructure categories which has been provided for within the current LTFP.

Key points of note include:

- » Total capital expenditure projected over the 10 year period totals \$121m of which \$105m has been allocated to the renewal of current assets.
- » \$16m allocated to new, capacity/upgraded assets is derived from the adopted Strategic Plan and endorsed Functional Strategies. A separate summary of this amount broken down into each goal or strategy is provided in a subsequent section of the LTFP.

Summary of New Strategic Initiatives Expenditure

This section provides a detailed breakdown of all new expenditure that has been included within the LTFP to ensure that the current Strategic Plan and Functional Strategies can be delivered. Information is broken down into each goal area and strategic objective within the Plan, as well as each Functional Strategy. For a number of strategies, there is no additional funding required over and above existing operational requirements for delivering the strategy and as such the summary of total strategic initiatives expenditure shows \$Nil across projected years.

At the end of this section the amounts that have been brought into each year of the LTFP for both operating and capital expenditure are provided and show that the 10 year forecast requires \$15.2m in capital and \$13.5m in operating.

The overall total includes an amount of \$200k for each year as an allowance for Strategic Initiatives identified as part of the 2019-20 Annual Business Plan and Budget Build. This will be refined as part of Budget Workshops to be conducted in the last quarter of the 2018-19 financial year.

Economic Indicators

A key element of the LTFP relates to the economic indicators and indices used to project future year's income and expenditure. All the indices are changeable, and the effects of any amendment will flow through to the financial projections and associated graphs.

A summary of these indices is as follows:

- » Consumer Price Index (CPI) is used as a primary driver for income and expenditure in the model.
- » 'Rates' indices are adjustable for growth (new development) or rate increase over CPI. As previously indicated rates revenue is shown to increase by CPI +1.75% from 2019/20 through 2022/23. The 1.75% in initial years is attributable to growth from new development of 0.75% in addition to a 1% increase to support increased levels of renewal of capital works as forecast within current Asset Management Plans. After 2022/23 the increase applied is CPI + 0.5% (growth).
- » Employee costs increase by 2.7% throughout the 10 years in line with forecasts for average weekly earnings and a provision for revaluation of current provisions and grade step increases.
- » For materials contracts and other expenditure, unique indices have been applied where it is expected costs will vary significantly from CPI. In the current model separate indices have been included for waste collection, power and water.
- » Estimated future interest rates relating to loans (borrowings) and Cash Advance Debenture (CAD) interest have been included.

Risks Associated with the Long Term Financial Plan

The LTFP has been developed based on the best information and assumptions available at the time. However, users of this information should be aware that there are risks associated with using estimated increases to Consumer Price Index (CPI), Local Government Price Index (LGPI), Average Weekly Earnings (AWE) and predictions in finance costs and interest rates. In addition, the LTFP may be impacted by future changes such as new legislation that could materially affect the projected outcomes and results of the LTFP.

Council is aware that Campbelltown City Council (CCC) resolved in January 2019 to authorise their staff to submit a Stage 1 proposal to the Boundaries Commission for the boundary between CCC and Adelaide Hills Council to be realigned to the eastern and southern side of Woodforde and Rostrevor suburbs, effectively moving those suburbs into CCC's area. Given the preliminary nature of this proposal no adjustment has been made to Council's LTFP for any possible impact on rates revenue, servicing costs and capital expenditure.

In order to reduce risk the plan is reviewed and updated annually to incorporate the best available information for a given point in time. In addition, the LTFP and its assumptions are reviewed by Council's Audit Committee.

Adelaide Hills Council 10 Year Financial Plan for the Years ending 30 June 2029 UNIFORM PRESENTATION OF FINANCES 2019-20 Long Term Financial Plan for Consultation		Current Year 2018/19 \$'000	2019/20 \$'000	2020/21 \$'000	2021/22 \$'000	2022/23 \$'000	Projected Years					2028/29 \$'000
							2023/24 \$'000	2024/25 \$'000	2025/26 \$'000	2026/27 \$'000	2027/28 \$'000	
Operating Activities												
Income	44,504	44,657	46,292	48,205	50,031	51,506	52,990	54,517	56,089	57,707	59,372	
Expenses	(44,106)	(44,357)	(45,967)	(47,880)	(49,647)	(51,046)	(52,497)	(54,027)	(55,637)	(56,868)	(58,262)	
Operating Surplus / (Deficit)	398	300	325	324	384	459	493	490	452	839	1,110	
Capital Activities												
(Net Outlays) on Existing Assets												
Capital Expenditure on Renewal and Replacement of Existing Assets	(11,870)	(9,450)	(10,757)	(10,901)	(10,680)	(10,884)	(10,598)	(10,520)	(10,058)	(10,263)	(10,928)	
<i>add back</i> Depreciation, Amortisation and Impairment	8,758	8,948	9,248	9,591	9,894	10,200	10,503	10,822	11,141	11,470	11,805	
<i>add back</i> Proceeds from Sale of Replaced Assets	536	512	581	500	652	545	614	488	638	604	661	
(Net Outlays) on Existing Assets	(2,576)	10	(928)	(810)	(134)	(140)	520	790	1,722	1,811	1,538	
(Net Outlays) on New and Upgraded Assets												
Capital Expenditure on New and Upgraded Assets (including Investment Property & Real Estate Developments)	(5,756)	(4,402)	(3,790)	(2,193)	(1,295)	(783)	(1,123)	(717)	(795)	(613)	(507)	
<i>add back</i> Amounts Received Specifically for New and Upgraded Assets	1,178	250	250	250	250	250	-	-	-	-	-	
<i>add back</i> Proceeds from Sale of Surplus Assets (including Investment Property & and Real Estate Developments)	12,749	2,422	-	-	-	-	-	-	-	-	-	
(Net Outlays) on New and Upgraded Assets	8,171	(1,730)	(3,540)	(1,943)	(1,045)	(533)	(1,123)	(717)	(795)	(613)	(507)	
Net Lending / (Borrowing) for Financial Year	5,993	(1,421)	(4,143)	(2,428)	(795)	(214)	(111)	563	1,378	2,037	2,141	

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	-	2,500	9,900	3,400	2,000	1,850	7,000	2,100	1,300	1,000	1,000	
Principal Repayments on Borrowings	(18)	-	(5,203)	(1,006)	(1,324)	(1,544)	(6,763)	(2,385)	(2,666)	(2,902)	(3,129)	
(Increase)/Decrease in Cash & Drawdown	(2,695)	(96)	17	56	143	(24)	(83)	(237)	8	(61)	38	
(Increase)/Decrease in Working Capital	93	81	57	61	76	32	57	59	79	26	51	
Community Loans repaid to us	22	16	17	17	-	-	-	-	-	-	-	
Increase/(Decrease) in Remediation Provision	-	(200)	(545)	-	-	-	-	-	-	-	-	
Repayment of Aged Care Facility Deposits	(3,295)	(780)	-	-	-	-	-	-	-	-	-	
Non Cash Equity Movement	(100)	(100)	(100)	(100)	(100)	(100)	(100)	(100)	(100)	(100)	(100)	
How the Net Borrowing/(Lending) is accommodated/(applied)	(5,993)	1,421	4,143	2,428	795	214	111	(563)	(1,378)	(2,037)	(2,141)	

Adelaide Hills Council 10 Year Financial Plan for the Years ending 30 June 2029 STATEMENT OF COMPREHENSIVE INCOME 2019-20 Long Term Financial Plan for Consultation		Current Year 2018/19 \$'000	2019/20 \$'000	2020/21 \$'000	2021/22 \$'000	2022/23 \$'000	Projected Years					2028/29 \$'000
							2023/24 \$'000	2024/25 \$'000	2025/26 \$'000	2026/27 \$'000	2027/28 \$'000	
Income												
Rates	37,186	38,525	40,007	41,624	43,307	44,600	45,914	47,268	48,662	50,098	51,576	
Statutory Charges	1,099	1,119	1,144	1,171	1,199	1,229	1,260	1,291	1,324	1,357	1,391	
User Charges	891	658	706	885	908	961	985	1,010	1,035	1,061	1,087	
Grants, Subsidies and Contributions	4,334	3,631	3,699	3,774	3,851	3,934	4,032	4,133	4,236	4,342	4,450	
Investment Income	38	26	26	26	26	26	26	26	26	26	26	
Reimbursements	377	200	204	209	214	219	225	230	236	242	248	
Other Income	479	398	407	417	427	437	448	459	471	483	495	
Net gain - equity accounted Council businesses	100	100	100	100	100	100	100	100	100	100	100	
Total Income	44,504	44,657	46,292	48,205	50,031	51,506	52,990	54,517	56,089	57,707	59,372	
Expenses												
Employee Costs	16,529	17,179	17,644	18,251	18,828	19,500	20,092	20,702	21,239	21,791	22,358	
Materials, Contracts & Other Expenses	18,152	17,626	18,300	19,169	19,950	20,334	20,808	21,384	22,150	22,565	23,151	
Depreciation, Amortisation & Impairment	8,758	8,948	9,248	9,591	9,894	10,200	10,503	10,822	11,141	11,470	11,805	
Finance Costs	668	604	774	869	975	1,013	1,094	1,119	1,107	1,042	949	
Net loss - Equity Accounted Council Businesses	-	-	-	-	-	-	-	-	-	-	-	
Total Expenses	44,106	44,357	45,967	47,880	49,647	51,046	52,497	54,027	55,637	56,868	58,262	
Operating Surplus / (Deficit)	398	300	325	324	384	459	493	490	452	839	1,110	
Asset Disposal & Fair Value Adjustments	1,867	779	-	-	-	-	-	-	-	-	-	
Amounts Received Specifically for New or Upgraded Assets	1,178	250	250	250	250	250	-	-	-	-	-	
Physical Resources Received Free of Charge	-	-	-	-	-	-	-	-	-	-	-	
Net Surplus / (Deficit)	3,443	1,329	575	574	634	709	493	490	452	839	1,110	
Other Comprehensive Income												
Amounts which will not be reclassified subsequently to operating result												
Changes in Revaluation Surplus - I,PP&E	5,000	5,109	5,240	5,385	5,534	5,693	5,856	6,024	6,197	6,375	6,558	
Share of Other Comprehensive Income - Equity Accounted Council Businesses	-	-	-	-	-	-	-	-	-	-	-	
Other	-	-	-	-	-	-	-	-	-	-	-	
Amounts which will be reclassified subsequently to operating result												
Other	-	-	-	-	-	-	-	-	-	-	-	
Total Other Comprehensive Income	5,000	5,109	5,240	5,385	5,534	5,693	5,856	6,024	6,197	6,375	6,558	
Total Comprehensive Income	8,443	6,437	5,815	5,959	6,168	6,402	6,349	6,515	6,649	7,214	7,668	

Adelaide Hills Council											
10 Year Financial Plan for the Years ending 30 June 2029											
STATEMENT OF FINANCIAL POSITION											
2019-20 Long Term Financial Plan for Consultation											
	Current Year	Projected Years									
	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
ASSETS											
Current Assets											
Cash & Cash Equivalents	500	540	540	500	500	500	500	500	500	500	500
Trade & Other Receivables	2,783	2,678	2,782	2,908	3,019	3,114	3,193	3,288	3,389	3,487	3,591
Inventories	13	13	13	13	13	13	13	13	13	13	13
Non-current assets classified as "Held for Sale"	-	-	-	-	-	-	-	-	-	-	-
Total Current Assets	3,296	3,231	3,335	3,421	3,532	3,627	3,706	3,801	3,902	4,000	4,104
Non-Current Assets											
Financial Assets	34	17	-	-	-	-	-	-	-	-	-
Equity Accounted Investments in Council Businesses	938	1,038	1,138	1,238	1,338	1,438	1,538	1,638	1,738	1,838	1,938
Infrastructure, Property, Plant & Equipment	374,525	382,383	392,341	400,729	407,692	414,307	420,767	426,718	431,989	437,166	442,692
Total Non-Current Assets	375,497	383,438	393,479	401,967	409,030	415,745	422,305	428,356	433,727	439,004	444,630
TOTAL ASSETS	378,793	386,669	396,814	405,387	412,562	419,372	426,011	432,157	437,628	443,004	448,734
LIABILITIES											
Current Liabilities											
Cash Advance Debenture	2,214	2,159	2,176	2,192	2,335	2,312	2,229	1,991	2,000	1,938	1,976
Trade & Other Payables	5,379	4,573	4,734	4,938	5,126	5,252	5,387	5,541	5,720	5,845	5,999
Borrowings	-	5,203	1,006	1,324	1,544	6,763	2,385	2,666	2,902	3,129	3,369
Provisions	3,413	2,745	2,684	2,678	2,672	2,666	2,660	2,654	2,648	2,642	2,636
Total Current Liabilities	11,006	14,679	10,600	11,132	11,677	16,992	12,661	12,852	13,270	13,555	13,980
Non-Current Liabilities											
Borrowings	10,000	7,297	16,191	18,267	18,723	13,810	18,425	17,860	16,258	14,129	11,760
Provisions	716	1,184	700	706	712	718	724	730	736	742	748
Total Non-Current Liabilities	10,716	8,481	16,890	18,973	19,434	14,528	19,149	18,590	16,994	14,870	12,508
TOTAL LIABILITIES	21,722	23,161	27,491	30,105	31,112	31,520	31,810	31,442	30,264	28,425	26,487
Net Assets	357,071	363,508	369,323	375,282	381,450	387,852	394,201	400,716	407,365	414,579	422,247
EQUITY											
Accumulated Surplus	140,524	141,853	142,428	143,002	143,636	144,345	144,838	145,328	145,779	146,618	147,728
Asset Revaluation Reserves	215,121	220,230	225,469	230,854	236,388	242,081	247,938	253,962	260,159	266,534	273,092
Other Reserves	1,426	1,426	1,426	1,426	1,426	1,426	1,426	1,426	1,426	1,426	1,426
Total Equity	357,071	363,508	369,323	375,282	381,450	387,852	394,201	400,716	407,365	414,579	422,247

Adelaide Hills Council 10 Year Financial Plan for the Years ending 30 June 2029 SUMMARY OF TOTAL STRATEGIC INITIATIVES EXPENDITURE 2019-20 Long Term Financial Plan for Consultation		Current Year 2018/19 \$'000	Projected Years									
		2019/20 \$'000	2020/21 \$'000	2021/22 \$'000	2022/23 \$'000	2023/24 \$'000	2024/25 \$'000	2025/26 \$'000	2026/27 \$'000	2027/28 \$'000	2028/29 \$'000	
ORGANISATIONAL SUSTAINABILITY												
5.01 - Our organisation	35	0	0	0	0	0	0	0	0	0	0	
5.02 - Work health and safety	18	28	29	29	0	0	0	0	0	0	0	
5.03 - Financial sustainability	0	0	0	0	0	0	0	0	0	0	0	
5.04 - Customer service commitment	75	40	210	10	10	10	10	10	10	10	10	
5.05 - Risk and responsibility	0	17	0	0	0	0	0	0	0	0	0	
5.06 - Collaboration on public policy setting	0	0	0	0	0	0	0	0	0	0	0	
5.07 - Governance	40	55	0	20	193	10	0	20	212	10	0	
NET EXPENDITURE FOR ORGANISATIONAL	168	140	239	59	203	20	10	30	222	20	10	
STRATEGIC PLAN TOTAL	1,385	2,759	3,086	1,846	1,582	1,401	1,343	1,348	1,319	1,116	990	
FUNCTIONAL STRATEGIES												
Asset Management Plan	0	850	710	610	450	100	500	100	390	200	200	
Communications & Marketing Plan	55	33	43	33	33	33	33	33	33	33	33	
Positive Ageing Strategy	0	0	0	0	0	0	0	0	0	0	0	
Waste Management Strategy	0	0	0	0	0	0	0	0	0	0	0	
Animal Management Plan	0	0	0	0	0	0	0	0	0	0	0	
Corporate Plan	25	25	15	10	10	15	10	10	15	10	10	
Emergency Management Plan	40	40	35	10	10	10	30	10	10	30	10	
Economic Development Strategy	0	0	100	100	100	100	100	100	100	100	100	
Community Strategy	0	0	0	0	0	0	0	0	0	0	0	
Biodiversity Strategy	75	130	97	97	97	85	77	75	57	57	57	
Sport & Recreation Strategy	0	0	0	0	0	0	0	0	0	0	0	
Trails Strategy	0	0	0	0	0	0	0	0	0	0	0	
Climate Change Adaptation Plan	110	60	60	130	100	100	0	0	0	0	0	
Water Management Plan	110	222	510	300	100	0	0	0	0	0	0	
FUNCTIONAL STRATEGIES TOTALS	415	1,360	1,570	1,290	900	443	750	328	605	430	410	
STRATEGIC PLAN OUTCOMES PROVISION	0	200	200	200	200	200	200	200	200	200	200	
TOTAL	1,800	4,319	4,856	3,336	2,682	2,044	2,293	1,876	2,124	1,746	1,600	
ALLOCATION TO LTFP												
TOTAL NET NEW, CAPACITY/UPGRADE CAPITAL INITIATIVES	855	3,402	3,790	2,193	1,295	783	1,123	717	795	613	507	
TOTAL OPERATING INITIATIVES	945	917	1,066	1,143	1,387	1,261	1,170	1,159	1,329	1,133	1,093	
GRAND TOTAL STRATEGIC INITIATIVES	1,800	4,319	4,856	3,336	2,682	2,044	2,293	1,876	2,124	1,746	1,600	

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 February 2019
AGENDA BUSINESS ITEM**

Item: 12.9

Originating Officer: Megan Sutherland, Executive Manager Organisational Development

Responsible Director: Andrew Aitken, Chief Executive Officer

Subject: Proposal to Undertake the CEO Performance Review 2018/2019 Internally

For: Decision

SUMMARY

This report outlines the proposed internal CEO performance review process for 2018/2019 as recommended by the CEO Performance Review Panel (the Panel).

The the Panel must provide a recommendation to Council on whether to undertake the performance review and review of the TEC package of the CEO using an internal or external process.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted**
 - 2. To undertake the 2019 CEO Performance Review using an internal process incorporating all of the Elected Members and utilise a consultant to undertake the TEC package review.**
-

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal	Organisational Sustainability
Key Issue	Governance

We diligently adhere to legislative requirements to ensure public accountability and exceed these requirements where possible.

➤ **Legal Implications**

The Panel is a Section 41 Committee of Council under the *Local Government Act 1999 (LG Act)*.

The regular review of the CEO's performance needs to be undertaken to meet contractual requirements. It is also important from an industrial relations perspective that the CEO is provided with a fair and consistent approach to how the performance reviews are undertaken.

The process needs to stand up under scrutiny, as the process, review tool and outcomes of the review directly affect decisions made in relation to the CEO, his performance, remuneration and employment agreement.

➤ **Risk Management Implications**

Undertaking regular review of the CEO's performance is an important control mitigating the risk of:

Deficient CEO performance review practices result in a lack of accountability and loss of stakeholder confidence in the organisation.

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

Note: there are many other controls that also assist in managing this risk.

Non-achievement of CEO performance targets result in loss of community benefit and/or opportunities and/or stakeholder confidence in the organisation.

Inherent Risk	Residual Risk	Target Risk
High (3B)	Medium (3D)	Medium (3C)

Note: there are many other controls that also assist in managing this risk.

➤ **Financial and Resource Implications**

Under the Panel's Terms of Reference, the Panel shall:

4.1 *Have access to reasonable resources in order to carry out its duties, recognising the constraints within Council's budget;*

Costs associated with using an external consultant to undertake the TEC package review are covered within the draft 2019/2020 budget.

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

There is an expectation that the performance of the CEO is reviewed in a sound and fair manner.

➤ **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:

<i>Council Committees:</i>	CEO Performance Review Panel
<i>Council Workshops:</i>	Not Applicable
<i>Advisory Groups:</i>	Not Applicable
<i>Administration:</i>	Executive Manager Governance & Performance
<i>Community:</i>	Not Applicable

2. **BACKGROUND**

The CEO's first four years of performance (2013 to 2016) was reviewed by an external consultant, where a comprehensive review process was undertaken. This included a '360 degree' review tool completed by Council Members, direct reports and, in some years, managers. The assessment sought feedback on the completion of the identified performance targets, key responsibilities from the position description and personal attributes.

Reports were provided to the CEO, and a one-on-one debrief on those results with the consultant was held. The report was also provided to the CEO Performance Review Panel for review and a copy presented to the Council Members. A debrief by the consultant summarising the report outcomes was provided to both the Panel and Council Members at the relevant Panel meeting and Council workshop.

The final report and recommendations from the Panel to the Council, including any increases to the CEO's Total Employment Cost package, have formed the final stage of the process.

Report findings over these four years have shown the CEO's consistently competent performance in the role both as a person and leader, as well as indicating his ability to meet the identified performance targets. Each year the CEO Performance Review Reports have shown the CEO has met and at times "Exceeded Expectations".

In 2017, the Panel, with Council's endorsement, undertook a review of the CEO's performance using an internal review process where assessment was made against the position description and the performance targets.

The final report and recommendations from the Panel to the Council completed the process with a determination by Council that the CEO exceeded expectations.

In 2018, the CEO's performance and remuneration review were undertaken through an external consultant. The final report and determination by Council at its meeting on 28 August 2018 was that the CEO exceeded expectations. Council also recognised, with regard to TEC package (remuneration) considerations 'The extended period of high performance by the CEO during his tenure with Council'.

19.1.2 CEO Performance and Remuneration Reviews – Confidential Item

RELEASED 31 AUGUST 2018

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

220/18

Council resolves:

1. That the report be received and noted
2. That the CEO 'exceeded expectations' in relation to the 2018 CEO Performance Review.
3. That Council increase the CEO's TEC Package by 3.5% to commence from 1 July 2018, having given due consideration to the following matters:
 - 3.1 CPI increases
 - 3.2 Remuneration Report, specifically the comparisons of Group 2 Councils' CEO remuneration
 - 3.3 The Panel's assessment of the CEO's performance for 2017/18 as 'exceeding expectations'
 - 3.4 The extended period of high performance by the CEO during his tenure with Council.

Carried

Remuneration (TEC) Package Review

The Total Employment Cost (TEC) package must also be reviewed under the CEO's Employment Agreement annually in conjunction with the performance review process and outcomes.

It is recommended that a consultant be used to undertake a review and provide independent advice to the Panel on the TEC Package of the CEO.

3. ANALYSIS

The Panel met on 20 February 2019 and have recommended to Council to utilise an internal process on the basis that the CEO has achieved consistent successful performance over the past 6 years and that the 2017/2018 review was undertaken by an external consultant.

7.2 → ~~Method to Undertake the CEO Performance Review 2019~~

¶

~~Moved Paula Davies~~

~~S/- Cr Kirsty Parkin~~

→

~~PRP4/19~~

¶

~~That the Panel resolves:~~

¶

~~1. → That the report be received and noted~~

~~2. → That the CEO Performance Review Panel recommends to Council to undertake the 2019 CEO Performance Review using an internal process incorporating all of the Elected Members and utilise a consultant to undertake the TEC package review.~~

¶

¶

→

~~Carried~~

Internal Review process

An internal process would require the use of a tool to assess the CEO against the position description and performance target completion. As this internal process has been undertaken once previously, it is recommended the tool used would be the same or similar.

The review process would be undertaken with the Review Team, being the CEO, Mayor, Panel Presiding Member (Cr Osterstock) and Executive Manager OD (process management and support), with feedback provided from the Panel and Council Members. The final assessment tool would be agreed with the CEO by the Review Team. It is recommended that the review process be undertaken as per the CEO Performance Review - Internal Process (**Attachment 1**).

The Review Report would be discussed through the Panel and the final Report and recommendation taken to Council.

There is a potential conflict with a member of the Administration coordinating the internal performance review of the CEO. These risks would need to be managed if this approach is undertaken.

Internal Review - Report Format

It is proposed that the following components would be included for consideration in the process if undertaken internally:

- Position requirements
- Performance Targets
- Leadership behaviours/competencies

4. OPTIONS

Council has the following options:

- I. To undertake a review using an internal process and utilise a consultant to undertake the TEC package review (Recommended)
- II. To undertake the performance review and TEC package review using an external consultant (Not Recommended)

5. APPENDIX

- (1) CEO Performance Review Internal Process

Appendix 1

CEO Performance Review Internal Process

The CEO Performance Review Panel (the Panel) is required to undertake a review of the CEO's performance on an annual basis.

An internal review process is supported by:

1. Past external processes undertaken, including in 2013-2016 (4 reviews) and 2017/2018 (the most recent review)
2. Consistency of past CEO performance results

Internal Review Process

Methodology

This review process is undertaken with discussion between the CEO and the Review Team, with feedback from the Panel and Council Members provided via the Panel's Presiding Member.

The methods of review include:

1. Rating scales – an overall assessment across the subject matter of the 8 key responsibilities from the position description
2. Performance Targets - an assessment against the achievement of the performance targets
3. Strengths – feedback on strengths of the CEO
4. Improvements – feedback on areas for the CEO to improve

Review will comprise of:

ACTIONS	REVIEWER/S
Performance Targets - Review performance targets to determine achievement outcome	Via discussion with CEO and the Panel
Position description – Broadly discuss the position description key responsibilities and determine strengths and specific improvement opportunities overall	Via discussion with CEO and the Panel

Process

The proposed process including approximate timeframes, actions and participants is detailed below.

Approximate timeframe	Action	Participants
To be confirmed via separate report next meeting (TBC)	Panel Members and Council Members undertake a review of CEO individually using review tool	the Panel
TBC	CEO, Mayor, Panel Presiding Member and Executive Manager OD meet to discuss the review tool and feedback from the Panel and Council Members (via Presiding Member) The Review Team agree on draft CEO Performance Review outcomes and communicate with the CEO	CEO Mayor, Presiding Member and Executive Manager OD (process management and support)
TBC	Outcome of the Review discussed at workshop with Council	Presiding Member CEO PR Panel and Mayor
TBC	The Panel make recommendation to Council on Review outcome	CEO PRP meeting
TBC	Report and recommendation to Council	

Personal Evaluation System

Ratings in the tool are undertaken using the rating scale below:

5 Exceptional	Performance far exceeded expectations due to exceptionally high quality of work performed in all <i>essential</i> areas of responsibility, resulting in an overall quality of work that was superior
4 Exceeds expectations	Performance consistently exceeded expectations in all <i>essential</i> areas of responsibility, and the quality of work overall was excellent. Annual goals were met.
3 Meets expectations	Performance consistently met expectations in all <i>essential</i> areas of responsibility, at times possibly exceeding expectations, and the quality of work overall was very good. The most critical annual goals were met.
2 Improvement needed	Performance did not <i>consistently</i> meet expectations – performance failed to meet expectations in one or more <i>essential</i> areas of responsibility, and/or most critical goals were not met.
1 Unsatisfactory	Performance was consistently below expectations in most <i>essential</i> areas of responsibility, and/or reasonable progress toward critical goals was not made. Significant improvement is needed in one or more important areas.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 February 2019
AGENDA BUSINESS ITEM**

Item: 12.10

Originating Officer: Dennis Rainsford, Team Leader Regulatory Services

Responsible Director: Marc Salver, Director Development & Regulatory Services

Subject: Review of the Burning Permit Policy

For: Decision

SUMMARY

The purpose of this report is to advise the Council of the outcome of a review of the Burning Permit Policy in accordance with its 2017 resolution in this regard.

In July 2016 the new *Environment Protection (Air Quality) Policy 2016* (refer **Appendix 1**) came into effect. The *Environment Protection (Air Quality) Policy 2016 (the Air Quality Policy)*, formulated by the Environment Protection Authority (EPA), regulates air emissions including those from wood heaters and burning in the open. The intent of the *Air Quality Policy* is to better protect and improve the health of South Australians and the environment through improved air quality

The introduction of the *Air Quality Policy* resulted in a number of changes to controls relating to burning in the open across the Council area. The most significant change related to the requirement for persons within the Adelaide metropolitan area, and within any township to obtain a permit to burn vegetation for fire prevention or control, burning of agriculture or forestry waste, or burning of vegetation for any other purpose. Prior to the introduction of the Policy, such approvals were not previously required from Council.

At Council's request, the EPA issued an interim permit (refer **Appendix 3**) to allow residents outside of townships within metropolitan Adelaide (i.e. those areas within the old East Torrens Council and District Council of Stirling) to continue to undertake the above burning activities without the requirement for an individual permit. Council also adopted an Interim Township Burning Permit Policy (refer **Appendix 4**) that provides guidance to the community and Council's Fire Prevention Officers when considering burning permit applications within any townships in the Council area.

In order to replace this interim EPA permit which expired at the commencement of the 2017/18 fire danger season and Council's Interim Township Burning Permit Policy, there was a need for Council to adopt a permanent 'Burning Permit Policy'. This Burning Permit Policy was adopted at the 23 May 2017 Council meeting.

Community and stakeholder engagement was undertaken from 1 March to 22 March 2017 when formulating this policy. Note that no public consultation is required in this instance as no substantive changes to the Policy are proposed as a result of this review. 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 12 March 2019, to rescind the 23 May 2017 Burning Permit Policy and adopt the revised Burning Permit Policy contained in *Appendix 2* of this report.
 3. That the Chief Executive Officer be authorised to make minor content, grammatical and formatting amendments to the Burning Permit Policy prior to the effective date of adoption.
 4. Subject to resolution 2 above, a review of the Burning Permit Policy be undertaken in November 2020 and be reported to Council outlining the results of the review and any recommendations prior to the end of the 2020/21 fire danger season, and to adopt a permit which covers the metropolitan areas of the Council as contained in *Appendix 5* of this report.
-

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal 1 People and business prosper

Strategy 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.

Goal 3 Places for people and nature

Strategy 3.1 We will work with our community to encourage sustainable living and commercial practices.

Strategy 3.2 We will strive for carbon neutrality as an organisation and encourage our community to do likewise.

The intent of the *Environment Protection (Air Quality) Policy 2016* (refer to **Appendix 1** for a copy) is to better protect and improve the health of South Australians and the environment through improved air quality. By Council adopting a Burning Permit Policy that takes into account this intent, and provides the ability to undertake bushfire fuel hazard reduction, is an opportunity to increase the wellbeing of the community.

➤ Legal Implications

Local Government Act 1999

The *Local Government Act 1999* imposes a number of functions on Councils that are relevant to Council's Burning Permit Policy, these are:

- To provide services and facilities that benefit its area, its ratepayers and residents, and visitors to its area (including general public services or facilities (including electricity, gas and water services, and waste collection, control or disposal services or facilities), health, welfare or community services or facilities, and cultural or recreational services or facilities

- To provide for the welfare, well-being and interests of individuals and groups within its community
- To take measures to protect its area from natural and other hazards and to mitigate the effects of such hazards

The *Local Government Act 1999* functions outlined above, for the purposes of Council's Burning Permit Policy, can be broadly categorised into a health and wellbeing element or a prevention and mitigation element in relation to hazards.

The *Local Government Act 1999* also requires Councils to undertake functions and activities conferred by, or under, other Acts. In this regard, the *South Australian Public Health Act 2011* is relevant to the Burning Permit Policy.

South Australian Public Health Act 2011

Under the *South Australian Public Health Act 2011* Councils are the local public health authority for their area. There are a number of Council functions under the *South Australian Public Health Act 2011* relating to Council's Burning Permit Policy and the EPA *Air Quality Policy*, these are:

- To take action to preserve, protect and promote public health within its area
- Insofar as is reasonably practicable, to have adequate measures in place within its area to ensure that activities do not adversely affect public health
- To assess activities and development, or proposed activities or development, within its area in order to determine and respond to public health impacts (or potential public health impacts)
- To provide, or support the provision of, educational information about public health and to provide or support activities within its area to preserve, protect or promote public health

Council's Burning Permit Policy has been developed taking into consideration the health and hazard elements of the two pieces of legislation outlined above. The Policy strives to meet a balance between the two legislative requirements providing residents with the ability to continue to undertake bushfire fuel hazard reduction, whilst minimising the potential for smoke pollution and thus improved public health outcomes, from unnecessary or poorly planned and managed burns.

➤ **Risk Management Implications**

The adoption and implementation of the Burning Permit Policy will assist in mitigating the risk of:

Community’s ability to undertake bushfire fuel reduction work curtailed leading to higher fuel loads and increased bushfire risk.

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

Smoke from burning in the open leading to increased air pollution and subsequent negative impacts on public health.

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

Opposing legislative intents of the Local Government Act 1999 and the SA Public Health Act 2011 leading to the potential for non, or limited, compliance with one piece of legislation in favour of the other.

Inherent Risk	Residual Risk	Target Risk
Extreme (5C)	High (4C)	Low

The re-adoption of the Burning Permit Policy in its current format will ensure consistency for local residents when Councils authorised officers are considering permit applications.

➤ **Financial and Resource Implications**

In regard to administration of the *Air Quality Policy* thus far, fees have not been charged for permit applications. Fire Prevention Officers are authorised to issue permits with their respective wage rates range between \$36.01 to \$46.70 with each permit application taking approximately 1 hour to process (Including an inspections where required), the estimated cost to process township burning permit applications received in 2018 was between \$24,000 to \$28,000. As the permit system was administered with existing staff and other resources, this cost is not an additional expenditure but rather an opportunity cost of reduced levels of service in other areas, such as parking control.

Looking forward, the resource impact of the Policy long term is not known as it will take several years for a stable baseline to develop. Accordingly, it is again not recommended to consider charging a fee for permit applications. If Council were to charge a fee for permit applications, an undesirable consequence of this action could be reduced community bushfire fuel reduction works.

Staff will continue to monitor the impact of the permit administration process and application of the *Air Quality Policy* generally and report any material resource implications to Council through one of the regular quarterly budget reviews.

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

Adoption of the recommended Burning Permit Policy balances the ability for residents to continue to undertake bushfire hazard reduction burning with improved air quality outcomes.

➤ **Environmental Implications**

The aim of EPA *Air Quality Policy* is to improve air quality and better protect and improve the health of South Australians and the environment. Re-adoption of a Burning Permit Policy that takes into account the intent of the *Air Quality Policy* and other relevant requirements, such as bushfire fuel reduction burning, will maximise this benefit to the community.

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

Consultation on the development of this report was as follows:

<i>Council Committees:</i>	Not Applicable
<i>Council Workshops:</i>	Not Applicable
<i>Advisory Groups:</i>	Bushfire Advisory Group
<i>Administration:</i>	Director Development & Regulatory Services Manager Open Space Parks Technical Officer
<i>Community:</i>	Not Applicable

2. **BACKGROUND**

The State Government's *Air Quality Policy* came into effect on 23 July 2016. As required by the Policy, property owners within townships and the Adelaide metropolitan area were subsequently required to obtain a permit from the Council to undertake the following burning activities:

- Burning agriculture or forestry waste
- Burning off vegetation for fire prevention or control
- Burning vegetation for any other purpose

A large portion of the Adelaide Hills Council (within the old East Torrens and Stirling District Council areas) is defined as metropolitan Adelaide. Therefore property owners in this area require permission from Council to undertake the burning activities outlined above.

Property owners outside the metropolitan area, that are outside of townships, do not require approval from Council to undertake the above burning activities, however they need to comply with relevant CFS Codes of Practice to ensure that burning is conducted safely. The relevant Codes of Practice are:

- CFS Broad Acre Burning Code of Practice
- CFS Vegetation Pile Burning Code of Practice

Much of the metropolitan Adelaide portion of the Council area is high bushfire risk and therefore Council staff worked collaboratively with the EPA to put in place an interim permit system at the time

At the 23 May 2017 Meeting (Item 14.2), Council resolved in part as follows:

4. **With an effective date of 1 August 2017, to rescind the Interim Township Burning Permit Policy adopted on 13 September 2016 and adopt the Burning Permit Policy contained in Appendix 2.**
5. **That the Chief Executive Officer be authorised to make minor content, grammatical and formatting amendments to the Burning Permit Policy prior to the effective date of adoption.**
6. **Subject to 4 above, a review of the Burning Permit Policy be undertaken in August 2018 and a report be provided to Council outlining the review results and any recommendations.**

There were further resolutions (refer **Appendix 6** for a copy) to the 23 May 2017 report, however, they were regarding the identification of the respective township boundaries where burning permits are required, which are not relevant to this report.

It is noted that the Policy was to be reviewed by 1 August 2018, however due to the recent Local Government Elections and caretaker period, this was deferred until now.

This report is to advise the Council of the outcome of the review of the Burning Permit Policy.

3. ANALYSIS

The Burning Permit Policy that Council endorsed in May 2017 (refer **Appendix 2**) contains three policy positions which are summarised below:

Area	Proposed Policy Position
Metropolitan Adelaide (excluding townships)	Five year permit issued via notice in newspaper and on Council's website
Non-metropolitan Adelaide (excluding townships)	Permit not required by EPA <i>Air Quality Policy</i>
All declared townships	Individual permit required

The three policy positions above are the same as those put in place when the *Environment Protection (Air Quality) Policy 2016* was first introduced in July 2016. This approach has been reviewed, and it is considered that no changes be made in this regard. Each of the above three area policy positions are described in more detail below.

Metropolitan Adelaide Policy Position (excluding townships)

Under the metropolitan Adelaide policy position, within Council's Burning Permit Policy, the following burning activities are permitted via a 5 year permit issued by notice by the EPA (refer to **Appendix 3** for a copy of the current notice):

- Burning agriculture or forestry waste
- Burning off vegetation for fire prevention or control
- Burning vegetation comprising dry wood or other dry plant material in a brazier, chiminea or fire pit in the open for domestic heating
- Lighting or maintaining a fire in the open using vegetation comprising dry wood or other dry plant material for a campfire or barbecue in the course of camping, scouting or a similar outdoor recreational activity

As the EPA *Air Quality Policy* prohibits burning without a permit within the Adelaide metropolitan area, the only alternative policy position is to require property owners within this zone to apply for individual permits. Given the high bushfire risk and fuel load, generally larger allotment sizes in this locality and reduced population densities found within this portion of the Adelaide Hills Council area within metropolitan Adelaide (excluding townships), the following policy position was endorsed by Council:

- A five year burning permit is issued by notice, in local newspapers and on Council's website. This current permit expires at the start of the bushfire danger season 2020/2021 effectively 1 December 2020. This will require a further permit to be in place before the end of the fire danger season on 1 May 2021.

Outside Metropolitan Adelaide Policy Position (excluding townships)

For those residents outside the Adelaide metropolitan area, and outside of townships, the introduction of the *Air Quality Policy* has seen little change in the burning rules applicable to them. The EPA *Air Quality Policy* allows the following burning activities to be undertaken outside the Adelaide metropolitan area (excluding townships) without the need to obtain a permit from Council:

- Burning agriculture or forestry waste
- Burning off vegetation for fire prevention or control
- Burning charcoal, dry wood or other dry plant material in a brazier, chiminea or fire pit in the open for domestic heating
- Lighting or maintaining a fire in the open using charcoal, dry wood or other plant material for a campfire or barbecues in the course of camping, scouting or a similar outdoor recreational activity
- Burning of vegetation for any other purpose.

Accordingly, there is no need to include burning permit provisions for the above burning activities in this part of the Council area within Council's Burning Permit Policy.

Township Policy Position

The EPA *Air Quality Policy* requires residents within townships to obtain a permit to undertake the following burning activities.

- Burning dry wood or other dry plant material for a campfire or barbecue in the course of camping, scouting or a similar outdoor recreational activity
- Burning dry wood or other dry plant material in a brazier, chiminea or fire pit for domestic heating
- Burning agriculture or forestry waste
- Burning off vegetation for fire prevention or control
- Burning vegetation for any other purpose

Council's current Burning Permit Policy provides that the above burning activities only be permitted by permit issued to individual properties rather than by general notice in local newspapers and on Council's website.

The following townships / urban areas are covered by the abovementioned township burning permit controls.

Aldgate	Forreston	Mount Torrens	Upper Sturt
Balhannah	Gumeracha	Mylor	Uraidla
Birdwood	Heathfield	Oakbank	Verdun
Bridgewater	Houghton	Rostrevor	Woodforde
Charleston	Inglewood	Stirling	Woodside
Crafers	Kersbrook	Summertown	
Crafers West	Lobethal	Teringie	

1 Township Burning Permit Criteria

The Burning Permit Policy contains 18 criteria (refer **Appendix 2**) that Council's Fire Prevention Officers will take into consideration when assessing township burning permit applications. These include several criteria relating to bushfire hazard, volume of material, and the accessibility of material.

Evidence from permit applications assessed between 23 July 2016, when the *Air Quality Policy* came into effect, and 30 November 2018 (the commencement of the Fire Danger Season) indicates that the vast majority of township burning permit applications were approved as follows:

- 1612 permits issued
- 40 permit applications were refused and
- 120 enquiries which required information only

Permits refused were generally due to inappropriate material to be burnt (e.g. non-Vegetation household waste, or wet or green vegetation).

Permits assessed during this period were generally received, assessed and the applicant advised of the outcome within 7 days.

2 Permit Window

The Burning Permit Policy contains a provision to provide a ‘window’ of time for the applicant to undertake their burning activity. This provision has been included to provide flexibility to permit holders to undertake their burning activity and to also allow for variation in climatic conditions and to avoid burning on high fire risk days.

Currently the maximum period for a permit to be valid is two months, from date of issue, but may be reduced if the permit is issued less than two months prior the commencement of the bushfire season. This timeframe provides opportunity for the applicant to undertake their burning activity at a time that suits them and when weather conditions are favourable.

3 Permit Applications – Site Assessment

In relation to applicants that apply for multiple permits Council Fire Prevention Officers have conducted a mandatory site assessment of the first two applications. Thereafter, and subject to satisfactory compliance with previous permit conditions, the requirement for site assessments is optional, and at the discretion of Council. A permit register is maintained for the purposes of this policy provision.

The inclusion of this policy provision assists to minimise the application process for applicants that have become known to Council Officers for complying with conditions of permits previously issued. This outcome also assists to minimise Council resource requirements needed to administer the permit system. Again it is considered that this practice is currently working well and it is considered that this approach should continue.

4 Burning Times

The Policy allows burning only be permitted between 10.00 am to 3.00 pm Monday to Saturday inclusive, and no burning on Sundays. These are the same conditions that existed for residents within townships of the Adelaide Hills Council prior to the introduction of the *Environment Protection (Air Quality) Policy 2016* in July 2016.

Since the adoption of this policy there has been minimal public concern, and there has been no legislative change at either State or Commonwealth level in this regard.

The Bushfire Advisory Group was advised of the review at their 27 June 2018 meeting. The committee was happy with the way the Policy had been implemented and no changes were recommended.

With all the above in mind, Administration has reviewed the Policy and is not proposing any changes, and recommends that the current Policy be readopted as detailed in **Appendix 2**.

4. OPTIONS

Council has the following options:

- I. To adopt the Policy as reviewed and attached in **Appendix 2** (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 Policy as reviewed and detailed in **Appendix 2** be readopted with a view to review the Policy and Permit by no later than 1 May 2021 or as required by legislation or changed circumstances.

5. APPENDICES

1. *Environment Protection (Air Quality) Policy 2016*
2. Burning Permit Policy for Readoption
3. Interim EPA permit – Adelaide Metropolitan Area
4. Interim Township Burning Permit Policy
5. Burning Permit Adelaide Metropolitan Area (excluding townships)
6. Council's resolution of 23 May 2017

Appendix 1

Environment Protection (Air Quality) Policy 2016

South Australia

Environment Protection (Air Quality) Policy 2016

under section 28 of the *Environment Protection Act 1993*

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Legislative history

Part 1—Preliminary

1—Short title

This policy may be cited as the *Environment Protection (Air Quality) Policy 2016*.

3—Interpretation

- (1) In this policy, unless the contrary intention appears—

Act means the *Environment Protection Act 1993*;

agriculture includes horticulture;

agriculture waste means waste produced in the course of agriculture and includes dead stock, diseased crops, crop stubble or other crop waste and waste resulting from the clearing of land for farming;

AS/NZS 1080.1:2012 means AS/NZS 1080.1:2012 *Timber - Methods of test Method 1:Moisture Content* published jointly by Standards Australia and Standards New Zealand, as in force at the commencement of this policy;

AS/NZS 2918:2001 means AS/NZS 2918:2001 *Domestic solid fuel burning appliances - Installation* published jointly by Standards Australia and Standards New Zealand, as in force at the commencement of this policy;

AS/NZS 4012:2014 means AS/NZS 4012:2014 *Domestic solid fuel burning appliances - Method for determination of power output and efficiency* published jointly by Standards Australia and Standards New Zealand, as in force at the commencement of this policy;

AS/NZS 4013:2014 means AS/NZS 4013:2014 *Domestic solid fuel burning appliances - Method for determination of flue gas emissions* published jointly by Standards Australia and Standards New Zealand, as in force at the commencement of this policy;

boiler means a vessel in which water is heated for any purpose by any combustible materials with a total heat release of 100 or more megajoules per hour;

certificate of compliance, in relation to a solid fuel heater, means a certificate issued or approved by the Authority certifying that solid fuel heaters of the same model as that heater comply with AS/NZS 4012:2014 and AS/NZS 4013:2014 (or an overseas standard approved by the Authority as being equivalent to, or more stringent than such a standard);

cubic metre or m^3 means that volume of dry gas which occupies a cubic metre at a temperature of 0° Celsius and at an absolute pressure equivalent to 101.3 kilopascals (1 atmosphere);

domestic incinerator means an incinerator that is situated on residential premises for burning waste from the premises;

emit a pollutant to air—see subclause (2);

fire danger season has the same meaning as in the *Fire and Emergency Services Act 2005*;

mandatory measures, in relation to a provision of this policy or a code, standard or other document, means measures that are expressed in the provision, code, standard or document as mandatory rather than as recommendations;

mandatory provision—see subclause (5);

occupier, of land, includes a person with responsibility for the care, control or management of the land;

overseas standard means a standard from an overseas jurisdiction;

particles as $PM_{2.5}$ means particulate matter with an equivalent aerodynamic diameter of 2.5 micrometres or less;

particles as PM_{10} means particulate matter with an equivalent aerodynamic diameter of 10 micrometres or less;

ppm means parts per million by volume;

prescribed Act—each of the following is a prescribed Act:

- (a) *Botanic Gardens and State Herbarium Act 1978*;
- (b) *Crown Land Management Act 2009*;
- (c) *Forestry Act 1950*;
- (d) *National Parks and Wildlife Act 1972*;
- (e) *Wilderness Protection Act 1992*;

prohibited substance—see clause 7(1);

recommended measures, in relation to a provision of this policy or a code, standard or other document means measures that are expressed in the provision, code, standard or document as recommendations rather than as mandatory;

solid fuel heater means any solid fuel burning appliance that is designed, manufactured or adapted for use in domestic premises (whether or not it is actually used in such premises);

stack, in relation to premises, means an outlet intended for the emission to air of pollutants produced on the premises, and includes a chimney, flue or vent;

tyre waste means waste comprised of tyres or tyre pieces.

- (2) For the purposes of this policy, a person emits a pollutant to air if the person causes or allows the pollutant to be emitted into the air or fails to prevent it from entering or escaping into the air.

- (3) A reference in this policy to the burning of matter in the open includes a reference to the burning of matter in a domestic incinerator.
- (4) For the purposes of this policy, a fire will be regarded as burning in the open despite the fact that it is burning in connection with the operation of any fuel-burning equipment, or within a container of some kind, if the equipment or container does not have a stack for the emission of pollutants to the air.
- (5) In this policy, the expression **mandatory provision** followed by a statement as to the category of offence is to be taken to signify that contravention of the provision at the foot of which the expression appears is, for the purposes of Part 5 of the Act, an offence of the category so stated.

Note—

Unless the contrary intention appears, terms used in this policy that are defined in the Act have the respective meanings assigned to those terms by the Act.

4—Application of policy

- (1) This policy does not apply in relation to—
 - (a) the destruction of property pursuant to a direction of the Commissioner of Police under section 52E of the *Controlled Substances Act 1984*; or
 - (b) an activity undertaken in the course of, or in connection with, fire-fighting, or the training of firefighters or fire investigators, by or on behalf of—
 - (i) the South Australian Metropolitan Fire Service; or
 - (ii) the South Australian Country Fire Service; or
 - (iii) the South Australian State Emergency Service; or
 - (iv) the South Australian Fire and Emergency Services Commission; or
 - (c) the disposal, in accordance with an environmental authorisation, of gaseous waste produced in the course of a prescribed activity of environmental significance; or
 - (d) burning undertaken in accordance with a permit or other authority issued under the *Fire and Emergency Services Act 2005* or as otherwise authorised by or under that Act; or
 - (e) burning for the purposes of fuel load reduction or other fire prevention or control purposes as required or authorised by or under the *Fire and Emergency Services Act 2005*; or
 - (f) burning for the purposes of native vegetation clearance as required or authorised by or under the *Native Vegetation Act 1991*; or
 - (g) burning as required or authorised by or under a prescribed Act.
- (2) Nothing in this policy affects the operation of an authority or exemption given by or under any Act or law (other than the *Environment Protection Act 1993*) and in force immediately before the commencement of this policy.
- (3) In this clause—

firefighter has the same meaning as in the *Fire and Emergency Services Act 2005*;

fire-fighting has the same meaning as in the *Fire and Emergency Services Act 2005*.

Part 2—Air quality measures

Division 1—Burning offences

5—Burning in the open in council areas

- (1) A person must not cause or permit the burning of matter by fire in the open on any land within a council area.

Mandatory provision: Category B offence.

- (2) However—
- (a) subclause (1) does not prevent a person from carrying out the following burning activities within a metropolitan council area or within a township in a non-metropolitan council area:
 - (i) lighting or maintaining a fire using charcoal, dry wood or other dry plant material for the purpose of preparing food or beverages;
 - (ii) burning charcoal (but not wood or other plant material) in a brazier, chiminea or fire pit for domestic heating;
 - (iii) burning agriculture or forestry waste, burning off vegetation for fire prevention or control, or burning vegetation for any other purpose, outside a fire danger season, provided that—
 - (A) the burning activity is carried out in accordance with a burning permit issued under clause 6; and
 - (B) the person complies with any mandatory measures of a prescribed burning code of practice that apply in relation to the burning activity; and
 - (C) the person has regard to any recommended measures of a prescribed burning code of practice that apply in relation to the burning activity; and
 - (b) subclause (1) does not prevent a person from carrying out the following burning activities within a non-metropolitan council area (other than a township):
 - (i) lighting or maintaining a fire in the open on land using charcoal, dry wood or other dry plant material—
 - (A) for the purpose of preparing food or beverages; or
 - (B) for a campfire or barbecue in the course of camping, scouting or a similar outdoor recreational activity;
 - (ii) burning charcoal, dry wood or other dry plant material in a brazier, chiminea or fire pit for domestic heating;
 - (iii) burning agriculture or forestry waste, burning off vegetation for fire prevention or control, or burning vegetation for any other purpose, outside a fire danger season, provided that—

- (A) the burning activity takes place only on land owned or occupied by the person or on land with the consent or authority of the owner or occupier; and
 - (B) the person complies with any mandatory measures of a prescribed burning code of practice that apply in relation to the burning activity; and
 - (C) the person has regard to any recommended measures of a prescribed burning code of practice that apply in relation to the burning activity.
- (3) For the purposes of subclause (2)(a)(i) and (b)(i), a fire will not be taken to be for the purpose of preparing food or beverages unless the fire is of a size, and has been built in a way, that reasonably corresponds to that purpose.
- (4) This clause—
- (a) applies subject to any ban, prohibition, restriction or other requirement under the *Fire and Emergency Services Act 2005*, the *Native Vegetation Act 1991* or a prescribed Act; and
 - (b) does not apply in relation to the burning of a prohibited substance.
- (5) In this clause—
- metropolitan Adelaide** has the same meaning as in the *Development Act 1993*;
- metropolitan council area** means a council area within metropolitan Adelaide;
- non-metropolitan council area** means a council area outside of metropolitan Adelaide;
- plant material** includes paper, cardboard and garden prunings;
- prescribed burning code of practice** means—
- (a) the *Broad Acre Burning Code of Practice April 2015* prepared by the South Australian Country Fire Service; or
 - (b) the *Vegetation Pile Burning Code of Practice April 2015* prepared by the South Australian Country Fire Service;
- township** has the same meaning as in the *Local Government Act 1999*.

6—Burning permits

- (1) The Authority or relevant council delegate may issue a permit (a **burning permit**) authorising a person or class of persons to carry out any 1 or more of the following burning activities outside of a fire danger season:
- (a) burning agriculture or forestry waste; or
 - (b) burning off vegetation for fire prevention or control; or
 - (c) burning vegetation for any other purpose.
- (2) An application for a burning permit must be made in writing in a manner and form determined by the Authority or relevant council delegate.
- (3) A burning permit—
- (a) is issued—

-
- (i) by notice in writing to the person to whom the permit applies; or
 - (ii) by notice published on the relevant council's website and in a newspaper circulating within the council area; and
 - (b) must specify the conditions to which the permit is subject, which may include—
 - (i) a condition requiring the burning activity to take place only during specified times or periods, under specified circumstances or in a specified manner; or
 - (ii) a condition permitting only specified matter or a specified class of matter to be burned; or
 - (iii) any other condition considered necessary or desirable to control or minimise air pollution from the burning activity; and
 - (c) cannot authorise a person to carry out a burning activity on land if the person is not the owner or occupier of the land or does not have the consent or authority of the owner or occupier; and
 - (d) cannot authorise the burning of a prohibited substance; and
 - (e) comes into operation on the day on which it is issued or such later date as may be specified in the permit; and
 - (f) remains in force according to its terms for a period specified in the permit or until revoked; and
 - (g) may be varied or revoked at any time by further notice given in the same manner as for its issuing (under paragraph (a)).
- (4) An application for a burning permit may be refused on the grounds that the applicant is not a suitable person to be issued with such a permit.
- (5) The fact that the holder of a burning permit has complied with the conditions of the permit does not of itself—
- (a) relieve the holder from liability for any loss, damage or harm caused by a fire lit under the authority of the permit; or
 - (b) prevent proceedings for enforcement of the general environmental duty under section 25 of the Act, or for any offence under the Act, in relation to the burning activity.
- (6) In this clause—
- relevant council delegate***, for a burning permit authorising a burning activity within a council area, means—
- (a) if the council for the area is an administering agency—
 - (i) that administering agency; or
 - (ii) any person or body (as contemplated under section 18C of the Act) to which that administering agency's functions under this clause have been delegated; or

- (b) any council, officer of the council or other person or body (as contemplated under section 115 of the Act) to which the Authority's powers or functions under this clause have been delegated.

7—Burning of prohibited substances

- (1) A person must not cause or permit the burning of a substance listed in Schedule 1 (a *prohibited substance*) by fire, whether inside a building or in the open.
Mandatory provision: Category B offence.
- (2) Subclause (1) does not apply in relation to the burning of a prohibited substance by fire in accordance with an environmental authorisation.

8—Environmental harm

For the purposes of section 5(1)(b) of the Act, the emission to the environment of ash or other residual matter caused by burning a prohibited substance by fire in contravention of clause 7 is declared to constitute environmental harm.

Division 2—Solid fuel heaters

9—Sale of solid fuel heaters

- (1) A person must not sell a solid fuel heater unless—
- (a) the heater is marked as being compliant with AS/NZS 4012:2014 and AS/NZS 4013:2014; and
 - (b) a certificate of compliance exists in relation to the heater; and
 - (c) in the case of the sale to a person whose business includes the wholesale or retail sale of heaters, a copy of the certificate has been given to the purchaser.
- Mandatory provision: Category B offence.
- (2) If the Authority is satisfied that an overseas standard applies to the solid fuel heater and contains measures that are equivalent to, or more stringent than, a standard referred to in subclause (1), the Authority may determine that this clause applies as if a reference to that standard so referred to were a reference to the overseas standard.
- (3) This clause does not apply in relation to a solid fuel heater that is a fixture in premises that are being sold.

10—Installation of solid fuel heaters

- (1) A person must not install a solid fuel heater unless the heater is marked as being compliant with AS/NZS 4012:2014 and AS/NZS 4013:2014.
Mandatory provision: Category B offence.
- (2) A person must, when installing a solid fuel heater, comply with any mandatory measures of AS/NZS 2918:2001, AS/NZS 4012:2014 and AS/NZS 4013:2014 that apply in relation to the installation of solid fuel heaters of that kind.
Mandatory provision: Category B offence.
- (3) A person must, when installing a solid fuel heater, have regard to any recommended measures of AS/NZS 2918:2001, AS/NZS 4012:2014 and AS/NZS 4013:2014 that apply in relation to the installation of solid fuel heaters of that kind.

- (4) If the Authority is satisfied that an overseas standard applies to the solid fuel heater and contains measures that are equivalent to, or more stringent than, a standard referred to in a preceding provision in this clause, the Authority may determine that the provision applies as if a reference to that standard so referred to were a reference to the overseas standard.

11—Interference with solid fuel heaters

- (1) A person must not—
 - (a) alter, or cause or permit the alteration of, the structure, exhaust system or air inlet of a solid fuel heater in relation to which a certificate of compliance exists; or
 - (b) mark a heater, or cause or permit a heater to be marked, as being compliant with the solid fuel heater standards referred to in clause 9(1)(a) if the heater is not of a model that is the subject of a certificate of compliance to that effect.

Mandatory provision: Category B offence.

- (2) Nothing in this clause prevents a person from carrying out genuine repair work on a heater.

12—Prevention of excessive smoke

- (1) The owner or occupier of premises at which a solid fuel heater is used must not cause or permit excessive smoke to be emitted to the air from the heater.

Mandatory provision: Category B offence.

- (2) Without limiting the circumstances in which smoke may be taken to be excessive for the purposes of subclause (1), smoke emitted to the air from a solid fuel heater will be taken to be excessive if a visible plume of smoke extends into the air from the flue or chimney of the heater for a continuous period of not less than 10 minutes, including a period of not less than 30 seconds when the plume extends into the air at least 10 metres from the point at which the smoke is emitted from the flue or chimney.

13—Sale of green firewood etc

- (1) Subject to subclause (2), a person must not cause or permit the sale of firewood or other solid fuel for use in a solid fuel heater if the moisture content of the firewood or other solid fuel exceeds 25% dry weight (when measured in accordance with AS/NZS 1080.1:2012).

Mandatory provision: Category B offence.

- (2) Subclause (1) does not apply to the sale of firewood or other solid fuel to a wholesaler or retailer of firewood or solid fuel.
- (3) If a retailer stores firewood or other solid fuel with a moisture content exceeding 25% dry weight (when measured in accordance with AS/NZS 1080.1:2012) on retail premises, the firewood or other solid fuel must be kept in a separate area that is clearly marked by a sign stating that the firewood or other solid fuel in that area is not available for retail sale.

Mandatory provision: Category B offence.

- (4) A retailer commits an offence against subclause (1) or (3) if a selection of 10 or more pieces of the wood or other solid fuel available for retail sale on the retailer's premises exceeds 25% dry weight (when measured in accordance with AS/NZS 1080.1:2012).
- (5) In this clause—
retail premises, in relation to firewood or other solid fuel, includes any place or vehicle occupied by the retailer for the purpose of selling the firewood or solid fuel.

Division 3—Localised air quality objectives

14—Localised air quality objectives

- (1) The Authority may, by amendment of this policy under clause 17, declare that localised air quality objectives apply within a designated area of the State.
- (2) A declaration under subclause (1)—
 - (a) must specify—
 - (i) the designated area, by map or description (or both); and
 - (ii) the air quality objectives sought to be achieved by the declaration; and
 - (iii) the class of persons to which the declaration applies; and
 - (b) may specify—
 - (i) measures for achieving the air quality objectives, including—
 - (A) mandatory or recommended measures regarding emission concentrations for particular pollutants; and
 - (B) any other mandatory or recommended measures; or
 - (ii) the testing, monitoring or modelling methodology to be used in determining compliance with the measures.
- (3) A person to whom a declaration under subclause (1) applies must comply with any mandatory measures specified in the declaration.
Mandatory provision: Category B offence.
- (4) A person to whom a declaration under subclause (1) applies must have regard to any recommended measures specified in the declaration.
- (5) If another provision of this policy is inconsistent with a declaration under subclause (1), the former will not apply to the extent of the inconsistency.

Division 4—Miscellaneous

15—Taking reasonable and practicable measures to avoid emissions from premises

- (1) The occupier of premises (other than domestic premises) must ensure that the emission of pollutants to air from the premises is not caused through any failure to take reasonable and practicable measures—
 - (a) to maintain fuel-burning equipment, control equipment or any other plant or equipment in an efficient condition; or
 - (b) to operate fuel-burning equipment, control equipment or any other plant or equipment in a proper and efficient manner; or
 - (c) to carry out maintenance of fuel-burning equipment, control equipment or any other plant or equipment in a proper and efficient manner; or
 - (d) to process, handle, move or store goods or materials in or on the premises in a proper and efficient manner.

Mandatory provision: Category B offence.

- (2) In this clause—

control equipment means any device that controls, limits, measures, records or indicates air pollution;

fuel-burning equipment means any machine, engine, apparatus or structure in which, or in the operation of which, combustible material is burned, but does not include a motor vehicle.

16—Testing points

- (1) The Authority or another administering agency may, by notice in writing to the occupier of premises (other than domestic premises) at which an activity is carried on that causes the emission of pollutants to the air, fix a suitable testing point at the premises to enable the Authority or another administering agency to evaluate the emissions from the premises.
- (2) An occupier to whom a notice has been given under subclause (1) must ensure that the testing point is, at all times, in a suitable condition and available for testing on request by an authorised officer.

Mandatory provision: Category B offence.

Part 3—Matters relating to Part 5 of Act

17—Amendment of policy by Gazette notice under section 32 of Act

- (1) Pursuant to section 32(1)(c) of the Act, this policy may be amended by the Minister, by notice in the Gazette—
 - (a) so as to modify the definition of ***prescribed burning code of practice*** for the purposes of clause 5; or
 - (b) so as to modify the references to the moisture content of firewood or other solid fuel in clause 13 from "25%" to a lower percentage; or

- (c) so as to declare, for the purposes of clause 14, that localised air quality objectives apply within a designated area of the State;
 - (d) so as to modify any Schedule in this policy (other than Schedule 5); or
 - (e) as a consequence of—
 - (i) an amendment to the Act, the making, variation or revocation of regulations under the Act or the making, amendment or revocation of another environment protection policy; or
 - (ii) the amendment, revocation or substitution of another Act, or a code, standard, guidelines or other document, referred to in the policy; or
 - (f) so as to make any other amendments (including amendment of Part 1) as a consequence of an amendment referred to in a preceding subparagraph.
- (2) An amendment is to be in the form of a textual amendment and, as such, a provision may be deleted from, substituted in or inserted into the policy and material may be deleted from, substituted in or inserted into a provision of the policy.
- (3) The Authority cannot make a recommendation to the Minister for an amendment referred to in this clause unless—
- (a) the proposal has been reduced to writing, clearly setting out the purpose and likely impact of and reasons for the proposed amendment; and
 - (b) in addition, in the case of an amendment under subclause (1)(b) or (c)—consultation has been undertaken as follows:
 - (i) relevant organisations and industries and the community likely to be affected by the proposed amendment have been consulted;
 - (ii) the views expressed by those consulted have been considered by the Authority and communicated to the Minister.

Part 4—Matters relating to Part 6 of Act

18—Matters relating to Part 6 of Act

- (1) In determining any matters under Part 6 of the Act in relation to an activity (including a related development), the Authority must take into account the following matters (to the extent to which they are relevant):
- (a) **ground level concentrations**—whether the activity has resulted, or may result, in the concentration of a pollutant specified in column 1 of the table in Schedule 2 clause 2 exceeding the maximum concentrations specified in column 4 or 5 for that pollutant over the averaging time specified in column 3 for that pollutant (based on evaluations at ground level using a prescribed testing, assessment, monitoring or modelling methodology for the pollutant and activity);
 - (b) **odour levels**—whether the activity has resulted, or may result, in the number of odour units specified in column 2 of the table in Schedule 3 being exceeded for the number of persons specified in column 1 over a 3 minute averaging time 99.9% of the time (based on evaluations at ground level using a prescribed testing, assessment, monitoring or modelling methodology for the pollutant and activity);

- (c) **stack emissions**—if the Authority is satisfied that it is not reasonably practicable or feasible to make evaluations in relation to the activity under paragraph (a) or (b)—whether the activity (being an activity specified in column 2 of the table in Schedule 4) has resulted, or may result, in the emission to air of a pollutant specified in column 1 of the table in Schedule 4—
- (i) at a level exceeding that specified for the pollutant in column 3; or
 - (ii) in contravention of a requirement (if any) specified for the pollutant in column 4,
- (based on evaluations at the stack using a prescribed testing, assessment, monitoring or modelling methodology for the pollutant and activity);
- (d) **evaluation distances**—whether the assessment requirements set out in the document entitled *Evaluation Distances for Effective Air Quality and Noise Management 2016* prepared by the Authority give rise to requirements for separation distances between the activity and other premises;
- (e) **localised air quality objectives**—any localised air quality objectives (within the meaning of clause 14) that apply in relation to the activity;
- (f) **any other kind of air pollution**—whether the activity has resulted or may result in the pollution of the air in any other manner;
- (g) **requirements to be imposed on all relevant persons**—the requirements that should, in the event of an environmental authorisation being granted, be imposed on all relevant persons for the purposes of preventing or minimising the pollution of the air or its harmful effects.

(2) In this clause—

prescribed testing, assessment, monitoring or modelling methodology, for a pollutant or activity, means—

- (a) a testing, assessment, monitoring or modelling methodology set out for the pollutant or activity in—
 - (i) *Ambient Air Quality Assessment 2016* prepared by the Authority; or
 - (ii) *Emission Testing Methodology for Air Pollution 2012* prepared by the Authority; or
- (b) some other testing, assessment, monitoring or modelling methodology approved by the Authority for the pollutant or activity.

Schedule 1—Prohibited substances

A listed waste (ie waste of a kind specified in Schedule 1 Part B of the Act)

Copper chromium arsenate or other timber preservation chemicals

Plastics

Tyre waste

A substance or material containing, or contaminated with, any substance listed above.

Schedule 2—Ground level concentrations (clause 18(1)(a))

1—Interpretation

- (1) In this Schedule—
IARC means the International Agency for Research on Cancer;
USEPA means the United States Environmental Protection Agency.
- (2) A reference to a classification specified in column 2 of the table in clause 2 followed by "(IARC)" or "(USEPA)" is a reference to that classification as determined by IARC or USEPA (as the case may be).

2—Ground level concentrations

Pollutant	Classification	Averaging time	Maximum concentration (mg/m ³ unless otherwise specified)	Maximum concentration (ppm)
Acetaldehyde	Odour	3 minutes	0.083	0.042
	Toxicity	3 minutes	6.44	3.2
Acetic acid	Odour	3 minutes	0.55	0.20
	Toxicity	3 minutes	0.9	0.32
Acetone	Toxicity	3 minutes	44	16.7
Acrolein	extremely toxic (USEPA)	3 minutes	0.00084	0.00033
Acrylic acid	Toxicity	3 minutes	0.22	0.067
Acrylonitrile	Group 2B carcinogen (IARC)	3 minutes	0.015	0.0067
Alpha chlorinated toluenes and benzoyl chloride	Group 2A carcinogen (IARC)	3 minutes	0.019	0.0033
Ammonia	Toxicity	3 minutes	0.66	0.83
Aniline	Toxicity	3 minutes	0.27	0.067
Antimony and compounds	Toxicity	3 minutes	0.019	-
Arsenic and compounds	Group 1 carcinogen (IARC)	3 minutes	0.00019	-
Asbestos	Group 1 carcinogen (IARC)	3 minutes	0.33 fibres/litre	-
Asphalt (petroleum) fumes	Toxicity	3 minutes	0.19	-
Barium (soluble compound)	Toxicity	3 minutes	0.019	-

1.9.2016—Environment Protection (Air Quality) Policy 2016
Ground level concentrations (clause 18(1)(a))—Schedule 2

Pollutant	Classification	Averaging time	Maximum concentration (mg/m³ unless otherwise specified)	Maximum concentration (ppm)
Benzene	Group 1 carcinogen (IARC)	3 minutes	0.058	0.017
		12 months	0.01	0.003
Benzo(a)pyrene as a marker for polycyclic aromatic hydrocarbons	Group 1 carcinogen (IARC)	3 minutes	0.0008	-
		12 months	0.3 nanogram/m ³	-
Beryllium and beryllium compounds	Group 1 carcinogen (IARC)	3 minutes	0.000008	-
Biphenyl	Toxicity	3 minutes	0.047	0.0067
Bromochloromethane	Toxicity	3 minutes	38	6.7
Bromoform (tribromomethane)	Toxicity	3 minutes	0.19	0.017
Bromotrifluoromethane	Toxicity	3 minutes	222	33
1,3-butadiene	Group 1 carcinogen (IARC)	3 minutes	0.08	0.033
n-Butanol	Odour	3 minutes	0.98	0.3
	Toxicity	3 minutes	5.57	1.7
n-Butyl acetate	Odour	3 minutes	2.02	0.39
	Toxicity	3 minutes	26	5.0
Butyl acrylate	Odour	3 minutes	0.2	0.035
Butyl mercaptan	Odour	3 minutes	0.013	0.004
	Toxicity	3 minutes	0.066	0.017
Cadmium and cadmium compounds	Toxicity; Group 1 carcinogen (IARC)	3 minutes	0.000036	-
Carbon black	Toxicity	3 minutes	0.11	-
Carbon disulphide	Odour	3 minutes	0.14	0.042
	Toxicity	3 minutes	1.02	0.32
Carbon monoxide	Toxicity	1 hour	31.24	25
		8 hours	11.25	9.0
Carbon tetrachloride (tetrachloromethane)	Toxicity	3 minutes	0.023	0.0033
Chlorine	Toxicity	3 minutes	0.11	0.033
Chlorine dioxide	Toxicity	3 minutes	0.01	0.0033

Environment Protection (Air Quality) Policy 2016—1.9.2016

Schedule 2—Ground level concentrations (clause 18(1)(a))

Pollutant	Classification	Averaging time	Maximum concentration (mg/m³ unless otherwise specified)	Maximum concentration (ppm)
Chlorobenzene	Odour	3 minutes	0.22	0.042
	Toxicity	3 minutes	1.64	0.32
Chloroform (trichloromethane)	Toxicity	3 minutes	1.75	0.33
Chloromethane (methyl chloride)	Toxicity	3 minutes	3.7	1.7
Chromium (III) compounds	Toxicity	3 minutes	0.019	-
Chromium VI compounds	Group 1 carcinogen (IARC)	3 minutes	0.00019	-
Copper dusts and mists	Toxicity	3 minutes	0.036	-
Copper fume	Toxicity	3 minutes	0.0073	-
Cotton dust (raw)	Toxicity	3 minutes	0.0073	-
Crotonaldehyde	Toxicity	3 minutes	0.22	0.067
Cumene (isopropyl benzene)	Odour	3 minutes	0.043	0.008
	Toxicity	3 minutes	8.8	1.6
Cyclohexane	Toxicity	3 minutes	38.2	10
Cyclohexanol	Toxicity	3 minutes	7.5	1.7
Cyclohexanone	Odour	3 minutes	0.53	0.12
	Toxicity	3 minutes	3.5	0.82
Cyanide (as CN)	Toxicity	3 minutes	0.19	-
Diacetone alcohol	Odour	3 minutes	1.42	0.28
o-Dichlorobenzene	Toxicity	3 minutes	10.9	1.7
1,2-dichloroethane (ethylene dichloride)	Mutagen (USEPA); Group 2B carcinogen (IARC)	3 minutes	0.14	0.033
1,2-Dichloroethylene	Toxicity	3 minutes	28.7	6.7
Dichlorvos	Toxicity	3 minutes	0.036	0.0033
Diethylamine	Odour	3 minutes	0.07	0.02
	Toxicity	3 minutes	1.06	0.32
Dimethylamine	Odour	3 minutes	0.019	0.0094
	Toxicity	3 minutes	0.64	0.32
Dinitrobenzene (all isomers)	Toxicity	3 minutes	0.036	0.005
Dinitrotoluene	Toxicity	3 minutes	0.06	-

1.9.2016—Environment Protection (Air Quality) Policy 2016
Ground level concentrations (clause 18(1)(a))—Schedule 2

Pollutant	Classification	Averaging time	Maximum concentration (mg/m³ unless otherwise specified)	Maximum concentration (ppm)
Diphenyl ether	Odour	3 minutes	0.15	0.02
Epichlorohydrin	Group 2A carcinogen (IARC)	3 minutes	0.027	0.0067
Ethanol	Odour	3 minutes	4.1	2.0
	Toxicity	3 minutes	68.4	33.3
Ethanolamine	Toxicity	3 minutes	0.27	0.1
Ethyl acetate	Odour	3 minutes	24.1	6.3
	Toxicity	3 minutes	25.76	6.6
Ethyl acrylate	Odour	3 minutes	0.0009	0.0002
	Toxicity	3 minutes	0.72	0.16
Ethylbenzene	Toxicity	3 minutes	15.8	3.3
Ethyl butyl ketone	Toxicity	3 minutes	8.4	1.7
Ethyl chloride (chloroethane)	Toxicity	3 minutes	94.5	33.3
Ethylene glycol (vapour)	Toxicity	3 minutes	2.2	-
Ethylene oxide	Group 1 carcinogen (IARC)	3 minutes	0.0066	0.0033
Fluoride	Bioaccumulation	24 hours	0.003	0.0034
		7 days	0.002	0.002
		90 days	0.001	0.00059
Fluorine	Toxicity	3 minutes	0.058	0.033
Formaldehyde	Toxicity; Group 1 carcinogen (IARC)	3 minutes	0.044	0.033
		24 hours	0.054	0.04
n-Hexane	Toxicity	3 minutes	6.4	1.7
2-Hexanone	Toxicity	3 minutes	3.6	0.83
Hydrogen chloride	Toxicity	3 minutes	0.27	0.17
Hydrogen cyanide	extremely toxic (USEPA)	3 minutes	0.404	0.33
Hydrogen sulphide	Odour	3 minutes	0.00015	0.0001
	Toxicity	3 minutes	0.51	0.32
Iron oxide fume	Toxicity	3 minutes	0.19	-
Lead (as particles)	Toxicity	12 months	0.0005	-
Magnesium oxide fume	Toxicity	3 minutes	0.36	-

Environment Protection (Air Quality) Policy 2016—1.9.2016

Schedule 2—Ground level concentrations (clause 18(1)(a))

Pollutant	Classification	Averaging time	Maximum concentration (mg/m ³ unless otherwise specified)	Maximum concentration (ppm)
Maleic anhydride	Toxicity	3 minutes	0.036	0.0083
Manganese and compounds	Toxicity	3 minutes	0.036	-
MDI (Diphenylmethane diisocyanate)	extremely toxic (USEPA)	3 minutes	0.00008	-
Mercury				
- inorganic	Bioaccumulation	3 minutes	0.004	-
- organic	Bioaccumulation	3 minutes	0.00036	-
Methanol	Odour	3 minutes	6.0	4.3
	Toxicity	3 minutes	9.5	6.7
Methyl acrylate	Toxicity	3 minutes	1.3	0.33
Methylamine	Odour	3 minutes	0.0055	0.0042
	Toxicity	3 minutes	0.47	0.32
Methyl bromide (bromomethane)	Toxicity	3 minutes	0.69	0.17
Methylene chloride (dichloromethane)	Toxicity	3 minutes	6.3	1.7
Methyl ethyl ketone	Odour	3 minutes	6.4	2.0
	Toxicity	3 minutes	17.5	4.9
Methyl isobutyl ketone	Odour	3 minutes	0.45	0.1
	Toxicity	3 minutes	7.3	1.6
Methyl mercaptan	Odour	3 minutes	0.00092	0.00042
	Toxicity	3 minutes	0.035	0.016
Methyl methacrylate	Odour	3 minutes	0.23	0.05
	Toxicity	3 minutes	14.63	3.2
Methyl styrene	Odour	3 minutes	0.27	0.052
	Toxicity	3 minutes	8.84	1.7
Nickel and nickel compounds	Group 1 carcinogen (IARC)	3 minutes	0.00036	0.00017
Nitric acid	Toxicity	3 minutes	0.19	0.067
Nitrobenzene	Odour	3 minutes	0.005	0.00094
	Toxicity	3 minutes	0.175	0.032
Nitrogen dioxide	Toxicity	1 hour	0.25	0.12
		12 months	0.06	0.03
Particles as PM ₁₀	Toxicity	24 hours	0.05	-

1.9.2016—Environment Protection (Air Quality) Policy 2016
Ground level concentrations (clause 18(1)(a))—Schedule 2

Pollutant	Classification	Averaging time	Maximum concentration (mg/m³ unless otherwise specified)	Maximum concentration (ppm)
Particles as PM _{2.5}	Toxicity	24 hours	0.025	-
		12 months	0.008	-
Pentachlorophenol	extremely toxic (USEPA)	3 minutes	0.0019	-
n-Pentane	Toxicity	3 minutes	65.5	20
2-Pentanone	Toxicity	3 minutes	25.4	6.7
Perchloroethylene (tetrachloroethylene)	Odour	3 minutes	6.9	0.94
	Toxicity	3 minutes	12.2	1.7
Phenol	Odour	3 minutes	0.039	0.0094
	Toxicity	3 minutes	0.14	0.032
Phosgene	extremely toxic (USEPA)	3 minutes	0.014	0.0033
Phosphine	Odour	3 minutes	0.0061	0.0042
	Toxicity	3 minutes	0.015	0.01
Photochemical oxidants (as ozone)	Toxicity	1 hour	0.21	0.1
		4 hours	0.17	0.08
Phthalic anhydride	Toxicity	3 minutes	0.22	0.033
n-propanol	Odour	3 minutes	0.082	0.03
	Toxicity	3 minutes	17.9	6.2
Propylene glycol monomethyl ether	Toxicity	3 minutes	13.1	3.3
Propylene oxide	Group 2B carcinogen (IARC)	3 minutes	0.17	0.067
Pyridine	Odour	3 minutes	0.014	0.0042
	Toxicity	3 minutes	0.57	0.16
Respirable crystalline silica— inhaled in the form of quartz or cristobalite (measured as PM _{2.5})	Group 1 carcinogen (IARC)	3 minutes	0.00036	-
Silver metal	Toxicity	3 minutes	0.004	-
Silver, soluble compounds (as Ag)	Toxicity	3 minutes	0.00036	-
Styrene (monomer)	Odour	3 minutes	0.23	0.05
	Toxicity	3 minutes	7.6	1.64

Environment Protection (Air Quality) Policy 2016—1.9.2016

Schedule 2—Ground level concentrations (clause 18(1)(a))

Pollutant	Classification	Averaging time	Maximum concentration (mg/m ³ unless otherwise specified)	Maximum concentration (ppm)
Sulphur dioxide	Toxicity	1 hour	0.57	0.2
		24 hours	0.23	0.08
		12 months	0.06	0.02
Sulphuric acid	Toxicity	3 minutes	0.036	-
TDI (toluene-2,4-diisocyanate (USEPA) and toluene-2,6-diisocyanate)	extremely toxic	3 minutes	0.00008	-
Toluene	Odour	3 minutes	0.71	0.17
	Toxicity	3 minutes	13.4	3.2
		24 hours	4.11	1.0
		12 months	0.41	0.1
1,1,1-trichloroethane (methyl chloroform)	Toxicity	3 minutes	24.8	4.2
1,1,2-trichloroethane	Toxicity	3 minutes	1.97	0.33
Trichloroethylene	Group 1 carcinogen (IARC)	3 minutes	0.98	0.17
Trichlorofluoromethane	Toxicity	3 minutes	204	33.3
Triethylamine	Odour	3 minutes	0.39	0.09
	Toxicity	3 minutes	0.43	0.1
Trimethylbenzene (mixed isomers)	Toxicity	3 minutes	4.4	0.83
Vinyl chloride	Group 1 carcinogen (IARC)	3 minutes	0.047	0.017
Vinyl toluene	Toxicity	3 minutes	8.8	1.7
Welding fume (total particulate)	Toxicity	3 minutes	0.19	-
Wood dust				
- hardwoods	Group 1 carcinogen (IARC)	3 minutes	0.036	-
- softwoods	Group 1 carcinogen (IARC)	3 minutes	0.019	-
Xylenes (as total of ortho, meta and para isomers)	Odour	3 minutes	0.38	0.08
	Toxicity	3 minutes	12.4	2.7

Pollutant	Classification	Averaging time	Maximum concentration (mg/m³ unless otherwise specified)	Maximum concentration (ppm)
		24 hours	1.18	0.25
		12 months	0.95	0.2
Zinc chloride fume	Toxicity	3 minutes	0.036	-
Zinc oxide fume	Toxicity	3 minutes	0.19	-

Schedule 3—Odour levels (clause 18(1)(b))

Number of people	Odour units (3 minutes average, 99.9% of time)
2000 or more	2
350 - 1999 (inclusive)	4
60 - 349 (inclusive)	6
12 - 59 (inclusive)	8
Single residence (fewer than 12)	10

Schedule 4—Stack emissions (clause 18(1)(c))

Pollutant	Activity	Maximum pollutant level	Other requirements
Antimony or its compounds	Any activity	10mg/m ³ as antimony	
Arsenic or its compounds	Any activity	10mg/m ³ as arsenic	
Cadmium or its compounds	Any activity	3mg/m ³ as cadmium	
Lead or its compounds	Any activity	10mg/m ³ as lead	
Mercury or its compounds	Any activity	3mg/m ³ as mercury	
Any 2 or more of the preceding 5 pollutants	Any activity	10mg/m ³ (as the respective pollutants (in total))	
Carbon monoxide	Any activity	1000mg/m ³	
Chlorinated dioxins and furans	Production of energy from waste	0.1ng (nanograms) /m ³	

Environment Protection (Air Quality) Policy 2016—1.9.2016

Schedule 4—Stack emissions (clause 18(1)(c))

Pollutant	Activity	Maximum pollutant level	Other requirements
Chlorine or inorganic chlorine compounds	Any activity	200mg/m ³ as chlorine equivalent	
Fluorine, hydrofluoric acid or inorganic fluorine compounds	Any activity except primary aluminium smelters	50mg/m ³ as hydrofluoric acid equivalent	
	Primary aluminium smelters	20mg/m ³ as hydrofluoric acid equivalent	
Hydrogen sulphide gas	Any activity	5mg/m ³	
Nickel carbonyl	Any activity	0.5mg/m ³ as nickel	
Nickel or its compounds (other than nickel carbonyl)	Any activity	20mg/m ³ as nickel	
Nitric acid or oxides of nitrogen	Manufacture of nitric acid or sulphuric acid	2000mg/m ³ as nitrogen dioxide equivalent	The plume must be colourless
Oxides of nitrogen	Fuel burning (other than internal combustion engines or the manufacture of nitric acid, sulphuric acid, glass or cement) with a maximum heat input rate greater than 150 000 MJ/hr gross—		
	(a) for gaseous fuels	350mg/m ³ referenced to 7% by volume of oxygen	
	(b) for liquid or solid fuels	500mg/m ³ referenced to 7% by volume of oxygen	
	Power generation of 250MW or greater	700mg/m ³ referenced to 7% by volume of oxygen	
	Gas turbines for power generation of 10MW or greater—		
	(a) for gaseous fuels	70mg/m ³ referenced to 15% by volume of oxygen	
	(b) for liquid or solid fuels	150mg/m ³ referenced to 15% by volume of oxygen	
Gas turbines for power generation of less than 10MW	90mg/m ³ referenced to 15% by volume of oxygen		

Pollutant	Activity	Maximum pollutant level	Other requirements
Particulate matter	Any activity other than heating metals or metal ores	100mg/m ³ , referenced, in the case of boilers and incinerators, to 12% by volume of carbon dioxide	
	Heating metals or metal ores (other than cold blast cupolas)	100mg/m ³	
Sulphur dioxide	Sulphuric acid plant	1000mg/m ³	
Sulphuric acid mist or sulphur trioxide	Any activity	100mg/m ³ as sulphur trioxide equivalent	

Schedule 5—Transitional provisions

Part 2—Transitional provisions

2—Policy not to apply for 2 years in relation to existing prescribed activities of environmental significance

If, immediately before the commencement of this policy, a person was undertaking a prescribed activity of environmental significance in accordance with an environmental authorisation, nothing in this policy will affect that activity so undertaken by the person until the expiry of the second year of operation of this policy.

Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Legislation revoked by principal policy

The *Environment Protection (Air Quality) Policy 2016* revoked the following:

Environment Protection (Air Quality) Policy 1994

Environment Protection (Burning) Policy 1994

Environment Protection (Motor Vehicle Fuel Quality) Policy 2002

Environment Protection (Solid Fuel Heaters) Policy 2015

Principal policy and amendments

New entries appear in bold.

Notice	Provision under which notice is made	Publication of policy in Gazette	Commencement
Gazette 21.7.2016 p2965	s 28	<i>Gazette 21.7.2016 p2966</i>	23.7.2016: cl 2
Gazette 1.9.2016 p3372	s 32	—	1.9.2016: cl 2

Provisions amended

New entries appear in bold.


Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
Pt 1		
<i>cl 2</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>1.9.2016</i>
Pt 2		
cl 5		
prescribed burning code of practice	substituted by 1.9.2016 p3372 cl 4	1.9.2016
Sch 5		
<i>Pt 1</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	<i>1.9.2016</i>

Appendix 2

Burning Permit Policy for Readoption

COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<h2 style="margin: 0;">BURNING PERMIT</h2>
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Policy Number:	ENV-06
Responsible Department(s):	Waste, Health and Regulatory Services
Relevant Delegations:	Delegations by the Board of the Environment Protection Authority to Employees of Councils dated 22 June 2016
Other Relevant Policies:	Nil
Relevant Procedure(s):	Nil
Relevant Legislation:	<i>Environmental Protection Act 1993</i> <i>Environment Protection (Air Quality) Policy 2016</i> <i>Fire and Emergency Services Act 2005</i> <i>Development Act 1993</i>
Policies and Procedures Superseded by this policy on its Adoption:	Interim Township Burning Permit Policy
Adoption Authority:	Council
Date of Adoption:	23 May 2017
Effective From:	1 August 2017 <u>12 March 2019</u>
Minute Reference for Adoption:	Item 14.2, 109/17
Next Review:	1 August 2018 <u>No later than 1 May 2021 or as required by legislation or changed circumstances</u>

BURNING PERMIT POLICY

1. INTRODUCTION

In July 2016 the *Environment Protection (Air Quality) Policy 2016* (the Air Quality Policy) came into effect. The Air Quality Policy, created by the Environment Protection Authority (EPA) regulates air emissions including those from burning in the open. The intent of the Air Quality Policy is to better protect and improve the health of South Australians and the environment through improved air quality. The Air Quality Policy provides Council with the authority to issue permits for a variety of burning activities outside the Fire Danger Season.

2. POLICY OBJECTIVE

The objectives of this policy are:

- To provide guidance to Relevant Council Delegates when administering functions provided to them under the Air Quality Policy
- Maximise equity in the level of permitted burning activities between residents outside Metropolitan Adelaide and residents within Metropolitan Adelaide
- Balance the intent of the Air Quality Policy with the bushfire risk found within many parts of the Council area
- To document the policy position to apply within all Townships, within Metropolitan Adelaide (excluding Townships) and outside Metropolitan Adelaide (excluding townships)
- To provide a reference for community use.

3. SCOPE

This policy applies to:

- All land within Townships within the Adelaide Hills Council as defined by Council resolution, plans submitted to the Surveyor General's Office and publication in the Government Gazette
- All land within the portion of the Council district that falls within Metropolitan Adelaide
- All land within the portion of the Council district that falls outside Metropolitan Adelaide

The Air Quality Policy allows the following burning to occur without a permit from Council and therefore these activities are not within the scope of this policy:

- All exclusions as outlined in Clause 4 of the Air Quality Policy
- Metropolitan Adelaide and within all Townships:
 - Lighting or maintaining a fire using charcoal, dry wood or other dry plant material for the purpose of preparing food or beverages. The fire must be of a size, and has been built in a way, that reasonably corresponds to this purpose.
 - Burning charcoal (but not wood or other plant material) in a brazier, chiminea or fire pit for domestic heating.
- Non Metropolitan Adelaide (excluding townships):
 - Lighting or maintaining a fire in the open on land using charcoal, dry wood or other dry plant material for the purpose of preparing food or beverages. The fire must be of a size, and has been built in a way, that reasonably corresponds to this purpose.

-
- Lighting or maintaining a fire in the open on land using charcoal, dry wood or other dry plant material for the purpose of a campfire or barbecue in the course of camping, scouting or a similar outdoor recreational activity.
 - Burning charcoal, dry wood or other dry plant material in a brazier, chiminea or fire pit for domestic heating
 - Burning agriculture or forestry waste, burning off vegetation for fire prevention or control, or burning vegetation for any other purpose, outside a fire danger season, provided that:
 - The burning activity takes place only on land owned or occupied by the person or on land with the consent or authority of the owner or occupier; and
 - The person complies with any mandatory measures of a Prescribed Burning Code of Practice that apply in relation to the burning activity; and
 - The person has regard to any recommended measures of a Prescribed Burning Code of Practice that apply in relation to the burning activity.

This policy does not apply in relation to any item, activity or action that is not applicable under the Air Quality Policy.

4. DEFINITIONS

“Air Quality Policy” means the *Environment Protection (Air Quality) Policy 2016*.

“Burning Permit(s)” means a permit or permits issued by a Relevant Council Delegate of the Adelaide Hills Council, issued in accordance with the provisions of the *Environment Protection (Air Quality) Policy 2016*.

“Fire Danger Season” has the same meaning as in the *Fire and Emergency Services Act 2005*.

“Metropolitan Adelaide” has the same meaning as the *Environment Protection (Air Quality) Policy 2016*.

“Prescribed Burning Codes of Practice” has the same meaning as the *Environment Protection (Air Quality) Policy 2016* e.g.

- The Broad Acre Burning Code of Practice prepared by the South Australian Country Fire Service; or
- The Vegetation Pile Burning Code of Practice prepared by the South Australian Country Fire Service

“Relevant Council Delegate” means an employee of Council delegated with the authority to issue a Burning Permit in accordance with the provisions of the *Environmental Protection Act 1993* and the delegations by the Board of the Environment Protection Authority to employees of Councils.

“Township or Townships” unless defined otherwise, has the same meaning as the *Environment Protection (Air Quality) Policy 2016*.

5. POLICY STATEMENT

The Air Quality Policy provides Relevant Council Delegates with the ability to permit persons or class of persons to carry out any one or more of the following burning activities outside of the Fire Danger Season:

- Burning agriculture or forestry waste; or
- Burning off vegetation for fire prevention or control; or
- Burning vegetation for any other purpose.

The issuing of permits under the Air Quality Policy can be undertaken as follows:

- By notice in writing to the person to whom the permit applies; or
- By notice published on the relevant council's website and in newspapers circulating within the council area.

To achieve the objectives of this policy the following Burning Permit Policy positions are defined:

5.1 Metropolitan Adelaide (Excluding Townships)

The Air Quality Policy requires residents within Metropolitan Adelaide to obtain a permit to undertake the following burning activities. Residents outside Metropolitan Adelaide (outside Townships) do not require a permit to undertake the same burning activities.

- Burning dry wood or other dry plant material for a campfire or barbecue in the course of camping, scouting or a similar outdoor recreational activity
- Burning dry wood or other dry plant material in a brazier, chiminea or fire pit for domestic heating
- Burning agriculture or forestry waste
- Burning off vegetation for fire prevention or control
- Burning vegetation for any other purpose

The nature of the environment between land within and outside Metropolitan Adelaide is similar in many characteristics including primary production zoning, high fuel loads, bushfire risk, vegetation type, large allotment sizes and low population densities.

Given the similarities of the environment between Metropolitan Adelaide and non Metropolitan Adelaide the permitted burning activities should also be similar to ensure consistency and equity between the zones. Accordingly, the following Burning Permit Policy position is adopted for land outside of Townships within Metropolitan Adelaide.

5.1.1 Metropolitan Adelaide Policy Position (Excluding Townships)

Authority is given to any person within the following areas of the Adelaide Hills Council (as defined in the Adelaide Hills Council Development Plan pursuant to the *Development Act 1993*) that are within Metropolitan Adelaide, excluding those properties within the declared Townships pursuant to the *Environment Protection (Air Quality) Policy 2016*:

- The Watershed (Primary Production) Zone
- The Hills Face Zone
- The Public Purpose Zone, excluding those areas with a Medium Bushfire Risk classification in a Bushfire Protection Area

- Tourist Accommodation Zone

to carry out any of the following burning activities in those areas, outside of the Fire Danger Season (as fixed under the *Fire and Emergency Services Act 2005*):

- Burning agriculture or forestry waste
- Burning off vegetation for fire prevention or control
- Burning vegetation comprising dry wood or other dry plant material in a brazier, chiminea or fire pit in the open for domestic heating
- Lighting or maintaining a fire in the open using vegetation comprising dry wood or other dry plant material for a campfire or barbecue in the course of camping, scouting or a similar outdoor recreational activity

Authority to undertake the above burning activities will be via a Burning Permit authorised by the Chief Executive Officer and issued by notice published on Council's website and in newspapers circulating within the Council area.

The duration of the Burning Permit will be for a five year period unless revoked or resolved otherwise by Council, or should circumstances change that would warrant a review.

Prior to expiration of the Metropolitan Adelaide Burning Permit Council will review the effectiveness of the operation of the Burning Permit taking into consideration a number of factors including bushfire fuel hazard reduction requirements and the intent of the Air Quality Policy. This review will inform decision making on future Burning Permits that are to be issued, subject to Council resolution.

5.2 Townships

The Air Quality Policy requires residents within Townships to obtain a permit for:

- Burning agriculture or forestry waste; or
- Burning off vegetation for fire prevention or control; or
- Burning vegetation for any other purpose.

Given the intent of the Air Quality Policy, the higher population densities within Township areas, the generally reduced bushfire fuel load and access to kerbside green organics collection service it is appropriate that residents apply for individual Burning Permits within Townships.

To ensure assessment of permit applications for burning within Townships is undertaken consistently, recognises and considers the bushfire hazard, and takes into account the intent of the Air Quality Policy to improve air quality, the following Burning Permit Policy position is adopted for Townships within the Adelaide Hills Council area.

5.2.1 Township Policy Position

Burning Permit applications are required for any Township burning from the person whom the permit application applies. Burning Permit applications must be in writing in a manner and form determined by Council.

The assessment, and when applicable, issuing of Burning Permit applications will be undertaken by a Relevant Council Delegate outside of the Fire Danger Season (as fixed under the *Fire and Emergency Services Act 2005*).

In assessing Burning Permit applications, Relevant Council Delegates, will use their discretion, taking into account the following criteria, in determining whether a Burning Permit will be issued or not:

- Bushfire risk of the area
- Purpose of the proposed burning
- Amount of material to be burnt
- Fuel load present on property and adjoining properties
- Properties in close proximity or adjoining reserves or national parks
- Proximity and potential impact to neighbouring residents
- Availability of other reasonable means to dispose of the vegetation
- Ability of applicant to utilise other reasonable means to dispose of the vegetation
- Legitimacy of the proposed burning – i.e. is this genuine fire hazard reduction or rubbish removal
- Nature of material to be burnt
- Size of the allotment
- Terrain of the allotment and locality
- Accessibility to the allotment and area where the vegetation is to be burnt
- Is the material declared and or woody weeds
- Is the material diseased plant material
- Requirements of the Country Fire Service Broad Acre Burning Code of Practice
- Requirements of the Country Fire Service Vegetation Pile Burning Code of Practice
- Religious or cultural purposes.

5.3 Outside Metropolitan Adelaide (Excluding Townships)

The Air Quality Policy allows residents outside the Adelaide metropolitan area (excluding townships), to undertake the following burning activities without the need to obtain a permit from Council:

- Burning agriculture or forestry waste
- Burning off vegetation for fire prevention or control
- Burning charcoal, dry wood or other dry plant material in a brazier, chiminea or fire pit in the open for domestic heating
- Lighting or maintaining a fire in the open using charcoal, dry wood or other plant material for a campfire or barbeques in the course of camping, scouting or a similar outdoor recreational activity
- Burning of vegetation for any other purpose.

Application of this exemption is subject to residents complying with relevant Prescribed Burning Codes of Practice.

Given this exemption there is not a requirement to include a specific policy position for properties that are outside of the Adelaide metropolitan area, excluding townships.

5.3.1 Outside Metropolitan Adelaide Policy Position (Excluding Townships)

Provisions of the *Environment Protection (Air Quality) Policy 2016* apply in relation to burning in the open in the non-metropolitan Adelaide portion of the Council area (excluding townships).

5.4 Burning Permits

All matters relating to receiving and assessing Burning Permit applications, and the issuing of Burning Permits, will be undertaken in accordance with the requirements of the Air Quality Policy including relevant compliance with Prescribed Burning Codes of Practice.

In instances when a Burning Permit is to be issued the Relevant Council Delegate will give due consideration, in consultation with the applicant, to providing a period of time ('a window') to undertake the burning activity. Burning Permits will be issued for a maximum period of two months from date of issue.

In relation to applicants that apply for multiple permits the assessment of the first two applications will include a mandatory site assessment by the Relevant Council Delegate. Thereafter, and subject to satisfactory compliance with permit conditions, site assessments will be optional, at the discretion of Relevant Council Delegates. A permit register will be maintained for the purposes of this policy provision.

Burning Permits will not be valid for township burning on Sundays unless exceptional circumstances arise at the discretion of Council. Township burning permits will only be valid between 10.00am to 3.00pm Monday to Saturday inclusive.

6. DELEGATIONS

The Chief Executive Officer has the delegation to approve, amend and review any procedures that shall be consistent with this policy.

Delegations by the Board of the Environment Protection Authority to employees of Council.

7. AVAILABILITY OF THE POLICY

This policy will be available for inspection at Council's Offices during ordinary business hours and via Council's website www.ahc.sa.gov.au . Copies will also be provided to the public upon request, and upon payment of a fee in accordance with Council's Schedule of Fees and Charges.

Appendix 3

Interim EPA Permit – Adelaide Metropolitan Area

ENVIRONMENT PROTECTION AUTHORITY

Environment Protection (Air Quality) Policy 2016

Burning Permit issued in accordance with clause 6 of the Environment Protection (Air Quality) Policy 2016

This burning permit is issued by the Environment Protection Authority and authorises any person within the following areas of the Adelaide Hills Council (as defined in the Adelaide Hills Council Development Plan pursuant to the Development Act 1993) that are within Metropolitan Adelaide (as defined in the Development Act 1993):

- (a) The Watershed (Primary Production) Zone;
- (b) The Hills Face Zone;
- (c) The Public Purpose Zone, excluding those areas with a Medium Bushfire Risk classification in a Bushfire Protection Area; and
- (d) Tourist Accommodation Zone,

to carry out any of the following burning activities in those areas, outside of the 2016/2017 fire danger season (fixed under the *Fire and Emergency Services Act 2005*) subject to the conditions set out below:

- 1) Burning agriculture or forestry waste;
- 2) Burning off vegetation for fire prevention or control;
- 3) Burning dry wood or other dry plant material in a brazier, chiminea or fire pit in the open for domestic heating;
- 4) Lighting or maintaining a fire in the open using charcoal, dry wood or other plant material for a campfire or barbecue in the course of camping, scouting or a similar outdoor recreational activity.

Conditions

- 5) This burning permit cannot authorise a person to carry out a burning activity under (1) or (2) on land if the person is not the owner or occupier of the land or does not have the consent or authority of the owner or occupier.
- 6) A person carrying out a burning activity under (1) and (2) must:
 - a) comply with any mandatory measures of the *Vegetation Pile Burning Code of Practice April 2015* and the *Broad Acre Burning Code of Practice April 2015* prepared by the South Australian Country Fire Service; and
 - b) have regard to any recommended measures of the *Vegetation Pile Burning Code of Practice April 2015* and the *Broad Acre Burning Code of Practice April 2015* prepared by the South Australian Country Fire Service.
- 7) This notice remains in force until the start of the 2017/2018 fire danger season (fixed under the *Fire and Emergency Services Act 2005*).

Notes

This burning permit does not authorise the burning of a prohibited substance (Clauses (6)(3)(d) and (7)(1) of the *Environment Protection (Air Quality) Policy 2016*).

The fact that a person has complied with the conditions of this burning permit does not:

- a. relieve the person from liability for any loss, damage or harm caused by a fire lit under the authority of the burning permit; or
- b. prevent proceedings for enforcement of the general environmental duty under section 25 of the *Environment Protection Act 1993*, or for any offence under the Act, in relation to the burning activity (clause 6(5) of the *Environment Protection (Air Quality) Policy 2016*).

This permit is subject to any ban, prohibition, restriction, or other requirement under the *Fire and Emergency services Act 2005*, the *Native Vegetation Act 1991* or a prescribed act (clause 5(4) *Environment Protection (Air Quality) Policy 2016*).

For general information and Frequently Asked Questions on Burning in the Open in the Adelaide Hills Council area please visit the council's website www.ahc.sa.gov.au or the EPA's website www.epa.sa.gov.au.



Appendix 4


Interim Township Burning Permit Policy

Council Policy

Interim Township Burning Permit



COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	INTERIM TOWNSHIP BURNING PERMIT
--	--

Policy Number:	ENV - 06
Responsible Department(s):	Waste, Health & Regulatory Services
Relevant Delegations:	Delegations by the Board of the Environment Protection Authority to Employees of Councils dated 22 June 2016
Other Relevant Policies:	Nil
Relevant Procedure(s):	Nil
Relevant Legislation:	<i>Environmental Protection Act 1993</i> <i>Environment Protection (Air Quality) Policy 2016</i> <i>Fire and Emergency Services Act 2005</i>
Policies and Procedures Superseded by this policy on its Adoption:	Nil
Adoption Authority:	Strategic Planning & Development Policy Committee
Date of Adoption:	13 September 2016
Effective From:	19 September 2016
Minute Reference for Adoption:	Item 12.1, 36
Next Review:	No later than 31 December 2017 or as required by legislation.

INTERIM TOWNSHIP BURNING PERMIT POLICY

1. INTRODUCTION

In July 2016 the new *Environment Protection (Air Quality) Policy 2016* (the Air Quality Policy) came into effect. The Air Quality Policy, created by the Environment Protection Authority (EPA) regulates air emissions including those from wood heaters and burning in the open. The intent of the Air Quality Policy is to better protect and improve the health of South Australians and the environment through improved air quality.

The introduction of the Air Quality Policy results in a number of changes to controls relating to burning in the open. In regard to townships within the Adelaide Hills Council area, the burning that was previously permitted without the requirement for any approval, Monday to Saturday, 10am to 3pm, now requires a burning permit from Council.

The purpose of the Interim Township Burning Permit Policy (the Interim Policy) is to establish a set of criteria to be considered by Council's Fire Prevention Officers when assessing permit applications for burning within townships (including those properties within the Country Living Zone).

The Interim Policy, as its name suggests, is an interim measure and will remain in place until Council can more fully consider, and develop, a permanent Burning Policy, which will include community engagement as part of the policy development process.

2. OBJECTIVES

The objective of the Interim Policy is to establish a set of criteria that Council's Fire Prevention Officers can consider when assessing permit applications for burning within townships in the Adelaide Hills Council area (including those properties within the Country Living Zone).

3. DEFINITIONS

"Agricultural Waste" means waste produced in the course of agriculture and includes dead stock, diseased crops, crop stubble or other crop waste and waste resulting from the clearing of land for farming.

"Authorised Officer" means an employee of Council delegated with the authority to issue a Burning Permit in accordance with the provisions of the *Environmental Protection Act 1993* and the Delegations by the Board of the Environment Protection Authority to Employees of Councils.

"Burning Permit" means a permit issued by an Authorised Officer of the Adelaide Hills Council, issued in accordance with the provisions of the *Environment Protection (Air Quality) Policy 2016*, to carry out one or more of the following burning activities outside of a fire danger season:

- burning agriculture or forestry waste; or
- burning off vegetation for fire prevention or control; or
- burning vegetation for any other purpose.

“Township” means a township as defined in the Adelaide Hills Council Development Assessment Plan (as amended).

4. POLICY STATEMENT

In assessing Burning Permit applications, Council’s Authorised Officers, will use their discretion, taking into account the following criteria, in determining whether a permit will be issued or not:

- Bushfire risk of the area
- Purpose of the proposed burning
- Amount of material to be burnt
- Fuel load present on adjoining properties
- Properties in close proximity or adjoining reserves or national parks
- Proximity and potential impact to neighbouring residents
- Availability of other reasonable means to dispose of the vegetation
- Legitimacy of the proposed burning – i.e. is this genuine fire hazard reduction or rubbish removal
- Nature of material to be burnt
- Size of the Allotment
- Terrain of the allotment and locality
- Accessibility to the allotment and area where the vegetation is to be burnt
- Is the material declared and or woody weeds
- Is the material diseased plant material
- Requirements of the Country Fire Service Broad Acre Burning Code of Practice
- Requirements of the Country Fire Service Vegetation Pile Burning Code of Practice
- Religious or Cultural purposes

5. DELEGATION

The Chief Executive Officer has the delegation to approve, amend and review any procedures that shall be consistent with this Policy.

6. 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. 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.

Appendix 5

*Burning Permit Adelaide Metropolitan Area (excluding
Townships)*

BURNING PERMIT
ADELAIDE HILLS COUNCIL
Environment Protection (Air Quality) Policy 2016

INTERPRETATION

The following definitions apply for the purposes of this burning permit:

- **fire danger season** means the fire danger fixed pursuant to the *Fire and Emergency Services Act 2005*;
- **metropolitan Adelaide** has the same meaning as in the *Development Act 1993*; and
- **township** has the same meaning as in the *Local Government Act 1999*;

PERMITTED BURNING ACTIVITIES

This burning permit is issued under clause 6(3)(a)(ii) of the *Environment Protection (Air Quality) Policy 2016* ("the Policy") by the Chief Executive Officer of the Adelaide Hills Council. It authorises any person, **subject to** the conditions below, to carry out any of the following burning activities, outside of the fire danger season;

- A. burning agriculture or forestry waste;
- B. burning off vegetation for fire prevention or control;
- C. burning vegetation comprising dry wood or other dry plant material in a brazier, chiminea or fire pit in the open for domestic heating;
- D. lighting or maintaining a fire in the open to burn vegetation comprising dry wood or other dry plant material for a campfire or barbecue in the course of camping, scouting or a similar outdoor recreational activity.

For the avoidance of doubt, the burning activities listed above are in addition to those burning activities that may be carried out in the open within metropolitan Adelaide or, within a township outside of metropolitan Adelaide pursuant to clause 5 of the Policy without the need to obtain a burning permit. This includes:

- lighting or maintaining a fire using charcoal, dry wood or other dry plant material for the purpose of preparing food or beverages; and
- burning charcoal in a brazier, chiminea or fire pit for domestic heating.

CONDITIONS

1. The burning activities described in paragraphs A-D above are only authorised to be carried out on land that is within metropolitan Adelaide **and** any one of the following zones (as defined in the Adelaide Hills Council Development Plan adopted pursuant to the *Development Act 1993*) **but excluding** any land within a township other than the township of Greenhill:
 - 1.1. The Watershed (Primary Production) Zone;
 - 1.2. The Hills Face Zone;
 - 1.3. The Public Purpose Zone, excluding those areas with a Medium Bushfire Risk classification in a Bushfire Protection Area; and
 - 1.4. The Tourist Accommodation Zone.
2. This burning permit does not (and cannot) authorise a person to carry out any of the burning activities described under paragraphs A and B above on land if the person is not the owner or occupier of the land or, does not have the consent or authority of the owner or occupier.
3. A person carrying out a burning activity described under paragraph A and B above must:
 - 3.1. comply with any mandatory measures of the *Vegetation Pile Burning Code of Practice April 2015* and the *Broad Acre Burning Code of Practice April 2015* prepared by the South Australian Country Fire Service; and
 - 3.2. have regard to any recommended measures of the *Vegetation Pile Burning Code of Practice April 2015* and the *Broad Acre Burning Code of Practice April 2015* prepared by the South Australian Country Fire Service.
4. This burning permit is effective from the end of the 2017/2018 fire danger season and remains in force until the start of the 2020/2021 fire danger season unless revoked on an earlier date by further notice of the Council.
5. All burning must occur in accordance with any verbal or written directions given by a Council officer.
6. All reasonable steps must be taken to mitigate any nuisance or adverse effects on occupiers of nearby land arising from the smoke from a fire authorised by this permit.

TAKE NOTE

- This permit does **NOT** authorise the burning of *prohibited substances* as listed in schedule 1 of the *Environment Protection (Air Quality Policy) 2016*, including:
 - o waste listed in Part B of Schedule 1 of the *Environment Protection Act 1993*;
 - o copper chromium arsenate or other timber preservation chemicals;
 - o plastics;
 - o tyre waste; and/or
 - o a substance of material containing, or contaminated with, any substance listed above.

Causing or permitting the burning of a prohibited substance is an offence that may attract a maximum penalty of \$30 000 (see clause 7(1) of the *Environment Protection (Air Quality Policy) 2016*).

- In accordance with clause 6(5) of the Policy, compliance with this permit does not:
 - o relieve a person from liability for any loss, damage or harm caused by a fire lit under the authority of the burning permit; or
 - o prevent proceedings for enforcement of the general environmental duty under Section 25 of the *Environment Protection Act 1993*, or for any offence under the *Environment Protection Act 1993*, in relation to the burning activity.
- This permit applies subject to any ban, prohibition, restriction, or other requirement under the *Fire and Emergency Services Act 2005*, the *Native Vegetation Act 1991* or a prescribed act (as that term is defined under the Policy).

Failure to comply with a condition of this permit is an OFFENCE that may attract a maximum penalty of \$30 000

Clause 5(1) of the *Environment Protection (Air Quality) Policy 2016*

For general information and Frequently Asked Questions on Burning in the Open in the Adelaide Hills Council area, please visit Council's website www.ahc.sa.gov.au.

Appendix 6

Council's Resolution of 23 May 2017

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 23 MAY 2017
63 MT BARKER ROAD STIRLING**

[Please Note: These minutes will be confirmed on 27 June 2017]

14.2. Burning Permit Policy

Moved Cr Ian Bailey
S/- Cr Jan Loveday

Council resolves:

1. That the report be received and noted
2. Pursuant to its power contained in paragraph (b) of the definition of 'township' under Section 4 of the *Local Government Act 1999* and relevant (without limitation) for the burning controls under the *Environment Protection (Air Quality) Policy 2016*, the Council hereby resolves to declare the following 24 townships within its area that are each defined by reference to the maps contained in *Appendix 1* that is attached to the report titled 'Burning Permit Policy' dated 23 May 2017:
 - 2.1 The township of 'Aldgate' comprising the area delineated on the map marked 'Aldgate Township';
 - 2.2 The township of 'Balhannah' comprising the area delineated on the map marked 'Balhannah Township';
 - 2.3 The township of 'Birdwood' comprising the area delineated on the map marked 'Birdwood Township';
 - 2.4 The township of 'Bridgewater' comprising the area delineated on the map marked 'Bridgewater Township';
 - 2.5 The township of 'Charleston' comprising the area delineated on the map marked 'Charleston Township';

- 2.6 The township of 'Crafers' comprising the area delineated on the map marked 'Crafers Township';
 - 2.7 The township of 'Crafers West' comprising the area delineated on the map marked 'Crafers West Township';
 - 2.8 The township of 'Forreston' comprising the area delineated on the map marked 'Forreston Township';
 - 2.9 The township of 'Gumeracha' comprising the area delineated on the map marked 'Gumeracha Township';
 - 2.10 The township of 'Heathfield' comprising the area delineated on the map marked 'Heathfield Township';
 - 2.11 The township of 'Houghton' comprising the area delineated on the map marked 'Houghton Township';
 - 2.12 The township of 'Kersbrook' comprising the area delineated on the map marked 'Kersbrook Township';
 - 2.13 The township of 'Lobethal' comprising the area delineated on the map marked 'Lobethal Township';
 - 2.14 The township of 'Mount Torrens' comprising the area delineated on the map marked 'Mount Torrens Township';
 - 2.15 The township of 'Mylor' comprising the area delineated on the map marked 'Mylor Township';
 - 2.16 The township of 'Oakbank' comprising the area delineated on the map marked 'Oakbank Township';
 - 2.17 The township of 'Rostrevor' comprising the area delineated on the map marked 'Rostrevor Township';
 - 2.18 The township of 'Stirling' comprising the area delineated on the map marked 'Stirling Township';
 - 2.19 The township of 'Summertown' comprising the area delineated on the map marked 'Summertown Township';
 - 2.20 The township of 'Teringie' comprising the area delineated on the map marked 'Teringie Township';
 - 2.21 The township of 'Upper Sturt' comprising the area delineated on the map marked 'Upper Sturt Township';
 - 2.22 The township of 'Uraidla' comprising the area delineated on the map marked 'Uraidla Township';
 - 2.23 The township of 'Woodforde' comprising the area delineated on the map marked 'Woodforde Township'; and
 - 2.24 The township of 'Woodside' comprising the area delineated on the map marked 'Woodside Township'.
3. That the township boundaries defined in item two above replace all previous Council declarations made in respect of those townships.
 4. With an effective date of 1 August 2017, to rescind the Interim Township Burning Permit Policy adopted on 13 September 2016 and adopt the Burning Permit Policy contained in Appendix 2.

5. That the Chief Executive Officer be authorised to make minor content, grammatical and formatting amendments to the Burning Permit Policy prior to the effective date of adoption.
6. Subject to 4 above, a review of the Burning Permit Policy be undertaken in August 2018 and a report be provided to Council outlining the review results and any recommendations.
7. That all eligible green organics bin properties within localities covered by the township burning permit requirements be provided with a kerbside green organics bin service.

The Mover (Cr Ian Bailey) with the consent of the Seconder (Cr Jan Loveday) sought and was granted Leave of the Meeting to vary the motion as follows:

(As varied)

Council resolves:

1. That the report be received and noted
2. Pursuant to its power contained in paragraph (b) of the definition of 'township' under Section 4 of the *Local Government Act 1999* and relevant (without limitation) for the burning controls under the *Environment Protection (Air Quality) Policy 2016*, the Council hereby resolves to declare the following 25 townships within its area that are each defined by reference to the maps contained in *Appendix 1* that is attached to the report titled 'Burning Permit Policy' dated 23 May 2017:
 - 2.1 The township of 'Aldgate' comprising the area delineated on the map marked 'Aldgate Township';
 - 2.2 The township of 'Balhannah' comprising the area delineated on the map marked 'Balhannah Township';
 - 2.3 The township of 'Birdwood' comprising the area delineated on the map marked 'Birdwood Township';
 - 2.4 The township of 'Bridgewater' comprising the area delineated on the map marked 'Bridgewater Township';
 - 2.5 The township of 'Charleston' comprising the area delineated on the map marked 'Charleston Township';
 - 2.6 The township of 'Crafers' comprising the area delineated on the map marked 'Crafers Township';
 - 2.7 The township of 'Crafers West' comprising the area delineated on the map marked 'Crafers West Township';
 - 2.8 The township of 'Forreton' comprising the area delineated on the map marked 'Forreton Township';
 - 2.9 The township of 'Gumeracha' comprising the area delineated on the map marked 'Gumeracha Township';

- 2.10 The township of 'Greenhill' comprising the area delineated on the map marked 'Greenhill Township' ;
 - 2.11 The township of 'Heathfield' comprising the area delineated on the map marked 'Heathfield Township';
 - 2.12 The township of 'Houghton' comprising the area delineated on the map marked 'Houghton Township';
 - 2.13 The township of 'Kersbrook' comprising the area delineated on the map marked 'Kersbrook Township';
 - 2.14 The township of 'Lobethal' comprising the area delineated on the map marked 'Lobethal Township';
 - 2.15 The township of 'Mount Torrens' comprising the area delineated on the map marked 'Mount Torrens Township';
 - 2.16 The township of 'Mylor' comprising the area delineated on the map marked 'Mylor Township';
 - 2.17 The township of 'Oakbank' comprising the area delineated on the map marked 'Oakbank Township';
 - 2.18 The township of 'Rostrevor' comprising the area delineated on the map marked 'Rostrevor Township';
 - 2.19 The township of 'Stirling' comprising the area delineated on the map marked 'Stirling Township';
 - 2.20 The township of 'Summertown' comprising the area delineated on the map marked 'Summertown Township';
 - 2.21 The township of 'Terangie' comprising the area delineated on the map marked 'Terangie Township';
 - 2.22 The township of 'Upper Sturt' comprising the area delineated on the map marked 'Upper Sturt Township';
 - 2.23 The township of 'Uraidla' comprising the area delineated on the map marked 'Uraidla Township';
 - 2.24 The township of 'Woodforde' comprising the area delineated on the map marked 'Woodforde Township'; and
 - 2.25 The township of 'Woodside' comprising the area delineated on the map marked 'Woodside Township'.
3. That the township boundaries defined in item two above replace all previous Council declarations made in respect of those townships.
 4. With an effective date of 1 August 2017, to rescind the Interim Township Burning Permit Policy adopted on 13 September 2016 and adopt the Burning Permit Policy contained in Appendix 2.
 5. That the Chief Executive Officer be authorised to make minor content, grammatical and formatting amendments to the Burning Permit Policy prior to the effective date of adoption.
 6. Subject to 4 above, a review of the Burning Permit Policy be undertaken in August 2018 and a report be provided to Council outlining the review results and any recommendations.

7. That all eligible green organics bin properties within localities covered by the township burning permit requirements be provided with a kerbside green organics bin service.
8. The township of Greenhill be exempted from requiring individual permits pursuant to the Burning Permit Policy.

Moved Cr Nathan Daniell
S/- Cr Val Hall

109/17

That the motion be put.

Carried

The motion was put and CARRIED

DIVISION

A Division was requested by Cr Jan-Claire Wisdom.

The Mayor set aside his ruling and called for a division.

In the affirmative (10)

Councillors Kirrilee Boyd, John Kemp, Nathan Daniell, Lynton Vonow, Val Hall, Andrew Stratford, Linda Green, Jan Loveday, Ron Nelson, Ian Bailey

In the negative (2)

Councillors Jan-Claire Wisdom, Malcolm Herrmann

On the basis of the results of the division, the Mayor declared the motion **CARRIED**.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 February 2019
AGENDA BUSINESS ITEM**

Item: 12.11

Originating Officer: Craig Marshall, Senior Infrastructure Planning Engineer

Responsible Director: Peter Bice, Director Infrastructure & Operations

Subject: Directional Signage Policy Review

For: Decision

SUMMARY

The purpose of this report is to present the revised Directional Signage Policy for Council's consideration.

The existing policy is working well and the draft revised policy contains only minor amendments, including the application form as an Appendix.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted.**
 - 2. With an effective date of 12 March 2019, to revoke the 22 September 2015 Directional Signage Policy and to adopt the draft February 2019 Directional Signage Policy.**
 - 3. That the Chief Executive Officer be authorised to make minor content, grammatical and formatting amendments to the Directional Signage Policy prior to the effective date of adoption.**
-

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal 1 People and Business Prosper

Strategy 1.5 We recognise that small and micro business is the backbone of our regional economy and will work with stakeholders to make it easier to do business in the Hills.

➤ Legal Implications

Nil

➤ Risk Management Implications

The ongoing adoption of a Directional Signage Policy will assist in mitigating the risk of:

Poor governance practices occurring through inconsistent approaches being applied to requests for directional signage which may lead to a loss of customer confidence and proliferation of signage, reducing the effectiveness of signage and detracting from the amenity of the area.

Inherent Risk	Residual Risk	Target Risk
Medium (3C)	Low (1E)	Low (1E)

➤ Financial and Resource Implications

An annual budget is provided for maintenance and replacement of damaged signage across the district. The adoption of the revised policy will not add further burden to the operating budget.

The costs associated with directional signs for commercial premises are recovered from the business prior to purchasing materials.

➤ Customer Service and Community/Cultural Implications

Customers have access to the Policy and are informed of the rationale for decisions regarding signage. The Policy provides a consistent approach to the placement of signage throughout the district and assists staff to make determinations when requests are received.

➤ Environmental Implications

The use of predominantly aluminium signage ensures longevity and has excellent recycling ability.

➤ **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: David Waters, Director Community Capacity
Steve Smith, Technical Officer
Derryn Atkinson, Manager Development Services

Community: Due to minimal changes being recommended to the existing policy, no public consultation is being proposed.

2. BACKGROUND

The Directional Signage Policy provides a clear set of criteria and guidelines for the provision of various forms of directional signage. Application of the Policy should be consistent with the South Australian “Road Sign Guidelines” for roads under the care and control of the state road authority. This will ensure that visitors receive a consistent message as they travel across the state between different areas.

The Directional Signage Policy is scheduled for review as part of the Policy Review Schedule.

Guide:

- Previously adopted on the 22 September 2015.
- Policy and Application Form to be available to the public via AHC Website.

3. ANALYSIS

- No alterations to the existing policy are recommended.
- New Application form for Directional Signage.

4. OPTIONS

Council has the following options:

- I. Approve the proposed revised Directional Signage Policy (recommended option).
- II. To determine to amend or alter elements of the Policy.

5. APPENDICES

- (1) Draft Directional Signage Policy
- (2) Application form for Directional Signage

Appendix 1

Draft Directional Signage Policy

COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	DIRECTIONAL SIGNAGE
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Policy Number:	INF-07
Responsible Department(s):	Sustainable Assets
Relevant Delegations:	None
Other Relevant Policies:	None
Relevant Procedure(s):	None
Relevant Legislation:	<i>Local Government Act 1999</i> <i>Local Government (Procedures at Meetings) Regulations 2013</i>
Policies and Procedures Superseded by this policy on its Adoption:	22 September 2015, Item 14.4, P140
Adoption Authority:	Council
Date of Adoption:	26 February 2019
Effective From:	12 March 2019
Minute Reference for Adoption:	
Next Review:	No later than September 2021 or as required by legislation or changed circumstances

DIRECTIONAL SIGNAGE

1. INTRODUCTION

- 1.1 The Directional Signage Policy (the Policy) provides principles and guidelines for the provision of directional signage to enable motorists and other road users to find their way around the district in an efficient and convenient manner.

2. OBJECTIVES

- 2.1 The objectives of the Policy are:

- To provide road directional signage that enables motorists and other road users to find their way around the district in an efficient and convenient manner.
- To ensure directional signage does not contain advertising for any particular facility or business, but are purely directional in nature.
- To prevent a proliferation of signs that may reduce the effectiveness of the signage or detract from the amenity of the area.
- To provide a standard approach to road signage throughout the district.

3. POLICY STATEMENT

- 3.1 Application of the Policy should be consistent with the South Australian “Road Sign Guidelines” for roads under the care and control of the state road authority.
- 3.2 Directional signage located in road reserves should be limited to the following:
- Township directional signs
 - Street name signs
 - Emergency services signs
 - Tourist attractions signs
 - Tourist service signs
 - Community facility signs, such as recreation facilities, churches, schools, etc.
 - Commercial facility signs.
- 3.3 The priority of placement of signs on an intersection signpost shall be in the order as listed above.
- 3.4 Where more than one sign of any particular category is fixed to a post, the closest facility or destination shall be fixed in the higher position, with other signs fixed in descending order.
- 3.5 No sign may be erected on the road without the consent of the Council or delegate.
- 3.6 There should be no more than six signs in total at any road intersection or junction.

- 3.7 Signs should be located in such a manner as to ensure they are visible to motorists travelling from all directions and the number of posts should be kept to a minimum.
- 3.8 Words shall be kept to a minimum to ensure that a sign is only a directional sign, and with the exception of the Adelaide Hills Council logo, business or organisational emblems shall not be displayed.
- 3.9 Signs shall conform to Australian Standard AS 1742.2 unless a contrary intention appears.
- 3.10 Signs may be removed whenever Council considers that the sign and/or facility is not serving the needs of the public. Council is to review Tourist Services Signs and Commercial Facility Signs at least once every five years to ensure that the signs are relevant and the businesses are still in operation.
- 3.11 Signs should conform to the following criteria:

Township Directional Signs

- 3.12 The signs shall be installed to provide directions to towns along the road network. They are generally used by motorists in conjunction with maps and are considered a primary tool to reassure motorists that they are travelling in the right direction to get to their intended destination.
- 3.13 Signs should generally be of a 'finger board' style, 200mm high with 150mm high black lettering on a white reflective background. A distance to the post office or centre of township or suburb may be shown.
- 3.14 Council shall supply, install and maintain township directional signs on Council controlled roads. Council will not generally provide 'Billboard' style signs.

Street Name Signs

- 3.15 The signs shall be used to identify the approved name of a street or road. If the road is not connected at both ends to other roads an appropriate "No Through Road" sign will be installed immediately under the street name sign. The style of the "No Through Road" sign will be consistent with that of the street name blade.
- 3.16 Signs should generally be of a 'finger board' style, 150mm high with 100mm high lettering.
- 3.17 Signs located within townships and built up areas shall have a heritage green background with white reflective lettering and be mounted on heritage green posts with heritage green brackets.
- 3.18 Signs in rural areas shall have a white reflective category 1 background with black lettering and be mounted on galvanised posts.
- 3.19 Council shall supply, install and maintain street signs. Council will not normally erect signs giving advanced notice of roads on the approaches to intersections.

Emergency Services Signs

- 3.20 Signs may be located in the general locality of an emergency service to assist people to find the location of a particular type of service. A sign should only indicate the type of service and not include name of the particular unit.
- 3.21 Signs should generally be of a 'finger board' style, 150mm high with 100mm white lettering on a red reflective background.
- 3.22 Council shall supply, install and maintain emergency services signs upon request of an emergency service.

Tourist Attraction Signs

- 3.23 Signs are intended to assist tourists to reach their intended destination such as national parks and commercial tourist attractions.
- 3.24 All costs associated with the purchase, erection and maintenance of the sign shall be borne by the group seeking to have the sign erected. The fee charged shall be calculated at 2 times the cost of materials (i.e. sign, bracket and post).
- 3.25 Generally only one route shall be signed, that being the most appropriate and direct path, with sufficient signage to guide people from the nearest arterial, main or major road to the tourist attraction.
- 3.26 Signs may indicate the distance to the facility if it is more than 1 kilometre from the sign.
- 3.27 Signs will not be permitted for establishments in township areas that have their entrance on an arterial, main or major road but applications will be considered on their merits for rural areas.
- 3.28 Only businesses that have an existing or approved use in terms of the *Development Act 1993*, as amended, will be entitled to have a sign supplied in accordance with the Policy.
- 3.29 Signs may be removed whenever Council considers that the sign and/or establishment is not serving the needs of the public.
- 3.30 Proposals for 'billboard' or stand-alone style of signs will not be provided on local roads. Proposals for such signs on main roads are to be referred to Department of Planning, Transport and Infrastructure for assessment against their criteria and the "Road Sign Guidelines - Guide to visitor and service road signs in South Australia".

Tourist Service Signs

- 3.31 Signs are used to assist tourists to find facilities that provide a service to tourists such as tourism information centres, accommodation, restaurants or public toilets.
- 3.32 The criteria for Tourist Service Signs are the same as for Tourist Attraction Signs except that Tourist Service Signs shall have a blue reflective background with white lettering.

Community Facility Signs

- 3.33 Signs are used to assist motorists to find community facilities such as swimming pools, churches, police, hospitals, and recreation grounds.
- 3.34 Signs should generally be of a 'finger board' style, 150mm high with 100mm white lettering on a blue reflective background.
- 3.35 Council shall supply, install and maintain community facility signs where the facility is operated by a non-profit organisation. Where the facility is a commercial operation all costs associated with the purchase, erection and maintenance of the sign shall be borne by the group seeking to have the sign erected. The fee charged shall be calculated at 2 times the cost of materials (i.e. sign, bracket and post).

Commercial Facility Signs

- 3.36 Signs are intended to assist customers and delivery drivers find a particular business premise. Businesses should have regular contact with customers or deliveries, be located outside of a business or industrial area, and not be located on an arterial, major or main road or a local distributory road.
- 3.37 All Commercial Facility Signs will be of a "finger board" style with the signs to be made of extruded aluminium 150mm high. Lettering shall be a maximum of 100mm in height with white letters on a green reflective background. Words shall be kept to a minimum in number to ensure it is only a directional sign.
- 3.38 Council will not support 'bill board' style signs or stand-alone signs of commercial facilities.
- 3.39 All costs associated with the purchase, erection, maintenance and replacement of the sign shall be borne by the group seeking to have the sign erected. The fee charged shall be calculated at 2 times the cost of materials (i.e. sign, bracket and post)

4. DELEGATION

- 4.1 That Council delegate the authority to approve requests and applications for all categories of signs of a "finger board" style to:

Chief Executive Officer
Director Infrastructure & Operations
Manager Sustainable Assets
Manager Civil Services

- 4.2 That Council delegate the authority to comment on the Department of Planning, Transport and Infrastructure proposals for Tourist Attraction Signs to:

Chief Executive Officer
Director Infrastructure & Operations
Director Development & Regulatory Services

4.3 The Chief Executive Officer has the delegation to approve, amend and review any procedures that shall be consistent with this Policy.

5. AVAILABILITY OF THE POLICY

5.1 The Policy and Application Form 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. 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.

Appendix 2

Application form for Directional Signage



28 Onkaparinga Valley Rd
PO Box 44
Woodside 5244
South Australia

T: (08) 8408 0400
F: (08) 8389 7440

Email: mail@ahc.sa.gov.au

APPLICATION FOR DIRECTIONAL SIGNAGE

*LOCAL GOVERNMENT ACT 1999
Section 221*

- Private businesses and community organisations are permitted up to two signs for directional purposes.
- Signs can be placed onto existing street sign posts or standalone posts.
- There is a cost of \$150.00 + GST per sign for manufacturing and installation of the signage. An additional cost will be applied if the signage requires a new post.
- Once application form is received, an invoice will be issued, with the manufacture ordered upon receipt of payment.
- Please allow approximately four (4) weeks for installation to be complete following receipt of payment.
- Council allows a maximum of 6 signs per post, and it is up to the applicant to determine that the locations requested can accommodate the additional signage. Council will not provide a refund if the sign(s) cannot be installed due to this reason.
- Once installed, the sign(s) remains the responsibility of the business/group and any repair or replacement required due to damage, theft or deterioration is to be borne by the business/group.

Applicant Name: _____

Business/Group Name: _____

Postal Address: _____

Email: _____

No. Signs Requested: One Two

Proposed Signage Location(s) – see overleaf for further information:

Sign No.1: _____

Sign No.2: _____

Proposed Signage Text:

If no sign posts are currently available, please provide a sketch of the intersection(s) with proposed new sign locations, for AHC Engineering Department to review.

Please check and include the following:

- Edge of road reserve
- Location of any street signs
- Location of any SAPN Electricity Poles/Street Lights
- Service authority pits (Telstra etc)
- Location of any trees
- Any existing driveways/crossovers

Signature of business owner or applicant on behalf of the business owner:

Dated the _____ day of _____ 20 _____

OFFICE USE ONLY

Application Approved: Yes No

Special Requirements: _____

Application approved by: _____ Date: / /
(Authorised Council officer)

Sign Ordered/Installed (Officer): _____ Date: / /

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 February 2019
AGENDA BUSINESS ITEM**

Item: 12.12

Originating Officer: Lachlan Miller, Executive Manager Governance & Performance

Responsible Director: Andrew Aitken, Chief Executive Officer

Subject: Revision of Strategic Internal Audit Plan 2018/19 – 2021/22

For: Decision

SUMMARY

Under the Audit Committee's Terms of Reference, the Committee has a role to '...consider and make recommendations on the program of the internal audit function and the adequacy of its resources and access to information to enable it to perform its function effectively and in accordance with the relevant professional standards.'

One of the key tools in discharging his function is the development and implementation of a Strategic Internal Audit Plan (SIAP) to guide the scope, conduct and timing of internal audits over a multi-year period.

At its 22 May 2018 meeting, Council received a recommendation from the Audit Committee to adopt the (then) draft SIAP 2018/19 – 2021/22 and resolved (114/18) in that manner.

At its 18 February 2019 meeting, the Audit Committee, in its dual roles of monitoring the internal audit program and the Council's corporate risk profile, determined to recommend to Council a revision of the SIAP to incorporate an audit of the Use of Purchase Cards.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. To adopt the revised Strategic Internal Audit Plan 2018/19 – 2021/22 (v1.1a) as contained in Appendix 1.
-

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal 5	Organisational Sustainability
Strategy 5.7	Governance

The development and monitoring of the Strategic Internal Audit Plan and component audits assists in meeting legislative and good governance responsibilities and obligations.

➤ **Legal Implications**

Section 125 of the *Local Government Act 1999* (the Act) requires councils to ensure that appropriate policies, practices and procedures of internal controls are implemented and maintained in order to assist the council to carry out its activities in an efficient and orderly manner to achieve its objectives, to ensure adherence to management policies, to safeguard Council's assets, and to secure (as far as possible) the accuracy and reliability of Council records.

The SIAP is an important tool to provide an objective appraisal of the adequacy, effectiveness and efficiency of internal controls in managing Council's risks and supporting the achievement of Council objectives.

➤ **Risk Management Implications**

The development and implementation of the SIAP will assist in mitigating the risk of:

Internal control failures occur which lead to greater uncertainty in the achievement of objectives and/or negative outcomes.

Inherent Risk	Residual Risk	Target Risk
High (4C)	Medium (3C)	Medium (3C)

➤ **Financial and Resource Implications**

The Internal Audit budget for the 2018/19 financial year includes funding to resource the proposed 2018/19 audits and enable them to be outsourced under the oversight of the Executive Manager Governance and Performance. Given the range of demands on this role, and the specialised nature of a number of the audits, it is not possible to undertake audits internally.

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

There is a high expectation that Council has appropriate corporate governance processes in place including an effective internal control environment.

➤ **Environmental Implications**

Not applicable.

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

Consultation in the preparation of this report was as follows:

Council Committees: The Audit Committee recommended the proposed revision to the SIAP at its 18 February 2019 meeting.

Advisory Groups: Not Applicable

<i>Workshops:</i>	Not Applicable
<i>Administration:</i>	Director Corporate Services Manager Financial Services Management Accountant
<i>Community:</i>	Not Applicable

2. BACKGROUND

Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve Council's operations. It helps Council to accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

The Audit Committee has developed and utilised a Strategic Internal Audit Plan (SIAP) for many years to guide the conduct of the Internal Audit Program.

At its 22 May 2018 meeting, Council received a recommendation from the Audit Committee to adopt the (then) draft SIAP 2018/19 – 2021/22 and the (then) SIAP had come to an end. In consideration of the Audit Committee's recommendation, Council resolved:

12.4. Audit Committee Recommendations to Council

Moved Cr Malcolm Herrmann 114/18
S/- Cr John Kemp

Council resolves:

1. That the report be received and noted
2. To adopt the scope of work and timing of the 2017/18 External Audit by Galpins Accountants, Auditors and Business Consultants as contained in Appendix 1
3. To note the Risk Management Plan Update as contained in Appendix 2
4. To adopt the draft Strategic Internal Audit Plan 2018/19 – 2021/22 as contained in Appendix 3.

Carried Unanimously

At its 18 February 2019 meeting, the Audit Committee received a presentation from Council's External Auditors (Tim Muhlhausler and Juliano Freitas of Galpins) regarding the 2018/19 External Audit Plan (see separate report on External Audit 2018-19 in this agenda). During the presentation the audit coverage of purchase cards was discussed with the Auditors commenting positively on their assessment of AHC's purchase card controls from the 2017/18 Internal Financial Controls Audit.

When considering a later agenda item regarding the Internal Audit Plan, the Committee discussed the ongoing revision of the Council's Procurement Framework and the potential role that purchase cards could play in those procurement arrangements and also reflected on media reporting of the inappropriate card usage at City of Onkaparinga, City of Burnside and Mount Barker District Council and the provisions of the *Local Government (Ratepayer*

Protection and Related Measures) Amendment Bill 2018 regarding the publication of purchase card statements on a council's website.

In weighing up these matters, the Committee determined that, while they were not aware of any instances of control failures regarding AHC's use of purchase cards, there was a heightened public interest in the use of purchase cards and it was important to have a contemporary assessment of the current practices ahead of any enhanced role for purchase cards under the revised Procurement Framework.

On the basis of the above, the Committee resolved as follows:

6.8 Internal Audit Quarterly Update

Moved Peter Brass
S/- Cr Leith Mudge

9/19

The Audit Committee:

1. Receives and notes the report.
2. Recommends to Council to amend the Strategic Internal Audit Plan 2018-2022 to include a specific audit on Purchase Cards in the 2018-2019 financial year in light of heightened public interest.

Carried

3. ANALYSIS

There are 43 purchase cards in usage at AHC with individual card limits ranging between \$1,000 and \$10,000 depending on the nature of expenditure required to be undertaken by the cardholder. The total purchase card facility is \$180,000.

The Internal Financial Controls Audit conducted by the External Auditors addresses purchase card usage as part of the standard suite of risk and controls. The controls that are tested during the audit are as follows:

Risks		
R1	Credit Cards are issued to unauthorised employees.	
R2	Credit Cards are used for purchases of a personal nature.	
R3	Credit Card limits are set at inappropriate levels.	

RISKS	Control	Control Type
R1,R3	There is a process in place to ensure there are appropriate approvals prior to the issuing of Credit Cards and limits.	Core
R1,R2	Credit card holders sign a declaration confirming compliance with Council policy and procedures prior to the Credit Card being released.	Core
R2	There is a process in place to approve all credit card transactions to ensure compliance with the policies and procedures covering credit card usage.	Core
R2	Cardholders must check their statement to ensure all transactions are correct and identify any transactions of a personal nature which must be reimbursed to Council.	Core
R3	There is a process in place to ensure credit card limits and usage is reviewed for operational efficiency.	Core

Notwithstanding coverage as part of the Internal Financial Controls Audit, the proposed internal audit would have a greater sample size, greater testing of transactions and the provision of recommendations to address any identified control weaknesses and/or improve the effectiveness and efficiency of purchase card usage.

In accordance with the Audit Committee’s recommendation, the SIAP (v1.0) has been revised to v1.1a (see **Appendix 1**) to include an audit of the Use of Purchase Cards in Quarter 4 of 2018/19

4. OPTIONS

Council has the following options:

- I. To adopt the SIAP 2018/19 – 2021/22 (v1/1a) as contained in Appendix 1 with or without amendment (Recommended)
- II. To determine not to revise the current SIAP.

5. APPENDIX

- (1) Revised Strategic Internal Audit Plan 2018/19 – 2021/22 (v1.1a)

Appendix 1

*Revised Strategic Internal Audit Plan 2018/19 –
2021/22 (v1.1a)*

Strategic Internal Audit Plan 2018/19 - 21/22

Audit Engagement	Scope	Strategic/Corporate Risk Linkage	Year 1 2018/19	Year 2 2019/20	Year 3 2020/21	Year 4 2021/22
Recruitment & Retention Practices	Focusing on the role analysis, authorisation, recruitment process, remuneration determination, reward and recognition processes.	SR9a - Failure to manage, improve and develop the human resources available to the Council.	Q1			
Budgetary Management	Focussing on financial planning, control and reporting. Relationship of budget with LTFP, legislative and regulatory compliance.	SR9c - Failure to manage, improve and develop the financial resources available to the Council.	Q2			
Payroll Function	Focussing on the payroll operation, including a review of the processes, systems, activities, controls and risks. The extent to the audit engagement will consider aspects from commencement of employment to termination of individuals, including payment of wages, leave, changes to position security, administration and payroll reporting. Including PIR from 2014 audit.	SR9c - Failure to manage, improve and develop the financial resources available to the Council.	Q3			
Major Projects Review	Focussing on processes, activities associated with the project, including scoping, planning, implementation, monitoring, post project review, risk management, development of maintenance program and operations.	SR2 - Failure to deliver projects, programs and services in accordance with plans (time, budget, quality).	Q4 (AHBTC Divestment)		Q2	Q2
Use of Purchase Cards	Focussing on the systems, processes and documentation for the issuing, custody, use, transaction approval and oversight of Purchase Cards	SR9c - Failure to manage, improve and develop the financial resources available to the Council.	Q4			
Capital Works Programming & Delivery	Focussing on the planning, scheduling, approval, monitoring, and reporting processes and practices regarding the Capital Works Program. The procurement and contract management processes will be out of scope due to other scheduled audits on these subjects.	SR2 - Failure to deliver projects, programs and services in accordance with plans (time, budget, quality). SR6 - Failure to provide appropriate infrastructure for the community. SR4 - Failure to take measures to protect the community from natural and other hazards		Q1		
Treasury Management	Focusing on the processes, practices and policies regarding Treasury Management including compliance with legislative obligations.	SR9c - Failure to manage, improve and develop the financial resources available to the Council.		Q2		
Cyber Security	Focussing on the systems, processes and controls associated with securing and protection Council's IC&T network from penetration and data corruption/denial of service from external parties. Including PIR from 2015 audit.	SR9b - Failure to manage, improve and develop the information resources available to the Council.		Q2		
Emergency Management	Focussing on Emergency Management Plans, identification of risks associated with various types of disasters and the controls and processes to mitigate those risks, status of preparedness in the event of an emergency, recovery process and association with the Community and other Emergency Services.	SR4 - Failure to take measures to protect the community from natural and other hazards		Q4		
Business Continuity Plan	Focussing on the review of Business Continuity Plan (Disaster Recovery and Disruption) to key activities of Council including the identification, development, implementation of recovery plans and testing of conditions in the event of a disaster.	SR4 - Failure to take measures to protect the community from natural and other hazards			Q1	
Economic Development Strategy Implementation	Focusing on the strategy development and revisions processes, determination of actions and initiatives, funding of strategy implementation and evaluation of outcomes against strategy objectives.	SR7 - Failure to promote the Council area and provide an attractive climate and locations for the development of business, commerce, industry and tourism.			Q1	
Debt Management	Focusing on the processes, practices and policies regarding Debt Management including compliance with legislative obligations.	SR9c - Failure to manage, improve and develop the financial resources available to the Council.			Q2	
Procurement	Focussing on processes, activities, controls, risk, compliance through stages of the function, including planning, assessment, selection, and contract execution. Including the use of payment methods such as credit cards and petty cash. Including PIR from 2014 & 2015 audits. The contract management processes will be out of scope due to another scheduled audit on this subject.	SR2 - Failure to deliver projects, programs and services in accordance with plans (time, budget, quality). SR9c - Failure to manage, improve and develop the financial resources available to the Council.			Q4	
Training & Development Practices	Focusing of the identification of training and development (T&D) needs, sourcing of T&D options, scheduling and support of activities, assessment of transfer into workplace and evaluation of T&D initiatives. This will include development activities such as coaching & mentoring.	SR9a - Failure to manage, improve and develop the human resources available to the Council.				Q1
Asset Operation	Focussing on Asset operation, processes, activities, controls, risk, service levels, planned work, maintenance programs, monitoring performance, asset registers and reporting. Including PIR from 2016 audit.	SR2 - Failure to deliver projects, programs and services in accordance with plans (time, budget, quality). SR6 - Failure to provide appropriate infrastructure for the community. SR8 - Failure to manage and develop public areas vested in, or occupied by the Council.				Q2
Contract Management	Focussing on the post-procurement processes, activities, controls, risk, compliance through stages of the function, including induction, payment approval, monitoring, superintending, reporting, contractual close and evaluation. The procurement processes will be out of scope due to another scheduled audit on this subject.	SR2 - Failure to deliver projects, programs and services in accordance with plans (time, budget, quality). SR11 - Failure to exercise, perform and discharge the powers, functions and duties under legislation, contracts, leases and policies.				Q4
Number of Audits			5	4	5	4

Version Control

Date Adopted	Version Comments	No.
30/04/2018	Initial plan considered by Audit Committee	1.0a
22/05/2018	Adopted by Council	1.0
26/02/2019	Amended plan for Council consideration (Purchase Cards)	1.1a

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 February 2019
AGENDA BUSINESS ITEM**

Item: 12.13

Originating Officer: Lachlan Miller, Executive Manager Governance and Performance

Responsible Director: Andrew Aitken, Chief Executive Officer

Subject: Council Resolutions Update including 2 year update to outstanding resolutions

For: Decision

SUMMARY

The Action List is updated each month by the responsible officer and outlines actions taken on resolutions passed at Council meetings. In some cases actions can take months or years to be completed due to the complexity and/or the level of influence Council has in the matter.

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. That the report be received and noted**
- 2. The following completed items be removed from the Action List:**

Date	Meeting	No	Heading
8/08/2017	SPDPC	SP42/17	Public Liability Insurance for Community Owned & Managed Halls
20/02/2018	Audit Committee	AC18/4(4)	Appointment of External Auditor - Release of Confidentiality Order
27/02/2018	Ordinary Council	30/18	Master Plan Woodside Recreation Ground
27/02/2018	Ordinary Council	48/18	Investigation of Speed Limit Jungfer Road Charleston
1/08/2018	Special Council	181/18	Stonehenge Reserve Masterplan Update
23/10/2018	Ordinary Council	263/18	Naming the Arts & Heritage Hub
18/12/2018	Ordinary Council	326/18	Appointments to AHC Advisory Groups
18/12/2018	Ordinary Council	333/18	Review of Genetically Modified Crops Policy
18/12/2018	Ordinary Council	339/18	Australia Day Awards - CONFIDENTIAL
18/12/2018	Ordinary Council	340/18	Australia Day Awards 2019 - Period of Confidentiality
18/12/2018	Ordinary Council	Q181218	Advisory Groups
22/01/2019	Ordinary Council	24/19	Road Shoulder Renewal Contract - Confidential
22/01/2019	Ordinary Council	2/19	Petition - Stonehenge Reserve, Stirling
22/01/2019	Ordinary Council	4/19	Revocation of Cat Management Policy
22/01/2019	Ordinary Council	8/19	Burials Outside Cemeteries Policy
22/01/2019	Ordinary Council	9/19	Fire & Emergency Services (Misc) Amendment Bill
22/01/2019	Ordinary Council	11/19	Appointment to GRFMA Audit Committee
22/01/2019	Ordinary Council	12/19	Review of Confidential items
22/01/2019	Ordinary Council	17/19	Santos Tour Down Under 2019

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal Organisational 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.

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

Appendix 1

Action List

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible	Status	Date of Update	Est. Completion	Status (for Council reporting)
13/05/2014	SPDPC	30/14	Adelaide Hills Trails Network Strategy	<ol style="list-style-type: none"> 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	13/02/2019	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 the April Council Meeting.
27/05/2014	Ordinary Council	95/14	William St Birdwood Street Furniture, plaque	<p>That Council, as a consequence of the SPDPC resolution No 29 dated 13 May 2014, approves:</p> <ol style="list-style-type: none"> 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. <p>1 and 2 to be undertaken in consultation with the community.</p>	Peter Bice	In Progress	13/02/2019	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	11/02/2019	30/04/2019	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	13/02/2019	30/06/2019	Council is working collaboratively with neighbouring Councils as part of a broader Inter-Regional Cycle Network project. An update for Council Members will be distributed at end of February 2019.
22/03/2016	Ordinary Council	59/16	Sturt Valley Road reconstruction	<ol style="list-style-type: none"> 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	11/02/2019	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	Status	Date of Update	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	21/02/2019	30/06/2019	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. Norton Summit Church advised on 8.1.19 that they are still awaiting feedback from the Diocese. Church contact is away all of February so unlikely to be any feedback until March.
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	13/02/2019	30/06/2019	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. Forestry SA have expressed their continued support for potential sealing. In discussions with DEW currently.

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24/05/2016	Ordinary Council	105/16	Land at Houghton Request to Purchase	<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>	Terry Crackett	In Progress	21/02/2019	30/09/2019	<p>The acquisition from RJ & BE Day has been completed and registered at the Lands Titles Office.</p> <p>Title for the land held by City of Tea Tree Gully has been reissued in the name of Adelaide Hills Council.</p> <p>The request to DPTI for the transfer of land has been made and awaiting a response. Follow up has been undertaken and awaiting a response.</p> <p>The Section 210 process has been commenced with investigations to locate beneficiaries of the deceased owners underway including advertisements. Gazettal notice appearing in Govt Gazette on 13 February which will commence the 3 month notification period to covert to public road.</p>
12/07/2016	SPDPC	29/16	MON - Woodforde Road and Reserve Naming	<ol style="list-style-type: none"> Staff pursue, with the developer, the inclusion of indigenous names within Hamilton Park and in relation to future stages A progress report be made to Council or the Strategic Planning & Development Policy Committee within 3 months 	Peter Bice	In Progress	13/02/2019	30/05/2019	<p>A site meeting was undertaken with Ivan Copley, AHC Staff and the Landscapers (engaged by the Developer). A great deal of opportunity exists to link indigenous stories with the Stage 4 (Reserve) part of the development, and a range of options are being considered. The Landscapers are weaving the themes into the concept plans currently, with key options and recommendation to be brought to Council in the next few months.</p>

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible	Status	Date of Update	Est. Completion	Status (for Council reporting)
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"> • Council resolving to amend the Community Land 	Terry Crackett	In Progress	6/02/2019	30/06/2019	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.
24/01/2017	Ordinary Council	7/17	Cromer Cemetery Revocation of Community Land	<p>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.</p>	Terry Crackett	In Progress	6/02/2019	31/12/2019	<p>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.</p> <p>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).</p> <p>In the interim, consideration will be given to the granting of a right of way to ensure that the cemetery has legal access.</p>

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible	Status	Date of Update	Est. Completion	Status (for Council reporting)
25/07/2017	Ordinary Council	155/17	Reserve Gifting Proposal - Dunnfield Estate, Mt Torrens	<p>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:</p> <p>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 met The cost of all works are to be met by the Developer The Developer enters into a legally binding Landscape Maintenance Agreement to agreed maintenance standards for a period of ten (10) years The landscaping works are completed within two (2) years from the date of final approval.</p> <p>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.</p>	Peter Bice	In Progress	13/02/2019	4/02/2020	<p>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.</p> <p>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.</p> <p>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.</p>
25/07/2017	Ordinary Council	159b/17	Lobethal Recreation Ground - Transfer of Land	<p>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.</p>	Terry Crackett	In Progress	6/02/2019	28/02/2019	<p>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. It is understood that LRGSCI have entered into a Contract for the sale of the new residential allotment and have asked that settlement now progress</p>

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible	Status	Date of Update	Est. Completion	Status (for Council reporting)
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 & 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	11/02/2019	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 this year, noting that the Draft Code for Stage 3 (which includes our Council area) is to be released for public consultation in late 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	Completed	6/02/2019	30/06/2019	Information from LGRS received on 10/9 and will be incorporated into the framework information (including financials) to be presented to Council for consideration
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 Local Government Act 1999. That the Chief Executive Officer be authorised to sign all necessary documentation to effect this resolution.	Peter Bice	In Progress	14/02/2019	31/12/2018	With the Memorandum of Agreement having been signed by Council and returned to the Department of Environment and Water, the CLMP review can now be undertaken.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible	Status	Date of Update	Est. Completion	Status (for Council reporting)
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 & 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	6/02/2019	30/06/2019	Surveyor has prepared final plan and road process order. LMA has been executed by Boral and is being forwarded to Council for signing. 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	12/02/2019	3/04/2020	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 and more is planned for the coming 5 year period. An information report was provided to Council at its 25 September Ordinary Council Meeting. Draft Weed Management Plans have been submitted for Council staff to review for Lobethal Bushland Park and Mylor Oval site.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible	Status	Date of Update	Est. Completion	Status (for Council reporting)
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	8/02/2019	28/02/2019	<p>Public Lighting will move from a Negotiated Service (agreement between Council and SAPN) to an Alternate Control Service.</p> <p>This means that the maximum tariff price will be set by the Australian Energy Regulator (AER). This will not occur until July 2020.</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 their initial pricing to the AER in January 2019 and consultation etc and reviewed submission in March 2020 for final determination of AER in probably April 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</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 & 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 & 82 in Filed Plan No. 218134 comprised in Certificate of Title Volume 6025 Folio 732 owned by Brian Bruce Willison</p> <p>Open the land identified as "1" in Preliminary Plan No 17/0041 as public road being portion of Allotment comprising pieces 81 & 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	6/02/2019	30/06/2019	<p>Mr Willison passed away in late January '18 prior to road exchange documents being signed. Probate has been granted and documents are being prepared for execution to finalise the matter.</p>

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible	Status	Date of Update	Est. Completion	Status (for Council reporting)
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.	Andrew Aitken	Completed	21/02/2019	20/02/2019	It is intended to allow the confidential order to lapse on 20 February 2019 as the matter is no longer required to be kept in confidence. 20/1/19 Item was released.
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	Completed	15/02/2019	18/03/2019	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 meeting was undertaken on Monday 3rd December 2018 incorporating the recreation and car parking precinct between Tiers Road and Langbein Avenue. Workshop outcomes 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	14/02/2019	28/02/2019	The Hub Director commenced on 23 July. The progress report was received by Council on 22 January 2019. The Evaluation Framework is in draft form and is being finalised.
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	Completed	9/01/2019	15/02/2019	Completed as per the report tabled at the 22 January 2019 Ordinary Council Meeting.

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27/02/2018	Ordinary Council	57/18	Confidential Item - AH Swimming Centre Shade Sail	As per confidential minute	Terry Crackett	In Progress	6/02/2019	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	6/02/2019	30/06/2019	Progressing per confidential minutes
24/04/2018	Ordinary Council	102/18	Sale of Land for Non Payment of Rates	Refer to Confidential Minute	Terry Crackett	In Progress	21/02/2019	28/02/2019	Actions continuing in accordance with resolution. One remaining property that is working towards resolution.
26/06/2018	Ordinary Council	136/18	AHC PLEC Projects	<ol style="list-style-type: none"> 1. That the report be received and noted. 2. 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. 3. That future allocation and prioritisation of PLEC projects be considered as part of the next review of the LTFP January 2019. 	Peter Bice	In Progress	11/02/2019	9/01/2019	AHC's application for undergrounding powerlines in Gumeracha was approved by PLEC. Funds will be included for adoption in the ABP and budget for Stage 1 to be undertaken in 19/20. As per the LTFP inclusion for 19/20.
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	8/02/2019	28/02/2019	As per LED review resolution 281/17
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	13/02/2019	30/06/2019	<p>Council Staff are in the process of identifying, measuring and recording recycled material usage as part of Capital Works projects.</p> <p>Additionally, staff have been requesting Recycled Material Usage be used by State Government where opportunities arise (e.g. Deep Lift intersection works along Freight Route Upgrade or Bridge Renewal Program), and we will report on volumes once these are known.</p>
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	13/02/2019	31/03/2019	Council is now planning for the the next site for the skate ramp, with placement at Lobethal one of the considerations.

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1/08/2018	Special Council	181/18	Stonehenge Reserve Masterplan Update	Confidential Item	Peter Bice	Completed	13/02/2019	31/05/2019	Consultation with the local community commenced in mid November. Community Consultation period open until 22 February 2019.
14/08/2018	Special SPDC	SP18/1	Local Heritage Stage 1 (Public Places) Development Plan Amendment	That the report be received and noted To 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 process That 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	11/02/2019	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 in the next couple of months.
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	6/02/2019	31/03/2019	Investigations have commenced to determine trust arrangements to guide options. Communications have commenced with representatives from the Gumeracha and Lobethal RSL. Options for alternative locations for a memorial are being investigated for consideration by the community and by Council. Report to go to Council 26 March 2019
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	6/02/2019	31/03/2019	Preliminary investigations have commenced and a site meeting held with a local resident who has expressed an interest in the future of the site. Options will be presented to Council at the 26 March 19 meeting.
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	11/02/2019	28/03/2019	Staff have scoped this exercise and are receiving guidance from an Aboriginal elder. A report back to Council is planned for March 2019.

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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 AHC.	Peter Bice	In Progress	11/02/2019	30/06/2019	Development approval obtained 30 November 2018. Final review of agreement by all parties underway. Execution of agreement to occur by 30 March 2019.
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	11/02/2019	30/04/2019	Recruitment of community members for this group is currently underway. Expressions of Interest have been received. Selection of membership scheduled for February with the first meeting of the group to take place in April.

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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 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	12/02/2019	30/06/2021	<p>Heritage Agreement applications lodged: Following CTs (13/11/18) TRIM reference OC 18/16631</p> <ul style="list-style-type: none"> • 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 • Kyle Road Nature Reserve, Kyle Road, Mylor <p>Following CRs (27/11/18) TRIM reference OC18/17474</p> <ul style="list-style-type: none"> • Leslie Creek Reserve, Leslie Creek Road, Mylor • Aldgate Valley 2 Reserve, 114 Aldgate Valley Road, Mylor <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"> • Stock Reserve, Stock Road, Mylor • Mi Mi Reserve, 125 Aldgate Valley Road, Mylor • Carey Gully Water Reserve, Deviation Road, Carey Gully • Heathfield Stone Reserve, 215 Longwood Road, Heathfield <p>and fencing for Shanks Heritage Agreement.</p>

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible	Status	Date of Update	Est. Completion	Status (for Council reporting)
28/08/2018	Ordinary Council	203/18	Community Wastewater Management Systems Review - Update and Consultation Outcomes	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	Peter Bice	In Progress	11/02/2019	31/08/2019	In collaboration with project partners currently establishing and obtaining due diligence information in preparation for release of tender planned for mid 2019.
28/08/2018	Ordinary Council	205/18	Regional Transport Study Funding Request	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.	David Waters	In Progress	14/02/2019	31/03/2018	RDA is leading this project. GTA Consultants have been commissioned to undertake the study. Public survey was conducted in November. Council staff are contributing to the study which is due to be completed by March 2019.
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 104.6m ² , 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	6/02/2019	28/02/2019	Plans have been finalised ready for lodgement with the Lands Titles Office. Documents signed by the landowners received on 5.2.19 and will be executed by Council prior to being lodged 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	11/02/2019	30/06/2019	The review is scheduled to be workshopped in June and go before the June Council Meeting for a decision.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible	Status	Date of Update	Est. Completion	Status (for Council reporting)
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	13/02/2019	26/11/2019	A report will be prepared for the 26 November 2019 Council Meeting. This will incorporate outcomes from the Community Consultation to get underway in July 2019.
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 AHC 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 AHC and 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 <i>Local Government Act 1999</i>.</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 1,242m² to Boral Resources (SA) Ltd for the amount of \$6,210 as determined by an independent valuation. 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</p>	Terry Crackett	In Progress	6/02/2019	30/06/2019	Boundary realignment requirements under the new legislation to commenced on 1.1.19, submission has been prepared and is being circulated for signing by CEO's from City of Burnside and Adelaide Hills Council prior to lodgement.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible	Status	Date of Update	Est. Completion	Status (for Council reporting)
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	6/02/2019	31/03/2019	Initial consultation to identify possible locations for the establishment of a garden and memorial concluded on 28 January 2019 with only one submission received being a suggestion from the Retirement Village residents to investigate Carripook Park as their preferred option.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible	Status	Date of Update	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 & 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</p>	Terry Crackett	In Progress	6/02/2019	31/03/2019	Public consultation has been completed by the Surveyor-General and no objections received. Final plans and documents have been prepared and are in the process of being executed by all parties prior to lodgement with the Lands Titles Office. Settlement expected in March
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. Refer to confidential minute</p>	Peter Bice	In Progress	11/02/2019	10/09/2019	Council continues to progress the matter.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible	Status	Date of Update	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	6/02/2019	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) Consider merging Harms Avenue (east) with Torrens Valley Road and renaming and re-addressing the properties as Torrens Valley Road properties (2) Suggest street signage directing to 2-20 Harms Avenue (3) Consider 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 removal 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
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	21/02/2019	28/02/2019	Update report being presented to Council at the 26 February meeting.
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	Completed	4/01/2019	30/06/2019	The naming of other elements will occur as part of the development of the site, through Stage 1 and Stage 2.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible	Status	Date of Update	Est. Completion	Status (for Council reporting)
27/11/2018	Ordinary Council	297/18	Magarey Road Emergency Services Access	<ol style="list-style-type: none"> The report be received and noted The administration undertake the process to rename Magarey Road Mount Torrens in accordance with Council's <i>Public Place and Road Naming Policy</i>. 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	11/02/2019	30/06/2019	Objection to road renaming process received 6 February 2019. Objection to be considered and further action to be taken towards resolution including potential report to Council for consideration.
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	8/02/2019	27/06/2019	<p>DPTI request that Council consider a area 40km/h - staff considering the merits and costs associated with assessment.</p> <p>Detailed design process commenced. DPTI has been approached.</p>
4/12/2018	Special Council	317/18	Appointment to CAP Selection Panel for Independent Members	<p>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.</p> <p>That the Council Assessment Panel Independent Member Selection Panel report their recommendations to Council for approval by no later than April 2019.</p>	Marc Salver	In Progress	11/02/2019	23/04/2019	Commencing mid-January, staff advertised for expressions of interest on the Council's website, in the Herald Weekender and the Mt Barker Courier. The closing date for submissions is 22 February and the shortlisting and interview process will then be undertaken in late February/March 2019. The recommendations of the selection panel will then be reported to Council on 23 April 2019 for a decision.
18/12/2018	Ordinary Council	322/18	Scott Creek Cemetery Funds	That the Chief Executive Officer 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.	Terry Crackett	In Progress	6/02/2019	31/03/2019	Ron Nelson from the Scott Creek Progress Association has been approached and will raise this at the next meeting of the Association for discussion to provide some guidance to Council

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible	Status	Date of Update	Est. Completion	Status (for Council reporting)
18/12/2018	Ordinary Council	323/18	Stonehenge Reserve MON	<p>1. 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:</p> <p>a. A Council Member workshop is held on the merits of each site during the community consultation period</p> <p>b. Council Members attend a site visit to the Stonehenge tennis courts and alternative sites (eg Piccadilly and Heathfield)</p> <p>c. A workshop is held to discuss the community consultation analysis</p> <p>2. That the community consultation period be extended to 22 February 2019</p>	Peter Bice	In Progress	13/02/2019	23/04/2019	<p>Expenditure will be kept to a minimum, however review of traffic and parking is being undertaken to ensure most appropriate information is used to enable Council Members to make a decision when a report comes to Council, scheduled at this stage to be in April 2019.</p> <p>Workshops and a site visit have occurred, and the Community Consultation was extended to 22 February 2019. A workshop will be held following the analysis of the feedback, likely to be held in March/April.</p>
18/12/2018	Ordinary Council	324/18	Gumeracha Main Street Masterplan	<p>1. That the report be received and noted</p> <p>2. That Council approves the draft Masterplan taking into consideration the broader community engagement process and outcomes, with the inclusion that measures be considered in the detailed design phase to improve safety and amenity for cyclists following guidance in the Adelaide Hills Strategic Bicycle Plan and Cycling Aspects of Austroads Guides. Specifically the design should incorporate suitable measures to provide separation between cyclists and motor vehicles for safety, and bike rails for parking of bikes at appropriate locations</p>	Peter Bice	In Progress	15/02/2019	29/03/2019	The consultant Jensen PLUS has been advised to consider and prepare a concept and associated cost estimate for bike separation measures.
18/12/2018	Ordinary Council	325/18	Gumeracha Precinct Federation Park and Oval Masterplan	<p>That the report be received and noted</p> <p>That Council approves the draft Masterplan taking into consideration the broader community engagement process and outcomes.</p> <p>That the priority actions identified within the draft Masterplan be considered in the Long Term Financial Plan and budget process</p>	Peter Bice	In Progress	15/02/2019	29/03/2019	Have been considered and a high priority action (underground service location) will be undertaken this financial year 2018/19. Other high priority actions should be considered in the Recreation and Sport budget.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible	Status	Date of Update	Est. Completion	Status (for Council reporting)
18/12/2018	Ordinary Council	326/18	Appointments to AHC Advisory Groups	<ol style="list-style-type: none"> 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: Bushfire Advisory Group as contained in Appendix 3 Biodiversity Advisory Group as contained in Appendix 4 Cemetery Advisory Group as contained in Appendix 5 Property Advisory Group as contained in Appendix 6 Rural Land Management Advisory Group as contained in Appendix 7 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. 	Andrew Aitken	Completed	14/02/2019	5/02/2019	Terms of reference revised and published on website and portal. Operations & Conduct Policy finalised and published on website and portal.
18/12/2018	Ordinary Council	328/18	Appointments to AHC Advisory Groups	<ol style="list-style-type: none"> 1. 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). <ol style="list-style-type: none"> a. Bushfire Advisory Group – Cr Chris Grant, Cr Pauline Gill b. Biodiversity Advisory Group – Cr Chris Grant, Cr John Kemp, Cr Nathan Daniell c. Cemetery Advisory Group – Cr Pauline Gill, Cr Malcolm Herrmann, Cr Ian Bailey d. Property Advisory Group - Cr Malcolm Herrmann, Cr Kirsty Parkin, Cr Ian Bailey, Cr John Kemp e. Rural Land Management Advisory Group – Cr Pauline Gill, Cr Chris Grant, Cr Ian Bailey, Cr John Kemp f. Sustainability Advisory Group – Cr Chris Grant, Cr Ian Bailey, Cr Leith Mudge, Cr Nathan Daniell 2. 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): Biodiversity Advisory Group – Cr John Kemp, Cr Chris Grant Cemetery Advisory Group – Cr Ian Bailey, Cr Malcolm Herrmann Rural Land Management Advisory Group – Cr Ian Bailey, Cr Pauline Gill Sustainability Advisory Group – Cr Leith Mudge, Cr Ian Bailey 	Andrew Aitken	In Progress	14/02/2019	26/03/2019	Recruitment panels will be formed following the recruitment action. Advertisements published 13 & 14 February, close 1 March.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible	Status	Date of Update	Est. Completion	Status (for Council reporting)
18/12/2018	Ordinary Council	329/18	Acquisition of Private Roads - Garrod Place and Crescent, Stirling	That the report be received and notedTo 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 LandThat the Land be excluded as Community Land pursuant to s193(4) of the <i>Local Government Act 1999</i> That following the transfer of the Land, the Land be declared as public road That the Mayor and CEO be authorised to sign all necessary documentation to give effect to this resolution	Terry Crackett	In Progress	6/02/2019	31/03/2019	Contract and transfer documentation has been executed by the Mayor and CEO, awaiting scheduling of settlement
18/12/2018	Ordinary Council	333/18	Review of Genetically Modified Crops Policy	That the report be received and notedWith an effective date of 7 January 2019, to revoke the 9 December 2014 <i>Genetically Modified Crops Policy</i> and to adopt the revised 18 December 2018 <i>Genetically Modified Crops Policy</i> 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	Marc Salver	Completed	21/02/2019	31/01/2019	Approved revised version of the Policy is now on Council's website
18/12/2018	Ordinary Council	337/18	Location of Underground Services Federation Park & Gumeracha Oval	That the Chief Executive Officer undertakes an investigation into the location of underground services in Federation Park and Gumeracha Oval in consultation with local residents who have a knowledge and history of their location.	Peter Bice	In Progress	13/02/2019	30/06/2019	Council Staff have undertaken a Dial Before You Dig enquiry, so we now have a good understanding of public services in the area. Regarding mapping the unknown underground services, the Open Space team will undertake this in conjunction with the upcoming irrigation design for Federation Park. This project comprises a renewal plus upgrade of existing irrigation facilities, with design to be completed this Financial Year and implementation in 2019/20. Some local contacts have been provided, who will be consulted at the relevant stages in the process.
18/12/2018	Ordinary Council	339/18	Australia Day Awards - CONFIDENTIAL	As per confidential minute	David Waters	Completed	14/02/2019	26/01/2019	
18/12/2018	Ordinary Council	340/18	Australia Day Awards 2019 - 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 the presentation of the awards on 26 January 2018.	Andrew Aitken	Completed	26/01/2019	26/01/2019	Item released.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible	Status	Date of Update	Est. Completion	Status (for Council reporting)
18/12/2018	Ordinary Council	Q181218	Advisory Groups	Matter arising from meeting: David Waters to circulate details to Council Members of the YAC arrangements for neighbouring Councils	David Waters	Completed	14/02/2019	11/01/2019	Rebecca Shepherd circulated an email to Council Members on this.
22/01/2019	Ordinary Council	24/19	Road Shoulder Renewal Contract - Confidential	Refer to Confidential Minute	Peter Bice	Completed	11/02/2019		
22/01/2019	Ordinary Council	2/19	Petition - Stonehenge Reserve, Stirling	Council resolves that the petition signed by 330 signatories, re Stonehenge Reserve Stirling, be received and be considered as a formal submission as part of the community consultation concluding on 22 February 2019.	Peter Bice	Completed	13/02/2019	20/02/2019	Petitioner advised of Council decision. The petition has been received as a formal submission as part of the Consultation which concludes 22 Feb 2019.
22/01/2019	Ordinary Council	3/19	Rescission of LMA Kareda Close Balhannah	The report be received and notedThe Council agrees to rescind the registered LMA No. AG 108216630 from 3A Kareda Close (Lot:1 Sec: P4208 DP:76398 CT:6009/480) andThe CEO be authorised to sign the Note of Rescission of Land Management Agreement AG 108216630.	Marc Salver	In Progress	21/02/2019	29/03/2019	Process of cancelling the LMA has commenced
22/01/2019	Ordinary Council	4/19	Revocation of Cat Management Policy	That the report be received and notedThe 2 November 2004 <i>Cat Management Policy</i> be revoked.	Marc Salver	Completed	21/02/2019		
22/01/2019	Ordinary Council	5/19	Udder Delights First Right of Refusal AHBTC	That the report be received and notedThat a First Right of Refusal over the land shown in Appendix 3 be included in a new Lease to Udder Delights Australia Pty Ltd.	Terry Crackett	In Progress	6/02/2019	30/06/2019	Instructions provided to lawyers for the preparation of the required documentation
22/01/2019	Ordinary Council	6/19	Annual Business Plan Development	That the report be received and notedTo adopt the 2019-20 Annual Business Plan & Budget indicative key activities and indicative timelines as below (see minute).	Terry Crackett	In Progress	13/02/2019	19/07/2019	Review of non-financial information within the Annual Business Plan is underway. LTFP has been under review and this will provide the parameters/context for budget development. A workshop regarding the Annual Business Plan and Budget will be held at the end of March 2019.
22/01/2019	Ordinary Council	8/19	Burials Outside Cemeteries Policy	1.That the report be received and noted 2.That the Burials Outside Cemeteries Policy as provided as Appendix 1 be adopted effective from 1 February 2019. 3.That in the event this policy is utilised for the purposes of a burial, a report be presented to Council on the effectiveness or otherwise of the policy, and any other matters that the CEO wishes to bring to the Council's attention relating to the policy.	Terry Crackett	Completed	6/02/2019		Policy now available on the Council's website.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible	Status	Date of Update	Est. Completion	Status (for Council reporting)
22/01/2019	Ordinary Council	9/19	Fire & Emergency Services (Misc) Amendment Bill	That the report be received and noted.To approve the submission in Appendix 3 to the Parliamentary Select Committee as feedback in relation to the Fire and Emergency Services (Miscellaneous) Amendment Bill 2018.To delegate to the Chief Executive Officer to make any minor content change to reflect discussion on the item and formatting changes for the purpose of finalising the submission to the Parliamentary Select Committee.	Peter Bice	Completed	11/02/2019	1/02/2019	Submission provided to Parliamentary Select Committee. Overview of Council submission provided at public hearing of the Parliamentary Select Committee.
22/01/2019	Ordinary Council	10/19	Jungfer Road Charleston Speed Limit	That the report be received and notedThat Council undertake the installation of the extended 60km/h speed zone on Jungfer Road, Charleston, by 800m to immediately West of Juers Road, if approved by the Department for Planning, Transport and Infrastructure (DPTI).	Peter Bice	In Progress	8/02/2019	29/03/2019	Contact made with DPTI to initiate review process on the speed limit.
22/01/2019	Ordinary Council	11/19	Appointment to GRFMA Audit Committee	That the report be received and notedTo approve the appointment of Cr Malcolm Herrmann to the Gawler River Floodplain Management Authority's Audit Committee as the Elected Member Representative.To provide a response to the Gawler River Floodplain Management Authority that Council supports the proposed inclusion in the Public Consultation Policy for constituent councils to, subject to the individual council's agreement, assist with the distribution of consultation-related information.	Andrew Aitken	Completed	24/01/2019		Letter forwarded to GRFMA 24/1/19

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible	Status	Date of Update	Est. Completion	Status (for Council reporting)
22/01/2019	Ordinary Council	12/19	Review of Confidential items	<p>That the report be received and noted</p> <p>2.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:</p> <p>Council Meeting 27 February 2018</p> <p>Adelaide Hills Swimming Centre Shade Sail</p> <p>Section 90(3) (i) of the <i>Local Government Act 1999</i> , the information to be received,</p> <p>discussed or considered in relation to this Agenda Item is information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council, the disclosure of which could reasonably be expected to prejudice the commercial position of person/agency/business involved with any litigation that may be undertaken.</p>	Andrew Aitken	Completed	18/02/2019		Item is pending release date and managed through Confidential Items Register.
22/01/2019	Ordinary Council	17/19	Santos Tour Down Under 2019	<p>That Council congratulates:</p> <ol style="list-style-type: none"> the Woodside Community for achieving the Best Dressed Town Award for Stage 1, Women's Santos Tour Down Under, and the Uraidla Community for achieving the Best Dressed Town Stage 3 Award and the Best Dressed Town overall, the Lobethal Bakery for achieving the Best Dressed Business Award and Tom and Aiko Fordyce of Piccadilly Valley for achieving the Best Dressed Residence Award for Stage 3, Men's Santos Tour Down Under. 	David Waters	Completed	24/01/2019		
22/01/2019	Ordinary Council	18/19	Annual Business Plan Workshop	<p>That, for the March Annual Business Plan Workshop, the Chief Executive Officer provides information on what options, if any, are available for Council to assist orchardists who have been affected adversely by the recent hail storms.</p>	David Waters	In Progress	24/01/2019	29/03/2019	Preliminary research underway.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible	Status	Date of Update	Est. Completion	Status (for Council reporting)
22/01/2019	Ordinary Council	20/19	2019/20 Annual Business Plan Green Waste Drop Off & Bike Path	That Council considers the following items in the 2019/20 Annual Business Plan development process: free green waste drop off establishment of bike path from Aldgate to Stirling along Mt Barker Road	Terry Crackett	In Progress	12/02/2019	31/03/2019	Items have been added to the New Initiatives Listing to be prioritised and addressed at Council 2019-20 Annual Business Plan and Budget Workshop 29 & 30 March 2019
22/01/2019	Ordinary Council	10/19a	Jungfer Road Charleston Speed Limit - Action Item	<i>Action: Peter Bice, Director Infrastructure & Operations to ensure that Consultant's recommendations be actioned: Have a regular maintenance regime to trim roadside vegetation to improve conspicuity of the slow points Install "Ahead" supplementary signs to existing Slow Point signage located at the top of the crest.</i>	Peter Bice	In Progress	13/02/2019	29/03/2019	Staff are currently implementing the actions, with signage other than speed limit sign to be installed in the next few weeks.
22/01/2019	Ordinary Council	18/19a	Annual Business Plan Workshop - Action Item	Action: Officers to check if insurance is available to primary producers for hail/storm damage	Andrew Aitken	In Progress	14/02/2019	28/02/2019	Preliminary research indicates insurance products are available.
12/02/2019	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	11/02/2019	28/02/2019	A previous report was undertaken in 2017 by Tonkin Consulting to look at traffic and pedestrian movements with suggested works. All items in Tonkin report are either complete or works are scheduled to complete. Additional measures regarding parking restrictions around the school Kiss N Drop have also been completed. Still to complete additional pram ramp within the next two weeks and 20m of linemarking on northwestern side of school road/mill street intersection (scheduled with operations)

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 February 2019
AGENDA BUSINESS ITEM**

Item: 13.1

Originating Officer: Jess Charlton, Coordinator Service Strategy and Innovation

Responsible Director: David Waters, Director Community Capacity

Subject: Customer Service Standards Report – Quarter 2, 2018-19

For: Information

SUMMARY

The purpose of this report is to communicate Council’s performance against the customer service standards for Quarter 2 2018-19. The report provides an overview of the performance results for each of the service standards. The Service Standards Report is contained in **Appendix 1**.

RECOMMENDATION

Council resolves that the report be received and noted.

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal: Organisational Sustainability
Strategy: Customer Service Commitment

Measuring and reporting on service standards is a key component of Council’s Customer Service Framework and demonstrates our commitment to customer service as outlined in the Strategic Plan.

➤ **Legal Implications**

Not applicable.

➤ **Risk Management Implications**

*Reporting against our service standards will assist in mitigating the risk of:
Unknown performance against service standards and targets leading to an inability to improve service delivery to the community.*

Inherent Risk	Residual Risk	Target Risk
Extreme (3A)	Low (3E)	Low (3E)

A number of other actions also mitigate against this risk.

➤ **Financial and Resource Implications**

Not applicable.

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

Measuring and reporting on performance against the standards in Council’s Customer Service Framework is important to demonstrate how Council is meeting its commitment to customer service. The quarterly report aids in identifying opportunities to improve customer service delivery.

➤ **Environmental Implications**

Not applicable.

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

Council Committees: Not applicable

Council Workshops: Not applicable

Advisory Groups: Not applicable

Administration: Executive Leadership Team
Horticultural Officer

Community: Not applicable.

2. BACKGROUND

Service standards are a key component of the Customer Service Framework, providing a commitment to specific service targets. The collation and reporting of key identified performance standards demonstrates a commitment to the provision of quality customer service and can be used to identify service improvement opportunities.

It should be noted that service standard reporting is based on service instances completed or closed within the reporting period.

3. ANALYSIS

Time based Indicators

Of the 16 time-based service standard indicators reported, the target performance was met – or there were no instances – for 15 of them.

Only one of the time-based standards did not meet the target performance this quarter:

- Answering Incoming Phone Calls

The target performance is that 75% of calls will be answered within 30 seconds and the result for that measure was 73% this quarter. This is the first quarter where it has been possible to use new contact centre software to report on this service level and access other data around incoming calls. The new software went live in the middle of September so the gap in performance could be attributed to an adjustment and learning period for staff. Despite the fact that the target was not met, other indicators show that the contact centre is providing a responsive and timely customer channel: the average speed in which calls were answered was 42 seconds and over 86% of calls were answered within 90 seconds.

The new software also delineates between calls answered by the contact centre and those where a customer has used the Automated Attendant feature to be directed to a specific service. The volume of calls is lower than previous averages at approximately 11,400 calls, as roughly 1,500 and 600 calls were automatically transferred to East Waste and the Library respectively. These calls are excluded from the service standard.

Other notable points include an improvement in the results for the Illegal Dumping standard. The volume of requests has stayed constant with approximately 50 requests a quarter for the last four quarters. This can be attributed to a continued focus and effort to reduce the time taken to address these requests and promptly close them out in the system.

The volume of requests for Missed Bins is lower than previous years' trends. This is due to the fact that the categorisation of a 'missed bin' by East Waste now better reflects only instances where a bin has been missed due to driver error.

Other Indicators

- Low Risk Infrastructure Requests

The average and median cycle time has increased this quarter. This is in large part due to a bulk close out of historical tree cases that had previously been resolved but that were not updated as such in the CRM system.

4. OPTIONS

Council has the following options:

- I. To note the report as presented (Recommended)
- II. To determine any additional actions to be undertaken.

5. APPENDIX

- (1) Q2 2018-19 Service Standard Report (October – December 2018).

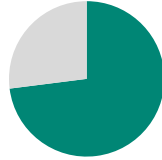
Appendix 1

*Q2 2018-19 Service Standard Report
(October - December 2018)*

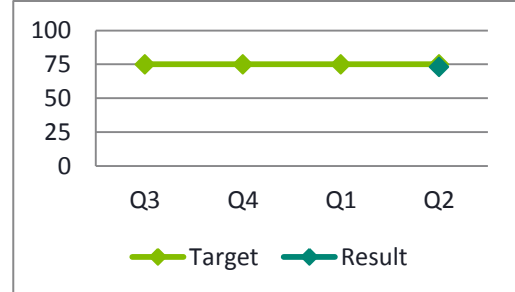
General Customer Standards

Answering incoming phone calls

We will answer 75% of calls to our contact centre within 30 seconds



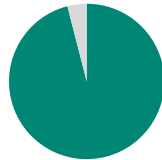
Volume 11 388
Target 75%
Result 73%



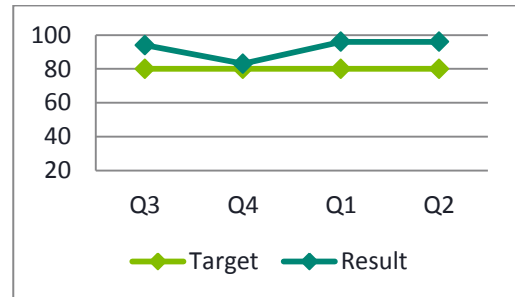
Note: new contact centre software went live in the middle of September so the gap in performance could be attributed to an adjustment and learning period for staff

Updating customer details

We will update your contact details within 5 days



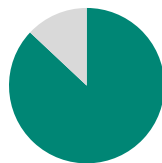
Volume 100
Target 80%
Result 96%



Service Specific Standards – Time Based Indicators

New Event Applications

We will acknowledge receipt of new applications within 5 days

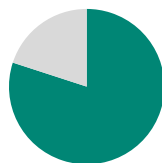


Volume 15
Target 80%
Result 87%

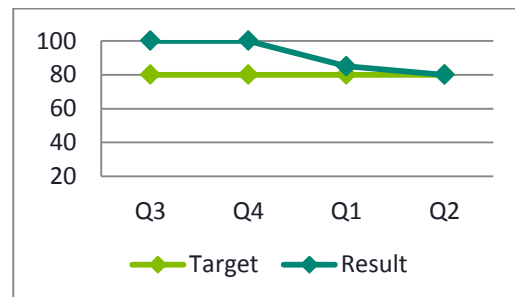


Illegal Burning Complaints

We will investigate reported illegal burning within 24 hours

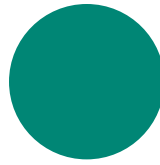


Volume 5
Target 80%
Result 80%



Health Complaints

We will investigate/respond to reported food complaints within 24 hours

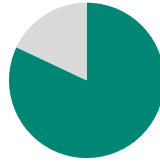


Volume 1
Target 80%
Result 100%

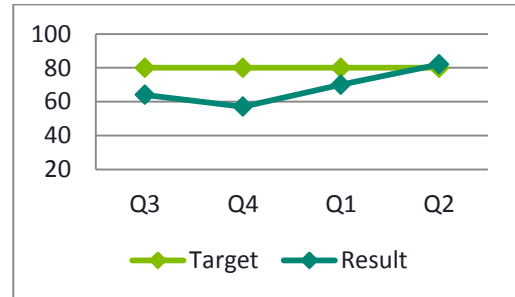


Illegally Dumped Rubbish

We will remove illegally dumped rubbish within 3 days

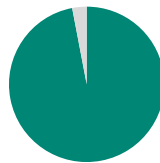


Volume 45
Target 80%
Result 82%

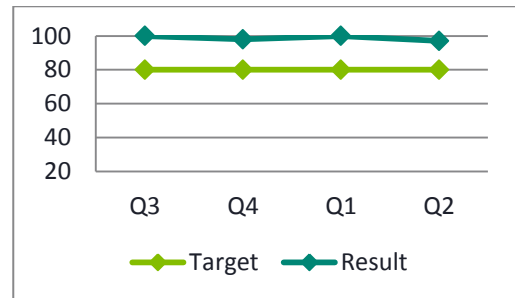


Library Services

We will respond to requests to purchase materials within 10 days

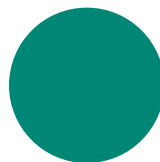


Volume 32
Target 80%
Result 97%

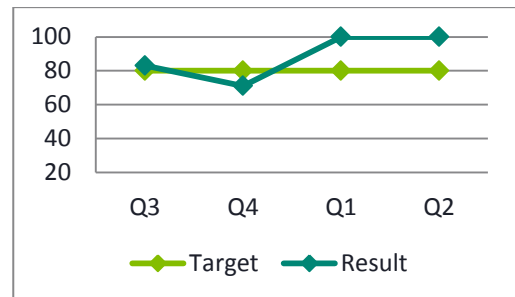


Dog Attacks

We will respond to reported dog attacks within 24 hours

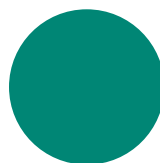


Volume 2
Target 80%
Result 100%



Wasps

We will investigate and action reported European Wasp nests within 7 days

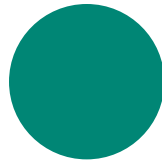


Volume 2
Target 80%
Result 100%

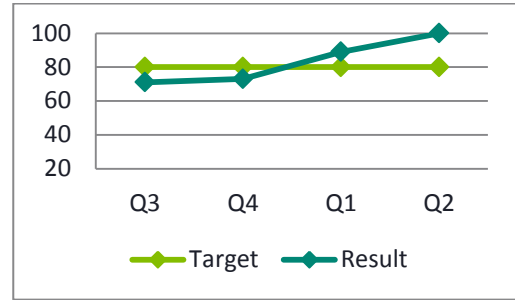


Development Applications

We will approve fast track Development Applications within 28 days

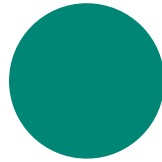


Volume 38
Target 80%
Result 100%

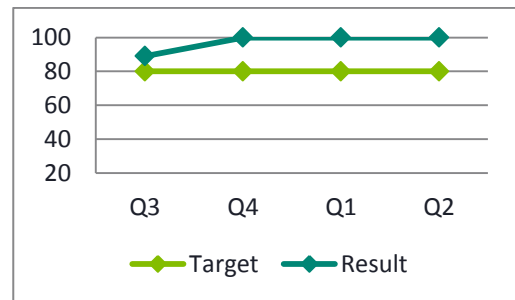


Missed Bins

We will collect missed domestic bins within 2 days

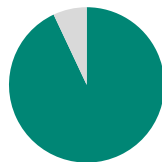


Volume 4
Target 80%
Result 100%

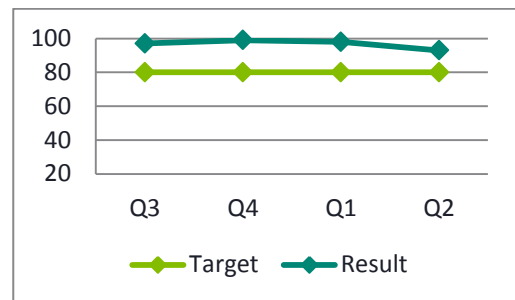


Request for bin repair or replacement

We will action requests for bin repair or replacement within 7 days



Volume 981
Target 80%
Result 93%



Footpath Repairs – Hazardous

We will respond and make safe hazardous footpath issues within 24 hours

No Incidents

Volume 0
Target 80%
Result No Incidents

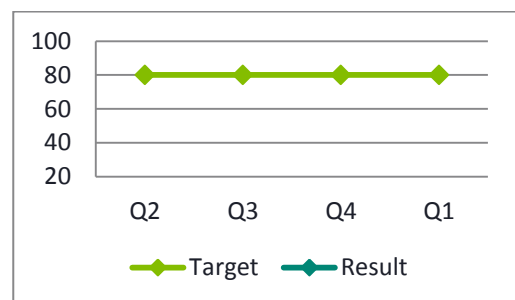


Road Repairs – Hazardous

We will respond and make safe hazardous road and pothole issues within 24 hours

No Incidents

Volume 0
Target 80%
Result No Incidents



Stormwater Repairs – Hazardous

We will respond and make safe hazardous stormwater and flooding issues within 24 hours

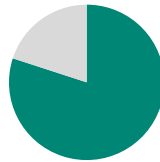
No Incidents

Volume	0
Target	80%
Result	No Incidents

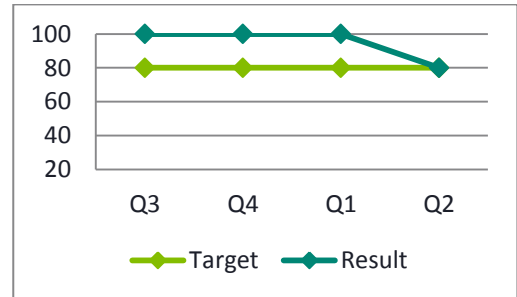


Trees – Hazardous

We will respond and make safe hazardous tree issues within 24 hours



Volume	5
Target	80%
Result	80%

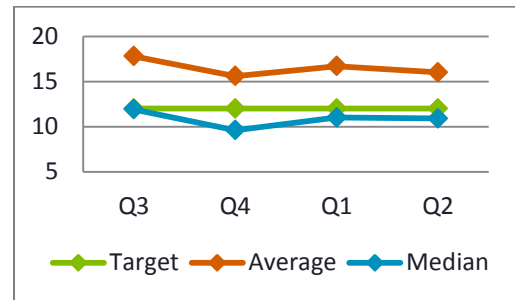


Service Specific Standards – Other Indicators

Development Applications

We will, on average, make a decision on planning consent within 12 weeks of receipt of the application

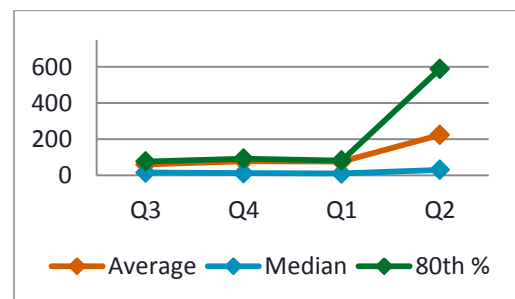
Volume	251
Target	12 weeks
Average Consent Time	16 weeks
Median Consent Time	11 weeks



Low Risk Infrastructure Requests – Average Time to Resolve

We will resolve other footpath, road, stormwater and tree issues in accordance with our general maintenance program

Volume	840
Average Resolution Time	223 days
Median Resolution Time	30 days
80 th Percentile Resolution Time	588 days

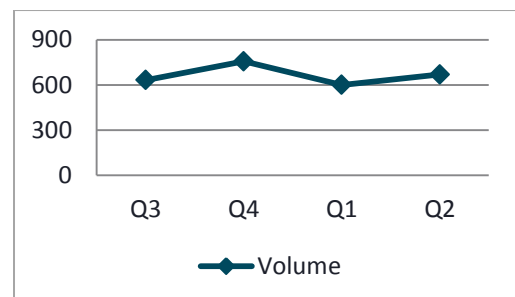


Note: A large number of historical Tree requests were updated in this quarter. They had previously been resolved but not closed in the system which which has skewed the data

Low Risk Infrastructure Requests – Number of New Requests

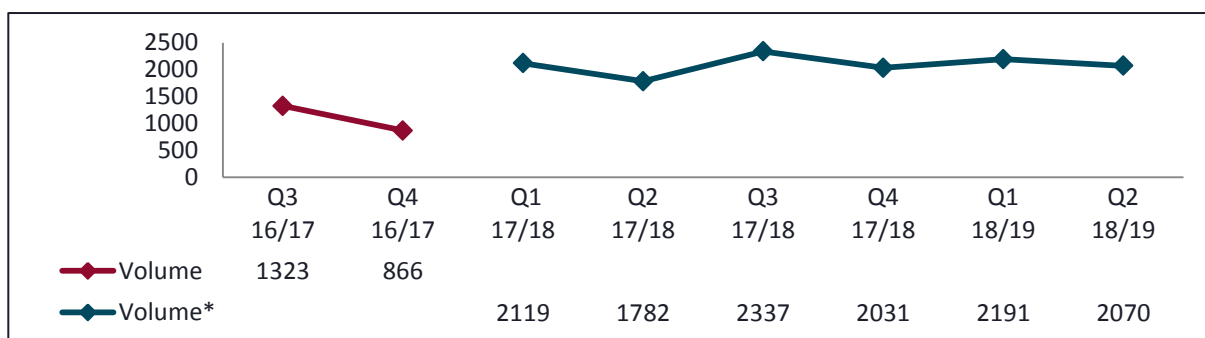
We will resolve other footpath, road, stormwater and tree issues in accordance with our general maintenance program

Number of New Requests	669
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Overall Volume of Requests

Trend in volume of requests/customer cases for which there is an adopted service standard, excluding the volume of phone calls



* From Q1 17/18 the volume includes requests for bin repair and replacement requests, which were previously not reported

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 February 2019
AGENDA BUSINESS ITEM**

Item: 13.2

Originating Officer: Lachlan Miller, Executive Manager Governance & Performance

Responsible Director: Andrew Aitken, Chief Executive Officer

Subject: Boundary Reform Proposal – Woodforde and Rostrevor

For: Information

SUMMARY

On 1 January 2019, new provisions in the *Local Government Act 1999* regarding boundary reform came into effect. The provisions fundamentally changed the manner in reform proposals would be managed. One of the key reforms relevant to this report enabled a council to initiate a boundary reform proposal without the consent of a neighbouring ‘affected’ council.

At its 22 January 2019 meeting, the Campbelltown City Council (CCC) resolved to authorise their staff to submit a Stage 1 proposal to the Boundaries Commission for the boundary between CCC and AHC to be realigned to the eastern and southern side of Woodforde and Rostrevor suburbs, effectively moving those suburbs into CCC’s area.

The purpose of this report is to provide the Council with details of the CCC proposal and to outline the key elements of the new boundary reform legislation.

RECOMMENDATION

Council resolves that the report be received and noted.

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal 4 Explore
Strategy 4.5 We will work with neighbouring councils and stakeholders to ensure Council boundaries best serve our communities.

Goal: Organisational Sustainability
Strategy: Governance

Goal: Organisational Sustainability
Strategy: Financial sustainability

➤ **Legal Implications**

Chapter 3 – Constitution of councils, Part 2 – Reform proposals of the *Local Government Act 1999* (the Act) sets out the provisions applying to the initiation, investigation, assessment, governance and decisions making regarding reform proposals including, but not limited to, boundary alignment proposals.

➤ **Risk Management Implications**

Realignment of Council boundaries bordering Campbelltown City Council leading to financial, resource allocation, social and representation changes

Inherent Risk	Residual Risk	Target Risk
High (2B)	High (2B)	Medium

Council has very limited ability to manage (control) the financial risks associated with a reform proposal. Risk planning will be more focused on mitigating the potential impacts should a proposal be accepted.

➤ **Financial and Resource Implications**

There are no direct costs associated with this report.

Costs associated with the boundary reform process (as opposed to outcomes of boundary reform) are borne by the initiating council (s).

The financial implications of the proposed boundary reform are addressed, at a high level, in the Analysis section below. The full financial and resource implications of the CCC reform proposal, should it be successful, will require detailed modelling.

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

Section 26 of the Act sets out a number of principles that the Boundaries Commission should consider when considering reform proposals which relate to the community/cultural implications of a proposed reform, these principles are contained in **Appendix 1**.

➤ **Environmental Implications**

There are no direct environmental implications from this report however there may be implications from boundary realignment.

➤ **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: The CCC proposal and reform process was discussed briefly at the 18 February 2019 Audit Committee meeting, specifically in reference to Long Term Financial Plan implications.

Council Workshops: Not Applicable

<i>Advisory Groups:</i>	Not Applicable
<i>Administration:</i>	Executive Leadership Team Manager Financial Services Governance & Risk Coordinator
<i>Community:</i>	The Administration has received queries from the Morialta Residents Association and some members of the community.

2. BACKGROUND

Boundary Reform Legislation

On 22 August 2017, the *Local Government (Boundary Adjustment) Amendment Act 2017* was assented to by the Governor. The Amendment Act commenced on 1 January 2019, and significantly reformed the processes within the *Local Government Act 1999* (the Act) that govern changes to council boundaries.

The new provisions created the Boundaries Commission (the Commission) as the body established to undertake the initial assessment of reform proposals, oversee investigations, and make recommendations to the Minister responsible for the Act (the Minister). The Commission is created within the Local Government Grants Commission which is located within the Local Government Grant Commission in the Office of Local Government, DPTI and replaces the (now defunct)) Boundary Adjustment Facilitation Panel.

Under the Act boundary change proposals can involve a proposal to:

- constitute a council; or
- amalgamate two or more councils; or
- abolish a council and incorporate its area into the areas of two or more councils; or
- alter the boundaries of a council area.

The Commission can also consider proposals for changing the composition or representative structure of a council, that is, the number of elected members and wards that comprise a council.

Proposals may be referred to the Commission by:

- resolution of either House of Parliament;
- the Minister;
- a council or councils; or
- the prescribed percentage or number of eligible electors.

There are two forms of boundary change proposals initiated by councils: **administrative** (to correct historical and/or minor boundary anomalies) and **general** (for more significant proposals).

For the purposes of this report the process for a general proposal will be summarised below given that the CCC proposal (described in the next section) is a general proposal. Note there is a different process for public-initiated proposals.

To supplement the legislation, the Boundaries Commission has developed a series of guidelines which provide additional detail on the mechanics of each stage of the process.

The boundary change process (in summary) for a general proposal consists of the following stages:

Stage 1 - Initial Consideration of a Potential Proposal

The proposing council (or both councils if it is a joint submission) will write to the Commission outlining the nature of the potential proposal and the reasons why the council(s) consider boundary change as the best option, with reference to section 26 of the LG Act principles (***Appendix 1***).

At this point, the Commission will consider the correspondence and provide advice to the council(s), including whether a general proposal can be referred for consideration, if more work is recommended to be undertaken, or further information is sought by the Commission.

If the Commission considers that a Stage 1 Proposal has initial merit it will request the proposal council(s) to prepare a Stage 2 submission. The Commission will also notify affected council(s) of its decision.

Stage 2 - Referral of a general proposal to the Commission

A Stage 2 submission sets out in detail the grounds on which the proposal is made and the issues that should be considered in an assessment of the change to boundaries. The matters to be addressed are set out in ***Appendix 2***.

The Commission will assess the proposal in accordance with the guidelines and determine whether to inquire into the proposal or refuse to inquire into the proposal. The Commission may seek additional information to assist with its decision, and will directly notify the initiator of its decision.

Investigation

Upon receiving a submission the Commission can decide to inquire, or to refuse to inquire, into the proposal.

If the Commission decides to proceed, the inquiry (investigation) process is managed by the Commission and may involve the appointment on one or more investigators to undertake the inquiry. The Commission will consult directly with affected councils on the proposed appointment of investigator(s)

The Act requires affected councils to provide information to the inquiry.

The process is multi-disciplinary and, in addition to the s26 principles, involves extensive inquiry into many elements of the affected council(s) financial, resource, social and representation arrangements, including but not limited to (as set out in s31(3)(b):

- the financial implications and impact on resources that the proposal is likely to have on any council affected by the general proposal; and
- the extent of support for the general proposal and boundary reform in the area within the community affected by the general proposal; and

- the extent of support for the general proposal of any council affected by the general proposal; and
- the impact of the various rights and interests of any council employees affected by the general proposal; and
- any other principles prescribed by regulations

The Commission will directly notify affected councils, the community and entities that represent the interests of affected council employees, of the boundary change proposal. An engagement plan will be designed for each inquiry.

The Commission will consult with the Electoral Commission of South Australia (ECSA) on proposals for changes in a council's composition or representative structure.

At the completion of the inquiry the Commission will prepare a report for the Minister including recommendations on the proposal (if any) that the Commission thinks fit, this could include alternatives to a boundary change such as shared services. The Commission's report must be published on a public website.

Ministerial Consideration of Boundaries Commission Report

The Minister may send the report back to the Commission for reconsideration in accordance with any suggestions from the Minister. If the Commission alters the report it must be republished and resubmitted to the Minister.

If the Minister determines that the proposal will proceed, it will be forwarded to the Governor for proclamation.

Following completion of an inquiry, the Commission must give public notice of, and notify the person or body who referred the proposal; any council affected by the proposal; and any registered industrial association that represents the interests of council employees, of the Minister's determination.

Campbelltown City Council Proposal

At its 22 January 2019 Ordinary meeting, the Campbelltown City Council (CCC) considered a report '11.2 Boundary Alignment Proposal' seeking the Council's resolution to authorise a Stage 1 Boundary Realignment Proposal to the Boundaries Commission for their consideration. The covering report and the draft proposal (as contained in the agenda) have been included in **Appendix 3**

The proposal (in summary) is for the boundary between CCC and AHC to be realigned to the eastern and southern side of Woodforde and Rostrevor suburbs respectively, effectively moving those suburbs into CCC.

The draft General Proposal (see last page of **Appendix 3**) indicates that CCC:

'...considers that boundary alignment is the most appropriate option as it will assist increased operational capacity, efficient and cost effective delivery of services, effective planning and development, accessibility, and adequate and fair representation for both council areas.'

Further, the draft proposal contains a number of interesting comments including:

‘Council believes that the residents in the relevant area more closely align with the Campbelltown Council area than the Adelaide Hills Council area. Preliminary discussions initiated by residents from the area have indicated that they feel like they live and either work or play in the Campbelltown Council area and access services provided by Campbelltown Council.’

‘The residents in the relevant area are closely aligned to Council (CCC), and as previously stated the realignment would formalise this situation.’

3. ANALYSIS

AHC’s response to the proposal

While the Adelaide Hills Council has been aware of the aspirations of CCC for boundary changes over the Rostrevor and Woodforde suburbs for a number of years, Council was not consulted or advised of the specific proposal that was discussed at the 22 January 2019 CCC meeting.

The AHC Mayor Jan-Claire Wisdom has since established contact with the CCC Mayor Jill Whittaker to open the channels of communication regarding the boundary reform proposal.

Mayor Wisdom has provided a number of media statements to local newspapers emphasising the importance of the affected residents’ and the wider AHC residents’ welfare and wellbeing in working through the boundary reform process set down in legislation. Council’s Strategic Plan strategy of considering Council boundaries that best serve its communities has also been an important messaging theme.

To ensure that affected residents in Rostrevor and Woodforde were provided with information regarding the boundary proposal, a letter was sent to each household (**Appendix 4**) providing an overview of the matter.

Communication channels have been established with the Boundaries Commission.

Implications of the proposal

On the basis of the draft Stage 1 proposal contained in the CCC agenda report (**Appendix3**), the proposal would currently affect 495 properties in the Rostrevor and Woodforde localities although this number would increase as the latter is further developed.

The current rating revenue derived from those properties is approx. \$1.01 million however, should the boundary proposal be successful, there would be a reduction in the expenditure to service those localities. The actual financial impact will require further modelling (both in terms of the affected area and the council area more generally) which can be undertaken once the parameters of the proposal are more clearly established.

Community members have already contacted Council raising concerns about the potential changes to planning provisions, access to services, rating impact, representation arrangements and, more generally, coming under the jurisdiction of the CCC.

Next Steps

Given the recent enactment of the boundary reform legislation, there are no historical proposals to refer to and therefore the duration of each stage of the process and/or the actual impact of the legislative and guidelines provisions are not known. The Boundaries Commission is/appears reluctant to speculate on the timetable for consideration of the proposal.

The Boundaries Commission advised (as of 18 February) that a Stage 1 proposal had not been received from CCC.

While AHC does not have a formal role under the reform guidelines in relation to Stage 1 and 2 of the CCC proposal, planning will be undertaken internally to further model the financial, community and governance implications of the proposal with a view to providing information to and seeking direction from Council should the proposal proceed to Stage 2.

In consideration of Council's strategy regarding ensuring that Council's boundaries best serve our communities, the CCC proposal could act as a catalyst for the wider investigation of strategic boundary reform. To this end the draft LTFP (being considered at the 26 February 2019 meeting for public consultation) contains a provision of \$20,000 in 2019-20 and 2020-21 to 'develop/respond to proposals for the realignment of the Council boundaries'.

4. OPTIONS

Council has the following options:

- I. Receive and note the report (Recommended)
- II. In addition to I, determine additional course(s) of action to be undertaken at this point in time. If a further course of action is desired, this might be most appropriately achieved through requesting a report from the CEO regarding the specified course of action.

5. APPENDICES

- (1) Principles for Boundary Reform Proposals
- (2) Matters to be addressed in a Stage 2 General Boundary Reform Proposal
- (3) Boundary Realignment Proposal – Campbelltown City Council – 22 January 2019
- (4) Letter to affected residents – Mayor Wisdom – 6 February 2019

Appendix 1

Principles for Boundary Reform Proposals

Principles for Boundary Reform Proposals

The *Local Government Act 1999* provides the following guidance to the Boundaries Commission on matters to be considered when arriving at recommendations regarding reform proposals

26—Principles

- (1) The Commission should, in arriving at recommendations for the purposes of this Chapter (but taking into account the nature of the proposal under consideration), have regard to—
 - (a) the objects of this Act; and
 - (b) the roles, functions and objectives of councils under this Act; and
 - (c) the following principles:
 - (i) the resources available to local communities should be used as economically as possible while recognising the desirability of avoiding significant divisions within a community;
 - (ii) proposed changes should, wherever practicable, benefit ratepayers;
 - (iii) a council should have a sufficient resource base to fulfil its functions fairly, effectively and efficiently;
 - (iv) a council should offer its community a reasonable range of services delivered on an efficient, flexible, equitable and responsive basis;
 - (v) a council should facilitate effective planning and development within an area, and be constituted with respect to an area that can be promoted on a coherent basis;
 - (vi) a council should be in a position to facilitate sustainable development, the protection of the environment and the integration of land use schemes;
 - (vii) a council should reflect communities of interest of an economic, recreational, social, regional or other kind, and be consistent with community structures, values, expectations and aspirations;
 - (viii) a council area should incorporate or promote an accessible centre (or centres) for local administration and services;
 - (ix) the importance within the scheme of local government to ensure that local communities within large council areas can participate effectively in decisions about local matters;
 - (xi) residents should receive adequate and fair representation within the local government system, while over-representation in comparison with councils of a similar size and type should be avoided (at least in the longer term);
 - (xii) a scheme that provides for the performance of functions and delivery of services in relation to 2 or more councils (for example, a scheme for regional governance) may improve councils' capacity to deliver services on a regional basis and therefore offer a viable and appropriate alternative to structural change; and

- (d) the extent and frequency of previous changes affecting the council or councils under this Chapter or the repealed Act.
- (2) The Commission should, so far as is relevant, give preference to structural changes that enhance the capacity of local government to play a significant role in the future of an area or region from a strategic perspective.

Appendix 2

*Matters to be addressed in a Stage 2 General Boundary
Reform Proposal*

Matters to be addressed in a Stage 2 General Boundary Reform Proposal

Description of the proposal

- Provide a detailed description of the proposal
- Clearly identify all councils involved

Section 26 principles

- Describe the proposal with reference to the principles set out in section 26 of the Act and contained and described in Attachment 1 and 2.
- Prior to accepting a proposal, the Commission may request information from other affected councils in relation to their view of how the proposal will address the principles.

Community of interest

- Discuss various components (cultural, heritage, shopping, community services, road and other transport links, sporting, etc.) of the social fabric of the area which is the subject of the proposal. Identify common interests that would be likely to benefit from the proposal.
- Identify any individual large community or business assets, or significant geographical features in the area of the proposal that you consider affect the community of interest.

Consultation with the community and key agencies

- Provide evidence that appropriate consultation has taken place with the community.
- Where appropriate, provide numbers of letters received supporting and opposing the proposal, details of public meetings held to discuss the proposal, and estimates of numbers attending. Provide copies of news articles, letters to the editor and public notices in newspapers.
- Identify concerns that were raised during consultation, the degree of support shown for and against them, and how they were addressed by all affected councils.

Advantages and Disadvantages

- Provide a balanced representation of the advantages and disadvantages of the proposal.
- Identify stakeholder groups, providing details of the interests and identity of each. Discuss impacts of the proposal on each group.
- Record any significant opposition known to the applicant council or councils and the basis of this.

Calendar of events

- List in sequence dates of key council decisions, announcements, notices, public and other meetings, actions by stakeholder groups, press articles etc.

Any other relevant information

- Information the council considers relevant for matters the Commission must consider under section 31(3)(b).

Administrative matters

- Maps should be supplied which depict in sufficient detail the area the subject of, and surrounding area of the proposal (where relevant).
- Name and contact details of the officer(s) of the proponent council(s) to whom the Commission should direct its questions and correspondence.

Appendix 3

*Boundary Realignment Proposal – Campbelltown City
Council – 22 January 2019*

11.2 Boundary Realignment Proposal

General Manager Corporate & Community Services, Michelle Hammond's Report

Purpose of Report

To seek endorsement for submission of a Boundary Realignment Proposal to the Commission (Boundaries Commission).

Strategic Plan Link

Strategy 1.3.4 Review of the profile of the City's residents and their needs

Background

Council has been in discussion with Adelaide Hills Council for some time about the possibility of realigning the boundaries between the two Councils. A map of the proposed realignment is attached. Staff consider that there would be benefits for both Councils in achieving this boundary realignment, including cost and time efficiencies, which in turn will provide benefits to residents of both Council areas.

Adelaide Hills Council currently have no administrative or recreational service centres in close proximity to the proposed boundary realignment area. The nearest Adelaide Hills Council civic facilities in respect to library and community services are at Stirling (20km) or Woodside (30km) townships. As such, it is quite likely that residents in this area associate more with communities of interest within the City of Campbelltown than Adelaide Hills Council, and Campbelltown Council is already providing considerable services to residents in the boundary realignment area.

Infrastructure service delivery to the area is currently provided by Adelaide Hills Council depots at Heathfield (22km) or Gumeracha (31km). Conversely, Campbelltown City Council's depot is 3km away. Staff believe that it would be more efficient for the provision of infrastructure services to residents in this area being delivered by Campbelltown Council to minimise servicing costs.

Socially, Council would be able to provide residents in this area access to social services (eg Council's Youth Advisory Committee or Community Home Support Programs) that currently can't be provided due to the Council boundaries. Staff are aware that this causes issues for some residents in the area as public transport links to the Hills are limited and the distance is a barrier for participation.

Finally, as this area is a small pocket of foothills not bound by the Campbelltown City Council Development Plan, the rules associated with development in the area are at odds with the Campbelltown City Council requirements, and complementary infrastructure servicing (stormwater, power, water supply and traffic management) associated with the Hamilton Hill development is more difficult to monitor and manage.

Discussion

The Local Government (Boundary Adjustment) Amendment Act 2017 (attached) commenced on 1 January 2019. This Act provides greater flexibility for boundary realignment including the option of an individual Council itself initiating a boundary realignment proposal, whereas the previous Act only allowed for a Council initiated proposal where both Councils were in agreement.

Council can apply for a boundary realignment under the 'general proposal' clause. A proposal under this section must consider the items set out in S26 (Section 26 of the Local Government Act 1999) (attached) as well as:

- The financial implications and impact on resources of both Councils
- The extent of support for the general proposal and boundary reform in the area within the Community affected by the proposal
- The extent of support for the general proposal of any Council affected
- The impact on the various rights and interests of any Council employees affected by the proposal.

Discussions have been occurring with Adelaide Hills Council regarding Boundary Realignment for several years. Staff have commenced collecting data and assessing similarities and differences between the Councils to assist in determining whether Boundary Realignment is feasible and attractive for both Council areas. There is a significant piece of work required to gather the information to present a proposal for consideration.

Guideline 3 (attached) accompanying the legislation indicates that for a general proposal Council needs to follow a 2 stage application process. Stage 1 involves writing to the Commission outlining:

- the nature of the potential proposal; what area is proposed to be moved, and the chief facts about this area (suburban, demographics etc)
- the Council's view on why it considers the boundary change to be the best option, with reference to the S26 Principles. The relevance of these Principles to the proposal will need to be explained in some detail if the proposal proceeds to Stage 2; at this point, the Commission is seeking some general points only to indicate that the Council has the right reasons for the proposal in mind
- any other points that the Council would like to bring to the Commission at this stage.

The Commission will consider the correspondence and provide advice to Council including whether a general proposal can be referred for consideration, if more work is recommended to be undertaken, or if further information is required by the Commission.

If the Commission refers the proposal for consideration then Stage 2 of the process requires a submission which sets out the details of the proposal and the issues that need to be considered, paying close attention to the S26 Principles. Guideline 3 provides further detail about the requirements of a Stage 2 Proposal.

If the Commission decides to progress the proposal to an inquiry Council will need to fully fund the cost of the inquiry. Staff have been advised that the Commission will provide an estimate of the cost involved with the inquiry at that point, so Council can make a decision about whether it wishes to proceed with the inquiry.

Social Implications

There are no social implications in relation to this report however social implications will be a key component for consideration in the proposal.

Environmental Implications

There are no environmental implications in relation to this report however environmental implications will be a key component for consideration in the proposal.

Asset Management Implications

There are no asset management implications in relation to this report however asset management implications will be a key component for consideration in the proposal.

Governance / Risk Management

This report is seeking Council endorsement for Staff to submit a Stage 1 Proposal to the Commission.

Community Engagement

There are no Community engagement implications in relation to this report however Community engagement implications will be a key component for consideration in the proposal.

Regional Implications

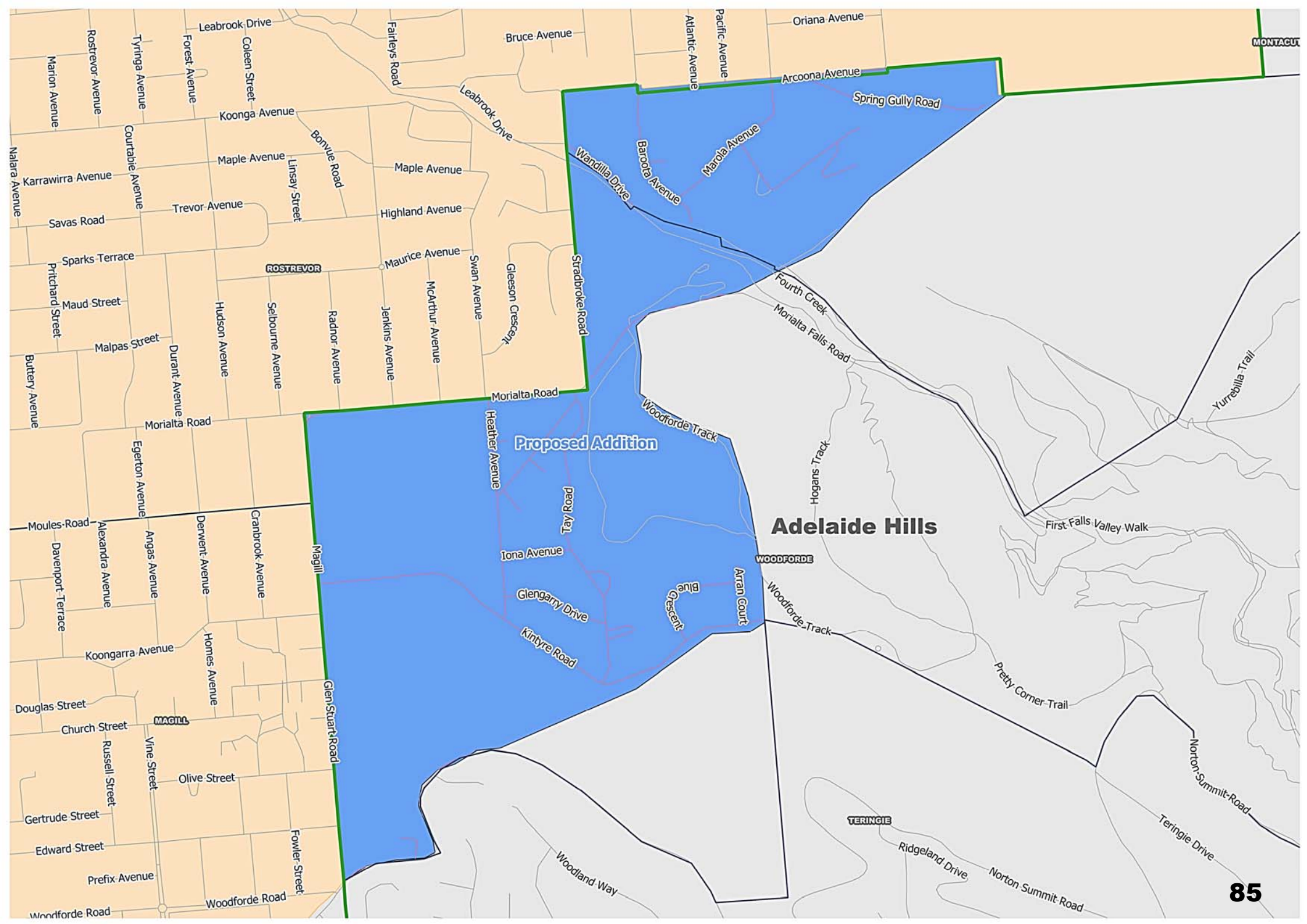
There are no regional implications in relation to this report however regional implications will be a key component for consideration in the proposal.

Financial Implications

There are no financial implications in relation to this report however if the application proceeds to investigation stage Council will need to fund that work. Financial implications of the Boundary Realignment will be a key component for consideration in the proposal.

Recommendation

That Council authorise Staff to submit a Stage 1 Boundary Realignment Proposal to the Boundaries Commission for their consideration.



Proposed Addition

Adelaide Hills

General Proposal – Boundary Realignment Stage 1

Council (Campbelltown Council) would like to submit a general proposal to the Commission to consider a boundary realignment between it and Adelaide Hills Council.

The relevant area (proposed boundary realignment) is shown in blue on the attached map.

Council considers that boundary realignment is the most appropriate option as it will assist in increased operational capacity, efficient and cost effective delivery of services, effective planning and development, accessibility, and adequate and fair representation for both Council areas. In addition it will consolidate and formalise a seemingly existing local community and community of interest. Council strongly believes that it will enhance the capacity of both Councils to deliver results to local communities in a more strategic and effective way.

The objects of the Act (Local Government Act 1999) as stated in Section 3 of the Act have been considered as part of this proposal, and Council believes that the proposal strongly aligns with the Objects of the Act. In particular the following sections of part 3 are pertinent to this proposal:

(b) to encourage the participation of local communities in the affairs of local government and to provide local communities, through their councils, with sufficient autonomy to manage the local affairs of their area;

Council believes that the residents in the relevant area more closely align with the Campbelltown Council area than the Adelaide Hills Council area. Preliminary discussions initiated by residents from the area have indicated that they feel like they live and either work or play in the Campbelltown Council area and access services provided by Campbelltown Council. Some of them already participate in Council's community engagement as many decisions that Council make directly affect them. The boundary realignment would potentially formalise an existing 'local community' and enable residents to formally participate in Council decision making, and increase civic pride.

(e) to improve the capacity of the local government system to plan for, develop and manage local areas and to enhance the capacity of councils to act within their local areas as participants in the Australian system of representative government.

The residents in the relevant area are closely aligned to Council, and as previously stated the realignment would formalise this situation. Council recognises that there is some uniqueness contained within the relevant area and as such would plan to have a separate policy area in Council's Development Plan for the relevant parts within this area.

(f) to encourage local government to provide appropriate services and facilities to meet the present and future needs of local communities

Efficient and relevant service delivery, and provision of facilities is a key component to the realignment proposal. Residents in the relevant area use and associate with services and facilities within the Council area. It makes sense for both Councils from an efficient cost effective service delivery perspective, for residents within the relevant area to be serviced by that Council. Generally residents within the relevant area avail themselves to Campbelltown's services on a regular basis, and potentially shop, recreate, and educate in the Campbelltown area.

Council has also closely considered the Section 26 Principles that the Commission is required to have regard to in making boundary reform decisions. Council is confident that the proposed boundary alignment meets the Section 26 Principles and is well positioned to formally reply to each principle in Stage 2 of the proposal, and demonstrate how the proposed realignment meets each of these principles.

Appendix 4

*Letter to affected residents – Mayor Wisdom – 6
February 2019*



PO Box 44
Woodside SA 5244
Phone: 08 8408 0400
Fax: 08 8389 7440
mail@ahc.sa.gov.au
www.ahc.sa.gov.au

Direct line: 8408 0400
File Ref: 09.10.6

6 February 2019

Dear Resident,

Council boundary review proposal

As you may be aware, the Campbelltown City Council recently resolved to initiate a process to seek a review of the boundary between our two councils. Your property is in the area subject to the review.

Under new State legislation which came into effect on 1 January this year, any council is able to act alone to start a boundary review process. While the matter of council boundaries was discussed by both councils some years ago, Adelaide Hills Council was not consulted on this specific proposal or advised that the matter was to be considered by Campbelltown City Council at their January meeting. Council has yet to receive any information from Campbelltown City Council regarding the proposal and we are currently seeking clarification from them of details of their boundary realignment proposal.

Under the new legislation, Council boundary reviews are conducted by the Boundaries Commission, which is administered by the Department of Planning, Transport and Infrastructure. We understand that Campbelltown Council will be making an initial submission to the Boundaries Commission seeking direction on the next steps. Should the Boundaries Commission determine that a formal review be undertaken, the views of affected ratepayers will need to be considered, as well as financial, resource, social and electoral representation arrangements.

A review process is likely to take some time and we will work to ensure you are kept up to date with the current process and are able to participate fully in a review if one is conducted. As your Council, we strongly believe community interests must be considered foremost regarding any proposal and we will work with Campbelltown City Council, the Commission and any other stakeholders to ensure this occurs.

Yours sincerely

A handwritten signature in black ink that reads 'Jan-Claire Wisdom'. The signature is written in a cursive style with a long horizontal line extending to the right.

Dr Jan-Claire Wisdom
Mayor

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 February 2019
AGENDA BUSINESS ITEM**

Item: 13.3

Originating Officer: Sharon Leith, Sustainability Officer

Responsible Director: Peter Bice, Director Infrastructure and Operations

Subject: Water Management Plan Update

For: Information

SUMMARY

Prior to adoption of the current Strategic Plan there was a specific initiative within the Strategic Plan 2014 -2018 Lofty Aspirations Sustainable Actions 'to develop and implement a water resources strategy to conserve and manage water within the district. The Water Management Plan (the Plan) was prepared by an across Council Project Team and endorsed in December 2016. The purpose of the Plan is to build a better understanding of where and how water is used on Council-owned land, its buildings and its facilities. The Plan identified issues, opportunities and actions for improvement with the aim of safeguarding water resources into the future.

Since that time numerous actions have been progressed and completed or are works in progress. A number of actions are still ongoing and a budget has been provided this financial year 2018/2019 for turf and irrigation design and management plans (\$40,000) to enable open space irrigation system improvements for water management and potentially reduce water use. Further actions have been identified within the Long Term Financial Plan including the reuse opportunity for the Woodside Recreation Ground (WRG).

RECOMMENDATION

Council resolves that the report be received and noted.

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal 3 Place-Places for people and nature
Strategy 3.1 We will work with our community to encourage sustainable living and commercial practices

A key direction of Council’s previous Strategic Plan and the Environmental Sustainability Framework was to investigate, analyse and prepare a water management plan. The Water Management Plan focuses on adopting an integrated approach to managing water resources to ensure a sustainable and resilient future. The preparation and implementation of the Water Management Plan takes into consideration a statewide direction through the Water for Good Plan, Water Allocation Plans including water affecting activities and the Regional Climate Change Adaptation Plan for the Adelaide Hills, Fleurieu Peninsula and Kangaroo Island region.

➤ **Legal Implications**

The Western Mount Lofty Ranges was declared a prescribed water resource under the *Natural Resources Management Act 2004 (NRM Act)*, which means it is considered to be an important water resource that requires protecting and sustainable management to provide security for all water users, now and into the future. A prescribed water resource requires a water allocation plan (WAP) which is a legal document that sets out rules for managing and using the water. The WAP for the Western Mount Lofty Ranges Prescribed Water Resources Area was adopted on 17 September 2013. It sets the amount of water that will be available, how that water may be allocated to users, and the types of activities that are permitted with that water.

As part of providing wastewater treatment to customers, Council is also a licenced water retailer pursuant with the *Water Industry Act 2012*.

In South Australia, water quality protection is the responsibility of all levels of government, landholders and the public. A range of legislation is in place to protect water resources, such as the *South Australian Public Health Act 2011*, the *Natural Resources Management Act 2004*, the *Environment Protection Act 1993* and the *Environment Protection (Water Quality) Policy 2003*, as well as regulations, policies, and codes of practice.

➤ **Risk Management Implications**

In consideration of the relevant legislation, compliance of water use and management is critical to ensure sustainable use of water and to minimise potential cost implications.

The preparation of the Water Management Plan and implementation of the numerous actions to ensure responsible water conservation and sustainable management will assist in mitigating the risk of liability, non-compliance and environmental degradation leading to cost penalties and reduced available water and quality.

Inherent Risk	Residual Risk	Target Risk
Extreme (5B)	High (3B)	Medium

The implementation of actions to ensure compliance and therefore risk management is an ongoing process.

➤ **Financial and Resource Implications**

There are no direct financial or resource requirements based on the Water Management Plan Update report however implementation of the actions will result in associated costs. These have been described in Section 3 Analysis.

➤ **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**

Consultation on the development of this report was as follows:

<i>Council Committees:</i>	Not Applicable
<i>Council Workshops:</i>	Not Applicable
<i>Advisory Groups:</i>	Not Applicable
<i>Administration:</i>	Not Applicable
<i>Community:</i>	Not Applicable

2. **BACKGROUND**

Water is widely recognised as a valuable resource requiring careful management and ongoing protection. Council plays a vital role in water management directly through its own water use and in managing public assets, and indirectly through influencing the community's attitudes and actions. It is therefore important that Council manages the way it uses and cares for water in a manner that is environmentally, socially and financially responsible, to lead by example and influence its community to become more sustainable. The preparation of the Water Management Plan was the first step in ensuring a sustainable approach to using and managing water to address the pressures of demand and key issues, such as water security, building resilience to climate change, rising cost of mains water, meeting environmental and regulatory requirements associated with water resources. The Plan can be found on Council's website <http://www.ahc.sa.gov.au/ahc-council/Documents/Reports-Strategies-Policies-Plans/Strategies-Plans/COUNCIL-PLAN-Final-Water-Management-2017.pdf>

The Water Management Plan was prepared by a Project Team with representation from across Council. Officers nominated for the group were involved in a number of meetings and workshops identifying issues, directions, opportunities and actions. A workshop was held on 9 June 2016 with the Sustainability Advisory Group (SAG) to discuss the key directions and outcomes for the Plan. The key issues and opportunities were also presented at a Council workshop on 7 September 2016. The draft Plan was issued for comment to the Project Team, Executive Leadership Team, SAG and Council Members in September 2016.

Council has operational and legislative responsibilities relating to using and managing water, whether that water is above ground or underground, such as using bore water in a sustainable manner and in accordance with the ‘rules’ of the Water Allocation Plan.

In addition, the impacts of climate change will result in warmer temperatures, more days of extreme heat, lower average rainfall, and greater intensity of rainfall events. These conditions will affect the availability and quality of water resources in the Adelaide Hills. It is therefore important for Council to build resilience to these changes through focusing on sustainable use and management of water.

Council uses several sources of water for its land, buildings and facilities. These include:

- Mains water supply
- Groundwater – via bores
- Wastewater reuse
- Rainwater.

The key water management issues and opportunities to improve water management are identified within the Plan and summarised below.

- Improving the way water is managed by better coordinating water related tasks amongst Council staff.
- Improving the way Council tracks water usage through the purchase of data software and this will help to identify areas of overuse, wastage and unnecessary expenditure.
- Better understanding of how water is used and managed at all of its properties, particularly the properties managed by community groups.
- Ensure compliance with bore licenses, by monitoring water usage and making sure extraction is within the allocated volume.
- Evaluation of local amenities, streetscapes, sporting ovals, and recreational areas level of maintenance, which may not necessarily be sustainable in the long term.
- Further research and communication to build resilience to climate change impacts by understanding impacts to water supplies and water quality and use water more conservatively.
- Investigate opportunities to reuse more wastewater from the wastewater management systems, particularly to irrigate ovals that currently rely on mains or bore water supplies. The use of rainwater could also be explored to reduce dependence on mains water and bore water.
- Protecting water quality and supporting the SA Government’s programs of improving water quality and reducing contamination in the watershed – by complying with legislation and codes of practice. This issue mainly relates to on-site wastewater systems, however there are water quality requirements associated with stormwater and environmental and public health issues associated with reusing water.
- Consider the multiple benefits Water Sensitive Urban Design (WSUD) provides for water management especially as part of Council’s asset maintenance and replacement programs, as well as in assessing development applications.
- Actively engage with water management authorities to ensure access to information, such as compliance issues, water management programs, technologies, potential funding and partnering opportunities.
- Promote a leadership role in the community and adopt best practice, ensure use and management of water is appropriate, and seek ways to influence others.

These issues and opportunities are addressed by a number of actions which are linked to the water management objectives. These opportunities and actions will enable Council to lead by example and in doing so encourage the community to adopt best practice in water use and demand management.

3. ANALYSIS

Since the endorsement of the Water Management Plan a number of actions have been undertaken with some still a work in progress. These actions include:

Action	Status	Comment
Purchase and management of a data management system (Trellis) to record an inventory of Council's water use and enable tracking of mains water use	Completed	
Compliance with bore licence and water allocations by recording and reporting water use to the Department of Environment and Water of bore water use	Completed	This process identified the overuse of the current allocation at the Woodside Recreation Ground (WRG).
Undertake irrigation audits for ovals within the district to determine efficiency measures and priorities	Completed	
Identification of the Woodside Recreation Ground (WRG) as a priority site for reuse opportunities to eliminate the pressure and current overuse of the bore water	Ongoing	
Preparation of a report into the Feasibility of WSUD, Storage and Water Re-use initiatives for the WRG	Completed	
Successful Natural Resource Management (NRM) grant funding of \$25,000 in November 2017 to undertake Water Sensitive Urban Design planning and design for the WRG	Completed	
Preparation of a Concept and Detailed Design for WSUD and creek rehabilitation works for the creekline within the WRG	Completed	Part funded by the NRM grant and Council contribution the first stage will be implemented by July 2019.
Discussions with SA Water about re-use opportunities for the WRG by using the nearby Bird in Hand Community Wastewater Management System (CWMS)	Ongoing	
Investigations into irrigation requirements for the WRG if re-use	Completed	This component of the work is completed and will inform the

Action	Status	Comment
is to be used for irrigation purposes providing feasibility information, detailed layout, quantities and timing implications		reuse feasibility for the WRG.
Tender documentation and specification for the design of an automatic irrigation system for the Gumeracha Oval and Federation Park.	Commenced	
Key strategies from the Water Management Plan incorporated within the Long Term Financial Plan and budget process.	Completed	

A number of the actions identified within the Water Management Plan will have financial and/or resource implications. Within the 2018/19 budget funded actions include \$40,000 for turf and irrigation design management plans to enable improvements to open space irrigation systems and therefore reduced water use.

In addition further actions and associated cost estimates have also been identified within the Long Term Financial Plan including:

- water audits for buildings and facilities
- further water data to be incorporated within the data management system
- Water Sensitive Urban Design (WSUD) training for council officers
- Woodside Recreation Ground (WRG) water reuse – design and implementation
- WSUD implementation for the WRG
- implementation of irrigations systems and the investigation and possible implementation of a central irrigation control system

4. OPTIONS

Council has the following options:

- I. That the Water Management Plan Update be received and noted.
- II. That the Water Management Plan Update not be received and noted and that Council provides direction on what changes it would like to the Water Management Plan Update.

5. APPENDIX

Nil

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 February 2019
AGENDA BUSINESS ITEM**

Item: 13.4

Originating Officer: Natalie Westover, Manager Property Services

Responsible Director: Terry Crackett, Director Corporate Services

Subject: Road Closure, adjacent Charleston Conservation Park

For: Information

SUMMARY

The Department of Environment and Water (DEW) has approached Council with a proposal for the unmade public road (UPR) immediately to the east and south of the Charleston Conservation Park (CCP) to be closed as public road and amalgamated with the CCP.

The purpose of this report is to provide information as to the progression of the proposed road closure process with DEW and alternative options if the road closure process does not progress.

RECOMMENDATION

Council resolves that the report be received and noted.

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal 3 Strategy	Places for People and Nature Management of Biodiversity
--------------------	--

The primary driver behind this proposal is for the promotion, management and protection of native vegetation and wildlife habitat.

➤ **Legal Implications**

There are no legal implications specifically in relation to this report however a road closure process is required to be undertaken in accordance with the *Roads (Opening & Closing) Act 1991* and Council's *Public Consultation Policy* and *Disposal of Land Policy*.

➤ **Risk Management Implications**

Given there has been a reasonable period of time elapse since the original request to obtain the UPR by DEW, the receiving and noting of this report will assisting in mitigating the risk that:

interested parties express concerns in relation to the length of time taken to finalise the matter.

Inherent Risk	Residual Risk	Target Risk
Medium (2C)	Low (2E)	Low (2E)

➤ **Financial and Resource Implications**

The road closure process, if progressed, will be undertaken within existing resource allocations with all out of pocket expenses paid by DEW.

Whilst the land value of the UPR has not as yet been established, DEW has advised that they are seeking to obtain the land at no cost.

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

Not Applicable

➤ **Environmental Implications**

It is the view of DEW and the Council's Biodiversity Officers that the native vegetation located on the UPR would have greater protection if the land was closed as public road and amalgamated with the CCP.

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

Consultation on the development of this report was as follows:

<i>Council Committees:</i>	Not Applicable
<i>Council Workshops:</i>	Not Applicable
<i>Advisory Groups:</i>	The proposal has been discussed with the Council's Property Advisory Group
<i>Administration:</i>	Biodiversity Officer
<i>Community:</i>	Not Applicable

2. BACKGROUND

By letter of 28 March 2017, the then Department of Environment, Waster and Natural Resources (now DEW) sought in principle agreement from Council for a proposal to close and amalgamate the unmade public roads immediately to the east and south of the Charleston Conservation Reserve (CCP). The primary reason stated for the proposal was the protection of native vegetation.

Initial internal assessments undertaken within Council did not identify any concerns with the proposal. The Council's Biodiversity Officer advised that the UPR had been cleared without consent over a number of years.

In early 2018, DEW acquired an additional parcel of land to the east of the existing CCP and requested that the UPR adjacent to this new parcel also be included for consideration for closure and amalgamation with the CCP.

DEW's proposal for the closure and amalgamation of the UPR was on the basis that DEW would pay the costs associated with the road closure and amalgamation and for no monetary consideration.

At the Council meeting of 26 September 2018, Council resolved as follows:

16.1 Unmade Road Reserves, Charleston Conservation Park

Moved Cr Malcolm Herrmann
S/- Cr Linda Green

252/18

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.

Carried Unanimously

3. ANALYSIS

Under the *Roads (Opening & Closing) Act 1991*, it is a requirement that the Council, prior to entering into a preliminary agreement with any party for the closure and sale of a public road, invite offers from adjoining land owners.

Following discussions with DEW, Council wrote to the adjoining land owners on 15 January 2019 inviting offers to purchase the UPR. Responses from the three adjoining land owners detailed that they did not wish to purchase the UPR. One land owner was in support of the proposal however the other two expressed some concerns/objections with the proposal and are likely to lodge objections to the road closure process during the statutory public notification period. The main concern is from a fire risk perspective if vegetation becomes more dense up to the fence line and a fire track is not maintained. This information has been provided back to DEW and we are awaiting their advice if they want to proceed to the next stage.

If DEW want to progress with the next stage of the road closure process, it will involve finalisation of the preliminary plan, lodgement of the preliminary plan with the Surveyor-General's Office, public notification and provision of a valuation.

The assessment of the value for the purposes of a road closure is made on a "before and after" basis. In this circumstance, a value would be determined for the CCP as it is now and then what the value would be after the closed road land was amalgamated into it.

Council staff requested DEW obtain a valuation in accordance with the above so that a clear understanding as to the value of the land was available to present to Council for consideration as part of the proposal. DEW indicated that their desktop valuation was in the vicinity of \$70,000 however they have declined to provide a formal valuation citing lack of funding. Council staff have suggested that a valuation produced by the Office of the Valuer-General would suffice at this time however this valuation has not as yet been received.

The proposal has been discussed with members of Council's Property Advisory Group who were of the opinion that a valuation should be insisted upon so that the Council had all the necessary information at hand to make an informed decision.

Council's Disposal of Land Policy includes the following provision:

- 7.3 If Land is to be disposed of via a select tender or direct sale, then (unless the Council resolves otherwise) one independent valuation must be obtained to ensure that an appropriate market value is obtained. The independent valuation must be made no more than 6 months prior to the proposed disposal.

Should the matter be progress to public notification, a subsequent report will be prepared to Council for consideration as to whether the Council will issue a road process order to effect the closure of the road and amalgamation with the CCP. As previously indicated however, we are currently awaiting advice from DEW as to whether they want to proceed to the next stage.

If DEW does not want to progress the road closure, or the Council resolves not to close the road, the UPR will remain as an UPR under Council's ownership and management.

4. OPTIONS

Council has the following options:

- I. Receive the report (Recommended)

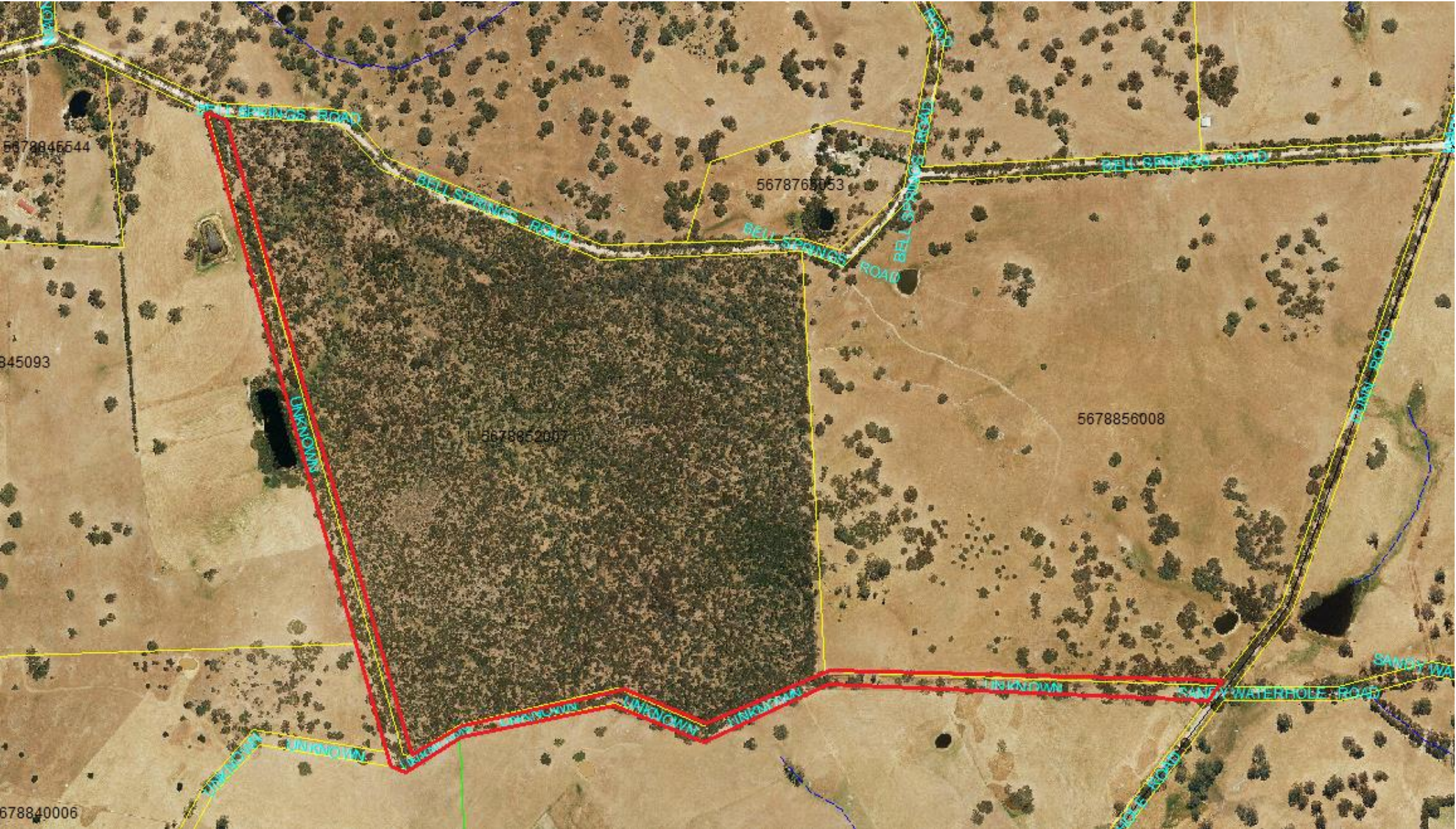
5. APPENDIX

- (1) Aerial Map identifying the unmade road reserve

Appendix 1

Aerial Map identifying the unmade road reserve

Road Closure, adjacent to Charleston Conservation Park – Annexure A



**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 February 2019
AGENDA BUSINESS ITEM**

Item: 13.5

Originating Officer: Steven Watson, Governance Risk Coordinator

Responsible Director: Andrew Aitken, Chief Executive Officer

Subject: Policy Register Review

For: Information

SUMMARY

Council has developed a range of policies over time, some in response to legislative obligations and others at Council's discretion. Policies are generally adopted with review to occur at a set period (i.e. 3 years) or as required by changes in legislation.

The attached Policy Register is provided for the Council's consideration and review to get a consolidated picture of the schedule of policies and review timeframes.

RECOMMENDATION

Council resolves that the report be received and noted.

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal	Organisational Sustainability
Strategy	Governance

Council's Policy Framework is a key component of the wider Governance Framework.

➤ **Legal Implications**

The *Local Government Act 1999*, *Local Government (Elections) Act 1999* and *Development Act 1993* require a number of codes and policies to be developed; these include but are not limited to:

- Code of Practice for Access to Council & Committee meetings and Documents;
- Complaints Handling;
- Internal Review of Council Decisions;
- Public Consultation;
- Procurement.

➤ **Risk Management Implications**

Maintenance of a contemporary and legislatively compliant Policy Framework 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**

There is no specific budget for the development and implementation of the Program however this is provided for in the Governance budget. The financial implications of individual policies will be identified when submitted for approval.

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

Specific policies developed/revised as part of this Program will have customer service implications however there is a community expectation that Council has in place a suite of logical, cohesive and legislatively-compliant policies.

➤ **Environmental Implications**

Not applicable.

➤ **Engagement/Consultation with Committee, Regional Subsidiary, Advisory Group and Community**

Consultation regarding the Policy Framework has previously been undertaken within Council.

Some policies are required by legislation to be subject to consultation prior to adoption (i.e. Public Consultation Policy) and for some others it may be desirable to undertake a discretionary consultation approach (the Council can determine this on a policy-by-policy basis).

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Director Infrastructure & Operations
Director Development & Regulatory Services
Director Community Capacity
Executive Manager Governance & Performance
Manager Property Services
Manager Financial Services
Manger Waste & Emergency Management
Manager Community Engagement
Sport & Recreation Planner

Community: Not Applicable

2. ANALYSIS

The Administration has reviewed the Policy Register (**Appendix 1**) and specifically the timings for policy reviews to come before the Council.

Considerable progress has been made in recent years to update and maintain the currency of Council's Policy Framework. A small number of policies remain on the Register which is legislatively or contextually superfluous and these will be targeted for rescission over the forthcoming period.

3. OPTIONS

The Committee has the following options:

- I. To note the Policy Register as attached (Recommended)
- II. To alter the timings of proposed policy reviews

4. APPENDIX

- (1) Adelaide Hills Council Policy Register – February 2019

Appendix 1

Adelaide Hills Council Policy Register – February 2019

Policy	Policy No.	Category	Mandatory/ Recommended by LGA	Last Adopted Date	Review Date on Policy	Review Schedule	Responsible Department	Notes
Sport and Recreation Strategy REVOCATION	COM-22	Community	Other	16-Dec-08	Apr-11	See Notes	Open Space	The strategic elements of this policy have been incorporated into the Community & Recreation Facility Framework. Subsequent policies or guidelines may be formed as a result. Policy will be revoked when Community & Recreation Facility Framework is in place.
Disposal of Materials (LGA s 201) REVOCATION - ONCE INCORPORATED INTO ACQUISITION AND DISPOSAL OF LAND & MATERIALS	INF-04	Infrastructure & Assets	Other	13-Nov-12	Nov-14	See Notes	Financial Services	To incorporate Disposal of Land Policy (INF-01) and be renamed 'Acquisition and Disposal of Land & Materials Policy' supported by procedures. This can include encroachments and easements. Estimate May 2019.
Disposal of Land (LGA s201) REVOCATION - ONCE INCORPORATED INTO ACQUISITION AND DISPOSAL OF LAND & MATERIALS	INF-01	Infrastructure & Assets	Recommended	21-Jul-14	Jun-17	See Notes	Property Services	To incorporate Disposal of Materials Policy (INF-04) and be renamed 'Acquisition and Disposal of Land & Materials Policy' supported by procedures. This can include encroachments and easements. Policy to follow finalisation of the Property Management Framework. Estimate May 2019.
Burning Permit Policy	ENV-06	Environment & Open Space	Recommended	23-May-17	Aug-18	See Notes	Waste, Health & Regulatory Services	Review date extended to early 2019 after new Council appointed and conclusion of caretaker provision. Policy has been reviewed and will be considered by Council at its 26 February 2019 meeting. Burning Permit Policy required for administration of EPA's <i>Environment Protection (Air Quality) Policy 2016</i>
One Team Communication Protocols	GOV-11	Corporate Governance	Other	2-Aug-15	Aug-18	See Notes	Governance & Performance	To be workshopped with Council Members.
Directional Signage	INF-07	Infrastructure & Assets	Other	22-Sep-15	Sep-18	See Notes	Sustainable Assets	Policy has been reviewed and will be considered by Council at its 26 February 2019 meeting.
Tree Management	ENV-04	Environment & Open Space	Other	10-May-16	Sep-18	See Notes	Sustainable Assets	Policy will be reviewed and will be considered by Council at its March 2019 meeting.
Mayors/Chairpersons Seeking Legal Advice (LGA s78A)	CM-03	Council Member	Other	8-Sep-15	Sep-18	See Notes	Governance & Performance	Consideration given to incorporation with Allowances & Support Policy but determined to keep separate. Policy will be reviewed and will be considered by Council at its April 2019 meeting.
Public Consultation (LGA s50)	COM-01	Community	Mandatory	8-Sep-15	Sep-18	See Notes	Communications & Events	Regarding the draft Public Consultation Policy (PCP) presented by David at the Workshop, we have an update around the timing of the review given a communication sent on Wednesday from the CEO of the LGA to CEOs around South Australia. In summary: <ul style="list-style-type: none"> The LGA has been undertaking a review and update of a model Public Consultation Policy following the Supreme Court decision in the case of Coastal Ecology Protection Group Inc & Ors v City of Charles Sturt (2017) SASC 136. The LGA has confirmed the review of its model PCP is currently on hold, pending the outcome of an ongoing legal review. It makes sense for AHC to await the outcome of this legal review and release of the model Public Consultation Policy so it can inform review of our own PCP. We will keep you updated as to the progress of the LGA's review over the coming weeks.
Community Information Display	COM-09	Community	Other	9-Feb-16	Feb-19	See Notes	Communications & Events	No substantial changes proposed. Intending to put to March 2019 Council Meeting for re-adoption.
Whistleblowers Protection (WPA, LGA s302A)	GOV-20	Corporate Governance	Mandatory	8-Mar-16	Feb-19	See Notes	Governance & Performance	Will be replaced by the proposed Public Interest Disclosures Act (date of operation has not been set)
Festivals & Events	COM-11	Community	Other	12-Apr-16	Apr-19	See Notes	Communications & Events	Staff are working on a draft new F&E Policy with a review focus on motorsport events and fireworks. Workshop planned for March, with adoption of a draft policy for consultation purposes at the March 2019 Council Meeting.
Acquisition and Disposal of Land & Materials (refer Disposal of Materials and Disposal of Land)	NEW INF-01	Infrastructure & Assets	Recommended	Proposed	May-19	See Notes	Financial Services	To incorporate Disposal of Materials Policy (INF-04) and be renamed 'Acquisition and Disposal of Land & Materials Policy' supported by procedures. This can include encroachments and easements. Policy to follow finalisation of the Property Management Framework. Estimate May 2019.
Lease & Licencing	NEW	Community	Other	Proposed	May-19	See Notes	Property Services	To be updated in conjunction with the adoption of the Community & Recreation Facility Framework, unlikely to be until late 2019
Development Applications Involving Regulated Trees	DEV-08	Development	Other	14-Jun-16	Jun-19	Jun-19	Development & Compliance	Scheduled for review in June 2019
Rating (LGA Chpt 10)	FIN-02	Finance	Recommended	26-Jun-18	Jun-19	Jun-19	Financial Services	Adopted in June as part of ABP
Code of Practice for Access to Council Meetings, Committees & Documents (LGA s92)	GOV-17	Corporate Governance	Mandatory	14-Nov-17	Nov-19	Jun-19	Governance & Performance	To be reviewed no later than 12 months after general election of Council - 2/3 vote required. To be revised following review of s41 Committee TORs
Code of Practice for Meeting Procedures (LGPAMR r6)	GOV-14	Corporate Governance	Recommended	18-Dec-18	Nov-19	Nov-19	Governance & Performance	To be reviewed at least once every financial year
Development Application Document Reproduction	DEV-03	Development	Recommended	11-Oct-16	Nov-19	Aug-19	Development & Compliance	Scheduled for review in August 2019
Informal Council Gatherings (LGA 90(8a))	GOV-12	Corporate Governance	Mandatory	22-Nov-16	Nov-19	Aug-19	Governance & Performance	
Procurement (LGA s49)	GOV-08	Corporate Governance	Mandatory	22-Nov-16	Nov-19	Aug-19	Financial Services	
Council Member Conduct (LGA s63)	CM-04	Council Member	Mandatory	24-Nov-15	Nov-19	Jun-19	Governance & Performance	The Code of Conduct and Complaint Handling Procedure components are mandatory. Review no later than 12 months after general election of Council. Potential review of complaint handling procedure based on lessons learnt to date.

Policy	Policy No.	Category	Mandatory/ Recommended by LGA	Last Adopted Date	Review Date on Policy	Review Schedule	Responsible Department	Notes
Community Loans	FIN-06	Finance	Other	24-Apr-18	Feb-20	Nov-19	Financial Services	
Privately Funded Development Plan Amendments	DEV-10	Development	Other	14-Feb-17	Feb-20	Nov-19	Development & Compliance	This will be reviewed closer to the time and may be abandoned given the roll out of the Planning Reforms which do not envisage DPA's as these will be replaced by the Planning & Design Code.
Public Transport	COM-23	Community	Other	14-Feb-17	Feb-20	Nov-19	Policy Planning	Will be reviewed closer to scheduled November 2019 review date
Records and Information Management	GOV-13	Corporate Governance	Recommended	14-Feb-17	Feb-20	Nov-19	Information Systems	
Internal Review of Council Decisions (LGA s 270(1))	GOV-01	Corporate Governance	Mandatory	28-Mar-17	Mar-20	Dec-19	Governance & Performance	No Comment Provided at time of Report
Acceptance of External Funding	GOV-07	Corporate Governance	Other	14-Mar-17	Mar-20	Dec-19	Director's Office, CS	No Comment Provided at time of Report
Fraud & Corruption Prevention (ICAC)	GOV-02	Corporate Governance	Recommended	13-Jun-17	Apr-20	Jan-20	Governance & Performance	To be considered by Audit Committee for recommendation to Council Incorporate ICAC Act references as they occur
Internal Audit (LGA s125)	GOV-18	Corporate Governance	Mandatory	13-Jun-17	Apr-20	Jan-20	Governance & Performance	To be considered by Audit Committee for recommendation to Council
Prudential Management (LGA s48)	GOV-09	Corporate Governance	Mandatory	13-Jun-17	Apr-20	Jan-20	Director's Office, CS	To be considered by Audit Committee for recommendation to Council
Risk Management	GOV-19	Corporate Governance	Recommended	13-Jun-17	Apr-20	Jan-20	Governance & Performance	To be considered by Audit Committee for recommendation to Council
Cemetery Management	COM-06	Community	Recommended	9-May-17	May-20	Feb-20	Property Services	
Development Application Fee Waiver	DEV-05	Development	Other	9-May-17	May-20	Feb-20	Development & Compliance	Will be reviewed closer to scheduled Feb 2020 review date
Public Place & Road Naming (LG Act s219(5))	DEV-02	Infrastructure & Assets	Mandatory	9-May-17	May-20	Feb-20	Sustainable Assets	Public notice must be given of the adopting or altering of a policy (s219(7))
Complaints Handling (LGA s 270(a1)(b))	GOV-04	Corporate Governance	Mandatory	13-Jun-17	Jun-20	Mar-20	Director's Office, CCS	To be done in consideration of GOV-01, GOV-03 & GOV-04.
Liquor Licensing	COM-18	Community	Other	13-Jun-17	Jun-20	Mar-20	Development & Compliance	Will be reviewed closer to scheduled March 2020 review date
Request for Service (LGA s270(a1)(a))	GOV-03	Corporate Governance	Mandatory	13-Jun-17	Jun-20	Mar-20	Director's Office, CCS	To be done in consideration of GOV-01, GOV-03 & GOV-04.
School Parking and Associated Facilities	COM-21	Community	Other	13-Jun-17	Jun-20	Mar-20	Sustainable Assets	Review to consider incorporation into an overarching policy into work on State Government Land.
Building & Swimming Pool Inspection (Dev Act s71A(1))	DEV-01	Development	Mandatory	11-Jul-17	Jul-20	Apr-20	Development & Compliance	Will be reviewed closer to scheduled April 2020 review date and may change significantly when this section of the Development Act is switched off and the superseding section in the PDI Act is switched on
Community Group Use of Photocopiers	COM-02	Community	Other	11-Jul-17	Jul-20	Apr-20	Community Development	
Grant Giving	COM-05	Community	Other	8-Aug-17	Jul-20	Apr-20	Community Development	To incorporate 'Community & Primary Production Grants' & 'Minor Grants' policies and Sport & Rec facility grants as a grant category,
Petitions	GOV-22	Corporate Governance	Recommended	11-Jul-17	Jul-20	Apr-20	Governance & Performance	
Unsealed Roads	INF-09	Infrastructure & Assets	Other	11-Jul-17	Jul-20	Apr-20	Sustainable Assets	
Development Application Fee Refunds	DEV-07	Development	Other	25-Sep-18	Sep-20	Jun-20	Development & Compliance	
Asset Management	INF-03	Infrastructure & Assets	Other	26-Sep-17	Nov-20	Aug-20	Sustainable Assets	To be considered by Audit Committee for recommendation to Council

Policy	Policy No.	Category	Mandatory/ Recommended by LGA	Last Adopted Date	Review Date on Policy	Review Schedule	Responsible Department	Notes
Buffers	DEV-06	Development	Other	1-Jan-15	Nov-20	Aug-20	Policy Planning	The Australian Pesticides and Veterinary Medicines Authority (APVMA) is still in the process of reviewing buffers. Only when it has completed this body of work will staff be in a position to review the Buffers Policy.
Debt Recovery (inc. CWMS Customer Hardship Policy) (LGA s144)	FIN-04	Finance	Mandatory	28-Nov-17	Nov-20	Aug-20	Financial Services	
Delegations Policy for the Determination of Development Applications by CAP	DEV-12	Strategy & Development	Mandatory	28-Nov-17	Nov-20	Aug-20	Development & Compliance	Will be reviewed closer to scheduled August 2020 review date
Enforcement Policy	GOV-10	Environment & Open Space	Recommended	26-Jun-18	Nov-20	Aug-20	Waste, Health & Regulatory Services	Will be reviewed closer to scheduled August 2020 review date
Management of Built Heritage	DEV-09	Development	Other	12-Apr-16	Nov-20	Aug-20	Policy Planning	
Order Making (LGA s259)	GOV-05	Corporate Governance	Mandatory	14-Nov-17	Nov-20	Aug-20	Waste, Health & Regulatory Services	Policy to be reviewed concurrently with review of the Enforcement Policy to ensure alignment between the two. Revised policy must have public consultation of at least 4 weeks.
Treasury	FIN-03	Finance	Recommended	26-Sep-17	Nov-20	Aug-20	Financial Services	
Play Space	COM-10	Community	Other	27-Mar-18	Jan-21	Oct-20	Open Space	
Outdoor Dining	COM-19	Community	Other	24-Apr-18	Mar-21	Dec-20	Property Services	
Road Rents	INF-06	Infrastructure & Assets	Other	24-Apr-18	Mar-21	Dec-20	Property Services	
Roadside Trading (Use of Public Road Verges for Business Purposes)	COM-20	Community	Other	24-Apr-18	Mar-21	Dec-20	Property Services	
Waste and Resource Recovery Service	ENV-05	Environment & Open Space	Other	27-Mar-18	Apr-21	Jan-21	Waste, Health & Regulatory Services	
Safe Environments	COM-12	Community	Recommended	22-May-18	May-21	Feb-21	Organisational Development	
Tributes for Commemorative Services	COM-13	Community	Other	24-Jul-18	Jul-21	Apr-21	Communications & Events	
Flags	COM-16	Community	Other	24-Jul-18	Jul-21	Apr-21	Director's Office, CCS	
Provision of Physical Models or other Visual Representation Tools for Major Development Proposals which require Public Notification	DEV-11	Development	Other	24-Jul-18	Jul-21	Apr-21	Development & Compliance	Will be reviewed closer to scheduled April 2021 review date
Street Lighting	INF-08	Infrastructure & Assets	Other	24-Jul-18	Jul-21	Apr-21	Engineering Asset Management	
Volunteer Engagement	COM-04	Community	Recommended	24-Jul-18	Jul-21	Apr-21	Community Development	
Wastewater System Application Fee Refunds	COM-24	Community	Other	18-Dec-18	Dec-21	Sep-21	Waste, Health & Regulatory Services	
Advisory Group Operation and Conduct	GOV-1	Corporate Governance	Other	18-Dec-18	Dec-21	Sep-21	Governance & Performance	
Caretaker (LGEA s91A(1))	GOV-06	Corporate Governance	Mandatory	22-May-18	May-22	Feb-22	Governance & Performance	
Council Member Training and Development (LGA s 80A)	CM-05	Council Member	Mandatory	24-Jul-18	Sep-22	Jun-22	Governance & Performance	
Council Member Allowance and Support (LGA s 77(1)(b))	CM-02	Council Member	Mandatory	27-Nov-18	Nov-22	Aug-22	Governance & Performance	Policy lapses at a general election of council.
Genetically Modified Crops	ENV-01	Environment & Open Space	Other	18-Dec-18	Dec-22	Sep-22	Policy Planning	Review 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

Policy	Policy No.	Category	Mandatory/ Recommended by LGA	Last Adopted Date	Review Date on Policy	Review Schedule	Responsible Department	Notes
Burials Outside Cemeteries	COM-15	Community	Other	22-Jan-19	Jan-24	Oct-23	Property Services	

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 February 2019
AGENDA BUSINESS ITEM**

Item: 19.1

Originating Officer: Lynne Griffiths, Community & Cultural Development Officer

Responsible Director: David Waters, Director Community Capacity

Subject: Reconciliation Working Group – Appointment of Council Member and Community Members

For: Decision

1. Reconciliation Working Group Appointment of Council Member and Community Members - Exclusion of the Public

Moved Cr
S/- Cr

/19

1. That under the provisions of section 90(2) of the *Local Government Act 1999* an order is made that the public be excluded from the meeting, with the exception of:
- Chief Executive Officer, Andrew Aitken
 - Director Development and Regulatory Services, Marc Salver
 - Director Corporate Services, Terry Crackett
 - Director Community Capacity, David Waters
 - Director Infrastructure and Operations, Peter Bice
 - Executive Manager Governance and Performance, Lachlan Miller
 - Governance & Risk Coordinator, Steven Watson
 - Minute Secretary, Pam Williams & Kylie Hopkins

in order to consider Agenda Item 19.1: Reconciliation Working Group - Appointment of Council Member and Community Members in confidence.

2. The Council is satisfied that it is necessary that the public, with the exception of Council staff in attendance as specified in (a) above, be excluded to enable Council to consider the report at the meeting on the following grounds:
- i. Section 90(3) (a) of the Local Government Act, 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 provide the personal details of candidates who have expressed an interest to be on the Working Group prior to acceptance by Council.

- 3. 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.**

5. Reconciliation Working Group Appointment of Council Member and Community Members - Period of Confidentiality

That having considered at Agenda Item 19.1 in confidence under sections 90(2) and 90(3) (a) of the *Local Government Act 1999*, 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 appointments have been confirmed, but not longer than 3 months.

Pursuant to section 91(9)(c) of the *Local Government Act 1999*, that Council delegates the power to revoke the confidentiality order in full or in part to the Chief Executive Officer.