



ORDINARY COUNCIL MEETING

NOTICE OF MEETING

To: Acting Mayor Nathan Daniell

Councillor Ian Bailey
Councillor Kirilee Boyd
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 27 August 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 27 August 2019
6.30pm
63 Mt Barker Road Stirling

ORDER OF BUSINESS

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

3.2. Leave of Absence
Cr Andrew Stratford 17 September to 4 October 2019

Cr Malcolm Herrmann (13 August to 30 August 2019) approved 23 July 2019
Mayor Jan-Claire Wisdom (13 August to 16 September 2019) approved 23 July 2019

3.3. Absent

4. MINUTES OF PREVIOUS MEETINGS

Council Meeting – 23 July 2019

That the minutes of the ordinary meeting held on 23 July 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
- 7.2. Questions Lying on the Table
- 7.2.1. Council Resolutions Update

8. PETITIONS / DEPUTATIONS / PUBLIC FORUM

- 8.1. Petitions
- 8.2. Deputations
Shae Elliss, Microwave Radio Frequency Radiation from Cell Towers
- 8.3. Public Forum

9. PRESENTATIONS (by exception)

Nil

10. QUESTIONS ON NOTICE

- 10.1. Update on Masterplans – Woodside, Crafers, Gumeracha, Heathfield & Stirling
- 10.2. Cat Confinement

11. MOTIONS ON NOTICE

- 11.1. Feral Deer Management

12. OFFICER REPORTS – DECISION ITEMS

- 12.1. Festivals & Events Policy Review

1. *That the report be received and noted.*
2. *With an effective date of 10 September 2019, to revoke the 12 April 2016 Festivals and Events Policy and to adopt the 27 August 2019 Festivals and Events Policy as per App 1.*
3. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the August 2019 Festivals and Events Policy prior to the effective date of adoption.*

12.2. Youth Driver Education Proposed Road Closures

1. *That the report be received and noted.*
2. *That pursuant to Section 33(1) of the Road Traffic Act 1961 and Clause G of the Instrument of General Approval of the Minister dated 22 August 2013, to:*
 - a. *Declare that the Driver Education Program that is to take place on Newman Road, Charleston is an event to which Section 33 of the Road Traffic Act 1961 applies.*
 - b. *Make an order directing that a section of Newman Road, Charleston, between Five Lanes Road and Lewis Road, be closed to traffic for the period between 9.00am and 6.00pm on Wednesday 9 October 2019, and 9.00am and 6.00pm Wednesday 22 April 2020.*
 - c. *Make an order directing that persons taking part in the event be exempt from the duty to observe the Australian Road Rules Rule 238 (Pedestrians travelling along a road)*
 - d. *Make an order directing that all vehicles except emergency and participant vehicles and local residents living at the named section of Newman Road, be excluded from the closed section of road for the period of the closure.*

12.3. Procurement Policy

1. *That the report be received and noted.*
2. *With an effective date of 1 October 2019, to revoke the November 2016 Procurement Policy and to adopt the revised draft Procurement Policy in Appendix 1.*
3. *That the Chief Executive Officer, or delegate, be authorised to make any formatting, nomenclature or other minor changes to the Policy during the period of its currency.*

12.4. Disposal of Assets Policy

1. *That the report be received and noted*
2. *With an effective date of 10 September 2019, to revoke the Disposal of Land Policy, as detailed at Appendix 2, and to revoke the Disposal of Materials Policy, as detailed at Appendix 3 and to adopt the draft Disposal of Assets Policy in Appendix 1.*
3. *That the Chief Executive Officer, or delegate, be authorised to make any formatting, nomenclature or other minor changes to the Disposal of Assets Policy during the period of its currency.*

- 12.5. 2018-19 Preliminary End of Year Financial Results and Carry Forwards
1. *The report be received and noted.*
 2. *The Preliminary End of Year Results for 2018-19 be noted.*
 3. *Operating Initiatives Carry Forward projects from 2018-19 totalling an amount of \$28k of expenditure as detailed in this report be approved.*
 4. *Capital Carry Forward projects from 2018-19 totalling an amount of \$4.782m of expenditure and \$1.952m of income (Attachments 2 and 3) be approved.*
 5. *The 2019-20 Capital Additional Budget Requests totalling a net \$277k (Att 4) be approved.*
 6. *The 2019-20 Proposed Budgeted Uniform Presentation of Finances reflecting a revised Budgeted Operating Surplus of \$421k before Capital Revenue and revised Net Borrowings of \$4.580m as summarised in Attachment 5 be adopted.*
- 12.6. East Waste Chair
1. *That the report be received and noted*
 2. *That Council consents to Mr Brian Cunningham being re-appointed as Independent Chairperson of East Waste for a further term until 30 June 2021*
- 12.7. Bridgewater Retirement Village - Trust Variation Scheme
1. *That the report be received and noted*
 2. *That Carripook Park in Bridgewater, being land on the north eastern corner of Kain Avenue and Mt Barker Road Bridgewater previously identified as Allotment 137 in Deposited Plan No. 1427 (Appendix 1), be the nominated reserve to include in the trust variation scheme application to the Supreme Court to vary the F H Todd trust from the land at the corner of Second Avenue and Mt Barker Road Bridgewater contained in Certificate of Title Volume 5488 Folio 788.*
 3. *That a further report be presented to Council following conclusion of community consultation in relation to the revocation of community land.*
- 12.8. Road Closure Portion of Road Reserve adjacent 38-42 Sturt Valley Road Stirling
1. *That the report be received and noted*
 2. *To make a Road Process Order pursuant to the Roads (Opening & Closing) Act 1991 to close and merge the pieces of land identified as "A" in the Preliminary Plan attached to this report with Allotment 203 in Deposited Plan No 62796 comprised in Certificate of Title Volume 5907 Folio 850 as detailed in Appendix 2.*
 3. *Subject to the closure of the road identified in the Preliminary Plan attached, 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 Peter McKay and Ms Simona Achitei, the owners of the property with which it is merging for the amount of \$8,800.00 plus GST (if applicable) and all fees and charges associated with the road closure process.*
 4. *Authorise the Chief Executive to finalise and sign all necessary documentation to close and sell the above portion of closed road pursuant to this resolution.*

12.9. Audit Committee Independent Membership

4. *That the report be received and noted*

5. *That in relation to the Audit Committee:*

a. *To undertake a recruitment process for the selection of two Independent Ordinary Members for the Audit Committee for a term of 24 months, commencing 1 December 2019.*

b. *To appoint Cr _____, Cr _____ and the CEO (or delegate) as members of the Audit Committee Independent Member Selection Panel.*

12.10. Review of Primary Production Incentive Grant Funding

1. *That the report be received and noted.*

2. *That the Primary Production Incentive Grant be discontinued and the balance of the funds be redirected to community education on rural land management issues and European Wasp control for the benefit of the primary production sector.*

12.11. Status Report – Council Resolutions Update
Refer to Agenda

13. OFFICER REPORTS – INFORMATION ITEMS

13.1. Customer Service Standard Report Quarter 4 and Annual Results

13.2. Policy Register Review

14. MISCELLANEOUS ITEMS

15. QUESTIONS WITHOUT NOTICE

16. MOTIONS WITHOUT NOTICE

17. REPORTS

17.1. Council Member Reports

17.1.1. Cr Pauline Gill – Attendance at NGA 2019, Canberra

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 – 14 August 2019
That the minutes of the CAP meeting held on 14 August 2019 as supplied, be received and noted.

- 18.2. Strategic Planning & Development Policy Committee
Nil

- 18.3. Audit Committee - 12 August 2019
That the minutes of the Audit Committee meeting held on 12 August 2019 as supplied, be received and noted

- 18.4. CEO Performance Review Panel - 8 August 2019
That the minutes of the CEO Performance Review Panel meeting held on 8 August 2019 as supplied, be received and noted

19. CONFIDENTIAL ITEMS

- 19.1. CEO Performance and Remuneration Reviews
- 19.2. Adelaide Hills Council Roundabouts

20. NEXT MEETING

Tuesday 24 September 2019, 6.30pm, 63 Mt Barker Road, Stirling

21. CLOSE MEETING

Council Meeting/Workshop Venues 2019

Dates, times & venues to be confirmed

DATE	TYPE	LOCATION	MINUTE TAKER
SEPTEMBER 2019			
Tues 10 September	Workshop	Woodside	N/A
Wed 11 September	Council Assessment Panel	TBA	Karen Savage
Tues 17 September	Professional Development	Stirling	N/A
Tues 24 September	Council	Stirling	Pam Williams
OCTOBER 2019			
Tues 8 October	Workshop	Woodside	N/A
Wed 9 October	Council Assessment Panel	TBA	Karen Savage
Mon 14 October	Audit Committee	Stirling	TBA
Tues 15 October	Professional Development	Stirling	N/A
Tues 22 October	Council	Stirling	Pam Williams
NOVEMBER 2019			
Mon 11 November	Audit Committee	Stirling	TBA
Tues 12 November	Workshop	Woodside	N/A
Wed 13 November	Council Assessment Panel	TBA	Karen Savage
Thurs 14 November	CEO Performance Review	Stirling	TBA
Tues 19 November	Professional Development	Stirling	N/A
Tues 26 November	Council	Stirling	Pam Williams
DECEMBER 2019			
Tues 10 December	Workshop	Woodside	N/A
Wed 11 December	Council Assessment Panel	TBA	Karen Savage
Tues 17 December	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.

Community Forums 2019

6.00 for 6.30pm

DATE	LOCATION
Tuesday 29 October 2019	Norton Summit

Conflict of Interest Disclosure Form

CONFLICTS MUST BE DECLARED VERBALLY DURING MEETINGS

Councillor:

Date:

Meeting name:

Agenda item no:

1. I have identified a conflict of interest as:

MATERIAL ACTUAL PERCEIVED

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

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

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

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

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

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

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

OR

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

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

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

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

CONFLICTS MUST ALSO BE DECLARED VERBALLY DURING MEETINGS

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



Ordinary Business Matters

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

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

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

Engagement and membership with groups and organisations exemption

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

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

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

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

8. DEPUTATIONS

For full details, see Code of Practice for Meeting Procedures on www.ahc.sa.gov.au

1. A request to make a deputation should be made by submitting a Deputation Request Form, (available on Council's website and at Service and Community Centres) to the CEO seven clear days prior to the Council meeting for inclusion in the agenda.
2. Each deputation is to be no longer than ten (10) minutes in duration, excluding questions from Members.
3. Deputations will be limited to a maximum of two per meeting.
4. In determining whether a deputation is allowed the following considerations will be taken into account:
 - the subject matter of the proposed deputation;
 - whether it is within the powers of the Council;
 - relevance to the Council agenda nominated – and if not, relevance to the Council's powers or purpose;
 - the integrity of the request; and
 - the size and extent of the agenda for the particular meeting.

8.3 PUBLIC FORUM

For full details, see Code of Practice for Meeting Procedures on www.ahc.sa.gov.au

1. The public may be permitted to address or ask questions of the Council on a relevant and/or timely topic.
2. The Presiding Member will determine if an answer is to be provided.
3. People wishing to speak in the public forum must advise the Presiding Member of their intention at the beginning of this section of the meeting.
4. Each presentation in the Public Forum is to be no longer than five (5) minutes (including questions), except with leave from the Council.
5. The total time allocation for the Public Forum will be ten (10) minutes, except with leave from the Council.
6. If a large number of presentations have been requested, with leave from the Council, the time allocation of five (5) minutes may be reduced.
7. Any comments that may amount to a criticism of individual Council Members or staff must not be made. As identified in the Deputation Conduct section above, the normal laws of defamation will apply to statements made during the Public Forum.
8. Members may ask questions of all persons appearing relating to the subject of their presentation.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 27 August 2019
AGENDA BUSINESS ITEM**

Item: 7.2.1

Originating Officer: Steven Watson, Governance & Risk Coordinator

Responsible Director: Andrew Aitken, Chief Executive Officer

Subject: Question Lying on the Table – Recommendation 1
Council Resolutions Update including 2 year update to outstanding resolutions – Recommendation 2

For: Decision (x2)

SUMMARY

Recommendation 1

During the Ordinary Council Meeting 25 June 2019, whilst considering the Council Resolution Update Report (**Appendix 1 and Appendix 2**), Council resolved a Formal Motion and Administrative Action that are detailed below:

12.11.1 FORMAL MOTION – Status Report, Council Resolutions Update

Moved Cr Mark Osterstock
S/- Cr Ian Bailey

178/19

That the question lie on the table.

Cr Osterstock asked “Do Council Members, in making this decision, who have previously declared a Conflict of Interest, have a Conflict of Interest for this item?”

Carried Unanimously

Administrative Action: Governance to seek legal advice on conflict of interest in relation to the Status Report

The legal advice referred to in the administrative action was sought and provided at the 23 July 2019, Ordinary Council Meeting (**Appendix 3**) with Council resolving:

12.11 Council Resolutions Update – Conflict of Interest Legal Advice

**Moved Cr Mark Osterstock
S/- Cr Pauline Gill**

198/19

Council resolves that the report be received and noted.

Carried Unanimously

With these aforementioned actions now being complete Council may wish to consider lifting the Council Resolutions Update including 2 year update to outstanding resolutions Report, 25 June 2019 Ordinary Council Meeting, from the table and resume the debate at the point of interruption.

Recommendation 2

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 1

Council resolves:

- 1. To lift the Council Resolutions Update including 2 year update to outstanding resolutions Report, 25 June 2019 Ordinary Council Meeting, from the table and resume the debate at the point of interruption.**

RECOMMENDATION 2

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
19/1/2016	Ordinary Council	6a/16	Amy Gillett Bikeway Extension
22/03/2016	Ordinary Council	59/16	Sturt Valley Road reconstruction
27/11/2018	Ordinary Council	297/18	Magarey Road Emergency Services Access
26/02/2019	Ordinary Council	33/19	Electricity Procurement
26/03/2019	Ordinary Council	71/19	Proposed Pome Fest Event
23/04/2019	Ordinary Council	63/19	MON Ban of enclosed yabby nets in South Australia
23/4/2019	Ordinary Council	76/19	Delegations Review Report
23/04/2019	Ordinary Council	79/19	Adelaide Hills Council Roundabouts
23/04/2019	Ordinary Council	91/19	Appointment of Advisory Group Independent Members - Confidential
7/5/2019	Special Council	99/19	Fees & Charges
7/5/2019	Special Council	101/19	Murray Darling Association Support
28/5/2019	Ordinary Council	108/19	Regional Development Australia funding
28/5/2019	Ordinary Council	114/19	Appointment of Building Fire Safety Committee
28/05/2019	Ordinary Council	117/19	Budget Review 3
28/05/2019	Ordinary Council	118/19	Discretionary Rates Rebate
28/05/2019	Ordinary Council	119/19	Risk Management Policy
28/05/2019	Ordinary Council	120/19	Nomination for Libraries Board SA
28/05/2019	Ordinary Council	130/19	Electricity Procurement - Confidential
4/6/2019	Special Council	133/19	AHRWMA Draft ABP & Budget
4/6/2019	Special Council	138/19	Confidential Items Review

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

Recommendation 1

Please review Summary of this report.

Recommendation 2

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

Recommendation 1

During the Ordinary Council Meeting 25 June 2019, whilst considering the Council Resolution Update Report, Council resolved a Formal Motion and Administrative Action which have both been completed. Council's options now include lifting the item laying on the table and recommencing the debate on the item where it left off. Council also has the option to leave the item lying on the table until another time.

Recommendation 2

The Action list has been updated to provide Council with information regarding outstanding actions. Completed resolutions are identified in the recommendation for removal from the Action List.

There are zero (0) uncompleted resolutions for which an update is required for Council.

4. OPTIONS

Council has the following options:

Recommendation 1

- I. To lift the Council Resolutions Update including 2 year update to outstanding resolutions Report, 25 June 2019 Ordinary Council Meeting, from the table and resume the debate at the point of interruption (recommended).
- II. Not lift from the table the Council Resolutions Update including 2 year update to outstanding resolutions Report, 25 June 2019 Ordinary Council Meeting and continue the debate where it was left off (not recommended).
- III. Resolve that other actions are required.

Recommendation 2

- I. Note the status of the outstanding items and the proposed actions (recommended).
- II. Resolve that other actions are required.

5. APPENDIX

- (1) Action List
- (2) Council Resolution Update Report
- (3) Council Resolution Update - COI Legal Advice

Appendix 1

Council Resolution Update Report

25 June 2019

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 25 June 2019
AGENDA BUSINESS ITEM**

Item: 12.11

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
19/1/2016	Ordinary Council	6a/16	Amy Gillett Bikeway Extension
22/03/2016	Ordinary Council	59/16	Sturt Valley Road reconstruction
27/11/2018	Ordinary Council	297/18	Magarey Road Emergency Services Access
26/02/2019	Ordinary Council	33/19	Electricity Procurement
26/03/2019	Ordinary Council	71/19	Proposed Pome Fest Event
23/04/2019	Ordinary Council	63/19	MON Ban of enclosed yabby nets in South Australia
23/4/2019	Ordinary Council	76/19	Delegations Review Report
23/04/2019	Ordinary Council	79/19	Adelaide Hills Council Roundabouts
23/04/2019	Ordinary Council	91/19	Appointment of Advisory Group Independent Members - Confidential
7/5/2019	Special Council	99/19	Fees & Charges
7/5/2019	Special Council	101/19	Murray Darling Association Support
28/5/2019	Ordinary Council	108/19	Regional Development Australia funding
28/5/2019	Ordinary Council	114/19	Appointment of Building Fire Safety Committee
28/05/2019	Ordinary Council	117/19	Budget Review 3
28/05/2019	Ordinary Council	118/19	Discretionary Rates Rebate
28/05/2019	Ordinary Council	119/19	Risk Management Policy
28/05/2019	Ordinary Council	120/19	Nomination for Libraries Board SA
28/05/2019	Ordinary Council	130/19	Electricity Procurement - Confidential
4/6/2019	Special Council	133/19	AHRWMA Draft ABP & Budget
4/6/2019	Special Council	138/19	Confidential Items Review

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.

In total there are zero (0) uncompleted resolutions for which an update is required for Council.

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
- (2) Council Resolution Update Report
- (3) Council Resolution Update - COI Legal Advice

Appendix 2

*Council Resolution Update Report
25 June 2019 – Appendix 1*

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Status (for Council reporting)
27/05/2014	Ordinary Council	95/14	William St Birdwood Street Furniture, plaque	That Council, as a consequence of the SPDPC resolution No 29 dated 13 May 2014, approves: 1. The construction of a piece of street furniture and installation in William Street Birdwood, in the vicinity of where the trees will be removed, provided suitable timber is available from those trees. 2. The erection of a plaque acknowledging the residents who donated funds to plant the initial avenue. 3. Place a memorial with names in the Birdwood Institute in consultation with the Friends of the Birdwood Institute. 4. Suitable timber to be made available to the Friends of the Birdwood Institute (FBI) to enable the Committee to make some small wood pieces (e.g. bowls) to display in the Institute. 5. The CEO investigate a source of funds for the projects. 1 and 2 to be undertaken in consultation with the community.	Peter Bice	In Progress	30/06/2019	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. Update 5/6/19 A local artist has been commissioned to undertake to build a suitable seat, plans are currently being drawn up. Information for a sign has been received and will be included in the project.
24/03/2015	Ordinary Council	57/15	Confidential Item - Morella Grove	As per confidential minute	Peter Bice	In Progress	31/08/2019	Report to Council by mid 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	Completed	30/06/2020	Council is working collaboratively with neighbouring Councils as part of a broader Adelaide Wine Capital Cycling Trail project. The Mayor and CEO attended a briefing in early May with other participating Councils, with an update for Council Members to be distributed shortly,
22/03/2016	Ordinary Council	59/16	Sturt Valley Road reconstruction	2. That a capital budget allocation of \$160,000 be provided in the 2015/16 financial year for the reconstruction of a 230m section of Sturt Valley Road, Stirling. 3. That a further report be presented to Council for consideration regarding the possible placement of a footpath or walking trail along sections of Sturt Valley Road prior to installing any additional safety barriers	Peter Bice	Completed	30/06/2019	Council discussions with key landowners regarding construction of a walking loop along Sturt Valley Rd which required access through their property to connect through to Upper Sturt Rd have been unsuccessful. It was proposed to cancel this project as part of BR3, which was ultimately accepted by Council.
22/03/2016	Ordinary Council	69/16	Land Acquisition Colonial Drive Norton Summit	Negotiate with the Anglican Church and CFS regarding the proposed boundary realignment and the preparation of preliminary plans	Terry Crackett	In Progress	31/12/2019	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. Council staff met with the State Diocese to discuss the matter and work through some of their queries. It is now in the hands of the State Diocese
26/04/2016	Ordinary Council	83/16	Croft & Harris Road Precinct, Lenswood	2. That the Office for Recreation and Sport and Department of Planning, Transport and Infrastructure be approached to discuss any potential funding opportunities to undertake bituminising works up to where the bicycle access occurs. 3. That a further report be presented on potential road treatments for Croft Road Lenswood and the surrounding road network once additional data has been collected on peak traffic numbers generated through a major event and staff continue negotiations with ForestrySA regarding infrastructure improvements for Cudlee Creek Forest Reserve.	Peter Bice	In Progress	30/06/2020	Consideration to any future project investment is being discussed with the funding application partners. Forestry SA have expressed their continued support for potential sealing. This project has also been included as a potential priority project with Election Candidates.
24/05/2016	Ordinary Council	105/16	Land at Houghton Request to Purchase	The acquisition of the land described as CT 5363/842 and CT 5363/452 consisting of two parcels of land, one 819m2 the other 36m2 respectively, and currently owned by R J Day and B E Day for nil consideration. Council to pay all transfer fees, charges and GST that may be applied. To undertake a Section 210 process for the conversion of private road to public road for the land described as CT 5343/355 of 27m2 currently owned by Marinus Maughan and Alick Stephen Robinson. To negotiate and accept a transfer of the land described as CT 5343/354 of 476m2 from the City of Tea Tree Gully for nil consideration. To negotiate and accept a transfer or vesting of the land described as CT 5421/887 from the Department of Planning, Transport & Infrastructure for nil consideration.	Terry Crackett	In Progress	30/09/2019	The acquisition from RJ & BE Day has been completed and registered at the Lands Titles Office. Title for the land held by City of Tea Tree Gully has been reissued in the name of Adelaide Hills Council. The request to DPTI for the transfer of land has been made and DPTI have confirmed their agreement to transfer the land at no consideration subject to Council agreeing to declare the land as public road. The Section 210 process has been completed except for the final resolution to declare the land as public road which a report is being presented to Council at the 25 June meeting.
12/07/2016	SPDPC	29/16	MON - Woodforde Road and Reserve Naming	1. Staff pursue, with the developer, the inclusion of indigenous names within Hamilton Park and in relation to future stages 2. A progress report be made to Council or the Strategic Planning & Development Policy Committee within 3 months	Peter Bice	In Progress	30/06/2019	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.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Status (for Council reporting)
24/01/2017	Ordinary Council	7/17	Cromer Cemetery Revocation of Community Land	a report be prepared and submitted to the Minister for Local Government seeking approval for the revocation of the community land classification of a portion of the land contained in Certificate of Title Volume 5880 Folio 219 identified in red on the plan attached as Appendix 1.	Terry Crackett	In Progress	31/12/2019	DEWNR have requested that the revocation be put on hold whilst they investigate the requirements to alter the trust affecting the land and undertake an assessment of the native vegetation on the land, this is likely to take some months. DEW advised on 4/12/18 that there are some impediments to the progression of the proposed boundary realignment due to the mining operations on the adjacent land, which are being negotiated with the Dept for Mining. Advice is that these negotiations could take considerable time (2yrs). In the interim, consideration will be given to the granting of a right of way to ensure that the cemetery has legal access.
25/07/2017	Ordinary Council	155/17	Reserve Gifting Proposal - Dunnfield Estate, Mt Torrens	Subject to the approval of the land division variation application 473/D38/2011 by the Development Assessment Commission and the required Council engineering approvals for the infrastructure, being obtained: 1. That council accepts from Paul & Michele Edwards (the Developer), the donation of additional reserve land as described in Appendix 6 – Amended Plan of Division rev K dated 16.06.2017 Agenda Item 14.1, subject to the following conditions: The Council specified construction standards are metThe cost of all works are to be met by the DeveloperThe Developer enters into a legally binding Landscape Maintenance Agreement to agreed maintenance standards for a period of ten (10) yearsThe landscaping works are completed within two (2) years from the date of final approval. 2. That, in the event that there is a dispute between the Council and the Developer, the dispute is referred to an Independent Arbitrator for resolution, with costs being shared equally by the parties.	Peter Bice	In Progress	4/02/2020	The land division variation application 473/D38/2011 has been approved by the Development Assessment Commission. Council staff have drafted a maintenance agreement which we will work through with the Developer. Council staff and the developer have been working through the management of significant and regulated trees on the site, and recent works progressed very well. We are now looking to formally progress the draft maintenance agreement. Final Approvals were obtained by the Developer on 5 February 2018, and Landscape works remain ongoing, with vesting of the reserve land occurring once these are completed, and Section 51 clearance is provided for the relevant stage.
26/09/2017	Ordinary Council	207c/17	Heritage Agreement Reports - Woorage 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	29/11/2019	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. Memorandum of Agreement has been received and no further administrative action is required.
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 372create an easement for transmission of electricity in favour of Distribution Lessor Corporationcreate a free and unrestricted right of way in favour of Allotment 13 being the land in CT Volume 5502 Folio 373accept 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	31/08/2019	Surveyor has prepared final plan and road process order. LMA has been executed by both parties. Boral have indicated that completion will likely be in July 2019.
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	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 has been completed as part of the 2019 autumn burn schedule. 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 on Thursday 16 May 2019 and the coming 5 year period. An information report was provided to Council at its 25 September Ordinary Council Meeting. Draft Weed Management

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Status (for Council reporting)
28/11/2017	Ordinary Council	281/17	LED Streetlight Review	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 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.	Peter Bice	In Progress	26/07/2019	Council is has commenced discussions with SAPN regarding options for the transition to LED public lighting. SAPN has lodged their submission to the Australian Energy Regulatory (AER) for the July 2020 to 2025 regulatory period that includes public lighting as an Alternate Control Source for the first time. The LGA SA is submitting a response to the AER regarding the proposed tariff and services proposed. The AER will make a draft determination in September 2019. Public Lighting will move from a Negotiated Service (agreement between Council and SAPN) to an Alternate Control Service. This means that the maximum tariff price will be set by the Australian Energy Regulator (AER). This will not occur until 1 July 2020. 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 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.
23/01/2018	Ordinary Council	4/18	Road Exchange - Mt Torrens Walking Loop	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 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 The closed road be excluded as Community Land pursuant to the Local Government Act 1999 To undertake the road exchange for nil consideration with the Council to pay all necessary costs to effect this resolution To authorise the Chief executive Officer (or delegate) to finalise and sign all necessary documentation to effect the road exchange and this resolution	Terry Crackett	In Progress	31/12/2019	Documents have been executed by Council and returned to the Conveyancer for lodgement with the Surveyor-General.
27/02/2018	Ordinary Council	31/18	Arts & Heritage Hub	That the report be received and noted. That the Business Development Framework for the establishment of an Arts and Heritage Hub in the Old Woollen Mill at Lobethal, contained in Appendix 1, be noted. That the Administration proceeds with the establishment of an Arts and Heritage Hub using the Business Development Framework as a guide. That the development of a Hub Evaluation Framework, as envisaged in the Business Development Framework, occur as early as possible and include key performance and results targets, and mechanisms for review of the implementation by Council to ensure alignment with budget allocations and strategic objectives. That \$50,000 be allocated to the 2017-18 Operating Budget from the Chief Executive Officer's contingency provision to enable the initial actions to be taken. The CEO provides a progress report on the implementation of the Business Development Framework within 6 months from the date of appointment of the Director.	David Waters	In Progress	31/07/2019	The Hub Director commenced on 23 July 2018. The progress report was received by Council on 22 January 2019. The Evaluation Framework is in draft form and is being finalised for presentation to ELT.
27/02/2018	Ordinary Council	57/18	Confidential Item - AH Swimming Centre Shade Sail	As per confidential minute	Terry Crackett	In Progress	30/09/2019	Matter being progressed per resolution

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Status (for Council reporting)
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	31/07/2019	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	28/06/2019	Actions continuing in accordance with resolution. One remaining property that is working towards resolution.
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	26/07/2019	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	30/08/2019	Council Staff are in the process of identifying, measuring and recording recycled material usage as part of Capital Works projects. 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. A
14/08/2018	Special SPDC	SP18/1	Local Heritage Stage 1 (Public Places) Development Plan Amendment	That the report be received and notedTo approve the attached Summary of Consultations and Proposed Amendments report and the draft Local Heritage – Stage 1 (Public Places) Development Plan Amendment (DPA) for submission to the Minister for Planning for approval, with the exception of those sections of the Kersbrook Hall which do not form part of the original structure. If the aforementioned condition is not possible, then the exception lapses.To recommend to Council that it consider the establishment of a heritage incentive fund in its 2019/20 budgetary processThat the Chief Executive Officer be authorised to make any necessary minor amendments to the DPA as directed by relevant officers of the Department of Planning, Transport and Infrastructure or by the Minister for Planning.	Marc Salver	Completed	16/05/2019	The Minister for Planning responded to Council on 9 April 2019 and suggested two amendments to the proposed listings which was considered by SDPDC at a special meeting held on 14 May. A response was sent to the Minister on 16 May and we are awaiting his decision regarding the DPA.
28/08/2018	Ordinary Council	197/18	Household Hazardous Waste Disposal	That the report be received and noted.That the Council supports, in principle, acceptance of funding from Green Industries SA to establish and operate a Household Chemical and Paint Drop-off Facility at the Heathfield Resource Recovery Centre.That delegation is given to the CEO to negotiate and if to their satisfaction, enter into a funding agreement between Green Industries SA and the Adelaide Hills Region Waste Management Authority and Adelaide Hills Council for a Household Chemical and Paint Drop-off Facility at the Heathfield Resource Recovery Centre.A future report to be provided to Council on the outcome of the negotiation with Green Industries SA, the Adelaide Hills Region Waste Management Authority and Adelaide Hills Council.	Peter Bice	In Progress	30/06/2019	Development approval obtained. Final review of agreement by all parties completed. Execution of agreement completed. On ground construction works commenced May 2019. Council members will be advised via email of the opening date for the Household Hazardous Waste Disposal facility when further details are known.
28/08/2018	Ordinary Council	200/18	Proposal to enter 11 AHC Reserves into Heritage Agreements 2018	1. That the report be received and noted. 2. That the Biodiversity Officer be authorised to enter:Doris Coulls Reserve, 152 Old Mt Barker Road, AldgateHeathfield Waste Facility, 32 Scott Creed Road, HeathfieldKiley Reserve, 15 Kiley Road, AldgateShanks Reserve, 1 Shanks Road, AldgateStock Reserve, Stock Road, MylorLeslie Creek Reserve, Leslie Creek Road, MylorMi Mi Reserve, 125 Aldgate Valley Road, MylorAldgate Valley 2 Reserve, 114 Aldgate Valley Road, MylorKyle Road Nature Reserve, Kyle Road, MylorCarey Gully Water Reserve, Deviation Road, Carey GullyHeathfield Stone Reserve, 215 Longwood Road, Heathfield all being of significant biodiversity value, into Heritage Agreements. 3. That the Heritage Agreements retain the existing dog access arrangements in place for each of those reserves.	Peter Bice	In Progress	30/06/2021	Heritage Agreement applications lodged for: Following CTs (13/11/18) TRIM reference OC 18/16631 •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 Following CRs (27/11/18) TRIM reference OC18/17474 •Leslie Creek Reserve, Leslie Creek Road, Mylor •Aldgate Valley 2 Reserve, 114 Aldgate Valley Road, Mylor •Mylor Parklands, Stock Road, Mylor

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	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 the outcomes of the second stage request for tender and evaluation process with recommended next steps.	Peter Bice	In Progress	31/10/2019	In collaboration with project partners currently progressing with preparation of request for tender process and documentation.
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	31/07/2019	The review is scheduled to be workshopped in July and go before the July Council Meeting for a decision.
11/09/2018	Special Council	223/18	Pomona Road Bike Track Trial	A report is prepared to Council by 26 November 2019 on completion of the trial.	Peter Bice	In Progress	26/11/2019	A report will be prepared for the 26 November 2019 Council Meeting. This will incorporate outcomes from the Community Consultation to get
11/09/2018	Special Council	229/18	Road Exchange McBeath Drive, Skye Horsnell Gully	In accordance with sections 12 and 15 of the Roads (Opening and Closing) Act 1991, as regards the land within the Adelaide Hills Council area, enter into an Agreement for Exchange with Boral Resources (SA) Ltd and issue a Road Process Order to open as road portions of Section 906 Hundred of Adelaide numbered "1", "2" and "3" on Preliminary Plan No. 17/0066 (Appendix 1) and in exchange to close portions of McBeath Drive marked "A", "B", "C" and "D" on Preliminary Plan No. 17/0066, subject to the following: Boral Resources (SA) Ltd agreeing to pay all costs associated with the road exchange process including but not limited to all survey, valuation and reasonable legal costs; Boral Resources (SA) Ltd agreeing to pay all costs associated with a Council boundary adjustment between Adelaide Hills Council and the City of Burnside to rectify the resulting Council boundary anomaly from the road exchange process. The closed road is excluded as Community Land pursuant to the Local Government Act 1999. Council approves the sale of the differential between the total area of closed road and the total area of opened road of approximately 1,242m ² 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 (Boundary Adjustment) Amendment Act 2017 (to commence on 1 January 2019) and/or Part 2 of Chapter 3 of the Local Government Act 1999. The Mayor and Chief Executive Officer be authorised to sign all documents necessary, including affixation of the common seal, to give effect to this resolution.	Terry Crackett	In Progress	30/09/2019	Road exchange documentation has been executed and provided to Boral for lodgement with the Surveyor-General. Submission has been prepared and lodged with the Boundaries Commission jointly on behalf of the City of Burnside and Adelaide Hills Council, no feedback received as yet.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	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 Carrivook Park, Candlebark Reserve and Vincent Playground Reserve, that may be suitable for the development of a landscaped garden for the benefit of the community and for the construction of a memorial to the Ash Wednesday Bushfires of 1983 as contemplated by the charitable trust over the Land and invite community suggestions and feedback in relation to any appropriate land parcels.</p> <p>To approve a budget allocation in the amount of \$10,000 for legal expenses for the preparation of an Application to the Supreme Court to vary the charitable trust.</p> <p>That a further report be presented to Council for consideration after community consultation and further investigations have been completed</p>	Terry Crackett	In Progress	31/12/2019	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 Carrivook Park as their preferred option. Consultation will now be undertaken in relation to the revocation of community land with a report to be presented to Council following conclusion of the consultation.
11/09/2018	Special Council	238/18	Ashton Landfill – Confidential Item	<p>Until 10 September 2019.</p> <p>Pursuant to section 91(9)(c) of the <i>Local Government Act 1999</i>, Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.</p> <p>Refer to confidential minute</p>	Peter Bice	In Progress	10/09/2019	Council continues to progress the matter.
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	Completed	30/06/2019	Following an objection received to the proposed road renaming a further report was presented to Council for consideration at the Mat 2019 meeting recommending the southern portion of Magarey Rd be renamed Barrett Road. Refer resolution 137/19.
22/01/2019	Ordinary Council	10/19	Jungfer Road Charleston Speed Limit	<p>That the report be received and noted That 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).</p>	Peter Bice	In Progress	26/07/2019	<p>Awaiting final approval paperwork from DPTI for speed limit and then installation will occur.</p> <p>DPTI has completed its assessment and approved an extension of 350m to cover the slow points - this extension is about 450m less than that requested by Council.</p> <p>Submission with supporting documentation provided to DPTI requesting extension of 60km/h.</p> <p>Contact made with DPTI to initiate review process on the speed limit.</p>
26/02/2019	Ordinary Council	29/19	Road Closure adjacent Charleston Conservation Park	<p>the report be received and notes that following receipt of a valuation for the land parcel that consultation will be undertaken in relation to the closure of the unmade road.</p> <p>the CEO takes all possible steps to prevent further degradation of the road reserve by unauthorised activities while this land remains in its custody.</p>	Terry Crackett	In Progress	31/08/2019	<p>A Valuation has been received from DEW.</p> <p>The Preliminary Plan has been signed for submission to the Surveyor-General.</p> <p>Community consultation will now proceed, both by the Surveyor-General and Council, with a report to be presented to Council following the consultation period.</p>
26/02/2019	Ordinary Council	31/19	Community Forums 2019	<p>That the report be received and noted. That Community Forums be held in 2019 according to the following indicative schedule: Tuesday 30 April 2019 at Houghton Tuesday 30 July 2019 at Gumeracha Tuesday 29 October 2019 at Norton Summit 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.</p>	David Waters	In Progress	31/10/2019	The first forum of the year was held on 30 April at Houghton as per the resolution. The next forums will be held at Gumeracha on 30 July 2019 and Norton Summit on 29 October 2019. Venues have been booked.
26/02/2019	Ordinary Council	33/19	Electricity Procurement	<p>That the report be received and noted That a further report be provided to Council following the completion of the evaluation of contract offers by Local Government Association Procurement (LGAP).</p>	Terry Crackett	Completed	29/05/2019	Further report was provided to Council at the May meeting.
26/02/2019	Ordinary Council	39/19	Proposal to Undertake CEO Performance Review Internally	<p>That the report be received and noted To undertake the 2019 CEO Performance Review using an internal process incorporating all of the Elected Members and utilise a consultant to undertake the Total Employment Cost package review.</p>	Andrew Aitken	In Progress	30/08/2019	Preparing next CEO PR Panel meeting with schedule of work to complete the review. Preparation of review documentation is continuing.
26/02/2019	Ordinary Council	47/19	Boundary Reform Proposal - Woodforde & Rostrevor	<p>Council resolves that the report be received and noted. That if a Stage 2 submission is invited by the Boundaries Commission, a community meeting is arranged for residents of the Woodforde & Rostrevor communities to attend.</p>	Andrew Aitken	In Progress	21/06/2019	The Boundaries Commission has advised that a Stage 2 submission is able to be lodged by the Campbelltown City Council. Planning is in progress for the community meeting.

Meeting Date	Meeting	Res. No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Status (for Council reporting)
26/03/2019	Ordinary Council	61/19	Climate Emergency	Notes the October 2018 report of the Intergovernmental Panel on Climate Change;Notes the Federal government's latest greenhouse gas emissions data shows Australia's total greenhouse gas emissions have increased compared to 2012, not decreased;Recognises we are in a state of climate emergency that requires urgent action by all levels of government, including by local councils;Reaffirms its commitment to both mitigating against and adapting to the adverse impacts of climate change within the Adelaide Hills Council;Commits to finalising the Carbon Management Plan by December 2019 and that it includes a target of 100% renewable energy (electricity) for the Adelaide Hills Council (as an Organisation) by a defined date as well as a series of staged targets over the intervening period;Requests the CEO write to State and Federal Members of Parliament, which represent the Adelaide Hills Council region, advising them of Council's resolution and request they also act with urgency to address climate change.	Peter Bice	In Progress		Carbon Management Plan development is underway.
26/03/2019	Ordinary Council	62/19	Policy Position - Telecommunications Installation (Low-Impact Facilities)	That the Chief Executive Officer formulate a policy position in relation to the future installation of low impact telecommunications facilities, specifically, antennae attached to stobie poles, by telecommunications providers, for Councils consideration by no later than 30 June 2019. That the policy position address (yet not be limited to) such issues as:Siting (Preference - Non-Public Land)DesignHeightColours and FinishesCharacter and AmenityLocal EnvironmentObjection ProcessThe need to balance the above with the requirement to address mobile black spots and provide adequate mobile coverage to Adelaide Hills residents, businesses and visitors for public safety, commerce and accessibility.	Marc Salver	In Progress	26/07/2019	Staff have commenced the development of such a policy position which will be reported to Council for adoption at its meeting in July 2019, following a subsequent resolution of Council in June.
26/03/2019	Ordinary Council	71/19	Proposed Pome Fest Event	That in-principle support is provided to the establishment of Pome Fest 2019. That the Council contributes up to \$7,500 and in kind support in 2018/19 to facilitate and support the proposed event.	David Waters	Completed		Pome Fest 2019 was held on 31 May and 1 June 2019. Around 70 people visited the orchards and packhouses as part of the Industry Open Day on Friday 31 May and around 800 people visited the Pome Market held on Saturday. A very pleasing result for the inaugural event.
26/03/2019	Ordinary Council	76/19	Kenton Valley War Memorial Park	To commence a Community Land Revocation process in regards to the land comprised in Certificate of Title Register Book Volume 5718 Folio 775 being Allotment 64 in Filed Plan No. 155479 ("Land") with a view to the land being sold As a first step in the revocation process, a letter be sent to the residents of Kenton Valley informing them of Council's decision and inviting them to attend an information session to explain the project. As part of the consultation for the revocation of community land, seek feedback from the community about the expenditure of funds from a sale (if progressed). Following community consultation, that a report be presented to Council detailing the outcomes of the consultation and suggestions for the expenditure of sale proceeds. Action from discussion: Staff to identify and advise Council Members if any biodiversity studies have been undertaken on the parcel of land	Terry Crackett	In Progress	31/08/2019	Community meeting was held Monday 20 May at the Kenton Valley Golf Club. A group of residents was formed at that meeting to look at options to renew the memorial aspects of the reserve inline with its intended purpose. The Council's biodiversity officers undertaken a vegetation assessment of the land. Full community consultation will commence in late June. A further report will be presented to Council following consultation.
26/03/2019	Ordinary Council	77/19	Randell's Cottages, Beavis Court, Gumeracha	That, acknowledging that a land division in Watershed (Primary Production) is non-complying, an initial approach be made to the State Commission Assessment Panel to determine the possibility of a land division to create a separate allotment for the potentially local heritage listed building located at 1 Beavis Court, Gumeracha known as Randell's Cottages being supported. That subject to the response from the State Commission Assessment Panel, a Development Application be lodged for a non-complying land division. That, if a land division is not supported, an expression of interest (EOI) process be undertaken in respect of the local heritage listed building located at 1 Beavis Court, Gumeracha known as Randell's Cottages to determine any interest in restoring the building for tourism or other purpose (other than long term residential) under a long term lease arrangement. That the CEO be delegated to prepare the necessary documentation to undertake the EOI. That a report be presented to Council following the EOI detailing the results of that process and providing further options.	Terry Crackett	In Progress	30/09/2019	Council staff are meeting with DPTI staff in late June to discuss.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Status (for Council reporting)
26/03/2019	Ordinary Council	78/19	Scott Creek Cemetery Reserve Fund	That the reserve funds held in relation to the Scott Creek Cemetery be expended to achieve the following outcomes: Marking of unmarked graves with a small and simple identification piece detailing the name and date of death of the deceased; Installation of a single plaque with the names of the deceased who are buried in unmarked graves where the exact location of the graves is unknown; Renewal of existing gravel driveways; and Creation/extension of driveways to facilitate expansion of the cemetery	Terry Crackett	In Progress	31/12/2019	Investigations as to options for marking of graves has commenced and once collated, Council staff will meet with the Scott Creek Progress Association Committee to progress.
26/03/2019	Ordinary Council	80/19	Road Widening – Lower Hermitage Road, Lower Hermitage	To purchase the area of land being 481.718 sqm identified in red on the Land Acquisition Plan attached as Appendix 2 ("land") from Dean Roger Cottle the land owner at 579A Lower Hermitage Road, Lower Hermitage, and to negotiate a purchase price of up to \$7,000 (excl GST) plus all reasonable costs to vest the Land as public road. To purchase the area of land being 817.138sqm, identified in red on the Land Acquisition Plan attached as Appendix 2 ("land"), from Carissa Ann Courtney & David Ian Courtney, the land owners of the land at 579B Lower Hermitage Road, Lower Hermitage, and to negotiate a purchase price of up to \$12,000 (excl GST) plus all reasonable costs to vest the Land as public road. To purchase the area of land being 888.686sqm, identified in red on the Land Acquisition Plan attached as Appendix 2 ("land"), from Peter Ronald Browning and Alison Rosemary Browning, the land owners at 579C Lower Hermitage Road, Lower Hermitage, and to negotiate a purchase price of up to \$13,000 (excl GST) plus all reasonable costs to vest the Land as public road. To purchase the area of land being 725.619sqm, identified in red on the Land Acquisition Plan attached as Appendix 2 ("land"), from Anthony James Holland and Janice Irene Holland, the land owners at 579D Lower Hermitage Road, Lower Hermitage, and to negotiate a purchase price of up to \$10,500 (excl GST) plus all reasonable costs to vest the Land as public road. That the Mayor and CEO be authorised to sign all necessary documentation, including affixing the common seal, to give effect this resolution	Peter Bice	In Progress	28/06/2019	Negotiations are currently underway with relevant landowners.
26/03/2019	Ordinary Council	86/19	Sale of land at the former Onkaparinga Woolen Mills site at Lobethal	As per confidential resolution	Terry Crackett	In Progress	30/06/2019	Progressing in accordance with the resolution
23/04/2019	Ordinary Council	63/19	MON Ban of enclosed yabby nets in South Australia	I move that the Chief Executive Officer writes to Hon David Speirs, Minister for Environment and Water, to highlight the issue of Rakali drownings and other aquatic wildlife, eg platypus and fresh water turtles, associated with enclosed yabby nets and encourage the Minister to ban the use of enclosed yabby nets and their retail sale in South Australia.	Peter Bice	Completed		Letter has been sent, and positive media coverage has resulted from Council's Resolution. Response received from Minister and circulated to Council Members.
23/04/2019	Ordinary Council	76/19	Delegations Review Report	Refer to Agenda, noting changes under LG Act: <i>The removal of the proposed delegation to the CEO for paragraphs: 39.141.146.190.193.193.2162.1</i> The addition of a condition on paragraph 52.1 for reporting to the Audit Committee Instrument of Delegation under the Electricity Act 1996 (New Instrument) with the removal of the proposed delegation to the CEO for paragraph 7.1	Andrew Aitken	Completed		Delegations have been updated to reflect Council's decision with further delegations going to Council's 25 June 2019 Ordinary Council Meeting.
23/04/2019	Ordinary Council	79/19	Adelaide Hills Council Roundabouts	That a status report on the Adelaide Hills Roundabouts beautification program be presented to Council at the 28 May 2019 meeting	Peter Bice	Completed	28/05/2019	Report was tabled at 28 May Council Meeting.
23/04/2019	Ordinary Council	91/19	Appointment of Advisory Group Independent Members - Confidential	Refer to Confidential Minute	Andrew Aitken	Completed	10/05/2019	Candidates have been advised of the Council's resolution.
7/05/2019	Special Council	96/19	Road Closure Tay Crescent, Woodforde	That the report be received and noted. To make a Road Process Order pursuant to the <i>Roads (Opening & Closing) Act 1991</i> to close and merge the piece of land identified as "A" in the Preliminary Plan No. 18/0057 and being portion of the land in Certificate of Title Volume 2546 Folio 56 with Allotment 11 in Deposited Plan No. 6530 comprised in Certificate of Title Volume 5637 Folio 217. Subject to the closure of the road identified in the Preliminary Plan attached, that: The closed road be excluded as Community Land pursuant to the <i>Local Government Act 1999</i> ; and The piece marked "A" be sold to Mr Robert Walter & Mrs Sharyn Walter, the owners of the property with which it is merging for the amount of \$65,000 incl GST (if applicable) and all fees and charges associated with the road closure process. 4. Authorise the Chief Executive to finalise and sign all necessary documentation to close and sell the above portion of closed road pursuant to this resolution	Terry Crackett	In Progress	30/09/2019	Progressing in accordance with the resolution. 5/6/19 - Road Process Order, Agreement to Transfer and final plans have been signed and returned to the Conveyancer for lodgement with the Surveyor General. Funds have been requested to be held in trust by McDonald Conveyancing pending finalisation of the Road Process Order by the Surveyor-General.

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Status (for Council reporting)
7/05/2019	Special Council	97/19	Road Closure Peake Road, Birdwood	<ol style="list-style-type: none"> That the report be received and noted. To make a Road Process Order pursuant to the Roads (Opening & Closing) Act 1991 to close and merge the pieces of land identified as "A" in the Preliminary Plan Number 19/0002 with Section 6286 being the land comprised in Certificate of Title Volume 5496 Folio 550. Subject to the closure of the road identified in the Preliminary Plan attached, that: The closed road be excluded as Community Land pursuant to the <i>Local Government Act 1999</i>; and The piece marked "A" be sold to Mr Paul & Mrs Michele Edwards, the owners of the property with which it is merging for the amount of \$19,000 plus GST and all fees and charges associated with the road closure process. Authorise the Chief Executive to finalise and sign all necessary documentation to close and sell the above portion of closed road pursuant to this resolution. 	Terry Crackett	In Progress	30/09/2019	Progressing in accordance with the resolution 5/6/19 - Road Process Order, Agreement to Transfer and final plans have been signed and returned to the Conveyancer for lodgement with the Surveyor General. Funds have been requested to be held in trust by McDonald Conveyancing pending finalisation of the Road Process Order by the Surveyor-General.
7/05/2019	Special Council	98/19	Road Closure Sandy Waterhole Road Woodside	<ol style="list-style-type: none"> That the report be received and noted To make a Road Process Order pursuant to the <i>Roads (Opening & Closing) Act 1991</i> to close and merge the pieces of land identified as "A" in the Preliminary Plan No. 19/0001 attached to this report with Section 3961 being the land comprised in Certificate of Title Volume 5471 Folio 906. Subject to the closure of the road identified in the Preliminary Plan attached, that: The closed road be excluded as Community Land pursuant to the <i>Local Government Act 1999</i>; and The piece marked "A" be sold to Deepwater Pty Ltd, the owners of the property with which it is merging for the amount of \$20,000 plus GST (if applicable) and all fees and charges associated with the road closure process. Authorise the Chief Executive to finalise and sign all necessary documentation to close and sell the above portion of closed road pursuant to this resolution. 	Terry Crackett	In Progress	30/09/2019	Progressing in accordance with the resolution 5/6/19 - Road Process Order, Agreement to Transfer and final plans have been signed and returned to the Conveyancer for lodgement with the Surveyor General. Funds have been requested to be held in trust by McDonald Conveyancing pending finalisation of the Road Process Order by the Surveyor-General.
7/05/2019	Special Council	99/19	Fees & Charges	That the report be received and noted. To adopt the 2019/20 Fees and Charges Schedule included at Appendix 1 to apply on and from 1 July 2019, with the fee for the second green organics bin to be set at \$50.00 per annum. Council notes that the statutory fees will be included on the schedule of fees and charges available for public inspection subsequent to being gazetted.	Terry Crackett	Completed	12/07/2019	Fees and Charges determined by Council have been updated for the Council Decision and will be published in late June 2019. The statutory fees once gazetted will be consolidated with the Council fees and charges once received. These are likely to be received by Council by the first or second week in July 2019.
7/05/2019	Special Council	94/19	7.1 Stonehenge Reserve Masterplan Update and Findings from Consultation	That the report be received and noted. To not proceed with any of the masterplanning options at Stonehenge Reserve at this point in time. To proceed with resurfacing works at both the Stonehenge Reserve and Heathfield sites. To delegate to the CEO to seek variations and finalise arrangements to the grant funding agreements with the Office for Recreation, Sport & Racing, and Tennis SA that allow new court construction at alternative sites. The CEO to report back to Council on those finalised arrangements. To notify those who have registered through the Stonehenge Reserve Project's engagement site of the outcome of the consultation and this report.	Peter Bice	In Progress	30/12/2019	Administration have begun discussions with the Office for Recreation, Sport & Racing and Tennis SA regarding a variation to the grant funding agreement that allows new court construction at an alternative site.
7/05/2019	Special Council	101/19	Murray Darling Association Support	<p>That the report be received and noted. That Council supports the Murray Darling Association (MDA) in its objective to ensure local government has a role in informing the decisions that impact our local communities under the Murray Darling Basin Plan, and in their bid to secure recurrent funding for the provision of effective consultation and engagement with councils within the Murray-Darling Basin communities through their local representatives. That Council authorises the Chief Executive Officer (or his delegate) to:</p> <ol style="list-style-type: none"> Write a letter of support to the Murray Darling Association for the State and Federal Governments to contribute to the ongoing funding of the MDA. Write to our local state and federal MPs encouraging them to support State and Federal Governments contributing to the ongoing funding of the MDA. Write to the LGA and all councils in our MDA region, encouraging them to join the MDA and support the activation and development of advocacy priorities of this region. 	Peter Bice	Completed		Letters to MDA Region 7 Council's, the LGA, and local State and Federal MPs have been sent.
7/05/2019	Special Council	104/19	Unsolicited Approach to Purchase Community Land – 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 matter is further presented to Council for a decision, but not longer than 12 months.	Terry Crackett	In Progress	6/05/2020	
28/05/2019	Ordinary Council	108/19	Regional Development Australia 3 year funding	That the report be received and noted. That the Council enter into a three year funding agreement with Regional Development Australia – Adelaide Hills, Fleurieu and Kangaroo Island Inc. as per the agreement contained in Appendix 1, with an annual funding contribution of \$64,613, adjusted annually according to changes in the Australian Consumer Price Index. That the Mayor and Chief Executive Officer be authorised to negotiate and approve minor amendments not affecting its intent or financial elements, and sign and seal the Agreement on behalf of Council.	David Waters	Completed	14/06/2019	

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Status (for Council reporting)
28/05/2019	Ordinary Council	109/19	Road Closure for Adelaide Rally	That the report be received and noted That, in relation to the 2019 Adelaide Hills Rally, Council's support of the event and related road closures is contingent on UME, to the satisfaction of the CEO: Entering into a road repair agreement with Council to cover any rectification works required as a result of damage caused by the event; Agreeing to undertake road dilapidation reports of the route prior to and subsequent to the event at their cost; Providing evidence of satisfactory insurance to cover any damage to 3rd party property caused by the event; Providing written confirmation from affected business owners that they are aware of the road closures; Providing written confirmation to confirm that the concerns raised by affected residents have been addressed and that arrangements for egress and regress from those properties can be managed within the event; Written confirmation from Australian Securities and Investments Commission that UME is registered beyond 3 August 2019; and Written confirmation from UME that they will erect advance notices of road closures on the affected roads, in locations advised by Council, at least 2 weeks prior to the event. See Minutes for full resolution	David Waters	In Progress	30/09/2019	
28/05/2019	Ordinary Council	110/19	MON Federal Election 2019	1. Council congratulates the Hon Scott Morrison MHR on being able to form a majority Coalition Government, and 2. Seeks assurances from the Prime Minister that the new government will honour statements made during the election campaign by the Liberal Candidate for the seat of Mayo, Ms Georgina Downer. These statements for Projects in the Adelaide Hills Council include: a. Reducing congestion at the intersection of Tiers, Nairne and Onkaparinga Valley Roads, Woodside, b. Upgrading of bike trails by completing the Amy Gillett Recreation Bikeway to Mount Pleasant, and c. Completing the Hahndorf/Verdun Interchange on the south eastern freeway d. Providing netting subsidies for fruit growers 3. The Chief Executive Officer writes to the Minister for Transport enclosing a copy of the correspondence and requesting the Minister to support projects in the Adelaide Hills Council Area. 4. The Council congratulates Ms Rebekha Sharkie on her re-election as the Member for Mayo and requests her to lobby the Federal Government for funds to implement the election statements made by the Liberal Party in Mayo, particularly those in the Adelaide Hills Council. 5. The Chief Executive Officer provides copies of the letters in parts 2 and 3 of the motion and the minutes of the 28 May 2019 Council meeting to the Members for Bragg, Heyesen, Kavel, Morialta, Newland, Schubert and Waite.	Andrew Aitken	In Progress	28/06/2019	Letters are currently being drafted
28/05/2019	Ordinary Council	111/19	MON Draft Policy Low Impact Telecommunications Facilities	That the Council's 26 March 2019 resolution (62/19) for the provision of a report to Council on a policy position in relation to the future installation of low impact telecommunications facilities, specifically, antennae attached to stobie poles, by telecommunications providers be deferred from 30 June 2019 until the 23 July 2019 Council meeting.	Marc Salver	In Progress	26/07/2019	Staff have commenced the development of such a policy position which will be reported to Council for adoption at its meeting in July 2019 in accordance with the Motion on Notice
28/05/2019	Ordinary Council	112/19	Festivals & Events Policy	That the report be received and noted. To endorse the Draft <i>Festivals and Events Policy</i> , as contained in <i>Appendix 1</i> , for consultation purposes. That the CEO be authorised to: Make any formatting, nomenclature or other minor changes to the Policy prior to being released for public consultation and; Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of Council's <i>Public Consultation Policy</i> .	David Waters	In Progress		Consultation opened on 5 June Closes on 28 June Advertising in local papers Wednesday 5 in Public notices and Wednesday 12 June (latter with emphasis that consultation includes motor sport and sporting events) Social media posts Wednesday 5 Report back to Council due August 2019
28/05/2019	Ordinary Council	113/19	20 Anniversary Gumeracha Civic Precinct Development	That the report be received and noted. That an initiative be included in the 2019-20 Annual Business Plan, with a budget of \$3,000, to hold an appropriate event, involving community groups and community members, to celebrate the 20th anniversary of the development of the civic precinct at Gumeracha and showcase the activities and opportunities available at the site.	David Waters	Not Started		

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Status (for Council reporting)
28/05/2019	Ordinary Council	114/19	Appointment of Building Fire Safety Committee	That the report be received and notedThat Council appoints the following members to the Adelaide Hills Building Fire Safety Committee as the appropriate Authority for the purposes of Section 71 of the <i>Development Act 1993</i> for a three year period commencing on 29 May 2019 and expiring on 31 May 2022 or, until such time that Section 157(17) of the <i>Planning, Development and Infrastructure Act 2016</i> is operational, whichever occurs first: Peter Harmer (Contract Building Surveyor Engineer) as a person with expertise and qualifications in building surveying, engineering and building fire safetyColin Paton, as a person nominated by the Country Fire Service with Julian Aggiss, Joel Taggart, Kevin Churchward and Phil McDonough nominated as deputy membersJeff Grinnell as Team Leader Building Services as an authorised Council Officer with expertise and qualifications in building surveying and building fire safety with Tom Warneke as deputy member, andDeryn Atkinson as Manager Development Services as an authorised Council Officer (with Marc Salver appointed as deputy member).	Marc Salver	Completed	7/06/2019	Members of the Committee have been notified of their appointment
28/05/2019	Ordinary Council	116/19	Options for Crown Reserves	The report be received and notedA formal approach be made to the Department for Environment and Water to seek its support for a. the revocation of dedications for the following Crown Records Refer to Minutes b. a change in custodian of Crown records CR 5753/718, Section 1544 Reserve Terrace Aldgate, and CR 5753/753, Section 495 off Kersbrook Road Kersbrook, subject to no objections being received from the proposed custodians of Meals on Wheels (SA) Inc and the delegate to the Minister for Forests respectively. the revocation of dedication for Crown Record CR 5926/487, Lot 20 Bell Springs Road Charleston, to be incorporated into the protected areas system. In principle support for division of Crown condition agreements CT 5168/474, 140 Upper Sturt Road Upper Sturt, and CT 5880/219, Section 83 Cromer Road, Birdwood, with part to revert to The Crown for incorporation into the protected area system, subject to further determination by Council as to the appropriate areas (if any). 3. Following a formal response from the Department for Environment and Water, community consultation be undertaken with the public being offered a minimum of 21 days in which to comment on the recommendations. A further report be presented to Council following conclusion of the consultation period.	Terry Crackett	In Progress	30/06/2020	A formal approach is being prepared for submission
28/05/2019	Ordinary Council	117/19	Budget Review 3	Receive and note the report.Adopt the Operating Budget variations presented in Budget Review 3 resulting in no change to the Operating Surplus for the 2018-19 financial year of \$398k.Adopt the proposed Capital Works variations provided for in Budget Review 3 representing:An increase in Capital Income of \$50k;An increase in Capital Expenditure of \$87k; resulting in a proposed capital expenditure budget of \$17.713mAdopt the change in Council's current Net Lending Result from \$5.993m to \$5.956m as a result of the capital program amendments.	Terry Crackett	Completed		BR3 implemented as per resolution.
28/05/2019	Ordinary Council	117/19	Budget Review 3	Receive and note the report.Adopt the Operating Budget variations presented in Budget Review 3 resulting in no change to the Operating Surplus for the 2018-19 financial year of \$398k.Adopt the proposed Capital Works variations provided for in Budget Review 3 representing:An increase in Capital Income of \$50k;An increase in Capital Expenditure of \$87k; resulting in a proposed capital expenditure budget of \$17.713mAdopt the change in Council's current Net Lending Result from \$5.993m to \$5.956m as a result of the capital program amendments.	Terry Crackett	Completed		BR3 Implemented as per Council resolution

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Status (for Council reporting)
28/05/2019	Ordinary Council	118/19	Discretionary Rates Rebate	<p>1. The report be received.</p> <p>2. That the following applications for a discretionary rate rebate under Section 166 (1) (d) of the Local Government Act 1999 be granted a 75% rate rebate for the rating years from 2019-20 until end of the current Council term:Scout Association of Australia (SA Branch) 9 Pye Road Balhannah – Assessment No. 6589Scout Association of Australia (SA Branch) 99 Milan Terrace Stirling – Assessment No. 12628</p> <p>3. That a discretionary rate rebate requested by the following applicants under Section 166 of the Local Government Act 1999 be declined on the basis that they do not meet the criteria set out in Council's Rating Policy:Stirling Hospital Inc – 20 Milan Terrace Stirling – Assessment No. 11270Lobethal and District Aged Homes – 8 Woodside Road Lobethal – Assessment No. 4670KeyInvest – 18A Tolmer Road Woodside – Community Centre – Assessment No. 20383Baptist Care (SA) Inc – 32 Wingrove Road Mylor – Assessment No. 10008Scout Association of Australia (SA Branch) 37 Spring Gully Road Piccadilly – Assessment No. 106919 Spring Gully Road Piccadilly – Assessment No. 2813 – vacant landCarinya Road & 21-37 Spring Gully Road Piccadilly – Assessment No. 2001</p> <p>4. The applicants be formally advised of Council's decision.</p>	Terry Crackett	Completed	21/06/2019	<p>Council's Rating System has been updated for Council Decision and letters have been prepared for applicants to be formally advised of Council's decision. Applicants have already been informally advised.</p> <p>Noted this action has now been superceded by Decision 132/19 which is currently in progress</p>
28/05/2019	Ordinary Council	119/19	Risk Management Policy	<p>That the report be received and noted</p> <p>With an effective date of 11 June 2019, to revoke the 13 June 2017 Risk Management Policy and to adopt the revised draft Risk Management Policy in Appendix 1.</p> <p>That the Chief Executive Officer, or delegate, be authorised to make any formatting, nomenclature or other minor changes to the above policies during the period of their currency.</p>	Andrew Aitken	Completed	7/06/2019	Policy updated and placed on Website.
28/05/2019	Ordinary Council	120/19	Nomination for Libraries Board SA	Mayor Wisdom to supply completed CV and Form A & B before due date of 6 June 2019	Andrew Aitken	Completed	7/06/2019	Nomination lodged 6 June.
28/05/2019	Ordinary Council	130/19	Electricity Procurement - Confidential	As per confidential minute CEO as delegated officer has responded back to LGAP with acceptance in line with resolution	Terry Crackett	Completed	31/07/2019	CEO as delegated officer has advised LGAP of Council confidential resolution on 29 May 2019.
4/06/2019	Special Council	132/19	MON Rescission and replacement of discretionary rates rebates for 2019/20	<p>1. The report be received.</p> <p>2. That the following applications for a discretionary rate rebate under Section 166 (1) (d) of the Local Government Act 1999 be granted a 75% rate rebate for the rating years from 2019-20 until the end of the current Council term:Scout Association of Australia (SA Branch) 9 Pye Road Balhannah – Assessment No. 6589Scout Association of Australia (SA Branch) 99 Milan Terrace Stirling – Assessment No. 12628Lobethal and District Aged Homes 8 Woodside Road Lobethal – Assessment No. 4670</p> <p>3. That a discretionary rate rebate requested by the following applicants under Section 166 of the Local Government Act 1999 be declined on the basis that they do not meet the criteria set out in Council's Rating Policy:Stirling Hospital Inc – 20 Milan Terrace Stirling – Assessment No. 11270KeyInvest – 18A Tolmer Road Woodside – Community Centre – Assessment No. 20383Baptist Care (SA) Inc – 32 Wingrove Road Mylor – Assessment No. 10008Scout Association of Australia (SA Branch) 37 Spring Gully Road Piccadilly – Assessment No. 106919 Spring Gully Road Piccadilly – Assessment No. 2813 – vacant landCarinya Road & 21-37 Spring Gully Road Piccadilly – Assessment No. 2001</p> <p>4. The applicants be formally advised of Council's decision.</p>	Terry Crackett	In Progress	21/06/2019	<p>Supercedes 118/19</p> <p>Council's rating system has been updated to reflect Council decisions and applicants have all been informally advised.</p> <p>Letters to be formalised once Council Workshop held on 18 June 2019</p>
4/06/2019	Special Council	133/19	AHRWMA Draft 2019/20 ABP & Budget	That the report be received and noted.That Council approves the Draft Adelaide Hills Region Waste Management Authority 2019/20 Annual Business Plan (including Long Term Financial Plan) and Budget.	Andrew Aitken	Completed		Letter sent 6/6/19 OC19/7200
4/06/2019	Special Council	134/19	Road Closures Adelaide Rally Event	That the report be received and noted.That, in relation to the Shannons Adelaide Rally 2019 and the Adelaide Rallysprint 2019, Council's support of the event is contingent on the organisers, to the satisfaction of the Chief Executive Officer:Providing evidence of satisfactory insurance to cover any damage to 3rd party property caused by the event;Entering into a road repair agreement with Council to cover any rectification works required as a result of damage caused by the event;Providing confirmation that affected business owners are aware of the road closures;Providing written confirmation to confirm that the concerns raised by affected residents have been adequately addressed and that arrangements for egress and regress from those properties can be managed within the event;Written confirmation from the organisers that they will erect advance notices of road closures on the affected roads, at least 3 weeks prior to the event.That subject to the requirements of 2. being undertaken, Council provides consent for road closure orders in relation to the two events, to be held on Sunday 6 October and between Wednesday 4 December and Saturday 1 December 2019 as follows: Refer to Minutes	David Waters	Not Started		

Meeting Date	Meeting	Res No.	Item Name	Action Required (Council Resolution)	Responsible Director	Status	Est. Completion	Status (for Council reporting)
4/06/2019	Special Council	136/19	Strategic Plan Review - Key Themes Adoption	That the report be received and noted. That the Summary of Key Challenges, Opportunities and Implications (<i>Appendix 1</i>) identified as part of the environmental scan research be noted. That the draft strategic goal areas (Community, Economic, Environment and Organisational Capacity), related outcomes and key result areas included in <i>Appendix 2</i> of this report be endorsed for community consultation in Phase 2. To delegate to the Chief Executive Officer, or delegate, the authority to make any formatting or content changes to the draft strategic goal areas, related outcomes and key result areas to reflect matters raised in the Council's debate on the matter prior to its release for community consultation.	Terry Crackett	In Progress	31/01/2020	The draft Strategic Goal Area and related outcomes for Environment has been updated to include climate change
4/06/2019	Special Council	137/19	Magarey Road Renaming	The report be received and noted. That the southern section of Magarey Road Mount Torrens (as shown in Appendix 1) be renamed Barrett Road.	Peter Bice	In Progress	31/08/2019	Mandatory publication of name change in progress.
4/06/2019	Special Council	138/19	Confidential Items Review	That the report be received and noted 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: Refer to Minutes	Terry Crackett	Completed	7/06/2019	Confidential Items Register has been updated following Councils Resolution.
4/06/2019	Special Council	140/19	Confidential Item - Event Opportunity	As per Confidential Minute	David Waters	In Progress	30/06/2019	
4/06/2019	Special Council	141/19	Confidential Item - Event Opportunity	Minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the event agreements are signed and the race routes are announced by the relevant Minister, but not longer than 31 December 2019.	David Waters	Not Started	31/08/2019	Announcements expected in August/September 2019.

Appendix 3

Council Resolutions Update – COI Legal Advice Report
23 July 2019

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 July 2019
AGENDA BUSINESS ITEM**

Item: 12.11

Originating Officer: Steven Watson, Governance & Risk Coordinator

Responsible Director: Andrew Aitken, Chief Executive Officer

Subject: Council Resolutions Update – COI Legal Advice

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.

During the Ordinary Council Meeting 25 June 2019, whilst considering the Council Resolution Update Report, Council resolved a Formal Motion and Administrative Action that are detailed below:

12.11.1 FORMAL MOTION – Status Report, Council Resolutions Update

Moved Cr Mark Osterstock
S/- Cr Ian Bailey

178/19

That the question lie on the table.

Cr Osterstock asked "Do Council Members, in making this decision, who have previously declared a Conflict of Interest, have a Conflict of Interest for this item?"

Carried Unanimously

Administrative Action: Governance to seek legal advice on conflict of interest in relation to the Status Report

The legal advice referred to in the administrative action has been sought and is contained within the body of this report.

RECOMMENDATION

- 1. Council resolves that the report be received and noted.**
-

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

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.

Recent legal advice provided by Norman Waterhouse Lawyers detailed:

*I understand that on a monthly basis the Council is presented with a report which details previous Council resolutions and their status, ie completed or outstanding (**the Status Report**). Therefore, the Status Report will deal with a number of items which have previously been considered by the Council and a decision made (**the Substantive Items**). The Council officer recommendation in the Status Report is that the report be received and noted.*

You have sought advice in relation to the Substantive Items in the Status Report for which a Council member(s) may have declared a conflict of interest in at the time the Council originally considered the Substantive Item.

*I do not propose to set out the conflict of interest provisions in the Local Government Act 1999 (**the LG Act**) in full but summarise the relevant part of the provisions below.*

Material Conflict of Interest

A Council member will have a material conflict of interest in a matter to be discussed at a meeting of the Council if the Council member, or any of those persons listed in Sections 73(1)(b) – (h), would gain a benefit or suffer a loss whether directly or indirectly and whether of a personal or pecuniary nature depending on the outcome of the consideration of the matter at the meeting.

Actual and Perceived Conflict of Interest

A Council member will have an actual conflict of interest in a matter to be discussed at a meeting of the Council if there is a conflict between the Council member's interest and the public interest which might lead to a decision that is contract to the public interest.

A Council member will have a perceived conflict of interest in a matter to be discussed at a meeting of the Council if it could reasonably be taken, from the perspective of an impartial, fair-minded person, that there is a conflict between the Council member's interest and the public interest which might lead to a decision that is contract to the public interest.

Status Report

Your query is whether a Council member would have a conflict of interest in relation to receiving and noting a Status Report which relates to or includes a Substantive Item for which the Council member has, at a previous Council meeting, declared a conflict of interest.

The answer to your query will, to some extent, depend on the nature of the conflict of interest that arose for the Council member at the time the Council considered the Substantive Item.

However, generally I consider that it does not necessarily follow that a Council member will have a conflict of interest in the matter of receiving and noting the Status Report merely due to the Council member having previously declared a conflict of interest in relation to the Substantive Item to which the Status Report relates.

For example, a Council member may have declared a material conflict of interest in relation to the awarding of a contract. At a subsequent Council meeting, the Council then considers the Status Report which states that the contract has been executed by all the parties. The Council receives and notes the Status Report and thereby notes the contract has been executed. I do not consider there is a material conflict of interest for the Council member in merely receiving and noting the Status Report (and thereby noting the contract has been executed) notwithstanding that the Council member has declared a material conflict of interest in relation to the awarding of the contract at a previous Council meeting.

In the above example, it is my view it is unlikely that merely receiving and noting a Status Report is a matter for which the relevant Council member (or, if applicable, the persons listed in Sections 73(1)(b) – (h)) would gain a benefit or suffer a loss whether directly or indirectly and whether of a personal or pecuniary nature.

I consider the position would be similar in relation to actual and perceived conflicts of interest. Using the same example as above but where the Council member has declared a perceived conflict of interest in the awarding of the contract, it does not necessarily follow the Council member will, at a subsequent Council meeting, also have a perceived conflict of interest in relation to the receiving and noting of the Status Report which states the contract has been executed by all the parties.

However, Council members ought to be alert to the possibility that in receiving and noting the Status Report, the Substantive Item may very well become the subject of discussion or consideration at the Council meeting. In those circumstances, there is a real possibility the Council member would have the same conflict of interest as she or he had when the Substantive Item was originally considered.

This is because if the Council is doing more than merely receiving and noting the Status Report, but is in fact discussing or considering the Substantive Item, then the same conflict of interest which arose for the Council member at the time the Substantive Item was originally considered and decided upon may arise again for the Council member. If that were the case, then the Council member will need to give careful consideration to whether the discussion is such that he or she has a conflict of interest and needs to take appropriate action in accordance with the LG Act.

➤ **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**

From time to time Council may require legal advice in order to gain clarity or understand the legal perspective on matters. There is a fixed fee attached to seeking this advice and on this occasion allowance is made in the 2019/20 annual budget.

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

There is a high expectation that Council has appropriate policies and processes in place to comply with legislative requirements.

➤ **Environmental Implications**

Not applicable

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

There is no requirement for community consultation as part of this report. Council Meetings are open to the public and Council agendas and minutes are available for public viewing at council offices, on the AHC website and a paper copy can be provided upon request and payment of a fee in accordance with the Council's Schedule of Fees and Charges.

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: Chief Executive Officer
Executive Manager Governance & Performance

Community: Not Applicable

2. BACKGROUND

During the Ordinary Council Meeting 25 June 2019, whilst considering the Council Resolution Update Report, Council resolved a Formal Motion and Administrative Action that are detailed below:

12.11.1 FORMAL MOTION – Status Report, Council Resolutions Update

Moved Cr Mark Osterstock
S/- Cr Ian Bailey

178/19

That the question lie on the table.

Cr Osterstock asked “Do Council Members, in making this decision, who have previously declared a Conflict of Interest, have a Conflict of Interest for this item?”

Carried Unanimously

Administrative Action: Governance to seek legal advice on conflict of interest in relation to the Status Report

The administration has sought the legal advice which is contained within the body of this report.

3. ANALYSIS

The legal advice sets out the types of Conflicts of Interests Council Members may encounter when undertaking their decision making role. To ensure clarity the three (3) types of conflict of interest are Material, Actual and Perceived. The advice steps through an example of what may occur for Council Members when considering a Status Report that includes an item that a Council Member has previously declared a conflict of interest.

On the back of the legal advice the Administration proposes to add an additional column to the report which will detail if an item has previously had a conflict of interest declared at the time of considering it.

Even with this additional information included, the onus remains with the Council Member to carefully consider any and all conflicts of interest against a matter(s) being considered.

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.

Council has the following options:

- I. To determine to receive and note the report (Recommended); or
- II. To determine not to receive and note the report (Not Recommended); or
- III. To determine another course of action (Not Recommended).

5. APPENDIX

Nil

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 28 August 2019
AGENDA BUSINESS ITEM**

Item: 10.1 Question on Notice

Originating from: Cr Linda Green

Subject: Update on Masterplans – Woodside, Crafers, Gumeracha, Heathfield & Stirling

1. QUESTION

Can staff provide an update on next steps, or progress, of the Woodside, Crafers, Heathfield and Gumeracha Masterplans?

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

Woodside Recreation Ground, including the Pool and adjacent BMX Facility

A draft masterplan is currently being completed for the site, and Administration is currently undertaking some initial, targeted consultation with relevant stakeholder groups. Considering the draft nature of the plan, wider stakeholder and community engagement, and investigating costings through a quantity surveyor will be the next steps in the process. As part of the 2019/2020 Annual Business Plan, some drainage works will occur at the site, and water use will continue to be investigated and analysed.

Crafers Masterplan

This project is currently on hold pending approval of the 'carry over' budget of \$20k at the Council Meeting 27 August 2019.

Notwithstanding, the Project Team has completed the procurement process and is waiting to formally engage the preferred consultancy to undertake this work. This approach was taken so that if the budget becomes available work can commence immediately.

Ideally we would be looking to have this project finalised by the end of December 2019.

Heathfield Oval

As per the Council Member workshop on Tuesday 13 August 2019 Council is working with a number of stakeholders to progress the masterplan at the Heathfield Oval site. Council has been successful in receiving a significant amount of grant funding for various aspects of the masterplan project, and will continue to work with relevant stakeholders groups and funding bodies to complete various aspects of the plan, in conjunction with developments at the Heathfield High School.

Gumeracha Masterplan

Next steps for Gumeracha, as per our presentation at the Gumeracha Community Forum held on Tuesday 30 July 2019:

- Install temporary protuberance on Albert Street opposite Federation Park.
- Prepare design for stormwater management in Albert Street.
- Finalise design for undergrounding powerlines in Albert Street (PLEC).
- PLEC Stage 1 (Victoria Street to John Fisher Street) to commence late January (Following Tour Down Under), however an earlier commencement might be possible.
- PLEC Stage 2 (John Fisher Street to Randell Terrace) proposed in second half of 2020 (subject to funding).
- Streetscape works to follow PLEC Stage 1.

Federation Park and Oval Masterplan

The actions below have been undertaken:

- Services survey specifically underground.
- Bore investigation-bore pump removed and tested in a workshop. The bore pump has been found to working at half capacity and needs to be replaced.
- New bore pump has been ordered and will be installed in the next few weeks.
- Engaged irrigation consultant to investigate the viability of upgrading the irrigation infrastructure. This investigation will also identify water supply options. A draft report has been received.
- The Sport and Recreation Strategy was also considered in the **Gumeracha Precinct Masterplan** process. While this masterplan was initiated for Federation Park amenity, the adjacent oval and courts were also considered. Council will continue to seek funding opportunities for priority actions that have arisen out of the plan.

Next steps:

Review and finalise report on irrigation infrastructure requirements. This will determine the best option to undertake to work towards automatic irrigation for the Gumeracha oval.

Stirling Urban Design & Development Guidelines

Although not a master plan, staff have progressed the Stirling Urban Design & Development Guidelines project over the past few months. This document is being finalised at present and will be reported to a special meeting of the Strategic Planning & Development Policy Committee in September/October for adoption. These guidelines provide more detail in relation to the desired built form and urban design outcomes if and when any redevelopment occurs in the Stirling District Centre, including future Council works in the public realm.

Other Sport and Recreation related Masterplans

Following a number of ongoing requests for additions, upgrades or new developments to Council owned sporting facilities throughout the region, Administration has proposed and undertaken a master planning exercise at several sites.

Prior to providing consent for such developments, Council has a responsibility to ensure that any additions or upgrades are sustainable, reflect predicted future use and growth, acknowledge the necessary resources to manage and maintain and consider principles from Council's Sport and Recreation Strategy. Best practice in this type of scenario is to undertake a master planning exercise; and while not necessarily a practice that had been carried out by AHC in recent years staff have recently undertaken this approach at several sites.

Once finalised, these guiding documents will help prioritise investments. They will form the basis of external funding applications and evidence for capital contributions that could be factored into Council's Long Term Financial Plan or Annual Business Plan and Budgeting processes.

Each masterplan considers the current site users, optimal use of the site, and other principles from Council's Sport and Recreation Strategy, including consolidation of facilities, preference to multi-purpose and shared use design of spaces and incorporation of co-location with other associated facilities where possible. In addition, Council's Sport and Recreation Strategy lists the following Strategic Principles that relate to the planning and delivery of the Sport and Recreation Facilities in our region:

Planning: Places and facilities should be thoroughly planned, balanced, functional and sustainable. Planning should be in consultation with the community, ensure diverse opportunities and utilise best practice at all times. Planning must encourage and accommodate participation increases.

Design: The design of spaces should be functional, sustainable and facilitate participation from a wide variety of users.

Recent Masterplans in the Adelaide Hills Council region include:

- Atkinson Reserve, Piccadilly
- Bridgewater Oval
- Heathfield Oval
- Stonehenge Reserve, Stirling
- Woodside Recreation Ground, including the Pool and adjacent BMX Facility

Each site is at a different stage of the master planning process and Administration has taken a slightly different approach to each, considering the sites individual needs and desired outcomes. However, all processes have included engagement with the stakeholders of the site. Some plans are still in draft concept form and will remain that way until Council have had an opportunity to consult further, and consider implications to the Long Term Financial Plan.

The Sport & Recreation Masterplans Status Report was submitted to Council on 24 July 2018 Item 173/18. Administration will continue to provide status update reports on the relevant masterplans to Council as required.

Atkinson Reserve, Piccadilly

The Piccadilly Valley Recreation and Community Club are continuing to progress their clubroom development, as per the Masterplan for the site. Once completed, Council will work with the club to determine the next priorities from the plan, and seek funding opportunities if presented. Considering the court developments that we are investigating and will progress at other sites in the region, the additional courts outlined on the masterplan for the Piccadilly site are unlikely to be progressed at this stage.

Bridgewater Oval

The Bridgewater Oval Masterplan has been completed and costed at a draft level. The clubs at the site have made improvements to the change room amenity, and therefore progressing master planning options for/to buildings are not a priority at this point in time. As per the masterplan, Council has undertaken flood mitigation works to the adjacent creek. Considering the draft nature of the plan, stakeholder and community engagement will be the next step in the process. Council will then work with the relevant clubs and stakeholders at the site to determine the next priorities from the plan, and seek funding opportunities if presented.

Stonehenge Reserve, Stirling

As per the Council Report from Tuesday 7 May 2019, Council will not be proceeding with any of the masterplanning options at Stonehenge Reserve at this point in time. Resurfacing works at the site will still continue, and the Stirling Tennis Club is investigating a separate, and club funded court lighting upgrade project at their site.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 27 August 2019
AGENDA BUSINESS ITEM**

Item: 10.2 Question on Notice

Originating from: Cr Chris Grant

Subject: Cat Confinement Laws

1. QUESTION

What actions have been taken to educate and ratepayers on the requirements of the cat confinement laws to ensure that cat owners are both aware of the requirements and appropriately prepared for when the confinement laws come into effect?

2. OFFICER'S RESPONSE – Matt Ahern, Team Leader Regulatory Services

Since the new Council By-Laws were adopted in July 2018, Administration has been working to educate residents regarding the new cat confinement laws that come into effect in January 2022. Council's Regulatory Services team have so far held 2 information sessions on 14 March 2019 (Woodside) and 9 May 2019 (Stirling). These sessions focused on "*understanding cat behaviour*", "*how to make a confined cat content*" and "*environment enrichment and reducing behavioural problems*". Administration will be arranging further information sessions, and placing information in the media (including on social media) and on Council's website in 2021 in the lead up to the cat confinement rules coming into operation. The intent of this education program is to address any concerns from residents regarding what cat owner's responsibilities are and what the By-Law requires with regard to cat confinement.

Council is also investigating making improvements to the Council pound in order to enable Council to hold stray cats for short periods, thereby making it easier to return the cats to the owners by the time the cat confinement requirements come into effect in January 2022.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 27 August 2019
AGENDA BUSINESS ITEM**

Item: 11.1 Motion on Notice

Originating from: Cr Chris Grant

Subject: Feral Deer Management

1. MOTION

I move the Chief Executive Officer write to PIRSA and the responsible Ministers to:

1. Bring to their attention the concerns the Adelaide Hills Council has in relation to increasing number of feral deer in the Adelaide Hills.
2. Bring to their attention the damage being caused to vineyards and orchards, along with the hazard they create for road users.
3. Ask if consideration to develop a state-wide deer management plan has occurred and if so what the outcome was.
4. Ask what action(s) the government undertake to manage feral deer on government land including Forestry Land, DEW land and SA Water land.

2. BACKGROUND

I have become aware that feral deer are an increasing problem in the Adelaide Hills. Many of them are on State Government land and come onto private land and public roads at night. This comes from observations on my farm, on NTSA nature reserves that I manage, from orchardists and other ratepayers as well as many discussions with people in natural resources management. I am also aware of some inhumane practices in the destruction of deer. The control of a large and mobile feral animal such as deer in a systematic and humane manner requires a coordinated approach. A management plan for deer similar to the State Commercial Kangaroo Management Plan would help to do so. I understand there is no such management plan for feral deer and no plan to develop one.

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

Deer were first introduced into Australia in the 1800s as game animals. There are now six species of feral deer in South Australia, but Fallow and Red Deer are the most common within the Mount Lofty Ranges region. Many of these species have escaped from commercial properties and are expanding and invading new areas. Despite the previous Declared Animal Policy on feral deer and subsequent culling efforts, particularly by landholders and aerial control programs, feral deer numbers in the rest of the state are now at their highest levels.

The impacts caused by feral Deer include damage to native vegetation, commercial crops and pastures and hazards on roads. More specifically they contribute significantly to overgrazing, browsing, trampling, ring-barking, dispersal of weeds and spreading disease such as *Phytophthora cinnamomi* (Pc), damage to fences, creation of trails through bushland and acceleration of erosion.

Under South Australia's Natural Resources Management Act 2004 'feral' deer are a declared animal and it is the landholder's responsibility to satisfactory control feral deer on their properties. It is also a deer keeper's responsibility to notify neighbouring landowners of escaped farmed deer. Please refer to the links below for the PIRSA website for more information.

The interim Declared Animal Policy - *Feral Deer (2019-2024)*, (under section 10 (1)(b) of the *Natural Resources Management Act 2004*), stipulates the control measures required to reduce the number of feral deer, and the fencing standards required to stop domestic deer escaping. The following management actions are proposed at the State level to reduce overall numbers of feral deer:

- Public and private landholders are responsible for destroying feral deer on their land under section 182(1) of the NRM Act. NRM boards will inform landholders about the importance of culling female deer.
- NRM boards will try to source external funding to assist the community in coordinating culling programs, in the areas of greatest impacts.
- Methods used to cull deer must adhere to the National Animal Welfare Codes of Practice (Feral Livestock Animals) and the Animal Welfare Act 1985.

A number of actions are also proposed to prevent domestic deer from escaping, including fencing audits every two years and Natural Resources Management board powers to impose conditions and recover costs of recapturing or destroying released or escaped deer from the deer keeper, where it can be demonstrated that escapes are the result of deliberate or negligent acts. Currently Natural Resources Adelaide and Mount Lofty Ranges (AMLR) are undertaking a range of investigations to identify the distribution, impacts and potential options for controlling Fallow Deer. The region is working towards the development of a strategic management program to reduce the effect of all feral deer species across the landscape.

Feral deer issues are sometimes raised with Council staff, but are normally referred on to Natural Resources AMLR where the public can obtain technical advice regarding control measures and associated animal ethics issues. Council does not typically manage feral animals across its lands due to the risk posed to off-target species, such as native and domestic animals. However, Council does have the capacity to make orders, under Section 254 of the *Local Government Act 1999*, to require a landholder to fence land to prevent the escape of deer if they may become a hazard to road users.

Council has provided some general information on its website which can be of use to residents, and in particular the relevant State departmental contacts and links to external

websites / apps such as Feral Deer Scan (<https://www.feralscan.org.au/deerscan/default.aspx>).

DeerScan is a new and free community resource for landholders, community groups and pest controllers. It can be used to map sightings, report problems or damage caused by deer, and document control actions. It can be used to inform neighbours and local biosecurity authorities about current deer problems. The public can use DeerScan to record new (and historical) observations of deer in the local area, as this will help to build a detailed picture of deer populations.

Staff have further investigated this matter and obtained the following information from the Natural Resources Adelaide & Mt Lofty Ranges regarding the existing State wide feral deer programs:

Natural Resources Adelaide and Mount Lofty Ranges delivers a number of programs across the Region focused on managing pest animals, including feral deer. These programs include education and networking for landholders working to control feral deer, and compliance inspections on deer fencing to prevent further escapes of farmed deer from adding to the wild population.

In addition to these long-running programs, Natural Resources has recently commenced the Regional Grazing Pressure Management Project. The project provides dedicated staff and resources to directly address feral deer, feral goat and abundant western grey kangaroo control in sensitive biodiversity and primary production areas. In 2018/19 the Project and associated operations run by Natural Resources removed 439 fallow deer from across the Adelaide and Mount Lofty Ranges Region, including the Adelaide Hills Council area.

Natural Resources takes a cross-tenure approach to managing pest animals at a landscape scale. Many control programs are run in conjunction with the Adelaide and Mount Lofty Ranges Region of the National Parks and Wildlife Service, removing feral deer and other problem grazing animals from the Region's National Parks.

Information about feral deer can be found on the PIRSA website at: https://www.pir.sa.gov.au/biosecurity/weeds_and_pest_animals/animal_pests_in_south_australia/established_pest_animals/feral_deer – this page includes a link to the new feral deer policy signed by the Minister for Environment & Water in Feb 2019 ([Feral deer policy 2019](#)), which stipulates the control measures required to reduce the number of feral deer and the fencing standards required to stop domestic deer escaping, and summarises legislation requiring feral deer to be destroyed by public & private landholders.

Information regarding farmed deer can be found on the PIRSA website at https://www.pir.sa.gov.au/biosecurity/animal_health/deer – this page includes a link to the new determination by the Chief Executive of the Department of the Department for Environment & Water ([Determination on fencing & identification of deer](#)) covering the confinement and permanent identification requirements of farmed deer. This determination is also included as Appendix 2 in the 'Feral deer policy 2019'.

Trends

In terms of trends, it is noted that the numbers of feral deer across South Australia have increased since the first policy on feral deer was released in 2006. Fallow and red deer populations increased by 30 per cent and 16 percent per year respectively in the South East NRM region (Lethbridge and Andrews 2016). The number of properties for which deer keepers are registered to keep deer has increased from 47 to 120 between 2006 and 2018. However, the number of deer that have escaped from farms is unknown. This is because many farmed deer are not tagged with visible ear tags, so escapees are not identifiable. Most commercial deer farmers do tag their deer.

Implementation of programs at the State level

Public and private landholders are responsible for the ongoing reduction in the numbers of feral deer on their land pursuant to section 182(1) of the NRM Act. NRM boards do inform landholders about the importance of culling female deer. Further, NRM boards try to source external funding to assist the community in coordinating culling programs, in the areas of greatest impacts. The effectiveness of culling programs will be reported.

It is noted that the methods used to cull deer must adhere to the National Animal Welfare Codes of Practice (Feral Livestock Animals) and the Animal Welfare Act 1985.

Management of feral deer on SA Water and Forestry SA Land

Staff made contact with officers at both SA Water and Forestry SA regarding the management of feral deer on their land. ForestrySA advised that they both have a legislative obligation under the Natural Resources Management Act 2004 to control proclaimed pest animals on forest reserves. The most efficient method is to engage in integrated control programs across multiple land tenures general involving the Department for Environment and Water (DEW) and SA Water as the other two major public land managers in the Mount Lofty Ranges. Control can be achieved either by intensive ground shooting or by aerial operations or preferably by both methods.

Pest animal control has been undertaken throughout forest reserves in the Mt Lofty Ranges for over 20 years. This has resulted in some major successes including the eradication of goats from the Warren/Tower Hill area near Mount Crawford and also in Pewsey Vale/Kaiserstuhl area. Detailed records have been maintained by ForestrySA since October 2013 for deer control and in that time 1,991 pest deer have been controlled.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 27 August 2019
AGENDA BUSINESS ITEM**

Item: 12.1

Originating Officer: Jennifer Blake, Manager Communication, Engagement and Events

Responsible Director: David Waters, Director Community Capacity

Subject: Festivals and Events Policy Review

For: Decision

SUMMARY

Following public consultation and a Council workshop a final draft of Council's *Festivals and Events Policy* has been developed. A number of amendments were made to the policy in response to feedback received during the consultation period. The revised policy which incorporates these updates is now proposed for final endorsement and adoption.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
 2. With an effective date of 10 September 2019, to revoke the 12 April 2016 *Festivals and Events Policy* and to adopt the 27 August 2019 *Festivals and Events Policy* as per Appendix 1.
 3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the August 2019 Festivals and Events Policy prior to the effective date of adoption.
-

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

Goal 2	Connect
Strategy 2.6	We will seek to bring events to our districts that have social, cultural, environmental and economic benefits.

The Policy provides Council and the administration with principles and guidelines for supporting and administering events in our region. The Policy assists in clarifying Council's strategic direction relating to events and manages the expectations of the community.

➤ **Legal Implications**

The development of this policy has taken into account requirements of the *Local Government Act 1999*, *Road Traffic Act 1961*, *Liquor Licensing Act 1997* and *Codes of Practice, Development Act 1993*, *Development Regulations 2008*, and *Food Act 2001*.

➤ **Risk Management Implications**

The adoption of the updated Policy will assist in mitigating the risk of:

Unclear or discouraging festival and event guidance leading to poorly organised events or a reduction of events in the Adelaide Hills region and subsequent reduction in community participation, satisfaction and/or economic opportunities.

Inherent Risk	Residual Risk	Target Risk
Extreme (4B)	Medium (2C)	Low (1E)

The Policy review also addresses issues that have been raised by community members around certain types of events and entertainment.

➤ **Financial and Resource Implications**

Not applicable.

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

The updated Policy will assist interested groups to initiate and safely run events that engage the community and provide cultural and/or economic benefit. Efficiently run events will minimise community risk and communicate relevant information to the community in a timely and effective way, reducing the volume of event related calls to Council staff.

➤ **Environmental Implications**

While there are no environmental implications associated directly with the Policy, Council's support of community events may include the issuing of public bins and general waste management support, with an emphasis on waste minimisation and recycling.

➤ **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: Council Member Workshops 12 March and 16 July 2019

Advisory Groups: Not Applicable

Administration: Events Officer
Manager Property Services
Manager Economic Development
Manager Civil Services
Development Services Assistant
Team Leader Regulatory Services
Executive Manager Governance and Performance
Director Fabrik

Community: A public consultation was run on the draft Policy from 5 – 28 June 2019. Online responses were collected through a project page on Council’s Engagement HQ web platform, and hard copy responses were collected at Council Service Centres. The consultation was advertised in The Courier newspaper on 5 and 12 June, and was shared in Council’s June e-newsletter. Key event organisers in the district were emailed directly and invited to submit their feedback. The consultation was advertised through multiple posts on Council’s Facebook and Twitter channels, as well as a web banner and news item on the Council homepage.

2. BACKGROUND

The current *Festivals and Events Policy* was adopted by Council on 12 April 2016. A review of the policy was initiated in 2019 in line with the Council’s Policy Review Schedule and the Council adopted the draft *Festivals and Events Policy* for consultation purposes at its meeting held on 28 May 2019.

12.3 Festivals & Events Policy

Moved Cr Malcolm Herrmann
S/- Cr Mark Osterstock

112/19

Council resolves:

1. That the report be received and noted.
2. To endorse the Draft *Festivals and Events Policy*, as contained in *Appendix 1*, for consultation purposes.
3. That the CEO be authorised to:
 - a. Make any formatting, nomenclature or other minor changes to the Policy 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 Council’s *Public Consultation Policy*.

Carried Unanimously

Public consultation was undertaken between 5 and 28 June 2019 resulting in a total of 43 responses from 37 respondents.

A detailed consultation report is contained in **Appendix 2**.

At a workshop held on 16 July 2019, Council Members reviewed the public consultation feedback with project staff and the discussion from that workshop has also informed proposed amendments to the draft Policy. The updated draft *Festivals and Events Policy* is attached as **Appendix 1**.

3. ANALYSIS

Public festivals and events have the potential to bring social, cultural, environmental and economic benefits to our district but can also result in negative community sentiment, depending on their impact. Large events may involve road closures, traffic restrictions, noise and crowds with potential to cause inconvenience and disruption to some communities.

The initial and final review of the draft policy took into account information gathered through:

- Feedback submitted via Council’s online survey tool and in hard copy from our service centres
- Open-ended feedback received via email, telephone and the Adelaide Hills Council’s Customer Relationship Management system
- Feedback from Council Members during Council Member workshops
- The experience of staff over the last three years since the previous Policy review
- Feedback from other departments involved in supporting events including Property Services, Economic Development, Regulatory Services, Infrastructure and Maintenance
- Unsolicited feedback obtained from peak bodies in animal welfare (PETA - People for the Ethical Treatment of Animals) and motoring (RAA Group) have also informed consideration of the draft Policy.

Consultation

A total of 37 people provided over 43 responses via the online survey, email, phone, letter and a petition. Full details are included in the Consultation Report (**Appendix 2**).

Online survey snapshot

Of those who completed the online survey, 14 were from within the Council area and nine were from outside the area. The following table indicates sentiment and suburb location of respondees in relation to the two main issues arising from the consultation (fireworks and competitive road rallies).

Location	Interest area			
	Opposition to fireworks	Support for fireworks	Opposition to rallies	Support for rallies
Within Council area <i>Aldgate, Bridgewater, Forest Range, Heathfield, Kersbrook, Mylor, Stirling and Woodside</i>	2	6	2	2
Outside Council area <i>Greenwith, Malvern, Mawson Lakes, Seacliff Park, St Morris and Yarraville, Echunga, Jupiter Creek and Nairne</i>	7	2	0	0
	9	8	2	2
	Total online respondents			21*

*Note: There were 23 online survey responses and comments from two respondents could not be categorised as either positive or negative sentiment relating to fireworks or rallies.

All feedback snapshot

In addition to the online survey, respondents could also email or send letters to be considered as part of the feedback. We received 20 letters and emails. The following commentary relates to all feedback received, both online, email and letter.

- Motorsport events requiring restricting access to property and roads were of particular concern to three respondents while two respondents provided positive comments about the events.
- The potential negative impact of fireworks on wildlife, livestock and pets was of particular concern for 14 respondents while eight respondents provided positive comments about fireworks.

Further feedback received

Outside of the consultation period two pieces of correspondence were received that informed consideration of competitive motor sports events and events involving fireworks.

An email was received from the Senior Manager Road Safety, RAA Group advising that RAA does not support temporary road closures for competitive motorsport events on public roads where competitors drive at speeds exceeding the normal road speed limits (full email **Appendix 3**). However RAA are supportive of temporary road closures for a number of other events provided the community is consulted.

It is self-evident that the RAA's position on this matter comes from a road safety perspective.

The Mylor Oval Management Committee consulted with PETA and received an email on 14 May 2019 recommending a balanced approach to community fireworks with a focus on moving to quieter fireworks as opposed to a total ban of all fireworks (full email **Appendix 4**).

Council consulted with the Mylor Bonfire Night pyrotechnics supplier (Howard & Sons Pyrotechnics) to confirm that they were using a Low Noise Effect (LNE) display. They responded by email on 4 June 2019:

“We feel that we have reduced the noise component as much as we can by at least having 75% to 80 % LNE effects and for this display which is a very quick 5 minute display we feel this should be within an acceptable limit. We have also cut all aerial shells except for one shot in the finale.”

Key Consultation Themes and Administration Response

The key consultation themes identified in the Consultation Report (**Appendix 2**) are highlighted below with the administration response and direction to any proposed changes to the draft Festival and Events Policy or the Festivals and Events Organisers Toolkit (**Appendix 5**).

Consultation Theme	Analysis	Staff Recommendation
<i>General policy feedback</i>	Comments included a suggestion on seeking a legal review and general suggestions about the value of the policy.	The Policy has been prepared in accordance with Council guidelines and as noted in the Legal Implications section of this report, relevant legislation is considered as applicable. A full legal review of the Policy is not considered necessary at this time.
<i>Multi-year events</i>	A small number of consultation responses favoured approval of multi-year events to provide certainty to event organisers, especially if an event had State Government support. Other Councils approve motorsport events on a multi-year basis.	The Policy currently states that events will be assessed each year on a case-by-case basis and the administration recommends this continues.
<i>Wildlife domestic and farm animals</i>	A number of respondents were concerned that the welfare of animals is considered.	New reference in the draft Festivals and Events Policy under <i>Assessment criteria (Section 4.7) - Environmental Impacts</i> (see below) addresses damage to flora and fauna and fireworks. Also refer to the Policy <i>Appendix 3 - Guideline 3 for Events involving Animals</i> . A new section has been added to the Festivals and Events Organisers Toolkit (Appendix 5) regarding Fireworks and addressing the

Consultation Theme	Analysis	Staff Recommendation
		welfare of animals.
<i>Environmental impact</i>	Feedback focussed on the need to consider how events impact flora and fauna, recycling and waste disposal, extreme weather and bushfire risk.	Environmental impact is a part of our current assessment criteria and the Event Application requires provision of risk assessments and emergency response plans if applicable. Some Policy changes have been added with regard to the environmental impact of fireworks (see below).
<i>Fireworks</i>	<p>Respondents expressed concern about the impact of fireworks on wildlife, pets and livestock.</p> <p>Administration comment: Fireworks are regulated by the State Government through Safework SA.</p> <p>Council currently has two Council owned properties (Mylor and Woodside Oval) that have annual events involving fireworks (Mylor Bonfire Night and Woodside Christmas Pageant) and in both instances, upon receipt of an application to use fireworks for those events, an assessment is undertaken and if the application is approved, an exemption is granted to the Lessees under their Lease conditions and that of Council's Local Government Land By-law, to allow fireworks.</p>	<p>New dot point proposed relating to fireworks in the Policy under <i>Assessment criteria (Section 4.7) Environmental Impact</i> (see proposed updates below).</p> <p>A new section has been added to the Festivals and Events Organiser Toolkit (Appendix 5) regarding Fireworks and highlighting the welfare of animals. The Toolkit offers assistance to meet the necessary bylaws and legislation with regards to fireworks and/or pyrotechnics. It has also been updated to state Council's position of preferring 'quieter' fireworks.</p> <p>Council's Festivals and Events Application Form requires organisers to employ a licensed pyrotechnician who must comply with Safework SA regulations and states that additional documentation may be required (e.g. pyrotechnics report if on Council land).</p>
<i>Cost benefit and local economy</i>	A small number of respondents expressed concern about whether the Festival and Event organisers were adequately providing evidence of economic benefit to the community and who really stands to make money from the event.	An update to the Policy under <i>Assessment criteria (Section 4.7)</i> has been made to assist Council when considering economic impact including what organisation or group will benefit financially (see proposed updates below).
<i>Specific events</i>	Positive and negative comments relating to different events including Christmas pageants,	No response required.

Consultation Theme	Analysis	Staff Recommendation
	cycling events, Oakbank Races, Mylor Bonfire Night.	
<i>Road closures for motorsport rallies</i>	<p>Feedback included opposition and support of road closures for motorsport rallies. Some of the opposing issues included: quality of Council decision making when approving road closures, what constitutes ‘high’ or ‘low’ level of support, need higher standards to assess community benefit, and the rights of people to access roads. Positive feedback included support for Council’s decision making process when approving road closures.</p> <p>Current policy and process for considering road closures is in line with other Councils however, other Councils are more open to providing multiyear approval.</p>	<p>The draft Policy <u><i>Appendix 1 Guideline No. 1 Competitive Motoring Events (Road Closure Applications)</i></u> requires organisers to demonstrate a low impact on the community and that routes are significantly changed if there is negative feedback.</p> <p>Consideration was given to the Policy’s definition of ‘Level of Support’ (Section 3) with regards to consultation. The words ‘High level’ have been removed from the definition of support (see proposed Policy changes below) and throughout the Policy to provide Council with a more balanced view of consultation results when assessing the merit of road closure applications. The definition now defines consultation results as having support or a low level of opposition.</p> <p>The draft Policy <u><i>Appendix 1 Guideline No. 1 Competitive Motoring Events</i></u> has been modified (see proposed policy changes below – Page 1 Road Closure Applications) to allow Council administration to recommend Event organisers modify routes. This would be after consideration of feedback from pre event consultation and feedback received during and post event in any previous year. A statement to this effect has also been added to the Festivals and Events Organisers Toolkit – Road closures motoring events (Appendix 5).</p> <p>More stringent requirements already incorporated in the draft Policy around consultation and communication, including provision of plans prior to a decision being</p>

Consultation Theme	Analysis	Staff Recommendation
		<p>made on road closures, will help inform Council decision making.</p> <p>In addition a new Motoring Events Application form has been added to the Festival and Events Organisers Toolkit (Appendix 5) outlining the new Policy requirements for advance notice of consultation and notification arrangements, approval of consultation letters, notification letters and advance notice signage. It also requires organisers to meet any conditions imposed by Council on approval of road closures.</p>
<p><i>Communication for road closures related to motorsport events</i></p>	<p>Concerns were raised regarding the quality of signage and maps. Some respondents felt Council should be doing communication and consultation around road closures (not event organisers). Suggestions around SMS notifications to residents and that there should be a wider consultation area.</p>	<p>The draft Policy <u><i>Appendix 1 Guideline No. 1 Competitive Motoring Events</i></u> requires the following (see proposed updates below for additions in this draft):</p> <ul style="list-style-type: none"> • Preliminary information on consultation methods and resident notification arrangements must be provided when submitting the Motoring Event Application. • Council administration to approve the consultation letter sent to residents at least three months prior to the event • List of affected residents and businesses to be provided by Council administration (allows us to vary the range of consulted residents/businesses as appropriate) • Written notification of approved road closures sent to resident/business list at least three weeks prior to the event • Advance notice signs to be approved by Council administration at least 3 weeks prior to the event • Other forms of advance

Consultation Theme	Analysis	Staff Recommendation
		notice and reminders such as 'opt-in' sms to be favourably considered when approving road closures.

Proposed Updates to draft Policy

The adoption of an updated *Festivals and Events Policy* will supersede the *Festivals and Events Policy* (COM -11) adopted on 12 April 2016. The proposed Policy update as contained in **Appendix 1**, includes a range of formatting and grammatical 'tidy ups' as well as the changes described (and tracked in the draft Policy) below.

Definitions (Section 3)

“Level of Support” - removed the words 'a high level of' in relation to receiving community support. This is response to feedback that a lack of response from residents doesn't necessarily constitute support, nor does it constitute opposition.

“Community Land” – new definition included as is referenced in the policy.

“Competitive Motoring Events” - updated to remove reference to The Confederation of Australian Motor Sport Limited (CAMS) as feedback noted that there are other national governing bodies.

“Non -Competitive Motoring Events” - as above for Competitive Motoring Events.

Assessment criteria (Section 4.7)

Community Impact

- Added the following dot point to allow Council to consider that people may enjoy the event in different ways, for example as spectators or participants.
Potential for community enjoyment
- This item was also added under *Council Decision - Community Impact* for Appendix 1 and Appendix 2.

Economic Benefit

- Added the following dot point under *Economic Impact* in response to suggestions that Council should address more closely who stands to make money from the event in addition to the economic benefits for the community, recognising that groups or organisations making money is not necessarily a negative factor:
What group or organisation stands to benefit financially from the festival or event?

Fireworks

- Added the following dot point under *Environmental Impacts* in response to community concerns regarding the impact of fireworks:
Where fireworks form part of the event, the use of low-noise fireworks and for the consideration of livestock, pets and native animals when planning a display.

The **Festival and Events Organisers Toolkit** (Appendix 5) was updated with the new Motoring Event Application form and notice that Traffic Management Plans and/or Pyrotechnics reports may be required.

Appendix 1 Guideline No. 1 Competitive Motoring Events

Page 1, Updated first sentence to direct organisers to the new Motoring Event Application added to the **Festival and Events Organisers Toolkit** (Appendix 5).

Page 1, *Road Closure Applications*

- Removed reference to 'high level of support'
- Added - The results of this consultation must be compiled in a Consultation Report to be provided to Council no less than three months prior to the event date for consideration.

Added -When considering a road closure application, Council administration will take into account any previous year's consultation results and any negative or positive feedback received during and post event. Based on this feedback, Event organisers may be asked to review their proposed routes.

Page 1 *Planning and Notice of Road Closures*

- Added – Event organisers that receive council consent for road closure must provide written notification of the road closures to affected residents and businesses at least three weeks before the event occurs and provide Council with evidence of this having occurred (not previously required).

Page 2, *Practice Prohibited*

- Removed the sentence outlining when exceptions can be made to practice being prohibited, as event organisers have stated that there are no exceptions to practice being strictly prohibited. (This does not preclude event participants from driving the routes under normal road rules and condition in order to familiarise themselves with the routes.)

Page 2, *Consultation with affected residents and businesses*

- Added reference to businesses (previously only residents)
- Updated reference to requirements for preliminary notice of consultation methods and using multiple channels for advance notice and reminders.

Appendix 2 Guideline No. 2 Non- Competitive Motoring Events

Updated for consistency with Appendix 1 Guideline No. 1 Competitive Motoring Events.

4. OPTIONS

Council has the following options:

- I. To endorse and adopt the Draft *Festivals and Events Policy* as prepared without making any further amendments. (Recommended).
- II. Decline to endorse the Draft *Festivals and Events Policy*, and make further amendments prior to adoption. (Not recommended).

Should Council identify the need for substantial amendments to the revised Policy, it is recommended that they be referred to staff for review to allow for analysis of the implications of the amendments, prior to the matter being brought back to Council for further consideration.


5. APPENDICES

- (1) Draft Festivals and Events Policy
- (2) Consultation Report
- (3) Email from RAA regarding competitive motorsport events
- (4) Email from PETA regarding fireworks
- (5) Festival and Events Organisers Toolkit

Appendix 1

Draft Festivals and Events Policy

ORGANISATIONAL POLICY

 <p>Adelaide Hills COUNCIL</p>	<h2 style="margin: 0;">FESTIVALS AND EVENTS</h2>
--	--

Policy Number:	The Governance team will allocate the policy number.
Responsible Department(s):	Communications, Engagement & Events
Responsible Officer	Manager Communications, Engagement & Events
Other Relevant Policies:	Public Consultation Policy Liquor Licensing Policy Tributes for Commemorative Services Policy
Relevant Procedure(s):	None
Relevant Legislation:	Local Government Act 1999 Road Traffic Act 1961 Liquor Licensing Act 1997 and Codes of Practice Development Act 1993 Development Regulations 2008 Food Act 2001
Policies and Procedures Superseded by this policy on its Adoption:	Festivals and Events Policy 12 April 2016, Item 12.1, 10
Adoption Authority:	Council
Date of Adoption:	<i>To be entered administratively</i>
Effective From:	<i>To be entered administratively</i>
Minute Reference for Adoption:	<i>To be entered administratively</i>
Next Review:	No later than March 2022 or as required by legislation or changed circumstances

FESTIVALS AND EVENTS POLICY

1. INTRODUCTION

The attached Policy provides Council and its administration with principles and guidelines for administering Festivals and Events in our region. It references Council's Strategic Plan Goal: Connect 2.6 We will seek to bring Festivals and Events to our district that have social, cultural, environmental and economic benefits. The Policy will assist Council to clarify its role and strategic direction relating to festivals and events and manage the expectations of the community.

This Policy is to be read in conjunction with other relevant Council policies, including the Public Consultation Policy, Liquor Licensing Policy and Tributes for Commemorative Services Policy. The development of this Policy has taken into account requirements of the *Local Government Act 1999*, *Road Traffic Act 1961*, *Liquor Licensing Act 1997* and *Codes of Practice, Development Act 1993*, *Development Regulations 2008*, and *Food Act 2001*.

2. OBJECTIVES

The objectives of this Policy are to:

- Clearly outline the Council's role and set out criteria to be used by Council and Council staff when assessing the level of support provided to festivals and events in the region.
- Provide festival and event organisers with clear and helpful instructions.
- Build community spirit, increase local interest and participation, strengthen local values and tradition, and encourage volunteering.
- Provide opportunities for recreation, fun, entertainment, celebration and education.
- Contribute to a positive external image of the Adelaide Hills communities.
- Provide economic benefit to the community.

This Policy governs Council's approach to all festivals and events within the district, irrespective of whether they are held on Council land, community land or private premises. It also governs Council's approach to events held adjacent to the district that will have effects within the Council boundary; for example traffic flow or noise.

3. DEFINITIONS

The definitions relate to the organisation, structure and type of event.

"Community Festivals and Events" means those festivals or events that create and foster a positive community spirit through participation, volunteering and co-operation. They may provide opportunities for recreation, entertainment, celebration and education. These events are typically held by not-for-profit organisations to celebrate or remember significant events or to fundraise for community initiatives or charitable purposes.

"Community-Council Collaborative Festivals and Events" means those festivals or events that are a collaboration of community groups and Council, working together to create an event for the benefit of the broader community. The events may be recurrent in nature.

“Commercial Events” means events conducted for the purpose of marketing, promoting or selling a service or product, or for providing entertainment for profit. Examples: live performance or concert, trade show, product promotion.

“Council operated event” means an event initiated and managed by the Council.

“Event Organiser” means the individual or group responsible for the planning and execution of an event. This person will be the main contact for Council in relation to the event.

“Level of Support” means the level of support for the event in the community. It is assessed by Council on a case by case basis. When residents are not directly impacted, a high level of support from the community may be able to be inferred from past experience and feedback. Conversely, a street closure affecting local traffic might require proof of at least 75% support (or no more than 25% opposition) from those affected residents (depending on factors such as time, duration and extent of impact) to be deemed to have a high level of support.

“Private Festivals or Events on Council or Community Land” means events held for private purposes that generate no revenue to the organiser. The event is generally not granted or guaranteed exclusive use of any public area. Examples: wedding ceremony, family picnic, birthday celebration.

“Public Festivals or Events on Private Land” means events open to the public (with or without an admission charge) that are held entirely on private land.

“Community Land” is defined under Section 193(1) of the *Local Government Act 1999*. All local government land (except roads) that is owned by council or under council’s care, control and management at the commencement of this section (the commencement date) is taken to have been classified as community land unless –

- a) The council resolves to exclude the land from classification as community land within three years after the commencement date; and
- a)b) The land is unaffected by provisions of a reservation, dedication, trust or other instrument that would prevent or restrict its alienation.

“Competitive Motoring Events” means a motoring or ‘motorsport’ event that is licensed by The Confederation of Australian Motor Sport Limited (CAMS)-a national governing body.

“Non-Competitive Motoring Events” means motoring events that are not licensed by a national governing body.

4. POLICY STATEMENT

4.1 Council’s Role

The Council may initiate, pursue, conduct, sponsor, promote or support festivals and events within the area for social, economic, cultural or environmental outcomes. The Council may do so in partnership with other councils, government agencies, community groups, individuals or private organisations.

The Council may consider unsolicited proposals for festivals or events support on a case-by-case basis.

4.2 Trading opportunities at Council operated events

Where commercial trading opportunities exist at a Council-operated event, those opportunities will be provided to local traders to help showcase their products and build recognition of local brands and offerings. Where attendee demand is likely to be unmet by local traders, vendors from outside the district may be permitted.

The Council will also offer opportunities for local community groups, where appropriate, to provide fundraising and community building opportunities at Council operated events.

4.3 Support for non-Council operated festivals or events

Council support for non-Council operated festivals or events in the Adelaide Hills region is dependent on the size, type and location of the event being proposed, as well as any contractual or legislative requirements.

Organisers should note that the Council may have a regulatory role in approving aspects of the festival or event (e.g. consent to road closures, development approval, licensing the exclusive use of Council land, permitting roadside trading, food safety, burning permits, etc.) in addition to logistical and promotional support. The Council's regulatory functions are carried out according to the relevant legislative and policy requirements for that aspect of the event. Organisers should therefore be aware that support for one aspect of a festival or event does not necessarily imply any particular position in relation to those aspects over which the Council plays a regulatory role.

Council may undertake any or all of the following actions in accordance with case-by-case requirements and within the limits of available resources:

- Receive applications, assess and provide guidance and support within the Policy expectations
- Provide feedback, complaints support, permissions, promotion, equipment and waste management assistance as appropriate
- Provide the use of indoor or outdoor venues
- Notify event organisers of additional steps to satisfy Council or legislative requirements.

4.4 Eligibility for Council support

Council support (financial or in-kind) may be available under either of the following circumstances:

- The event is initiated, supported, organised, financed and/or managed by the Council
- The event is proposed by non-Council groups and is not for commercial gain, or private or exclusive interest.

Council support for events is generally in the form of in-kind support by way of event management support or advice, publicity and promotion, road closures, waste management, signage and equipment. Financial support is usually gained through applications to Council's Community Grants program for seed funding or for equipment supporting the sustainability of the event.

Council will consider requests for support as part of the festivals and events application process on a case-by-case basis.

4.5 Expectations regarding timing, support or approval

Festival and event organisers should note the following outline of expectations around seeking approval and/or support. The application process and application criteria are detailed in sub-sections 4.6 and 4.7.

- The organiser is to communicate intention to run the festival or event to Council and complete a Festival and Event Application
- Council will process applications as follows:
 - Assess festival or event criteria and eligibility for support
 - Identify whether festival or event requires additional guidelines or falls under exceptional categories
 - Identify whether festival or event requires development approval
 - Confirm provision of necessary plans and paperwork
- Council is to provide feedback or approval to event organiser
- Additional meetings or discussions may occur if deemed necessary.

To ensure suitable time for processing requests and working through any necessary elements, it is requested that applications are submitted to Council **no less than three months prior to the festival or event** in question. Festivals or events that fall under **exceptional categories** are listed below in sub-section 4.6 and in the Policy appendices. These appendices should be consulted for specific deadlines as they **may be longer than three months**.

In the case that a festival or event has arisen with less than three months' notice, event organisers should call the Council in the first instance to discuss plans and expedite assistance if possible.

Council commits to acknowledge Festival and Event Applications within 5 days of receipt and to have completed their assessment within one to three months of receipt **provided all supporting documents are submitted as needed** within this timeframe. This timeframe does not include those events that require development approval. Applications will generally be processed chronologically by event date.

4.6 Festival and Event Application process

Festival and Event applications will be assessed in the first instance by Council staff. Applications that include any of the following elements may be referred to a Council Meeting for consideration.

- Potential to attract a large crowd e.g. outdoor concerts
- Potential for significant sensitivity, controversy or opposition to be generated
- Requirement for road closures
- Request for significant Council sponsorship (financial or in-kind).

Specific guidelines apply to certain types of events, irrespective of how they are structured or organised. These guidelines are set out in the Policy appendices and should be considered in conjunction with the Policy if relevant.

- Guideline No. 1 for Competitive Motoring Events
- Guideline No. 2 for Non-Competitive Motoring Events
- Guideline No. 3 for Events Involving Animals
- Guideline No. 4 for Sporting Events

4.7 Assessment criteria

The criteria for assessing applications for Council support are based on the needs and expectations of the community as reflected in the Adelaide Hills Council Strategic Plan - Your Adelaide Hills.

Festivals or events that are open to the public on Council or community land must provide evidence of minimum \$20 million public liability insurance before they can be approved.

In addition to aligning with the goals of the Strategic Plan, support for festivals and events will be assessed around the following considerations, with the Council needing to be satisfied that the benefits outweigh the detriments:

Community impact

- Opportunities to increase community connections and volunteering
- Opportunities for benefit to local community groups and causes
- The balance of festivals and events across the region
- The commitment to appropriate public engagement
- Effects of noise and nuisance
- Safety, availability and consumption of alcohol, number of patrons
- Impact of road closures on access to public roads

Economic impact

- Potential for significant fundraising for projects within the community
- Potential to attract additional visitors and economic activity to the region
- Impact on surrounding businesses
- What group or organisation stands to benefit financially from the festival or event?

Environmental impact

- Opportunities to enhance environmental outcomes by embracing sustainability themes and principles (including in waste management)
- Potential for detrimental impact on the environment including factors such as damage to flora and fauna and excessive waste left on site
- Council advocates for Where fireworks form part of the event, the use of low-noise fireworks and for the consideration of livestock, pets and native animals when planning a display.

Timing

- Proposed timing of the event in relation to existing events and the availability of tourism resources, accommodation etc.
- Impact on seasonal economic activities (such as harvest seasons)
- Increase in events during the shoulder and low tourism seasons (May to September)
- Safety arrangements and risk management undertaken for events especially given seasonal factors including the Fire Ban Season and potential for extreme weather.

Council's assessment and decision making, especially where there is potential for major inconvenience to the community (for example closed roads, limited access to property or loss of business revenue), will consider these criteria from the information presented by organisers in their Festival and Event ~~application~~ Application. The higher the level of inconvenience or detrimental impact, the greater the responsibility for festival and event organisers to provide

evidence of the benefits to community that will balance any loss of access, revenue or other negative repercussions.

Public Events on private land may require the organisers to advise or confirm proof of: Council development approval under state development law, a liquor licence, public liability insurance, a food business notification number, a pyrotechnics licence, and/or a Roadside Trading Permit in certain cases.

Events that fall under the exceptional categories listed sub-section 4.6 and in the [policy](#) [Policy](#) appendices may have additional guidelines and requirements that must be met). Where consultation is required a Consultation Report must be provided by the event organiser to inform Council assessment and decision-making.

A **Festival and Event Organisers Toolkit** has been developed to assist event organisers in preparing an application. This includes:

- [A Festival and Event Application](#)
- [A Motoring Event Application](#)
- Applications for consent to liquor licences and roadside trading (if applicable)
- Environmental Health requirements for animal handling and sale of food (if applicable)
- Requirements for road closures and traffic management plans (if applicable)
- Requirements for resident consultation and/or notification plans

The toolkit also outlines additional recommendations from Council for a safe and successful event. Festival and event organisers may be asked to provide evidence of the following additional documents for Council's consideration when assessing an application: An Event Management Plan, Site Map, Risk Management Plan, Emergency Response Plan, [Traffic Management Plan](#) and/or [Pyrotechnics Report](#).

5. COST RECOVERY

5.1 Damages

The Council considers festival and event organisers to have full responsibility for any damage to public property that occurs as a consequence of their festival or event. The costs associated with repairing such damage will be the responsibility of the organiser; however repair work should be undertaken in consultation with Council.

5.2 Event Cancellation

If a festival or event is cancelled for unavoidable reasons such as inclement weather, the organiser is responsible for the notification to Council and the general public. The organiser will be responsible for any costs attributed to the cancellation of the festival or event. Festivals or events on Council or community land must automatically be cancelled on catastrophic fire days.

5.3 Fees and Charges

Fees will generally not apply to community events. Council reserves the right however, to charge an administration fee for commercial festivals or events, commensurate with the scale of the festival or event and the staff time required to assess the application.

The Council's Fees and Charges Register contains specific fees and charges applicable under this Policy, which may include:

- Fees for commercial trading at Council-operated events
- Fees for closing roads
- Application fees for commercial events.

6. DELEGATION

The CEO has the delegation to:

- Approve, amend and review any procedures that shall be consistent with this Policy.
- Make any formatting, nomenclature or other minor changes to the Policy during the period of its currency.

7. AVAILABILITY OF THE POLICY

This Policy is available on Council's public website and internal intranet site.

8. APPENDICES

- (1) Event Guideline No.1 – For Competitive Motoring Events
- (2) Event Guideline No 2 – For Non-Competitive Motoring Events
- (3) Event Guideline No 3 – For Events Involving Animals
- (4) Event Guideline No 4 – For Sporting Events

Appendix 1

Event Guideline No.1

For Competitive Motoring Events



Guideline No.1 for Competitive Motoring Events

Adelaide Hills Council Festivals and Events Policy

These Guidelines are to be read in conjunction with the Festivals and Events Policy

A ~~Festival and Motoring~~ Event Application ~~or proposal document~~ must be submitted for these events. Details of the application process can be discussed with Council's events staff.

Council Decision

Competitive Motoring ("Motorsport") Events that involve full or partial road closures will be subject to a formal Council decision on every occasion. Council will take into account information provided by the applicant in relation to the following criteria:

Community impact

- The likely impacts of the rally in regards to noise, nuisance, safety, number of participants and spectators
- The extent and impact of road closures for this event and other similar events within 6 months either side of the event
- The rigor of the public consultation process
- The results of public consultation
- Opportunities to increase community connections and volunteering

Economic impact

- Potential for economic benefit or detriment to local businesses
- Potential to attract additional visitors and economic activity to the region
- South Australian Tourism Commission support will be highly considered

Environmental impact

- A minimal impact on the natural environment by embracing sustainability principles and waste minimisation practices
- Minimal impact to flora and fauna including trees and stock
- Minimal impact on the built environment including (but not limited to) roads, signage, fences and other structures.

Road Closure Applications

Each Motoring Event Application received by Council will be assessed on a case by case basis in regards to road closures. The applicant must demonstrate that the section of road to be closed has a low impact on the community, ~~or that there is a high level of support (or low level of opposition)~~ in relation to a road closure through consultation with all affected residents. The results of this consultation must be compiled in a Consultation Report to be provided to Council no less than three months prior to the event date for consideration. Organisers should ensure

~~that routes impacting more than 20 residents or where there has been negative feedback regarding the event, are substantially changed each year.~~

~~Organisers should ensure routes have received a significant amount of negative feedback from affected residents should be substantially changed each year.~~

~~Council administration will provide organisers with updates of any additional positive or negative feedback received from the community about routes after the event to inform their proposed routes for the following year.~~

The potential national and international exposure of a Motorsport event will also be taken into consideration alongside community support when assessing the impact of multiple or repeated road closures.

Planning and Notice of Road Closures

For events requiring road closures notice of intention to run the event requires a minimum of six months' notice, with a Motoring Event Application and Consultation Report to be received with a minimum of three months' notice.

Event organisers that receive Council consent for road closures must provide written notification of the road closures to affected residents and businesses* at least three weeks before the event occurs and provide Council with evidence of this occurrence.

~~A~~Advanced warning and detour signage ~~to~~must be placed in appropriate locations around the area for at least two weeks before the event occurs. Council must approve the size and content of these signs at least three weeks before the event occurs. Event organisers are encouraged to remind affected residents and businesses of the road closure by text message or email at periodic intervals in the days leading up to the event. Organisers must also make traffic detour information (including maps) available online to Council and the community a minimum of two weeks before the event is conducted. Preliminary information about resident notification arrangements is required at the time of submitting the Motoring Event Application. A route should be reconsidered if there is the potential for significant impact on usual local services (e.g. product deliveries or school bus services).

Practice Prohibited

Motorsport event organisers must instruct event participants that practising on the designated road before the event in competition cars is prohibited. Any use of public roads before the event is subject to normal road rules and conditions. ~~The exception is where the event involves legal road vehicles and that practice occurs informally under normal road rules and conditions.~~

Consultation with affected residents and businesses

Event organisers must undertake a consultation with all affected residents and businesses* and supply the results of this consultation to Council in a Consultation Report at least three months prior to the event before a final decision will be made. Preliminary information about consultation methods is required at the time of notification of the event to ensure a balanced approach is undertaken.

Contact information (excluding identifying data) of all affected residents and a model resident consultation letter will be supplied to the event organiser as soon as possible after a preliminary assessment of the application has occurred. It is recommended that all motorsport event organisers conduct resident consultation using the model letter provided and, if deemed necessary by Council or the event organiser, arrange public meetings for further public consultation. Council must approve the final consultation letter prior to providing resident contact

information. Any resident feedback received directly to Council will be forwarded to the event organiser to address and to include in the Consultation Report.

Feedback from all forms of consultation is required to Council a minimum of three months ahead of the event. Any steps taken to mitigate community concerns should also be included.

A resident/business reminder letter of the event is required in conjunction with advance road closure signage (as above). Distribution of multiple sources of advance notice communication such as advertising, signage, email or sms and allowing residents to 'opt in' to receive further sms or email updates will be favourably considered.

*For the purposes of resident consultation in relation to road closures, an “affected resident” includes any resident or business that will be denied road access to their property during the closure period, whether their access point is on the competition route itself or on an adjoining road rendered inaccessible by the closure. Other residents with property boundaries adjoining or adjacent to the route may also be included in the consultation process if they could reasonably expect to be inconvenienced by the road closure and/or the conduct of the event.

Appendix 2

Event Guideline No.2

For Non-Competitive Motoring Events



Guideline No.2 for Non-Competitive Motoring Events

Adelaide Hills Council Festivals and Events Policy

These Guidelines are to be read in conjunction with the Festivals and Events Policy

A Motoring Event Application ~~or proposal document~~ must be submitted for these events. Details of the application process can be discussed with Council's events staff.

Council Decision

Non-Competitive Motoring Events (car shows, classic car convoys etc.) that involve full or partial road closures require a formal Council decision on every occasion. The Council may, however, provide in-principle support for an event to occur in a number of consecutive years, subject to conditions which will apply over the duration of that support.

Council will take into account information provided by the applicant in relation to the following criteria:

Community impact

- The likely impacts of the rally in regards to noise, nuisance, safety, number of participants and spectators
- The extent and impact of road closures for this event and other similar events within 6 months either side of the event
- The rigor of the public consultation process
- The results of public engagement
- Opportunities to increase community connections and volunteering

Economic impact

- Potential for economic benefit or detriment to local businesses
- Potential to attract additional visitors and economic activity to the region
- South Australian Tourism Commission support will be highly considered

Environmental impact

- The impact on the natural environment and opportunities to enhance environmental outcomes by embracing sustainability principles and waste minimisation practices
- Minimal impact to flora and fauna including trees and stock
- Minimal impact on the built environment including (but not limited to) roads, signage, fences and other structures.

Road Closure Applications

Each Motoring Event Application received by Council will be assessed on a case by case basis in regards to road closures. If the applicant can demonstrate that there is a **high level of support (or low level of opposition)** in relation to a road closure, or that the section of road to be closed has a low impact on the community, then repeated use of that road may be approved.

The potential national and international exposure of a motoring event will also be taken into consideration alongside community support when assessing the impact of multiple or repeated road closures.

Planning and Notice of Road Closures

For events requiring road closures notice of intention to run the event requires a minimum of six months' notice, and a Motoring Event Application is to be received with a minimum of three months' notice. If repeated closure of the road has not already been approved by Council a Consultation Report will also be required at the time of application.

If road closures are approved, event organisers must arrange for advanced warning and detour signage to be displayed in appropriate locations around the area-event route for a minimum of two weeks before the event date. Organisers must also make traffic detour information (including maps) available online for Council and the community a minimum of two weeks before the event is conducteddate. Preliminary plans for advance notice signage and communications arrangements are required when submitting the Motoring Event Application. A route should be reconsidered if there is the potential for significant impact on usual local services (e.g. product deliveries or school bus services).

Consultation with affected residents and businesses

When applying for an inaugural event or repeated use of roads, event organisers must undertake consultation with all affected residents and businesses* and supply the results of this consultation to Council in a Consultation Report before a final decision will be made.

Contact information of all affected residents (excluding identifying data) and a model consultation letter will be supplied to the event organiser as soon as possible after a preliminary assessment of the application has occurred. It is recommended that all motoring event organisers conduct resident consultation using the model letter provided and, if deemed necessary by Council or the event organiser, arrange public meetings for further public consultation. Any resident feedback received directly to Council will be forwarded to the event organiser to address and to include in the Consultation Report.

Feedback from all forms of consultation is required to Council a minimum of three months ahead of the event. Any steps taken to mitigate community concerns should also be included.

*For the purposes of resident consultation in relation to road closures, an “affected resident” includes any resident or business that will be denied road access to their property during the closure period, whether their access point is on the competition route itself or on an adjoining road rendered inaccessible by the closure. Other residents with property boundaries adjoining or adjacent to the route may also be included in the consultation process if they could reasonably expect to be inconvenienced by the road closure and/or the conduct of the event.

Appendix 3

Event Guideline No.3

For Events Involving Animals



Guideline No.3 for Events Involving Animals

Adelaide Hills Council Festivals and Events Policy

These Guidelines are to be read in conjunction with the Festivals and Events Policy

A Festival and Event Application must be completed for these events. Details of the application process can be discussed with Council's events staff.

Events involving animals as the main attraction will require a formal Council decision if to be held on Council or community land.

A formal Council decision may be required for support of events involving animals in entertainment activities, where there is potential to cause harm or distress to those animals. Organisers of events involving animals must comply with all RSPCA recommendations and standards as a minimum in order to minimise or prevent the harm or distress suffered to animals.

Events involving animals should also demonstrate appropriate consideration for:

- Transport, handling and containment of animals
- Waste removal, handwashing and sanitation requirements.

Wildlife and Conservation Establishments

These guidelines do not apply to events or activities that involve animals held at permanent wildlife and conservation establishments within the Council area.

Permanent wildlife and conservation establishments remain subject to existing legislation governing all of the above areas.

Appendix 4

*Event Guideline No.4
For Sporting Events*



Guideline No.4 for Sporting Events

Adelaide Hills Council Festivals and Events Policy

These Guidelines are to be read in conjunction with the Festivals and Events Policy

A Festival and Event Application must be completed for these events. Details of the application process can be discussed with Council's events staff.

Road-based Events (including cycle races, marathons, and other walking/running events)

Events that involve speed restrictions without road closures will be required to provide a Festival and Event Application and traffic management plan compliant with the *Road Traffic Act 1961* a minimum of two months prior to the event. If using any part of a state road, event organisers will also need to provide evidence of support from the South Australian Police and the Department of Transport and Infrastructure.

Events that involve road closures may be subject to a formal decision by Council.

For events requiring road closures notice of intention to run the event requires a minimum of six months' notice, with a Festival and Event Application and Consultation Report to be received with a minimum of three months' notice.

Event organisers that receive consent for road closures must arrange advanced warning and detour signage to be placed in appropriate locations around the area for at least two weeks before the event occurs. Distribution of other sources of advance notice communication such as advertising, letters, email or sms and allowing residents to 'opt in' to receive further sms or email updates, will be favourably considered. Organisers must also make traffic detour information (including maps) available to Council and the community a minimum of two weeks before the event is conducted. Preliminary information about these arrangements is required at the time of submitting the Application. A route should be reconsidered if there is the potential for significant impact on usual local services (e.g. product deliveries or school bus services).

Consultation with affected residents

Event organisers may be required to undertake consultation with all affected residents [or businesses](#)* of proposed road closures and supply the results of this consultation to Council in a Consultation Report before a final decision will be made. Council Event staff will work with event organisers if consultation is required.

Contact information (excluding identifying data) of all affected residents and a model resident form letter will be supplied to the event organiser if consultation is required.

Feedback from all forms of consultation is required to Council a minimum of four months ahead of the event. Any steps taken to mitigate community concerns should also be included.

Venue-based Sporting Events (in ovals, showgrounds or halls)

Venue-based events that require road closures are subject to the same guidelines as road-based events.

Sporting Events that involve motor sport should refer to Guidelines 1 and 2 for additional considerations.

*For the purposes of resident consultation in relation to road closures, an “affected resident” includes any resident ~~who or business that~~ will be denied road access to their property during the closure period, whether their access point is on the competition route itself or on an adjoining road rendered inaccessible by the closure. Other residents with property boundaries adjoining or adjacent to the route may also be included in the consultation process if they could reasonably expect to be inconvenienced by the road closure and/or the conduct of the event.

Appendix 2

Consultation Report

2019

Adelaide Hills Council

www.ahc.sa.gov.au



[FESTIVAL AND EVENTS POLICY CONSULTATION REPORT]

Table of Contents

1	Executive Summary	3
2	Engagement and communication activities	4
2.1	Engagement details.....	4
3	Response data	5
4	Feedback analysis	6
4.1	General policy feedback.....	6
4.2	Multi-year events	6
4.3	Wildlife, domestic and farm animals	7
4.4	Environmental impact.....	7
4.5	Fireworks.....	8
4.6	Cost benefit and local economy.....	8
4.7	Specific events.....	9
4.8	Road closures, consultation and approval process for motorsport rallies	9
4.9	Communication for road closures.....	10
5	Next steps	11
Appendix A: Detailed Survey Feedback		12
5.1	Question 1: General Festivals and Events Policy Comments.....	12
5.2	Question 2: Event Guideline No. 1 - Competitive Motoring Events	15
5.3	Question 3: Event Guideline No. 2 - Non-Competitive Motoring Events	17
5.4	Question 4: Event Guideline No. 3 - Events Involving Animals.....	17
5.5	Question 5: Event Guideline No. 4 - Sporting Events.....	18
Appendix A: Open-ended feedback received.....		19
5.6	Response 1.	19
5.7	Response 2.	19
5.8	Response 3.	20
5.9	Response 4.	20
5.10	Response 5.	20
5.11	Response 6.	20
5.12	Response 7.	20
5.13	Response 8.	21
5.14	Response 9.	21
5.15	Response 10.	22
5.16	Response 11.	22
5.17	Response 12.	23
5.18	Response 13.	23
Appendix B: What we heard and how the Festival and Events Policy has changed as a result .		32

1 Executive Summary

In May 2019 we embarked on reviewing the Council's *Festivals and Events Policy* (adopted 2016). A review of the policy was initiated in 2019 in line with the Council's Policy Review Schedule and the Council adopted the draft *Festivals and Events Policy* for consultation purposes at its meeting held on 28 May 2019.

A draft version of the updated Policy was made available for public consultation between 5 June and 28 June.

Festivals and events are important to the Adelaide Hills and can positively contribute to many parts of the region's fabric of life, including;

- Building community spirit, increasing local interest and participation, strengthening local values and tradition and encouraging volunteerism
- Building on and profiling local attractions, products, history, culture and the environment
- Promoting tourism development and improving destination awareness

A number of areas have been identified where amendments to the policy can improve clarity, increase proactivity and provide further flexibility to take advantage of tourism opportunities. The public were invited to offer feedback on the draft Policy, including the following appendices:

- Competitive Motoring Events
- Non-Competitive Motoring Events
- Events Involving Animals
- Sporting Events

Feedback on the *Festival and Events Policy* could be submitted in writing at any Council Service Centre or online at engage.ahc.sa.gov.au.

A total of 37 people provided over 43 detailed responses through various feedback channels. All feedback provided to the Council was captured by the project team. This included online surveys, emails, phone calls, letters, petition and cases.

This report contains a summary of all feedback received as well as an overview of who we engaged, when we engaged and how we engaged.

The next stage is to present the feedback to Council for consideration and for Council to adopt a final *Festivals and Events Policy*.

After the Council meeting on 27 August 2019 an additional table will be added in Appendix B which will show a summary of feedback provided during the consultation and identify what changes were made to the policy as a result.

The final *Festivals and Events Policy* will be shared with the community via the council website.

2 Engagement and communication activities

2.1 Engagement details

Engagement on the draft *Festival and Events Policy* took place between 5 June and 28 June.

Our approach was to enable anyone with an interest in festivals and events in the Council area to have their say.

A mix of communication and feedback options were available throughout the consultation period:

Communication tools

- Email to key event organisers
- Social media posts
- Project website ([Hills Voice: your say](#))
- Banner and news item on website
- Hills Voice e-newsletter articles (see note below)
- Adverts in local papers
- Direct correspondence

Feedback opportunities

- Hard copy feedback survey at all Council service centres
- Draft Policy and past Policy were made available at all Council service centres
- Project enquiry number- 8408 0400
- Engagement team email - engagement@ahc.sa.gov.au
- Postal address- Adelaide Hills Council, PO Box 44, Woodside SA 5244

The June 2019 Hills Voice e-news was sent to 2,782 email addresses. There were 1,324 unique opens (47.08%) and 17 click throughs to consultation.

3 Response data

All feedback provided to the Council was captured by the project team. This includes online survey, hard copy surveys, emails and letters.

All feedback received during the consultation period was analysed thematically (by key theme) in whatever format it was received (e.g. letters, phone calls, emails and online survey).

Feedback has been anonymised and any identifying data (including name, contact details) have been removed from the analysis and reporting.

Overall, we received 43 pieces of feedback from the community and stakeholders. This included:

Number	Type of feedback
10	Emails directly to council staff
23	Online survey responses
1	Phone call
8	Cases (includes emails, letters and phone calls to Council)
1	Petition (7 signatures)
43	Total

Of the 23 who completed the online survey fourteen were from within the Council area and nine were from outside the council.

Respondee suburbs outside Council area: Greenwith, Malvern, Mawson Lakes, Seacliff Park, St Morris, Yarraville, Nairne, Jupiter Creek and Echunga

Respondee suburbs within Council area: Aldgate, Bridgewater, Forest Range, Heathfield, Kersbrook, Mylor, Stirling and Woodside

During the consultation period 5 June and 28 June 2019, there were 263 visits to the project website and 49 people downloaded documents.

4 Feedback analysis

All feedback received has been collated, analysed, summarised and presented by theme in the below section. This includes feedback received via the online survey. The online survey contained a five open ended questions. Responses to each question can be found in Appendix A: Survey Feedback.

It is worth highlighting that:

- Motorsport events requiring restricting access to property and roads were of particular concern to three respondents while two respondents provided positive comments about the events.
- The potential negative impact of fireworks on wildlife, livestock and pets was of particular concern for 14 respondents while eight respondents provided positive comments about fireworks.

4.1 General policy feedback

- Positive to have the Festival and Events Policy
- Consultation period (24 days) is too short for providing feedback given how complex the Policy is. A minimum of 30 days is normally a reasonable time frame
- All feedback should be carefully considered and acknowledged and be informed about which of their suggestions found their way into the policy and why, and which were rejected and why
- Policy should contain a statement of values, beliefs or principles, for example - “The AHC believes in the inherent equality of all citizens and will structure its policies and decisions to be consistent with this belief at all times”
- Policy should contain a statement of purpose “The purpose of the F & E policy is to provide all who seek to make use of it, and all who are affected by decisions based on it, an equal level of opportunity of access to Council support and provide the Council and its administration, with principles and guidelines for administering festivals and events”
- The draft Policy is comprehensive, well formatted and relevant
- Suggestion that under the objectives the 3rd to 6th dot points are not specifically ‘topic’ covered in the Policy and should be covered in the Introduction
- In the Definitions – “Level of Support” – there are two examples of high level of support suggestion is to provide an example of a low level of support
- Suggestion the first paragraph under the subheading Council’s Role should be in the Definitions as there are definitions for both Private and Public Events
- Cost benefit analysis should be undertaken and made public
- Further consider criteria for community, environmental and economic impact
- Suggestion to change wording of some definitions and add further definitions
- Suggestion to update a number of policies including assessment criteria. For example: do no harm, consider all options, cost/benefit analysis and event program consistency
- Further consider criteria for community, environmental and economic impact
- Suggestion for policy to be legally reviewed

4.2 Multi-year events

- Policy should reflect that ongoing, multi-year events should be allowed some certainty in order to more effectively plan and promote, secure multi-year sponsorship arrangements, without having their event put up for a vote every year

- Any event which has shown a willingness to act in good faith, meet all criteria and deliver benefit to the region, should have the certainty of knowing the event can run and be able to plan accordingly. This is especially the case where events have State Government support.
- Approval for multi-year events supported by state government should be approved through delegation not by elected members
- Concern that it is inefficient to use council time and resource to vote on whether the Adelaide Rally should proceed given it has been running in region since 1990s.

4.3 Wildlife, domestic and farm animals

- Any event involving animals should be scrutinised and carefully considered before given permission to proceed
- Animal welfare regulations and RSPCA guidelines should be included as part of the Festivals Policy and followed at events involving animals
- People, pets, wildlife and farm animals need to be considered when planning events.
- Create events that do not impact negatively on innocent wildlife, pets or farm animals.
- Horse or dog events OK on ovals not on roads
- Horseracing and steeplechase should be reviewed for cruelty or banned
- All precautions should be made to ensure animals are properly housed and humanely kept during events
- Animal rides (e.g. ponies) need to be regulated carefully with regard to weather conditions, rest periods and food, water and shade availability
- Include reference to National Livestock Identification System Database in Appendix. “Each time that livestock are bought, sold or moved from one property to another, a livestock movement must be recorded on the National Livestock Identification System Database”
- Rodeos or similar should not be allowed
- Circuses using animals should not be allowed
- No events should involve animals unless it is to support rehoming or educational programs
- Animal welfare officers should be available to monitor safety of animals during events
- Concern of impact on local wildlife and domestic animals from noise, parking and traffic on wildlife habitats.

4.4 Environmental impact

- Avoid environmentally damaging components such as fireworks, releasing of balloons, releasing of doves/ butterflies
- No events that detract from our ‘green unspoiled village atmosphere’
- Concern racing car events impact the local environment through noise, exhaust gasses and micro-particles
- Policy should contain a precise statement of how environmental impact will be used in decision making for events
- More detail around how impact on flora and fauna is assessed
- Further details are required to describe what is meant by ‘limited impact on the built environment’. i.e. closing of road is not considered minimal impact on residents
- Events should reduce waste and be sustainable
- Suggestion that events submit an environment or recycling plan with their application
- Council policy should ensure the impact on animals both domestic and wildlife is considered in the planning of every event as well as the environmental impact in general of the event
- Suggestion further details are required around how Council deals with events potentially impacted by extreme weather (beyond fire season)

- Further describe precautions in place during a bushfire emergency

4.5 Fireworks

- Fireworks should not be given approval due to the suffering sudden explosions creates on animals (domestic and wildlife) and in particular areas with a dense population of wildlife/any animals
- Internal and external injuries and trauma on farm animals, pets and wildlife due to fireworks
- Fireworks should be supported in events where it is well run and advertised such as Mylor and Woodside Christmas parade
- Short term burst of noise from fireworks it is no greater than a thunderstorm
- No evidence that the fireworks kill native animals
- Firework events that provide adequate notification and take all necessary precautions should proceed.
- Concern that Council allows pyrotechnicians to hold displays as part of events.
- Smoke and loud bangs in a wildlife corridor are cruel and unacceptable, with startled birds flying into the dark, and animals running onto roads and into fences.
- With climate change water birds are hatching all year round and birds in the vicinity of fireworks take flight in the dark leaving ducklings to perish.
- Fireworks are inappropriate in the hills and should be banned due to impact on wildlife and causes pollution
- Concern about what consultation takes place prior to fireworks event
- Concern about how location of fireworks is considered (proximity to farm animals and conservation parks)
- Suggestion for using alternative entertainment/ different event type for Mylor Primary School, for example fireworks without noise or alternative event

4.6 Cost benefit and local economy

- Effort should be made to have variety in events spread across the region
- Suggestion that policy should contain a multi criteria assessment for events that meet the Councils' strategic plan to weigh up cost benefits. For example:
 - community driven
 - high community participation
 - healthy activities
 - outside organisation and outside and exclusive participation
 - community inconvenience
 - money-making or charitable
 - Can benefits be quantified
- Events should promote hills in line with AHC strategic plan
- Sporting events should be supported whenever possible, especially if they provide opportunities for residents to join in or provide economic benefit to the area and local clubs.
- There should be an opportunity for other local businesses to get involved with catering or provision of other services
- Suggestion that more detail in the policy is required about how council will determine and measure economic impact for local businesses
- Suggestion that economic benefits should consider equally both local community views and regional and state benefits. I.e. the SA Tourism Commission should not have more weight than a local minority group who feel restrictions are being imposed on them
- Consider impact on local businesses, for example during peak harvest season.

4.7 Specific events

- Positive comments about the Woodside Christmas pageant and fireworks. Comments related to the event being suitable for families, well managed, positive for local community fundraising and that the fireworks are a positive addition
- Positive and negative comments about the Mylor Primary school bonfire night and fireworks. Negative comments related to smoke, noise and impact on wildlife, pets and farm animals. Positive comments related to it being a family friendly event for hills residents and beyond and a major fundraiser for the school
- Suggestion for Mylor Bonfire and Fireworks night that there are other ways to fundraise
- Oakbank horse racing steeplechase should be banned. The Oakbank venue should be a festival site but avoid exploiting horses
- Healthy / family friendly food options at council sponsored events to reduce obesity
- Suggestion for free water at events with no or minimal plastic bottles
- Cycle Racing should be a separate Guideline and include community impact, economic impact and environmental impact
- It is inconsistent to include Cycle Racing in with the other Road Bases events stated in this Guideline
- Consider impact of spectators on properties along a rally route

4.8 Road closures, consultation and approval process for motorsport rallies

- Concern policy on road closures for motoring events is out of date in terms of the decision making process when compared to other regions. Preference would be to follow other councils who base decision making on reviewing event documentation, event history, compliance and feedback
- Suggestion DPTI should approve road closures
- Approval process for road closures with Council event staff has been extremely good for a number of years
- Externally organised events requiring road closures should be disallowed.
- Road users during events should abide by speed limits
- A clear process to deal with landholders who have property damaged by rallies
- Reference to Confederation of Australian Motor Sport should be removed and replaced with a generic reference as they are not the sole national authority for motorsport (refer to Definitions section of Policy)
- The distinction between competitive and non-competitive events is erroneous. CAMS sanctions non-competitive events, and competitive events are sanctioned by bodies other than CAMS. Clause from Guideline No 2 would be a more appropriate way to approach multi-year approval for competitive events: "Non-Competitive Motoring Events (car shows, classic car convoys etc.) that involve full or partial road closures require a formal Council decision on every occasion. The Council may, however, provide in-principle support for an event to occur in a number of consecutive years, subject to conditions which will apply over the duration of that support"
- If an event has shown itself to be well run, with community support and meeting all relevant criteria, approval should be possible for multiple years
- Suggestion practice is strictly prohibited via the event regulations and any reference to acceptable practice would be dangerous
- Suggestion only allow veteran or vintage cars to be involved in rallies
- Suggestion the Draft Policy needs to include some statement on the purpose of roads and associated rights
- Public roads are the collective property of the people. No individual should be able to assert any ownership entitlement. This right ensures right of freedom of movement, right of association and right of assembly

- Any event that does require closures should be justified on the basis of no reasonable alternative.
- Further detail in policy around how impact of road closures on community is measured.
- Consider removing words referring to 'low impact' or 'high level of support/ low level of opposition'
- Concern that current consultation regarding road closures does not enable responsible decision making by Council
- Clearer wording should be considered in the policy if residents do not respond to a consultation letter this does not automatically mean there is support in the community
- Suggestion for a randomized survey to a 'credible sample size' to gauge support for road closures
- Opposition to any further road closures without appropriate consultation
- No reference to the right all people have to use their roads, and any mention of freedoms and rights anywhere in the policy. The Draft Policy needs to include some statement on the protection and enhancement of those rights that currently exist.

4.9 Communication for road closures

- Communication and consultation about any road closures should be undertaken by Adelaide Hills Council staff (not proponent/ event organiser) and meet a high standard of communication
- Both directly affected residents and businesses along the event road and indirectly affected residents and businesses using the event road should be informed and any inconvenience mitigated
- There is a need for improved signage for road closures.
- Concern that SMS and email communication to residents about road closures is not possible due to privacy laws and that it is not an effective way to display map information (refer to page 10 of Policy)
- A single link to all the information, maps and diagrams should be made available on the website
- Most effective form of communication is the roadside signage and web site in directly affected resident letters
- Notifications for road closures should be placed in The Advertiser and local papers to a wide audience beyond residents
- Suggestion that notification for events could be by text message via an opt service
- Maps published as part of events should have minimum standards so they are easy to read
- The location/placement of roadside information, the size of the print and information provided relating to detours has been unsatisfactory
- Signs need to be able to be read from a slow-moving vehicle
- Concern that an organising agency carrying out unbiased research is flawed.

5 Next steps

All feedback received has been collated in this report and reviewed by the project team.

The next stage is to present the feedback to Council for consideration and for Council to adopt a final *Festivals and Events Policy*.

After the Council meeting on 27 August 2019 an additional table will be added in Appendix B which will show a summary of feedback provided during the consultation and identify what changes were made to the policy as a result.

The final *Festivals and Events Policy* will be shared with the community via the council website.

Appendix A: Survey Feedback

Comments provided by respondents as part of the online consultation survey.

5.1 Question 1: General Festivals and Events Policy Comments

No.	Respondee Comment
1.	Celebrations and festivities can be enjoyed without environmentally damaging components such as fireworks, releasing of balloons, releasing of doves/ butterflies etc. I would like to see an end to noisy fireworks as the distress it causes to so many domestic animals and wildlife is widely experienced and painfully obvious via social media.
2.	We must be careful that any events don't detract from our green unspoiled village atmosphere
3.	Excellent to have such a policy. I feel this policy should be a clear guide as to what events we want to really encourage as meeting our strategic plan (eg community driven, high community participation, encourages healthy and worthwhile activities by many) down to those we might just tolerate maybe if it stacks up (outside organisation and outside and exclusive participation, community inconvenience, events and activities that we don't really want to encourage). This dichotomy needs to be articulated. Is it money-making or charitable? Can benefits be quantified? The policy needs to properly weigh up the costs and benefits. Otherwise it does not provide decent guidance. With most of these things, the issue is made a lot clearer by asking who is making money out of this.
4.	Hi this may not be the right place for this feedback The Woodside Christmas pageant and fireworks is a fantastic night out for the whole family. The management of the event is great and should be praised by the entire hills community. The opportunity given to community groups to fundraise selling food and drinks. Could be the biggest fundraising opportunity the clubs have to raise money for the whole year. The addition of fireworks in the last few years has kept the fun going just a little longer. Please support this event into the future
5.	Festivals and events are a great opportunity for the local community to celebrate all that is unique about the Adelaide Hills. There should be every effort should be made to have variety and should be spread across the region.
6.	Adelaide Hills council is only one of 2 councils that still today have elected members vote on road closure approvals for multi-year, government supported events such as the Adelaide Rally. The process isn't greatly different to that of other areas but the decision making is. This delivers uncertainty and risk for an event. Of the 8 councils involved in the Adelaide Rally in 2019 just AHC and Onkaparinga decide by vote rather than simply reviewing the event documents, event history, compliance and feedback and then make efficient, unemotional evidence-based decisions on all the information received and the efforts to reduce impact. Onkaparinga now only seek elected member approvals on certain council roads and leave DPTI to approve the others. Generally speaking I would have to give feedback that the AHC policy on road closures for motoring events is out of date in terms of the decision making process when compared to other regions. The Adelaide Rally event has been running in the region in one form or another for 22 years and has never been rejected by council. It doesn't seem efficient to use council time and resource to go to a vote each year for what has been nearly a quarter of a century. I feel that the policy which AHC has drafted, is generally robust and only needs one significant change. That being that the approval for multi-year events running for more than (let's say) 3 years in the region and supported by state government should be approved through delegation not by elected members. There are some minor changes required only to the draft process detailed below. Going through the process with the staff in the events section of AHC has been extremely good for a number of years.
7.	Ongoing, multi-year events should be allowed some certainty in order to more effectively plan and promote, secure multi-year sponsorship arrangements and so on, without having their event put up for a vote every year. The Adelaide Rally is an event that has been running in some form or other since the 1990s and still has to have the same conversation every year, present the same evidence every year and run the risk of not being allowed to operate every year.

No.	Response Comment
	<p>The consultation process as it is means the same small number of individuals are given a platform every year to make the same argument, which so far has been unsuccessful, but still adds difficulty to the planning process and limits the potential benefits the event can deliver into the region. The Rally, and any event which has shown a willingness to act in good faith, meet all criteria and deliver benefit to the region, should have the certainty of knowing the event can run and be able to plan accordingly. This is especially the case where events have state government support. Disclosure: I do some contract work for the organisers of the Adelaide Rally. Prior to this I lived for many years along one of the popular stages and have seen first-hand the level of popular support in the community for the event.</p>
8.	<p>I ask for animals be considered before events are given permission to proceed.</p> <p>The Adelaide Hills has prolific wildlife, farm animals and many people are able to have pets join their family life. I feel that no more approvals for FIREWORKS should be given in then AHC area due to the suffering sudden explosions creates.</p> <p>Especially kangaroos die due to being frightened by fireworks as it causes them not only to flee and crash in their panic but they also get myopathy which results in death up to a year later.</p> <p>Pets can also suffer heart attacks or injure themselves when they flee and try and hide. Owners can be traumatised due to seeing the suffering of their pets and vets ain't cheap!</p> <p>Farm animals particularly horses are prolific in the AHC and during a Mylor School Fireworks event a horse crashed broke its leg and had to be euthanised. Also in Mylor hand reared rescued kangaroos have crashed and suffered internal injuries during fireworks events with local vets having to euthanise. The trauma of losing Wildlife you have spent 20 years looking after from selfish human entertainment causes much grief and a Hills local government body must start to understand the dangers and unfairness of allowing fireworks please.</p>
9.	<p>Council policy should ensure the impact on animals both domestic and wildlife is considered in the planning of every event as well as the environmental impact in general of the event. In particular fireworks should be banned in areas with a dense population of wildlife/any animals.</p>
10.	<p>Councils need to ensure that they include the welfare of animals, both domestic and wildlife and the impact on them by council facilitated festivals and events.</p>
11.	<p>To Whom it May Concern</p> <p>Please consider the use of fireworks in areas that are highly populated with wildlife. Fireworks can kill and maim wildlife. They co exist in our community and depend on humans to survive safely. Fireworks are one way in which wild life can be killed or maimed and this is due to poor location choice for fireworks.</p> <p>Please consider the use of fireworks in areas where fire works can have the above affect on wild life and consider using other locations that may not be so highly populated with wild life.</p> <p>We as humans need to consider them and their habitat as we have already impacted on their environment.</p>
12.	<p>Need to have wide community support.</p> <p>Fireworks is to be supported in events where it is well run and advertised such as Mylor and Woodside Xmas parade.</p> <p>The majority of the silent community support these events and are well run under strict supervision</p>
13.	<p>The Woodside street parade and fireworks is a great event we have friends who come from Adelaide every year for this event the highlight for the kids now is the fireworks is it great for them to come to the oval and watch. It is also a good opportunity for some of the sporting clubs and other local groups to make some money from the stalls etc that they have in the street.</p>
14.	<p>I believe that common sense needs to be used in all cases.</p> <p>I recently attended the Mylor Primary school bonfire night which is a great annual family event. And while there is a short term burst of noise it is no greater then a decent thunderstorm noise of which animals cannot be protected from!. The resident have plenty of warning about the event, the school offers to make whatever arrangements they can help with to protect animals from the</p>

No.	Respondee Comment
	noise. And despite repeated request to those who are against this event I have yet to see then produce any proof that the fireworks kill native animals or that the resident so of Mylor want this stopped and the school ignores them, this is just not true. I think if an event has met all the guidelines and taken every precaution they can and that people are forewarned then the event should be allowed to happen.
15.	The annual Mylor Bonfire night is a fantastic community event! We are a family from mylor and our kids thoroughly enjoy the evening especially the fireworks and the beautiful bonfire. We look forward to participating again next year!
16.	<p>Adelaide Hills Council please include clear animal welfare regulations as part of your Festivals Policy.</p> <p>The Adelaide Hills is a place where so many people reside with their pets and farm animals for peace safety and enjoyment.</p> <p>Festivals can be enjoyed by residents and visitors so your policy needs to please make sure both are considered.</p> <p>Wildlife lives amongst the townships and around festival sites. The Policy must take into account the fact that large numbers of innocent animals call the hills bushland their home. Even our skies and waterways are full of birdlife and every event needs to take this fact into account.</p> <p>I am very upset that council allows pyrotechnicians to hold displays as part of events. Fireworks are dangerous cruel and cause immense suffering.</p> <p>The time has come to move with the times and create events that do not impact negatively on innocent wildlife, pets or farm animals.</p>
17.	How disappointing that the AHC allowed yet another Bonfire & Fireworks event to take place on the Mylor Oval, as an annual fundraiser for the Mylor Primary School. This has been happening for 22 years and while it has become entrenched and the school does not want it changed, in 2019 smoke and loud bangs in a wildlife corridor are cruel and unacceptable, with startled birds flying into the dark, and animals running onto roads and into fences. It was like a war zone again, although the pyrotechnician once again claimed the clamour would be quieter. Children love animals and when they have it explained to them that animals are suffering, they too will want the school to come with kinder ways to fundraise. It could be a whole school effort organising a new non-violent event. We were in Mylor before the event and that rees around the oval were full of chirping birds. The undergrowth and creek would support a variety of native species. So many people would applaud your decision to ban this unnecessarily disrupting activity.
18.	<p>Good Afternoon</p> <p>I have attended the Mylor Primary School Bonfire night and i find it to be a very good night for family and friends. It would be a shame if this event was discontinued .It is a major fund raiser for the school and a great community event.</p>
19.	Each year Mylor Bonfire Night is a great community event that is attended by 2000+ people. It is a great night for families to attend and is topped off with an amazing fireworks display which everyone loves. This year I watched the fireworks from the boundary line and the people around us were loving the display. There were a lot of wows! Ooos and aahhhs and laughing with enjoyment
20.	The Hills used to be a magical place where one could wander for ages among trees and bushland, spotting beautiful native birds, animals and wild flowers. Now all new land owners just clear, poison, fence with barbed wire and get dogs, leaving wildlife increasingly without habitat, nowhere to go. Drivers kill ducks, reptiles and kangaroos and just drive on. Unfortunately the annual fireworks in Mylor epitomises this attitude, showing total lack of understanding of the fragility of our wildlife. It has not only the potential to cause 'harm and distress' but actually does so to terrified wildlife, and ignores the values of appreciation and protection of the environment by creating pollution. In short, it is a totally inappropriate activity and must be banned. Living in the

No.	Respondee Comment
	Adelaide Hills is a privilege, not the right of ignorant humans to impose destructive behaviour on a precious piece of South Australia.
21.	<p>I would like to take this opportunity to commend Mylor Primary School for the wonderful efforts they put into organising and holding the Mylor Bonfire Night each year! It is a fabulous community event not just for the school but for local hills residents and many far and wide!</p> <p>I have heard many a comment that for a school of such a small size to put on an event of such magnitude is just unbelievable. While the bonfire is a highlight of the night, the climax of the evening is most definitely the fireworks spectacular, with many an 'oh and ah' and, for the sake of the little ones sleep, an exodus following their finish that reflects that most people come for the sparkle in the sky. It truly is an annual event locked in the calendar each year by many and one that I hope Mylor Primary School can hold each and every year!!</p>
22.	<p>I would like to take this opportunity to commend Mylor Primary School for the wonderful efforts they put into organising and holding the Mylor Bonfire Night each year! It is a fabulous community event not just for the school but for local hills residents and many far and wide!</p> <p>I have heard many a comment that for a school of such a small size to put on an event of such magnitude is just unbelievable. While the bonfire is a highlight of the night, the climax of the evening is most definitely the fireworks spectacular, with many an 'oh and ah' and, for the sake of the little ones sleep, an exodus following their finish that reflects that most people come for the sparkle in the sky. It truly is an annual event locked in the calendar each year by many and one that I hope Mylor Primary School can hold each and every year!!</p>

5.2 Question 2: Event Guideline No. 1 - Competitive Motoring Events

9 people responded to this question.

No.	Respondee Comment
1.	Should not be allowed b <i>[Note: this response was in complete by the respondee]</i>
2.	See these through the comment at the top. If it is outside organisers running an exclusive event on our roads, then it should be disallowed. End of story. Some will disagree, so if this is to be even considered, it needs to meet a very high standard of: real and decent communication with affected residents by AHC, as the proponents don't tell the truth, (and this includes communication with those affected but not on the actual road to be closed, if road closure really has to be (and does it? why not ask the question?)); mitigation of inconvenience (not some claim that residents will be allowed in and out without ever telling them); real benefit to local business (yes, it can be done, but again, vague claims are simply not enough); promotion of the hills in line with our strategic plan; abiding by speed limits (there is a reason for this law, and it is not just to do with other road users); a clear process to deal with landholders who have property damaged (not vague assurances); decent signs; consultation that is more than simply communication.
3.	Public consultation should include notification in The Advertiser and in local newspapers to provide members of the public who do not live on the road to be closed an opportunity to comment on whether the road closures impact them and if they agree with the closures. This would enable the Council to make a better decision on how much support or opposition there actually is to the proposed road closures.
4.	<p>CAMS should not be specified as the only provider of regulatory services for motorsport events. It is not the sole national authority for motorsport. These references were under DEFINITIONS in the document.</p> <p>Page 10 - Road Closure Applications. The reference to routes impacting more than 20 residents needing to be changed each year in-effect means that we cant operate the Adelaide Rally every year and the event will cease to exist.</p> <p>Almost every road closure impacts 20 people. Annually we are currently using 80 percent of the roads approved for use by our regulatory body. We are already attempting to rotate roads to minimise impact and negative feedback and have dramatically reduced negative feedback year on year, however we cant do much more than we are doing now due to the limitation on available roads. There is a significant misunderstanding by those outside the organising body that there are</p>

No.	Respondee Comment
	<p>a large number of compliant roads available for us to use, however the reality is that there are only approximately 20% more in existence than that delivered each year. There is good evidence to support the fact that residents on traditional routes have a great understanding and acceptance of the event which really should translate into those routes being maintained year on year. This would be best communicated in a workshop or meeting.</p> <p>Page 11 references to SMS and email is impossible due to spam & privacy laws and lack of the information.</p> <p>Our real world experience shows us that the most effective form of communication is the roadside signage and web link in directly affected residents letters. All the information is on the website 4 weeks pre event.</p> <p>Regarding PRACTICE. Practice is strictly prohibited via the event regulations. Any reference to acceptable practice by AHC would be dangerous. Practice is a direct replication of what is done in competition.</p> <p>The second reference to SMS updates and email reminders is inefficient. There should just be a single link to all the information, maps and diagrams on the website as is done at present. SMS text is not an effective way of displaying map information. In the real world on-event the queries mainly relate to road closure location maps and timings.</p>
5.	<p>There seems to be a misconception that CAMS is the official national peak body overseeing motorsport, when in fact it is just one of the organisations that regulate motorsport, acting in effect as an insurer. Reference to CAMS in the policy should be replaced with a generic reference. The distinction between competitive and non-competitive events is erroneous – CAMS sanctions no-competitive events, and competitive events are sanctioned by bodies other than CAMS. This clause from Guideline No 2 would be a more appropriate way to approach multi-year approval for competitive events:</p> <p>"Non-Competitive Motoring Events (car shows, classic car convoys etc.) that involve full or partial road closures require a formal Council decision on every occasion. The Council may, however, provide in-principle support for an event to occur in a number of consecutive years, subject to conditions which will apply over the duration of that support."</p> <p>Although the need for formal council approval every year is not necessary in my opinion. Once an event has shown itself to be well run, with community support and meeting all relevant criteria, approval should be possible for multiple years.</p>
6.	<p>Council policy should ensure the impact on animals both domestic and wildlife is considered in the planning of every event as well as the environmental impact in general of the event.</p>
7.	<p>Councils need to ensure that the impact on animal welfare on council run events is included as a key priority when monitoring events.</p>
8.	<p>Needs to consult with affected Businesses and landholders and well advertised in advance</p>
9.	<p>safety and plenty of written notice to all people affected.</p>
10.	<p>Please consider residents and their pets Farmers and their stock and Wildlife before approving these</p>

5.3 Question 3: Event Guideline No. 2 - Non-Competitive Motoring Events

9 people responded to this question.

No.	Respondee Comment
1.	Only allow veteran or vintage cars to drive around. No road closures.
2.	See these through the comment at the top. If it is outside organisers running an exclusive event on our roads, then it should be disallowed. End of story. Why close the roads for this event? If this is to be even considered, it needs to meet a very high standard of: real and decent communication with affected residents by AHC, as the proponents don't tell the truth, (and this includes communication with those affected but not on the actual road to be closed, if road closure really has to be (and does it? why not ask the question?)); mitigation of inconvenience (not some claim that residents will be allowed in and out without ever telling them); real benefit to local business (yes, it can be done, but again, vague claims are simply not enough); promotion of the hills in line with our strategic plan; abiding by speed limits (there is a reason for this law, and it is not just to do with other road users); a clear process to deal with landholders who have property damaged (not vague assurances); decent signs; consultation that is more than simply communication.
3.	As with competitive motoring events notifications should be put in The Advertiser and local papers to cover a wider range than just residents living on roads proposed to be closed. Events like the Bay to Birdwood have no requirement for road closures and so would not require the same level of notification.
4.	The definition of a non-competitive motorsport event is not in line with the generally accepted definition. That being that a non-competitive event is untimed and no awards are given. The regulatory body used (CAMS or AASA) has no bearing on whether the event is competitive or non competitive.
5.	See CAMS comment in previous section.
6.	Council policy should ensure the impact on animals both domestic and wildlife is considered in the planning of every event as well as the environmental impact in general of the event.
7.	Councils need to ensure that the impact on animal welfare on council run events is included as a key priority for all events within council's jurisdiction.
8.	Needs to consult with Businesses and landholders and not be too long a closed period.
9.	safety and signage
10.	Please consider residents and their pets Farmers and their stock and Wildlife before approving these

5.4 Question 4: Event Guideline No. 3 - Events Involving Animals

10 people responded to this question.

No.	Respondee Comment
1.	Horse or dog events OK on ovals etc not on roads.
2.	Anything involving animals has to be seriously scrutinised. Horse-racing, especially steeplechase, is essentially cruel and dangerous to jockeys (worse than boxing - look it up). This has to come down to how the animals are treated, who is making the money.
3.	All precautions should be incorporated to ensure all animals are properly housed and humanely kept. Any acts the animals are to be involved in should not put the animal at risk of harm or injury.
4.	No events should be allowed that exploit or hurt animals. Things like pony rides need to be regulated carefully with regard to weather conditions, rest periods and food and water availability. Things like rodeos or similar should not ever be allowed. Circuses using animals should not be allowed.
5.	Council should never allow circuses that involve animals. The conditions for any animals used for profit-making purposes should be guaranteed to be high, for eg riding ponies and length of time humans are on them, their access to food and water, and availability of shade.
6.	There should be no reasons to hold events which involve animals, unless it is to support rehoming

No.	Respondee Comment
	or educational programs. IF animals are involved, then their welfare MUST be prioritised throughout the entire event and experts in animal welfare to be provided by council.
7.	Ok with RSPCA guidelines followed
8.	safety,
9.	Circuses using animals should not be allowed Please ban jumps racing in Oakbank The oakbank venue should be a festival site but without exploiting these horses Gambling using animals results in cruelty
10.	We have already sent a submission about the effect of the annual fundraiser for the Mylor Primary School, the Bonfire & Fireworks Event on Mylor oval causing suffering to horses, kangaroos, native animals and birds, and peoples' pets. We would also ask you to look very carefully into events which involve the unnecessary exploitation of animals in circuses and rodeos. All of these activities may be popular, but they are archaic and they should be replaced with non-cruelty alternatives to raise money or entertain the public. As we said previously, Australia has the worst reputation for native species loss. This can only be stopped when people take preventative action and care. The government sanctioned slaughter of our kangaroos is the largest slaughter of native animals in the world. We are taking their habitat by urban sprawl and animal farming, therefore there seems to be more of them. Kangaroos do not reproduce in draught and therefore have controlled their numbers for millennia. Koalas are even on the endangered list as they live in colonies that have been fragmented by human encroachment. We have a lot to answer for by our indifference to animal suffering, to future generations

5.5 Question 5: Event Guideline No. 4 - Sporting Events

9 people responded to this question.

No.	Respondee Comment
1.	OK.
2.	no comment, other than the general principals at the top.
3.	Sporting events should be supported whenever possible, especially if they provide opportunities for residents to join in or provide economic benefit to the area and local clubs. There should be an opportunity for other local businesses to get involved with catering or provision of other services.
4.	Cycle Racing should be a separate Guideline as consideration as per Motorsport should include, Community Impact, Economic Impact and Environmental Impact due to the length of time that the closures occur. It is inconsistent to include Cycle Racing in with the other Road Bases events stated in this Guideline.
5.	Sporting events using animals need to be regulated. Weather in particular hot weather can kill animals and animal welfare officers need to be available to monitor safety.
6.	Council should ban cruel jumps racing events at Oakbank. Council policy should ensure the impact on animals both domestic and wildlife is considered in the planning of every event as well as the environmental impact in general of the event.
7.	Be aware of the impact on local wildlife and domestic animals from sporting events, this could include the use of fireworks (unnecessary), the noise, the parking, the traffic on wildlife habitats etc
8.	no issues
9.	parking and allowing families to participate as much as possible
10.	Please ban jumps racing in Oakbank The Oakbank venue should be a festival site but without exploiting these horses Gambling using animals results in cruelty

Appendix A: Open-ended feedback received

Responses below were received as part of the consultation either via email, phone call or cases. They have been included in full apart from the removal of personal details including names and contact details. Where a name has been removed this has been marked by [X].

There were 13 open-ended feedback submissions: seven cases made to Council, four emails directly to Council staff and one phone call.

5.6 Response 1.

Dear Councillors

I am writing in support of [X] who met with Mayor Wisdom yesterday to discuss the Bonfire and Fireworks event to be held on the Mylor Oval as a fund raiser for the Mylor Primary School. I would have attended the meeting to support her if I had been able.

[X] told me the meeting led to the suggestion, among other things, for us to fill in a form on the AHC's website, "Festivals and Events Policy Review." Unfortunately I was unable to access it, in order to fill it out.

[X] is collecting many signatures from people who support the end of archaic fireworks in this beautiful peaceful setting. She is a tireless worker.

With Climate Change water birds are hatching all year round. As a member of Fauna Rescue I care for orphaned ducklings so witness this phenomena.

All birds in the vicinity, including those in the water nearby, take flight in the dark, often leaving a clutch of 12 or more ducklings to perish.

The extremely loud explosions of the fireworks plus the bonfire is a deadly combination for our already diminishing wildlife and for peoples' pets.

We are sure if the school children who are involved were informed of the toll on wildlife they would be happy to engage in kinder more inclusive fundraising.

Please take into account many people do not want this event to continue and the cooperation of the council and school to end this tradition would be applauded for the compassion shown.

5.7 Response 2.

Thank you for giving us the opportunity to provide feedback on the Adelaide Hills Council draft Festivals and Events Policy. We have reviewed the document and find it comprehensive, well formatted and relevant.

The two major National Motor Museum events, namely the Rock & Roll Rendezvous and annual Bay to Birdwood, come under Appendix 2 – For Non-Competitive Motoring Events. The guidelines are clear, however we suggest a change to the wording in the highlighted area below on page 15, as a non-competitive motoring event would not be referred to as motorsport.

Consultation with affected residents and businesses

When applying for an inaugural event or repeated use of roads, event organisers must undertake a consultation with all affected residents* and supply the results of this consultation to Council in a Community Consultation Report before a final decision will be made.

Contact information (excluding identifying data) of all affected residents and a model resident form letter will be supplied to the event organiser as soon as possible after a preliminary assessment of the event application has occurred. It is recommended that all motorsport event organisers conduct resident.

5.8 Response 3.

I'm keen to see each event make as much effort as possible with being sustainable (compostable cutlery and plates, soft plastic and other recycling bins, offset carbon through tree planting, low food miles, public transport options, employ local people). I'd like to see all events need to submit an environment or recycling plan with their application.

I'm also a big advocate for healthy food options to do our bit to reduce obesity. So at council sponsored events there should be at least one healthy family friendly food option.

Free water at events should also be key, no or minimal plastic bottles.

Notification for events should also be by text message. We could ask people to opt in to receive event updates via txt. People rarely read lengthy letters these days. Event maps need to have a minimum standard so they are easy to read. Standard letter templates could help event organisers clearly identify how people are impacted, e.g by road closers, footpath closures.

5.9 Response 4.

I spoke, some time ago, to the organisers of the rallies. They acknowledged my concerns, but that was it.

I am deeply opposed to any further doubling of road closures due to condoned hoon driving events - they are a blight at all levels. Please do not impose their bogan behaviour on the residents of the Hills again without appropriate consultation. The notion of an organising agency to carry out unbiased research is academically flawed, and morally corrupt.

5.10 Response 5.

Generally I like the Policy and have only very minor points to make.

Under the objectives the 3rd to 6th dot points are not specifically 'topic' covered in the Policy. I do, however, agree they are the desired outcomes of having events. Should they therefore be covered in the Introduction. As I say minor.

In the Definitions – "Level of Support" – there a 2 examples of high level of support – would an example of a low level of support be helpful?

The first paragraph under the subheading Council's Role I feel should be in the Definitions as there are definitions for both Private and Public Events.

5.11 Response 6.

TWIMC : It is my view that it is totally inappropriate and unconscionable to let off fireworks in a wildlife area ! No one has any problem with a bonfire, but fireworks cause so much distress to birds and both wild and domestic animals, that the Council should show some leadership on this, and not permit the fireworks. Previously, these events have caused deaths amongst terrified wildlife, which try to flee in the dark. Then there is always the problem of dogs and cats which run away and get lost.

Please show some moral compass on this issue. Both my step sons attended Mylor Primary, and this event is showing it up in a very bad light, sadly !

5.12 Response 7.

Dear Councillors,

I am writing in support of [X] who met with Mayor Wisdom yesterday to discuss the Bonfire and Fireworks event to be held on the Mylor Oval as a fund raiser for the Mylor Primary School. I would have attended the meeting to support her if I had been able.

[X] told me the meeting led to the suggestion, among other things, for us to fill in a form on the AHC's website, "Festivals and Events Policy Review." Unfortunately I was unable to access it, in order to fill it out.

[X] is collecting many signatures from people who support the end of archaic fireworks in this beautiful peaceful setting. She is a tireless worker.

With Climate Change water birds are hatching all year round. As a member of Fauna Rescue I care for orphaned ducklings so witness this phenomena.

All birds in the vicinity, including those in the water nearby, take flight in the dark, often leaving a clutch of 12 or more ducklings to perish.

The extremely loud explosions of the fireworks plus the bonfire is a deadly combination for our already diminishing wildlife and for peoples' pets.

We are sure if the school children who are involved were informed of the toll on wildlife they would be happy to engage in kinder more inclusive fundraising.

Please take into account many people do not want this event to continue and the cooperation of the council and school to end this tradition would be applauded for the compassion shown.

Thank you for your consideration,

This is the email I sent to the AHC last year

Dear Sir/Madam,

This letter is a formal complaint to the Adelaide Hills Council about the bonfire and fireworks fundraising event on the Mylor oval on June 23rd, 2018, conducted on behalf of the Mylor Primary School.

This annual event is wrong and inappropriate on many counts.

Before the event can be advertised and allowed to take place in 2019 we would like the Council to support local ratepayers to discontinue this event permanently.

For the reasons below....

- It is on Occupational Health and Safety issue for young people involved in a school event. Taking place at night, with only a tape barrier, which was inadequate, to keep children at risk away from the fireworks.
- Alcohol was available for sale.
- It was an unnecessary environmental issue (air and ground pollution and noise) young children were upset and babies crying.
- It was an animal welfare issue as it was conducted in a wildlife corridor, with conservation parks, horses are agisted nearby and unattended pets are at risk of injury or death. Horses and native animals and birds flee into the dark in fright

After approximately 20 years, it is time for this archaic event to be replaced by a more environmentally, children and animal friendly event involving whole community support.

5.13 Response 8.

Celebrations and festivities can be enjoyed without environmentally damaging components such as fireworks, releasing of balloons, releasing of doves/ butterflies etc. I would like to see an end to noisy fireworks as the distress it causes to so many domestic animals and wildlife is widely experienced and painfully obvious via social media.

5.14 Response 9.

Dear AHC

I'm writing to make a Formal Complaint regarding the Fireworks planned on the Council Oval at Mylor June 22, 2019 apparently.

Has AHC given permission for explosive fireworks to be held on their Mylor Oval?

If so what considerations were taken into account regarding the previous complaints about these fireworks?

What consideration was made when granting permission regarding the close proximity to Conservation Parks, (ie Wildlife) waterways (birdlife) and neighboring properties who own pets please?

What community consultation process has taken place leading up to your permission for Mylor School to hold these explosive fireworks please?

I and a group of animal supporters have gathered 570 signatures to date asking for consideration to be given to Wildlife when explosive fireworks are being planned. This petition includes signatures from many AHC residents and Mylor residents.

I would like to meet with the Mayor and CEO urgently to discuss this and get answers to my questions please.

5.15 Response 10.

Dear Mayor Wisdom and Adelaide Hills Council,

I write in reference to the Mylor Fireworks. I wrote last year with an alternative suggestion case number CAS-82928-COD0

I support Community calls for the Mylor Fireworks to be stopped and a different type of event used by the school for fundraising instead.

The main problem is the noise which is of course the same as is found in warfare. I know you're aware there have been longstanding complaints from the community with requests that the Mylor fireworks be stopped or at least changed to the modern less harmful silent fireworks. People really don't like those explosions.

As you know the fireworks are also very bad for animals in the area including wildlife. The noise terrifies them. Companion animals run off and often are permanently lost to their owners.

Wildlife also become terrified of course. Wild birds take off precipitately and blindly in the dark and injure themselves on fencing or tree branches.

It is really not appropriate for the Primary School to persist with an event that causes so much distress and even financial loss to members of the surrounding community when requests to change have been made over a long time.

It'd be an easy matter to change to a less damaging, dangerous and detrimental event type. Alternatives are readily achievable.

Options would be

1 Fireworks as currently, but silent ones without the noise component.

2 A completely different event such my suggestion last year for a Twilight Fair with Harry Potter and Medieval content in conjunction with local community groups.

I hope this is the last year we'll hear the explosions of the ordinary Mylor Fireworks evening.

5.16 Response 11.

Please permanently ban fireworks from the Adelaide Hills.

Fireworks are literally archaic having been discovered and developed around 2,000 years ago.

In modern Australia they have been responsible for the loss of fingers from many young hands, as well as starting many fires both urban and bushfires leading to loss of property, accidental injury and horrendous loss of human life.

Such dangerous, noisy, antiquated archaic, and antediluvian events have no place in our modern Australian community and society.

5.17 Response 12.

I am writing to express my concern about the affect of fireworks on local animals By all means have a big bonfire. That is terrific, and live music. But just leave out the fireworks. We go every year, and the huge bonfire is what everyone loves.

Think of the money saved too!

5.18 Response 13.

Preliminary Remarks

I commend the AHC in providing an opportunity, to the public, to engage with the exercise of updating the existing F & E Policy. To only allow a 24 day time period is unfortunate, since **the existing policy and the draft version are both complex and need much time to read, to** fully understand and to internalise. To appreciate the full range of implications that arise takes considerable research and then, to respond in a lucid and coherent manner takes much time. A minimum of 30 days is normally a reasonable time frame.

All those who have gone to the trouble of submitting, are entitled to not only have their input carefully considered and acknowledged, but to also be informed about which of their suggestions found their way into the policy and why, and which were rejected and why. That is a legitimate expectation that we can rightfully hold.

Response

Every good policy is underpinned by some statement of values, beliefs or principles. Such a statement can be brief, or detailed, but it must be there. As an example, the AHC at the beginning of each meeting, in its "Opening Statement" expresses guiding beliefs or principles. My suggestion for a **statement of beliefs** for the F & E policy is:

"The AHC believes in the inherent equality of all citizens and will structure its policies and decisions to be consistent with this belief at all times"

Every good policy must also have a clearly stated, unambiguous, underlying purpose. My suggestion for a **statement of purpose** for the F & E policy is:

"The purpose of the F & E policy is to provide all who seek to make use of it, and all who are affected by decisions based on it, an equal level of opportunity of access to Council support and provide the Council and its administration, with principles and guidelines for administering festivals and events".

The Draft Policy, as presently worded, lacks fairness and integrity. This is so because it has omitted, unwittingly or intentionally, any reference to the right all people have to use their roads, and any mention of freedoms and rights anywhere in the policy.

The Matter of Roads

Public roads are the collective property of the people. No individual can assert any ownership entitlement, and yet we all have a right to use our public roads. To exercise this right we must have access to our roads. This right ensures our right of freedom of movement, our right of association and our right of assembly. Deny the use of roads and the other rights, for most, are also denied.

Roads are our most used, most valued and probably most costly of all our public infrastructures. They are provided through the use of public funds sourced from national, state and local governments. People's right to use their roads is further enhanced by the payment of a range of general and specific taxes and charges on an annual basis.

Roads exist principally to allow the free flow of people, goods and services in an unhindered way. To suggest that they should serve another purpose, that of tracks on which to conduct racing car events, is ludicrous in the extreme and contrary to good sense.

There are occasions when 'events' require the right of access and use of roads to be curtailed or denied. Such events must entail extraordinary circumstances and need to be justified on the basis of no reasonable alternative.

The use of roads is highly controlled for them to be safe places. Respect of any one user for all other's rights is essential, otherwise there would be chaos.

The Draft Policy needs to include some statement on the purpose of roads and associated rights.

The Matter of Freedoms and Rights

Whilst rights are not absolute, they are considered to be inherent and inalienable in liberal, representative democracies. Rights cannot be bought and sold, bargained with or traded. They come with each of us being a member of the human family. They are to be cherished, and need to be protected at all costs. Australia is the only 'Western' nation that does not have a bill or charter of rights. For that reason we have the anomalous situation that despite subscribing to a range of international instruments such as the International Covenant on Civil and Political Rights our governments, at all levels, can and do restrict our rights without proper justification.

The Draft Policy needs to include some statement on the protection and enhancement of those rights that currently exist.

Comment

If the Draft Policy does not address the issues above it will be biased towards selfish interests clothed in marketing jargon of supposed economic and tourism benefits and prejudiced against freedoms and rights. It will support some procedural rights of a small group, over the substantive rights of everyone else. Any decision based on such a policy will come under challenge with a request for review. Get the policy right, and decisions based on it will be right.

Reference to the Draft:

1. Introduction

This needs have a statement associated with sentence 2, paragraph 1, that "a thorough cost/benefit analysis will be undertaken, and made public, to support any decision taken".

Paragraph 2 needs to have additional content, particularly with respect to sentence 2. Some reference needs to be made to the International Covenant on Civil and Political Rights, specifically the 'right of freedom of movement' and statements emanating from the DPTI such as: "All road users have a right to use our roads", and the RAA's position on the matter of road closures associated with motor sport.

2. Objectives

Points one and two are in order. However point three is "meaningless waffle" with the exception of 'encourage volunteering'. What is 'community spirit' and at what level is it at present and how do you measure it? What is meant by 'local interest and participation – local interest in what and participation in what? How do you measure if it has gone up or down?

Point 4 is in order except what might be one person's "fun" is another's "boredom" or something akin. It is always problematic to use terms unless they can have wide application and are universally understood.

Point 5 is fine provided we all know what "positive external image" each of our communities want to have promoted. Does the Council have any data here?

Point 6 is a worthwhile aspiration but at what cost? Which of our communities gain from an event and which lose?

Clearly work needs to be done on the objectives to make them meaningful and practical and not just “feel good” statements.

3. Definitions

‘Community festivals and events’. Surely any definition must state that they are initiated by individuals or groups from a local or wider community to benefit that community and others who choose to be involved. They are not anything imposed on the community designed to benefit others.

‘Community-Council collaborative festivals and events’. The draft statement is fine except lack of clarity introduced by ‘the broader community’. How broad is broad?

‘Commercial events’. Being commercial they should fully pay for themselves and for costs incurred in using council and ‘publicly owned’ infrastructure and services provided by public institutions. They should even be considered to be liable to meet additional costs or losses incurred by members of the public as a result of their event being conducted.

‘Council operated event’. This item can remain unchanged.

‘Event organiser’. What concerns me is that there is no reference to any ‘duty of care’. When the AHC approves an event and then delegates all responsibility for planning and execution to another, one thing it cannot do is delegate its duty of care. This is particularly pertinent when it comes to road closures and a requirement is placed on people to negotiate their concerns with the event organiser rather than the Council. It is the Council that consents to road closures and bears the responsibility for this. It cannot delegate this elsewhere. This matter needs to be fully addressed.

‘Level of Support’. There is a total lack of clarity here. What exactly does “support” entail? How is it gauged or measured? Doing it on a case-by-case basis tells us very little about actual support. Surely there are some applicable parameters. The third sentence here is most problematic. Why are only ‘residents’ considered and no ‘other members’ of the public? What exactly is ‘directly impacted’ and who decides this? Finally how can a ‘high level of support be inferred from ‘past experience’ and how is this consistent with ‘assessed on a case-for-case basis’? The remainder of this point in the draft is equally unclear, when the word ‘*might*’ is used and totally arbitrary values of 75% and 25% are used.

A much clearer statement is required here, which leaves no one in doubt what is meant, or creates loopholes that can be circumvented.

‘Private festivals or events on council or community land’. This definition is intriguing because it involves both ‘any public area’ and ‘generate no revenue to the organiser. What about the category of involving ‘public area’ and ‘generating revenue for the organiser’. Has this been intentionally omitted or is it an oversight? The Adelaide Motor Sport Festival (aka Adelaide Rally) surely fits into this category.

‘Public festivals or events on private land’. I have no comment here.

‘Competitive motor sport events’. Neither CAMS nor ASN nor FIA have any authority to impose themselves onto any community within the AHC area. Reference to these makes no real difference as far as the F & E policy is concerned if each applicant is treated equally as far as the process and conditions to be met are concerned. There is no clarification of the term ‘competitive’. What exactly does this mean? The policy needs to spell this out.

Non-competitive motor sport event’. The definition is confusing. To be ‘competitive’ the event needs to be CAMS licensed, but if a motor sport event is not licensed by CAMS then it is not competitive even though both types of events appear to require road closures and come up with eventual ‘place-getters’ and ‘winners’ the criteria for competition. Why does the policy not refer to racing car motor events on public roads, and non-racing motor events on public roads? The public can readily understand the difference and can then respond accordingly

4. Policy Statement

4.1 Council's role

This paragraph seems to omit the words “after consultation with and obtaining the support of the community”

4.2 Trading opportunities at Council operated events.

I have no comment here.

4.3 Support for non-council festivals or events

This item makes no reference to the need for Council to be completely impartial when there are competing or conflicting interests involved. Council should not be in the business of ‘picking winners or losers’ but in being guided by equality of treatment of all parties’ interests, based on the best available evidence.

4.4 Eligibility for Council support.

There are two points provided here. They are quite clear in meaning. Omitted is a third point not covered by the two listed. It is “events proposed by non-Council groups that are for commercial gain and for exclusive interest and that receive Council support ‘in kind’”. I refer specifically to exclusive motor car racing activities conducted on public roads, involving some road closures.

There is also no reference to support “in kind” being made available to individuals or groups that are not supportive of some events; who are in fact opposed to the conduct of some events.

4.5 Expectations regarding timing, support

I have no comment about this, other than to say that the public should at all times know about event proposals and be kept apprised of developments. There should be no secrecy in these matters.

4.6 Festival and events application process.

Whilst Council staff should be the first point of contact for intending event

promoters/applicants, the Councillors are the representatives of the people and they should be kept informed, in an ongoing manner, of the progress of an application. Not to do so runs counter to the principles of representative democratic government.

4.7 Assessment criteria

I wonder how many members of the public are aware of the goals of the Strategic Plan and therefore condition their support or non-support for an event on these. A fundamental criterion should always be, **do no harm**. Another should be, **consider all options**. A third criterion should be **do a cost/benefit analysis** and a fourth is **how consistent is such an event with ongoing programs**. Council talks about ‘benefits need to outweigh detriments’. Council has never produced a statement, readily accessible to the public, which shows how a particular event ‘measured up’ on benefit and detriment. A good policy should make this a requirement imposed on organisers and on the Council.

‘Community impact’

What are ‘community connections? The remaining points are a list leading to, or resulting in “what”, in particular? What about the impact of events on public transport? Does Council ever consider this as some people are totally dependent on public transport?

‘Economic impact’

A simple criterion is all that’s needed. Will the local community where the event occurs, or will the entire AHC district be better off in measureable financial terms or be worse off.

‘Environmental impact’

What about noise and other pollution, depending on the nature of the event. What about the consistency between the pursuit of World Heritage Recognition and the goals of some of the events? Are they compatible or at odds?

How does Council assess ‘potential’ for detrimental impact? Does it have a baseline and does it do post event surveys of impact?

‘Timing’

It is obvious that there can be too many events so timing of events is important. However, the Council has little, if any control, over events that occur outside of its own district and there are of course many events that occur which do not require council approval. Does Council have a detailed up-to-date record of available accommodation within its district? What are tourism resources? The fourth point in the list needs to be more explicit. Surely no event is approved if it has the potential to increase the risk of fire during the Fire Ban Season! How does the Council deal with “potential for extreme weather” which can occur at any time. More precise language is required if the policy is a useful document.

5. Cost Recovery

5.1 Damages. There is no reference to damage to private property. If Council has approved an event, it needs to provide support to a citizen whose property has sustained damage, when they are claiming against the perpetrator.

5.2 Event cancellation. I have no comment here.

5.3 Fees and Charges. I have no comments here.

6. Delegation

There are two points listed. I have no comments about these. However there should be a further point. Council has duty of care when it approves certain events, and when it delegates its responsibility for certain aspects, such as community consultation, receipt of community feedback, ongoing information provision to the community, responding to feedback, to the event organiser, it is derelict with respect to its duty of care.

7. Availability of this policy.

I have no comment here.

8. Appendices

My comments relate to appendices 1 and 2. Comments have already been made relating to “Competitive’ and Non-competitive’ and need not be repeated.

Guideline No 1 for Competitive Events.

Why is there a total omission in the guidelines what members of the public can do when they become aware of a motor car racing event that will affect them. The public must be treated on an equal basis as are those submitting an application and need to be able to discuss with Council events staff such matters as concern them, and have these responded to just as applicants have their opportunity to discuss,

‘Council Decision” Sentence 2 states: “Council will take into account information provided by the applicant in relation to the following criteria.” What about taking into consideration information supplied by members of the public and providing them with a set of criteria against which their information is assessed under the headings of: Community impact, Economic impact, Environmental impact. There is a fourth item missing, namely Psychological impact which obviously the policy chooses not to address.

Community impact:

Council has approved ‘competitive’ motor sport events for at least twenty years. What are the ‘likely impacts’ – they should be thoroughly known by now and recorded for all to see, and accessible on the public record.

Point 2 is quite unclear in what Council means as far as a member of the public is able to understand. Point

3. What is meant by ‘the rigor’ of the public consultation process? There has never been one to date.

Consultation according to dictionary meanings of that term involves all parties meeting together as equals, and discussing, in a respectful way, a proposal that is put and then coming to an end conclusion/decision which is acceptable to them. The new policy will need to ensure that genuine consultation takes place, and not merely

a process of information provision inviting responses that are never acted upon. Representative democracy demands such a process. Or else we have a charade or a pseudo process.

Point four, the results of public engagement. The public has never been provided the complete details of this. The 'new' policy must be totally transparent so that anyone who seeks information about this has ready access to it without having to apply under FOI rules. The counsellors must be provided with all the information in the report that is provided to them and the recommendations made, on which they are required to make a decision.

Point five, opportunities for community connections and volunteering. No data has ever been provided relating to this. What are community connections? How many people from the communities afflicted with road closures have provided volunteers to stage the road racing events? There is never any actual data provided. These items are listed to read well and sound good but have no actual substance.

Economic Impact

Point one. How does the Council determine this? The policy needs to spell this out. It has never done so in the past and the draft has no mechanism to ensure that it will happen in the future. Point two. This is a contradiction in terms. How can the closing of roads attract short and longer term visitors? What assessment is made of people leaving the region to escape the restrictions imposed on their right of access to their roads and the right of freedom of movement? Point three is the most concerning. The AHC exists as an independent local government authority, required to fulfil its responsibilities under certain Acts. It should always base its decisions on local circumstances in conjunction with the constituents it administers. It is not beholden to the SA Tourism Commission or what that organisation chooses to support. This factor should carry no more weight than that of a local group of people objecting to their road being repeatedly closed year after year. The AHC is charged with deciding what is in the best interests of all the AHC constituents, and no minority group must bear a burden to satisfy the SATC.

Environmental Impact

How can the AHC claim that the approval of at least two racing car events conducted over a number of days involving over three hundred vehicles polluting the environment with noise, exhaust gasses and other micro-particles makes minimal impact on the environment? The policy needs to make a precise statement, of how it will be used in decision-making when it comes to this kind of pollution. Point two, how does the AHC determine what impact there is on flora and fauna? It has never produced any assessment nor evidence. The policy is too imprecise here. Point 3. What is limited impact on the built environment? The sheer denial of hundreds if not thousands of people to have unrestricted access to their road network is referred to as 'minimal impact'. Again some rewording is required here to make the policy a plausible document.

Road Closure Applications

The statement in the draft policy is totally unacceptable on a number of grounds. It talks about "low impact" on the community. What does this imply? Roads will be selected that have a low traffic count? (how does Council know this on any particular day?), have a low number of residents living along the chosen 'closed sections'? (this is highly discriminatory against people where they happen to live?), have the potential to attract the greatest number of spectators? (surely roads with the highest level of population will have the greatest potential to attract spectators). The policy is all at sea here. What is clear is that the wording in the draft is designed to favour a certain outcome, which has been the pattern over the past twenty years. **The applicant must demonstrate that the section of road to be closed has a low impact on the community, or that there is a high level of support (or low level of opposition) in relation to a road closure through consultation with all affected residents.** This statement would not stand up if challenged in a court of law.

Terms like “low impact” are arbitrary and cannot be measured, “high level of support’ is equally arbitrary. Ehen over 1000 letters were mailed out the return was fewer than 25. Of those about half were ‘supportive’ and the rest were uncommitted or non-supportive. What does the Council conclude from this? How can a responsible decision be made based on this kind of data?

What is overlooked here by the Council and event organisers is the simple reality that no citizen needs to responds to a piece of information telling them that their road will be closed for a non-essential event. Citizens know, and so does the Council, and so do the event organisers, that there is **a right of access** to our roads. A non-response implies that the citizen is not supportive of closure. It’s as simple as that. Under that scenario you never get a low level of opposition. The draft policy needs to be worded to make this clear.

“Organisers should (why not must?) ensure that routes impacting more than 20 (why this arbitrarily selected number?) residents, (why not people because non-residents can also be impacted?) or where there has been negative feedback (what is meant by negative feedback – any persons upholding their rights are acting in a very positive manner?) regarding the event, are substantially(what exactly is required by this term?) changed each year”. This part of the draft needs to be completely rewritten to ensure that minorities that are easily targeted and have fewer ‘voices’ are not subjected to injustices. **No person ever has to make a case to have rights respected and protected.** The policy needs to reflect this.

The final sentence makes no reference to community objection – that which does not have to be provided. The policy is once again worded in such a manner that, by default or by intention the Council empowers itself to impose on to the community an event that is not wanted. The policy **must** have built into it a mandatory survey, taken at random, from a credible sized sample, from among the constituents to determine “support” with the survey making clear that a non-response represents ‘no support’

Planning and Notice of Road Closures

The second paragraph is extremely problematic. It makes no reference to anyone who is totally unfamiliar with the roads that are to be closed or the surrounding area, the very tourists that the event supposedly attracts! The location/placement of roadside information, the size of the print and information provided relating to detours has been totally unsatisfactory. The draft policy is no improvement on its predecessor. Signs have to be able to be read from a slow-moving vehicle. That was not possible in previous years. The last sentence of the paragraph is totally meaningless because neither the event organisers nor the Council have any idea of traffic patterns on the roads selected for closure.

Practice Prohibited

This paragraph is laughable! Who is there to police this at any time, let alone in the early hours of the morning. What is the point?

Is the Council saying that racing in cars on public roads is against the law?

Consultation with affected residents and businesses.

Council needs to be precise that consultation entails much more than informing and it must involve a process of feedback and meaningful responses to feedback. If this does not happen then it is an affront to the dignity of every person involved. Remember feedback is never negative. It is always a positive action taken by someone to protect their freedoms, rights and interests.

Paragraph two makes it clear that the Council sees that it has a responsibility in making contact with the community. However the so-called consultation letter is nothing more than a letter providing information about what decisions have been made between the organiser and Council staff at some earlier time. Actual consultation with the public needs to take place before such a letter is drafted and again after feedback

(remember non-responses mean not in favour) has been received. That is the consultation process that the new policy needs to implement.

The last sentence in paragraph two is strange. Surely it is the AHC that needs to be as fully informed as can be about the community's perception of racing car events, and not the organiser. The organiser has never cared about community perceptions irrespective whether it was Silverstone, Targa, Octagon and now the Sporting Car Club of SA. All these organisations have ever cared about is getting consent for road closures to enable them to do their racing at the expense of everyone else. Reference is made to the Community Consultation Report. Is this a pre-event requirement, and if so, why does the public not get ready access to it? The policy should make it clear that all responses received are made available to all of the Councillors and also the public before any decision to provide consent is made.

Paragraph three requires no comment other than to say it is grammatically incorrect.

The final paragraph is again an example of the policy being worded to favour the requests of organisers over the rights of constituents. **Nowhere in the policy is there any statement which states outright that racing in motor vehicles on public roads at any time is against the law.** It must state this with a follow-up which informs the reader that the SAPOL will not apply the law to those who are racing as part of an event. The draft is inherently dishonest.

Guideline No 2 for Non-competitive Motoring Events

The draft policy here seems to use 'non-competitive' differently than in Guidelines No 1. If vehicles are travelling at allowable posted speeds or slower, there needs to be a sound explanation why roads need to be closed for such events. Safety can be assured by a restricted speed limit and no overtaking being permitted over the course of the route.

In other respects the draft of this guideline is similar to No. 1 and no further comments are needed, or those provided for No. 1 apply here as well.

Concluding Remarks

The purpose of this Draft Policy, like any policy, should be to reach the best possible decisions leading to the best intended outcomes. As it stands, at present, it does not meet the standard of being a good, and therefore useful, policy. If the feedback from the public is considered and aspects of this are included, then the potential is there for a good, fair and practical policy on which to base good decisions.

To further improve the policy it would be a useful exercise to invite the Ombudsman's office or SACAT or the law schools of our universities to pass judgement on it, and be guided by that feedback. Another group that could be invited is a civil liberties group which would bring another perspective to bear.

The AHC has dealt with festivals and events decisions for a long time. A separate policy was not formulated until 2012/13. It has been reviewed once since then which did not bring about a satisfactory outcome. It failed to deal with the issue of 'minority groups' which are not addressed in this draft, apart from the range of items presented by me. We need to get the policy right, so that we get the rights decisions every time.

Copies of public feedback provided with personal details appropriately redacted need to be made readily available to those who seek access to these without the need of an FOI application. All councillors should be provided with such copies before a decision on adoption of the draft policy made.

In addition to the preceding material I would like my email forwarded to Mr David Waters, Director CC AHC, on March 27 to also form part of my response to the Draft F & E Policy.

Since completing my response on the previous pages the following matters have occurred to me, and need to form part of the F & E policy.

Firstly, what legal authority do volunteers who assist with the conduct of approved racing car events have in directing and controlling members of the public during an event? The policy needs to make a clear statement about this.

Secondly, why is there a separate set of assessment criteria (Item 4.7) in the “Policy” (pages 4 & 5) and in the Event Guidelines No 1 for Competitive Motoring Events under the heading ‘Council Decision’ on the first of the three pages?

A close examination shows significant differences, particularly under the heading Economic Impact. Why will SASTC support be “highly” considered, when no other of the many listed criteria, gets such a rating? This is an example of “built-in bias” in the policy, which must not occur. The policy, as a statement, must be unprejudiced and impartial.

Thirdly, in dealing with the criteria are they all ‘weighted equally’ or do some carry more weight (as with SATC support) than others. Unless the criteria all have the same ‘weighting’ a scale of say 1 to 3 can be assigned to each where ‘1’ is low, and ‘3’ is high.

Fourthly, in relation to the responses forwarded by members of the public, are they given equal ratings and how is this done and by whom is it done? The policy needs to be quite transparent about this. The present arrangements require responses to go to event organisers. Should any be received by the AHC, they are forwarded to the event organisers. At what point do the decision-makers, the councillors, actually get access to these responses which are, after all, the **primary sources** about how people in the community at large feel about racing car events and road closures, and road closures associated with other events? These responses surely are more important than SATC support. What happens when such responses are passed on by word-of-mouth directly or by telephone. The policy needs to be clear about all of this.

Fifthly, the glossary or definitions section, pages 1 & 2 needs to be expanded beyond the present listing. The following are some I have determined need to be defined: Affected resident

Consultation	Inferred from feedback
Directly impacted	Inferred from past experience
Extent of Impact	Solicited proposals
Indirectly impacted	Un-solicited proposals

Sixthly there needs to be more clarification surrounding “competitive motor sport events” i.e. those licensed by CAMS, and “non-competitive motor sport events” i.e. those not licensed by CAMS. Do non-competitive events still entail racing, that is, driving at speeds beyond the posted allowable or legal limits? Do these events still require road closures? Associated with this is the use of ‘competitive’ and ‘touring’ by the event organisers as categories for participants in the motor sport events. Both groups still warrant closed roads, which means both groups are engaged in racing or ‘competing’ or driving at speeds beyond the legal limit for that particular stretch of road. The policy must be clear about this as well.

Appendix B: What we heard and how the Festival and Events Policy has changed as a result

After the Council meeting on 27 August 2019 an additional table will be added here which will show a summary of feedback provided during the consultation and identify what changes were made to the policy as a result.

Appendix 3

*Email from RAA regarding competitive
motorsport events*

Appendix 3

Letter from RAA regarding competitive motorsport events

From: [REDACTED]
Sent: Wednesday, 22 May 2019 3:21 PM
To: Mail
Subject: Adelaide Hills Council Festival and Events Policy

Good Afternoon,

RAA understands that Adelaide Hills Council is in the process of reviewing its current Festival and Events Policy. It is also understood that this policy is used as a reference in the assessment of applications to temporarily close public roads to support events.

Events held in the community have the potential to contribute to the local community by providing social and economic benefits. A number of events require the temporary closure of roads or a section of roads to enable the event to take place. RAA supports the temporary closure of public roads to enable community, recurrent and commercial events, cycling events and non-competitive motoring events to take place, provided the community is consulted about the closure of roads, including adjacent Councils, and is given sufficient opportunity to comment to ensure any issues are considered by Council or the responsible road authority, before a decision is made about approving the event.

RAA does not support the temporary closure of public roads for competitive motorsport events that would require vehicles to travel on the closed sections of road at speeds higher than the posted speed limits. This is because the existing road environment does not provide sufficient protection to minimise the risk of injury or death to vehicle occupants or spectators in the event of a crash.

Competitive motorsport events should be conducted on either purpose designed racing circuits or on temporary circuits where approved levels of road side crash protection to both participants and spectators is provided, as is the case for the Adelaide 500 event.

Please find attached a copy of RAA's Public Policy that includes our position in relation to the closure of public roads for community events (see the section under "The Road System").

If you would like to discuss any aspects of our current policies please contact me.

Kind regards

[REDACTED]

Senior Manager Road Safety



RAA Group

101 Richmond Road, Mile End SA 5031, Australia

P +61 8 8202 [REDACTED]

<http://www.raa.com.au>

Appendix 4

Email from PETA to Mylor Oval Secretary

9 January 2019

Appendix 4

Email from PETA to Mylor Oval Secretary 9 January 2019

From: [REDACTED]
Sent: Wednesday, January 9, 2019 9:34:07 AM
To: [REDACTED]
Subject: Quiet fireworks info as promised.

Dear [REDACTED]

Hello, I hope this finds you well. I hope I haven't left you hanging too long, I wanted to pull some outside information so you had the full scope to discuss at your meeting.

As I said in our chat, we understand that there are reasons for people not supporting fireworks at all, however I can't speak for them, and I sincerely believe there is a pragmatic compromise which will hopefully lead to more productive discussions with all stakeholders – and most importantly, a gorgeous, animal-friendly display come July!

So, believe it or not, just about everyone who has enjoyed a fireworks display has seen already enjoyed quiet fireworks before. They are the smaller and often more colourful displays that usually accompany the big blasts in larger shows. They include comets, the fireworks that shoot up and disappear like shooting stars, and strobes. You can read more about this here <https://www.nytimes.com/2016/07/01/science/july-4-fireworks-quiet.html>

I found some videos of them as standalone shows for you – <https://www.youtube.com/watch?v=DwPVkFs5SH4>, and <https://www.youtube.com/watch?v=BfytQQax68M>

As I said on the phone, “silent fireworks” is a bit of an overstatement – quiet is probably more accurate. They are simply fireworks with a lower perceived volume because they use much less explosive material in their construction. For example, while the average traditional fireworks display is around 150 to 170 decibels, while a quiet display is around 60 - 70.

For reference, The World Health Organization lists 120 decibels as the pain threshold for sound. This is interesting, as while looking into this, I did see some articles about people suing for loss of hearing! A guy in Switzerland even had his drums rupture! :O <https://www.dailymail.co.uk/health/article-4496230/Fireworks-cause-man-s-ear-drums-rupture.html>

Anyhow, back to the matter at hand. As discussed, silent fireworks provide all of the fanfare and celebration without any of the frightening noise, which can be terrifying for companion animals, ‘farm’ animals confined to barns and fields, wildlife, birds, and humans including those with sensitive ears (see above), children and adults on the autism spectrum, veterans, and those with PTSD. In fact, this idea has been tossed about before for this reason in the top end -

<https://www.abc.net.au/news/2016-07-04/could-silent-fireworks-be-used-for-territory-day-celebrations/7567510>.

As an affiliate of world's largest animal rights organisation, PETA Australia of course implores the use of silent displays to protect non-human animals, although we're thrilled that the option is a win for so many.

To expand on this, for animals, who don't understand the explosions, fireworks are a tremendous source of anxiety and fear. <https://www.bustle.com/p/dog-anxiety-symptoms-include-these-6-unexpected-things-8723564>. Dogs go missing after they panic and jump over fences or break loose from leashes, and some even jump through glass windows in order to get away from the terrifying sounds of fireworks. Many animals arrive at rescue centres with bloody paws and broken bones, with these centres also seeing an increase in the number of lost dogs following conventional firework displays, with some shelters saying New Year's Day is their busiest time for injured, lost and scared animals being sheltered. While some will be reunited with their humans, others will not, and councils (and the public) are ultimately also affected, while the animals pay the ultimate price – homelessness, and in some cases, euthanasia.

Wildlife, too, is disturbed – wild animals, including marsupials, flee onto roads, where there are susceptible to vehicle collisions which can be fatal for both them and drivers, while birds have also been known to fly into windows, homes, cars and buildings. PETA has more info onsite - <https://www.peta.org/features/bellamy-young-edward-james-olmos-remind-us-keep-animals-safe-fireworks/>

Quiet fireworks are an option being adopted more widely in Europe (the city of Collecchio, Italy, uses them exclusively, as mandated by law) and in rural / wildlife dense towns in the UK. You can read more about this here – <https://www.lonelyplanet.com/news/2018/07/05/italian-town-silent-fireworks/> .

Closer to home, Shellharbour councillor Peter Moran last year put forward a proposal for their use in SA. <https://www.illawarramercury.com.au/story/5149932/calls-for-noiseless-fireworks-to-reduce-animal-anxiety/> (note, he says they are not as colourful, but this need not be the case!)

Also on our shores, while looking into this for you, I also found that an Aussie company specialises in quiet fireworks put to music. I found this really interesting, as a display choreographed to music makes it possible to capture more emotion – via the melody and lyrics, creates a soundscape to replace the bangs, fills silence without damage, and elevates the show to an experience. You can see that option in action here - <http://www.blasopyrotechnics.com.au/firework-displays//to-glory>

We would LOVE to see you pioneer an animal-friendly show, and would be happy to engage in press with you via statements, releases and interviews. We would also commend the move on social media and our website, as well as sharing worldwide – globally, PETA speaks to some 6.5 million fans. Even if you choose a quieter show, we could still help you alert and educate those living with animals in your area before the show as a courtesy, explaining your efforts to keep the noise down,

while still supplying tips on keeping animals calm and safe, and also as proof of your commitment to help our furry friends, and a show of our support.

As I mentioned on the phone, my goal is to bring logic and pragmatism to conversations around animal welfare so as to help those who do care to move forward with making the world better for all Earthlings.

Should you need *anything* further to the above to help you achieve this, please don't hesitate to reach out.

I want to thank and commend you on your openness and dedication to not only knowing better, but doing better.

Kindest, ■

■

Outreach and Partnership Liaison

PETA Australia

"Animals are here with us, not for us"

Appendix 5

Festival and Events Organisers Toolkit

Festivals and Events Organiser Toolkit



Purpose

This Festivals and Events Organiser Toolkit is a one-stop-shop of considerations for those people tasked with developing or managing a festival or event in the Adelaide Hills Council district.

The contents of this toolkit will not be relevant for all event organisers, but they will give important examples of good practice that will put your event in the best possible position to be safe and successful.

Contents

Festivals and Events Overview.....	3
Event Application form.....	7
Application for Council Approval for a Limited Licence.....	11
Application for Trading on Council Land.....	13
Environmental Health Requirements.....	15
Animal management	
Supply or sale of food	
Road Restrictions and Road Closure Requirements.....	16
Event Planning Checklist.....	17
Useful contacts and templates.....	22
Risk Assessment template.....	23
Event Emergency Response Plan template.....	25
Event Run Sheet template.....	27
Event Contacts template.....	28

FESTIVALS AND EVENTS OVERVIEW

This overview is to be read in conjunction with Council's Festivals and Events Policy.

The Adelaide Hills Council (AHC) recognises that festivals and events form part of the fabric of life in a region and can:

- Build community spirit, increase local interest and participation, strengthen local values and tradition and encourage volunteerism.
- Provide opportunities for recreation, fun, entertainment, celebration and education.
- Enhance the local economy by attracting and keeping visitors in the region longer.
- Build on and profile local attractions, products, history, culture and the environment.
- Be important to tourism development and improve destination awareness.
- Contribute to a positive external image of the Adelaide Hills Council communities.

The Council may introduce events and encourage them to expand their financial support base so that they can become self-sustaining over time. Council equally expects that events conducted by other organisations will be well organised, well managed and financially sound.

FESTIVAL AND EVENT APPLICATIONS

All applications will be assessed in the first instance by the Events Officer and approval will be determined either by, or through, that staff member.

To ensure suitable time for processing requests and working through any necessary elements, it is requested that applications are submitted to Council **no less than three months prior to the festival or event** in question.

Applications that include exceptional elements - such as road closures - may require earlier notice and may be referred to Council for decision via a Council report (See the 'Additional Requirements' section below).

ELIGIBILITY FOR COUNCIL SUPPORT

Council support (financial or in-kind) may be available under either of the following circumstances.

- The event is established, supported, organised, financed and/or managed by the Council.
- The event is proposed by non-Council groups and is not for commercial gain, or private or exclusive interest.

ORGANISING AN EVENT IN THE ADELAIDE HILLS COUNCIL DISTRICT

Council's Events Officer is able to assess and organise support for events in the Adelaide Hills Council district. In addition to providing practical support through Council resources, the Events Officer is able to provide event organisers with comprehensive and helpful instruction as to preparing event proposals that impact on the region.

IN-KIND SUPPORT

Council is able to offer in-kind support in the following ways. Eligible events may request any of the following for consideration; Council's ability to provide in-kind support may be limited by the number of requests and size of events in the area at the same time.

Council Facilities

Council owns a number of facilities around the district, including halls and ovals. If your event takes place on Council property Council may be able to assist with lawn mowing and lawn marking (for safety if pegging for marquees etc.).

Waste Management

For community events, Council may be able to assist with the supply of 240L event bins. There are two types of bins available: waste bins and Beverage Container Recycling Bins (BCRBs).

Waste bins are for general waste and will be emptied by East Waste by truck prior to Council collecting the bins.

BCRBs are for bottles and cans only and must be emptied by the event organiser prior to Council collecting the bins. The event organiser (or a community group they are working with) can therefore benefit from the recycling refund at a collection depot.

Event Equipment

Council may be able to assist with weighted orange markers (stick-shaped, known as 'candles'), and orange plastic mesh for events needing to create a temporary barrier or safety zone. Alternatively, candles may be used alone to mark a path or event boundary.

Further to this, Council may be able to provide roadside signage indicating "Community Event Ahead, Please Slow Down" to alert passers-by of possible increased pedestrians in the area.

Promotion

All events supported in some way by Council will have the opportunity to be promoted through Council-owned mediums. This includes social media, Council's website (as a 'featured event') and on tourism website adelaidehills.org.au.

COUNCIL ASSISTANCE

In addition to in-kind support for eligible groups, Council staff can assist all event organisers with ensuring they meet necessary by-laws and legislation around:

- Temporary signage
- Fire permits
- Liquor Licencing
- Roadside trading
- Fireworks or Pyrotechnics
- Development Approval
- Animal Management
- Amplified music or speeches
- Supply or sale of food
- Road restrictions or closures

FIREWORKS

Fireworks are regulated by the State Government through Safework SA, for more information visit safework.sa.gov.au. If applying to launch fireworks from Council land we may request an itemised fireworks report, and a copy of the administering Pyrotechnician's licence. Council supports the use of Low Noise Effect (LNE) fireworks in the Adelaide Hills Council district and encourages all event organisers to consider the wellbeing of pets, livestock and wildlife in the area by notifying residents in the area prior to a display.

DEVELOPMENT APPROVAL

Development approval is required for public events that are held on private land. In cases where development approval is required, an event organiser must liaise with Council's Team Leader Statutory Planning, Development and Compliance in the first instance. Development approval may take up to six months to be completed and this timeframe should be considered during planning.

ROAD CLOSURES

Approval for road closures must be sought for any event that intends to fully or partially close a road as a part of their activities. This may include street parties, parades or motoring events. For certain events, public consultation may be required as part of the application process.

Motoring Events

Motoring Events which involve road closures must provide notice of intention to run the event to Council at least 6 months prior to the proposed event date. A Motoring Event Application must be

submitted at least 3 months prior to the event date, along with a Consultation Report. Road closures for Competitive Motoring Events will be subject to a formal Council decision on every occasion.

Organisers of motoring events wishing to close a road must undertake public consultation with all affected businesses and residents* to demonstrate that the section of road to be closed has a low impact on the community, or that there is a high level of support (or low level of opposition) to the proposed road closures. Council will provide the event organiser with a template consultation letter, and the postal addresses of all properties affected. All feedback received during the consultation period, as well as any measures taken to mitigate concerns raised, must be detailed and submitted as a report for Council consideration.

If approved, organisers must notify residents of the event and road closures via letter and must arrange for advanced notice signage to be installed along the route at least two full weeks prior to the event. Council must approve the size and content of these signs at least three full weeks prior to the event. Route and traffic detour maps must be made available online to Council and the public. Organisers are encouraged to employ additional methods of resident notification such as SMS and email reminders wherever possible.

PROCEEDING WITH AN APPROVED EVENT

Once an event organiser has sufficient approvals from Council, they must take responsibility for the safety and success of their event. Council has created a helpful list of considerations for event organisers in this toolkit.

STEPS FOR EVENT ORGANISERS WORKING WITH COUNCIL

1. Consult Council's Festivals and Events Policy
2. Determine the scope and intention for your event
3. Contact Council's Events Officer to discuss the event concept and how Council may be able to support you (recommended for new events)
4. Consult Council's Festivals and Events Organisers Toolkit for helpful event planning documents and considerations (Council's Events Officer may be able to help you with these documents)
5. Complete Council's Festivals and Events Application Form, or Motoring Event Application Form and submit to Council for processing (along with any other relevant forms)
 - A Council Application Form **MUST** be completed by all Event Organisers and submitted to Council
 - Other Council forms must only be submitted **IF RELEVANT** to your event
 - The Event Planning Checklist is for **EVENT ORGANISER USE ONLY**.
6. Address any questions or concerns raised by Council's Events Officer
7. Proceed if and when approval is given

This page intentionally left blank



Festival / Event Application

**Council's Festival and Events Policy requests at least three months' notice is provided for events. Where an event arises within three months, please call Council to discuss and expedite assistance if possible.*

Applicant and Event Details

Organisation					
Postal Address					
Responsible Person and Title					
Contact Details	Phone				
	Email				
Event Day Contact (if different from above)	Name				
	Phone				
Event Name					
Event Day/s and Date/s					
Event Location (including address)					
Event Times	Start		Access to Venue	Start	
	Finish			Finish	
Event Type (festival, exhibition, sports carnival etc)					
Expected attendance					

Council Facilities only

Request for lawn mowing (Y/N)					
Request to peg lawns for marquees or activities (Y/N)					
<i>If yes, contract of a services locator may be required. Please contact Council's Events Officer to discuss.</i>					
Requests for equipment (note that requests are not guaranteed)					
Event bins	No. waste (orange) requested				
	No. 10c beverage container (yellow) requested				
<i>Note that beverage container bins <u>must</u> be emptied by the event organiser on the day of the event. Event organisers, or subsequent community groups, can then benefit from the 10c recycling funds.</i>					
Additional waste collection for multiple-day events (Y/N)					
Orange markers (stick shaped)	No. requested				
Orange plastic mesh bunting	Approximate metres requested				
Community event signs	No. requested				
Preferred delivery/collection location for any approved items (please give detailed description)					
<i>Event equipment, if approved, is delivered to one location only. The event organiser is responsible for distributing items around their venue and returning them to the collection point once the event is concluded.</i>					

Marketing and Promotion

Council's Communications Team may be able to help promote your event through their online and social media platforms. If you prefer not to receive marketing assistance, please check this box.

Brief description of event and activities on offer (max 100 words)

Key points of interest to highlight (max three)

Website with more information

Entry fee (if any)

Activities requiring further information or approvals

Activity	(Y/N)	Requirements/Advice	Action
Temporary signage (A-frames, banners etc)		→ By-laws apply	Permission may be required from Council's Regulatory Services. Discuss with the Events Officer.
Fires, BBQs etc		→ Permit required during fire danger season (see CFS)	Permission may be required from Council's Regulatory Services. Discuss with the Events Officer.
Liquor		→ Liquor licence required	Contact Consumer and Business Services via cbs.sa.gov.au and request a letter of support from the Events Officer.
Fireworks/pyrotechnics		→ State legislation applies	A licenced pyrotechnician must be employed. Visit safework.sa.gov.au for more information. Council may request additional documentation.
Animals for display or handling		→ Inspection of animal management practises may be required	Refer to Appendix 3 of Council's Festivals and Events Policy and discuss with the Events Officer.
Amplified music / speeches		→ Regulations may apply	Contact Consumer and Business Services plus Council's Executive Assistant Strategy and Development on 8408 0522
Supply or Sale of Food		→ Food handling regulations apply	Council's Health Officers may need to conduct routine checks. Provide a list of all suppliers and caterers including contact details to the Events Officer.
Roadside Trading		→ A Roadside Trading Permit is required when public road verges are being used for business purposes.	Request an Application for Trading on Council Land

Activity	Applicable (Y/N)	Requirements/Advice	Action
Development Approval <i>see Festivals and Events Procedure to clarify when Development Approval is required</i>		→ Development Approval is required for events on private land <i>Note: this may be an involved process, allow up to six months</i>	Contact Council's Team Leader Statutory Planning on 8408 0567, or Duty Planner Development Services on 8408 0400
Road restrictions or road closures		→ Council consent is required → Community consultation may be required → Professional traffic management is required	Contact Council's Communications and Events Officer on 8408 0427
SA Police Crowded Places Assessment		Due to heightened concerns around rogue vehicle attacks, all outdoor events are asked to complete the SA Police Crowded Places Assessment available via the SAPOL website. Please provide a copy of your final score to the AHC events officer at least two weeks prior to your event commencement. https://www.police.sa.gov.au/online-services/mass-gatherings	

Statement of understanding

I, _____, acknowledge that the Event Application submitted herein is subject to the consideration and approval of authorised Officers of Adelaide Hills Council.

I authorise for the information contained in the Event Application and attached to the Event Application to be circulated and reviewed by Adelaide Hills Council Officers and their advisers. I acknowledge that personal information provided by me on this form will be used by Council or its agents and can be accessed by me and may also be available to third parties in accordance with the *Freedom of Information Act SA (1991)*.

I acknowledge that it is the responsibility of the Event Organiser to ensure that the event meets all necessary by-law, policy, standards, and legislative requirements.

I acknowledge that it is the responsibility of the Event Organiser to ensure that all other parties involved in the event have the appropriate level of Public Liability Insurance (to be retained by the Event Manager).

I am aware that the Event Application will be considered in accordance with the information provided on the Event Application, and any relevant attached documents requested, and will not be valid until evidence has been provided of **Public Liability Insurance with a cover of \$20 million (minimum)**.

The Event Organiser agrees to indemnify and to keep indemnified the Council, its servants and agents and indemnifies each of them from and against all actions, costs, claims, damages, charges and expenses whatsoever which may be brought or made claimed against them or any of them arising out of or in relation to the issuing of the permit. Any undisclosed alterations to the said event or non-compliance with the general and special conditions of the permit, once issued, may result in the permit being revoked pursuant to Section 225 of the *Local Government Act SA (1999)*.

I have attached evidence of Public Liability Insurance (\$20 million minimum)

Applicant Name		Council Officer	
Signed		Signed	
Date		Date	

Send completed application to:
Communications and Events Officer
events@ahc.sa.gov.au

Adelaide Hills Council
PO Box 44
Woodside SA 5244

This page intentionally left blank



Motoring Event Application

**Council's Festivals and Events Policy requests at least six months' notice is provided for motoring events requiring road closures. Where an event arises within this time, please call Council to discuss.*

Applicant and Event Details

Organisation		
Postal Address		
Key Contact	Name	
	Phone	
Event Day Contact <i>(if different from above)</i>	Name	
	Phone	
Event Name		
Event Day/s and Date/s		
Event Location/s		
Event Time/s		
Expected attendance		
Public Entry fee (if any)		
Is this a Competitive Motoring Event <i>Licensed by a governing body such as CAMS</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Governing body <i>Please attach a letter of support</i>		

Marketing and Promotion

Website	
Social Media Accounts and hashtags	
Brief description of event and activities on offer:	

Road Closures

Does this event involve full or partial road closures? Yes No - skip to next section

Motoring events requiring road closures will be subject to a Council decision on every occasion.

Consultation	All affected businesses and residents must be consulted. Council will provide a template consultation letter and address list for affected properties. Council must approve consultation letter before distribution. A Consultation Report is due to Council no later than three months prior to the event for Council review and decision.
Notification of Road Closures	If road closures are approved, all affected businesses and residents must be notified of closure dates and times via letter. Advanced notice signage must be installed around the route for at least two full weeks prior to event. Council must approve the size and content of these signs at least three full weeks prior to the event. Route and traffic detour maps must be made available online to Council and the public.
Conditions of Road Closure Approval	Organisers are required to meet any conditions imposed by Council in relation to road closure approval.
Traffic Management Company <i>Including key contact details</i>	
URL of closure and detour maps	
Please provide details of resident notification and communication activities planned:	
Advanced notice signage	Please attach a proof of the planned signage

Activities requiring further information or approvals

Fires, BBQs etc	→ Permit required during fire danger season (see CFS)	Permission may be required from Council's Regulatory Services. Discuss with the Events Officer.
Liquor	→ Liquor licence required	Contact Consumer and Business Services via cbs.sa.gov.au and request a letter of support from the Events Officer.
Fireworks/pyrotechnics	→ State legislation applies	A licenced pyrotechnician must be employed. Visit safework.sa.gov.au for more information. Council may request additional documentation.
Animals for display or handling	→ Inspection of animal management practises may be required	Refer to Appendix 3 of Council's Festivals and Events Policy and discuss with the Events Officer.
Amplified music / speeches	→ Regulations may apply	Discuss with Events Officer.

Supply or Sale of Food		→ Food handling regulations apply	Council's Health Officers may need to conduct routine checks. Provide a list of all suppliers and caterers including contact details to the Events Officer.
Roadside Trading		→ A Roadside Trading Permit is required when public road verges are being used for business purposes.	Request an Application for Trading on Council Land
Development Approval		→ Development Approval is required for events on private land <i>Note: this may be an involved process, allow up to six months</i>	Contact Council's Team Leader Statutory Planning on 8408 0567, or Duty Planner Development Services on 8408 0400
SA Police Crowded Places Assessment	Due to heightened concerns around rogue vehicle attacks, SA Police are asking all outdoor events to complete a Crowded Places Assessment, visit police.sa.gov.au/online-services/mass-gatherings . Please provide a copy of your final score to the Events Officer at least two weeks prior to your event date.		

Statement of understanding

I, _____, acknowledge that the Motoring Event Application submitted herein is subject to the consideration and approval of authorised Officers of Adelaide Hills Council.

I authorise for the information contained in and attached to the Application to be circulated and reviewed by Adelaide Hills Council Officers and their advisers. I acknowledge that personal information provided by me on this form will be used by Council or its agents and can be accessed by me and may also be available to third parties in accordance with the *Freedom of Information Act SA (1991)*.

I confirm that I have read Council's *Festivals and Events Policy* and understand that this application may be refused if the requirements of the Policy, Application or AHC staff are not met.

I acknowledge that it is the responsibility of the Event Organiser to ensure that the event meets all necessary by-law, policy, standards, and legislative requirements.

I acknowledge that it is the responsibility of the Event Organiser to ensure that all other parties involved in the event have the appropriate level of Public Liability Insurance (to be retained by the Event Manager).

I am aware that this Application will not be valid until evidence has been provided of **Public Liability Insurance with a cover of \$20 million (minimum)**.

The Event Organiser agrees that any and all damage to the road surface or road furniture caused by the running of the event must be repaired at the cost of the Event, to the satisfaction of Council.

The Event Organiser agrees to indemnify and to keep indemnified the Council, its servants and agents and indemnifies each of them from and against all actions, costs, claims, damages, charges and expenses whatsoever which may be brought or made claimed against them or any of them arising out of or in relation to the issuing of the permit. Any undisclosed alterations to the said event or non-compliance with the general and special conditions of the permit, once issued, may result in the permit being revoked pursuant to Section 225 of the *Local Government Act SA (1999)*.

I have attached evidence of Public Liability Insurance (\$20 million minimum)

Applicant Name		Council Officer	
Signed		Signed	
Date		Date	

Send completed application to:

Events Officer
events@ahc.sa.gov.au

Adelaide Hills Council
PO Box 44
Woodside SA 5244

This page intentionally left blank

**APPLICATION FOR COUNCIL APPROVAL FOR A LIMITED LICENCE
where alcohol is being sold and served**



To the Attention of:

Executive Assistant
Development & Regulatory Services

Fax No: 8389 7440
E-mail: mail@ahc.sa.gov.au
Mail: Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244

Instructions: fill in all spaces using clearly readable block letters

Applicant:

I, (in block letters please)

on behalf of:

On this date:/...../ 20.....

The Event:

seek written approval from Council for:

event to be held on:/...../ 20..... Day of Week:

at: (venue address)

site plan required: Yes/No – (refer to **Note 1 overleaf**).....

to start at: am/pm and finish at:.....am/pm

maximum number of guests:

description of music/live entertainment to be provided: (e.g., concert, band, singer, etc)
(State whether this will be amplified or acoustic – refer to **Note 2 overleaf**)

number of toilet facilities at venue and provision of additional toilets: M F Disabled Portable (refer to **Note 3 overleaf**)

Type of Limited Licence (tick one only)

- the sale of alcohol
- temporary extension of trading rights under current licence
- consumption of or supply of alcohol on regulated premises (with no sale of alcohol)

Keep South Australian Vines Safe refer to **Note 4 overleaf**

Please forward Council approval direct to the Liquor Licensing Commission.

Applicant Contact details:

Telephone: Home: Work:

Mobile: Fax:

Address:

E-mail:

Applicant's Signature:

NOTES

Note 1 Site Plan

A site plan will need to be provided where an event requires additional car parking and structures to be erected (e.g., stage, marquee, toilets, etc) in order for Council to assess the possible impacts of the event on neighbouring properties.

Note 2 Music/Entertainment

If the music/entertainment is to be amplified, please provide a plan showing the location of the stage and direction of the speakers.

Note 3 Provision of Toilets

If there are insufficient toilets on site for the number of guests expected to attend, there will be a requirement for additional toilets to be hired. Please contact the Executive Assistant, Development & Regulatory Services, for clarification.

Note 4 Biosecurity – Keep South Australian Vines Safe

South Australia has some of the oldest winegrape vines in the world. Shoes, clothing and vehicle tyres can pick up and spread harmful pests and diseases, including phylloxera. When planning your event, please consider biosecurity risks. Please don't allow visitors to walk amongst vines. Help protect South Australia's \$2.35 billion wine industry. For more information about vineyard biosecurity visit www.vinehealth.com.au



Application for Trading on Council Land

For business purposes

Please complete all spaces using clearly readable block letters

Section 222 of the Local Government Act 1999 outlines that a person must not use a public road for business purposes without a permit. **“Business purposes” include the use of land even if it is not intended to make a profit.**

In order to meet the requirements of the Local Government Act 1999, Council have introduced a permit and licence system to govern the use of roadside verges by either adjacent businesses or other persons wishing to sell goods. This permit and licence system is not a right, but a privilege, to be granted only where there is no adverse impact on pedestrian and other road users safety and where the amenity of the locality can be preserved. Please complete the form below when applying to use roadside verges for business purposes.

Applicant	
I,	(in block letters please)
for and on behalf of:
of	(address)
phone	(daytime) (mobile).....
Hereby make application to the Adelaide Hills Council requesting the use of:	
Detail location
On date/s (dd/mm/yyyy):
between the hours ofam/pm andam/pm

Details of proposed activity
<p>Please complete the ‘Activity Summary’ section of this application form and provide Council with a separate layout plan of your activities. Please give full details of your proposed activity, including:</p> <ul style="list-style-type: none"> • Produce/items for sale and how they will be displayed • Address and area/township that you propose to be operating from (attach site map/plan) • Name of person in charge of activity (if different from the applicant) • Details of any vehicle being used as part of the activity (e.g. to display goods), including registration number • Proposed days of business (e.g. weekends only, specific weekdays, public holidays etc) • Proposed times that the activity will be undertaken <p>In order for Council to consider an application requesting use of the road verge, the following items must be attached to this form:</p> <ul style="list-style-type: none"> • Site map clearly indicating the specific land to be used. Note: street directory maps are only acceptable for mobile vendor applicants. All other applicants are required to submit a detailed site map. • Written approval and full contact details from adjacent land owner/s for your proposed site, where the land is not situated in front of the property on which you reside or operate a business. • Details of any proposed signage to be displayed (dimensions, content etc). If you are to display any signs, please include the location of these on your site plan.

Activity Summary

In the space below, please provide a summary of your proposed activity. Your summary will be used as the basis for the information distributed to relevant Council departments for the purpose of assessing your application. *(If the space provided below is insufficient, please attach a separate page)*

Description of produce/items to be sold:

Address, area/township of proposed activity: *(attach site map/plan)*

Name of person in charge of activity:

Description and registration of vehicles used as part of activities:

Date/s of activity (dd/mm/yyyy):

Hours of activity:am/pm untilam/pm

Any other relevant details:

The issuing of a permit is subject to the permit holder:

- Agreeing to the general conditions of the permit as contained herein.
- Agreeing to any special conditions which the Adelaide Hills Council may determine from time to time.
- Agreeing to all directions that the Adelaide Hills Council may determine from time to time.
- Paying the prescribed fees as set out in the general conditions of the permit as contained herein.

I certify that the above information is true and correct and furthermore, in making this application, I acknowledge that I have read, understood and agree to be bound by the permit conditions including payment of any applicable fee.

In making this application for a permit/licence I agree, upon the Adelaide Hills Council issuing a permit to me, to:

- Indemnify the Adelaide Hills Council against any claim for loss, damage or injury however arising from the operation of the roadside trading area; and
- Not claim from the Adelaide Hills Council or any person acting on their behalf, for any loss, damage or injury however arising from any public work on the public place.

Signed: Date: / /

Animal Management

If your event will include animals for display or handling, please complete the following and contact Council's Environmental Health Officer to arrange an inspection.

Type of animals in attendance	
Purpose of attendance	
Management containment	
Waste disposal arrangements	
Hand washing facilities	

Supply or Sale of Food

If food will be served or sold at your event, please complete the following and contact Council's Environmental Health Officer, who will liaise with your suppliers/caterers.

Type of Food	Facilities being used/required	Supplier/Caterer Details	
		Name	
		Phone	
		Email	
		Name	
		Phone	
		Email	
		Name	
		Phone	
		Email	

If more than three suppliers, please add separate sheet with details

If your event requires changes to normal operation of public roads, you may need to apply for road restrictions or road closures.

Road restrictions include changes to speed limits, parking, and traffic flow (e.g. 25km/hr zones, no parking areas or no left-hand turns).

Council is able to assess the feasibility of these requests for local roads only. For roads under the jurisdiction of the Department of Transport and Infrastructure (DPTI), these requests must be made to that department. Council's Communications and Events Officer can assist you in identifying who manages the road/s being considered for restrictions.

Road closures apply when part or all of a public road is entirely closed to traffic (e.g. for street parades or sporting events).

Under Section 33 of the Road Traffic Act, road closure orders are made by the Superintendent of the Police, however this order cannot be made without first receiving consent from the relevant local Council. If you intend to request a road closure as part of your event, please note the following requirements:

Council's Communications and Events Officer will submit a report to Council on your behalf to request consent for a road closure. If consent is granted by Council, the Officer will send notification of the closure to SA Police for an order to be raised.

To complete the necessary report, the Officer will require:

- A description of the section of road to be closed
- The timeframe for the closure
- The purpose for the closure
- Information on the accredited traffic management company that will manage traffic management plans and detours
- Information on the proposed community consultation/notification in relation to the disruption to regular local traffic

Reports to Council take additional time and event organisers should allow at least two months for this process to be completed.



Event Planning Checklist

Essential considerations for all Event Organisers

The following considerations are recommended by Council for a safe and successful event.

This form is a checklist for event organiser use and does not need to be submitted; however Event Organisers may be asked to provide evidence of these steps for Council's consideration when assessing an application.

Accessibility All Event Organisers should consider accessibility for people with disabilities. This may include, for example, assessing availability of ramps, disabled toilets, high-vis signage and large print maps.		
Have you considered accessibility to all services and facilities at your event?	<input type="checkbox"/> Y <input type="checkbox"/> N	Organiser Notes:
Additional Toilets Additional toilet arrangements must be in accordance with any liquor licence approval. You may also need to supply additional portable toilets/toilet blocks to cater for expected attendance at your event. It is the Event Organisers responsibility to ensure that an approved plumber and electrician are used to complete the installation of any additional toilet blocks.		
Will you be supplying additional portable toilets or toilet blocks?	<input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> Disabled	Organiser Notes:
Amusement Rides It is the Event Organisers responsibility to ensure that the correct South Australian accreditation paperwork has been supplied along with a copy of the operators' public liability insurance.		
Do you have the correct accreditation paperwork and public liability insurance certificate from service operators?	<input type="checkbox"/> Y <input type="checkbox"/> N	Organiser Notes:

<p>Emergency Services</p> <p>It is recommended that all Event Organisers contact South Australian Police, CFS and SA Ambulance with information about events that could require additional services.</p>		
<p>Have you advised Emergency Services of your event?</p>	<p><input type="checkbox"/> SAPOL <input type="checkbox"/> CFS</p> <p><input type="checkbox"/> Ambulance <input type="checkbox"/> Other</p>	<p>Organiser Notes:</p>
<p>Event Management, Risk Assessment and Emergency Response Plans</p> <p>Event Organisers should develop comprehensive plans exploring responsibilities, risk aversion and contingencies well in advance of their event to help ensure the safest possible outcome for organisers and participants. Templates for these plans can be found in this Toolkit.</p>		
<p>Have you developed the appropriate plans for your event?</p>	<p><input type="checkbox"/> Event Management Plan</p> <p><input type="checkbox"/> Risk Assessment Plan</p> <p><input type="checkbox"/> Emergency Response Plan</p>	<p>Organiser Notes:</p>
<p>First Aid</p> <p>Event Organisers will need to conduct their own risk assessment to determine whether First Aid is required (e.g. for small events it may be determined by Event Organisers that a First Aid Kit is sufficient; for larger events an official First Aid presence may be required).</p>		
<p>Will First Aid be available at your event?</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Organiser Notes:</p>
<p>Indigenous Relations</p> <p>The Adelaide Hills Council region lies across the traditional lands of the Kurna and Peramangk people. When planning an event, organisers should consider how it may be appropriate to involve indigenous leaders from the community in planning, and/or acknowledge traditional owners of the land during formalities.</p>		
<p>Have you considered ways in which to involve and/or acknowledge the indigenous community in your event?</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Organiser Notes:</p>

<p>Licensed Music Playing licenced music at a public event requires an appropriate licence. Refer to www.apra-amcos.com.au for information on using licenced music.</p>		
<p>Have you considered that you may require an APRA Licence to use or play licenced music?</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Organiser Notes:</p>
<p>Lighting and power All electric appliances used at the event should be tagged and tested; it is the Event Organisers responsibility to ensure all suppliers also comply. Power cords crossing an access, footpath or road should be covered by a ramp or other safety device to prevent trip hazards.</p>		
<p>Have you confirmed that all electrical appliances are tagged and tested?</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Organiser Notes:</p>
<p>Have you assessed trip hazards and determined how to minimise these?</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	
<p>Personal Protective Equipment (PPE) All staff and volunteers should be provided with PPE relative to the event and their role. Examples of PPE include hats, sunscreen, sunglasses, drinking water, safety jackets, adequate clothing coverage.</p>		
<p>Have you arranged appropriate PPE for event staff and volunteers?</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Organiser Notes:</p>
<p>Promotions and Publicity Event Organisers are responsible (with their committees/teams) for the promotion and publicity of their event. Consider media releases to state and local media, as well as utilising local newsletters and social media platforms like Facebook and Twitter.</p>		
<p>What are the featured “selling points” of your event? <i>These are the things media will want to know up front.</i></p>	<p>1)</p> <p>2)</p> <p>3)</p>	<p>Organiser Notes:</p>
<p>Have you identified your target audience? (e.g. families, 18yrs+, car enthusiasts etc) <i>This will help you identify where to place your messaging</i></p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	

<p>Public Communications Public communications ensure that you are able to contact others in the event of an emergency and can include mobile phones, PA system, two-way radios etc.</p>		
<p>Have you organised public communications for staff and/or volunteers at your event?</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Organiser Notes:</p>
<p>Public Consultation It is the Event Organisers responsibility to ensure that surrounding residents and businesses have been advised of the event and any potential impacts (e.g. noise, traffic etc)</p>		
<p>Have you advised surrounding residents and businesses of your event and the potential impacts on them?</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Organiser Notes:</p>
<p>Public Transport If your event is likely to affect public transport routes or timing, the Event Organiser should contact the relevant public transport providers with information so they can adapt as required.</p>		
<p>Will your event create the need for extra public transport or affect the current public transport system?</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Organiser Notes:</p>
<p>Security You may need to supply security for your event. Security arrangements must be in accordance with your liquor licence approval. It is the Event Organisers responsibility to ensure that security personnel have the relevant qualifications.</p>		
<p>Will you have qualified security personnel in attendance at your event?</p>	<p><input type="checkbox"/> Y <input type="checkbox"/> N</p>	<p>Organiser Notes:</p>

<p>Temporary Structures</p> <p>Temporary structures include portable staging, marquees, amusement rides or other constructions that will be erected for less than 30 days. If the structure will be in place for longer than 30 days, you will require Development Approval. If you are using staging and rigging structures over one metre high you will need to notify SafeWork SA. Refer to www.safework.sa.gov.au for more information.</p>		
Will you have any structures in place for over 30 days?	<input type="checkbox"/> Y <input type="checkbox"/> N	Organiser Notes:
Have you identified any temporary structures over one metre in height?	<input type="checkbox"/> Y <input type="checkbox"/> N	
<p>Working with children</p> <p>It is the Event Organisers responsibility to ensure that all staff and volunteers who will be involved in activities or facilities for children have undergone the necessary accreditation and police checks.</p>		
Do staff and volunteers working with children have the appropriate accreditation?	<input type="checkbox"/> Y <input type="checkbox"/> N	Organiser Notes:
<p>Volunteers</p> <p>It is the Event Organisers responsibility to ensure that volunteers are covered by insurance and receive adequate training and induction for their role, and that you are in compliance with the Volunteer Protection Act SA 2001 and Regulations.</p>		
Are you in compliance with the Volunteer Protection Act SA 2001 and Regulations?	<input type="checkbox"/> Y <input type="checkbox"/> N	Organiser Notes:

Useful Contacts and Templates

The following are contacts and websites that may be useful for event organisers.

Australasian Performing Rights Association	www.apraamcos.com.au	(08) 8239 2222
Consumer Business Services	www.cbs.sa.gov.au	131 882
Country Fire Service (CFS) Region 1 – Mt Lofty Ranges	www.cfs.sa.gov.au	(08) 8391 1866
CFS Fire Ban Hotline	-	1300 362 361
Department of Planning, Transport & Infrastructure (DPTI)	www.dpti.sa.gov.au	1300 872 677
Environment Protection Authority	www.epa.sa.gov.au	(08) 8204 2004
ZeroWaste	www.zerowaste.sa.gov.au	1300 137 118
Food Safety	www.health.sa.gov.au/pehs	(08) 8226 7107
SA Ambulance	www.saambulance.com.au	1300 136 272
SafeWork SA	www.safework.sa.gov.au	1300 365 255
SA Police (Awards, Marketing & Events)	www.sapolice.sa.gov.au	(08) 7322 4368
SA Police (Hills & Fleurieu Local Service Area)	www.sapolice.sa.gov.au	(08) 8398 1700
SA Police (Licensing Enforcement)	www.sapolice.sa.gov.au	(08) 7322 3342

As part of your risk management strategy, it is also good practice to undertake a safety assessment of crowded places with South Australia Police: www.police.sa.gov.au/online-services/mass-gatherings

Event Management Templates

On the following pages you will find a selection of example templates for various event management processes. These are not Council documents, but are highly recommended for all event organisers to ensure their event is conducted in the most efficient and safe way possible.

For assistance with how to best use these sorts of templates, please contact Council's Communications and Events Officer on (08) 8408 0427.

Example Risk Assessment Template

Process:

Use the matrix provided below to judge the likely risk of activities and hazards at your event. Where possible, identify ways to minimise that risk through the addition of actions or control measures.

Examples:

Hazard	Risk Ranking	Actions / Control	Responsibility
Power cords to catering are a trip hazard	8 – Moderate risk	Power cords to be elevated above the walkway	Catering Manager
Staff or volunteers practise improper manual handling	4 – Low risk	All staff and volunteers to be provided with manual handling training	Event Coordinator

0-5 = Low risk 6-10 = Moderate risk 11-15 = High risk 16-25 = Extremely high, unacceptable risk		Severity of the potential injury or damage				
		1 Insignificant damage to property, equipment or minor injury	2 Non-reportable injury, minor loss of process or slight damage to property	3 Reportable injury, moderate loss of process or limited damage to property	4 Major injury, single fatality, critical loss of process/damage to property	5 Multiple fatalities, catastrophic loss of business
Likelihood of the hazard occurring	5 Almost certain	5	10	15	20	25
	4 Will probably occur	4	8	12	16	20
	3 Will possibly occur	3	6	7	12	15
	2 Remote possibility	2	4	6	8	10
	1 Extremely unlikely	1	2	3	4	5

Example Event Emergency Response Plan Template

Event Name:

Event Location:

Event Date: Expected attendance:

Start Date/Time: Finish Date/Time:

Event Coordinator:

General description of activities being undertaken:

Who / What	Details
Chief Safety Warden	<ul style="list-style-type: none"> • <name> (typically the event organiser)
First Aiders	<ul style="list-style-type: none"> • <name> • <name> • <name>
Medical HQ / sick bay	<ul style="list-style-type: none"> • <location>
Fire Marshalls	<ul style="list-style-type: none"> • <name> • <name>
Fire extinguishers, fire blankets, hose reels	<ul style="list-style-type: none"> • <location> • <location> • <location>
All staff and volunteers	To follow instructions of the response plan (below) and direction from the Chief Safety Warden and Emergency Services.

Emergency situations that may occur and require response:

- a) Medical emergency
- b) Fire
- c) Bomb threat
- d) _____ <event specific situation>

Emergency situations may require first aid treatment, emergency services response, threat containment, or evacuation of the area.

Example:

Emergency	Response Actions
Medical Emergency <i>e.g. serious injury, allergic reaction</i>	First on scene: apply first aid if trained; radio for first aid assistance Chief Safety Warden: assess level of medical emergency, call 000, meet and guide emergency service staff to location of emergency First Aiders: respond to call for first aid assistance; treatment on scene to level of training

Emergency	Response Actions
<p>a) Medical Emergency <i>e.g. serious injury, allergic reaction</i></p>	<p>First on scene: Chief Safety Warden: First Aiders: Other:</p>
<p>b) Fire <i>e.g. building fire, bush fire</i></p>	<p>First on scene: Chief Safety Warden: Fire Marshalls: Other:</p>
<p>c) Bomb Threat</p>	<p>First on scene: Chief Safety Warden: Other:</p>
<p>d) Event specific situation <i>e.g. amusement ride collapse, race car accident</i></p>	<p>First on scene: Chief Safety Warden: Other:</p>

Training required for staff and volunteers in line with their responsibilities:

- First Aid Training (first aiders, Chief Safety Warden)
- Fire Marshall Training (fire marshals, Chief Safety Warden)
- Evacuation Plan Training (all staff and volunteers)
- Emergency Response Training (all staff and volunteers)

Example Event Contacts Template

Event Name:

Event Location:

Event Date: Expected attendance:

Start Date/Time: Finish Date/Time:

Event Coordinator:

Name	Organisation / Role	Phone Number
<i>e.g. Jane Citizen</i>	<i>Event Coordinator</i>	<i>0407 xxx xxx</i>
<i>e.g. John Smith</i>	<i>Vanity Hire (toilets)</i>	<i>0407 xxx xxx</i>

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 27 August 2019
AGENDA BUSINESS ITEM**

Item: 12.2

Originating Officer: Mark de Lange, Community Development Officer Youth & Recreation

Responsible Director: David Waters, Director Community Capacity

Subject: Youth School Holiday Program – Driver Education Proposed Road Closures

For: Decision

SUMMARY

This report seeks Council to make an order for road closures to facilitate a Young Driver Education Program on Wednesday 9 October 2019, and Wednesday 22 April 2020. A formal road closure order needs to be made for the closure to occur.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
 2. That pursuant to Section 33(1) of the *Road Traffic Act 1961* and Clause G of the Instrument of General Approval of the Minister dated 22 August 2013, to:
 - a. Declare that the Driver Education Program that is to take place on Newman Road, Charleston is an event to which Section 33 of the *Road Traffic Act 1961* applies.
 - b. Make an order directing that a section of Newman Road, Charleston, between Five Lanes Road and Lewis Road, be closed to traffic for the period between 9.00am and 6.00pm on Wednesday 9 October 2019, and 9.00am and 6.00pm Wednesday 22 April 2020.
 - c. Make an order directing that persons taking part in the event be exempt from the duty to observe the Australian Road Rules Rule 238 (Pedestrians travelling along a road)
 - d. Make an order directing that all vehicles except emergency and participant vehicles and local residents living at the named section of Newman Road, be excluded from the closed section of road for the period of the closure.
-

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal 1 People and Business Prosper
Strategy 1.13 We will work with other levels of government to improve safety for road users (including pedestrians and cyclists)

The program educates young drivers on how to adopt a defensive style of driving, thus improving safety on roads in the district.

Goal 2 Activities and Opportunities to Connect
Strategy 2.5 We will support opportunities for learning in our community to increase the confidence, wellbeing and health of our citizens
Strategy 2.8 We will improve the engagement and participation of younger people in our district

Besides promoting defensive driving, the program also educates participants about the capacities and limitations of the human body and mind in relation to driving. In doing so, young drivers learn about strategies that help put them in the best position, both physically and mentally, to be safe road users.

By providing courses such as these and general youth development activities, Council develops a relationship with youth in the district and the general community that goes beyond the services traditionally provided by Council and helps create an awareness of further opportunities to participate and interact with Council.

➤ Legal Implications

Section 33 of the *Road Traffic Act 1961* gives “the Minister” powers to make road closure orders. That power has been delegated to Councils in respect to local roads.

➤ Risk Management Implications

The requested road closure will assist in mitigating the risk of driver safety education exercises on a public road leading to accidents and subsequent legal and reputational risks to Council.

Inherent Risk	Residual Risk	Target Risk
Extreme (5C)	Low (1E)	Low (1E)

By closing the road, the area can be used without risk to the general public.

➤ **Financial and Resource Implications**

Fees for the training are \$120 per participant, with a maximum of 15 participants per course day. Through its Youth Development Project budget, the Council will subsidise \$50 per participant, with the remaining \$70 charged to the participant. This reduced fee is only available to young drivers who live, work or are being educated in the Adelaide Hills Council area.

The course is also open to young drivers who cannot satisfy these criteria, but they will be required to pay the full \$120. At first registration, prospective participants are made aware of these provisions, as well as their fee.

Costs payable to the course provider, the Australian Driving Institute, less fees received from participants, will be accommodated from existing Youth Development Project budgets.

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

Consistent with programs organised by Council Community Centres and Libraries, bookings will be managed using the online events booking service Eventbrite. This should minimise the impact of the Drivers' Awareness Course bookings on Customer Service staff when compared to the process followed in the past.

All questions from participants will be answered by the Community Development Officer Youth & Recreation.

➤ **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: Technical Officer

Community: The Council's Driver Awareness Courses have been running twice a year for 12 years and is highly regarded by the community. The courses have attracted only positive comments from residents. Residents at the relevant section of road will receive a letter advising them of the road closure, and that they will still have use of the road for access and egress. Exercises will be paused to allow them passage.

Very positive responses have been received from parents of participants; many parents have come back with younger siblings, and in some cases even booked in their young drivers for a repeat session.

Advanced warning of road closures will be put in place three weeks before the event.

Furthermore, like members of our Youth Advisory Committee previously, members of the Youth Leadership Program have expressed concern for young driver safety and are supportive of the program.

2. BACKGROUND

In the period of 2007 to date, Council's Youth Development program has facilitated two days of Driver Awareness training per year. Response has been very positive and consistent requests for its continuation and expressions of interest from community members have been received since.

This report seeks approval for road closures for driver training days in the October 2019 and April 2020 school holidays.

3. ANALYSIS

For 2019-20, two days of young driver awareness training have been planned, for Wednesday 9 October 2019 and Wednesday 22 April 2020.

The course requires participants to hold their Learner's Permit, Probationary Licence or have less than five years of experience. The course will provide a comprehensive 8-hour day of instruction encompassing both theory and practical training. The aim of the course is to produce drivers who are more aware of their abilities and can set safe limits while improving their capability to self-assess and, therefore, be more aware of the need to continually evaluate their driving standards on all public roads.

For this event, a stretch of public road needs to be closed so the practical driver training can be done in a safe environment, without endangering any other road users. The suggested road to be closed is a section of Newman Road, Charleston, between Five Lanes Road and Lewis Road. **Appendix 1** contains a Location Map with a proposed closed section marked between A and B. Over the years, this location has proven to not affect regular traffic overmuch. It also has the additional benefit of being in easy reach of the Charleston Community Hall.

Local residents living on this stretch of road will still have use of the road as exercises will be paused to allow them passage. As indicated earlier, residents will receive direct notification of the closure and advanced warning signs will be in place leading up to the event.

Council will undertake traffic management during the road closure, in accordance with Australian Standard AS1742.3 and relevant DPTI field guides.

Furthermore, in accordance with Section 33(1) of the *Road Traffic Act 1961* and Clause G of the Instrument of General Approval of the Minister dated 22 August 2013;

- The Commissioner of Highways will be notified at least two weeks prior to the date of the event (G.6); and
- The SA Metropolitan Fire Service, SA Country Fire Service, SA State Emergency Service, the SA Ambulance Service and the Public Transport Services Division of the Department of Planning, Transport and Infrastructure ("DPTI") as appropriate, will be notified at least two weeks prior to the date of the event (G.7).

The Australian Driving Institute is sufficiently insured for public liability (\$20 million) and professional indemnity (\$10 million) and has a risk management plan in place.

The course days will be publicised on Council's website, in schools and school newsletters, through email distribution lists and via the Adelaide Hills Council Youth Leadership Facebook page. Advertisements will also be run in local newspapers.

The driver awareness courses have consistently received much interest from residents, thanks to 'word-of-mouth' from participants of previous sessions and notes in school newsletters. For the next planned date in October 2019 many expressions of interest have already been received.

4. OPTIONS

Council has the following options:

- I. To approve the road closure for the requested dates and location (Recommended). The Council may resolve whether or not to approve the requested road closure for this event for the dates and site as proposed. Should it approve the closures as proposed, the event can proceed as planned and young drivers in the district can avail themselves of the opportunity presented.
- II. Not to approve the road closure for the requested dates and location (Not Recommended). Should the Council not approve the closures, it will be necessary to find an alternative site or date for the event or cancel the event. As the program has been run successfully for the past 12 years, there is a community expectation that the course be held in the October 2019 and April 2020 school holidays, evidenced by the enquiries received.

It should be noted this site has been chosen as the most suitable site in the Council area for this program, due to the close proximity of a sufficiently long enough, reasonably flat and straight stretch of road that is not a main thoroughfare (for practical exercises), and a hall or other room available for the theory sessions.

In light of the options and consequences provided, and the resultant level of risk remaining after mitigations, both in terms of safety risks for participants and corporate risks, including meeting Community expectations, it is recommended that Council approve the road closure for the dates requested.

5. APPENDIX

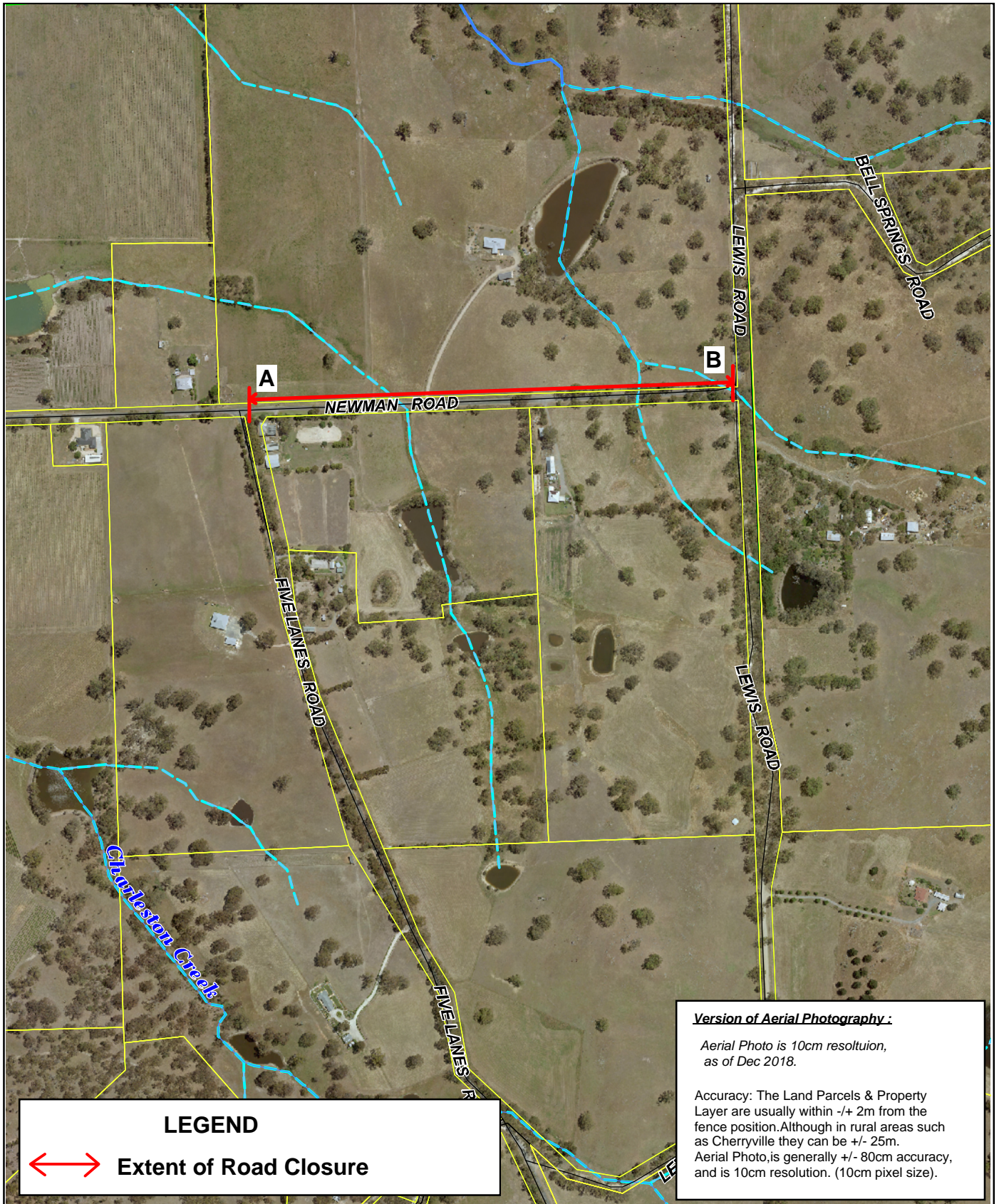
- (1) Location Map with proposed closed section marked between A & B

Appendix 1

*Location map with proposed closed section marked
between A & B*

Attachment 1 Road Closure Young Drivers Awareness Courses 2019-20

Location Map with proposed closed section marked between A & B



DISCLAIMER

Apart from any use permitted under the Copyright Act 1968, no part may be reproduced by any process without prior written permission obtained from the Adelaide Hills Council. Requests and enquiries concerning reproduction and rights should be directed to the Chief Executive Officer, The Adelaide Hills Council, PO Box 44, Woodside SA 5244. The Adelaide Hills Council, its employees and servants do not warrant or make any representations regarding the use, or results of use of the information contained herein as to its correctness, accuracy, currency or otherwise. In particular, it should be noted that the accuracy of property boundaries when displayed over aerial photography cannot be considered to be accurate, and that the only certain method of determining boundary locations is to use the services of a licensed Surveyor. The Adelaide Hills Council, its employees and servants expressly disclaim all liability or responsibility to any person using the information or advice contained herein. ©

SCALE
1: 7,500



**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Monday 28 August 2019
AGENDA BUSINESS ITEM**

Item: 12.3

Originating Officer: Mike Carey, Manager Financial Services

Responsible Director: Terry Crackett, Director Corporate Services

Subject: Procurement Policy

For: Decision

SUMMARY

The purpose of this report is to provide Council with an updated *Procurement Policy* for adoption.

Council via the Strategic Planning Development Planning Committee (SPDPC) previously adopted a *Procurement Policy* in November 2016.

As a result of the review, the updated draft Policy now includes:

- clarification and greater detail in relation to the scope of the Policy;
- policy additions including acquisition of land, unsolicited proposals and negotiation positions as well as defining procurement terminology;
- minor changes to the definition and consideration of environmental sustainability within the broader definition of Procurement Sustainability.
- increased emphasis to Council's commitment to Work, Health and Safety (WHS)

In addition, operational elements of the current Policy have been moved to the newly developed Procurement Framework and procedures.

A report went to the Audit Committee on 12 August 2019 regarding the update of the *Procurement Policy* and that Committee resolved that the draft *Procurement Policy* be recommended to Council for adoption.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
 2. With an effective date of 1 October 2019, to revoke the November 2016 *Procurement Policy* and to adopt the revised draft *Procurement Policy* in Appendix 1.
 3. That the Chief Executive Officer, or delegate, be authorised to make any formatting, nomenclature or other minor changes to the Policy during the period of its currency.
-

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal Organisational sustainability
Strategy Risk and Responsibility
Meet legislative, regulatory and good governance responsibilities and obligations

Procure goods and services that provide value for money

➤ Legal Implications

Section 49 of the *Local Government Act 1999* sets out the legislative requirements in relation to contracts and tender policies. The key elements are as follows:

- (a1) *A council must develop and maintain procurement policies, practices and procedures directed towards—*
 - (a) *obtaining value in the expenditure of public money; and*
 - (b) *providing for ethical and fair treatment of participants; and*
 - (c) *ensuring probity, accountability and transparency in procurement operations.*
- (1) *Without limiting subsection (a1), a council must prepare and adopt policies on contracts and tenders, including policies on the following:*
 - (a) *the contracting out of services; and*
 - (b) *competitive tendering and the use of other measures to ensure that services are delivered cost-effectively; and*
 - (c) *the use of local goods and services; and*
 - (d) *the sale or disposal of land or other assets.*
- (2) *The policies must—*
 - (a) *identify circumstances where the council will call for tenders for the supply of goods, the provision of services or the carrying out of works, or the sale or disposal of land or other assets; and*
 - (b) *provide a fair and transparent process for calling tenders and entering into contracts in those circumstances; and*
 - (c) *provide for the recording of reasons for entering into contracts other than those resulting from a tender process; and*
 - (d) *be consistent with any requirement prescribed by the regulations.*

➤ **Risk Management Implications**

The revision of the *Procurement Policy* will assist in mitigating the risk of:

Poor procurement practices leading to sub-optimal procurement outcomes, breach of legislation/policy and stakeholder concerns.

Inherent Risk	Residual Risk	Target Risk
High (4C)	Medium (4D)	Low

Note: the mitigation of the above risk is also contingent on the effective implementation of the procurement framework consisting of the policy and procedural guidance, tools and systems and procurement controls including templates, registers and auditing regimes.

➤ **Financial and Resource Implications**

There are no cost implications associated with the adoption of the revised Procurement Policy. It is however noted that expenditure on goods and services currently accounts for over 60% of Council expenditure, and as such it is imperative that procurement is undertaken in a prudent, efficient and accountable manner.

Procurement activities are generally undertaken by individual officers with procurement delegations as part of their substantive duties. Officers are assisted and advised by the Procurement Coordinator.

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

There is a high expectation that Council has appropriate processes in place to undertake procurement in a prudent, efficient and accountable manner that complies with legislative requirements.

➤ **Environmental Implications**

The proposed Procurement Policy contains, as part of the Procurement Principle regarding Sustainable Procurement, specific references to achieving environmental outcomes by seeking to:

- promote the purchase of environmentally friendly goods and services that satisfy value for money criteria;
- align the Council's procurement activities with principles of ecological sustainability;
- purchase recycled and environmentally preferred products where possible;
- integrate relevant principles of resource recovery and waste minimisation and consider those products that can be totally recycled at the end of life where resources allow:
 - select energy, fuel and water efficient products by considering star ratings and other consumption measures
 - purchase goods that minimise lifecycle costs and carbon emissions from manufacture to disposal;
- foster the development of products and services which have a low environmental impact;
- provide leadership to business, industry and the community in promoting the use of environmentally sensitive goods and services.

A change from the previous policy is the broadening of the “Sustainable Procurement” principle to include Environmental Preference.

➤ **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 draft Procurement Policy was considered by the Audit Committee at its 12 August 2019 meeting. The Committee resolved to recommend the policy to Council for adoption.

Advisory Groups: Not Applicable

Administration: Consultation has been held with ELT and the Senior Leadership Team as well as staff who undertake significant procurement activity.

Community: Not Applicable

2. **BACKGROUND**

In August 2018 AHC employed a Procurement Coordinator. Part of the duties of the Procurement Coordinator was to review AHC current procurement practices and develop improvement plans to address a number of areas previously identified by both Internal Audit and External Audit. The issues identified included the creation of a framework and procedural guidance required to operate an effective and efficient procurement function.

The Council’s *Procurement Policy*, being the overarching document for setting the principles and overall direction for procurement within Council, was due to be reviewed by Council by November 2019. Given the timing, this policy was reviewed in conjunction with the development of the operational procurement framework given the integral link between these two key procurement documents.

The *Procurement Policy* was last adopted by SPDPC in November 2016.

The Audit Committee were provided the opportunity to review the *Procurement Policy* at its 12 August 2019 meeting prior to the Policy being presented to Council for consideration.

As such, the Committee resolved as follows:

6.7. **Procurement Policy & Framework**

Moved Peter Brass
S/- Paula Davies

32/AC19

The Audit Committee resolves:

1. That the report be received and noted.
2. To recommend to Council the adoption of the Draft Procurement Policy as detailed in Appendix 1.
3. To note the development of the Procurement Framework to support the Draft Procurement Policy as detailed in Appendix 2.

Carried

3. ANALYSIS

The revised Procurement Policy (**Appendix 1**) is considered to be a key element of the overall Procurement Process as it sets both the tone and the overall approach to procurement within the Council.

The revised Policy is differentiated from its predecessor by the following:

- it removes the majority of the procedural content from the policy given this is now included in an operational Procurement Framework, supported by a suite of procurement procedures and guidelines, including tendering, acquisition planning and evaluation planning;
- it clarifies the scope of the Policy and has included references to the Acquisition of Land, Unsolicited Proposals and Negotiation positions as well as defining procurement terminology;
- it clarifies the circumstances in which Council will give preference to realising economic benefit to the Adelaide Hills Council area. This is consistent with principles established by the State Government's South Australian Industry Participation Policy (SAIPP);
- it more clearly articulates the procurement principles that an officer must have regard to when undertaking a procurement activity;
- it recognises the ability to use procurement activities to further the economic, social and environmental outcomes that are contained in various Council policies and strategies;
- it provides a list of categories exempted from the Tendering/Quoting process; and
- it gives increased emphasis to Council's commitment to Work, Health and safety (WHS) and the requirement for contractors to have safe systems of work in place and ensure that they will effectively manage WHS requirements throughout the contract period.

Within the *Procurement Policy*, direction is provided in relation to the appropriate method of procurement and the use of direct and competitive sourcing. It is proposed that there be no change from the previous policy in relation to the dollar amount where competitive sourcing should be utilised, namely:

- the seeking of at least three quotes for all procurements where the estimated gross value exceeds \$10,000, and
- the calling of tenders for goods and services exceeding \$100,000

Included as part of the policy review, was the review of the procurement delegations. It is proposed that there also should be no change to the dollar limits previously endorsed, noting that the reference to approval of payment of operational expenditure was removed given that these are addressed as part of the consideration of the annual review of the delegations register.

4. OPTIONS

Council has the following options:

- I. To endorse the draft *Procurement Policy* (**Appendix 1**) (Recommended)
- II. To determine not to adopt the draft Procurement Policy or to suggest changes are made to the Procurement Policy

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


5. APPENDICES

- (1) Draft Procurement Policy – August 2019
- (2) Procurement Policy – November 2016

Appendix 1

Draft Procurement Policy – August 2019

COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<h2 style="margin: 0;">PROCUREMENT</h2>
--	---

Policy Number:	FIN-01
Responsible Department(s):	Financial Services
Relevant Delegations:	Nil
Other Relevant Policies:	Disposal of Land Policy Disposal of Materials Policy Fraud & Corruption Prevention Policy Prudential Management Policy Code of Conduct for Council Employees Risk Management Work Health and Safety and Return to Work
Relevant Procedure(s):	(To be updated administratively)
Relevant Legislation:	<i>Local Government Act 1999</i> <i>Independent Commissioner Against Corruption Act 2012 (SA)</i>
Policies and Procedures Superseded by this policy on its Adoption:	Procurement Policy, 08 Nov 2016, 55/16
Adoption Authority:	Council
Date of Adoption:	(To be updated administratively)
Effective From:	(To be updated administratively)
Minute Reference for Adoption:	(To be updated administratively)
Next Review:	No later than November 2022 or as required by legislation.

PROCUREMENT

1. INTRODUCTION

- 1.1 In compliance with Section 49 of the *Local Government Act 1999 (Act)*, the Adelaide Hills Council (Council) should refer to this policy (**Policy**) when acquiring goods, works or services.
- 1.2 Section 49 of the Act requires Council to prepare and adopt policies on contracts and tenders on:
 - 1.2.1 the contracting out of services; and
 - 1.2.2 competitive tendering and the use of other measures to ensure that services are delivered cost-effectively; and
 - 1.2.3 the use of local goods and services.
- 1.3 Furthermore, Section 49 (a1) of the Act requires Council to develop and maintain policies, practices and procedures directed towards:
 - 1.3.1 obtaining value in the expenditure of public money; and
 - 1.3.2 providing for ethical and fair treatment of participants; and
 - 1.3.3 ensuring probity, accountability and transparency in all operations.
- 1.4 This Policy seeks to:
 - 1.4.1 define the methods by which Council can acquire goods, works or services;
 - 1.4.2 demonstrate accountability and responsibility of Council to ratepayers;
 - 1.4.3 be fair and equitable to all parties involved;
 - 1.4.4 enable all processes to be monitored and recorded; and
 - 1.4.5 ensure that the best possible outcome is achieved for the Council.

2. POLICY OBJECTIVE

Council aims to achieve advantageous procurement outcomes by:

- 2.1 enhancing value for money through fair, competitive, non-discriminatory procurement;
- 2.2 promoting the use of resources in an efficient, effective and ethical manner;
- 2.3 preserving, protecting and improving the natural environment;
- 2.4 making decisions with probity, accountability and transparency;

- 2.5 advancing and/or working within Council's economic, social and environmental policies;
- 2.6 providing reasonable opportunity for competitive local businesses to supply to Council;
- 2.7 appropriately managing risk; and
- 2.8 ensuring compliance with all relevant legislation.
- 2.9 assist Council to achieve its strategic objectives and other key strategies identified in Council's suite of corporate documents.

3. DEFINITIONS

<i>Acquisition Plan</i>	Is a document that outlines the procurement methodology and strategy to be undertaken in procuring the required goods, services or works. This plan also details the approval delegation before the procurement strategy is commenced.
<i>Procurement</i>	Is the complete action or process of acquiring or obtaining goods, works or services or property from outside Council at the operational level. For example, purchasing, contracting, and negotiating directly with the source of the supply through to acceptance and payment.
<i>Procurement Framework / Procedures</i>	Documents that support the Procurement Policy, and outlines the specific steps of Procurement Activity.
<i>Probity</i>	Is the demonstrated ethical behaviour, and can be defined as complete and confirmed integrity, uprightness and honesty in a particular process.
<i>Strategic Purchasing Cooperatives</i>	Purchases made through strategic alliances and common use arrangements that are established and administered by other approved organisations such as such as Local Government Association Procurement (LGAP), Procurement Australia (PA), Council Solutions and state and federal government contracts and any other purchasing group available to local government.
<i>Ethical Behaviour</i>	Involves demonstrating respect for key moral principles that include honesty, fairness, equality, dignity, diversity, individual rights and the rights of companies.
<i>Fair Dealing</i>	The transacting of business in a manner characterised by candor and full disclosure to all stakeholders.

4. SCOPE

- 4.1 This Policy covers the required conduct for all procurement activities associated with the acquisition of Goods, Works or Services of any value by the Council. This includes tendering arrangements and the contracting of services and applies to all Council employees.

4.2 Out of Scope:

- 4.2.1 This policy does not cover expenditure or revenue related to asset disposals, and other non-Procurement expenditure including, but not limited to: sponsorships, grants, incentive schemes, funding arrangements, donations, and direct employment contracts between Council and an employee. Controls related to these exceptions are covered in separate policies.
- 4.2.2 Leases and licenses for the use of Council property and land are not covered under this policy except where such arrangements include the provision of goods and services forming part of leasing, licensing and other revenue contractual activities.

5. PROCUREMENT PRINCIPLES

Council must have regard to the following principles in its acquisition of goods, works or services:

5.1 *Encouragement of open and effective competition*

- 5.1.1 Open and effective competition is the central operating principle in pursuit of the best outcome.
- 5.1.2 Openness requires procurement actions that are visible to the Council, ratepayers and suppliers/contractors. The probability of obtaining the best outcome is generally increased in a competitive environment.
- 5.1.3 Council will maintain confidentiality in regard to financial contractual arrangements with suppliers, subject to statutory obligations, the *Freedom of Information Act* and ICAC compliance requiring certain tender and contract information to be made publicly available.
- 5.1.4 Council will create effective competition by maximising the opportunities for firms to do business with Council through the selection of procurement methods suited to market conditions, the nature of the procurement, and the objectives of the procurement overall.
- 5.1.5 Council will offer and provide feedback, where sought, to unsuccessful bidders.

5.2 *Obtaining Value for Money*

- 5.2.1 Value for money involves obtaining goods, works or services for the Council that best meet the end user's needs at the lowest whole of life cost with an acceptable contractual risk.
- 5.2.2 This is not restricted to price alone.
- 5.2.3 An assessment of value for money must include, where possible, consideration of fitness for purpose, fair market prices, local economic development and whole of life costs. 'Whole of life' includes purchase price, cost of spares, running costs, post-delivery support, effective warranties, cost of replacement, installation costs and disposal costs.

5.3 *Probity, Ethical Behaviour and Fair Dealing*

- 5.3.1 Council will not use or disclose information that confers unfair advantage, financial benefit or detriment on a supplier.
- 5.3.2 Officers engaged in purchasing should at all times undertake their duties in a professional, ethical, honest and impartial manner, act responsibly and exercise sound judgment by observing the highest standards of integrity and professional conduct

5.4 *Accountability, Transparency and Reporting*

- 5.4.1 Accountability in procurement means being able to explain and demonstrate through evidence what has happened. An independent third party must be able to see clearly that a process has been followed and that the process is fair and reasonable.
- 5.4.2 Delegations define the limitations within which Council employees are permitted to work. They ensure accountability and provide confidence to Council and the public that purchasing activities are dealt with at the appropriate level. As such, Council has delegated responsibilities to employees relating to the expenditure of funds and or entering into contracts for the purchase of goods, works or services and the acceptance of tenders.
- 5.4.3 Employees must be able to account for all decisions and provide feedback on them. Additionally, all procurement activities will leave an audit trail for monitoring and reporting purposes.

5.5 *Ensuring compliance with all relevant legislation*

- 5.5.1 Employees must ensure purchasing activities are conducted in accordance with legislative and common law responsibilities. These include but are not limited to the *Local Government Act 1999*, *Work Health and Safety Act 2012*, *Competition and Consumer Act 2010*, the *Independent Commissioner Against Corruption Act 2012*, the *Freedom of Information Act 1991*, National Competition Policy and other relevant legislation, industrial awards and agreements and international trade agreements.

5.6 *Sustainable Procurement*

- 5.6.1 Sustainable procurement is defined as a process whereby Council meets its procurement needs in a way that achieves value for money whilst generating benefits not only to council, but also to our community, local economy, and the environment.
- 5.6.2 Council will consider, where deemed appropriate, of sustainable and social inclusion elements such as:
 - Creating employment and training opportunities (particularly among disadvantaged groups such as people with disability or mental illness, migrants, Indigenous) thus providing social inclusion and an opportunity for those to participate in the local community;

-
- Diversity and equality in the supplier market – encouraging a diverse base of suppliers (e.g. minority or under-represented suppliers); and
 - Local sustainability – building and maintaining healthy, strong communities, support social inclusion and enhancing wellbeing of local residents by striving to generate local employment.
 - To the extent permitted by law, Council will give preference to economic benefit to the Adelaide Hills Council area when all other commercial considerations are equal (e.g. capability, capacity and competitiveness). Council has a commitment to maximising the skills, development and employment opportunities available in the Adelaide Hills area. Consideration may be given, where practicable and appropriate, to incorporate strategies in the procurement process that support local employment and training, which may include Contractors engaging apprentices, trainees and cadets in their work practices.
 - Council will endeavour to provide support to local enterprises by holding briefings to encourage development of capacity to meet the needs of Council
 - promote the purchase of environmentally friendly goods and services that satisfy value for money criteria;
 - Council recognises the need to act in an environmentally sound manner in relation to procurement activities undertaken and its ability to drive sustainable outcomes through contributing to local and national markets for recycled goods and adhering to circular economy principles.
 - align the Council's procurement activities with principles of ecological sustainability;
 - purchase recycled and environmentally preferred products where possible;
 - integrate relevant principles of resource recovery and waste minimisation and consider those products that can be recycled at the end of life where resources allow ;
 - select energy, fuel and water efficient products by considering star ratings and other consumption measures
 - purchase goods that minimise lifecycle costs and carbon emissions from manufacture to disposal
 - foster the development of products and services which have a low environmental impact;
 - provide leadership to business, industry and the community in promoting the use of environmentally sensitive goods works or services.

5.7 Work Health & Safety

Council will only engage suppliers and/or contractors who can demonstrate they have:

- The ability to work within legislative requirements and any additional information requested by the organisation, based on the hazards associated with the task or activity to be undertaken;
- Provided documented information relating to the management of reasonably foreseeable site specific activities and hazards;
- The commitment to appropriately communicate on processes between the organisation and the contractor that demonstrate the consultation, cooperation and coordination between shared duty holders occurs, so far as is reasonably practicable;
- Are willing to participate in the ongoing monitoring and review of WHS requirements.

Contracts will contain the requirement for contractors to have safe systems of work in place and that they will effectively manage WHS requirements throughout the contract period.

6. PROCUREMENT METHODS

- 6.1 The determination of the method of procurement will be typically documented by the preparation of an Acquisition Plan, detailing the most appropriate method for the purchase and the delegated officers involved.
- 6.2 The appropriate method of procurement will be determined by reference to a number of factors, including value of the purchase, risks associated with the purchase and aspects relating to the availability of supply and other market conditions.
- 6.3 Persons with financial delegated authority to procure will be responsible for ensuring appropriate procurement practices and procedures including the identification of risk are observed.
- 6.4 The Council having regard to its Procurement Principles and any other factors considered relevant by Council will utilise either Direct or Competitive Sourcing.
 - 6.4.1 Direct Sourcing is a procurement process undertaken by directly approaching and negotiating with one supplier without testing the market. This method may only be used for the purchase of low value, low risk goods and services under \$10,000 (excluding GST). Consideration must be given to ensure Value for Money is achieved.
 - 6.4.2 Competitive Sourcing is process which will test the market and re-evaluate the purchasing activity to gain value. It differs from direct sourcing because it places emphasis on the entire life-cycle of a good or service, not just its initial purchase price. This requires a more stringent

planning approach and a better understanding of the competitive market place. In undertaking competitive sourcing:

- Council will seek to obtain at least three quotes for all procurements estimated gross value exceeds \$10,000(excluding GST).
- For purchases where the estimated gross value of expenditure over the life of the contract or purchase price of the goods and services exceeds \$100,000 (excluding GST), the Council's practice will be to call for tenders unless circumstances preclude this from occurring

6.4.3 The value of the purchase will be calculated as follows:

- single *one-off purchase* – the total amount, or estimated amount, of the purchase (excluding GST);
- multiple *purchases* – the gross value, or the estimated gross value, of the purchases (excluding GST); or
- ongoing *purchases over a period of time* – the annual gross value, or the estimated annual gross value, of the purchases (excluding GST).
- Splitting of amounts to bring expenditure within lower limits is not permitted.
- *The estimated gross value (excluding GST) of the contract. (Yearly spend multiplied by initial contract term)*

6.4.4 Council in approaching the market utilises a number of procurement tools including: Request for Quotes, Request for Expressions of Interest, and Request for Tenders or Strategic Purchasing Cooperatives.

6.4.5 Where the Council accesses a contract from a Strategic Purchasing Cooperatives, established in accordance with transparent competitive tendering processes, it is deemed that these are contracts resulting from a tender process. Such contracts do not require a further tender process and are not required to be recorded as an exemption from this policy.

7. NEGOTIATION

When requests for quotations, tenders or proposals have been invited for a contract for the carrying out of work or the supply of goods or services then council may negotiate with acceptable preferred providers to improve outcomes. Any negotiation process should be transparent, recorded and conducted in a manner that does not disadvantage other respondents.

The Procurement Principle of Probity, Ethical Behaviour and Fair Dealing requirements must be considered in respect to any negotiation undertaken.

The Council may close down a tender (shut down) if there are no suitable tender submissions received. In these circumstances the evaluation panel are to consider other options for procuring the goods, services or works including negotiating with any one or more of the previous tenderers or any other provider.

8. PROCUREMENT CONSIDERATIONS

The appropriate method of procurement will be determined by reference to a number of factors, including:

- 8.1 *Value of the Purchase*
- 8.2 *cost of an open market approach versus the value of the acquisition and the potential benefits;*
- 8.3 *the particular circumstances of the procurement activity;*
- 8.4 *the objectives of the procurement;*
- 8.5 *the size of the market and the number of competent suppliers;*
- 8.6 *the Council's leverage in the marketplace;*
- 8.7 *an assessment of the risks associated with the relevant activity and /or project, including the risk profile of the procurement and any risks associated with the preferred procurement method.*

9. ACQUISITION OF LAND

- 9.1 A decision to purchase or acquire land is made by resolution of Council, unless specifically delegated as per the *Local Government Act 1999* or another act.
- 9.2 Due to its unique nature, the acquisition of land is considered separate from the requirement of Direct or Competitive Sourcing methods.
- 9.3 The provision of services and activities supporting the acquisition of land, such as specialist advisors or contractors, are to be undertaken in accordance with this Policy.

10. EXEMPTIONS FROM THIS POLICY

- 10.1 This Policy contains general guidelines to be followed by the Council in its procurement activities. There may be emergencies, or procurements in which a tender process will not necessarily deliver best outcome for the Council, and other market approaches may be more appropriate.
- 10.2 In certain circumstances, the Chief Executive Officer (or where this power is delegated to a Procurement Committee) may waive application of a competitive quoting or tender process and pursue a method which will bring the best outcome for the Council. The Council must record its reasons in writing for waiving application of this Policy.
- 10.3 Where a Funding Agreement specifies that Council must follow a prescribed tendering process which differs from the process outlined in this Policy to the extent that only the prescribe inconsistencies shall be followed.

10.4 The following Procurement categories are exempt from the requirement of the Quote or Tender process:

- Government Departments or Government Bodies including Worker's Compensation, Mutual Liability Scheme and Vehicle Registrations;
- Court related costs;
- Payments to Local Government Association;
- Insurance claims;
- Leasing Property (Due Diligence principles must be applied to ensure Value for Money)

11. UNSOLICITED PROPOSAL

11.1 In some circumstances Council may receive a proposal to deal directly with the Council over a commercial proposition, where the Council has not requested the proposal. This may include proposals to build and/or finance infrastructure, provide goods or services, or undertake a major commercial transaction. If this occurs the process will be subject to Council's Unsolicited Proposal Policy (Currently being developed).

12. DELEGATIONS

12.1 Council makes the following delegations:

12.1.1 The Chief Executive Officer has the delegation to approve, amend and review any procedures that shall be consistent with this Policy.

12.1.2 The Chief Executive Officer has the delegation to enter into contracts to a value of \$500,000 (excluding GST)

12.1.3 The Chief Executive Officer may sub-delegate the authority to Council Officers to enter into contracts to a value of \$300,000 (GST exclusive).

12.1.4 The Chief Executive Officer and one other Council Officer at Director Level may jointly enter into contracts to a value of \$1,000,000 (excluding GST)

13. PRUDENTIAL REQUIREMENTS

13.1 In some circumstances a procurement process may require additional due diligence in accordance with the *Local Government Act 1999* prudential requirements. If this occurs the process will be subject to the Council's Prudential Management Policy.


14. AVAILABILITY OF THE POLICY

14.1 This Policy will be available for inspection at the Council's Offices during ordinary business hours and via the Council's website www.ahc.sa.gov.au. 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

Procurement Policy – November 2016

COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<h2 style="margin: 0;">PROCUREMENT</h2>
--	---

Policy Number:	GOV-08
Responsible Department(s):	Governance & Risk
Relevant Delegations:	Nil
Other Relevant Policies:	Disposal of Land Policy Disposal of Materials Policy Fraud & Corruption Prevention Policy Prudential Management Policy Code of Conduct for Council Employees
Relevant Procedure(s):	(To be updated administratively)
Relevant Legislation:	<i>Local Government Act 1999</i>
Policies and Procedures Superseded by this policy on its Adoption:	Procurement & Purchasing Policy, Item 12.1, 19 – 28/5/13
Adoption Authority:	Strategic Planning & Development Policy Committee
Date of Adoption:	8 November 2016
Effective From:	22 November 2016
Minute Reference for Adoption:	Item 12.3, 54
Next Review:	No later than November 2019 or as required by legislation.

PROCUREMENT

1. INTRODUCTION

- 1.1 In compliance with Section 49 of the Local Government Act 1999 (**Act**), the Adelaide Hills Council (Council) should refer to this policy (**Policy**) when acquiring goods and services.
- 1.2 Section 49 of the Act requires Council to prepare and adopt policies on contracts and tenders on:
 - 1.2.1 the contracting out of services; and
 - 1.2.2 competitive tendering and the use of other measures to ensure that services are delivered cost-effectively; and
 - 1.2.3 the use of local goods and services.
- 1.3 Furthermore, Section 49 (a1) of the Act requires Council to develop and maintain policies, practices and procedures directed towards:
 - 1.3.1 obtaining value in the expenditure of public money; and
 - 1.3.2 providing for ethical and fair treatment of participants; and
 - 1.3.3 ensuring probity, accountability and transparency in all operations.
- 1.4 This Policy seeks to:
 - 1.4.1 define the methods by which Council can acquire goods and services;
 - 1.4.2 demonstrate accountability and responsibility of Council to ratepayers;
 - 1.4.3 be fair and equitable to all parties involved;
 - 1.4.4 enable all processes to be monitored and recorded; and
 - 1.4.5 ensure that the best possible outcome is achieved for the Council.

2. POLICY OBJECTIVE

Council aims to achieve advantageous procurement outcomes by:

- 2.1 enhancing value for money through fair, competitive, non-discriminatory procurement;
- 2.2 promoting the use of resources in an efficient, effective and ethical manner;
- 2.3 making decisions with probity, accountability and transparency;
- 2.4 advancing and/or working within Council's economic, social and environmental policies;

- 2.5 providing reasonable opportunity for competitive local businesses to supply to Council;
- 2.6 appropriately managing risk; and
- 2.7 ensuring compliance with all relevant legislation.

3. SCOPE

- 3.1 This Policy covers the required conduct for all procurement activities associated with the acquisition of Goods, Works or Services of any value by the Council. This includes tendering arrangements and the contracting of services and applies to all Council staff.
- 3.2 However, this Policy does not cover:
 - 3.2.1 non-procurement expenditure such as sponsorships, grants, funding arrangements, donations and employment contracts; or
 - 3.2.2 the disposal of land and other assets owned by the Council; or
 - 3.2.3 the purchase of land by the Council.

4. PROCUREMENT PRINCIPLES

Council must have regard to the following principles in its acquisition of goods and services:

- 4.1 *Encouragement of open and effective competition*
 - 4.1.1 Open and effective competition is the central operating principle in pursuit of the best outcome.
 - 4.1.2 Openness requires procurement actions that are visible to the Council, ratepayers and suppliers/contractors. The probability of obtaining the best outcome is generally increased in a competitive environment.
 - 4.1.3 Council will create effective competition by maximising the opportunities for firms to do business with Council through the selection of procurement methods suited to market conditions, the nature of the procurement, and the objectives of the procurement overall.
 - 4.1.4 Council will offer and provide feedback, where sought, to unsuccessful bidders.
- 4.2 *Obtaining Value for Money*
 - 4.2.1 Value for money involves obtaining goods, works or services for the Council that best meet the end user's needs at the lowest total cost with the minimum level of acceptable contractual risk.
 - 4.2.2 This is not restricted to price alone.

- 4.2.3 An assessment of value for money must include, where possible, consideration of fitness for purpose, fair market prices, local economic development and whole of life costs. 'Whole of life' includes, purchase price, cost of spares, running costs, post-delivery support, effective warranties, cost of replacement, installation costs, etc.

4.3 *Probity, Ethical Behaviour and Fair Dealing*

- 4.3.1 Council will not use or disclose information that confers unfair advantage, financial benefit or detriment on a supplier.
- 4.3.2 Officers engaged in purchasing should at all times undertake their duties in a professional, ethical, honest and impartial manner, act responsibly and exercise sound judgment by observing the highest standards of integrity and professional conduct in line with the Code of Conduct requirements.

4.4 *Accountability, Transparency and Reporting*

- 4.4.1 Accountability in procurement means being able to explain and evidence what has happened. An independent third party must be able to see clearly that a process has been followed and that the process is fair and reasonable.
- 4.4.2 Delegations define the limitations within which Council employees are permitted to work. They ensure accountability and provide confidence to Council and the public that purchasing activities are dealt with at the appropriate level. As such, Council has delegated responsibilities to employees relating to the expenditure of funds for the purchase of goods and services and the acceptance of tenders.
- 4.4.3 Employees must be able to account for all decisions and provide feedback on them. Additionally, all procurement activities will leave an audit trail for monitoring and reporting purposes.

4.5 *Ensuring compliance with all relevant legislation*

- 4.5.1 To ensure purchasing activities are conducted in accordance with legislative and common law responsibilities. These include but are not limited to the *Local Government Act 1999*, *Competition and Consumer Act 2010*, the *Independent Commissioner Against Corruption Act 2012*, the *Freedom of Information Act 1991*, National Competition Policy and other relevant legislation, industrial awards and agreements and international trade agreements.

4.6 *Sustainable Procurement*

- 4.6.1 Sustainable procurement is defined as a process whereby Council meets its procurement needs in a way that achieves value for money on a whole-of-life basis in terms of generating benefits not only to the organisation, but also to our community, the economy and the environment.
- 4.6.2 Council encourages the consideration, where deemed appropriate, of sustainable and social inclusion elements such as:

-
- 4.6.2.1 Creating employment and training opportunities (particularly among disadvantaged groups such as people with disability or mental illness, migrants, Indigenous) thus providing social inclusion and an opportunity for those to participate in the local community;
 - 4.6.2.2 Diversity and equality in the supplier market – encouraging a diverse base of suppliers (e.g. minority or under-represented suppliers); and
 - 4.6.2.3 Local sustainability – building and maintaining healthy, strong communities, support social inclusion and enhancing wellbeing of local residents by striving to generate local employment.
- 4.6.3 Council will take into account accessibility of local providers when planning and designing infrastructure or services that will require external procurement.
 - 4.6.4 Council will endeavour to provide support to local enterprises by holding briefings to encourage development of capacity to meet the needs of Council.
- 4.7 *Environmental Preference*
- Council will seek to:
- 4.7.1 promote the purchase of environmentally friendly goods and services that satisfy value for money criteria;
 - 4.7.2 align the Council's procurement activities with principles of ecological sustainability;
 - 4.7.3 ;
 - 4.7.4 ;
 - 4.7.5 foster the development of products and services which have a low environmental impact;
 - 4.7.6 provide leadership to business, industry and the community in promoting the use of environmentally sensitive goods and services.
- 4.8 *Work Health & Safety*
- 4.8.1 Council will only engage suppliers and/or contractors who are able to maintain a level of WHS that is acceptable in accordance with Council's WHS Policies and Procedures and any additional requirements specified in terms and conditions of contractual arrangements.

5. PROCUREMENT METHODS

Generally, open and fair competition is best achieved by undertaking a tender process so that all interested parties have an opportunity to bid. However, there may be procurements in which a tender process will not necessarily deliver the most advantageous outcome for the Council – in such instances, other market approaches may be more appropriate.

The Council may, having regard to its Procurement Principles and any other factors considered relevant by the Council, in its absolute discretion determine to utilise one or more of the following procurement methods:

5.1 *Direct Purchasing*

5.1.1 This is where Council purchases from a single source, without first obtaining competing bids.

5.1.2 This method may be suitable for low value, low risk goods and services, and where the supplier already has a successful service history with the Council.

5.2 *Request for Quotations (RFQ)*

5.2.1 This is where Council obtains written quotations from prospective suppliers.

5.2.2 This method may be suitable for simple, largely price-based purchases.

5.2.3 A “Short Form Request for Quotation” can be used for purchases with minimal specifications.

5.2.4 A “Long Form Request for Quotation” can be used for purchases with detailed specifications.

5.3 *Requests for Expressions of Interest (REOI)*

5.3.1 This is where Council issues an open invitation for a proposed goods and/or service.

5.3.2 This method may be used where there is potentially a large market for the proposed goods and/or service, and the Council would like to be able to prepare a short list of suppliers to then invite to participate in a tender process.

5.4 *Request for Tenders (RFT)*

5.4.1 This is where the Council issues a tender for a proposed goods and/or service.

5.4.2 Council may issue a “Select” Request for Tender where it has already issued a REOI, or where it has reasonable grounds for only dealing with a select group of potential suppliers.

5.4.3 Otherwise, Council may issue an “Open” Request for Tender.

5.5 *Panel contracts*

5.5.1 This is where the Council establishes panel arrangements with a select group of suppliers – generally, this occurs once the Council has completed its appointment of such suppliers in accordance with this Policy, and can include either:

5.5.1.1 a standing offer from a pool of suppliers for the provision of goods and services on agreed terms; or

5.5.1.2 the prequalification of certain suppliers who may or may not be engaged on terms to be agreed.

5.5.2 Once a panel has been established, the Council may purchase the particular goods and/or service through such panel arrangements.

5.6 *Strategic alliances*

5.6.1 This is where the Council undertakes procurement through contract arrangements already established and administered by other organisations.

6. PROCUREMENT CONSIDERATIONS

The appropriate method of procurement will be determined by reference to a number of factors, including:

6.1 *Value of the Purchase*

Value of Purchase (\$)	Minimum Procurement Requirement	Applicable Procurement Method
< \$10,000	One quotation	Direct Purchasing Request for Quotations (RFQ) Request for Expressions of Interest (REOI) Request for Tender (RFT) Panel Contracts Strategic Alliances
\$10,000 to \$100,000	Three quotations	Request for Quotations (RFQ) Request for Expressions of Interest (REOI) Request for Tender (RFT) - Open or Select Panel Contracts Strategic Alliances
> \$100,000	Open Request for Tender or EOI	Request for Expressions of Interest (REOI) Request for Tender (RFT) – Open

The value of the purchase will be calculated as follows:

6.1.1 *single one-off purchase* – the total amount, or estimated amount, of the purchase (excluding GST);

- 6.1.2 *multiple purchases* – the gross value, or the estimated gross value, of the purchases (excluding GST); or
- 6.1.3 *ongoing purchases over a period of time* – the annual gross value, or the estimated annual gross value, of the purchases (excluding GST).
- 6.1.4 Splitting of amounts to bring expenditure within lower limits is not permitted.
- 6.2 *cost of an open market approach versus the value of the acquisition and the potential benefits;*
- 6.3 *the particular circumstances of the procurement activity;*
- 6.4 *the objectives of the procurement;*
- 6.5 *the size of the market and the number of competent suppliers;*
- 6.6 *the Council’s leverage in the marketplace;*
- 6.7 *time constraints;*
- 6.8 *a global assessment of the risks associated with the relevant activity and /or project, including the risk profile of the procurement and any risks associated with the preferred procurement method.*

7. RECORDS

- 7.1 Council will document the reasons for entering into specific procurement methods or contracts other than those resulting from a competitive quoting, tender process or for purchases less than \$1000. Records to be stored in Council’s Records Management System

8. EXEMPTIONS FROM THIS POLICY

- 8.1 This Policy contains general guidelines to be followed by the Council in its procurement activities. There may be emergencies, or procurements in which a tender process will not necessarily deliver best outcome for the Council, and other market approaches may be more appropriate.
- 8.2 In certain circumstances, the Chief Executive Officer (or where this power is delegated to a Procurement Committee) may waive application of this Policy and pursue a method which will bring the best outcome for the Council. The Council must record its reasons in writing for waiving application of this Policy.

9. DELEGATIONS

- 9.1 Council makes the following delegations:
 - 9.1.1 The Chief Executive Officer has the delegation to approve, amend and review any procedures that shall be consistent with this Policy.
 - 9.1.2 The Chief Executive Officer has the delegation to enter into contracts and approve expenditure to a value of \$500,000 (GST exclusive).

-
- 9.1.3 The Chief Executive Officer may sub-delegate the authority to Council Officers to enter into contracts and approve expenditure to a value of \$300,000 (GST exclusive).
- 9.1.4 The Chief Executive Officer and one other Council Officer at Director level may jointly approve payment of operational expenditure to a value of \$1,000,000. Examples of this type of expenditure are:
- Budgeted loan repayments
 - Budgeted non-elective services (e.g. insurance, waste costs)
 - Fortnightly payroll
 - Creditor Payments

10. PRUDENTIAL REQUIREMENTS

- 10.1 In some circumstances a procurement process may require additional due diligence in accordance with the *Local Government Act 1999* prudential requirements. If this occurs the process will be subject to the Council's Prudential Management Policy.

11. AVAILABILITY OF THE POLICY

- 11.1 This Policy will be available for inspection at the Council's Offices during ordinary business hours and via the Council's website www.ahc.sa.gov.au. Copies will also be provided to the public upon request, and upon payment of a fee in accordance with the Council's Schedule of Fees and Charges.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Monday 28 August 2019
AGENDA BUSINESS ITEM**

Item: 12.4

Originating Officer: Mike Carey, Manager Financial Services

Responsible Director: Terry Crackett, Director Corporate Services

Subject: Disposal of Assets Policy

For: Decision

SUMMARY

The purpose of this report is to provide Council with a *Disposal of Assets Policy* (Disposal Policy).

Council previously adopted a *Disposal of Land Policy* in 2014 and a *Disposal of Materials Policy* in November 2012. The new Disposal Policy has considered and consolidated these two policies into a single policy.

The Audit Committee at its meeting on 12 August 2019 reviewed the consolidated Disposal Policy and resolved to recommend to Council the adoption of the new policy as well as the revocation of the two existing policies.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted**
 - 2. With an effective date of 10 September 2019, to revoke the *Disposal of Land Policy*, as detailed at Appendix 2, and to revoke the *Disposal of Materials Policy*, as detailed at Appendix 3 and to adopt the draft *Disposal of Assets Policy* in Appendix 1.**
 - 3. That the Chief Executive Officer, or delegate, be authorised to make any formatting, nomenclature or other minor changes to the *Disposal of Assets Policy* during the period of its currency.**
-

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal 5 Organisational Sustainability
Strategy 5.3 Financial Sustainability

➤ Legal Implications

Section 49 of the *Local Government Act 1999* sets out the legislative requirements in relation to the sale or disposal of land or other assets.

Section 201 of the *Local Government Act 1999* sets out the legislative requirements in relation to sale or disposal of local government land.

➤ Risk Management Implications

The revision of these two Policies will assist in mitigating the risk of:

Disposal of assets (including land) failing to realise appropriate standards of accountability and responsibility leading to a loss of stakeholder confidence and suboptimal outcomes.

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

The draft Disposal Policy will ensure any sales will consider the legislative context for the sale as well as ensuring best return is achieved.

The Policy documents the acceptable methods of sale, as well as ensuring valuations are required when appropriate.

➤ Financial and Resource Implications

There is no specific budget or resource implications in relation to this Policy.

➤ Customer Service and Community/Cultural Implications

There is a high expectation that Council has appropriate asset disposal processes (including land) to ensure that the community's assets are disposed of in a manner that is accountable, responsible, fair and equitable to all parties involved and facilitates the best possible outcome is achieved for the Council.

➤ Environmental Implications

Environmental considerations in relation to how the asset is disposed of has been included in the revised policy.

➤ **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: Audit Committee item 6.8 on 12 August 2019

Advisory Groups: Not Applicable

Administration: Manager Property Services
Manager Sustainable Assets
Manager ICT
Executive Manager Governance and Performance
Governance and Risk Coordinator
Manager Open Space
Procurement Coordinator

Community: Not Applicable

2. **BACKGROUND**

Council has previously approved two policies relating to disposal of land and assets:

- *Disposal of Land Policy* INF-01 Due for review 2017
- *Disposal of Material* INF-04 Due for review 2014

Both of these policies are overdue for review. A number of councils have existing policy positions in place that support the application of one *Disposal of Assets Policy* covering both Land and Other Assets and this was seen as an appropriate model for Adelaide Hills Council.

The Audit Committee were provided the opportunity to review the Disposal Policy at its 12 August 2019 meeting prior to the Policy being presented to Council for consideration.

As such, the Committee resolved as follows:

6.8. Disposal of Assets Policy

Moved Peter Brass
S/- Paula Davies

33/AC19

The Audit Committee resolves:

1. That the report be received and noted.
2. To recommend to Council the adoption of the Disposal of Assets Policy as detailed at Appendix 1.
3. To recommend to Council the revocation of the Disposal of Land Policy, as detailed at Appendix 2, and the Disposal of Materials Policy, as detailed at Appendix 3.

Carried

3. ANALYSIS

A review has been undertaken of the two policies which included:

- consideration of the *Local Government Association’s Guide Policy for Disposal of Land and Assets*,
- review of other council disposal policies to ascertain industry best practice
- the previous policies, and
- advice from key Adelaide Hills Council stakeholders

The new Policy is differentiated from its predecessors in the following ways:

- the two Policies are combined into a single Policy
- it clarifies the scope of the Policy. Policy additions include the disposal of roads, unsolicited proposals, a compliance clause as well as defining disposal terminology.
- it removes the majority of the procedural content from the Disposal of Materials Policy with the intention for the development of a procedure.
- it introduces the concept that consideration should be given to the impact a land disposal would have on the local community. Council will give considerations to ecological value, trees and vegetation, character and appeal, accessibility, recreational value and cost of maintenance.
- it introduces a tiered approach to land valuations with higher valued land requiring two valuations.
- It clarifies the methods that may be utilised to dispose of Land.
- it articulates the disposal methods that an officer must have regard to when undertaking a disposal of assets activity, with amendments from the previous policies as follows:
 - Disposal Options for Assets have been clarified in relation to:
 - including “Auction Website” but only as an auctioned item and not as a “fixed price” item;
 - including an expression of interest process thus allowing for expressions of interest from interested parties including specialist resellers;
 - removal of Disposal by Staff Silent Auction as an option
- it defines which methods will permit Council Members and employees of the Council to purchase Assets being disposed of (open tender process or a public auction, and the tender submitted or bid made is the highest).
- it typically requires revenue from sale of Assets and Land to be applied to general revenue.
- It allows Exemptions from Policy when a situation arises whereby waiving application of this Policy and pursuing an alternative method would bring the best outcome for the Council.

Upon adoption of the *Disposal Policy*, the *Disposal of Land Policy (Appendix 2)* and *Disposal of Materials Policy (Appendix 3)* is recommended to Council for revocation.

4. OPTIONS

Council has the following options:

- I. To endorse the draft *Disposal of Assets Policy*, (Recommended)
- II. To not endorse the draft Policy (Not Recommended)

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

5. APPENDICES

- (1) Draft Disposal of Assets Policy
- (2) Disposal of Land Policy
- (3) Disposal of Materials Policy

Appendix 1

Draft Disposal of Assets Policy

COUNCIL POLICY

 Adelaide Hills <small>COUNCIL</small>	<h3>DISPOSAL OF ASSETS</h3>
--	-----------------------------

Policy Number:	Fin - 07
Responsible Department(s):	Financial Services
Other Relevant Policies:	Procurement Prudential Management Asset Management
Relevant Procedure(s):	Nil
Relevant Legislation:	<i>Local Government Act 1999 (SA)</i> <i>Real Property Act 1886 (SA)</i> <i>Land and Business (Sale and Conveyancing) Act 1994 (SA)</i> <i>Development Act 1993 (SA)</i> <i>Retail and Commercial Leases Act 1995 (SA)</i> <i>Residential Tenancies Act 1995 (SA)</i> <i>Strata Titles Act 1988 (SA)</i> <i>Crown Land Management Act 2009 (SA)</i> <i>Community Titles Act 1996 (SA)</i> <i>Roads (Opening and Closing) Act 1991 (SA)</i> <i>Land Acquisition Act 1969 (SA).</i>
Policies and Procedures Superseded by this policy on its Adoption:	<i>INF – 01, Disposal of Land Policy 8 July 2014 Item 12.1, 41</i> <i>INF – 04 Disposal of Material 13 November 2012 Item 10.2, 280</i>
Adoption Authority:	Council
Date of Adoption:	<i>To be entered administratively</i>
Effective From:	<i>To be entered administratively</i>
Minute Reference for Adoption:	<i>To be entered administratively</i>

Next Review:

**No later than September 2022 or as required by
legislation or changed circumstances**

DRAFT

DISPOSAL OF ASSETS POLICY

1. INTRODUCTION AND PURPOSE

- 1.1 The purpose of this policy is to establish the key principles relating to the sale or disposal of Council Assets.
- 1.2 The existence of this policy will assist to ensure a consistent, fair, transparent and accountable approach is maintained and assist in ensuring all third party applications are treated fairly and equitably.
- 1.3 The disposal of Assets should align with the Council's Strategic Plan and relate to the provision of an attractive community, presentation of the natural environment and local economic development. It is acknowledged that Land can facilitate the attainment of the Adelaide Hills Council area being a desirable place to live, work and play. It is also acknowledged that Assets which are not performing or have no potential in this regard need to be reviewed and aligned to the achievement of the visions of the Strategic Plan.
- 1.4 This policy incorporates the Council's approach to recouping administrative costs that it incurs when it considers a request by a third party to purchase Council Land, in particular Roads and Community Land.

2. OBJECTIVES

- 2.1 This Policy objectives are to:
 - 2.1.1 define the methods by which Assets are disposed of;
 - 2.1.2 demonstrate accountability and responsibility of Council to ratepayers;
 - 2.1.3 be fair and equitable to all parties involved;
 - 2.1.4 enable all processes to be monitored and recorded; and
 - 2.1.5 ensure that the best possible outcome is achieved for the Council.
- 2.2 Furthermore, Section 49 (a1) of the Act requires Council to develop and maintain policies, practices and procedures directed towards:
 - 2.2.1 obtaining value in the expenditure of public money; and
 - 2.2.2 providing for ethical and fair treatment of participants; and
 - 2.2.3 ensuring probity, accountability and transparency in all disposal processes.

3. SCOPE

- 3.1 In compliance with Section 49 of the Local Government Act 1999 (Act) Council should refer to this policy (Policy) when disposing of Assets and Section 201 of the Local Government Act 1999 (Act) Council when disposing of Local Government Land.

- 3.2 However, this Policy does not cover:
- 3.2.1 Land sold by Council for the non-payment of rates; or
 - 3.2.2 disposal of goods which are not owned by the Council, such as abandoned vehicles;
- as these are dealt within the Act.
- 3.2.3 Granting of leases, licences or interests over Land; or
 - 3.2.4 Acquisition of Assets that are covered in Council's Procurement Policy.

4. DEFINITIONS

In this Policy, unless the contrary intention appears, these words have the following meanings:

Acquisition means the purchase, leasing, acceptance of property under care, control and management or other transfer of any interest in Assets to Council.

Act means the Local Government Act 1999 and its regulations as amended (unless otherwise defined).

Assets means any physical item that the Council owns and that has at any time been treated pursuant to the Australian Accounting Standards as an 'asset', and includes Land, Major Plant and Equipment and Minor Plant and Equipment. It **does not include** financial investments or finance related activities.

Chief Executive Officer means the Chief Executive Officer (including their delegate) of the Adelaide Hills Council, or an acting Chief Executive Officer of the Adelaide Hills Council (including their delegate).

Community Land means local government land classified as community land under Chapter 11 of the Act.

Council means the Adelaide Hills Council.

Council Member as stated in the Act means the principal member or a councillor of the Council.

Disposal means the sale or other transfer of an Asset by Council to another party.

Land includes Community Land, vacant land, operational land and Roads, and any other land-related assets, including all buildings (community and operational) on Land.

Major Plant and Equipment includes all major machinery and equipment owned by the Council. It includes all trucks, graders, other operating machinery and major plant items with an original value of \$5,000 or more. It does not include Minor Plant and Equipment.

Minor Plant and Equipment includes all minor plant and equipment owned by Council. It includes all loose tools, store items, furniture, second hand items removed from Major Plant and Equipment (such as air conditioners, bricks and pavers) and surplus bulk items (such as sand and gravel) with an original value likely to be less than \$5,000.

Road has the same meaning as defined in the Act, being a public or private street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles or pedestrians or both and includes:

- a) A bridge, viaduct or subway; or
- b) An alley, laneway or walkway

Staff means Council staff, contractors, volunteers and all others who perform work on behalf of Council.

Valuation means a determination or assessment of value completed by a qualified and licensed valuer.

5. POLICY PRINCIPLES

Council must have regard to the following principles in its disposal of Assets:

5.1 Encouragement of open and effective competition

5.2 Obtaining Value for Money

5.2.1 This is not restricted to price alone.

5.2.2 An assessment of value for money must include consideration of (where applicable):

5.2.2.1 the contribution to Council's long term financial plan and strategic management plans;

5.2.2.2 the contribution to Council's long term financial plan and strategic management plans;

5.2.2.3 any relevant direct and indirect benefits to Council, both tangible and intangible;

5.2.2.4 efficiency and effectiveness;

5.2.2.5 the costs of various disposal methods;

5.2.2.6 internal administration costs;

5.2.2.7 risk exposure; and

5.2.2.8 the value of any associated environmental benefits.

5.3 Ethical Behaviour and Fair Dealing

Council is to behave with impartiality, fairness, independence, openness and integrity in all discussions and negotiations.

5.4 Probity, Accountability, Transparency and Reporting

5.5 Ensuring compliance with all relevant legislation, including the following:

5.5.1 [Local Government Act 1999 \(SA\)](#)

- 5.5.2 *Real Property Act 1886 (SA)*
- 5.5.3 *Land and Business (Sale and Conveyancing) Act 1994 (SA)*
- 5.5.4 *Development Act 1993 (SA)*
- 5.5.5 *Retail and Commercial Leases Act 1995 (SA)*
- 5.5.6 *Residential Tenancies Act 1995 (SA)*
- 5.5.7 *Strata Titles Act 1988 (SA)*
- 5.5.8 *Crown Land Management Act 2009 (SA)*
- 5.5.9 *Community Titles Act 1996 (SA)*
- 5.5.10 *Roads (Opening and Closing) Act 1991 (SA)*
- 5.5.11 *Land Acquisition Act 1969 (SA)*

6. **CONSIDERATIONS PRIOR TO DISPOSAL OF ASSETS**

Any decision to dispose of an Asset will be made after considering (where applicable):

- 6.1 the usefulness of the Asset;
- 6.2 the current market value of the Asset;
- 6.3 the annual cost of maintenance;
- 6.4 any alternative future use of the Asset;
- 6.5 any potential contamination remediation costs;
- 6.6 any duplication of the Asset or the service provided by the Asset;
- 6.7 any impact the disposal of the Asset may have on the community;
- 6.8 any cultural or historical significance of the Asset;
- 6.9 the positive and negative impacts the disposal of the Asset may have on the operations of the Council;
- 6.10 the long term plans and strategic direction of the Council;
- 6.11 the remaining useful life of the Asset;
- 6.12 a benefit and risk analysis of the proposed disposal;
- 6.13 the results of any community consultation process;
- 6.14 any restrictions on the proposed disposal;
- 6.15 the content of any community land management plan; and

- 6.16 any other relevant policies of the Council, including the Prudential Management Policy.

7. DISPOSAL METHODS

7.1 Land Disposal

- 7.1.1 The Council may resolve to dispose of Land.
- 7.1.2 Where the Land forms or formed a Road or part of a Road, the Council must ensure that the Land is closed under the *Roads (Opening and Closing) Act 1991* (SA) prior to its disposal.
- 7.1.3 Where Land is classified as Community Land, the Council must:
- 7.1.3.1 undertake public consultation in accordance with the Act and the Council's Public Consultation Policy; and
 - 7.1.3.2 ensure that the process for the revocation of the classification of the Land as community land has been concluded prior to its disposal; and
 - 7.1.3.3 comply with all other requirements under the Act in respect of the disposal of community land.
- 7.1.4 Where Land is classified as Community land, consideration should be given to impact the Disposal would have on the local community including assessment of the following:
- 7.1.4.1 Ecological Value – determined by the size of the Land, distance to core habitat, proportion of surrounding open space in close proximity to the site and extent of roads and sealed surfaces surrounding the site
 - 7.1.4.2 Trees and vegetation – impact on existing trees and vegetation
 - 7.1.4.3 Character and appeal – how is the Land currently used, landscaped and maintained and the facilities on the Land that benefit the community
 - 7.1.4.4 Accessibility – proximity to nearby residents or businesses
 - 7.1.4.5 Recreational value – size of the Land, current or possible use for formal or informal recreation and facilities on the Land suitable to facilitate formal or informal recreation
 - 7.1.4.6 Cost of maintenance – annual costs to maintain the Land
- 7.1.5 The Council will, where appropriate, dispose of Land through one of the following methods:

- 7.1.5.1 **open market sale** - advertisement for disposal of the Land through the local paper and where appropriate, a paper circulating in the State, or by procuring the services of a licensed real estate agent and/or auctioneer (following compliance with the Council's Procurement Policy);
 - 7.1.5.2 **expressions of interest** - seeking expressions of interest for the Land;
 - 7.1.5.3 **select tender** - seeking tenders from a selected group of persons or companies;
 - 7.1.5.4 **open tender** - openly seeking bids through tenders, including public auction;
 - 7.1.5.5 **by negotiation** – with owners of land adjoining the Land or others with a pre-existing interest in the Land, or where the Land is to be used by a purchaser whose purpose for the Land is consistent with the Council's strategic objectives for the Land.
- 7.1.6 Selection of a suitable disposal method will include consideration of (where appropriate):
- 7.1.6.1 the number of known potential purchasers of the Land;
 - 7.1.6.2 the original intention for the use of the Land;
 - 7.1.6.3 the current and possible preferred future use of the Land;
 - 7.1.6.4 the opportunity to promote local economic growth and development;
 - 7.1.6.5 delegation limits, taking into consideration accountability, responsibility, operation efficiency and urgency of the disposal;
 - 7.1.6.6 the total estimated value of the disposal; and
 - 7.1.6.7 compliance with statutory and other obligations.
- 7.1.7 If Land is to be auctioned or placed on the open market or disposed of by an expression of interest, then (unless the Council resolves otherwise) one independent valuation must be obtained to establish the reserve price for the Land. The independent valuation must be made no more than 6 months prior to the proposed disposal.
- 7.1.8 If Land is to be disposed of via a select tender or direct sale, unless the Council resolves otherwise:
- 7.1.8.1 the sale or exchange of Roads under the *Roads (Opening and Closing) Act 1996* or Land that has a site value as valued by the Valuer-General at under \$100,000 one independent valuation by a Valuer must be obtained to ensure that an appropriate market value is obtained;

- 7.1.8.2 where the Land has a site value as valued by the Valuer-General at greater than \$100,000, a minimum of two independent valuations by a Valuer must be obtained to ensure that an appropriate market value is obtained;
- 7.1.8.3 The independent valuations must be made no more than 6 months prior to the Council resolving to dispose of the Land.
- 7.1.9 The Council will seek to dispose of Land at or above current market valuation, as determined by a Valuer, by whichever method is likely to provide the Council with a maximum return, unless there are reasons for the Council to accept a lesser return which is consistent with the Council's overall strategic direction. These reasons must be documented in writing.
- 7.1.10 If the disposal is not to be on the open market, the disposal should be at or above the current market valuation, as determined by a Valuer (with due regard to all associated costs to achieve the transaction or such other amount as the Council resolves).
- 7.1.11 The Council will not dispose of Land to any Council Member or Staff who have been involved in any process related to a decision to dispose of the Land and/or the establishment of a reserve price.
- 7.1.12 Unless resolved by Council, Elected Members and Staff will not be permitted to purchase Land unless the purchase is via an open tender process or a public auction, and the tender submitted or bid made is the highest.
- 7.1.13 Purchasers of Land must be required to agree in writing that before purchasing any Land that no warranty is given by the Council in respect of the suitability and condition of the Land for the recipient and that the Council will not be responsible for the Land in any respect following the disposal, unless otherwise agreed as part of a commercial negotiation.
- 7.1.14 Unless otherwise resolved by Council, net proceeds will be applied to general revenue to reduce borrowings and build cash reserves to fund future asset replacement or strategic land purchases. However the Council may consider the specific application of net proceeds where the Disposal is to fund a particular strategic purpose

7.2 Disposal of Roads

Roads, including unmade road reserves and walkways, form integral links in the vehicle and pedestrian network. Where these may have future requirements for vehicle or access connections, form part of strategic connections identified by the State Government as having State linkages or are identified in the Council's Trails Strategy, they should be retained by Council.

- 7.2.1 Roads that are not considered to be integral parts of these linkages could be considered for Disposal as surplus to community requirements and Council may consider expressions of interest from interested adjoining property owners to purchase.

- 7.2.2 Expressions of Interest for the purchase of the whole or portion of a Road are processed in the following manner:
- 7.2.2.1 Receipt of Application and payment of Application Fee (as set out in the annual fees and charges)
 - 7.2.2.2 Internal assessment undertaken using the Local Government Association publication Unformed Public Road Strategic Direction and Use Instruction Manual
 - 7.2.2.3 Where, following the internal assessment, Disposal is not considered to be appropriate, the application will be advised of the decision
 - 7.2.2.4 Where, following the internal assessment, the Road is considered surplus to needs, the proposal will be progressed in accordance with the requirements of the *Roads (Opening and Closing) Act 1991* and the request for a valuation undertaken by a Valuer.
 - 7.2.2.5 Where multiple adjoining land owners express an interest in the purchase of the same or similar area of Road and the interested parties are not able to reach agreement, the Council may choose to undertake the sale as a select tender process or not to progress with the road closure and sale.
 - 7.2.2.6 Following completion of the public notification period, a report will be presented to Council for consideration

7.3 **Major Plant and Equipment and Minor Plant and Equipment disposal**

- 7.3.1 The disposal of Major Plant and Equipment and Minor Plant and Equipment will be the responsibility of the relevant Council Officer who is responsible for those assets.
- 7.3.2 The Council will, where appropriate, dispose of Major Plant and Equipment and Minor Plant and Equipment through one of the following methods:

-
- 7.3.2.1 **trade-in** – trading in equipment to suppliers;
- 7.3.2.2 **expressions of interest** – seeking expressions of interest from buyers including specialist resellers (minimum of 2 to be requested);
- 7.3.2.3 **select tender** – seeking tenders from a selected group of persons or companies;
- 7.3.2.4 **open tender** – openly seeking bids through tenders;
- 7.3.2.5 **public auction** – advertisement for auction through the local paper and, where appropriate, a paper circulating in the State, or procuring the services of an auctioneer (following compliance with the Council’s Procurement Policy); including public auction websites but only auctioned and not as “fixed price”
- 7.3.2.6 **donation** – to community groups, charities, welfare or not for profit organisations.
- 7.3.2.7 **destruction and/or recycling** – Where assets have no remaining useful life or any item which cannot be disposed of by sale or donation shall be destroyed and/or recycled.
- Where possible, all raw materials, parts and accessories shall be recycled for reuse.
 - All non-recyclable materials shall be disposed of through the accepted waste management system.
 - No material deposited within the waste stream shall be withdrawn for use.
- 7.3.3 Selection of a suitable method will include consideration of (where appropriate):
- 7.3.3.1 the public demand and interest in the Major Plant and Equipment and Minor Plant and Equipment;
- 7.3.3.2 the method most likely to return the highest revenue;
- 7.3.3.3 the value of the Major Plant and Equipment or Minor Plant and Equipment;
- 7.3.3.4 the costs of the disposal method compared to the expected returns;
- 7.3.3.5 compliance with statutory and other obligations; and
- 7.3.3.6 community benefit.
- 7.3.4 As a general rule, Minor Plant and Equipment, and in particular items with a value below \$1,000, should not be disposed of individually. Where items are of low value, they may be kept until they can be bundled with other

compatible items to sell as a single lot. Minor Plant and equipment is generally disposed of via an expression of interest or public auction

- 7.3.5 Where Minor Plant & Equipment, whilst fit for purpose and functionally safe, is not considered suitable or viable for sale, it may be considered for donation to community groups, charities, welfare or not for profit organisations. Minor Plant & Equipment made available for donation will be advertised through the Council's social media channels with interested groups invited to submit offers of interest. Allocation of donated items will be made using available random selection tools so that no preferential treatment is provided.
- 7.3.6 Elected Members and Staff will not be permitted to purchase Major Plant and Equipment and Minor Plant and Equipment unless the purchase is via an open tender process or a public auction, and the tender submitted or bid made is the highest.
- 7.3.7 Purchasers of Major Plant and Equipment and Minor Plant and Equipment or recipients of donated Minor Plant and Equipment may be required to agree in writing that before purchasing any Major Plant and Equipment and Minor Plant and Equipment or receiving the donation of any Minor Plant and Equipment that no warranty is given by the Council in respect of the suitability and condition of the Asset for the recipient and that the Council will not be responsible for the Asset in any respect following the disposal.

7.4 Unsolicited proposals to purchase Land or Assets or partner with Council using its Land or Assets

- 7.4.1 An unsolicited proposal is an approach to Council from a third party for the purchase of an Asset where the Council has not requested a proposal through its regular disposal or procurement processes.
- 7.4.2 Unsolicited proposals will only be considered where they could assist the Council to achieve its strategic objectives or satisfy a community need.
- 7.4.3 The act of receiving and assessing proposals cannot in any way compromise the performance of Council's statutory and regulatory functions.
- 7.4.4 An unsolicited proposal should be assessed in accordance with the Council's Unsolicited Proposals Policy (if any), and in the absence of an Unsolicited Proposals Policy, using the following criteria:
 - 7.4.4.1 Can the Asset be disposed of in a competitive disposal process, if so then a competitive process should be undertaken;
 - 7.4.4.2 Does the proposal align with the Council's Strategic Plan objectives;
 - 7.4.4.3 What are the community benefits to the proposal; and
 - 7.4.4.4 Is the disposal of Asset required to meet the outcome
- 7.4.5 Any unsolicited proposal that is assessed as being suitable for further consideration will be presented to Council for such consideration

8. CONSULTATION

- 8.1 The Council must undertake public consultation in respect of its proposed disposals in accordance with the Act and its Public Consultation Policy at all times.

9. DELEGATIONS

- 9.1 The disposal of Assets is to be undertaken in accordance with the delegations issued by the Council and the CEO and set out in the Council's Delegations Register.

- 9.2 The Chief Executive Officer has the delegation to:

- 9.2.1 Approve, amend and review any procedures that shall be consistent with this Policy; and
- 9.2.2 Make any formatting, nomenclature or other minor changes to the Policy during the period of its currency.

10. RECORDS

- 10.1 The Council must record reasons for utilising a specific disposal method and where it uses a disposal method other than a tendering process.

11. EXEMPTIONS FROM THIS POLICY

- 11.1 This Policy contains general guidelines to be followed by the Council in its disposal activities. There may be emergencies, or disposals in which a tender process will not necessarily deliver best outcome for the Council, and other market approaches may be more appropriate. In certain circumstances, the Council may, after approval from its Council Members, waive application of this Policy and pursue a method which will bring the best outcome for the Council. The Council must record its reasons in writing for waiving application of this Policy.

12. AVAILABILITY OF THE POLICY

- 12.1 This Policy will be available for inspection at the Council's Offices during ordinary business hours and via the Council's website www.ahc.sa.gov.au. 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

Disposal of Land Policy

COUNCIL POLICY



DISPOSAL OF LAND

Policy Number:	INF-01
Responsible Department(s):	Governance & Risk
Relevant Delegations:	Nil
Other Relevant Policies:	Prudential Management Asset Management Service Range Service Level
Relevant Procedure(s):	Nil
Relevant Legislation:	Local Government Act 1999
Policies and Procedures Superseded by this policy on its Adoption:	15 June 2010, Item 10.3, 159
Adoption Authority:	SPDPC
Date of Adoption:	8 July 2014
Effective From:	21 July 2014
Minute Reference for Adoption:	Item 12.1, 41
Next Review:	No later than June 2017

DISPOSAL OF LAND

1. INTRODUCTION

- 1.1 This Disposal of Land Policy (Policy) outlines the principles and processes the Council will follow in relation to disposal of land vested in Council in fee simple or as lessee.
- 1.2 This Policy seeks to:
 - 1.2.1 define the methods by which Land are disposed of;
 - 1.2.2 demonstrate accountability and responsibility of Council to ratepayers;
 - 1.2.3 be fair and equitable to all parties involved;
 - 1.2.4 enable all processes to be monitored and recorded; and
 - 1.2.5 ensure that the best possible outcome is achieved for the Council.
- 1.3 Furthermore, Section 49 (a1) of the Act requires Council to develop and maintain policies, practices and procedures directed towards:
 - 1.3.1 obtaining value in the expenditure of public money; and
 - 1.3.2 providing for ethical and fair treatment of participants; and
 - 1.3.3 ensuring probity, accountability and transparency in all disposal processes.
- 1.4 However, this Policy does not cover:
 - 1.4.1 Land sold by Council for the non-payment of rates as this is dealt with in the Act.

2. LAND DEFINITION

- 2.1 **Land** includes community land, vacant land, operational land, road reserves, any legal interest in land, and any other land-related assets, including all buildings (community and operational) on Land.

3. POLICY PRINCIPLES

Council must have regard to the following principles in its disposal of:

- 3.1 *Encouragement of open and effective competition*
- 3.2 *Obtaining Value for Money*
 - 3.2.1 This is not restricted to price alone.
 - 3.2.2 An assessment of value for money must include consideration of (where applicable):
 - 3.2.2.1 the contribution to Council's long term financial plan and strategic management plans;
 - 3.2.2.2 any relevant direct and indirect benefits to Council, both tangible and intangible;
 - 3.2.2.3 efficiency and effectiveness;
 - 3.2.2.4 the costs of various disposal methods;
 - 3.2.2.5 internal administration costs;
 - 3.2.2.6 risk exposure; and
 - 3.2.2.7 the value of any associated environmental benefits.

3.3 *Ethical Behaviour and Fair Dealing*

Council is to behave with impartiality, fairness, independence, openness and integrity in all discussions and negotiations.

3.4 *Probity, Accountability, Transparency and Reporting*

3.5 *Ensuring compliance with all relevant legislation*

Including the following:

- 3.5.1 *Local Government Act 1999 (SA)*
- 3.5.2 *Real Property Act 1886 (SA)*
- 3.5.3 *Land and Business (Sale and Conveyancing) Act 1994 (SA)*
- 3.5.4 *Development Act 1993 (SA)*
- 3.5.5 *Retail and Commercial Leases Act 1995 (SA)*
- 3.5.6 *Residential Tenancies Act 1995 (SA)*
- 3.5.7 *Strata Titles Act 1988 (SA)*
- 3.5.8 *Crown Land Management Act 2009 (SA)*
- 3.5.9 *Community Titles Act 1996 (SA)*
- 3.5.10 *Roads (Opening and Closing) Act 1991 (SA)*
- 3.5.11 *Land Acquisition Act 1969 (SA).*

4. CONSIDERATIONS PRIOR TO DISPOSAL OF LAND

Any decision to dispose of Land will be made after considering (where applicable):

- 4.1 the usefulness of the Land;
- 4.2 the current market value of the Land;
- 4.3 the annual cost of maintenance;
- 4.4 any alternative future use of the Land;
- 4.5 any duplication of the Land or the service provided by the Land;
- 4.6 any impact the disposal of the Land may have on the community;
- 4.7 any cultural or historical significance of the Land;
- 4.8 the positive and negative impacts the disposal of the Land may have on the operations of the Council;
- 4.9 the long term plans and strategic direction of the Council;
- 4.10 the remaining useful life, particularly of building or infrastructure on the Land;
- 4.11 a benefit and risk analysis of the proposed disposal;
- 4.12 the results of any community consultation process;
- 4.13 any restrictions on the proposed disposal;
- 4.14 the content of any community land management plan; and

- 4.15 any other relevant policies of the Council, including:
 - 4.15.1 its Service Range Policy and associated Service Level Policies; and
 - 4.15.2 its Internal Financial Controls Policy and Prudential Management Policy.

5. DISPOSAL METHODS

- 5.1 The Council may resolve to dispose of Land.
- 5.2 Where the Land forms or formed a road or part of a road, the Council must ensure that the Land is closed under the *Roads Opening and Closing Act 1991* (SA) prior to its disposal.
- 5.3 Where Land is classified as community land, the Council must:
 - 5.3.1 undertake public consultation in accordance with the Act and the Council's public consultation policy; and
 - 5.3.2 ensure that the process for the revocation of the classification of Land as community land has been concluded prior to its disposal; and
 - 5.3.3 comply with all other requirements under the Act in respect of the disposal of community land.
- 5.4 Where the Council proposes to dispose of Land through the grant of a leasehold interest, the Council must have complied with its obligations under the Act, including its public consultation obligations under Section 202 of the Act.
- 5.5 The Council will, where appropriate, dispose of Land through one of the following methods:
 - 5.5.1 open market methods of sale including:
 - 5.5.1.1 open tender;
 - 5.5.1.2 expression of interest; or
 - 5.5.1.3 auction
 - 5.5.2 alternative methods of sale including:
 - 5.5.2.1 select tender;
 - 5.5.2.2 by negotiation

6. OPEN MARKET METHODS OF SALE

- 6.1 As a general principle, most of the land owned by the Council available for disposal will be offered by way of public tender or auction to ensure that:
 - 6.1.1 the public has equal rights and opportunity to purchase the land;
 - 6.1.2 the fair market value for the property will be identified; and
 - 6.1.3 the disposal process will be transparent.
- 6.2 Sales best suited to public tender are those where special conditions are required including covenants on land and where there is a special interest or demand.

- 6.3 Sales where there is a general high demand or the sale is to be unconditional are suited to public auctions. If land is to be sold at a public auction the Council can resolve to accept the price provided by the highest bidder or to subsequently engage in direct negotiation.
- 6.4 If Land is to be auctioned or placed on the open market or disposed of by an expression of interest, then (unless the Council resolves otherwise) one independent valuation must be obtained to establish the reserve price for the Land. The independent valuation must be made no more than 6 months prior to the proposed disposal.

7. ALTERNATE METHODS OF SALE

- 7.1 The Council may consider a sale or disposal other than through the open market based (i.e. select tender or by negotiation) on individual case merits. These circumstances may include but are not necessarily limited to the following:
- 7.1.1 land that is restricted due to its small size, dimensions or irregular shape and which would not readily support a self-contained development outcome;
 - 7.1.2 land that has no legal access;
 - 7.1.3 land to be developed by another level of government;
 - 7.1.4 preferred future use for the land as identified by the Council;
 - 7.1.5 land of nominal value;
 - 7.1.6 land for inclusion with an adjacent holding; and
 - 7.1.7 land that will complement a proposed development on an adjoining site, the sale of which is consistent with the Council's objectives.
- 7.2 In such circumstances the Council may elect to negotiate directly with the relevant party or engage in a select tender.
- 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.

8. SELECTION OF DISPOSAL METHOD

- 8.1 Selection of a suitable disposal method will include consideration of (where appropriate):
- 8.1.1 the number of known potential purchasers of the Land;
 - 8.1.2 the original intention for the use of the Land;
 - 8.1.3 the current and possible preferred future use of the Land;
 - 8.1.4 the opportunity to promote local economic growth and development;
 - 8.1.5 delegation limits, taking into consideration accountability, responsibility, operation efficiency and urgency of the disposal;
 - 8.1.6 the total estimated value of the disposal; and
 - 8.1.7 compliance with statutory and other obligations.

8.2 The Council will seek to dispose of Land at or above current market valuation by whichever method is likely to provide the Council with a maximum return, unless there are reasons for the Council to accept a lesser return which is consistent with the Council's overall strategic direction. These reasons must be documented in writing.

9. AVAILABILITY OF THE POLICY

9.1. This Policy will be available for inspection at the Council's Offices during ordinary business hours and via the Council's website www.ahc.sa.gov.au. 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 3

Disposal of Materials Policy

COUNCIL POLICY



DISPOSAL OF MATERIALS

Policy Number:	INF-04
Responsible Department(s):	Finance
Relevant Delegations:	None
Other Relevant Policies:	None
Relevant Procedure(s):	None
Relevant Legislation	None
Policies and Procedures Superseded by this policy on its Adoption:	9 July 1998, Item 22.2.2, P490, R566 18 July 2006, Item 10.2.2, P47
Adoption Authority:	Council
Date of Adoption:	13 November 2012
Minute Reference for Adoption:	Item 10.2, 280
Next Review:	No later than November 2014, or as required.

DISPOSAL OF MATERIALS

1 INTRODUCTION

The identification and disposal of items and material at the Adelaide Hills Council will be a regulated and documented procedure that will be carried out through the use of one of the following methods:

1. Trade In or Replacement Item
2. Sale by public auction or tender
3. General Public Sale
4. Disposal by Staff Silent Auction
5. Donation
6. Destroyed and/or Recycled

This policy does not apply to the replacement or sale of Motor Vehicles.

2 OBJECTIVES

The objectives of this policy are:

- To demonstrate the accountability and responsibility of the Adelaide Hills Council to its ratepayers;
- To treat all parties involved fairly and equitably; and
- To monitor and record all processes related to the disposal of surplus material in a transparent and open manner

3 DEFINITIONS

The following definitions shall apply in relation to this policy:

'Surplus Material' includes excess material stocks in hand, plant and equipment no longer required, plant and equipment no longer operational, and material, plant and equipment recovered during operations, including fittings and fixtures, furniture and surplus electronic equipment.

'Value of Items' shall be based on the replacement cost of the item less an allowance for wear and tear over the period of use and/or depreciation.

4 PROCEDURE

4.1 Surplus items due to damage or failure

1. An estimate or quote for repairs is to be obtained.
2. If the item is not able to be repaired or if the cost exceeds the value of the item OR is more than \$250.00, the item will be stored securely pending disposal.
3. If the cost of repairs is less than 60% of the value of the item AND is less than \$250.00, the repairs will be completed and the item returned to operation.
4. If disposal is approved, items shall be stored in a secure location pending disposal.

4.2 Surplus items with potential for re-use

1. Items which have re-use potential shall be advertised to all other Adelaide Hills Council departments.
2. Where items are required by other departments, the asset shall be transferred to applicable department, by that department.
3. Items which are not required by other departments shall be stored in a secure location pending disposal.
4. Evidence of this transaction will be recorded and trimmed as a record by the appropriate officer or Department Head

4.3 Surplus items with no potential for re-use

Items which cannot be repaired or have no reuse potential shall be stored in a secure location pending disposal.

5 METHODS OF DISPOSAL

Disposal of surplus material, fittings, fixtures, furniture and other items at the Adelaide Hills Council shall be carried out by one of the following methods:

1. Trade In or Replacement Item
2. Sale by public auction or tender
3. General Public Sale
4. Disposal by Staff Silent Auction
5. Donation to Community Group (preferably local)
6. Destroyed and/or Recycled

5.1 Trade In On Replacements

Items suitable for trade-in or replacement should be stored in a secure location pending trade in. Such items should not be withdrawn from storage unless authorised by a Director or Manager for emergency purposes.

5.2 Sale by Public Auction or Tender

Items may be disposed of by either Public Auction or by tender depending on which method has the best market potential. As a general rule, items with a value below \$1,000.00 should not be disposed of by tender. Where items are of a particularly low value, they may be held to provide a viable auction lot as a group.

Items or lots may be sent to a public auction off site or may be held until sufficient items are available to warrant an on-site auction. Where on-site auctions are held Council employees are able to bid on items.

The business unit within Council responsible for the items to be disposed of will be responsible for finding the storage space and any budget required for the accommodation of the items to be auctioned. This will include the cost of transport, auctioning or disposal cost.

5.3 General Public Sale

Items may be disposed of by General Public Sale. General Public Sales can be:

- advertised through local newspapers at least two weeks prior to the date of the sale
- sold on Ebay, either by “auction” or “fixed price”.

Where a general public sale method is used Council employees may purchase items.

5.4 Disposal by Staff Silent Auction

Items with a re-sale value of \$150 or less may be offered to staff by way of a Silent Auction. This is to be arranged by the business unit holding the items for disposal.

5.5 Donation

Items with no probable reuse potential may be donated free of charge to a Community group (preferably local), and after consultation with Elected Members. Any such donation should be authorised by the Chief Executive Officer and the full details recorded and trimmed in Council’s record system.

Allocation of donations shall be on a first come first served basis following written requests from individuals or organisations.

No item with a residual value in excess of \$500.00 shall be donated without specific Council approval.

5.6 Destruction and/or Recycling

Any item which cannot be disposed of by sale or donation shall be destroyed and/or recycled.

Where possible, all raw materials, parts and accessories shall be recycled for reuse. All non-recyclable materials shall be disposed of through the accepted waste management system. No material deposited within the waste stream shall be withdrawn for use.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 27 August 2019
AGENDA BUSINESS ITEM**

Item: 12.5

Originating Officer: Mike Carey, Manager Financial Services

Responsible Director: Terry Crackett, Director Corporate Services

Subject: 2018-19 Preliminary End of Year Financial Results and Carry Forwards

For: Decision

SUMMARY

This report provides Council with a preliminary view of Council's financial performance to budget for the year ended 30 June 2019, and proposes changes to the 2019-20 Budget to account for the 2018-19 requested carry forwards and three 2019-20 additional capital expenditure budget requests.

The Adelaide Hills Council's preliminary 2018-19 Operating Surplus before Capital is \$1.794m which is \$1.396m favourable to budget. As outlined in this report the majority of this preliminary variation relates to the early receipt of grant funds and property revenue. Further, after Council's capital financial performance is taken into account, Council's net borrowings at 30 June 2019 is favourable to budget by \$1.158m, and as such there is scope to increase the 2019-20 capital expenditure budget by \$397k (net \$277k) to progress three additional capital expenditure budget requests in the 2019-20 financial year.

It should be noted that further changes to Council's operating and net lending result is possible following the finalisation of Council's statutory accounts and subsequent audit. The finalisation of the accounts will address matters including asset revaluation, adjustments for Council's subsidiaries results as well as depreciation and other asset adjustments. The external auditors are scheduled to commence the Audit process in mid-September 2019.

RECOMMENDATION

Council resolves that:

- 1. The report be received and noted.**
 - 2. The Preliminary End of Year Results for 2018-19 be noted.**
 - 3. Operating Initiatives Carry Forward projects from 2018-19 totalling an amount of \$28k of expenditure as detailed in this report be approved.**
 - 4. Capital Carry Forward projects from 2018-19 totalling an amount of \$4.782m of expenditure and \$1.952m of income (Attachments 2 and 3 to this report) be approved.**
 - 5. The 2019-20 Capital Additional Budget Requests totalling a net \$277k (Attachment 4) be approved.**
 - 6. The 2019-20 Proposed Budgeted Uniform Presentation of Finances reflecting a revised Budgeted Operating Surplus of \$421k before Capital Revenue and revised Net Borrowings of \$4.580m as summarised in Attachment 5 to this report be adopted.**
-

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal 5 Organisational Sustainability
Strategy Financial Sustainability

➤ Legal Implications

Chapter 8 of the *Local Government Act 1999* (the Act) addresses Administrative and Financial Accountability under Part 2 Annual Business Plan and Budget and Part 3 Accounts, financial statements and audit.

More specifically:

- Under Section 123 (13), 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.
- Under Section 127 of the Act, Council must prepare for each financial year financial statements and notes in accordance with standards prescribed by the regulations as soon as is reasonably practicable after the end of the relevant financial year
- Regulation 10 of the *Local Government (Financial Management) Regulations 2011* requires Council to report on the financial results of Council by no later than 31 December in each year.

➤ Risk Management Implications

Monitoring and reporting on Council's financial results will assist in mitigating the risk of:

Inaccurate budgets and unforecasted deficits leading to inadequate resourcing for current and future activities.

Inherent Risk	Residual Risk	Target Risk
Medium (4D)	Low (2E)	Low (2E)

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

➤ Financial and Resource Implications

The 2018-19 financial result means that Council is well positioned to continue to be financially sustainable into the future. Council will continue to review and monitor future financial results and its financial position in conjunction with its Long Term Financial Plan (LTFP).

➤ Customer Service and Community/Cultural Implications

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: Council's Preliminary End of Year Results was considered by the Audit Committee at its 12 August 2019 meeting as part of an End of Financial Year Update Report. The Committee resolved that the report be received and noted.

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

Administration: All budget holders have reviewed the end of year financial position for their respective areas of responsibility to ensure variations are identified and explained.

The Executive Leadership Team has also reviewed the preliminary end of financial year result.

Manager Civil Services (Capital)

Community: Not Applicable

2. **BACKGROUND**

The purpose of this report is to provide Council with a preliminary view of the actual financial performance compared to budget for the year ending 30 June 2019 and to seek approval to carry forward previously approved budget funding to the 2019-20 financial year. In addition, there are three (3) budget requests to increase 2019-20 capital expenditure to progress priority capital works in the 2019-20 financial year.

Council's Preliminary End of Year Result was considered by the Audit Committee at its 12 August 2019 meeting as part of an End of Financial Year Update Report. The Committee resolved as follows:

6.2. **End of Financial Year Update**

Moved Peter Brass
S/- Paula Davies

27/AC19

The Audit Committee resolves that the report be received and noted.

Carried

It should be noted that further changes to Council’s operating and net lending result is possible following the finalisation of Council’s statutory accounts and subsequent audit. The finalisation of the accounts will address matters including asset revaluation, adjustments for Council’s subsidiaries results as well as depreciation and other asset adjustments. The external auditors are scheduled to commence the audit process in mid-September 2019.

3. ANALYSIS

Overall Result compared to budget

\$000’s	2018-19 Actuals \$’000s	2018-19 Budget \$’000s	Variance Fav/(Unfav) \$’000s	Proposed Carry Forwards \$’000s	Variance Adjusted for Carry Forwards \$’000s
Operating income	45,632	44,561	1,071	-	1,071
Operating expenditure	43,838	44,163	325	28	297
Operating Surplus before Capital	1,794	398	1,396	(28)	1,368
Capital Income	12,334	14,513	(2,179)	1,952	(227)
Capital Expenditure	13,033	17,832	4,799	4,782	17
Net expenditure - Capital projects	(699)	(3,319)	2,620	(2,830)	(210)
Depreciation	8,758	8,758	-	-	-
Net Lending Position for Financial Year	9,853	5,837	4,016	(2,858)	1,158

In terms of Council’s operating result, Council’s Preliminary Operating Surplus before Capital is \$1.794m which is **\$1.396m** favourable to budget, but noting that there will be some further adjustments to occur as part of the finalisation of the statutory accounts.

This favourable operating result to budget is largely driven by additional income relating to the following:

- early receipt of \$690k of Supplementary Local Road Funding relating to 2019-20 and 2020-21 financial years
- additional cemetery income of \$99k compared to budget
- additional property income relating to AHBTC of \$163k and unbudgeted Property Insurance Recoveries in the order of \$99k

Expenditure is currently also favourable to budget by \$325k (adjusted to \$297k once operating initiatives carry forwards are taken into account) but will be impacted by any further accruals for 2018-19 expenditure received during August and September and adjustments for employee entitlements and depreciation.

Summary

Once proposed carry forwards are factored in, the 2018-19 net lending position result is still favourable to budget by \$1.158m and this has been utilised to reduce borrowings and increase cash investments.

Net Borrowings Position

Borrowings at 30 June 2019 were exactly \$10m, relating to two fixed term interest only loans of \$5m each with no short term drawdown facility drawn down at year end. This compares with Council's budgeted borrowings at 30 June 2019 of \$12.271m which was based on borrowings at 30 June 2018 of \$14.918m and the budgeted net change in cash, investments and drawdown for the 2018-19 financial years of \$2.647m.

\$000's	Actual 30 June 19 \$000's	Budget 30 June 19 \$000's	Variance \$000's	30 June 2018 Balances \$'000s
Cash & Investments	2,025	491	1,534	491
Short term drawdown	-	(2,271)	2,271	(4,900)
Fixed Term Loans	(10,000)	(10,000)	-	(10,018)
Total Borrowings	(10,000)	(12,271)	2,271	(14,918)
Net Position	(7,975)	(11,780)	3,805	(14,427)

As a result of favourable Operational and Capital cash flows to budget Council has been able to completely pay off its short term drawdown facility and increase its overall cash and investments position to just over \$2m.

Summary

The overall net borrowings result is favourable to budget by \$3.805m of which \$2.858m relates to proposed net carry forwards discussed below and hence will require funding in 2019-20.

Operating Initiatives Carry Forwards

For 2018-19, there were two operating initiatives projects where it was assessed that an operating carry forward was required to ensure delivery of the project. Details are as follows:

Project Reference & Description	Carry Forward Request \$'000s	Comment
#719 Stirling District Centre Urban Design & Development Guidelines	8	The consultation timeframe was extended to ensure a thorough community engagement program was undertaken which ended on 30 June. The finalisation of this project is to occur within the first quarter of the 2019/20 FY and it is therefore requested that this amount be carried forward to enable this to occur.

Project Reference & Description	Carry Forward Request \$'000s	Comment
#720 Crafers Main Street Masterplan	20	The previous project lead had shifted focus to develop the Climate Change Emergency Framework through the early part of 2019. The project was commenced with a procurement process being undertaken in June and a preferred consultant selected but not appointed, pending Council's decision in relation to the carried forward amount. It is therefore requested that the budget amount be carried forward to permit the project to be completed in the 2019/20 FY with a new project lead (James Szabo). If approved, it is anticipated that the project will be finalised by December 2019.
Total Proposed Operating Initiatives Carry Forwards	\$28	

Although not significant, it is noted that the carrying forward of these two projects will have an impact on the Operating Surplus for 2019-20, reducing the surplus from \$449k to \$421k.

Overall Capital Result

A Capital Works Summary has been prepared comparing the capital expenditure against budget by Asset Category for the 2019-20 financial year. (**Attachment 1** to this Report)

The preliminary results show a capital spend of \$13.033m against an expenditure budget of \$17.832m. In comparing to budget, it is noted that there is an overall underspend of \$4.799m of which it is proposed to carry forward expenditure of \$4.782m across 56 projects. Commentary for the variances in each of the Asset Categories within the overall Capital Program is included in **Attachment 1**.

To provide context in relation to capital carry forwards it is noted that each year, Council has a number of projects or initiatives that for a number of reasons are not finalised by the end of the financial year. Reasons for this may include:

- Where a rolling budget has been allocated to allow Council staff to seek funding to undertake ie the Amy Gillet Bikeway
- where Council resolves to defer a project
- Lengthy tender processes and/or contract negotiations
- Delays due to inclement weather
- Projects split over 2 or more years where an estimate has been made as to how much is spent in each financial year, or
- Delays as a result of community consultation.

All carry forward requests have been reviewed by Council Officers to ensure funding is available, resulting in:

- requested capital expenditure carry forwards of \$4.782m where expenditure is still required in 2019-20 to complete those projects
- capital income carry forwards of \$1.952m where the income will be received or accounted for in 2019-20

The proposed Capital Carry Forward list from 2018-19 by project has been attached for Council Members' consideration as **Attachment 2** to this report with the listing of Carry Forward Income items as **Attachment 3**.

Given that early indications were that there would be a need to carry forward a number of projects into the current financial year, details of the projects already identified at Budget Review 3 was provided to Council at its 28 May 2019 Council Meeting and summarised below.

Project Reference & Description	May 2019 Report \$'000s	Carry Forward Request \$'000s
3670 Stirling East Hall - Roof Replacement	135	135
3625 Crafers to Stirling Bikeway - Footpath	125	125
3683 Amy Gillet Tiers/ Onkaparinga Road, Woodside, connection - Footpath	167	170
3744 Mt Torrens to Birdwood-Amy Gillett Bikeway	500	500
3766 Roundabout Landscaping Upgrade	120	114
3703 Lower Hermitage Rd Millar - Millbrook-Pavement	520	608
3651 Stonehenge & Heathfield Courts	\$37	422
3716 Birdwood Oval - Playspace Upgrade	120	180
3723 Paracombe Hall - Playspace Upgrade	120	175
Identified Capital Carry Forward Projects	\$2,244	\$2,429

In addition, there were further updates and reports to Council in relation to the project status and changes to the approved budgets and carry forwards amounts in relation to the following:

- Lower Hermitage Road Upgrade - Report to Council Meeting 25 June 2019;
- Adelaide Hills Council Roundabouts – Report to Council Meeting 28 May 2019;
- Replacement of the Mobile Library – Report to Council Meeting 25 June 2019, with resolution noting the budget would be carried forward. Purchase forms a significant part of the Capital Project #3160 Plant Replacement Program carry forward of \$694k;
- 2018-19 Play Space Upgrade - Report to Council Meeting 25 June 2019, highlighting the project as a carry forward and resulting in an increase of \$115k to budget.

The overall net savings on the 2018-19 Capital Works Expenditure Program is \$17k and the proposed carry forward expenditure requests can be accommodated without a negative impact on Council's 2019-20 financial position.

In relation to Capital Income, it is noted that there is a net capital income shortfall of \$227k as shown in the Overall Result table above. This is as a result of an unfavourable variance in relation to the amount of capital grants received by Council. This was budgeted at \$500k for 2018-19. The amount for Capital Grants has been difficult to budget for in the past and has been more conservatively budgeted in future years of Council's Long Term Financial Plan.

Summary

In summary, as highlighted in Council’s overall 2018-19 preliminary end of year result, the capital shortfall has been more than covered by the favourable preliminary operating result of nearly \$1.4m, noting that there is still some year-end adjustments required to the amounts presented.

2019-20 Additional Capital Budget Requests

In addition, there are three (3) budget requests to increase 2019-20 capital expenditure to progress priority capital works in the 2019-20 financial year, summarised in the following table.

Project Reference & Description	Budget Request \$'000s
Expansion of Kersbrook Cemetery (New)	100
#3843 Gumeracha Residents Wins (New)	120
#3764 Crafers Hall (Renewal)	177
2019-20 Additional Capital Expenditure Budget Requests	\$397
Grant Funding for Gumeracha Residents Win – Deferred from 2017-18	120
2019-20 Net Additional Capital Budget Requests	\$277

The detailed comments for the proposed 2019-20 Additional Capital Budget requests has been attached for Council Members’ consideration as **Attachment 4** to this report

Updated 2019-20 Budget

As the proposed carry forwards will be undertaken in the 2019-20 financial year, the Proposed Uniform Presentation of Finances Statement for the year ending 30 June 2020 has been updated to reflect these proposed changes as well as the 2019-20 Additional Capital Budget Requests. This revised statement is shown as **Attachment 5** to this report.

Summary

Overall, given the favourable result for 2018-19, there is the availability of funds to cover the 2018-19 carry forward requests for both capital and operating initiatives and to progress the three additional capital expenditure budget requests in the 2019-20 financial year.

4. OPTIONS

Council has the following options:

- I. To resolve that the report be received and approve the 2018-19 Expenditure and Income Carry Forwards and 2019-20 Additional Budget Requests and the subsequent financial impact on the 2019-20 Adopted Budget; or
- II. To defer this report in order for further information to be provided.

The recommended option will ensure that the budget for incomplete projects is available to complete these projects in 2019-20.

As the carry forward projects’ budgets were approved in 2018-19, the majority of these projects already have contractual commitments entered into prior to 30 June and/or expenditure incurred subsequent to 30 June.

5. APPENDICES

- (1) 2018-19 Capital Works Summary
- (2) 2018-19 Capital Expenditure Carry Forwards
- (3) 2018-19 Capital Income Carry Forwards
- (4) 2019-20 Capital Works Program – Additional Budget Requests
- (5) 2019-20 Proposed Budgeted Uniform Presentation of Finances

Appendix 1

2018-19 Capital Works Summary

**ADELAIDE HILLS COUNCIL
2018-19 CAPITAL WORKS SUMMARY**

Asset Category	2018-19 Actuals \$'000s	2018-19 Budget \$'000s	Variance to Budget \$'000s	Proposed Carry Forwards \$'000s	Adjusted Variance \$'000s	Comment for Adjusted Variance balance
Bridges	221	202	(19)	-	(19)	Minor overspend on the Sires Rd Ford upgrade project.
Buildings	1,567	2,231	665	627	38	Savings across the Program largely relates to cancellation of Project 3657 Aldgate Oval Building - Asbestos for \$35k as well as smaller savings across numerous projects offsetting urgent expenditure requirement for replacement of Woodside Library air conditioning
CWMS	451	485	34	31	3	Minor Savings across the Program
Fleet	1,195	1,925	730	694	36	Minor Savings across the Program
Footpaths	1,121	1,949	828	817	11	Minor Savings across the Program
ICT	458	622	163	163	-	In line with budget
Kerbing	369	376	7	-	7	Minor Savings across the Program
Library	48	55	8	7	1	Minor Savings across the Program
Project Management	1,246	1,246	-	-	-	In line with Budget
Plant & Equipment	83	26	(57)	-	(57)	New Stirling office fitout, and a number of sit stand desks not budgeted for noting that a detailed review of transactions likely to indicate a reallocation of some of this expenditure to operating in accordance with Asset Capitalisation threshold policy as part of end of year capitalisation review
Other	381	691	310	306	4	Minor Savings across the Program
Sealed Road Pavement	902	1,787	885	873	12	Minor Savings across the Program
Sealed Roads - Seal	1,184	1,162	(22)	-	(22)	A number of variances across sites within the program, primarily due to greater preparatory work (patching and vegetation clearance) than initially expected, such as at Pioneer Ave, Lobethal and Boyle Swamp Rd in Mylor.
Shoulders	492	500	8	-	8	Minor Savings across the Program
Sport & Rec	761	1,687	926	926	-	In line with Budget
Stormwater	1,041	1,379	338	338	-	In line with Budget
Unsealed	1,514	1,509	(5)	-	(5)	Minor overspend on the Unsealed Roads Renewal (re-sheet) Program regionwide.
Grand Total	13,033	17,832	4,799	4,782	17	

Appendix 2

2018-19 Capital Expenditure Carry Forwards

**ADELAIDE HILLS COUNCIL
CAPITAL WORKS PROGRAM
PROPOSED 2018-19 CARRY FORWARDS**

Project Number and Description		Proposed Carry Forward	Asset Category	Comments
3413	Stirling Library fitout works	\$ 19,000	Buildings	This project facilitated the relocation of Customer Service Staff to the administration area of the Coventry Library, and these works have been completed. However, a number of additional works have now been identified as being required, such as installation of glass panels to improve natural lighting. These works have been scoped and a carry forward of unspent budget for this project will permit these additional required works to proceed.
3506	AHBTC Masterplan and Divestment - activation of community space	\$ 34,000	Buildings	In 2018-19 architects were engaged to scope and design the required community space. Some delays were encountered during the development approval process. A workshop item and subsequent report will be presented to Council detailing the proposed final design, with this carry forward is required to facilitate the implementation of said design.
3510	General upgrades and maintenance, region wide - asset renewals	\$ 19,500	Buildings	This carry forward relates to works completed in 2018-19. As part of the contractual arrangements with our building maintenance contractors, 5% retention monies is held back during the defects liability period, to be paid upon successful achievement of final completion for each project. As the defects liability period is typically 12 months, these funds are required in the 2019-20 FY.
3658	Asset Management - Workflow System Development	\$ 5,500	Buildings	Ongoing integration between Confirm and other corporate systems. Carry forward of unspent funds from 2018-19 will complement planned work in 2019-20.
3660	Bradbury Hall-External Stone Walls and Drainage	\$ 22,000	Buildings	A carry forward is required for this project due to timing issues and seasonal effects. Required works were scoped in 2018-19, but can not be carried out now until winter is over. A carry forward will allow these planned works to proceed once the weather improves. This is also linked to project 3661.
3661	Bradbury Hall-Gutter renewal	\$ 20,000	Buildings	A carry forward is required for this project due to timing issues and seasonal effects. Required works were scoped in 2018-19, but can not be carried out now until winter is over. A carry forward will allow these planned works to proceed once the weather improves. This is also linked to project 3660.
3666	Lenswood Park-Toilets System Replacement	\$ 25,500	Buildings	Works to replace the Lenswood Park Toilet System have been underway since June 2019, and are nearly complete. As works were in progress at the end of financial year, a carry forward is now required to pay the contractor in 2019-20.
3670	Stirling East Hall-Roof Replacement	\$ 135,000	Buildings	Funds were allocated in the 2018-19 ABP for the renewal of the Stirling East Hall roof, however a subsequent building inspection found additional issues with the site, and the roof could not be replaced in isolation. A carry forward will allow for these works to occur in 2019-20, subject to a subsequent decision of Council regarding the future of that site.
3741	AHBTC - Activation of Arts and Heritage Hub	\$ 65,000	Buildings	In 2018-19 architects were engaged to scope and design the required community space. Some delays were encountered during the development approval process. A workshop item and subsequent report will be presented to Council detailing the proposed final design, with this carry forward required to facilitate the implementation of said design.

Project Number and Description		Proposed Carry Forward	Asset Category	Comments
3742	AHBTC - Capital Divestment	\$ 161,000	Buildings	A number of works were completed as part of this project in 2018-19 FY, such as fire service upgrades and other compliance works, that facilitated the subdivision and sale of this land. However, Council is still awaiting some significant outstanding invoices from its contractors, hence a carry forward is required to meet these obligations.
3107	Toilets Demolition: Various: Buildings	\$ 55,000	Buildings	These funds were allocated for the removal and replacement of the toilets at the Crafers Hall. As the Crafers Hall renewal project has been deferred to 2019-20 (refer project 67803215), works on the toilets have also been deferred, to allow construction to occur at the same time.
3764	Crafers Hall Site Works	\$ 35,000	Buildings	This project is linked to both projects 3107 and 67803215. A review of Crafers Hall has found significant issues with drainage, electrical services, and that the ceiling of the hall will also require replacement. These issues go beyond the scope of the original project, hence the project has been deferred to 2019-20. This give Council more time to work with the Crafers Hall Association, who wish to fund upgrades to the inside of the hall as well.
67803215	Crafers Hall: Crafers: Buildings	\$ 23,000	Buildings	Refer project 3107 and 3764. This carry forward will complement a future budget review, which will detail final costs for Council to meet its obligations to this site.
3768	Mylor Hall Retaining Wall and Drainage	\$ 7,000	Buildings	Issues with the retaining wall and drainage at Mylor Hall were discovered late in 2018-19, with budget allocated for their rectification at budget review. These works have largely been completed, with some minor works outstanding to be paid for in Q1 2019-20.
3521	Pump station and treatment plant - SCADA upgrade	\$ 10,000	CWMS	This project relates to the upgrade of the Supervisory Control and Data Acquisition system at the Birdwood CWMS waste water treatment facility site. Trility were appointed as operators of this facility in April 2019, and whilst they have completed scoping works for this project, they did not have enough time to finalise delivery by 30 June 2019. These works will be completed in Q1 of 2019-20, subject to approval of this proposed carry forward.
3675	Birdwood CWMS Station-Pumps Replacement	\$ 21,000	CWMS	This project relates to the renewal of dosing pumps and associated meters at the Birdwood CWMS waste water treatment facility. New contractors were appointed as operators of this facility in April 2019, and whilst they have completed scoping works for this project, they did not have enough time to finalise delivery by 30 June 2019. These works will be completed in Q2 of 2019-20, subject to approval of this proposed carry forward.
3625	Crafers to Stirling Bikeway Stirling	\$ 125,000	Footpath	This project aimed to construct a bikeway between Crafers and Stirling, however works were deferred pending a decision from DPTI around the SE Freeway upgrade. With the recent announcement regarding the third lane to be added to the SE Freeway, Council can now progress the project.
3649	Gumeracha Residents Win	\$ 22,058	Footpath	These funds represent Council's contribution to the Residents Win (grant funding from the Department of Planning, Transport and Infrastructure) program associated with the Gumeracha Main Street upgrade project. Stage 1 was delivered in 2018-19, with Stage 2 to commence upon approval of this proposed carry forward.

Project Number and Description		Proposed Carry Forward	Asset Category	Comments
3683	Amy Gillet Tiers/ Onkaparinga Road, Woodside, conn	\$ 170,000	Footpath	Design works for this project were finalised in 2018-19, however commencement of physical works were delayed due to encroachment and licensing issues, as the bikeway will be constructed on DPTI land. Preliminary works such as vegetation clearance have commenced, but the remaining funds must be carried forward to 2019-20 to allow the bikeway to be built.
3744	Mt Torrens to Birdwood-Amy Gillett Bikeway Stage 4	\$ 500,000	Footpath	These funds represent Council's possible contribution to Amy Gillett Stages 4 and 5, subject to State and Federal funding for the project. Whilst the project did not proceed in 2018-19, Council continues to promote the project and seek opportunities for funding in relation to the Adelaide Wine Capital Cycle Trail project in collaboration with a significant number of other stakeholders.
3372	E-Development - Stage 2	\$ 22,500	ICT	This project relates to an open purchase order for Software development work that is currently being undertaken with the Development Services Team. The work is currently undergoing User Acceptance Testing and will be closed once agreed software has been delivered.
3634	Cemetery Management System - Online	\$ 45,000	ICT	Scoping works and preparation of tender documents was completed in 2018-19, with the tender closing in early August 2019. This project is in progress and a carry forward of funds will allow for the system to be implemented, subject to successful tender process.
3640	Organisational Information Management System	\$ 16,500	ICT	The remaining budget for this program is being carried forward to complete open Purchase Orders commitments to Contractors that are completing the migration of data between Councils Information Management Systems.
3737	Internet of Things (IoT)	\$ 20,000	ICT	This project is being strategically deferred to assist with a Smart Cities initiative that's been recently established in the CBD with a number of Eastern Region Councils. It's expected to expand coverage of IoT networks into the AHC District and have benefits to community as well as operational activities for AHC.
3738	Microwave Radio Network	\$ 50,000	ICT	After seeking quotes for this project the funds allocated were not sufficient to progress with the activity to meet Council needs. Further assessment is to be undertaken in 2019-20 to work through alternative solutions.
70329215	Enterprise Asset Management System Implementation	\$ 9,300	ICT	Ongoing integration between Confirm and other corporate systems. Carry forward of unspent funds from 2018-19 will complement planned work in 2019-20.
3643	Develop a 'Reading Room' at Norton Summit Community Centre	\$ 1,100	Library	Works are nearly finalised on this project, with minor outstanding items to be completed in Q1 2019-20.
3760	RFID Wand	\$ 6,000	Library	A replacement RFID Wand was received in late 2018-19, however upon trial it was found not to be suitable for stocktaking, which was a key requirement. The RFID Wand has been returned to the supplier and payment withheld until a suitable alternate device can be provided. This is expected in Q1 2019-20, and payment will be made at that time, subject to successful trial.
3176	Cemeteries Upgrades	\$ 19,000	Other	Works are in progress, such as footpath upgrade and driveway drainage improvements. Unfortunately timing impacts, such as weather and resource availability have meant these works are ongoing as of end of financial year.

Project Number and Description		Proposed Carry Forward	Asset Category	Comments
3564	Mt Torrens entrance sign - contribution to stone	\$ 7,500	Other	These funds represent Council's contribution to a community led project, which involves the construction of an entrance/ gateway signage for the township of Mt Torrens. The community group in question progressed the design and development approval of their sign in 2018-19, but were not quite ready to construct in that financial year. Accordingly a carry forward is required so the contribution payment can be made in 2019-20.
3626	Extension of Stirling Cemetery Yr 1	\$ 30,000	Other	This project represents the first stage of implementation of the Stirling Cemetery masterplan. Unfortunately the masterplan was not finalised in time for these works to be delivered in 2018-19. Carrying forward these funds will allow those works to proceed.
3628	Installation of Coolaman Sculpture - Gumeracha	\$ 7,150	Other	This project represents Council's contribution to a community led project, whereby a Coolaman sculpture will be installed in Federation Park, Gumeracha. Unfortunately installation could not be completed in 2018-19 as the sculpture was not finished. A carry forward is required to allow installation to be completed in 2019-20.
3745	Guardrail Roadside Hazard Protection-Regionwide	\$ 81,000	Other	This project relates to the installation of guardrail on Pfeiffer Rd, Woodside. Design was completed in 2018-19, although it took longer than expected due to investigation required of the impacts on the adjacent creek. The balance of funds are required in 2019-20 to allow for the guardrail to be built.
3748	Norton Summit Community Centre - Solar PV Panels	\$ 26,000	Other	Installation of solar panels is complete, however the invoice remains outstanding until the meter change over has occurred. This is by others, and is expected to be completed in Q1 of 2019-20. Carrying forward these funds will allow Council to meet its obligations under this contract.
3749	Organisational Project Management Framework	\$ 15,000	Other	Development of an organisational wide project management framework is ongoing, and a carry forward of these funds will allow finalisation in 2019-20.
3750	Promotional Roadside Signage-Regionwide	\$ 6,500	Other	Proposed carry forward of balance of roadside promotional signage funds, to compliment ongoing roll-out in 2019-20.
3766	Roundabout Landscaping Upgrades, Regionwide	\$ 113,780	Other	An upgrade of key roundabout landscapes was designed and tendered in 2018-19, however the market failed to provide a satisfactory response. Accordingly, a revised design was prepared, in consultation with Council, and is currently out for tender. It is recommended these funds be carried forward, ahead of new quotes being received for these works, to allow for landscaping to occur in 2019-20.
3160	Plant Replacement Program	\$ 694,000	Plant and Fleet	\$480,000 is allocated for the renewal of the Library Truck, and has been deferred to 2019-20 FY due to the timing of the Library Services Review. The remaining \$214,000 is for the renewal of two tipper trucks that have been ordered in May 2019 but won't be delivered by the supplier until August 2019.
3576	Mt Torrens - car park at end of Amy Gillett	\$ 22,000	Road Pavement	The project has been deferred to 2019-20 to allow more time to explore alternate locations for the carpark.
3701	Deviation Road Nthn End-Pavement	\$ 175,000	Road Pavement	Renewal of the pavement and seal on Deviation Rd was due to occur in early 2019, however safety concerns were raised regarding the ability of large construction machines to navigate the steep drop-offs present. Whilst appropriate risk mitigation measures have been determined, this delayed the start of works into the new financial year.

Project Number and Description		Proposed Carry Forward	Asset Category	Comments
3703	Lower Hermitage Rd Millar to Milbrook-Pavement	\$ 607,965	Road Pavement	This project was the subject of a separate Council report, which described a number of delays including issues are acquiring private land, and design amendments required to reduce native vegetation clearance. All outstanding matters have now been finalised, and works have commenced onsite. The project is due to be completed by the end of 2019.
3704	Lower Hermitage Millar Rd Junction Renewal-Pavement	\$ 65,500	Road Pavement	This project forms part of project 3703, above.
3706	Workflow System Development - Regionwide	\$ 2,500	Road Pavement	Ongoing integration between Confirm and other corporate systems. Carry forward of unspent funds from 2018-19 will complement planned work in 2019-20.
3178	Master Plan Heathfield Recreation Grounds	\$ 24,000	Sports & Recreation	Funds were allocated in 2018-19 in support of Council's grant application, however the timing of the grant is such that the works will not be undertaken until 2019-20.
3599	Heathfield Oval Master Plan Implementation	\$ 10,200	Sports & Recreation	Funds were allocated in 2018-19 in support of Council's grant application, however the timing of the grant is such that the works will not be undertaken until 2019-20.
3651	Stonehenge Courts	\$ 422,390	Sports & Recreation	With reference to Council resolution 94/19, which seeks variation and finalisation of arrangements to the grant funding agreement with the Office for Recreation, Sport and Racing, and Tennis SA, carry forward of funds may allow new court construction at alternative sites.
3716	Birdwood Oval-Playspace Upgrade	\$ 180,000	Sports & Recreation	An upgrade of this playspace was designed and tendered in 2018-19, however the quotes received from the market were in excess of the budget. The design was reviewed before a report was prepared for Council that recommend the budget be increased to allow the playspace upgrade to be delivered as per the documented design. This recommendation was carried, with the understanding that the project would now be carried forward and delivered in 2019-20.
3718	Court Resurfacing-Regionwide	\$ 9,000	Sports & Recreation	Design and tender documentation was completed in 2018-19 for the renewal of court surfacing at Heathfield Netball Courts, however engagement with the clubs took longer than planned hence construction works have been delayed until 2019-20.
3723	Paracombe Hall-Playspace Upgrade	\$ 175,000	Sports & Recreation	An upgrade of this playspace was designed and tendered in 2018-19, however the quotes received from the market were in excess of the budget. The design was reviewed before a report was prepared for Council that recommend the budget be increased to allow the playspace upgrade to be delivered as per the documented design. This recommendation was carried, with the understanding that the project would now be carried forward and delivered in 2019-20.
3724	Recreation Precinct-Regionwide	\$ 65,500	Sports & Recreation	Funds were allocated in 2018-19 in support of Council's grant application, however the timing of the grant is such that the works will not be undertaken until 2019-20.
3751	Central Irrigation Control System	\$ 15,000	Sports & Recreation	This project represents a feasibility study into the central management of Council irrigation systems at the Gumeracha Oval and Federation Park. Carry forward of funds is required to complete the study which is in progress.

Project Number and Description		Proposed Carry Forward	Asset Category	Comments
3752	WRG design development for reuse	\$ 25,000	Sports & Recreation	This project looks at the feasibility and design required to reuse water from the Bird in Hand CWMS for irrigation at the Woodside Recreation ground oval and pitches. Due to project complexity and competition for sustainability resources, this project has been delayed until 2019-20, with funds for implementation to form part of the 2020/21 ABP.
3612	Junction Road Balhannah -stormwater upgrade	\$ 84,000	Stormwater	Design works for the renewal of stormwater infrastructure in Junction Rd Balhannah were completed in 2018-19, with budget required for construction works proposed to be carried forward to 2019-20. This is linked to project 3733.
3733	Junction Road Balhannah-Stormwater	\$ 68,000	Stormwater	Design works for the upgrade of stormwater infrastructure in Junction Rd Balhannah were completed in 2018-19, with budget required for construction works proposed to be carried forward to 2019-20. This is linked to project 3612.
3619	Stormwater Master Planning Aldgate	\$ 36,000	Stormwater	Council was successful in securing funding from the Stormwater Management Association for the preparation of a Stormwater Masterplan for Aldgate-Bridgewater-Crafers catchments. This is a multi year project and carry forward of funds from 2018-19 will support the continuation of this project.
3762	Balhannah Train Station Stormwater	\$ 150,000	Stormwater	This project involves the renewal of failed stormwater infrastructure under the ARTC rail track in Balhannah. This issue was discovered part way through 2018-19 and although detailed design and tender was completed in that financial year, works did not commence onsite until July 2019. Accordingly, a carry forward of funds is required.
Proposed Capital Expenditure Carry Forward Total		4,781,943		

Split

Renewals

2,646,365

New

2,135,578

Appendix 3

2018-19 Capital Income Carry Forwards

**ADELAIDE HILLS COUNCIL
CAPITAL WORKS PROGRAM
PROPOSED 2018-19 CAPITAL INCOME CARRY FORWARDS**

Related Project Number & Description	Proposed Carry Forward
Office for Recreation, Sport & Racing Grant Funding for Stonehenge Court Project carried forward in line with Capital Project #3651	422,390
AHBTC Settlements for the northern site Lots 302/303 & 304 were budgeted to occur prior to 30 June 2019 but have been delayed with settlements now expected by mid August 2019.	1,530,000
Proposed Capital Income Carry Forward Total	1,952,390

Appendix 4

*2019-20 Capital Works Program Additional Budget
Requests*

**ADELAIDE HILLS COUNCIL
CAPITAL WORKS PROGRAM
2019-20 ADDITIONAL BUDGET REQUESTS**

Project Description	Budget Request	Comment
Expansion of Kersbrook Cemetery (New)	100,000	<p>The Kersbrook Cemetery has a lawn section for burials that is nearing capacity. On average there are 3 burials in the lawn section per annum.</p> <p>An expansion plan was to be scoped during the 19-20 FY with a budget allocation to be sought in the 20-21 FY for delivery.</p> <p>There has been a greater number of burials or requests for interment rights in the lawn section in the 2019 calendar year, being 6 so far. This has reduced the current capacity to 6 available plots. If that rate of demand continues, the lawn section of the Kersbrook Cemetery will reach capacity within the next 6 – 8 months.</p> <p>To avoid the possibility of the lawn section reaching capacity and Council not being able to meet the needs of the community, it is preferable to bring this project forward to be delivered as a matter of urgency. A masterplan of the site has been drafted to determine the appropriate location for the lawn section and assessments are underway to determine suitability of that area in terms of subsurface rocks, soil type etc. These investigations are being undertaken using the existing capital allocation for Cemetery upgrades.</p> <p>Based on the costs incurred for the existing lawn section, it is anticipated that the section will cost between \$80k - \$100k. We are seeking a budget allocation of \$100k to progress with this project as a priority. Subject to approval by Council, quotes will be sought to undertake the project and the budget adjusted in BR1 if necessary.</p>

Project Description	Budget Request	Comment
#3764 Crafers Hall (Renewal)	177,260	<p>A review of Crafers Hall has found significant issues with drainage, electrical services, and that the ceiling of the hall will also require replacement. These issues go beyond the scope of the original project. In addition the toilet replacement has triggered upgrade requirements in relation to electrical and hydraulics, drainage upgrades and to ensure compliance with DDA requirements.</p> <p>Current design works completed for the redevelopment of the Crafers Hall cost the total project at \$390k, of which \$100k is being contributed by clubs, resulting in a Council contribution of \$290k.</p> <p>It is proposed that \$113k be carried forward across Projects #3107, #3764 and #67803215 and as such an additional budget request of \$177k is sought to progress this project as a priority.</p>
#3843 Gumeracha Residents Win (New)	120,000	<p>Gumeracha Main Street Residents Win</p> <p>In June 2018 AHC were successful in obtaining further Residents Win grant funding of \$120k from the Department of Planning, Transport and Infrastructure (DPTI). As the Residents Win program would not be offered in the next financial year the grant funding was received in the 2017-18 financial year to be spent when the Gumeracha Main Street masterplan and undergrounding of powerline projects were implemented. Construction is planned for 2019-20 and 2020-21 and therefore it is proposed that a \$120k budget be allocated to Project #3843 to provide a total available of \$220k for the implementation of the Gumeracha Main Street Masterplan.</p> <p>As discussed above this is matched by an increase in grant funding of the same amount in 2019-20, being the amount deferred from 2017-18 and therefore has no overall budgetary impact on Council's net borrowing position.</p>
2019-20 Additional Budget Requests	\$397,260	

Appendix 5

*2019-20 Proposed Budgeted Uniform Presentation of
Finances*

Adelaide Hills Council

**BUDGETED UNIFORM PRESENTATION OF FINANCES
2019-20 Revised Budget**

2018-19 Budget		2019-20 Original Budget	Carry Forwards	Additional Budget Requests	2019-20 Revised Budget
\$'000		\$'000			\$'000
	INCOME				
37,186	Rates	38,686	-	-	38,686
1,100	Statutory charges	1,118	-	-	1,118
891	User charges	607	-	-	607
4,391	Grants, subsidies and contributions	3,622	-	-	3,622
38	Investment income	26	-	-	26
377	Reimbursements	192	-	-	192
478	Other income	447	-	-	447
100	Net gain - equity accounted Council businesses	100	-	-	100
44,561	Total Income	44,797	0	0	44,797
	EXPENSES				
16,461	Employee costs	17,290	-	-	17,290
18,276	Materials, contracts & other expenses	17,509	28	-	17,537
8,758	Depreciation, amortisation & impairment	8,945	-	-	8,945
668	Finance costs	604	-	-	604
-	Net loss - equity accounted Council businesses	-	-	-	-
44,163	Total Expenses	44,348	28	0	44,376
	398 NET BUDGETED SURPLUS / (DEFICIT) BEFORE CAPITAL AMOUNTS	449	(28)	0	421
	Net Outlays on Existing Assets				
(12,346)	Capital Expenditure on Renewal and Replacement of Existing Assets	(9,274)	(2,646)	(177)	(12,097)
536	Proceeds from Sale of Replaced Assets	512	-	-	512
8,758	Depreciation	8,945	-	-	8,945
(3,052)	NET OUTLAYS ON EXISTING ASSETS	183	(2,646)	(177)	(2,640)
	Net Outlays on new and Upgraded Assets				
(5,486)	Capital Expenditure on New and Upgraded Assets & Remediation costs	(4,811)	(2,136)	(220)	(7,167)
1,228	Capital Grants and Monetary Contributions for New and Upgraded Assets	250	422	120	792
12,749	Proceeds from Sale of Surplus Assets	2,484	1,530	-	4,014
8,491	NET OUTLAYS ON NEW AND UPGRADED ASSETS	(2,077)	(184)	(100)	(2,361)
5,837	Net Lending/ (Borrowing) for Financial Year	(1,445)	(2,858)	(277)	(4,580)

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 27 August 2019
AGENDA BUSINESS ITEM**

Item: 12.6

Originating Officer: John McArthur, Manager Waste and Emergency Management

Responsible Director: Peter Bice, Director Infrastructure and Operations

Subject: Appointment of East Waste Independent Chair

For: Decision

SUMMARY

Council has received correspondence from East Waste seeking Council's endorsement or otherwise to re-appoint Mr Brian Cunningham as the Independent Chairperson of East Waste for a further two year term.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. That Council consents to Mr Brian Cunningham being re-appointed as Independent Chairperson of East Waste for a further term until 30 June 2021
-

1. GOVERNANCE

➤ **Strategic Management Plan/Council Policy**

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

Adelaide Hills Council is one of seven constituent councils of East Waste and in doing so obtains benefits from working together with others in regard to waste and recycling collection services.

Indirectly related to this report are the following documents:

- Waste and Resource Recovery Service Policy
- Waste and Resource Management Strategy 2016 – 2021
- Resource Recovery and Recycling Strategy

➤ **Legal Implications**

East Waste is governed by a Charter and requirements of the *Local Government Act 1999*.

➤ **Risk Management Implications**

Council considering the position of Independent Chairperson of East Waste will assist in mitigating the risk of:

Council not considering the re-appointment or otherwise of Mr Brian Cunningham as Independent Chairperson of East Waste leading to Council not fulfilling its obligations as a constituent council of East Waste

Inherent Risk	Residual Risk	Target Risk
High (3B)	Medium (3D)	Low (1E)

The report recommendation will require correspondence to be sent to East Waste advising of the outcome of Council considering this matter.

➤ **Financial and Resource Implications**

There are no financial or resource implications to Council from the report recommendation.

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

There are no customer service, community or cultural implications from the report recommendation.

➤ **Environmental Implications**

There are no environmental implications from the report recommendation.

➤ **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: Chief Executive Officer
Director Infrastructure & Operations
Executive Manager Governance & Performance
Waste Management Coordinator

Community: Not Applicable

2. BACKGROUND

East Waste is a Regional Subsidiary established under the *Local Government Act 1999* and provides kerbside waste, recycling and green organic collection services to the constituent councils of:

- Adelaide Hills Council
- City of Burnside
- Campbelltown City Council
- City of Norwood Payneham & St Peters
- City of Mitcham
- Corporation of the Town of Walkerville
- City of Prospect

East Waste is governed by a Charter, which in relation to the Independent Chairperson, requires:

One independent person (who shall be the Chair) appointed jointly by Absolute Majority of the constituent councils for a two year term (and at the expiration of the term is eligible for re-appointment) who is not an officer, employee or elected member of a constituent council, but who has expertise in:

- (a) corporate financial management and/or*
- (b) general management and/or*
- (c) waste management and/or*
- (d) transport fleet management and/or*
- (e) public sector governance and/or*
- (f) marketing and/or*
- (g) economics and/or*
- (h) environmental management.*

The current Chair, Mr Brian Cunningham, has fulfilled the role of East Waste Independent Chairperson since 2013. Since 2015 Mr Cunningham has also held the role of Chair of the Northern Adelaide Waste Management Authority (NAWMA). NAWMA is also a regional subsidiary established under the *Local Government Act 1999* by the City of Playford, the City of Salisbury and the Town of Gawler.

In response to a resolution of the East Waste Board from a special meeting held 1 July 2019 the East Waste General Manager is seeking the approval of the Adelaide Hills Council (and other Constituent Councils) to re-appoint Mr Brian Cunningham to the role of Independent Chairperson for a further term through until 30 June 2021.

To facilitate this consultation process the East Waste Board also resolved on 1 July 2019 to extend Mr Cunningham in the role of Independent Chairperson for a period of three months noting his term expired 30 June 2019. Since the Board resolution to extend Mr Cunningham's term was adopted further advice was received from East Waste. This advice outlined that due to an interpretation error the Board did not have the authority to extend Mr Cunningham for a three month term. In light of this outcome the Deputy Chair is exercising the functions of the Chair until the appointment of the Independent Chairperson has been finalised.

Recently, a long term contract has been executed between East Waste and NAWMA for the receipt and processing of kerbside recycling material. This longer term recycling contract replaces a short term contract that was in place between East Waste and NAWMA in response to the termination of the recycling contract with the previous provider.

Noting Mr Cunningham currently fulfils the role of Chairperson for both subsidiaries there is a live conflict of interest issue in relation to any matters considered by either Board of these organisations in relation to the recycling contract. This live conflict issue has previously been well managed with Mr Cunningham not participating in matters relating to the recycling contract between East Waste and NAWMA. This conflict issue is further discussed in the Analysis section of this report.

3. ANALYSIS

Since the full effects of China Sword came into effect in early 2018 East Waste and the constituent councils have had to adapt to changing circumstances in the waste and recycling sector, these include:

- Loss of financial rebates received for recyclable material collected through the kerbside recycling bin.
- Changed market conditions and values for recyclable material and commodities.
- Cessation of the contract for the receipt and processing of kerbside recycled material.
- Instigation of a short term contract for the receipt and processing of recycled material.
- Procurement of a long term recycling contractor.
- Significant increase in the solid waste levy from \$100/tonne (metro) in 2018/19 to \$110/tonne in July 2019 with a further increase to \$140/tonne in January 2020 (half for non-metro areas).

Noting the above challenges and opportunities East Waste have successfully continued to provide reliable, efficient and appropriate kerbside waste, recycling and green organic collection services to the communities of the constituent councils. Looking forward, with the recent execution of the new contract between East Waste and NAWMA for the receipt and processing of kerbside recycling material and the increases in the solid waste levy there are challenges and opportunities ahead.

To ensure East Waste and the constituent councils are best placed to overcome the challenges and capitalise on the opportunities as they arise requires an ongoing stable and well performing Board. The current Independent Chair of East Waste has a sound knowledge of the subsidiary and a detailed working knowledge of the recent and forthcoming changes to the waste and recycling sector. As a result, the current Chairperson is well placed to provide a stable environment going forward for East Waste and the Board.

As outlined previously the current Independent Chairperson of East Waste fulfils the same role for the NAWMA. In fulfilling these roles, and taking into consideration that East Waste and NAWMA have recently entered into a contract for the receipt and processing of kerbside recyclables, there is a live conflict of interest issue. As outlined previously this outcome is not new as NAWMA was engaged on a short term basis for processing recyclable material collected via East Waste when the contract with the previous provider came to a close. The conflict issue has previously been well managed by East Waste and supported by legal advice obtained.

This matter has previously been managed by the Independent Chairperson on an individual agenda item basis excluding himself from consideration and decision making in relation to any matter relating to the short term recycling contract that was in place between East Waste and NAWMA. Further, the Independent Chairperson was not provided with any documentation or Board agenda papers from East Waste regarding the recycling contract.

Looking forward, there is no evidence to suggest the live conflict issue will not continue to be well managed in the same manner by Mr Cunningham on an agenda by agenda basis as is the requirement for any Board Member. This outcome is apparent through the resolution of the East Waste Board to seek constituent council approval for Mr Brian Cunningham to be re-appointed as Independent Chairperson. Further, there are advantages as outlined previously in this report in relation to re-appointing the current Independent Chairperson.

Taking the above into consideration, and in support of the East Waste Board decision, it is recommended that Council approves Mr Brian Cunningham to be re-appointed as the Independent Chairperson of East Waste for a further two year period.

4. OPTIONS

Council has the following options:

- I. Approve Mr Brian Cunningham to be re-appointed for a further two year term as Independent Chairperson of East Waste.

This option is recommended as it will assist to provide ongoing stability, awareness and knowledge to the management of East Waste.

- II. Not approve Mr Brian Cunningham to be re-appointed for a further two year term as Independent Chair of East Waste.

This option is not recommended as it will delay the appointment of the Independent Chairperson and potentially result in loss of knowledge and experience in a challenging period ahead for the waste and recycling industry.

5. APPENDIX

Nil

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 27th August 2019
AGENDA BUSINESS ITEM**

Item: 12.7

Originating Officer: Natalie Westover, Manager Property Services

Responsible Director: Terry Crackett, Director Corporate Services

Subject: Bridgewater Retirement Village – trust variation scheme

For: Decision

SUMMARY

The purpose of this report is to seek a resolution of Council in relation to the progression of a trust variation scheme for the F H Todd Trust that exists over a portion of the Bridgewater Retirement Village.

The Council undertook community consultation seeking suggestions for land parcels that the F H Todd Trust could be attached to. This report details the responses to that consultation process, recommends Carripook Park Bridgewater as the nominate reserve and outlines the required next steps to progress.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. That Carripook Park in Bridgewater, being land on the north eastern corner of Kain Avenue and Mt Barker Road Bridgewater previously identified as Allotment 137 in Deposited Plan No. 1427 (*Appendix 1*), be the nominated reserve to include in the trust variation scheme application to the Supreme Court to vary the F H Todd trust from the land at the corner of Second Avenue and Mt Barker Road Bridgewater contained in Certificate of Title Volume 5488 Folio 788.
 3. That a further report be presented to Council following conclusion of community consultation in relation to the revocation of community land.
-

1. GOVERNANCE

➤ Strategic Management Plan/Council Policy

Goal 3 Places for people and nature
 Strategy

“Good facilities provide places for people to meet, connect and participate”

Varying the F H Todd Trust to Carripook Park will result in further investment in the park to provide better facilities for the community to enjoy, as well as deliver on the purpose of the F H Todd Trust to “*establish and maintain a landscaped garden for the use and enjoyment of the public*”.

➤ Legal Implications

The Land is the subject of a charitable trust and the existence of the retirement village on the Land is at variance with the terms of the Trust. An application to vary the Trust needs to be made to the Supreme Court pursuant to section 69b of the *Trustee Act 1936*.

Revocation of Community Land is undertaken in accordance with section 194 of the *Local Government Act 1999* and the Council’s *Public Consultation Policy*.

To progress the revocation of community land process and application to vary the Trust for the Bridgewater Retirement Village, an alternate parcel of land needs to be identified for the Trust to be attached to.

The road closure process for Carripook Park will be undertaken in accordance with the requirements of the *Roads (Opening & Closing) Act 1991*.

➤ Risk Management Implications

The selection of Carripook Park as the reserve nominated for the F H Todd trust to be attached to will assist in mitigating the risk of:

Non-compliance with trust deed leading to possible breach of trust actions and inability to sell the Land.

Inherent Risk	Residual Risk	Target Risk
Extreme (3A)	Low (1E)	Low (1E)

Failure to Investigate and approve a requested community suggestion leading to possible lack of confidence in Council and its consultation processes

Inherent Risk	Residual Risk	Target Risk
Low (1C)	Low (1D)	Low (1D)

The closure of Carripook Park as a public road will assist in mitigating the risk of:

Carripook Park not being vested as a community land reserve leading to the Park not being managed in accordance with a community land management plan.

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

The above controls are new risk mitigation controls.

➤ **Financial and Resource Implications**

Not Applicable – outcomes from the recommendations will be managed within existing resources.

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

The proposal to vary the trust has community implications in that it will be a requirement to develop a landscaped garden and memorial for the benefit of the community in an alternate location. The development of the garden and memorial will likely have a positive impact on the amenity of the Park and the enjoyment by the community.

➤ **Environmental Implications**

Not Applicable – subject to the successful variance of the Trust to the Park, the planting of a landscaped garden at the Park will enhance the environment at the Park.

➤ **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: Property Advisory Group

Administration: Manager Open Space
Parks & Reserves Supervisor

Community: Community consultation was undertaken from 28 November 2018 until 28 January 2019 and included advertisements in the local papers and Council's social media channels and an information/feedback page on the Council's website

2. BACKGROUND

On 1 August 2018, the Council resolved to sell its Retirement Village portfolio to Clayton Church Homes (CCH).

During the contract negotiations, CCH sought additional due diligence information to confirm when Council acquired each village and details of any consideration paid. In providing this information, it was discovered that a portion of the Bridgewater Village, being CT 5488-788 on the corner of Second Ave and Mt Barker Road (“Trust Land”), is the subject of an unregistered charitable trust and is Community Land.

The Trust Land was gifted to the then District Council of Stirling by the late Mr Francis Todd in 1983 following the Ash Wednesday fire, for the development of a landscaped garden and memorial to the Ash Wednesday fire for the benefit of the community under a charitable trust (Trust). By virtue of the Trust, the Land is also classified as Community Land pursuant to the *Local Government Act 1999*.

Whilst the Bridgewater Village was purported to be excluded as community land in 2000, due to the existence of the Trust, the Trust Land remains as community land.

As such, it was necessary to excise the Bridgewater village from the transaction at that time, however the Council has provided CCH with a first right of refusal to purchase the Bridgewater Village if the Trust is able to be varied and the community land classification revoked.

On 11 September 2018, Council resolved as follows:

6.10 Revocation of Community Land – Bridgewater Retirement Village

Cr Lynton Vonow returned to the Chamber at 7.57pm

Moved Cr Ian Bailey
S/- Cr Lynton Vonow

232/18

That:

1. The report be received and noted.
2. 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:
 - a. Preparing a report as required under section 194(2)(a) of the Local Government Act 1999 and making it publicly available.
 - b. Undertaking consultation in accordance with its Public Consultation Policy as required under section 194(2)(b) of the Local Government Act 1999.
3. 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.

4. 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.
5. That a further report be presented to Council for consideration after community consultation and further investigations have been completed

Carried Unanimously

3. ANALYSIS

Advice obtained by Council's legal service providers indicated that it would be preferable to determine the location of the land for the F H Todd Trust to be varied to, prior to undertaking community consultation in relation to the revocation of community land for the Bridgewater Retirement Village so that these details can be included in the consultation report.

Community consultation in relation to a preferred location for the vesting of the Trust was undertaken from 28 November 2018 to 28 January 2019. Consultation included advertisements in the local papers, through Council's social media channels and an information/feedback page on the Council's website.

There were a total of 47 visits to the information/feedback page on Council's website.

One feedback sheet was received by Council which suggested Carripook Park, on the corner of Kain Avenue and Mt Barker Road, Bridgewater ("Park") (**Appendix 1**) as a suitable location for the development of a landscaped garden and Ash Wednesday memorial.

The Park was also suggested by the Council's Open Space team as a suitable location for investment with possibilities to create a walking linkage to Carey Gully Road and a new entrance statement into Bridgewater.

Investigations were undertaken in relation to the Park which revealed that the Park was acquired by the Crown for road purposes in January 1995. The Park has been developed as a reserve however is deemed by the Surveyor-General's Office to be an unmade road reserve.

The Park, which is approximately 11,000m² in area, has been already developed with fencing and gates, a shelter, BBQ and a picnic table and chairs. There is a bridge to cross the creek that runs through the middle of the Park. It is a designated off-leash dog area. Given the size of the Park, there is sufficient space to consider a landscaped garden and memorial to the Ash Wednesday Bushfires.

Irrespective of the outcome of the trust variation scheme, it is appropriate for the Park to be vested in Council as a community land reserve with an appropriate Community Land Management Plan. As such Council staff have commenced, under delegation, a process to close the Park as unmade road reserve and have it vested in Council as a reserve and classified as Community Land.

Subject to a resolution as recommended in this report, community consultation will be undertaken in accordance with resolution 232/18 of 11 September 2018 for the revocation of community land as regards the Trust land and including the Park as the nominated land for the trust to be varied to.

4. OPTIONS

Council has the following options:

- I. Resolve to identify Carripook Park as the reserve for the F H Todd trust to be attached to (Recommended)
- II. Not to resolve to identify Carripook Park as the reserve for the F H Todd trust to be attached to leading to the requirement to identify another parcel of land to attach the trust to (Not Recommended)

5. APPENDIX

- (1) Identification of Carripook Park

Appendix 1

Identification of Carripook Park



Annotations

 Polygon1


AHC Core

 Parks

 Townships

RoadsStreetView

 ADJOINING LGA RD

 AHC & PRIVATE


 AHC RD

 DPTI RD

 PRIVATE RD

 SHARED RD

 PropertyOwner

 Parcels


 Roads


 LGAs

 Suburbs

Rivers

 River

 Creeks

 Streams

DISCLAIMER Apart from any use permitted under the Copyright Act 1968, no part may be reproduced by any process without prior written permission obtained from the Adelaide Hills Council. Requests and enquiries concerning reproduction and rights should be directed to the Chief Executive Officer, The Adelaide Hills Council, PO Box 44, Woodside SA 5244. The Adelaide Hills Council, its employees and servants do not warrant or make any

representations regarding the use, or results of use of the information contained herein as to its correctness, accuracy, currency or otherwise. In particular, it should be noted that the accuracy of property boundaries when displayed over aerial photography cannot be considered to be accurate, and that the only certain method of determining boundary locations is to use the services of a licensed Surveyor. The Adelaide Hills Council, its

employees and servants expressly disclaim all liability or responsibility to any person using the information or advice contained herein. ©

50 m



**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 27th August 2019
AGENDA BUSINESS ITEM**

Item: 12.8

Originating Officer: Kylie Caruso, Roads Officer – Property Services

Responsible Director: Terry Crackett, Director Corporate Services

Subject: Road Closure – Portion of Road Reserve adjacent to 38-42 Sturt Valley Road, Stirling/Upper Sturt

For: Decision

SUMMARY

The road reserve adjoining 38-42 Sturt Valley Road is a public road located in Stirling as identified by the area in blue detailed in **Appendix 1** (Road Land).

The owners of number 38-42 Sturt Valley Road, Mr Peter McKay and Ms Simona Achitei have applied to the Council to purchase a section of the public road that sits within the existing boundary of their property.

This report recommends the Council resolving to issue a Road Process Order to close the Road Land identified as “A” in **Appendix 2** and sell to Mr McKay and Ms Achitei for the amount of \$8,800.00 as the value attributed by an independent valuation dated 11th June 2019.

Whilst current delegations by Council provide authority for the Chief Executive Officer to deal with all matters associated with the making of a Road Process Order, current practice for these matters has been to bring them to Council for consideration.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. To make a Road Process Order pursuant to the *Roads (Opening & Closing) Act 1991* to close and merge the pieces of land identified as “A” in the Preliminary Plan attached to this report with Allotment 203 in Deposited Plan No 62796 comprised in Certificate of Title Volume 5907 Folio 850 as detailed in Appendix 2 of this report.
 3. Subject to the closure of the road identified in the Preliminary Plan attached, 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 Peter McKay and Ms Simona Achitei, the owners of the property with which it is merging for the amount of \$8,800.00 plus GST (if applicable) and all fees and charges associated with the road closure process.
 4. Authorise the Chief Executive to finalise and sign all necessary documentation to close and sell the above portion of closed road pursuant to this resolution.
-

1. GOVERNANCE

Strategic Plan: Organisational Sustainability

Strategies: Financial Sustainability
Risk and Responsibility

➤ Legal Implications

The *Roads (Opening & Closing) Act 1991* sets out the process for a road closure and the issuance of a Road Process Order

➤ Risk Management Implications

The closure and sale of the Road Land will assist in mitigating the risk of:

Private infrastructure on public road reserve leading to increased risk and liability for Council.

Inherent Risk	Residual Risk	Target Risk
Low (1C)	Low (1E)	Low (1E)

The closure of a section of unmade road that is deemed to be surplus to Council's current and future needs as a public road, reduces the risks to Council associated with safety and liability, vegetation control works and costs.

➤ Financial and Resource Implications

All external costs including the initial and subsequent survey, valuation, conveyancing, advertising and government charges have been paid by the prospective purchaser.

The Council has met its own administrative cost of the proposed road closure including the initial investigation, liaison with proposed purchasers, liaison with surveyor and conveyancer and internal processes to undertake the road closure.

If the recommendation is endorsed, Mr McKay and Ms Achitei will pay \$8,800.00 for the purchase of their portion of the Road Land.

➤ Customer Service and Community/Cultural Implications

Not Applicable.

➤ Environmental Implications

Nil

➤ **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: Property Advisory Group

Administration: Manager Property Services
Civil Projects Coordinator, Infrastructure & Operations
Manager Civil Services, Infrastructure & Operations
Biodiversity Officer
GIS & Asset Management Officer

Community: Community Consultation was undertaken in accordance with the public notice requirements set out in the *Roads (Opening & Closing) Act 1991*.

2. **BACKGROUND**

Mr Peter William McKay and Ms Simona Roxana Achitei own the property at 38-42 Sturt Valley Road, Stirling/Upper Sturt.

The land owners submitted an application to Council in March 2016 to acquire portion of the road reserve to merge with their existing title, to rectify a boundary encroachment. The encroachment is a historic building (circa 1880s) to the Stirling District – an old packing house for flowers, fruit and vegetables, previously owned by the Pink family.

It is proposed that 38-42 Sturt Valley Road, Stirling/Upper Sturt will have incorporated 572 square metres of road reserve, which will enable the rectification of encroachments of the building currently encroaching over the road reserve.

3. **ANALYSIS**

The Road Land was assessed by Council staff to ascertain its suitability for a closure and sale and this assessment indicated that it was suitable.

The road closure process was commenced and undertaken in accordance with the requirements of the *Roads (Opening & Closing) Act 1991*.

The proposed closure of the Road Land will not have any impact on the passage of vehicular or pedestrian traffic as the proposed closure will result in the rectification of the boundary being merged with the land owned by Mr McKay and Ms Achitei.

As required under the Council's *Disposal of Land Policy*, a valuation was obtained from an independent Valuer to determine the market value of the Road Land.

It is proposed that 38-42 Sturt Valley Road, Stirling/Upper Sturt will have incorporated 572 square metres of road reserve which contains a historic building and is vegetated. The value attributed by the McLean Gladstone Valuers was \$8,800.00.

Public Consultation has occurred, with no objections received to the proposed road closure process.

4. OPTIONS

The Council has the following options:

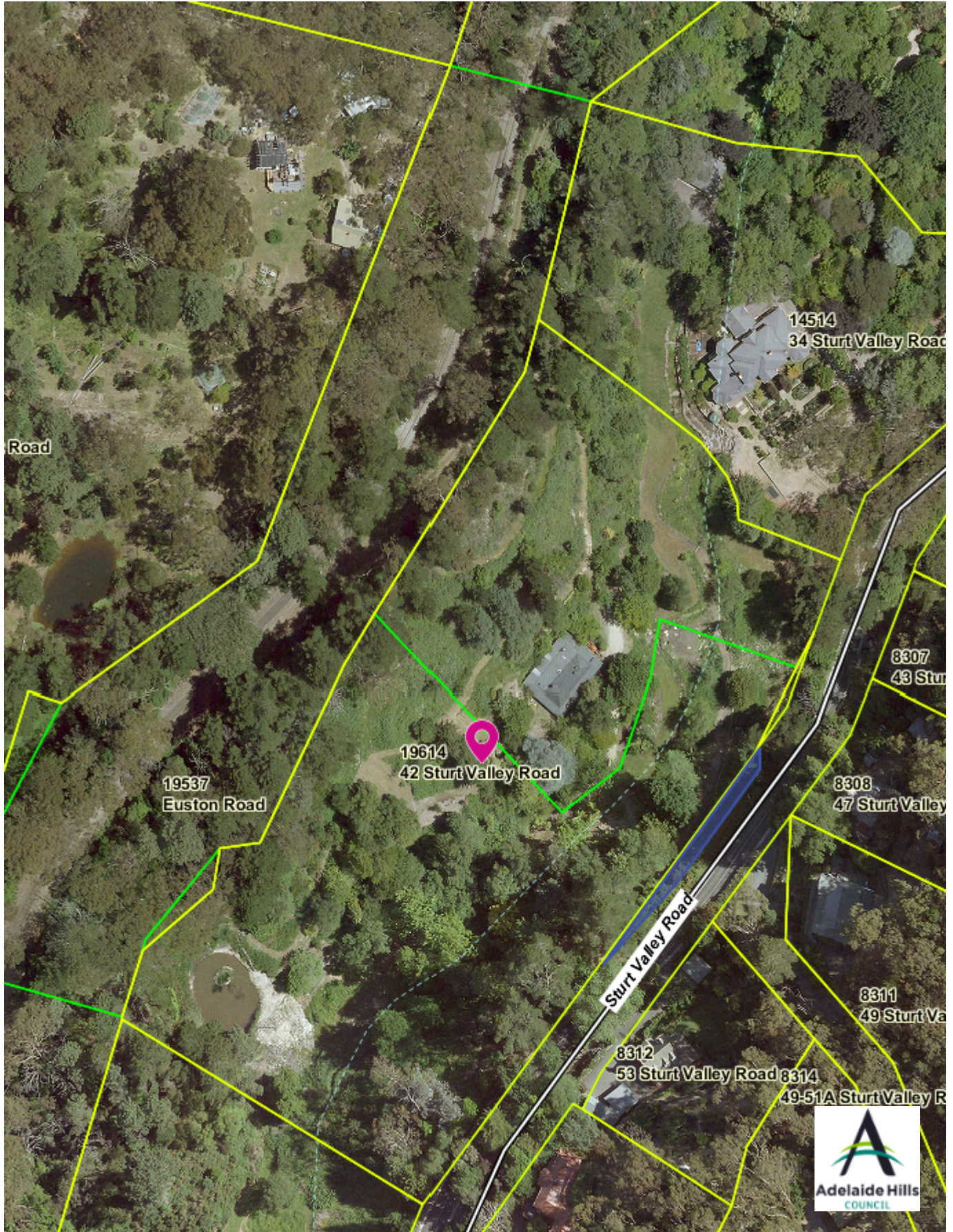
- I. Resolve to close the road and issue a Road Process Order (Recommended)
- II. Resolve to not endorse the road closure (Not Recommended)

5. APPENDICES

- (1) Map identifying the Road Land
- (2) Preliminary Plan identifying the Road Land and merging parcels

Appendix 1

Identification of Road Land

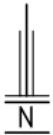


50 m

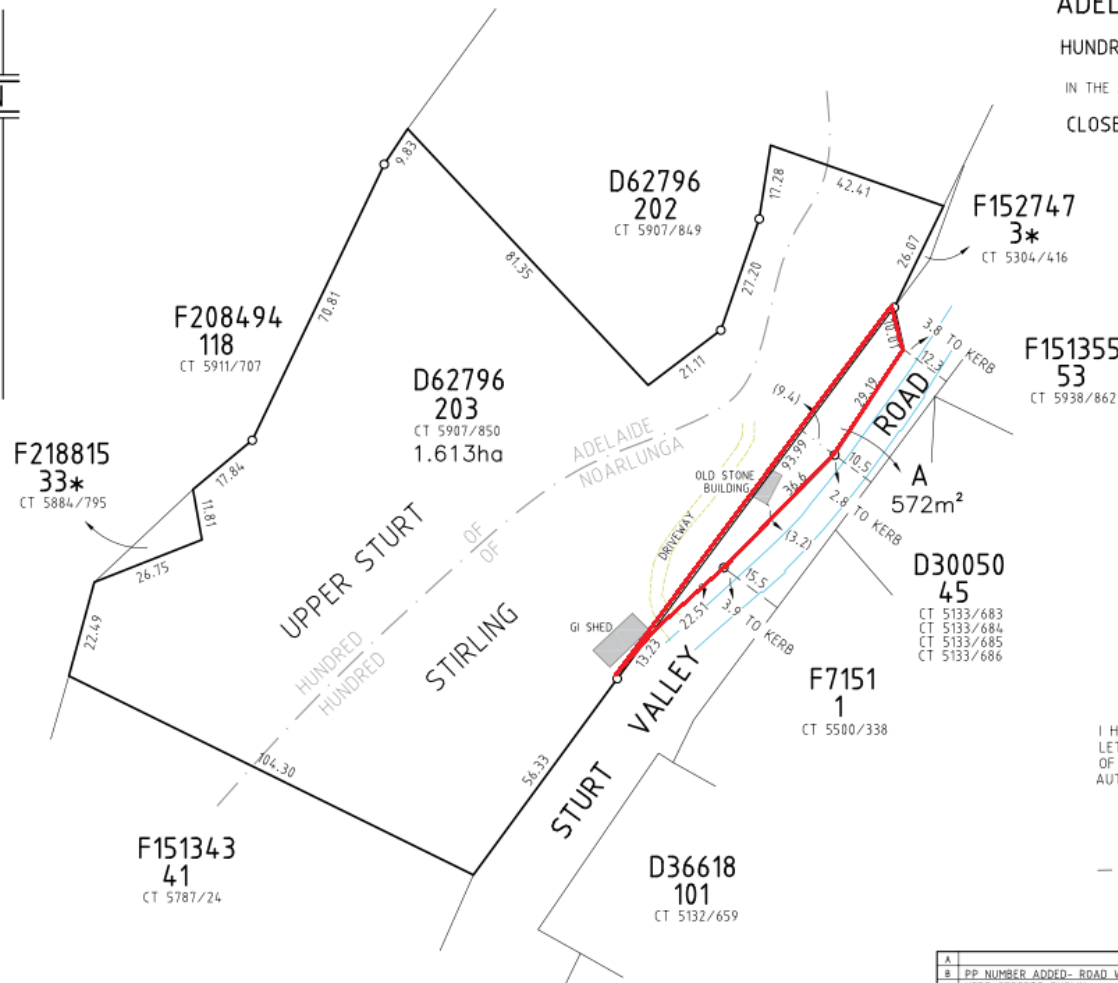
Scale = 1508.22

Appendix 2

Preliminary Road Plan identifying land



PRELIMINARY PLAN No:19/0019
 ADELAIDE HILLS COUNCIL
 HUNDRED OF NOARLUNGA / ADELAIDE
 IN THE AREA NAMED STIRLING / UPPER STURT
 CLOSED ROAD "A" TO MERGE WITH CT 5907/850



PROPOSAL CERTIFIED CORRECT AS TO INTENT

DATED / / 2019

ADELAIDE HILLS COUNCIL

I HEREBY CERTIFY THAT THE PORTION OF ROAD TO BE CLOSED
 LETTERED A HEREON IS PUBLIC ROAD WITHIN THE MEANING
 OF SECTION 3 OF THE ROADS (OPENING AND CLOSING) ACT, 1991
 AUTHORITY PUBLIC MAP

LICENSED SURVEYOR

REF: 2019110-1C



REVISIONS	BY	DATE
A		
B		
C		
D		
E		
F		

MICHAEL GREAR SURVEYS
 5 GULFVIEW ROAD
 BLACKWOOD SA 5051
 PHONE: (08) 8278 8732
 FAX: (08) 8278 8050
 17B-19A DARLING TERRACE
 WHYALLA SA 5600
 PHONE: (08) 8644 2040
 FAX: (08) 8278 8050
 ABN93205344714

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 27 August 2019
AGENDA BUSINESS ITEM**

Item: 12.9

Originating Officer: Lachlan Miller, Executive Manager Governance & Performance

Responsible Director: Andrew Aitken, Chief Executive Officer

Subject: Audit Committee Membership - Independent Members

For: Decision

SUMMARY

Council utilises its Council Committees to provide advice to Council which collectively contribute to the achievement of Council's goals and strategies and discharge of its legislative obligations.

Council has established three Council Committees being the Strategic Planning & Development Policy Committee (SPDPC), the Audit Committee and the Chief Executive Officer Performance Review Panel (CEOPRP).

This report addresses matters related to the Independent Membership of the Audit Committee, with the key matter being to establish a selection panel for recruitment of two Independent Members.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted**
 - 2. That in relation to the Audit Committee:**
 - a. To undertake a recruitment process for the selection of two Independent Ordinary Members for the Audit Committee for a term of 24 months, commencing 1 December 2019.**
 - b. To appoint Cr _____, Cr _____ and the CEO (or delegate) as members of the Audit Committee Independent Member Selection Panel.**
-

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.' A suite of Council Committees with clear roles and functions and skilled membership facilitates the achievement of this commitment.

➤ Legal Implications

Council Committees

Section 41 of the *Local Government Act 1999* (the Act) sets out the processes for the establishment of council committees. These committees may be formed to assist council in the performance of its functions; to enquire into matters; to provide advice to council and to exercise delegated powers functions and duties.

Section 41 committees may contain members who are not Council Members.

Regulation 17(1) of the *Local Government (Financial Management) Regulations 2011* provides that the Audit Committee must have between three and five members, must include at least one person who is not a Council Member and has financial experience relevant to the functions of the Committee, and must not include the Council's auditor as a member.

Commentary on potential changes to the legislative requirements for Audit Committees is contained in the Background Section below.

Council Committee Member Remuneration

For the purposes of *The Remuneration Tribunal Determination of Allowances for Members of Local Government Councils* the SPDPC, Audit Committee and the CEO Performance Review Panel are 'prescribed committees'. A prescribed committee is 'a committee that endures, irrespective of whether the council has assigned any particular work for the committee to perform and assist council or provides advice to the council.'

The annual allowance for a councillor who is a presiding member of one or more prescribed committees is equal to 1.25 times the annual allowance for councillors of that council. There is no allowance payment for councillors who are members of Council Committees.

Fees for independent members (presiding and ordinary) are set by Council and not the Remuneration Tribunal.

➤ **Risk Management Implications**

The selection of members and presiding members for s41 committees 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 are in place to mitigate this risk.

➤ **Financial and Resource Implications**

The costs specifically associated with this report relate to advertising for Expressions of Interest for membership of the Council Committees and the payment of Independent Member sitting fees and Presiding Member allowances. The costs have been incorporated in the adopted budget.

The resource implications are predominately in relation to the conduct of the Independent Member selection process.

The sitting fees for Independent Members of the Audit Committee were considered by Council at the 23 April 2019 Ordinary Council Meeting and were resolved as follows:

2. That in relation to the Audit Committee:

- a. **To determine the sitting fees for Members, effective immediately, as follows:**
 - i. **Independent Presiding Member - \$550 (excl GST) per attended meeting.**
 - ii. **Independent Ordinary Member - \$400 (excl GST) per attended meeting.**
 - iii. **Authorised Training - \$75 (excl GST) per hour of training attended excluding travel time but with a travel allowance being paid at the standard Council rate.**
- b. **That in the event that an Independent Ordinary Member is required to preside at a meeting in the absence of the Presiding Member, then that Member receives the \$550 (excl GST) sitting fee for that meeting.**

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

There is a high expectation that Council has appropriate governance and accountability mechanisms in place in relation to its meeting structures and that Council Committee members are competent and understand the role and functions of the committee and their individual obligations with regard to conduct.

➤ **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: Director Corporate Services
Governance & Risk Coordinator
Manager Financial Services

Community: Not Applicable

There is no requirement for community consultation in relation to the appointment of Independent Members and Presiding Members to Council Committees.

2. **BACKGROUND**

Audit Committee Membership – Independent Members

The current Independent Membership of the Audit Committee was considered by Council at the 23 January 2018 Ordinary Council Meeting and was resolved as follows:

19.1.1. **CEO Performance Review Committee and Audit Committee Independent Members Appointments – Confidential Item**

RELEASED 1 FEBRUARY 2018

Moved Cr John Kemp
S/- Cr Malcolm Herrmann

22/18

Council resolves:

1. **That the report be received and noted**
2. **To appoint Paula Davies to the CEO Performance Review Panel for a term to commence immediately until 30 November 2020 (inclusive)**
3. **That in relation to the Audit Committee Independent Membership:**
 - a. **To appoint Peter Brass to the position of Independent Member for a term to commence immediately until 30 November 2019 (inclusive)**
 - b. **To appoint Geoff Purdie to the position of Independent Member for a term to commence immediately until 30 November 2019 (inclusive)**
 - c. **To appoint Paula Davies to the position of Independent Member for a term to commence immediately until 30 November 2020 (inclusive).**

Carried Unanimously

Audit Committee Membership - Council Members

The current Council Member Membership of the Audit Committee was considered by Council at the 27 November 2018 Ordinary Council Meeting and was resolved as follows:

12.7.1 Membership Audit Committee – Appointment of Members

Moved Cr Mark Osterstock
S/- Cr Ian Bailey

292/18

Council resolves to appoint Cr Malcolm Herrmann & Cr Leith Mudge as members of the Audit Committee for a 24 month term to commence 27 November 2018 and conclude on 26 November 2020 (inclusive).

Carried Unanimously

The Audit Committee TOR (**Appendix 1**) was reviewed and adopted at the 22 August 2017 meeting and came into effect on 1 September 2017.

Audit Committee Presiding Member

The current Committee TOR (clause 7.1) provides that Council will appoint the Presiding Member. Clause 7.2 provides that the Council authorises the Committee to determine if there will be a Deputy Presiding Member of the Committee and, if so, authorises the Committee to make the appointment to that position for a term determined by the Committee.

The appointment of the Audit Committee Presiding Member was considered by Council at the 27 November 2018 Ordinary Council Meeting and was resolved as follows:

12.7.3 Membership Audit Committee – Appointment of Presiding Member

9.52pm Cr Malcolm Herrmann declared a Material Conflict of Interest as he will receive a pecuniary benefit if appointed as Presiding Member and left the Chamber

Moved Cr Mark Osterstock
S/- Cr Linda Green

294/18

Council resolves to appoint Cr Malcolm Herrmann to the position of Audit Committee Presiding Member for a 12 month term to commence 1 December 2018 and conclude on 26 November 2019 (inclusive).

Carried Unanimously

Reforming Local Government – Audit Committee Provisions

In August 2019 the Minister for Local Government released the *Reforming Local Government in South Australia Discussion Paper*. The Paper is structured into four reform areas being:

1. Stronger Council Member Capacity and Better Conduct
2. Local Costs and Enhanced Financial Accountability
3. Efficient and Transparent Local Government Representation
4. Simpler Regulation

Reform Area 2: Local Costs and Enhanced Financial Accountability contains a number of proposals for improving Audit Committees including:

- Majority of independent members
- Independent chair
- Greater role in the appointment of the external auditor and the scope of the audit
- Requiring members to have specified skills
- Report on the council's approach to internal audit
- Expanding the role of the committee with respect to risk oversight, rating policies and practices, use of public resources, prudential matters, and performance monitoring

The Discussion Paper is currently open for public consultation and the Minister has advised that he intends to introduce an Amendment Bill early in 2020.

3. ANALYSIS

The term of two Independent Ordinary Members is set to conclude on the 30 November 2019. In order for the Audit Committee to continue its functions and duties it is prudent for Council to determine its intentions regarding these vacancies well prior to the conclusion date.

Specified Skills of Audit Committee Members

While the potential 'specified skills' proposed in the Discussion paper is not yet known, the current Audit Committee TOR (clause 5.3) requires members to have recent and relevant skills and experience in professions such as, but not limited to accounting, financial management, risk management, law, compliance, internal audit and governance. It is anticipated that these provisions will likely satisfy whatever 'specified skills' are prescribed, particularly as there is likely to be a transition period for Members appointed prior to the new legislative provisions.

Chairing of Audit Committee Meetings

Given the potential for legislative change to require Independent Presiding Members of Audit Committees (see above) this situation presents Council with the following decision points:

1. To wait until the legislative reform process is finalised and determine the Presiding Member arrangements based on the prevailing provisions. This would mean that if an Independent Presiding Member is required that Council would need to select from amongst the current Independent Ordinary Members who may/may not have competency in chairing meetings. Under this option, Council would recruit for two Independent Ordinary Members at this time but could include chairing skills as a desirable criterion. Further, given the new provisions will not be known prior to the expiration of the current Presiding Member's term (i.e. 26 November 2019) and are unlikely to come into effect until 1 July 2020, Council will need to contemplate its options regarding the Committee's Presiding Member on/before the November 2019 Ordinary meeting; or
2. Determine to pre-empt the likely legislative reform outcome requiring Independent Presiding Members and recruit for one Independent Presiding Member and one Independent Ordinary Member at this time. Doing so would however lock Council into appointing the successful Independent Presiding Member candidate as the Presiding Member from 1 December 2019 (i.e. when the current Presiding Member's term expires) for a two year period.

Selection Panel

If Council determines to commence a recruitment process for the selection of two Independent Members, it will also need to determine a Selection Panel. Historically the Selection Panel for Audit Committee Independent Members has consisted of the two Council Members currently appointed to the Audit Committee. It is proposed that the CEO (or delegate) also be appointed to the Selection Panel due to the expertise of Council Officers in the disciplines associated with the Audit Committee's functions.

If Council seeks to utilise a voting process for the determination of the Selection Panel members, 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 can be utilised.

The Selection Panel will need to complete its process and provide a recommendation to Council no later than the 26 November 2019 Ordinary meeting, although the 22 October 2019 meeting will be targeted.

4. OPTIONS

Council has the following options:

- I. To determine to commence the Audit Committee Independent Member selection process and appoint the Selection Panel Members. The recruitment process could be structured as either:
 - a. Two Independent Ordinary Members (recommended), or
 - b. One Independent Presiding Member and one Independent Ordinary Member.
- II. Given the uncertainty regarding the Reforming Local Government Process as it relates to Audit Committees, to determine to extend the terms of office for the two expiring Independent Ordinary Members to a future date when the new provisions are likely to be finalised (i.e. 30 May 2020).
- III. To determine an alternative course of action (not recommended).

5. APPENDIX

1. Audit Committee – Terms of Reference

Appendix 1

Audit Committee – Terms of Reference

ADELAIDE HILLS COUNCIL
Audit Committee



TERMS OF REFERENCE
Effective from 1 September 2017

1. ESTABLISHMENT

- 1.1 The Audit Committee (the Committee) of Council is established under Section 41 of the *Local Government Act 1999* (the Act), for the purposes of Section 126 of the Act and in compliance with regulation 17 of the *Local Government (Financial Management) Regulations 2011*.
- 1.2 The Audit Committee does not have executive powers or authority to implement actions in areas which management has responsibility and does not have any delegated financial responsibility. The Audit Committee does not have any management functions and is therefore independent from management.

2. ROLE

- 2.1 The overall role of the Audit Committee will be to assist Council to accomplish its objectives by monitoring and providing advice on the adequacy and effectiveness of the systems and processes regarding financial management and reporting, internal control and risk management, internal audit and governance functions through the following functions:

3. SPECIFIC FUNCTIONS

- 3.1 Financial Reporting and Prudential Requirements

The Committee shall:

- 3.1.1 Provide comment on the assumptions underpinning Council's Strategic Management Plans (Strategic Plan, Annual Business Plan and Budget and Long Term Financial Plan), the consistency between plans and the adequacy of Council's plans in the context of maintaining financial sustainability;
- 3.1.2 Review and provide advice to Council on the degree to which the annual financial statements present fairly the state of affairs of the Council;
- 3.1.3 Monitor the integrity of the financial statements of the Council, including its annual report, reviewing significant financial reporting issues and judgements which they contain.;
- 3.1.4 Review and challenge where necessary:
- 3.1.4.1 The consistency of, and/or any changes to, accounting policies;
- 3.1.4.2 The methods used to account for significant or unusual transactions where different approaches are possible;
- 3.1.4.3 Whether the Council has followed appropriate accounting standards and made appropriate estimates and judgements, taking into account the views of the external auditor;

3.1.4.4 The clarity of disclosure in the Council's financial reports and the context in which statements are made; and

3.1.4.5 All material information presented with the financial statements, such as the operating and financial review and the corporate governance statement (insofar as it relates to the audit and risk management);

3.1.5 Review prudential reports prepared under Section 48(1) of the Act and provide advice to Council, upon request, on other prudential matters.

3.2 Internal Controls and Risk Management Systems

The Committee shall:

3.2.1 Ensure that appropriate policies, practices and procedures of internal control (and other financial and risk management systems) are implemented, reviewed and maintained in order to assist the Council to carry out its activities in an efficient and orderly manner to achieve its objectives;

3.2.2 Review Council's risk management framework and monitor the performance of Council's risk management program;

3.2.3 Monitor the corporate risk profile and significant risk exposures for the organisation to ensure that there are appropriate management plans to manage and mitigate this business risk; and

3.2.4 Ensure an appropriate legislative compliance framework exists to identify risks and controls over compliance with applicable legislation and regulations.

3.3 Whistle blowing

The committee shall:

3.3.1 Review annually the Council's Whistleblower Protection Policy

3.3.2 Provide recommendations to Council regarding the Whistleblower Protection Policy to ensure that:

3.3.2.1 There are adequate arrangements for Council employees to raise concerns, in confidence, about possible wrongdoing in financial reporting or other matters; and

3.3.2.2 The policy allows independent investigation of such matters and appropriate follow-up action in a manner that is in accordance with the Independent Commissioner Against Corruption Act 2012 and Regulations 2013.

3.4 Internal Audit

The Committee shall:

- 3.4.1 Monitor and review the effectiveness of the Council's internal audit function in the context of the Council's overall risk management system;
- 3.4.2 Consider and make recommendation 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.
- 3.4.3 Review all reports on the Council's operations from the internal auditors;
- 3.4.4 Review and monitor management's responsiveness to the findings and recommendations of the internal auditor; and
- 3.4.5 Where appropriate, meet the "head" of internal audit (internal or outsourced) at least once a year, without management being present, to discuss any issues arising from the internal audits carried out. In addition, the head of internal audit shall be given the right of direct access to the Principal Member of the Council and to the Presiding Member of the committee.

3.5 External audit

The Committee shall:

- 3.5.1 Consider and make recommendations to the Council, in relation to the appointment, re-appointment and removal of the Council's external auditor. The Committee shall oversee the selection process for new auditors and if an auditor resigns the Committee shall investigate the issues leading to this and decide whether any action is required;
- 3.5.2 Oversee Council's relationship with the external auditor including, but not limited to:
 - 3.5.2.1 Recommending the approval of the external auditor's remuneration, whether fees for audit or non-audit services, and recommending whether the level of fees is appropriate to enable an adequate audit to be conducted;
 - 3.5.2.2 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;
 - 3.5.2.3 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;
 - 3.5.2.4 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);

- 3.5.2.5 Monitoring the external auditor's compliance with legislative requirements on the rotation of audit partners; and
 - 3.5.2.6 Assessing the external auditor's qualifications, expertise and resources and the effectiveness of the audit process (which shall include a report from the external auditor on the audit committee's own internal quality procedures);
 - 3.5.3 Meet as needed with the external auditor. The Committee shall meet the external auditor at least once a year, without management being present; to discuss the external auditor's report and any issues arising from the audit;
 - 3.5.4 Review and make recommendations on the annual audit plan, and in particular its consistency with the scope of the external audit engagement;
 - 3.5.5 Review the findings of the audit with the external auditor. This shall include, but not be limited to, the following:
 - 3.5.5.1 a discussion of any major issues which arose during the external audit;
 - 3.5.5.2 any accounting and audit judgements; and
 - 3.5.5.3 Levels of errors identified during the external audit. The committee shall also review the effectiveness of the external audit.
 - 3.5.6 Review any representation letter(s) requested by the external auditor before they are signed by management;
 - 3.5.7 Review the management letter and management's response to the external auditor's findings and recommendations.
- 3.6 Economy and Efficiency Audits
- The Committee shall:
- 3.6.1 Propose and review the exercise of powers under Section 130A of the Act; to examine and report on any matter relating to financial management, or the efficiency and economy with which the council manages or uses its resources to achieve its objectives,
- 3.7 Service Improvement
- The Committee shall:
- 3.7.1 Monitor the benefits achieved through Council's Service Improvement Program with a focus on efficiency and effectiveness.

4. OTHER MATTERS

The Committee shall:

- 4.1 Have access to reasonable resources in order to carry out its duties, recognising the constraints within Council's Budget;
- 4.2 Be provided with appropriate and timely training, both in the form of an induction programme for new members and on an ongoing basis for all members;
- 4.3 Give due consideration to laws and regulations of the Act;
- 4.4 Make recommendations on co-ordination of the internal and external auditors;
- 4.5 Oversee any investigation of activities which are within its terms of reference;
- 4.6 Oversee action to follow up on matters raised by the external and internal auditors;
- 4.7 Invite Council's external auditors and internal auditors to attend meetings of the Committee, as considered appropriate; and
- 4.8 At least once in its term, review its own performance and terms of reference to ensure it is operating at maximum effectiveness and recommend changes it considers necessary to the Council for approval.

5. MEMBERSHIP

- 5.1 The Committee will comprise 5 members as follows:
 - 5.1.1 Three (3) Independent Members; and
 - 5.1.2 Two (2) Council Members
- 5.2 All members of the Committee will be appointed by the Council.
- 5.3 Independent Member(s) of the Committee shall have recent and relevant skills and experience in professions such as, but not limited to accounting, financial management, risk management, law, compliance, internal audit and governance.
- 5.4 It is desirable for the Council Members to be appointed to the Committee to have a sound understanding of financial management, risk management and governance.
- 5.5 In considering appointments to the Committee, Council should give consideration to the diversity of the membership.
- 5.6 Appointments to the Committee shall be for a period of up to three (3) years.
- 5.7 Members of the Committee are eligible for reappointment at the expiration of their term of office.
- 5.8 The terms of appointment of the Independent Members should be arranged to ensure the orderly rotation and continuity of membership despite changes to the composition of the Council.

6. SITTING FEES

- 6.1 The applicable Remuneration Tribunal (or its successor) Determination outlines the applicable allowance for Council Members on the Committee.
- 6.2 The Independent Members are to be paid a sitting fee as determined by Council for attendance at meetings and authorised training sessions. Council may determine a higher sitting fee for the presiding member.

7. PRESIDING MEMBER

- 7.1 The Council will appoint the Presiding Member of the Committee.
- 7.2 The Council authorises the Committee to determine if there will be a Deputy Presiding Member of the Committee and, if so, authorises the Committee to make the appointment to that position for a term determined by the Committee.
- 7.3 If the Presiding Member of the Committee is absent from a meeting the Deputy Presiding Member (if such position exists) will preside at that meeting. If there is no position of Deputy Presiding Member, or both the Presiding Member and the Deputy Presiding Member of the Committee are absent from a meeting of the Committee, then a member of the Committee chosen from those present will preside at the meeting until the Presiding Member (or Deputy Presiding Member, if relevant) is present.
- 7.4 The role of the Presiding Member includes:
 - 7.4.1 overseeing and facilitating the conduct of meetings in accordance with Act and the *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations);and
 - 7.4.2 Ensuring all Committee members have an opportunity to participate in discussions in an open and encouraging manner.

8. REPORTING RESPONSIBILITIES

- 8.1 For the purposes of Section 41(8) of the Act, the Committee's reporting and accountability requirements are:
 - 8.1.1 The minutes of each Committee meeting will be included in the agenda papers of the next ordinary meeting of the Council;
 - 8.1.2 The Presiding Member will attend a meeting of the Council at least once per annum to present a report on the activities of the Committee;
 - 8.1.3 The Committee shall make whatever recommendations to the Council it deems appropriate on any area within its terms of reference where in its view action or improvement is needed; and
 - 8.1.4 The Presiding Member may attend a Council meeting at any time that the Presiding Member sees fit to discuss any issue or concern relating to the Committee's functions. Depending on the nature of the matter, this may be held in confidence in accordance with Section 90 of the Act and staff may be requested to withdraw from the meeting.

9. MEETING PROCEDURE

- 9.1 Meeting procedure for the Committee is as set out in the Act, Parts 1, 3 and 4 of the Regulations. Insofar as the Act, the Regulations, or these Terms of Reference do not prescribe the procedure to be observed in relation to the conduct of a meeting of the Committee, the Committee may determine its own procedure.
- 9.2 In accordance with Section 90(7a), one or more Committee members may participate in the meeting by telephone or other electronic means provided that members of the public can hear the discussion between all Committee members.
- 9.3 Only members of the Committee are entitled to vote in Committee meetings. Unless otherwise required by the Act not to vote, each member must vote on every matter that is before the Committee for decision.
- 9.4 Council Employees may attend any meeting as observers or be responsible for preparing papers for the committee.

10. SECRETARIAL RESOURCES

- 10.1 The Chief Executive Officer shall provide sufficient administrative resources to the Committee to enable it to adequately carry out its functions.

11. FREQUENCY OF MEETINGS

- 11.1 The Committee shall meet at least four times a year at appropriate times and places as determined by the Committee. A special meeting of the Committee may be called in accordance with the Act.
- 11.2 If after considering advice from the CEO or delegate, the Presiding Member of the Committee is authorised to cancel the respective Committee meeting, if it is clear that there is no business to transact for that designated meeting.

12. NOTICE OF MEETINGS

- 12.1 Notice of the meetings of the Committee will be given in accordance with Sections 87 and 88 of the Act. Accordingly, notice will be given:
- 12.1.1 To members of the Committee by email or as otherwise agreed by Committee members at least 3 clear days before the date of the meeting; and
- 12.1.2 To the public as soon as practicable after the time that notice of the meeting is given to members by causing a copy of the notice and agenda to be displayed at the Council's offices and on the Council's website.

12.2 PUBLIC ACCESS TO MEETINGS & DOCUMENTS

- 12.3 Members of the public are able to attend all meetings of the Committee, unless prohibited by resolution of the Committee under the confidentiality provisions of Section 90 of the Act.
- 12.4 Members of the public have access to all documents relating to the Committee unless prohibited by resolution of the Committee under the confidentiality provisions of Section 91 of the Act.

13. MINUTES OF MEETINGS

- 13.1 The Chief Executive Officer shall ensure that the proceedings and resolutions of all meetings of the Committee, including recording the names of those present and in attendance are minuted and that the minutes otherwise comply with the requirements of the Regulations.
- 13.2 Minutes of Committee meetings shall be circulated within five days after a meeting to all members of the Committee and will (in accordance with legislative requirements) be available to the public.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 27 August 2019
AGENDA BUSINESS ITEM**

Item: 12.10

Originating Officer: Marc Salver, Director Development & Regulatory Services

Responsible Director: Marc Salver, Director Development & Regulatory Services

Subject: Review of Primary Production Incentive Grant Funding

For: Decision

SUMMARY

In the 2013/14 Annual Budget preparation process, Council reduced eligibility for the 10% Primary Production Rebate upon application, which released \$20,000 to be applied to a grant fund for the benefit of primary producers in the Council area. In December 2013, after consulting the primary production sector, Council resolved to establish a Revitalisation Fund for Primary Producers (later rebadged as a Primary Production Incentive Grant (PPIG) scheme). The fund was initially anticipated to only be established for two financial years (FY) but subsequently ran for four years. However, no funds were set aside for this grant from 2017/18 FY onwards as there was a remaining amount of \$36,200 available at the end of the 2016/17 Financial Year. The last grant round was undertaken in 2018/19 and solicited four responses of which none were progressed.

The grant was advertised over five financial years (refer to **Appendix 1** - grant documentation) and matched grants totalling \$54,160 were awarded to six grant recipients (refer to **Appendix 2** for details). However, it is noted that of the 17 applications received over this period, nine were unsuccessful essentially because they did not meet the grant criteria, and two others did not progress.

The Rural Land Management Advisory Group (RLMAG) have reviewed the PPIG program and considered that it has not achieved the desired level of interest and impact on the primary production sector as was originally anticipated. As a result, the RLMAG considered that the PPIG be discontinued and that the balance of the funds be redirected to community education on topical rural land management issues and European Wasp control. Administration supports this recommendation.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
 2. That the Primary Production Incentive Grant be discontinued and the balance of the funds be redirected to community education on rural land management issues and European Wasp control for the benefit of the primary production sector.
-

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.

The Primary Production Incentive Grants (PPIG) program was established to aid innovative projects, products and ideas that can be applied to benefit farmers and the primary production sector more broadly within the Council area. The Grant was also intended to assist farmers with agricultural value-adding activities and provide benefits for on-farm small business development in order to improve farm viability.

➤ Legal Implications

Not applicable.

➤ Risk Management Implications

Redirecting the remaining grant funds of the Primary Production Incentive Grant will mitigate the risk of:

Not using the remaining Primary Production Incentive Grant funds to benefit the broader agricultural sector as intended

Inherent Risk	Residual Risk	Target Risk
Low (2D)	Low (1D)	Low

➤ Financial and Resource Implications

The Primary Production Incentive Grant has been in place since the 2014/15 Financial Year (FY). A total of 17 applications were received over the five grant rounds, one of which received no applications. Council allocated \$20,000 per year for four financial years to the grant pool (i.e. a total of \$80,000) of which \$44,160 has been paid out to date to six grant recipients (refer to **Appendix 2** for details), and \$10,000 is pending for one grant recipient. Further, the funding ceased in the 2017/18 FY. However, as at the end of June 2019, an amount of \$36,200 (including the aforementioned \$10,000) remains in the Primary Production Incentive Grant fund. This will therefore leave \$26,200 available to be redirected to European Wasp control and community education programs on rural land management issues.

➤ Customer Service and Community/Cultural Implications

It is noted that only six of the 17 applications received over the five grant rounds were successful. All of the unsuccessful applications did not meet the core grant criteria of coming up with an innovative idea which would benefit both them and the broader Adelaide Hills primary production sector. As the Grant has not achieved the desired level of

interest and impact as originally anticipated, it is considered that the balance of the funds be redirected to community education on rural land management matters and wasp control which would still benefit the primary production sector. This would maintain the intent of the Grant fund outcomes for the sector.

➤ **Environmental Implications**

If the Council approves the redirecting of the remaining Grant funds to European Wasp control, it will reduce the impact of these pests on the primary production sector and the natural environment more broadly. Further, the intent is to also utilise these remaining funds for community education on rural land management issues which should result in further environmental benefits.

➤ **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: Rural Land Management Advisory Group

Administration: Manager Financial Services
Manager Economic Development

Community: Not Applicable

2. **BACKGROUND**

In setting the 2013/14 Annual Budget, Council decided to reduce eligibility for the 10% Primary Production Rebate upon application, which released \$20,000 to be applied to a grant fund for the benefit of primary producers in the Adelaide Hills Council area. In December 2013, having undertaken consultation with the primary production sector, Council resolved to use the \$20,000 and establish a Revitalisation Fund for Primary Producers (later rebadged as a Primary Production Incentive Grant (PPIG) scheme) with a mandate to “provide matched grant funds for specific projects or initiatives which subsidise training and emerging technologies” for the benefit of the primary production sector. At a Special Meeting of Council held on 25 June 2013, a report (Item 4.6) on the Discretionary Rebate for Primary Producers was considered, where it resolved:

4.6 Discretionary Rebate for Primary Producers

07.69.16 Tim Piper

**Moved Cr Ian Bailey
S/- Cr Malcolm Herrmann**

**Carried
123**

That pursuant to section 166(1)(b) of the Local Government Act 1999, Council continues to offer, upon application, a discretionary Primary Production Rebate of 10% for 2013/14 and 2014/15 to those ratepayers in the business of primary production who do not have a notional capital value assessment of their property.

Moved Cr Linda Green
S/- Cr Lynton Vonow

That the sum of \$20,000 be provided as an expense in the 2013/14 budget to establish a Revitalisation Fund for Primary Production Land, the terms of which are to be set by Council in consultation with the Rural Land Management Advisory Group and representative genuine primary production ratepayers.

FORMAL MOTION

**Moved Cr Malcolm Herrmann
S/- Cr Bill Gale**

**Carried
124**

That the item be adjourned and brought back to Council by December 2013 in order to undertake consultation.

In line with the above resolution, consultation with primary producers and the Rural Land Management Advisory Group (RLMAG) was subsequently undertaken. The matter was then reported back to Council on 10 December 2013 (Item 13.7) where it resolved as follows:

13.7 Revitalisation Fund for Primary Production Land

07.69.16 Tim Piper

**Moved Cr Linda Green
S/- Cr Jan Loveday**

**Carried Unanimously
231**

- 1. The sum of \$20,000 provided as an expense in the 2013/14 budget to establish a Revitalisation Fund for Primary Production Land is confirmed, and the terms of the Fund are to be set in consultation with the Rural Land Management Advisory.**
- 2. The Community Grants Policy be amended to include provision for administering applications for matched grants from the Revitalisation Fund for Primary Production Land during 2013/14 and 2014/15.**
- 3. The Revitalisation Fund for Primary Production Land is to be maintained in the 2014/15 Annual Budget indexed in line with rate increases, and then reviewed in conjunction with the Primary Production Rebate prior to setting the 2015/16 Annual Budget.**

In line with the above resolution of Council, the Community Grants Policy was amended to include the Primary Production Revitalisation Fund. The matter was then reported to the 8 April 2014 Strategic Planning & Development Policy Committee (SPDPC) where it considered a report (Item 12.5) on the revised Community & Primary Production Grant Policy and resolved:

12.5. Revised Community & Primary Production Grant Policy

Moved Cr Jan Loveday
S/- Cr Linda Green

Carried Unanimously
21

That the Strategic Planning & Development Policy Committee resolves:

1. **That the report be received and noted.**
2. **To revoke the 16 March 2010 Community Grants Policy and to adopt the draft April 2014 Community and Primary Production Grant Policy with an effective date of 14 April 2014.**

In line with the above resolutions, the Primary Production Incentive Grants (PPIG) program was established to aid innovative projects, products and ideas that could be applied to benefit both farmers and the primary production sector more broadly within the Council area. It was intended that the PPIG would also assist farmers with agricultural value-adding activities and provide benefits for on-farm small business development in order to improve farm viability. The aforementioned grant fund was initially anticipated to only be established for two years but subsequently ran for four years. No funds were set aside for this grant from 2017/18 onwards as there was a remaining amount of \$36,200 available at the end of the 2016/17 Financial Year. The last grant round was undertaken in 2018/19.

The grant was advertised over five financial years (refer to **Appendix 1** - grant documentation) and in one financial year, 2016/17, no applications were received. Over the five year period matched grants totalling \$54,160 were awarded to six grant recipients (refer to **Appendix 2** for details), of which \$10,000 is pending for one grant recipient. The last grant round was undertaken in 2018/19 and solicited four responses of which two were unsuccessful. However, the two successful grant projects did not progress for various reasons as put forward by the recipients. It is anticipated that the \$10,000 for the remaining successful grant project will be paid out shortly when the grant recipient provides the final documents to Council as required.

It is noted that 17 applications were received between 2014/15 and the 2018/19 Financial Years, of which two did not proceed and nine were unsuccessful essentially because they did not meet the grant criteria.

With the above in mind, the Rural Land Management Advisory Group (RLMAG) reviewed the PPIG program at its 27 June 2018 meeting and considered that it had not achieved the desired level of interest and impact as originally anticipated. The RLMAG noted that there were grant funds remaining and at the aforementioned meeting recommended to Administration that the balance of funds be redirected to Council's European Wasp eradication service.

In reviewing this recommendation, it was considered by Administration that as this was one of the few community grants available, the RLMAG should revisit their decision in this regard. The matter was subsequently reconsidered by the RLMAG at its meeting on 30 January 2019, where it again recommended to Administration that the PPIG fund be disbanded and the remaining funds be redirected to community education programs on topical rural land management issues and wasp control.

The purpose of this report is to consider the above recommendation.

3. ANALYSIS

It is noted that over a five year period, 17 applications were received of which nine were unsuccessful as they did not meet the core grant criteria of coming up with an innovative idea, product or project which would benefit both them and the broader Adelaide Hills primary production sector. Further, two successful grant projects did not progress for various reasons as put forward by the grant recipients. All up, only six projects have been undertaken since 2014/15. It is also noted that in the 2016/17 FY, no grant applications were received. It is also noted that the RLMAG has twice considered the level of interest in, and intended outcomes of, the PPIG program. As a result of this, the RLMAG has recommended to Council that the Grant program be discontinued and that the remaining funds be redirected to community education on rural land management issues and to European Wasp control. With this in mind, it is considered that as the Grant program has not achieved the intended outcomes for the primary production sector, the balance of the funds should be redirected to the activities as recommended by the RLMAG. It is noted that doing so would still result in benefits to the primary production sector, and thereby meet the intended goal of the Grant program. Administration therefore supports this approach and recommends to Council that this occur.

4. OPTIONS

Council has the following options:

- I. To accept the recommendations as contained in this report (Recommended)
- II. To amend any/all aspect(s) of the recommendations (Not Recommended)

5. APPENDICES

- (1) Primary Production Incentive Grant Forms
- (2) Details of Successful Grant Applications

Appendix 1

Primary Production Incentive Grant Forms

Primary Production Incentive Grants ***– Terms of Reference***

Background

When Council introduced the current Primary Production Rebate scheme on 25 June 2013 it resolved to establish a Revitalisation Fund for Primary Production Land (the Fund), the terms of which are set by Council in consultation with the Rural Land Management Advisory Group (RLMAG) and various primary producers within the region.

Council undertook consultation in November 2013, and on 10 December 2013 it considered the consultation results before it resolved to proceed with the Fund and *“to set the terms of the fund in consultation with the RLMAG”*. This document sets out those terms and details to guide potential grant applicants seeking funding.

Eligible Applicants

Applications will only be considered from organisations or individuals operating in the primary production sector within the Adelaide Hills Council area, or those which provide a significant benefit to Adelaide Hills primary producers.

Further, applicants should have an ABN and should not have received funding in the previous years' Grant scheme, or have received other Council grants in the preceding financial year.

Matched Grant Details

A funding pool of \$20,000 (subject to indexation with Council Rates) is allocated each financial year, at Council's discretion, for Matched Funding Grants.

One grant round will be advertised each year, normally in conjunction with other Council grant programmes. Requests for grant funding will be considered against the following several criteria:

- The support for the project or initiative as identified in Council's Strategic Management Plan;
- The compliance of the project or initiative with these Terms of Reference;
- The economic and environmental impact and sustainability of the project or initiative;
- The extent of the benefit to the primary production sector from the project (either the number of Adelaide Hills producers or the range of activities to benefit);
- Level of support required from Council in relation to the overall project cost, normally up to 50%) to a maximum of \$10,000);
- The extent of any ongoing Council support required from undertaking the project;
- The likelihood of the project not being undertaken if Council did not fund it;
- The extent to which the project or initiative duplicates existing technology; and
- The extent to which the project or initiative is the responsibility of other organizations or tiers of Government.

Guiding Principles

The RLMAG has established the following guiding principles for the Revitalisation Fund for Primary Production activities. The proposed project or service seeking a grant should:

- 1 be likely to provide a notable benefit to primary producers in the district as a whole
- 2 be adoptable by other local primary producers
- 3 promote or showcase produce from the district
- 4 improve the economic and environmental impact and sustainability of the District or Industry

Criteria

The Fund is intended to encourage specific projects or initiatives which subsidise training and installation for emerging technologies on primary production land. It has its origins in an incentive to keep primary production land use properties in operation, and hence to preserve the Adelaide Hills District as a vital supplier of food, fibre and wine to local and wider markets.

All grant submissions will be assessed on their merits and against the following criteria:

- Ability to add value and improve farm/business viability;
- Ability to reinforce local primary production against local and international threats;
- Introduction of new and innovative technologies to the primary production sector;
- Provision of training in new and innovative technologies and techniques; and
- Any other features consistent with the Guiding Principles of the Fund.

Further, the project must be based within the Adelaide Hills Council area and directly benefit the District's primary production sector.

Conditions of Funding

The successful applicant will be required to sign Section E, "**Declaration & Undertaking by Applicant**" in the Application Form and agree to the following:

- The matched funds provided must be used for the approved project.
- Any changes to the project that would result in funding being expended other than as detailed in the application, may not be undertaken without prior written approval of Council.
- The Adelaide Hills Council logo shall be used on all printed material relating to the funded project and an appropriate acknowledgment of Council's funding must be given by the recipient in all promotional material and reports of the project available to the public.
- Applicants submitting capital projects will be required to submit independent quotes prior to the approval of funding.
- Large projects, with associated substantial funding amounts, will require staged milestone reporting prior to the issuance of the successive payments.
- At the completion of the project a written assessment, including expenditure statement of grant funding and a presentation must be made to Council's Rural Land Management Advisory Group (RLMAG). This could be in the form of a site visit if relevant to the project. It is expected that groups will comply with this condition within 3 months of completion of the grant period (12 months). Failure to do so may jeopardise future applications for funding.

Costs not funded under the Primary Production Incentive Grant

- Money already spent prior to the Grant application;
- Payment of salaries or wages;
- Purchase of land; and
- Requests for projects that have already commenced or have been completed.

Application Procedure

All applications should be on the Primary Production Incentive Grant application form which is available from Council Offices located at 63 Mt Barker Road Stirling, 24 Onkaparinga Valley Road Woodside, or 45 Albert Street Gumeracha. The application form and guidelines can be downloaded in PDF format from the Adelaide Hills Council website www.ahc.sa.gov.au. Applications must be received on or before the stipulated closing date. No late applications will be considered.

Applications must:

- include a detailed spreadsheet of funding and use of funds;
- outline a clearly stated purpose and a clear plan for achieving this purpose;
- comply with relevant Federal, State or Local Government regulations or guidelines; and
- demonstrate that all necessary approvals have been obtained and that the applicant has paid for any costs associated with that approval.

Applicants may indicate that they wish to make a personal presentation to the assessing committee, especially if they do not have the technical skills or equipment to complete the application form.

If you have any further queries in this regard, then please do not hesitate to contact Mike Flehr, Senior Strategic & Policy Officer on 8408-0503 or email: mail@ahc.sa.gov.au.

Appendix 2

Details of Successful Grant Applications

SUCCESSFUL PRIMARY PRODUCTION INCENTIVE GRANT APPLICATIONS

2014/15 Applications	Project	Matched Amount Sought & Approved
Bing Bai	Commercialisation of Jujube Fruit	\$5,700
Jean Evans & Livestock SA Dr Bernard Doube (Dung Beetle Solutions Australia)	Improve Pasture Production – Stage 1	\$10,000
Paracombe Premium Perry	Purchase & Installation of Small Bottling Machine	\$10,000

2015/16 Applications	Project	Matched Amount Sought & Approved
Dung Beetle Solutions Australia	Improve Pasture Production – Stage 2	\$10,000

2017/18 Applications	Project	Matched Amount Sought & Approved
Nature's Chicken	Trial for Pasture raised Meat Chickens in Orchards	\$8,460
Paringa View Park Pty Ltd	Weeping Wall Dairy Waste Recycling	\$10,000 (pending)

TOTAL		\$54,160
--------------	--	-----------------

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 27 August 2019
AGENDA BUSINESS ITEM**

Item: 12.12

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:**

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI
28/11/2017	Ordinary Council	281/17	LED Streetlight Review	None declared
17/07/2018	Special Council	156/18	LED Street Lighting Program	None declared
28/08/2018	Ordinary Council	213/18	MWN Review of Community Grants Policy	None declared
7/05/2019	Special Council	96/19	Road Closure Tay Crescent, Woodforde	None declared
7/05/2019	Special Council	97/19	Road Closure Peake Road, Birdwood	None declared
28/05/2019	Ordinary Council	113/19	20 Anniversary Gumeracha Civic Precinct Development	None declared
4/06/2019	Special Council	137/19	Magarey Road Renaming	None declared
4/06/2019	Special Council	140/19	Confidential Item - Event Opportunity	None declared
4/06/2019	Special Council	141/19	Confidential Item - Event Opportunity	None declared
25/06/2019	Ordinary Council	153/19	Feasibility Study Sturt Valley Road Stirling	None declared
25/06/2019	Ordinary Council	167/19	Lower Hermitage Road Widening Contract – Confidential Item	None declared
25/06/2019	Ordinary Council	168/19	Lower Hermitage Road Widening Contract – Confidential Item	None declared
5/06/2019	Ordinary Council	174/19	Declaration of Public Road - Houghton Village Green	None declared
25/06/2019	Ordinary Council	176/19	Delegations Review Report	None declared
25/06/2019	Ordinary Council	182/19	Sale of land for non payment of rates - period of confidentiality	Cr Linda Green (Material)
23/07/2019	Ordinary Council	187/19	Fee Waiver Request for Adelaide Hills Catholic Parish	None declared
23/07/2019	Ordinary Council	190/19	Proposed 2019-2020 CEO Performance Targets	Perceived Cr Malcolm Herrmann, Cr Linda Green, Cr Andrew Stratford

23/07/2019	Ordinary Council	192/19	Grant Giving Policy	Perceived Cr Malcolm Herrmann, Cr Linda Green, Cr Andrew Stratford
23/07/2019	Ordinary Council	193/19	Establishment of Community & Recreation Facility Framework Internal Working Group	None declared
23/07/2019	Ordinary Council	194/19	Membership of Community & Recreation Facility Framework Internal Working Group	None declared
23/07/2019	Ordinary Council	197/19	Informal Council & Committee Gatherings & Discussions Policy	None declared
23/7/2019	Ordinary Council	196/19	Telecommunications Installation Small Cell Stobie Pole Mounted Antennae Policy	None declared
23/07/2019	Ordinary Council	199/19	Status Report - Council Resolutions Update	Perceived: Cr Malcolm Herrmann, Cr Linda Green, Cr Andrew Stratford
23/07/2019	Ordinary Council	201/19	Sturt Valley Road Lower Side Trail	None declared

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

From the 23 July 2019 meeting onwards, the Action List contains information regarding any conflicts of interest that were declared when an item was considered by Council. In considering this guidance, Members will still need to turn their mind to and discharge their obligations under s73-75A of the *Local Government Act 1999*.

➤ **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.

In total there are zero (0) uncompleted resolutions for which an update is required for Council.

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	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
27/05/2014	Ordinary Council	95/14	William St Birdwood Street Furniture, plaque	None declared	That Council, as a consequence of the SPDPC resolution No 29 dated 13 May 2014, approves: 1. The construction of a piece of street furniture and installation in William Street Birdwood, in the vicinity of where the trees will be removed, provided suitable timber is available from those trees. 2. The erection of a plaque acknowledging the residents who donated funds to plant the initial avenue. 3. Place a memorial with names in the Birdwood Institute in consultation with the Friends of the Birdwood Institute. 4. Suitable timber to be made available to the Friends of the Birdwood Institute (FBI) to enable the Committee to make some small wood pieces (e.g. bowls) to display in the Institute. 5. The CEO investigate a source of funds for the projects. 1 and 2 to be undertaken in consultation with the community.	Peter Bice	In Progress	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. Update 5/6/19 A local artisit has been commisioned to undertake to build a suitable seat, plans are currently being drawn up. Information for a sign has been recieved and will be included in the project. Update 9/07/19 Bench has been completed and draft of the sign has been approved, project will be complete early August 2019
24/03/2015	Ordinary Council	57/15	Confidential Item - Morella Grove	None declared	As per confidential minute	Peter Bice	In Progress	A report will be provided to Council by the end 2019 on the status of and recommendations regarding this project.
22/03/2016	Ordinary Council	69/16	Land Acquisition Colonial Drive Norton Summit	None declared	Negotiate with the Anglican Church and CFS regarding the proposed boundary realignment and the preparation of preliminary plans	Terry Crackett	In Progress	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. Council staff met with the State Diocese to discuss the matter and work through some of their queries. It is now in the hands of the State Diocese to present a formal position to Council for consideration.
26/04/2016	Ordinary Council	83/16	Croft & Harris Road Precinct, Lenswood	None declared	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	No change - 13/8/19. Consideration to any future project investment is being discussed with the funding application partners. Forestry SA have expressed their continued support for potential sealing. This project has also been included as a potential priority project with Election Candidates.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
24/05/2016	Ordinary Council	105/16	Land at Houghton Request to Purchase	None declared	<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	<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 Section 210 process has been completed.</p> <p>The request to DPTI for the transfer of land has been made and DPTI have confirmed their agreement to transfer the land at no consideration subject to Council agreeing to declare the land as public road. Finalisation of the transfer is being progressed.</p>
24/01/2017	Ordinary Council	7/17	Cromer Cemetery Revocation of Community Land	None declared	<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	<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> <p>DEW staff member dealing with this matter has left DEW so there may be an extended delay whilst it is reallocated and assessed.</p>

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
25/07/2017	Ordinary Council	155/17	Reserve Gifting Proposal - Dunnfield Estate, Mt Torrens	Cr Linda Green (Material)	Subject to the approval of the land division variation application 473/D38/2011 by the Development Assessment Commission and the required Council engineering approvals for the infrastructure, being obtained: 1. That council accepts from Paul & Michele Edwards (the Developer), the donation of additional reserve land as described in Appendix 6 – Amended Plan of Division rev K dated 16.06.2017 Agenda Item 14.1, subject to the following conditions: The Council specified construction standards are 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. 2. That, in the event that there is a dispute between the Council and the Developer, the dispute is referred to an Independent Arbitrator for resolution, with costs being shared equally by the parties.	Peter Bice	In Progress	Council staff and the developer have been working through the management of significant and regulated trees on the site, and recent works progressed very well. We are now looking to formally progress the draft maintenance agreement. Final Approvals were obtained by the Developer on 5 February 2018, and Landscape works remain ongoing, with vesting of the reserve land occurring once these are completed, and Section 51 clearance is provided for the relevant stage. The date of Approval for the Variation to the Land Division was 5 February 2018 and thus the landscaping needed to be completed by 5 February 2020. This was the variation that increased the size of the reserve area. A draft LMA is nearing completion and should be issued to the Developer in Late August-Early September 2019.
26/09/2017	Ordinary Council	207c/17	Heritage Agreement Reports - Woorabinda Bushland Reserves	None declared	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	Community Land Management Plan review is progressing, report was presented to Council at 23 July 2019 meeting.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
24/10/2017	Ordinary Council	246/17	Road Closure and Disposal – Schapel Road, Lobethal	Cr Linda Green (perceived)	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	Terry Crackett	In Progress	Final road document have been signed by Council and returned to surveyor to progress. Awaiting receipt of settlement funds
24/10/2017	Ordinary Council	250/17	DEW Fuel Reduction on Private Lands Program	None declared	That DEW's Strategic Fuel Reduction program is approved for the Adelaide Hills Council region	Peter Bice	In Progress	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 has been completed as part of the 2019 autumn burn schedule. 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 on Thursday 16 May 2019 and 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. Council post fire weed management has been undertaken at the Mylor Oval site in July 2019.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
28/11/2017	Ordinary Council	281/17	LED Streetlight Review	None declared	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 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.	Peter Bice	Completed	Report to Council in July 2019 recommending phase 1 of roll out of LED lighting. Council has commenced discussions with SAPN regarding options for the transition to LED public lighting. SAPN has lodged their submission to the Australian Energy Regulatory (AER) for the July 2020 to 2025 regulatory period that includes public lighting as an Alternate Control Source for the first time. The LGA SA is submitting a response to the AER regarding the proposed tariff and services proposed. The AER will make a draft determination in September 2019. Public Lighting will move from a Negotiated Service (agreement between Council and SAPN) to an Alternate Control Service. This means that the maximum tariff price will be set by the Australian Energy Regulator (AER). This will not occur until 1 July 2020. 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 SAPN will put their initial pricing to the AER in January 2019 and consultation etc and review submission in March 2020 for final determination of AER in probably April 2020 for commencement of new regulatory framework pricing in 1 July 2020.
23/01/2018	Ordinary Council	4/18	Road Exchange - Mt Torrens Walking Loop	None declared	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 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 The closed road be excluded as Community Land pursuant to the Local Government Act 1999 To undertake the road exchange for nil consideration with the Council to pay all necessary costs to effect this resolution To authorise the Chief executive Officer (or delegate) to finalise and sign all necessary documentation to effect the road exchange and this resolution	Terry Crackett	In Progress	Documents have been executed by Council and returned to the Conveyancer for lodgement with the Surveyor-General. Awaiting confirmation of finalisation of exchange process

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
27/02/2018	Ordinary Council	31/18	Arts & Heritage Hub	None declared	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	The Hub Director commenced on 23 July 2018. The progress report was received by Council on 22 January 2019. The Evaluation Framework is in draft form and has been shared with ELT for feedback.
27/02/2018	Ordinary Council	57/18	Confidential Item - AH Swimming Centre Shade Sail	None declared	As per confidential minute	Terry Crackett	In Progress	Matter being progressed per resolution
27/02/2018	Ordinary Council	58/18	AH Swimming Centre Shade Sail - Period of Confidentiality	None declared	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	Progressing per confidential minutes
24/04/2018	Ordinary Council	102/18	Sale of Land for Non Payment of Rates	Cr Ian Bailey (Perceived)	Refer to Confidential Minute	Terry Crackett	In Progress	Actions continuing in accordance with resolution. One remaining property that is working towards resolution.
17/07/2018	Special Council	156/18	LED Street Lighting Program	None declared	That the report be received and noted. That further investigation is undertaken to understand the best approach and tariff structure for transitioning to LED street lighting as soon as practicable.	Peter Bice	Completed	As per LED review resolution 281/17

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
24/07/2018	Ordinary Council	162/18	MON Use of Recycled Material in Capital Works	None declared	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	<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. A summary of the 2018-19 Program delivery is currently being collated,</p> <p>Further details will be provided to Council as part of the Cicular Procurement report at the September Council Meeting.</p>
28/08/2018	Ordinary Council	197/18	Household Hazardous Waste Disposal	None declared	That the report be received and noted. That the Council supports, in principle, acceptance of funding from Green Industries SA to establish and operate a Household Chemical and Paint Drop-off Facility at the Heathfield Resource Recovery Centre. That delegation is given to the CEO to negotiate and if to their satisfaction, enter into a funding agreement between Green Industries SA and the Adelaide Hills Region Waste Management Authority and Adelaide Hills Council for a Household Chemical and Paint Drop-off Facility at the Heathfield Resource Recovery Centre. A future report to be provided to Council on the outcome of the negotiation with Green Industries SA, the Adelaide Hills Region Waste Management Authority and Adelaide Hills Council.	Peter Bice	In Progress	<p>Development approval obtained. Final review of agreement by all parties completed. Execution of agreement completed. On ground construction works commenced May 2019 and nearing completion. Opening of facility expected within the next 10 weeks.</p> <p>Council members will be advised via email of the opening date for the Household Hazardous Waste Disposal facility when further details are known.</p>
28/08/2018	Ordinary Council	200/18	Proposal to enter 11 AHC Reserves into Heritage Agreements 2018	None declared	<ol style="list-style-type: none"> That the report be received and noted. 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. That the Heritage Agreements retain the existing dog access arrangements in place for each of those reserves. 	Peter Bice	In Progress	<p>Heritage Agreement applications lodged for:</p> <p>Following CTs (13/11/18) TRIM reference OC 18/16631</p> <ul style="list-style-type: none"> •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 •Mylor Parklands, Stock Road, Mylor

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
28/08/2018	Ordinary Council	203/18	Community Wastewater Management Systems Review - Update and Consultation Outcomes	Cr Andrew Stratford (Material), Cr Linda Green (Material), Cr Malcolm Herrmann (Material)	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	Peter Bice	In Progress	In collaboration with project partners currently progressing with preparation of request for tender process and documentation. To assist inform future decision making external reports have been prepared on the value of the CWMS to Council and the implications of installing CWMS in the towns of Mylor, Summertown/Uraidla and Inglewood/Houghton.
28/08/2018	Ordinary Council	213/18	MWN Review of Community Grants Policy	None declared	That the community grants policy be reviewed before the next round of community grants.	David Waters	Completed	A report containing minor changes went to Council on 23.7.19 and a revised Policy was adopted. A more fullsome review of our grant giving activity is due in mid-2020.
11/09/2018	Special Council	223/18	Pomona Road Bike Track Trial	None declared	A report is prepared to Council by 26 November 2019 on completion of the trial.	Peter Bice	In Progress	A report will be prepared for the 26 November 2019 Council Meeting. This will incorporate outcomes from the Community Consultation to currently underway until 01 September 2019.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
11/09/2018	Special Council	229/18	Road Exchange McBeath Drive, Skye Horsnell Gully	None declared	In accordance with sections 12 and 15 of the Roads (Opening and Closing) Act 1991, as regards the land within the Adelaide Hills Council area, enter into an Agreement for Exchange with Boral Resources (SA) Ltd and issue a Road Process Order to open as road portions of Section 906 Hundred of Adelaide numbered "1", "2" and "3" on Preliminary Plan No. 17/0066 (Appendix 1) and in exchange to close portions of McBeath Drive marked "A", "B", "C" and "D" on Preliminary Plan No. 17/0066, subject to the following: Boral Resources (SA) Ltd agreeing to pay all costs associated with the road exchange process including but not limited to all survey, valuation and reasonable legal costs; Boral Resources (SA) Ltd agreeing to pay all costs associated with a Council boundary adjustment between Adelaide Hills Council and the City of Burnside to rectify the resulting Council boundary anomaly from the road exchange process The closed road is excluded as Community Land pursuant to the Local Government Act 1999. 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	Terry Crackett	In Progress	Road exchange documentation has been executed and provided to Boral for lodgement with the Surveyor-General. Submission has been prepared and lodged with the Boundaries Commission jointly on behalf of the City of Burnside and Adelaide Hills Council. The Boundaries Commission has agreed to investigate the proposal and that process is underway.
11/09/2018	Special Council	232/18	Revocation of Community Land – Bridgewater Retirement Village	None declared	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. 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. To approve a budget allocation in the amount of	Terry Crackett	In Progress	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. A report to be presented to Council at the August meeting regarding investigations into land options for the charitable trust to be attached to.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
11/09/2018	Special Council	238/18	Ashton Landfill – Confidential Item	None declared	Until 10 September 2019. 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	Peter Bice	In Progress	Council continues to progress the matter.
22/01/2019	Ordinary Council	10/19	Jungfer Road Charleston Speed Limit	None declared	That the report be received and noted That 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	Administration have requested a review of the length of the speed zone approved by DPTI. Signs installed as per original DPTI approved assessment. Final approval plans have been received from DPTI and signs scheduled for installation. Awaiting final approval paperwork from DPTI for speed limit and then installation will occur. DPTI has completed its assessment and approved an extension of 350m to cover the slow points - this extension is about 450m less than that requested by Council. Submission with supporting documentation provided to DPTI requesting extension of 60km/h. Contact made with DPTI to initiate review process on the speed limit.
26/02/2019	Ordinary Council	29/19	Road Closure adjacent Charleston Conservation Park	None declared	the report be received and notes that following receipt of a valuation for the land parcel that consultation will be undertaken in relation to the closure of the unmade road. the CEO takes all possible steps to prevent further degradation of the road reserve by unauthorised activities while this land remains in its custody.	Terry Crackett	In Progress	A Valuation has been received from DEW. The Preliminary Plan has been signed for submission to the Surveyor-General. Community consultation has commenced, both by the Surveyor-General and Council, with a report to be presented to Council following the consultation period. Public consultation commencing 29 July 2019.
26/02/2019	Ordinary Council	31/19	Community Forums 2019	None declared	That the report be received and noted. That Community Forums be held in 2019 according to the following indicative schedule: Tuesday 30 April 2019 at Houghton Tuesday 30 July 2019 at Gumeracha Tuesday 29 October 2019 at Norton Summit 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.	David Waters	In Progress	The second community forum was held at Gumeracha 30 July at Torrens Valley Community Centre with approx 55 attendees excluding staff and elected members. A summary of the forum is available on our Your Say site. The first forum of the year was held on 30 April at Houghton as per the resolution. The forum will be held at Norton Summit on 29 October 2019.
26/02/2019	Ordinary Council	39/19	Proposal to Undertake CEO Performance Review Internally	None declared	That the report be received and noted To undertake the 2019 CEO Performance Review using an internal process incorporating all of the Elected Members and utilise a consultant to undertake the Total Employment Cost package review.	Andrew Aitken	In Progress	The CEO Performance Review and the Remuneration Review have both been completed. A report to Council on 27/8/19 covers the recommendation from the CEO Performance Review Panel to finalise the process for this year.
26/02/2019	Ordinary Council	47/19	Boundary Reform Proposal - Woodforde & Rostrevor	None declared	Council resolves that the report be received and noted. That if a Stage 2 submission is invited by the Boundaries Commission, a community meeting is arranged for residents of the Woodforde & Rostrevor communities to attend.	Andrew Aitken	In Progress	The Boundaries Commission has advised that a Stage 2 submission is able to be lodged by the Campbelltown City Council. The community meeting has been scheduled for 3 September. Letters to residents will be received in the w/b 19/8.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
26/03/2019	Ordinary Council	61/19	Climate Emergency	None declared	Notes the October 2018 report of the Intergovernmental Panel on Climate Change; Notes the Federal government's latest greenhouse gas emissions data shows Australia's total greenhouse gas emissions have increased compared to 2012, not decreased; Recognises we are in a state of climate emergency that requires urgent action by all levels of government, including by local councils; Reaffirms its commitment to both mitigating against and adapting to the adverse impacts of climate change within the Adelaide Hills Council; Commits to finalising the Carbon Management Plan by December 2019 and that it includes a target of 100% renewable energy (electricity) for the Adelaide Hills Council (as an Organisation) by a defined date as well as a series of staged targets over the intervening period; Requests the CEO write to State and Federal Members of Parliament, which represent the Adelaide Hills Council region, advising them of Council's resolution and request they also act with urgency to address climate change.	Peter Bice	In Progress	The draft Corporate Carbon Management Plan has been completed and is currently available for internal comment.
26/03/2019	Ordinary Council	76/19	Kenton Valley War Memorial Park	None declared	<p>To commence a Community Land Revocation process in regards to the land comprised in Certificate of Title Register Book Volume 5718 Folio 775 being Allotment 64 in Filed Plan No. 155479 ("Land") with a view to the land being sold</p> <p>As a first step in the revocation process, a letter be sent to the residents of Kenton Valley informing them of Council's decision and inviting them to attend an information session to explain the project.</p> <p>As part of the consultation for the revocation of community land, seek feedback from the community about the expenditure of funds from a sale (if progressed).</p> <p>Following community consultation, that a report be presented to Council detailing the outcomes of the consultation and suggestions for the expenditure of sale proceeds.</p> <p>Action from discussion: Staff to identify and advise Council Members if any biodiversity studies have been undertaken on the parcel of land</p>	Terry Crackett	In Progress	<p>Community meeting was held Monday 20 May at the Kenton Valley Golf Club. A group of residents was formed at that meeting to look at options to renew the memorial aspects of the reserve inline with its intended purpose. The Council's biodiversity officers have undertaken a vegetation assessment of the land.</p> <p>Full community consultation commenced on 25 June 2019.</p> <p>A report will be presented to Council at the September meeting for consideration.</p>

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
26/03/2019	Ordinary Council	77/19	Randell's Cottages, Beavis Court, Gumeracha	None declared	<p>That, acknowledging that a land division in Watershed (Primary Production) is non-complying, an initial approach be made to the State Commission Assessment Panel to determine the possibility of a land division to create a separate allotment for the potentially local heritage listed building located at 1 Beavis Court, Gumeracha know as Randell's Cottages being supported.</p> <p>That subject to the response from the State Commission Assessment Panel, a Development Application be lodged for a non-complying land division.</p> <p>That, if a land division is not supported, an expression of interest (EOI) process be undertaken in respect of the local heritage listed building located at 1 Beavis Court, Gumeracha known as Randell's Cottages to determine any interest in restoring the building for tourism or other purpose (other than long term residential) under a long term lease arrangement.</p> <p>That the CEO be delegated to prepare the necessary documentation to undertake the EOI.</p> <p>That a report be presented to Council following the EOI detailing the results of that process and providing further options.</p>	Terry Crackett	In Progress	The land sits within the Enviromental Food Protection Area and proposed use is not supported. An application will be made to DPTI for a review once the Minister announces the review, likley to be in mid 2020. Subject to a removal of the land from the EFPA, a development application will then be lodged for the division of the cottages (noting that it will be a non-complying development)
26/03/2019	Ordinary Council	78/19	Scott Creek Cemetery Reserve Fund	None declared	<p>That the reserve funds held in relation to the Scott Creek Cemetery be expended to achieve the following outcomes:Marking of unmarked graves with a small and simple identification piece detailing the name and date of death of the deceased;Installation of a single plaque with the names of the deceased who are buried in unmarked graves where the exact location of the graves is unknown;Renewal of existing gravel driveways; and</p> <p>Creation/extension of driveways to facilitate expansion of the cemetery</p>	Terry Crackett	In Progress	Investigations as to options for marking of graves has commenced and once collated, Council staff have met with the Scott Creek Progress Association Committee to progress.
26/03/2019	Ordinary Council	86/19	Sale of land at the former Onkaparinga Woollen Mills site at Lobethal	None declared	As per confidential resolution	Terry Crackett	In Progress	Progressing in accordance with the resolution

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
7/05/2019	Special Council	96/19	Road Closure Tay Crescent, Woodforde	None declared	That the report be received and noted.To make a Road Process Order pursuant to the <i>Roads (Opening & Closing) Act 1991</i> to close and merge the piece of land identified as "A" in the Preliminary Plan No. 18/0057 and being portion of the land in Certificate of Title Volume 2546 Folio 56 with Allotment 11 in Deposited Plan No. 6530 comprised in Certificate of Title Volume 5637 Folio 217.Subject to the closure of the road identified in the Preliminary Plan attached, that:The closed road be excluded as Community Land pursuant to the <i>Local Government Act 1999</i> ; andThe piece marked "A" be sold to Mr Robert Walter & Mrs Sharyn Walter, the owners of the property with which it is merging for the amount of \$65,000 incl GST (if applicable) and all fees and charges associated with the road closure process. 4. Authorise the Chief Executive to finalise and sign all necessary documentation to close and sell the above portion of closed road pursuant to this resolution	Terry Crackett	Completed	Progressing in accordance with the resolution. 5/6/19 - Road Process Order, Agreement to Transfer and final plans have been signed and returned to the Conveyancer for lodgement with the Surveyor General. Funds have been requested to be held in trust by McDonald Conveyancing pending finalisation of the Road Process Order by the Surveyor-General. 2/7/19 - Funds are currently held in trust by McDonald Conveyancing, and documents have been lodged with the Lands Titles Office 12/8/19 - Funds have been received by Council. Plans have been registered and road closure published in the Government Gazette 18/7/19
7/05/2019	Special Council	97/19	Road Closure Peake Road, Birdwood	None declared	1. That the report be received and noted. 2. To make a Road Process Order pursuant to the <i>Roads (Opening & Closing) Act 1991</i> to close and merge the pieces of land identified as "A" in the Preliminary Plan Number 19/0002 with Section 6286 being the land comprised in Certificate of Title Volume 5496 Folio 550. 3. Subject to the closure of the road identified in the Preliminary Plan attached, that:The closed road be excluded as Community Land pursuant to the <i>Local Government Act 1999</i> ; andThe piece marked "A" be sold to Mr Paul & Mrs Michele Edwards, the owners of the property with which it is merging for the amount of \$19,000 plus GST and all fees and charges associated with the road closure process. 4. Authorise the Chief Executive to finalise and sign all necessary documentation to close and sell the above portion of closed road pursuant to this resolution.	Terry Crackett	Completed	Progressing in accordance with the resolution 5/6/19 - Road Process Order, Agreement to Transfer and final plans have been signed and returned to the Conveyancer for lodgement with the Surveyor General. Funds have been requested to be held in trust by McDonald Conveyancing pending finalisation of the Road Process Order by the Surveyor-General. 2/7/19 - McDonald Conveyancing expect to have funds in trust next week, and will then lodge documents. 12/8/19 - Funds have been received by Council. Plans have been registered and road closure published in the Government Gazette 18/7/19

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
7/05/2019	Special Council	98/19	Road Closure Sandy Waterhole Road Woodside	None declared	<ol style="list-style-type: none"> 1. That the report be received and noted 2. To make a Road Process Order pursuant to the <i>Roads (Opening & Closing) Act 1991</i> to close and merge the pieces of land identified as "A" in the Preliminary Plan No. 19/0001 attached to this report with Section 3961 being the land comprised in Certificate of Title Volume 5471 Folio 906. 3. Subject to the closure of the road identified in the Preliminary Plan attached, that: The closed road be excluded as Community Land pursuant to the <i>Local Government Act 1999</i>; and The piece marked "A" be sold to Deepwater Pty Ltd, the owners of the property with which it is merging for the amount of \$20,000 plus GST (if applicable) and all fees and charges associated with the road closure process. 4. Authorise the Chief Executive 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	<p>Progressing in accordance with the resolution</p> <p>5/6/19 - Road Process Order, Agreement to Transfer and final plans have been signed and returned to the Conveyancer for lodgement with the Surveyor General.</p> <p>Funds have been requested to be held in trust by McDonald Conveyancing pending finalisation of the Road Process Order by the Surveyor-General.</p> <p>2/7/19 - Funds are currently held in trust by McDonald Conveyancing, and documents have been lodged with the Lands Titles Office</p> <p>12/8/19 - Currently awaiting Ministerial approval for road closure - due to objection received.</p>
7/05/2019	Special Council	94/19	Stonehenge Reserve Masterplan Update and Findings from Consultation	None declared	<p>That the report be received and noted. To not proceed with any of the masterplanning options at Stonehenge Reserve at this point in time. To proceed with resurfacing works at both the Stonehenge Reserve and Heathfield sites. To delegate to the CEO to seek variations and finalise arrangements to the grant funding agreements with the Office for Recreation, Sport & Racing, and Tennis SA that allow new court construction at alternative sites. The CEO to report back to Council on those finalised arrangements. To notify those who have registered through the Stonehenge Reserve Project's engagement site of the outcome of the consultation and this report.</p>	Peter Bice	In Progress	<p>Administration have begun discussions with the Office for Recreation, Sport & Racing and Tennis SA regarding a variation to the grant funding agreement that allows new court construction at an alternative site.</p>
7/05/2019	Special Council	104/19	Unsolicited Approach to Purchase Community Land – Period of Confidentiality	None declared	<p>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 matter is further presented to Council for a decision, but not longer than 12 months.</p>	Terry Crackett	In Progress	

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
28/05/2019	Ordinary Council	109/19	Road Closure for Adelaide Rally	Cr Chris Grant (Perceived)	That the report be received and noted That, in relation to the 2019 Adelaide Hills Rally, Council's support of the event and related road closures is contingent on UME, to the satisfaction of the CEO: Entering into a road repair agreement with Council to cover any rectification works required as a result of damage caused by the event; Agreeing to undertake road dilapidation reports of the route prior to and subsequent to the event at their cost; Providing evidence of satisfactory insurance to cover any damage to 3rd party property caused by the event; Providing written confirmation from affected business owners that they are aware of the road closures; Providing written confirmation to confirm that the concerns raised by affected residents have been addressed and that arrangements for egress and regress from those properties can be managed within the event; Written confirmation from Australian Securities and Investments Commission that UME is registered beyond 3 August 2019; and Written confirmation from UME that they will erect advance notices of road closures on the affected roads, in locations advised by Council, at	David Waters	In Progress	Council has received evidence that businesses are aware of the road closures (4) and residents concerns have been addressed (5) as well as confirmation that organisers will erect advanced notice signage (7). Council staff are working with event organisers to secure a road repair agreement (1), complete a dilapidation report of the route (2) obtain evidence of insurance (3) and confirmation of ASIC registration (6).
28/05/2019	Ordinary Council	112/19	Festivals & Events Policy	None declared	That the report be received and noted. To endorse the Draft <i>Festivals and Events Policy</i> , as contained in <i>Appendix 1</i> , for consultation purposes. That the CEO be authorised to: Make any formatting, nomenclature or other minor changes to the Policy prior to being released for public consultation and; Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of Council's <i>Public Consultation Policy</i> .	David Waters	In Progress	Consultation was undertaken from 5 to 28 June Feedback from consultation was Workshopped with Council members on 16 July and the Festival & Events Policy will come to Council in August 2019 for endorsement
28/05/2019	Ordinary Council	113/19	20 Anniversary Gumeracha Civic Precinct Development	None declared	That the report be received and noted. That an initiative be included in the 2019-20 Annual Business Plan, with a budget of \$3,000, to hold an appropriate event, involving community groups and community members, to celebrate the 20th anniversary of the development of the civic precinct at Gumeracha and showcase the activities and opportunities available at the site.	David Waters	Completed	\$3,000 included in 2019/20 budget

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
28/05/2019	Ordinary Council	116/19	Options for Crown Reserves	None declared	<p>The report be received and noted A formal approach be made to the Department for Environment and Water to seek its support for</p> <p>a. the revocation of dedications for the following Crown Records Refer to Minutes</p> <p>b. a change in custodian of Crown records CR 5753/718, Section 1544 Reserve Terrace Aldgate, and CR 5753/753, Section 495 off Kersbrook Road Kersbrook, subject to no objections being received from the proposed custodians of Meals on Wheels (SA) Inc and the delegate to the Minister for Forests respectively. the revocation of dedication for Crown Record CR 5926/487, Lot 20 Bell Springs Road Charleston, to be incorporated into the protected areas system. In principle support for division of Crown condition agreements CT 5168/474, 140 Upper Sturt Road Upper Sturt, and CT 5880/219, Section 83 Cromer Road, Birdwood, with part to revert to The Crown for incorporation into the protected area system, subject to further determination by Council as to the appropriate areas (if any).</p> <p>3. Following a formal response from the</p>	Terry Crackett	In Progress	A formal approach has been submitted in accordance with the resolution. The Department for Environment and Water has responded positively and public consultation is about to commence.
28/05/2019	Ordinary Council	AQON	Lower Hermitage Road Upgrade	None declared	Action item - Consider including Federation Park as possible site for trees removed from Lower Hermitage Road upgrade	Peter Bice	In Progress	<p>We are currently investigating whether it would be appropriate to position some of the cleared trees (with hollows) in Kersbrook Stone Reserve around the open quarry area in the hope that the addition of the trees would:</p> <ul style="list-style-type: none"> •Benefit wildlife through creation of additional habitat, •Encourage the formation of soil structure through the additional capture of resources and •Create/build up organic matter layer <p>We are also considering using as nature play elements in upcoming playspace upgrades</p>

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
4/06/2019	Special Council	135/19	Road Closures Adelaide Rally Event	None declared	That the report be received and noted. That, in relation to the Shannons Adelaide Rally 2019 and the Adelaide Rallysprint 2019, Council's support of the event is contingent on the organisers, to the satisfaction of the Chief Executive Officer: Providing evidence of satisfactory insurance to cover any damage to 3rd party property caused by the event; Entering into a road repair agreement with Council to cover any rectification works required as a result of damage caused by the event; Providing confirmation that affected business owners are aware of the road closures; Providing written confirmation to confirm that the concerns raised by affected residents have been adequately addressed and that arrangements for egress and regress from those properties can be managed within the event; Written confirmation from the organisers that they will erect advance notices of road closures on the affected roads, at least 3 weeks prior to the event. That subject to the requirements of 2. being undertaken, Council provides consent for road closure orders in relation to the two events, to be held on Sunday 6 October and between Wednesday 4 December and Saturday 1 December 2019 as follows: Refer to Minutes	David Waters	In Progress	We have received confirmation from the organisers of condition 3,4 and 5. The events team is working with the organiser on items 1 and 2 and expect them by the end of August.
4/06/2019	Special Council	136/19	Strategic Plan Review - Key Themes Adoption	None declared	That the report be received and noted. That the Summary of Key Challenges, Opportunities and Implications (<i>Appendix 1</i>) identified as part of the environmental scan research be noted. That the draft strategic goal areas (Community, Economic, Environment and Organisational Capacity), related outcomes and key result areas included in <i>Appendix 2</i> of this report be endorsed for community consultation in Phase 2. To delegate to the Chief Executive Officer, or delegate, the authority to make any formatting or content changes to the draft strategic goal areas, related outcomes and key result areas to reflect matters raised in the Council's debate on the matter prior to its release for community consultation.	Terry Crackett	In Progress	Following endorsement by Council of the key Goal Areas, a discussion paper is being prepared to use as the basis for Stage 2 consultation. There has been a slight delay in progressing this paper given the recent departure of the Project Lead.
4/06/2019	Special Council	137/19	Magarey Road Renaming	None declared	The report be received and noted. That the southern section of Magarey Road Mount Torrens (as shown in Appendix 1) be renamed Barrett Road.	Peter Bice	Completed	Completed, name change now in effect 24 July 2019.
4/06/2019	Special Council	140/19	Confidential Item - Event Opportunity	None declared	As per Confidential Minute	David Waters	Completed	Public announcement of proposed routes made 18 July 2019
4/06/2019	Special Council	141/19	Confidential Item - Event Opportunity	None declared	Minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the event agreements are signed and the race routes are announced by the relevant Minister, but not longer than 31 December 2019.	David Waters	Completed	Public announcement of proposed routes made 18 July. Information was sent to media, community contacts and stakeholder groups involved in the stage starts and finishes

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
4/06/2019	Special Council	135/19	Action - Road Closures Adelaide Rally Event	None declared	Officers to provide information to Council after the Event on actual times roads were open and closed	David Waters	Not Started	This will be actioned after the event in December 2019.
25/06/2019	Ordinary Council	153/19	Feasibility Study Sturt Valley Road Stirling	None declared	That Council Staff prepare a feasibility study including concept plan suitable for public consultation in regards to any options for a walking trail/path on the lower side of Sturt Valley Road, and that an associated budget of up to \$10,000 be added to the 2019-20 Budget to enable necessary surveying and drafting of the concept plan to occur. That prior to the aforementioned occurring, a report be prepared for Council on the merits or impediments to a walking trail/path on the lower side of Sturt Valley Road	Peter Bice	Completed	An information report discussing the merits and impediments of a lower side walking trail along Sturt Valley Rd was presented to Council at the 23 July 2019 meeting.
25/06/2019	Ordinary Council	158/19	Boundary Reform - Approval to Explore	None declared	That the report be received and noted.To note that correspondence will be sent to the residents of Woodforde and Rostrevor (in the Council area) inviting them to a community meeting to discuss the boundary reform process and the status of the Campbelltown City Council proposal.That in relation to strategic boundary reform:Approve the engagement of a consultant to undertake a high level review of Council's boundaries to identify boundary reform options.Once the review has been undertaken and boundary reform options identified, that a workshop be held with the Elected Body (confidential if necessary) whereby the outcomes of the subject review can be presented prior to a formal report to council for consideration.	Andrew Aitken	In Progress	Updated correspondence was sent to Woodforde and Rostrevor residents. Scoping of the procurement documentation for the Strategic Boundary Review is under development.
25/06/2019	Ordinary Council	164/19	2018 – 2019 Play Space Upgrades – Confidential Item	None declared	As per Confidential Minute	Peter Bice	In Progress	Playspace report going back to Council in October 2019.
25/06/2019	Ordinary Council	165/19	2018 – 2019 Play Space Upgrades – Confidential Item	None declared	the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence, but no longer than 6 months	Peter Bice	In Progress	The matter remains in confidence and is ongoing.
25/06/2019	Ordinary Council	167/19	Lower Hermitage Road Widening Contract – Confidential Item	None declared	See Confidential Minute	Peter Bice	Completed	The contract has been signed and work is soon to commence.
25/06/2019	Ordinary Council	168/19	Lower Hermitage Road Widening Contract – Confidential Item	None declared	the value of the successful tenderer submission be retained in confidence until the contract is entered into.	Peter Bice	Completed	The contract has been signed and the works are soon to commence onsite.
25/06/2019	Ordinary Council	170/19	Land Acquisition Lower Hermitage Road - Confidential Item	None declared	See Confidential Minute	Terry Crackett	In Progress	Progressing in accordance with the resolution

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
25/06/2019	Ordinary Council	171/19	Land Acquisition Lower Hermitage Road	None declared	the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the completion of the contract, but no longer than 12 months	Terry Crackett	In Progress	
25/06/2019	Ordinary Council	173/19	Library Services Review	None declared	That the report be received and noted. That the Administration proceed with the replacement of the mobile library as per the provision in the 2018-19 Capital Works Budget and the Long Term Financial Plan as budgeted for in the 2018/19 Annual Business Plan, with the Council noting that the budget will need to be carried forward into 2019-20. That a Library Services Strategy be developed during 2019-20. That Council consults with the community on any changes to operating hours and services.	David Waters	In Progress	1. Report received and noted by Council on Tuesday 2 July 2019 2. Procurement process started 3. Discussion underway regarding Library Strategic Plan 4. Dependent on Library Strategic Plan
25/06/2019	Ordinary Council	174/19	Declaration of Public Road - Houghton Village Green	None declared	That the report be received and noted. To declare Allotment 89 in Filed Plan No. 132880 contained in Certificate of Title Volume 5343 Folio 355 being Lot 89 Blackhill Road, Houghton as public road pursuant to Section 210 of the Local Government Act 1999. To authorise the publication of the resolution in the Government Gazette as required by Section 210 of the Local Government Act 1999 to declare the road to be public road. To delegate to the Chief Executive Officer the power to execute the necessary documentation to give effect to this resolution. To approve the write-off of \$5,252 for the outstanding rates on the Land.	Terry Crackett	Completed	Gazettal notice to appear in the Govt Gazette on 11 July 2019. Notification sent to Lands Titles Office for completion and issue of road title
25/06/2019	Ordinary Council	176/19	Delegations Review Report	None declared	Refer to Minute	Andrew Aitken	Completed	Delegations updates have been processed and loaded to the website.
25/06/2019	Ordinary Council	178/19	Formal Motion - Status Report	None declared	That the question lie on the table. Cr Osterstock asked "Do Council Members, in making this decision, who have previously declared a Conflict of Interest, have a Conflict of Interest for this item?"	Andrew Aitken	In Progress	Report is being prepared for the 27 August 2019 Council meeting.
25/06/2019	Ordinary Council	181/19	Sale of Land for non payment of rates - CONFIDENTIAL	Cr Linda Green (Material)	As per confidential minute	Terry Crackett	In Progress	Actions commenced in accordance with confidential minute.
25/06/2019	Ordinary Council	182/19	Sale of land for non payment of rates - period of confidentiality	Cr Linda Green (Material)	Until the notice for the proposed sale of land is published in a newspaper circulated in the State.	Terry Crackett	Completed	Notice for the proposed sale of land was published in a newspaper circulated in the State

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
23/07/2019	Ordinary Council	185/19	Additional Borrowings for Capital Renewal Escalation	None declared	<p>1. That the CEO prepares a report for the Ordinary meeting to be held on 22 October 2019 with a cost/benefit analysis on the concept of taking up borrowings in the short term (maybe one or two years) to take advantage of the very low current interest rates.</p> <p>2. In the lead up to Council considering the report, Council holds a workshop to which members of the Local Government Finance Authority are invited to attend.</p>	Terry Crackett	In Progress	Proposed Council Workshop currently set down for 8 October 2019 and LGFA officers invited to attend.
23/07/2019	Ordinary Council	186/19	Naming of Reserve, Houghton	None declared	That the CEO investigate, in accordance with Council's Public Place and Road Naming Policy, and report on naming of the reserve on the corner of Horn, Blackhill and Lower North East Roads, Houghton	Terry Crackett	In Progress	Property team and Open Space team are discussing best way to proceed.
23/07/2019	Ordinary Council	187/19	Fee Waiver Request for Adelaide Hills Catholic Parish	None declared	<p>1. That the report be received and noted.</p> <p>2. That a maximum of \$782.50 in development fees be authorised to be waived for the Adelaide Hills Catholic Parish for Development Application 18/266/473 in accordance with Council's Development Application Fee Waiver Policy</p>	Marc Salver	Completed	Fee Waiver applied to development fees as per resolution.
23/07/2019	Ordinary Council	188/19	LED Street Lighting Upgrade	None declared	That the report be received and noted. To approve an increase of \$365k in Council's 2019/20 capital budget to commence the transition of 900 P – category public streetlights to LED with the funding source to be recommended to Council at its next budget review. That Council engage SAPN to commence the changeover of P-Category lights to LED public lighting on Council roads and that authority is given to the CEO to finalise a contract with SAPN and sign that agreement. That Council enter into a PLC tariff agreement for public lighting with SAPN until 30 June 2020 and subsequently move to the tariff set by the Australian Energy Regulator from July 2020. That Council continues to liaise with SAPN and DPTI on the changeover of Council public lighting on roads under the care and control of the State Government. That a further report be provided to Council on the outcome of the continued discussions with SAPN and DPTI.	Peter Bice	In Progress	Follow-up contact made with SAPN to progress contract and management of roll-out including any design work, communications and project management. Procurement process for hardware installation commenced.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
23/07/2019	Ordinary Council	189/19	Community Land Management Plans	None declared	That the report be received and notedThat public consultation on the revocation of the current Community Land Management Plans be carried out in accordance with section 198 of the <i>Local Government Act 1999</i> That public consultation on the adoption of the draft Community Land Management Plans (<i>Appendix 1</i>) be carried out in accordance with Council's Public Consultation Policy consistent with section 197 of the <i>Local Government Act 1999</i> That the Crown Lands Unit of the Department for Environment and Water be consulted on all Community Land Management Plans that relate to categories of land containing Crown land under Council's care, control and management, in accordance with section 196(4) of the <i>Local Government Act 1999</i> That following the completion of consultation processes, a further report be presented to Council for the revocation of the current Community Land Management Plans and Community Land Register and the adoption of the draft Community Land Management Plans and Register, subject to amendments that may result from consultation processes.	Terry Crackett	In Progress	Public consultation has commenced. The Department for Environment and Water has been provided with copies of the drafts for comment.
23/07/2019	Ordinary Council	190/19	Proposed 2019-2020 CEO Performance Targets	Perceived Cr Malcolm Herrmann, Cr Linda Green, Cr Andrew Stratford	That the report be received and notedTo confirm that the CEO has achieved the outcomes of the 2018-2019 Performance Targets per <i>Attachment 1</i> .To adopt the proposed 2019-2020 CEO Performance Targets recommended by the Panel as per <i>Appendix 2</i> .	Andrew Aitken	Completed	A letter has been provided to the CEO confirming the performance target outcome. The 2019-2020 CEO Performance Targets are being managed and monitored via the CEO Performance Review Panel.
23/07/2019	Ordinary Council	192/19	Grant Giving Policy	Perceived Cr Malcolm Herrmann, Cr Linda Green, Cr Andrew Stratford	That the report be received and notedWith an effective date of 6 August 2019, to revoke the 8 August 2017 Grant Giving Policy and to adopt the 23 July 2019 Grant Giving Policy as per Appendix 1.That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 6 August 2019 Grant Giving Policy prior to the effective date of adoption.	David Waters	Completed	Amended policy adopted and in place for the upcoming grant round

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
23/07/2019	Ordinary Council	193/19	Establishment of Community & Recreation Facility Framework Internal Working Group	None declared	That the report be received and noted.To create the Community & Recreation Facility Framework Internal Working Group ("CRFFIWG") and adopt the draft Terms of Reference contained in <i>Appendix 1</i> .That the Chief Executive Officer be authorised to make minor content, formatting or design changes necessary to finalise the draft Community & Recreation Facility Framework Internal Working Group Terms of Reference document contained in <i>Appendix 1</i> .To determine that the method of selecting the Council Members (up to 4 Council Members) for the CRFFIWG be by an indicative vote to determine the preferred person(s) utilising the process set out in this Agenda report.To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred person(s) for the CRFFIWG Council Member roles and for the meeting to resume once the results of the indicative votes have been declared.	Terry Crackett	Completed	Group established and first meeting held on 6.8.19
23/07/2019	Ordinary Council	194/19	Membership of Community & Recreation Facility Framework Internal Working Group	None declared	Council resolves to appoint Crs Ian Bailey, Nathan Daniell, Pauline Gill and Kirsty Parkin for an initial 12 month term to commence on 23 July 2019 and to conclude on 22 July 2020 (inclusive), to be reviewed prior to the expiration of the said term.	Terry Crackett	Completed	Group established and first meeting held on 6.8.19
23/07/2019	Ordinary Council	195/19	Biodiversity Strategy Review	None declared	That the report be received and noted.To endorse the release of the Draft AHC Biodiversity Strategy for public consultation, as contained in Appendix 1.That the CEO be authorised to:Make any formatting, nomenclature or other minor changes to the Draft prior to being released for public consultation and;Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of Council's Public Consultation Policy. 4.That following the public consultation a further report be brought back to the Council detailing the public consultation outcomes and draft strategy by 24 September 2019	Peter Bice	Not Started	Release of the Biodiversity Stratey Framework Draft released for 3 Week public consultation.

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)
23/07/2019	Ordinary Council	196/19	Telecommunications Installation Small Cell Stobie Pole Mounted Antennae Policy	None declared	That the report be received and noted To adopt the Draft Telecommunications Installation - Small Cell Stobie Pole Mounted Antennae Policy as detailed in <i>Appendix 1</i> subject to the inclusion of a new policy statement in section 5 to read as follows: "Council's preference is for such infrastructure to be placed on commercial and / or private land, as opposed to public, and will advocate with Telecommunication Carriers to achieve this aim, where possible." This policy statement to be numbered 5.3 and the existing policy 5.3 to be renumbered as 5.4. That the Policy be reviewed no later than July 2021 or earlier if there are changes in State or Federal Government policies or legislation in this regard or if there is a justification for a further review.	Marc Salver	Completed	The Policy Position has been updated in accord with Council's decision and has been uploaded to Council's website. It will be reviewed by no later than July 2021.
23/07/2019	Ordinary Council	197/19	Informal Council & Committee Gatherings & Discussions Policy	None declared	That the report be received and noted. That with an effective date of 06 August 2019, to revoke the 08 November 2016 <i>Informal Council and Council Committee Gatherings and Discussions Policy</i> and to adopt the Draft <i>Informal Council and Council Committee Gatherings and Discussions Policy</i> , as contained in Appendix 1. That the Chief Executive Officer, or delegate, be authorised to make any formatting, nomenclature or other minor changes to the Policy during the period of its currency.	Andrew Aitken	Completed	The Policy has been updated and loaded to the website.
23/07/2019	Ordinary Council	199/19	Status Report - Council Resolutions Update	Perceived: Cr Malcolm Herrmann, Cr Linda Green, Cr Andrew Stratford	That the report be received and noted The following completed items be removed from the Action List: (refer to Minutes)	Andrew Aitken	Completed	The Items as resolved were removed from the Action List.
23/07/2019	Ordinary Council	201/19	Sturt Valley Road Lower Side Trail	None declared	That Council resolves that the report be received and noted and takes no further action in relation to this matter (point 1 of Council resolution 153/19) given that the impediments to this proposal are extensive and far outweigh the benefits in light of the content of the report.	Terry Crackett	Completed	No further action required.
23/07/2019	Ordinary Council	203/19	Adelaide Hills Roundabout Beautification Project	None declared	That plans, costings and project timelines for the Adelaide Hills Roundabout beautification project be considered by Council no later than the September 2019 meeting so that the project may be commenced.	Peter Bice	In Progress	Report being prepared for Council to be received at the 27 August 2019 ordinary Meeting.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 27 August 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 4, 2018-19 and Annual Results

For: Information

SUMMARY

The purpose of this report is to communicate Council’s performance against the customer service standards for Quarter 4 2018-19 and for the whole of the 2018-19 period. The report provides an overview of the performance results for each of the service standards. The Quarter 4 and Annual Service Standards Reports are contained in **Appendix 1** and **Appendix 2** respectively.

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**

Consultation on the development of this report was as follows:

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

Quarter 4, 2018-19 Results

Of the 16 time-based indicators reported, the target performance was met – or there were no instances – for 14 of them. There were no instances of missed bins this quarter (a missed bin is defined by East Waste as one due to driver error).

Two of the time-based standards did not meet the target performance:

- Event Applications – we will acknowledge receipt of new applications within 5 days

The target performance is that 80% of new event applications will be acknowledged within 5 days and the results for that measure was 67% this quarter. There were 3 event applications in the quarter and only one application missed the service standard. The relevant application was acknowledged within 7 days.

- Hazardous Trees – we will respond and make safe within 24 hours

The target performance is that 80% of hazardous tree requests will be made safe within 24 hours and the result for that measure was 70%. As reported last quarter, the level of risk is now calculated automatically depending on the criteria selected in our Customer Relationship Management (CRM) system. This quarter's report is the second to factor in this new method of risk calculation and the result is up from the previous quarter's result of 54%. This reflects an increased scrutiny to ensure that system data accurately corresponds to the work carried out in the field.

Notwithstanding the improvement from quarter 3, improvements have been made to the technical process within the CRM system and Confirm asset management system to more easily enable officers to indicate when a high risk case has been made safe.

Other notable points include continued improvement in the results for the illegal dumping standard and a strong result for the wasp standard with 97% of cases actioned within 7 days, despite a high volume of 141 cases in the quarter.

Annual Results

Of the 16 time-based indicators reported, the target performance was met – or there were no instances – for 14 of them. There were no hazardous footpath repairs reported in the 2018-19 period.

Only one of the time-based standards did not meet the target performance:

- Hazardous Trees – we will respond and make safe within 24 hours

The target performance is that 80% of hazardous tree requests will be made safe within 24 hours and the result for the 2018-19 period was 64%. This is a lower result than the 2017-18 period where the result was 97%. However this result is in the context of a lower volume of 29 cases in comparison to this year's volume of 94 hazardous tree cases. This higher volume is due to a new and more consistent categorisation of risk which better represents the service requirements placed on the arboriculture team.

Other notable points include improvements in the annual results for updating customer details (97%), illegally dumped rubbish (83%), dog attacks (92%), wasps (98%), fast track development applications (95%), missed bins (100%), hazardous footpath repairs (100%) and hazardous stormwater repairs (100%).

Note on volumes previously reported

The following errors were noted in the volumes previously reported to Council in quarters 1 to 3 of 2018-19:

- Bin Repair and Replacement

East Waste has widened the requests they include in the category of 'replacement' (beyond the scope of the requests envisaged in our service standard) which led to a larger volume of bin repair and replacement cases being reported to Council. This did not affect the result of the service standard, however a larger volume of requests was reported than should have been (total of 3188 requests instead of 2736).

- Fast Track Development Applications

An update to the development application system and change in reporting processes lead to duplicate fast track applications being reported in quarter 3 of 2018-19. This error did not affect the result of the service standard, however a larger volume of requests was reported than should have been (85 applications reported in quarter 3 instead of 19).

The Annual Report for 2018-19 has been produced using updated figures to represent the accurate volume of requests.

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. APPENDICES

- (1) Q4 2018-19 Service Standard Report (May – July 2019)
- (2) 2018-19 Annual Service Standard Report

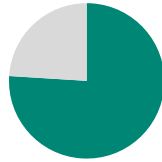
Appendix 1

*Q4 2018-19 Service Standard Report
(April – June 2019)*

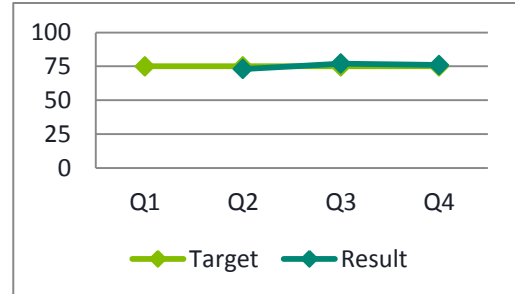
General Customer Standards

Answering incoming phone calls

We will answer 75% of calls to our contact centre within 30 seconds

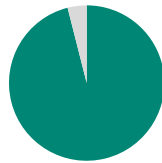


Volume 10 008
Target 75%
Result 76%

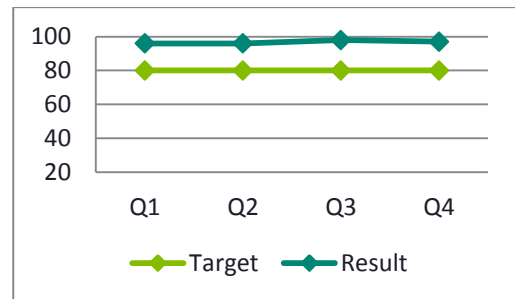


Updating customer details

We will update your contact details within 5 days



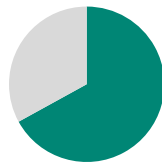
Volume 118
Target 80%
Result 97%



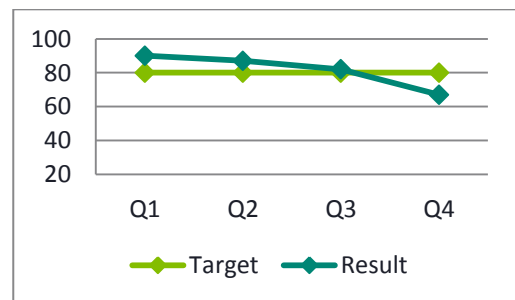
Service Specific Standards – Time Based Indicators

New Event Applications

We will acknowledge receipt of new applications within 5 days

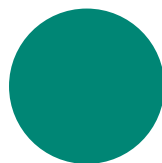


Volume 8
Target 80%
Result 67%

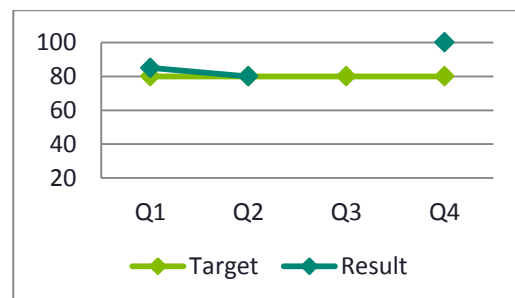


Illegal Burning Complaints

We will investigate reported illegal burning within 24 hours

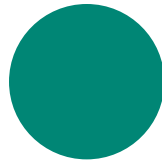


Volume 5
Target 80%
Result 100%

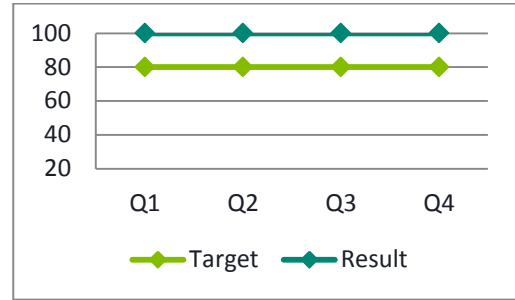


Health Complaints

We will investigate/respond to reported food complaints within 24 hours

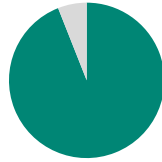


Volume 1
Target 80%
Result 100%

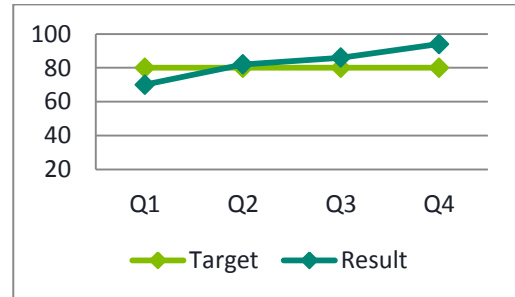


Illegally Dumped Rubbish

We will remove illegally dumped rubbish within 3 days

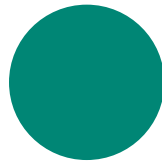


Volume 47
Target 80%
Result 94%

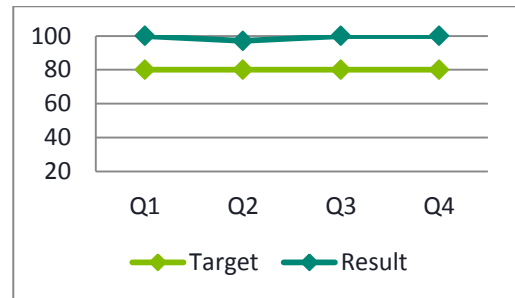


Library Services

We will respond to requests to purchase materials within 10 days

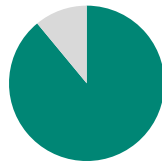


Volume 17
Target 80%
Result 100%

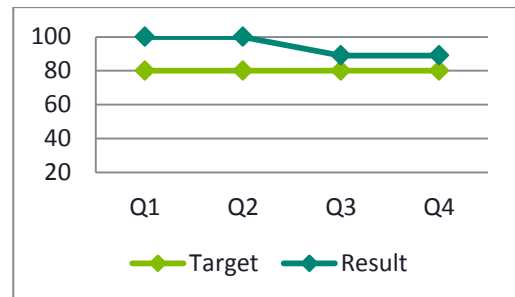


Dog Attacks

We will respond to reported dog attacks within 24 hours

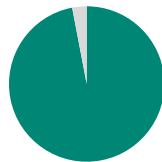


Volume 9
Target 80%
Result 89%



Wasps

We will investigate and action reported European Wasp nests within 7 days

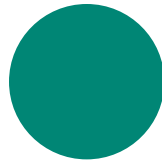


Volume 141
Target 80%
Result 97%

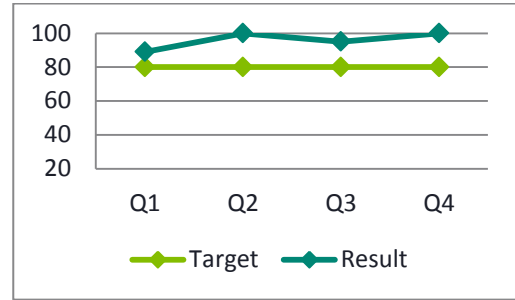


Development Applications

We will approve fast track Development Applications within 28 days



Volume 9
Target 80%
Result 100%

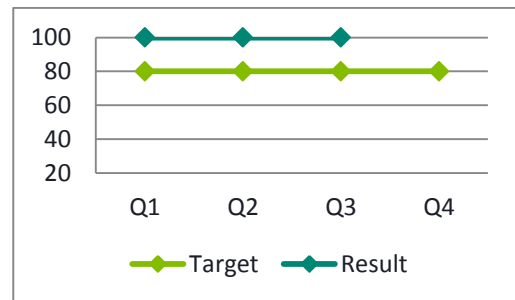


Missed Bins

We will collect missed domestic bins within 2 days

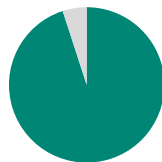
No Incidents

Volume 0
Target 80%
Result No Incidents

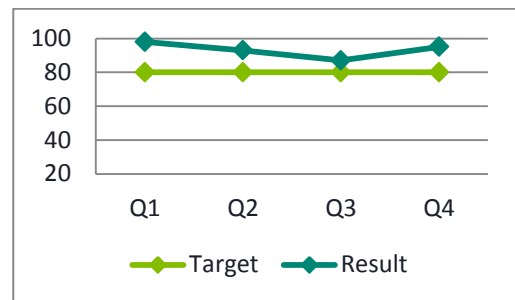


Request for bin repair or replacement

We will action requests for bin repair or replacement within 7 days



Volume 625
Target 80%
Result 95%

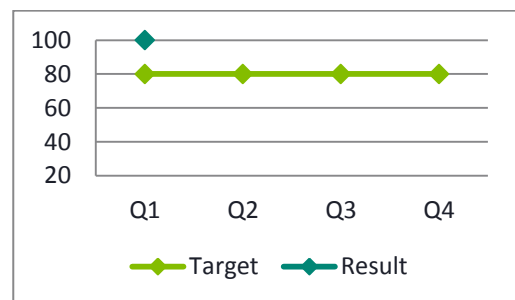


Footpath Repairs – Hazardous

We will respond and make safe hazardous footpath issues within 24 hours

No Incidents

Volume 0
Target 80%
Result No Incidents

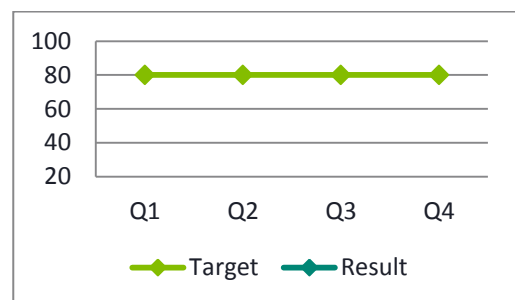


Road Repairs – Hazardous

We will respond and make safe hazardous road and pothole issues within 24 hours

No Incidents

Volume 0
Target 80%
Result No Incidents

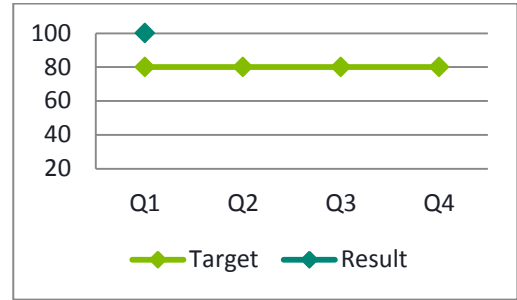


Stormwater Repairs – Hazardous

We will respond and make safe hazardous stormwater and flooding issues within 24 hours

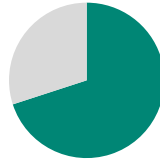
No Incidents

Volume	0
Target	80%
Result	No Incidents

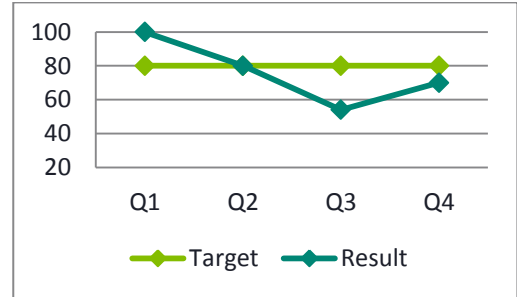


Trees – Hazardous

We will respond and make safe hazardous tree issues within 24 hours



Volume	37
Target	80%
Result	70%

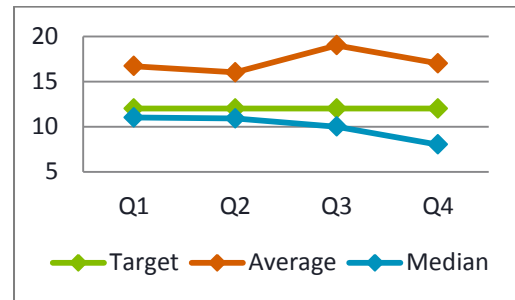


Service Specific Standards – Other Indicators

Development Applications

We will, on average, make a decision on planning consent within 12 weeks of receipt of the application

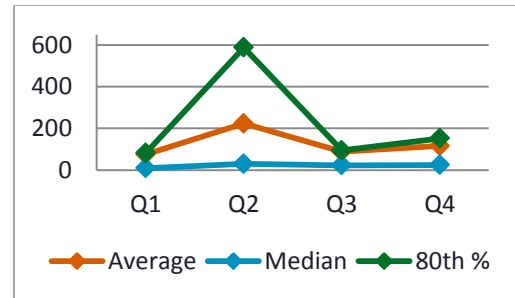
Volume	217
Target	12 weeks
Average Consent Time	17 weeks
Median Consent Time	8 weeks



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

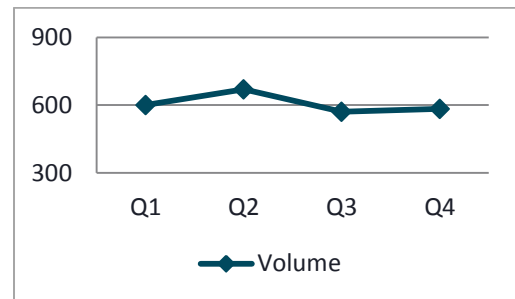
Volume	565
Average Resolution Time	116 days
Median Resolution Time	24 days
80 th Percentile Resolution Time	152 days



Low Risk Infrastructure Requests – Number of New Requests

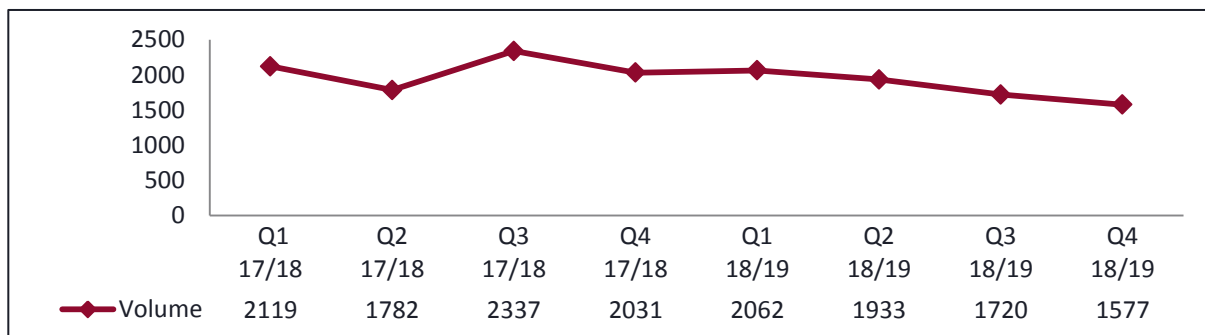
We will resolve other footpath, road, stormwater and tree issues in accordance with our general maintenance program

Number of New Requests	583
------------------------	-----



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



Appendix 2

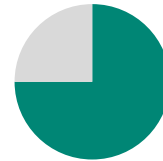
2018-19 Annual Service Standard Report

Customer Service Standard Report

Annual Report 2018-19

Answering incoming phone calls
We will answer 75% of calls to our contact centre within 30 seconds

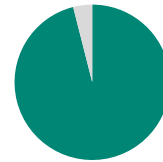
Volume 31 784
Target 75%
Result 75%
Last year N/A



Note: Quarters 2 to 4 only as data not available for Quarter 1 pending implementation of new Contact Centre software

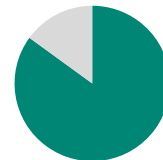
Updating customer details
We will update your contact details within 5 days

Volume 445
Target 80%
Result 97%
Last Year 89%



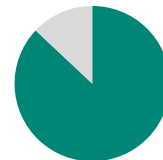
New Event Applications
We will acknowledge receipt of new applications within 5 days

Volume 39
Target 80%
Result 85%
Last Year 90%



Illegal Burning Complaints
We will investigate reported illegal burning within 24 hours

Volume 23
Target 80%
Result 87%
Last Year 91%



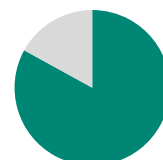
Health Complaints
We will investigate/respond to reported food complaints within 24 hours

Volume 7
Target 80%
Result 100%
Last Year 100%



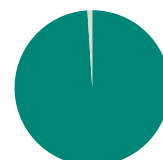
Illegally Dumped Rubbish
We will remove illegally dumped rubbish within 3 days


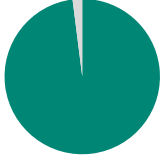
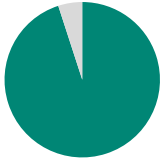
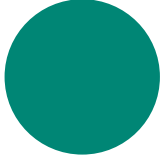
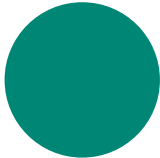
Volume 224
Target 80%
Result 83%
Last Year 63%



Library Services
We will respond to requests to purchase materials within 10 days

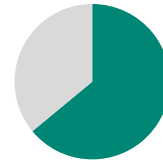
Volume 121
Target 80%
Result 99%
Last Year 99%



<p>Dog Attacks We will respond to reported dog attacks within 24 hours</p>	<p>Volume 26 Target 80% Result 92% Last Year 86%</p>	
<p>Wasps We will investigate and action reported European Wasp nests within 7 days</p>	<p>Volume 263 Target 80% Result 98% Last Year 76%</p>	
<p>Development Applications We will approve fast track Development Applications within 28 days</p>	<p>Volume 101 Target 80% Result 95% Last Year 75%</p>	
<p>Missed Bins We will collect missed domestic bins within 2 days</p>	<p>Volume 7 Target 80% Result 100% Last Year 97%</p>	
<p>Request for bin repair or replacement We will action requests for bin repair or replacement within 7 days</p>	<p>Volume 3361 Target 80% Result 94% Last Year 98%</p>	
<p>Footpath Repairs – Hazardous We will respond and make safe hazardous footpath issues within 24 hours</p>	<p>Volume 1 Target 80% Result 100% Last Year 0%</p>	
<p>Road Repairs – Hazardous We will respond and make safe hazardous road and pothole issues within 24 hours</p>	<p>Volume 0 Target 80% Result No Incidents Last Year 50%</p>	<p>No Incidents</p>
<p>Stormwater Repairs – Hazardous We will respond and make safe hazardous stormwater and flooding issues within 24 hours</p>	<p>Volume 1 Target 80% Result 100% Last Year 0%</p>	

Trees – Hazardous
 We will respond and make safe hazardous tree issues within 24 hours

Volume 94
 Target 80%
 Result 64%
 Last Year 97%



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	897		
Target	12 weeks		
Average Consent Time	17 weeks	<i>Last Year Average</i>	<i>16 Weeks</i>
Median Consent Time	10 weeks	<i>Last Year Median</i>	<i>10 Weeks</i>

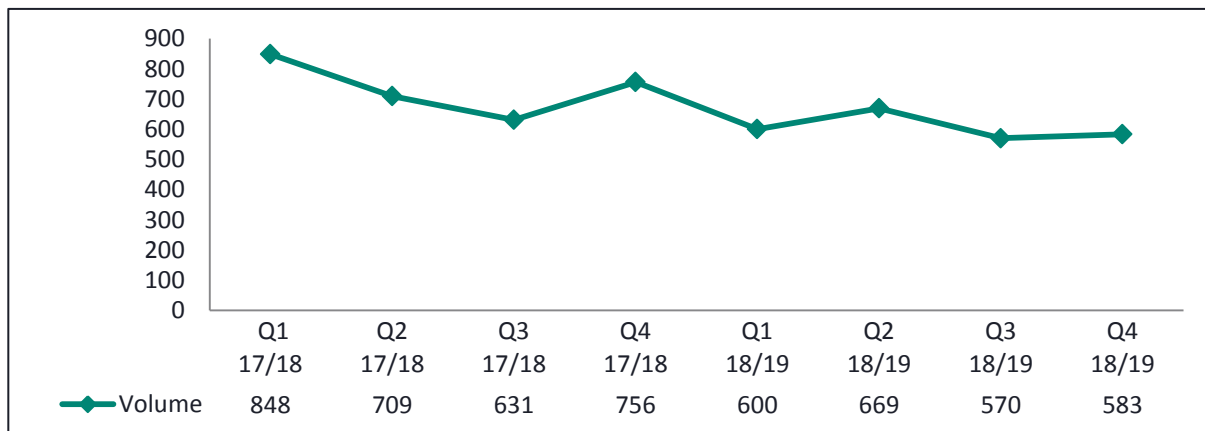
Low Risk Infrastructure Requests – Average Time to Resolve

We will resolve other footpath, road, stormwater and tree issues in accordance with our general maintenance program

Volume	2579		
Average Resolution Time	135 days	<i>Last Year Average</i>	<i>46 days</i>
Median Resolution Time	21 days	<i>Last Year Median</i>	<i>15 days</i>

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



**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 27 August 2019
AGENDA BUSINESS ITEM**

Item: 13.2

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;
- Caretaker;
- 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 Community Capacity
Executive Manager Governance & Performance
Manager Property Services
Manager Financial Services
Manager Communications & Engagement
Manager IT
Manager Development Services
Senior Strategic & Policy Planner
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 – August 2019

Appendix 1

Adelaide Hills Council Policy Register

August 2019

ADELAIDE HILLS COUNCIL POLICY REGISTER

Policy	Policy No.	Category	Mandatory/ Recommended by LGA	Last Adopted Date	Review Date on Policy (traffic light)	Responsible Department	Notes
Sport and Recreation Strategy REVOICATION	COM-22	Community	Other	16-Dec-08	Apr-11	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) REVOICATION - ONCE INCORPORATED INTO ACQUISITION AND DISPOSAL OF LAND & MATERIALS	INF-04	Infrastructure & Assets	Other	13-Nov-12	Nov-14	Financial Services	To incorporate Disposal of Land Policy (INF-01) and be renamed 'Disposal of Assets' supported by procedures. New Draft Policy to Audit Committee 12 August 2019 and flow through to Council Sept 2019. This can include encroachments and easements. 2019.
Disposal of Land (LGA s201) REVOICATION - ONCE INCORPORATED INTO ACQUISITION AND DISPOSAL OF LAND & MATERIALS	INF-01	Infrastructure & Assets	Recommended	21-Jul-14	Jun-17	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. Draft completed and going to Audit Committee in August followed by Council
One Team Communication Protocols	GOV-11	Corporate Governance	Other	2-Aug-15	Aug-18	Governance & Performance	It would be premature to review the Protocols prior to the Reforming Local Government (legislative) program being better understood due to the potential for new/alterd provisions impacting on Council Member/Administration relations. Propose to be workshopped with Council Members as part of the 2020/21 ABP process (Feb/March 2020).
Mayors/Chairpersons Seeking Legal Advice (LGA s78A)	CM-03	Council Member	Other	8-Sep-15	Sep-18	Governance & Performance	While there are not any specific proposed changes to s78A in the Reforming Local Government (legislative) program, given that the current Policy provisions are generally sufficient and relevant, it is not proposed to revise the Policy until there is greater clarity on legislative changes, say March/April 2020.
Public Consultation (LGA s50)	COM-01	Community	Mandatory	8-Sep-15	Sep-18	Communications & Events	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. At this stage the draft Policy is scheduled for Oct 2019 council meeting
Acquisition and Disposal of Land & Materials (refer Disposal of Materials and Disposal of Land)	NEW INF-01	Infrastructure & Assets	Recommended	Proposed	Nov-19	Financial Services	To incorporate Disposal of Materials Policy (INF-04) and be renamed 'Disposal of Assets Policy' supported by procedures. New Draft Policy to Audit Committee 12 August 2019 and flow through to Council Sept 2019. This can include encroachments and easements. Policy to follow finalisation of the Property Management Framework. Estimate May 2019.
Festivals & Events	COM-11	Community	Other	12-Apr-16	Apr-19	Communications & Events	Staff are working on a draft new F&E Policy with a review focus on motorsport events and fireworks. Council adopted a draft policy for consultation purposes in June 2019 and consultation subsequently occurred. A report on the adoption of a final policy will be prepared for the August 2019 meeting.
Privately Funded Development Plan Amendments	DEV-10	Development	Other	14-Feb-17	Apr-19	Development & Compliance	Review deferred and will be reported to Council at its 27 August 2019 meeting. No changes to the Policy are suggested. It is also noted that the Policy will be abandoned shortly (by no later than 1 July 2020) given the roll out of the Planning Reforms which do not envisage DPA's as these will be replaced by the Planning & Design Code
Code of Practice for Meeting Procedures (LGPAMR r6)	GOV-14	Corporate Governance	Recommended	18-Dec-18	Nov-19	Governance & Performance	The Code has been workshopped with Council Members and is currently being reviewed. The provisions of the proposed Unreasonable Complainants Policy may impact the deputation and public forum elements of the Code. It is scheduled for the 26 October 2019 Council meeting. The Reforming Local Government (legislative) program, specifically contemplates changes to the powers of principal members in the Chamber (disciplinary and deliberate vote) and informal gatherings. As such, a second review of the Code will be required in early 2020.
Procurement (LGA s49)	GOV-08	Corporate Governance	Mandatory	22-Nov-16	Nov-19	Financial Services	New Draft Policy to Audit Committee 13 August 2019 and flow through to Council Sept 2019.
Development Applications Involving Regulated Trees	DEV-08	Development	Other	14-Jun-16	Jun-22	Development & Compliance	Will be considered closer to the scheduled Review Date
Council Member Conduct (LGA s63)	CM-04	Council Member	Mandatory	24-Nov-15	Nov-19	Governance & Performance	The Reforming Local Government (legislative) program specifically contemplates changes to the provisions regarding Council Member conduct and complaints handling. As such it is proposed to defer a review of the Policy until February /March 2020.
Community Loans	FIN-06	Finance	Other	24-Apr-18	Feb-20	Financial Services	Policy Review underway
Records and Information Management	GOV-13	Corporate Governance	Recommended	14-Feb-17	Feb-20	Information Systems	Policy Review underway
Development Application Document Reproduction	DEV-03	Development	Recommended	11-Oct-16	Nov-19	Development & Compliance	Policy Review underway
Internal Review of Council Decisions (LGA s 270(1))	GOV-01	Corporate Governance	Mandatory	28-Mar-17	Mar-20	Governance & Performance	The Reforming Local Government (legislative) program specifically contemplates changes to the provisions regarding Council Member conduct and complaints handling. As such it is proposed to defer a review of the Policy until February /March 2020. To be done in consideration of GOV-01, GOV-03, GOV-04 & GOV-08
Fraud & Corruption Prevention (ICAC)	GOV-02	Corporate Governance	Recommended	13-Jun-17	Apr-20	Governance & Performance	To be considered by Audit Committee for recommendation to Council Incorporate ICAC Act references as they occur

ADELAIDE HILLS COUNCIL POLICY REGISTER

Policy	Policy No.	Category	Mandatory/ Recommended by LGA	Last Adopted Date	Review Date on Policy (traffic light)	Responsible Department	Notes
Internal Audit (LGA s125)	GOV-18	Corporate Governance	Mandatory	13-Jun-17	Apr-20	Governance & Performance	To be considered by Audit Committee for recommendation to Council
Risk Management	GOV-19	Corporate Governance	Recommended	13-Jun-17	Apr-20	Governance & Performance	To be considered by Audit Committee for recommendation to Council
Public Transport	COM-23	Community	Other	14-Feb-17	Feb-20	Policy Planning	Will be considered closer to the scheduled Review Date
Cemetery Management	COM-06	Community	Recommended	9-May-17	May-20	Property Services	Will be considered closer to the scheduled Review Date
Lease & Licencing	NEW	Community	Other	Proposed	Jun-20	Property Services	To be updated in conjunction with the adoption of the Community & Recreation Facility Framework, unlikely to be until mid 2020
Acceptance of External Funding	GOV-07	Corporate Governance	Other	14-Mar-17	Mar-20	Director's Office, CS	Will be considered closer to the scheduled Review Date
Rating (LGA Chpt 10)	FIN-02	Finance	Recommended	25-Jun-19	Jun-20	Financial Services	Adopted in June as part of ABP
Petitions	GOV-22	Corporate Governance	Recommended	11-Jul-17	Jul-20	Governance & Performance	Will be considered closer to the scheduled Review Date
Prudential Management (LGA s48)	GOV-09	Corporate Governance	Mandatory	13-Jun-17	Apr-20	Director's Office, CS	To be considered by Audit Committee for recommendation to Council
Debt Recovery (inc. CWMS Customer Hardship Policy) (LGA s144)	FIN-04	Finance	Mandatory	28-Nov-17	Nov-20	Financial Services	Will be considered closer to the scheduled Review Date
Treasury	FIN-03	Finance	Recommended	26-Sep-17	Nov-20	Financial Services	Will be considered closer to the scheduled Review Date
Development Application Fee Waiver	DEV-05	Development	Other	9-May-17	May-20	Development & Compliance	Will be considered closer to the scheduled Review Date
Public Place & Road Naming (LG Act s219(5))	DEV-02	Infrastructure & Assets	Mandatory	9-May-17	May-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	Director's Office, CCS	To be done in consideration of GOV-01, GOV-03, GOV-04 & GOV-08.
Unreasonable Complainant Policy (NEW)	GOV-08	Corporate Governance	Other	NA	NA	Director's Office, CCS	To be done in consideration of GOV-01, GOV-03, GOV-04 & GOV-08.
Liquor Licensing	COM-18	Community	Other	13-Jun-17	Jun-20	Development & Compliance	Will be considered closer to the scheduled Review Date
Request for Service (LGA s270(a1)(a))	GOV-03	Corporate Governance	Mandatory	13-Jun-17	Jun-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	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	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

ADELAIDE HILLS COUNCIL POLICY REGISTER

Policy	Policy No.	Category	Mandatory/ Recommended by LGA	Last Adopted Date	Review Date on Policy (traffic light)	Responsible Department	Notes
Community Group Use of Photocopiers	COM-02	Community	Other	11-Jul-17	Jul-20	Library & Customer Services	Will be considered closer to the scheduled Review Date
Grant Giving	COM-05	Community	Other	8-Aug-17	Jul-20	Community Development	minor update to clause 8.1 arising from 23 April 2019 Council meeting, resolution 75/19 has been undertaken along with other minor changes. Review in 2020 will also look more broadly at processes and framework that relate to the policy.
Outdoor Dining	COM-19	Community	Other	24-Apr-18	Mar-21	Property Services	Will be considered closer to the scheduled Review Date
Unsealed Roads	INF-09	Infrastructure & Assets	Other	11-Jul-17	Jul-20	Sustainable Assets	Will be considered closer to the scheduled Review Date
Development Application Fee Refunds	DEV-07	Development	Other	25-Sep-18	Sep-20	Development & Compliance	Will be considered closer to the scheduled Review Date
Burning Permit Policy	ENV-06	Environment & Open Space	Recommended	26-Feb-19	Nov-20	Waste, Health & Regulatory Services	Will be considered closer to the scheduled Review Date
Asset Management	INF-03	Infrastructure & Assets	Other	26-Sep-17	Nov-20	Sustainable Assets	To be considered by Audit Committee for recommendation to Council
Buffers	DEV-06	Development	Other	1-Jan-15	Nov-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.
Road Rents	INF-06	Infrastructure & Assets	Other	24-Apr-18	Mar-21	Property Services	Will be considered closer to the scheduled Review Date
Delegations Policy for the Determination of Development Applications by CAP	DEV-12	Strategy & Development	Mandatory	28-Nov-17	Nov-20	Development & Compliance	Will be considered closer to the scheduled Review Date
Enforcement Policy	GOV-10	Environment & Open Space	Recommended	26-Jun-18	Nov-20	Waste, Health & Regulatory Services	Will be considered closer to the scheduled Review Date
Management of Built Heritage	DEV-09	Development	Other	12-Apr-16	Nov-20	Policy Planning	Will be considered closer to the scheduled Review Date
Order Making (LGA s259)	GOV-05	Corporate Governance	Mandatory	14-Nov-17	Nov-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.
Roadside Trading (Use of Public Road Verges for Business Purposes)	COM-20	Community	Other	24-Apr-18	Mar-21	Property Services	Will be considered closer to the scheduled Review Date
Play Space	COM-10	Community	Other	27-Mar-18	Jan-21	Open Space	Will be considered closer to the scheduled Review Date
Public Interest Disclosure	GOV-16	Corporate Governance	Mandatory	25-Jun-19	Jun-21	Governance & Performance	Will be considered closer to the scheduled Review Date
Advisory Group Operation and Conduct	GOV-1	Corporate Governance	Other	18-Dec-18	Dec-21	Governance & Performance	Will be considered closer to the scheduled Review Date
Caretaker (LGEA s91A(1))	GOV-06	Corporate Governance	Mandatory	22-May-18	May-22	Governance & Performance	Will be considered closer to the scheduled Review Date
Waste and Resource Recovery Service	ENV-05	Environment & Open Space	Other	27-Mar-18	Apr-21	Waste, Health & Regulatory Services	Will be considered closer to the scheduled Review Date

ADELAIDE HILLS COUNCIL POLICY REGISTER

Policy	Policy No.	Category	Mandatory/ Recommended by LGA	Last Adopted Date	Review Date on Policy (traffic light)	Responsible Department	Notes
Safe Environments	COM-12	Community	Recommended	22-May-18	May-21	Organisational Development	Will be considered closer to the scheduled Review Date
Tributes for Commemorative Services	COM-13	Community	Other	24-Jul-18	Jul-21	Communications & Events	Will be considered closer to the scheduled Review Date
Flags	COM-16	Community	Other	24-Jul-18	Jul-21	Communications & Events	Will be considered closer to the scheduled Review Date
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	Development & Compliance	Will be reviewed closer to scheduled April 2021 review date
Street Lighting	INF-08	Infrastructure & Assets	Other	24-Jul-18	Jul-21	Engineering Asset Management	Will be considered closer to the scheduled Review Date
Volunteer Engagement	COM-04	Community	Recommended	24-Jul-18	Jul-21	Community Development	volunteer engagement survey being undertaken which will inform the development of the policy along with other work in the volunteer space.
Directional Signage	INF-07	Infrastructure & Assets	Other	26-Feb-19	Sep-21	Sustainable Assets	Will be considered closer to the scheduled Review Date
Wastewater System Application Fee Refunds	COM-24	Community	Other	18-Dec-18	Dec-21	Waste, Health & Regulatory Services	Will be considered closer to the scheduled Review Date
Council Member Training and Development (LGA s 80A)	CM-05	Council Member	Mandatory	24-Jul-18	Sep-22	Governance & Performance	Will be considered closer to the scheduled Review Date
Tree Management	ENV-04	Environment & Open Space	Other	26-Mar-19	Mar-22	Sustainable Assets	Will be considered closer to the scheduled Review Date
Community Information Display	COM-09	Community	Other	26-Mar-19	Mar-22	Communications & Events	Will be considered closer to the scheduled Review Date
Council Member Allowance and Support (LGA s 77(1)(b))	CM-02	Council Member	Mandatory	27-Nov-18	Nov-22	Governance & Performance	Policy lapses at a general election of council.
Code of Practice for Access to Council Meetings, Committees & Documents (LGA s92)	GOV-17	Corporate Governance	Mandatory	23-Apr-19	Nov-23	Governance & Performance	May be impacted by the Reforming Local Government (legislative) program, if so the review date will be brought forward.
Informal Council Gatherings (LGA 90(8a))	GOV-12	Corporate Governance	Mandatory	23-Jul-19	Nov-23	Governance & Performance	The Reforming Local Government (legislative) program specifically contemplates changes to the provisions regarding informal gatherings and discussions. As such it is proposed to defer a review of the Policy until February /March 2020.
Genetically Modified Crops	ENV-01	Environment & Open Space	Other	18-Dec-18	Dec-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
Burials Outside Cemeteries	COM-15	Community	Other	22-Jan-19	Jan-24	Property Services	Will be considered closer to the scheduled Review Date
Telecommunications Installation - Small Cell Stobie Pole Mounted Antennae	ENV-02	Development	Other	23-Jul-19	Jul-21	Development & Compliance	Will be considered closer to the scheduled Review Date
Disposal of Assets (New)	FIN-07	Finance	Mandatory	27-Aug-19		Financial Services	New Policy - Replace Disposal of Land and Disposal of Materials Policies

Item 17 Council Member Reports

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

Preliminary Report to Council – Final report to be provided to Council Members in coming weeks.

ALGA NGA 19 Report

Part One

Local Government Awards 2018 & 2019

Local Government has showcased what can be achieved with a bit of creativity and innovative thinking with the category winners of the Local Government Awards, some of these ideas can be easily adapted to suit AHC. I have provided the 2018 winners as well as the 2019 winners in each category as these projects are truly inspiring of what can be attained with collaboration and cooperation.

National Award for Excellence (2018)

Achieving Big Things in Small Communities Award (2018)

Wujal Wujal Aboriginal Shire Council QLD

Emergency Management Network and Community Forum

Presented to the forum by Eileen Deemal-Hall, CEO Wujal Wujal Aboriginal Shire Council, Cape York QLD

Eileen presented an emotional and inspiring talk on how their small community has used innovation and technology as well as the indigenous knowledge of the land to deal with severe weather events that can cut off the community. The community of Wujal Wujal can lose both landline and mobile communications, be cut off from road access and lose power, on several occasions this has been in excess of 48 hours. In a major flooding event the community can be cut in two with no access across the river.

In an Australian first the Wujal Wujal valley wide Emergency Management Network and Community Forum enables the Council to communicate with the community during natural disasters when both telecommunications and power supplies fail.

The system works by allowing the Council to batch warnings and notifications to network users and groups of users. This enables Council, police, health services and volunteers to manage conditions before and after emergency events when normal telecommunications fail. Council staff can view and operate infrastructure including water and waste water treatment and storage.

Connection can be made with users' existing devices including smartphones, VOIP phones and computers. It can be accessed by community members and visitors enabling voice and video calls, text messaging and emails at no cost via free apps. Controlled internet access is also available which is limited to authorised users.

Non-emergency use of the network is important as it builds familiarity with the network operation, providing a high inclusive approach. The system has been tailored to the local community. The use of

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

soft interfaces ensure community engagement, with a local forum, a web manager, community messaging and user documentation in a form appropriate for Wujal Wujal. Users can also chat on forum style communication pages similar to Facebook Messenger.

The project was funded by the Queensland Department of Infrastructure, Local Government and Planning. The design, construction and commissioning work was completed by an engineering and project management firm experienced in delivering infrastructure projects into regional and remote areas.

The Network is built on a microwave radio backbone linking two servers and access points which form a service dome. Equipment operates independent of energy supplier Ergon, with each access point powered by solar and battery systems or backed by an automatic generator. It operates parallel with Council's existing server and is firewalled to protect unauthorised external access. The servers share operations and can automatically take over and serve all operations should one fail. The system automatically redistributes operation on failure of an access point. Council holds a set of spare "plug and play" components, as well as remote access of technical support to ensure quick rectification of any problems without attendance.

The system has already proved its worth following a series of tropical storms that isolated the community.

The project has addressed the unique needs of a remote community, utilising a high degree of innovation and inclusive approach to ensure that all community members can utilise the facility. It is well designed, replicable and scalable for other Councils.

How does this relate to AHC: The AHC is also hit with weather events, blackouts, flooding and bushfires and our communities can become isolated during these events, especially as the telecommunications cannot be relied upon during these events. A regional approach with funding assistance from State and/or Federal funding could achieve connectivity when it is needed the most which in turn will assist in the recovery of communities after an event.

National Award for Excellence (2019)

Multicultural Australia – Cohesive Communities (2019)

City of Stirling, WA

Kaleidoscope Initiative

As the winner of the 2019 National Award for Excellence in Local Government, the City of Stirling's Kaleidoscope Initiative is an outstanding example of local government commitment to a multicultural Australia, as well as leading practice that delivers better outcomes for its community.

The City of Stirling is one of the most diverse local governments in Australia and has the highest migrant intake in Western Australia. Finding their migrant community experiencing high unemployment, the City undertook to address the issue with a targeted approach that drew upon an internationally leading program.

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

The Kaleidoscope Initiative is helping newcomers to the City of Stirling become job ready through a range of activities. It actively matches newcomers with mentors from similar backgrounds, helping break down the barriers they may face in gaining employment. The Initiative is also building a strong network of multicultural communities and professional immigrant associations that have the commitment, connections and capacity to develop their members' job readiness.

The Kaleidoscope Initiative provides an online employment hub and a meeting place for migrants helping those new to the city to avoid the risks of social isolation, mental health issues and disconnection from the broader community.

This project is addressing the unique needs of their community and the issues they are facing. They are building bridges between local government, business and multicultural communities in an Australian-first approach to the issue.

The Project

The Kaleidoscope Initiative aims to help newcomers to the City of Stirling achieve employment outcomes that enable them to contribute their skills and experience to the local economy. It is achieving this goal through working in partnership with a broad cross-section of stakeholders including businesses, professional immigrant networks, community organisations and other tiers of government. Through providing an online information hub, access to networking opportunities and mentoring the project is supporting newcomers to become job ready and helping businesses to harness the benefits of a culturally diverse workforce.

Community Outcomes

Eighteen job ready workshops have been held with over 350 newcomers participating. Over 600 professionals, employers and business leaders have participated in 13 networking and training events. Established professionals have registered to become mentors and ties between businesses, industry and multicultural communities continue to expand. Newcomers are being further empowered and connected through economic participation, enabling them to feel more confident as members of the City of Stirling community as well as part of Australian society.

Next Steps

The Kaleidoscope Initiative continues to help newcomers become job-ready, leading to positive individual outcomes as well as a more integrated, cohesive community. Community consultation, research and engagement activities continue to better identify the barriers and gaps to employment for migrants, and ways to overcome these. Partnerships with other councils are expanding the reach of the project and creating more opportunities for newcomers. The City of Stirling is benefitting from a diverse workforce, enabling it to better understand and respond to the needs of its diverse community.

The project is well designed, replicable and scalable for other councils.

How it relates to AHC: As a Council that has declared that it is migrant friendly this would be an excellent project to undertake. Providing a way to contribute to their new community would assist in integrating them into the community and avoid isolation and related depression.

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

Arts Animates – Excellence in Building Vibrant and Resilient Communities Award (2018)

Gannawarra Shire Council, VIC

Gannawarra Performing Arts Partnership Delivery Model

The Council has developed an innovative delivery model for a performing arts program, partnering with local communities and is an excellent example of how local communities can achieve sustainable, social and economic outcomes through small financial investments.

Prior to 2016, the Council's Arts and Culture Officer (ACO) was delivering a mainly visual arts program. It was identified by the Council that there was a need for a diverse performing arts program to be delivered across the Shire and that it could not fund it alone.

The project plan identified the need to work with the community to build capacity and offer a quality program. The project was underpinned by a mix of funding from Creative Victoria Small Regional Presenters grant, the Go Pitch fund managed by Showcase (Victoria's performing arts marketplace), Gannawarra Shire Council and a formal partnership with Regional Arts Victoria.

The model promoted sustainable growth by assisting communities in reinvigorating public spaces for ongoing delivery of performances. This not only provided new employment opportunities, it also allowed the local neighbouring community members to participate in arts activities they would not otherwise experience. The project helped empower local community leaders in presenting a unique performing arts program, in which community members become presenters in their own communities.

The project managers worked with communities in Council wide Art Salons to provide regular forums bringing people together. The project was communicated to the community through newsletters, email, social media and focus groups, ensuring the community ownership of the project.

All desk based work was handled by the ACO, allowing the community volunteers to concentrate on creative direction and community engagement. The communities were included in all aspects of planning and delivering the annual program, including budgets, logistics and documentation alongside the ACO, building the management capacity of community leaders.

The programs were tailored to community aspirations, drawing on dynamic community leaders, small & unique halls and enthusiastic audiences. The result has seen the ACO delivering an outstanding program in very small communities, with populations ranging from 168 (Leitchville) to 3,893 (Kerang).

How does this relate to AHC: Within the Adelaide Hills Council there are a number of small communities, most have a Hall and other public space that could be involved in hosting arts programs, exhibitions, performances etc. This would assist in building connections within communities and across communities, providing opportunities for communities to create their own unique performances and building resilience through those connections and performances.

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

Arts Animates – Creating Vibrant and Cohesive Communities through the Arts (2019)

City of Belmont, WA

The Adventures of the Belmonsters

The Project

The arts and culture enrich communities and encourage innovation and inclusion. The City of Belmont's 'The Adventures of the Belmonsters' is a community based arts and wellbeing project that sees local residents working together to create a book about their community on the theme of acceptance and diversity. The project involved 14 members of the community collaborating with an author and an illustrator to develop a picture book to showcase the City's local attractions through story telling. Suitable for children aged between 6 and 11 years, The Adventures of the Belmonsters was published in 2016 and is now widely available at local schools, the public library and on Google Books.

Community Outcomes

The initiative was a first for the City of Belmont, and potentially unique across the local government sector. In addition to showcasing the incredible parks and facilities, the book allows the reader to imagine them through a child's eyes. The book acknowledges and celebrates that it has been made by the community, for the community and can be adapted to each local government to represent their unique assets.

Next Steps

There is the potential for further incorporation of Belmonsters into existing school and library programs, a preschool picture book targeted at preschool children and a sing-along album.

How it relates to AHC: Great initiative and an interesting way to include children into their community. Could be adapted to include the unique things that make up the Adelaide Hills community. Would encourage reading in young children as they would be able to identify local landmarks and features in the book.

Boosting Productivity through Infrastructure Award (2018)

Sunshine Coast Regional Council, QLD

Sunshine Coast Solar Farm

This infrastructure project is an outstanding example of a forward thinking local government actively investing in modern infrastructure and maximising opportunities for the future wellbeing of its community.

This is Australia's first local government to offset its entire electricity consumption from renewable energy that it generates. The project has an innovative business model in which project value is underpinned by extensive business case development and robust financial analysis. The key objective is to provide a renewable source of electricity to Council at a lower 'whole of life' cost than

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

traditional electricity supplies. It has also developed a clean technology industry hub on the Sunshine Coast, bringing economic development and investment into the Council.

The project partners include Downer Utilities Australia, contracted to design, construct and operate the solar farm; Energex, the distribution network service provider that built the 33kV switchyard connecting the solar farm to the electricity grid and Diamond Energy, the electricity retailer that buys and sells electricity for the Council in the National Electricity Market.

Three teams were formed to manage the project, one team consisting of Downer and Council managed the project design and construction, the second managed the connection process and included Council, Energex, the Australian Energy market Operator and Downer and the third team monitors operations, maintenance and the ongoing performance.

The Council was very proactive in engaging with the local community. Tools used included community forums, print, radio, television and dedicated web page on the Council's website to ensure information was provided in a timely manner. The Council also hosted barbeques on site for local residents. The online materials included the planning application, business case summary, fact sheets and FAQs, media releases and live data feeds.

The output from the 15MW solar farm has been steadily increasing since its commissioning in July 2017. The Council considers the Pool Price Pass-Through electricity pricing strategy to be well suited to any council looking to build renewables. The project has delivered on the Sunshine Coasts aim of becoming Australia's most sustainable region.

This project is replicable and scalable, with strong interest in Solar Farms and the Sunshine Coast Council provides local and state government agencies with detailed briefings on the project and retail model.

How it relates to AHC: There has been some discussion within Council of investigating a Solar Farm. One of the sticking points is how do we do it? This Council has achieved this project by partnering with industry experts and the Australian Energy market, with investment coming from outside of Council. It would be worth contacting the contact officer to get a briefing on the model used and seeing if there is appetite in SA to undertake a similar project.

Boosting Productivity through Infrastructure (2019)

Lake Macquarie City Council, NSW

Lake Macquarie Organics Resource Recovery Facility

The Project

With the environment a high priority, this community led project is on track to divert 44,000 tonnes of organic material from landfill. Lake Macquarie City Council in partnership with REMONDIS, one of the world's largest recycling companies, constructed vital recycling infrastructure at its Awaba Waste Management Facility. The multi-million dollar facility, which opened in July 2018, is the centrepiece of Lake Macquarie Council's three-bin waste management system.

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

Community Outcomes

The project created significant job opportunities and is strengthening the local economy, enhancing service delivery and reducing the area's environmental footprint. It is a leading example of partnership between government, community and business as well as incorporating an education component through tours, an education centre and linkages to behavioural change campaigns.

Next Steps

The project has been so successful that Lake Macquarie City Council has been approached by councils across Australia and internationally to share their tender documents and experiences.

How it relates to AHC: With recent impacts being felt by AHC in regards to waste management this is a great project that could be undertaken with neighbouring Councils to divert green organics from landfill. The savings to be made from not paying the Solid Waste Levy on the diverted material could fund other initiatives to further reduce waste going to landfill in the future.

Contributing to Regional Growth Award (2018)

City of Melbourne, VIC

The Melbourne Renewable Energy Project (MREP)

MREP is a partnership led by City of Melbourne, with four inner city councils, two universities, cultural institutions and corporations. It is a first for such a diverse group to come together to purchase renewable energy from a newly built facility.

With renewable energy developers facing barriers securing finance, the City of Melbourne found it could use its purchasing power and that of other large energy users to provide sufficient certainty to enable the construction of a large scale renewable energy project.

MREP has awarded a tender for construction of a new 39 turbine 80MW capacity wind farm at Crowlands. The contract agreement provides Pacific Hydro with revenue certainty, enabling construction and contributing to employment in Ararat Rural City and Pyrenees Shire. It also funds the Crowlands Sustainability Fund, which will disburse funds to community groups in Western Victoria.

Customers are able to hedge their electricity costs over 10 years. This is expected to deliver a competitive product and provide cost savings. MREP seeks to develop a model by which customers can drive investment in renewable energy generation.

The City of Melbourne has shared their knowledge with other councils with the publication of a procurement manual to help with developing business cases and project management from inception to close.

How it relates to AHC: While there is no capacity to have a wind farm within the AHC area, there may be opportunities to work with other neighbouring Councils to look at a regional approach.

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

Contributing to Regional Growth Award (2019)

George Town Council, TAS

Bell Bay Initiative

The Project

Bell Bay is Tasmania's largest industrial precinct. The Bell Bay Initiative brings together local, state and federal governments and the private sector to address skills shortages, provide pathways for employment and promote industry growth through marketing and resource sharing opportunities.

Community Outcomes

Seven job seekers aged between 18 and 25 were selected for internships with Bell Bay businesses. Following these placements, three of the interns secured full time employment and one was offered an apprenticeship. As a result of this successful pilot project, there are ongoing discussions to extend the employee incentive program to the northern Tasmanian migrant communities.

Next Steps

The initiative encourages future investment in Bell Bay. New employment opportunities are expected as a result of this investment, and the region is being promoted as a great place to live, work and play.

How it relates to AHC: This initiative could contribute to providing youth employment, thereby removing one of the reasons young people leave the area and retaining their connection with the community they have grown up in.

Disability Access and Inclusion Award (2018)

City of Stirling, WA

Recycling Centre Balcatta – New Model for Operating a Tip Shop

The City of Stirling has operated a Tip Shop at the Recycling Centre in Balcatta. When the original contract ended in August 2016 the City sought Expressions of Interest and invited ideas from members of Western Australian Disability Enterprises for a new style of operation.

Workpower, a Western Australian disability employment provider, was offered the opportunity to operate the facility. A total revamp of the Recycling Shop area has transformed it into a safe shopping area and workplace that can accommodate any employee or member of the public with a disability.

The existing main shed was refitted to provide a display for large items and to create a service counter and small coffee shop. A wheelchair ramp was provided to improve access to an outdoor area, a second shed and a space where building materials are arranged for viewing. Workpower also incorporated a safe goods drop-off area and a large goods collection area where for safety reasons only vehicles and staff in hi-vis vests are allowed.

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

Workpower was also given responsibility for receiving cardboard, metal, plastics and glass recycling outside of the shopping area. Other charities are allowed to place clothing bins in this area to accept any overflow items. These services are all offered free of charge by the City to encourage reuse and recycling.

Staff members with varying degrees of disabilities were trained to operate the counter, coffee shop, sales areas and machinery for moving heavy items.

The Recycling Centre is an integrated self-sustaining social enterprise, receiving no funding other than through sales of recyclables. People with disability make up to 50% of the FTE workforce and 16 have benefitted from employment at the centre. All employees are paid the full award rate for the industry type. This is a positive example of promoting an inclusive community and demonstrates attitudes in recognising people with disabilities as valuable employees who contribute to the workplace.

The project is an excellent demonstration of how to work in a collaborative partnership with charitable organisations, to provide a safe, clean and environmentally friendly workplace for people with disabilities, and a safe and pleasant facility for visitors.

The City in collaboration with Workpower have demonstrated a model that is easily replicable by other local Councils. Several Councils have already visited the centre and expressed an interest in developing a similar program.

How it relates to AHC: Given recent developments in the Solid Waste Levy and China Sword it is more important for Council to be innovative and entrepreneurial in dealing with the recycling issue. NAWMA is already operating a Recycle Shop at the Bellchambers Road Centre, so there is a local model to look at. Providing employment opportunities for people living with a disability and allowing them to contribute to their community and be included into the community is a positive spin off with this model. Serious consideration should be given to investigating this model further with other Councils and with East Waste and see if there is any interest from Barkuma, Bedford Industries, Orana or other disability employment services in SA.

Disability Access and Inclusion Award (2019)

Moreton Bay Regional Council, Qld

Backstage Pass

The Project

Libraries are increasingly becoming community lounge rooms, and Backstage Pass ensures that children with a disability can engage in the diversity of library programs. Backstage Pass is the first partnership between Sensory Souls and Moreton Bay regional council libraries to assist children who require low sensory environments to participate in library learning and literacy programs. Sensory Souls was developed to support children on the autism spectrum and their families to have fun, positive experiences in a safe judgement free environment.

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

Community Outcomes

The program is building confidence and skills for families who were previously unable to access council spaces, collections and programs and has increased community understanding of issues facing special needs families and improved staff skills. It is also preparing libraries for the future in an affordable, creative and sustainable way by building knowledge and experience.

Next Steps

Backstage Pass has grown from a one-off event to an annual program of monthly events. The Moreton Bay Regional Council is working to increase accessibility of other council led cultural programs and exhibitions. The Backstage Pass Program will continue to develop in response to feedback from participants across the community.

How it relates to AHC: With AHC recently undertaking a review of Library services this program could be incorporated within any new structure of services and would compliment the dyslexia collection as an inclusive service.

Excellence in Road Safety Award (2018)

Yarra City Council, Vic

Yarra's Road Safety Innovation Project

Yarra City Council faces a number of road safety challenges. It has a growing population and needs to accommodate the competing needs of high vehicle, cyclist and pedestrian use on its streets.

Road management strategies used elsewhere do not always work well in this inner city environment, so the Council developed its own Road Safety Innovation Project (RSIP). This is an annual rolling project that explores creative solutions to local safety issues through low cost infrastructure trials and education initiatives.

Working within a budget of just \$20,000 - \$40,000, the RSIP goes beyond traditional engineering based approaches to encourage the development of safe and attractive walking and cycling alternatives to car travel. It makes a local contribution to the national Safe System approach through research, evaluation based innovation and community education. This includes collaboration with other councils and non-traditional partners.

The Council and its delivery partners have explored the use of various products, via off road test sites and through trial and error testing on the road. Typically two to three trials or initiatives are delivered each financial year.

The RSIP includes an online education campaign, traditionally viewed as the responsibility of the State Government rather than local government. It also brings in fresh ideas from partners not typically involved in road safety, such as local artists and media consultants. Painting streets to impart underlying cultural, artistic and historical meaning has encouraged community buy in.

Some trials are the first known application of new approaches in an urban road environment in Australia. The use of solar powered LED lights to alert drivers in advance of pedestrian crossings was

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

borrowed from overseas. Painted on road pedestrian crossing symbols have improved compliance with road rules.

The success of RSIP initiatives is measured by the reduction in community complaints, stakeholder recognition and contribution to national Safe Systems principles. The RSIP initiatives are replicable.

How it relates to AHC: AHC has many challenges with road safety within the district, including sharing of roads with vehicles travelling at high speeds and cyclist on the same roads and there is little doubt that community education and initiatives to make travelling through the Hills safer are needed. It would be interesting to find out if there was any State Government funding provided for this project as some of the worst roads in the Hills are DPTI roads, however this should not prevent Council providing some partnering opportunities with innovative initiatives to attract Government funding.

Excellence in Road Safety Award (2019)

City of Stirling, WA

Moorland Street Bicycle Boulevard

The Project

In a mature suburban environment, creating new cycle paths becomes problematic. The Moorland Street Bicycle Boulevard project is the first 'Complete Route' to be planned under the City of Stirling's Integrated Cycling Strategy. It has involved creating a safe bike route connecting two major activity centres and is designed to provide a safe riding environment for all levels of experience.

Community Outcomes

The bike route has created a shared road riding environment, servicing almost 6,000 properties accessible from connecting streets. The movement of bicycles has been given priority over the movement of vehicles. Following upgrades to infrastructure and intersection priorities, travel by bicycle on this route will become safe, direct and convenient with minimal impediment from traffic or pedestrians.

Next steps

The next stages of this bike route's construction will be completed over the coming two budget years. The City will continue to work in conjunction with the state government, to support and encourage community members to adopt cycling as a preferred mode of transport, using education, skills training and associated services, by providing high quality strategic bike routes.

How it relates to AHC: While we are not an urban Council we do have some urban areas. We also attract cyclists from across Adelaide and this initiative could be adapted to suit our environment providing a safe route for cyclists in the Hills. The main aspect that I like about this project is it is a complete route meaning it can be accessed anywhere along the route and return you to where you started, unlike the Amy Gillett which encourages cyclists to a destination and return. This may be integrated to include a number of townships that cyclists can visit and stop for a coffee etc.

Prevention and Community Safety (2018)

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

Cardinia Shire Council, Vic

Together We Can

In 2013-14 Cardinia Shire Council recorded the 2nd highest rate of serious family violence in Melbourne's southern region. Nearly half of the reported incidents involved children. This led to the Together We Can (TWC) initiative. TWC focuses on building respectful relationships, intervening when violence occurs, and upholding the right of all residents to feel safe.

The TWC initiative focuses on the voices and experiences of children and young people affected by domestic and family violence. The approach also includes widespread consultation and collaboration across the community, which has helped contribute to a positive response to the TWC project from Cardinia residents.

The initiative is based on a collective impact model, and is guided by a local Community Advisory Committee and a senior Governance Group formed from Cardinia Shire Council, Melbourne University and Victoria Police. The community organisation, Family Life, serves as a backbone organisation.

TWC began with the Council allocating funds to Family Life and supporting Family Life's successful grant applications to the Australian Department of Social Services and the Victorian Government. With in-kind support, total estimated investment is over \$1.5 million over three years.

The Council's approach to multi-disciplinary collaboration, Collective Impact (CI), provides a conceptual framework for action. CI is a systematic strategy that encourages all stakeholders and community to work together, it builds community awareness of the impact of family violence through the voices of children. Activities include regular community consultations, forums, presentations, professional development, summits and community campaigns.

Family Life engaged the Tamarak Institute of Canada to develop the skills needed to deliver CI projects. This inspired development of a recording tool to measure TWC's effectiveness. Learnings have been shared widely, including with Local Government Professionals Health Promotion Community of Practice, the Mornington Frankston Primary Health Partnership and Kingston City Council.

How it relates to AHC: Family violence may not be prevalent in AHC, however it probably does occur and is not reported due to feelings of embarrassment or from isolation. Any program that can support people that are in family or domestic violence situations is worth exploring.

Prevention and Community Safety (2019)

Wollongong City Council, NSW

I Belong in the Gong

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

The Project

I Belong in the Gong is a project designed to make Wollongong CBD a safer place for local residents of all backgrounds, particularly at night. A core part of the project is to enable positive community action that provides appropriate assistance to those needing support or protection. Local businesses that sign up to the program sign a charter, receive training, collect statistics and display a decal in their shopfront to indicate it is a safe place. The project also focuses on raising awareness of the importance of preventing and reducing violence against women through education and training as well as promotional materials.

Community Outcomes

The project has recorded changes in behaviour and an increase in bystander interventions. Participating retailers in the CBD said they were more likely to talk with people who appeared distressed, instead of feeling unequipped to help. Wollongong's night-time economy and community spirit has benefitted from the perception that Wollongong at night is an increasingly safe place to be.

Next Steps

A lighting and wayfinding audit will be conducted to identify the darkest areas of the Wollongong CBD followed by a report on how to improve these places and help pedestrians feel safer. Statistics will be collected from participating retailers, café and bar staff as well as police officers from Wollongong Police District, to help inform future campaigns. Alcohol fuelled abuse is expected to reduce because abuse by patrons will no longer be tolerated and may be reported more readily to police.

How it relates to AHC: A study would need to be undertaken to determine if this is an issue in the Hills. All people should be able to feel safe at night, not just women, and if there is a sense that our areas are not safe then this could be investigated further for implementation. Dark areas could be lit easily with solar lighting, providing a low cost solution.

Promoting Indigenous Recognition (2018)

District Council of Elliston, SA

Elliston Reconciliation Monument Wording

Elliston is a township on Waterloo Bay on the Eyre Peninsula within the District Council of Elliston, one of the smallest councils in SA. The agreement to the wording on the Reconciliation Monument on the Coastal Trail at Waterloo Bay is a powerful story of how this small community came together and engaged in a true attempt at reconciliation.

In 2011 the Council began a project to construct a walking trail along the cliff tops at Waterloo Bay to showcase the dramatic scenery surrounding the town. With the agreement of the Wirangu people, and after consultation with the wider local community, the Council determined that this would include a reconciliation monument.

Elliston and Waterloo Bay have a significant place in the history of frontier conflict in SA. Although the details are complex, the essential, incontrovertible truth is that a punitive raid organised by a

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

local pastoralist in 1849 ended on a cliff near Elliston. Local indigenous people were shot or forced over the cliff.

A design by Penong Miller, a Wirangu Elder, comprised three granite structures, two depicting representations of the Wirangu people and the other depicting Aboriginal people of the West Coast. The centrepiece included wording recognising the massacre. This presented today's Indigenous residents and descendants of later settlers with an opportunity for reconciliation.

The Council demonstrated a strong commitment to the resolution process, drawing in expertise to assist with consultation and community engagement, and engaging an anthropologist to research the events and negotiate respectful wording for the Monument, with the Wirangu people's agreement.

The mix of digital media assessable to the wider community via a Facebook page, together with face to face meetings, helped the wider community to be part of important ongoing conversations that were engaging and more importantly respectful. The willingness to listen respectfully to the Wirangu people is testimony to the level of engagement achieved.

This approach resulted in a deeply informed, civil and widely publicised resolution of their own history of frontier conflict. The community acknowledged the massacre at Waterloo Bay in 1849, the ongoing trauma for the Wirangu Indigenous community and the need to find a way to move forward together.

On 17 October 2017, the Council decided by an overwhelming majority to endorse the Wirangu's wording. This quote from the application captures the transformative effect: "The most notable impact of the resolution between the Wirangu, District of Elliston and our locals is the Wirangu now know they are welcome in the District. The healing process between the traditional owners and their land has begun".

The Council now has deeper relationships with the Wirangu people and their representatives, and also with the Barngala and Nauo.

How it relates to AHC: AHC has a number of walking trails, these could include signs marking important areas to the Peramangk and Kurna people. Local indigenous people could be asked to provide art work to be included in walking trails and interpretive signage could be put with the artwork to provide people with the cultural meaning within the artwork (if this is included in the artwork) giving an insight into the Peramangk and Kurna peoples culture.

Promoting Indigenous Recognition (2019)

City of Fremantle, WA

One Day

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

The Project

For Aboriginal Elders, Fremantle is a place of ceremonies, significant cultural practices and trading. One Day is an annual event, run in consultation with local Aboriginal community members, which aims to acknowledge, celebrate and promote this rich heritage and culture. This high profile community event in the City of Fremantle encompasses a variety of cultural activities including language and song and encourages community conversation about reconciliation.

Community Outcomes

The One Day event not only provides a focus for showcasing the richness and significance of the Aboriginal culture and heritage of Fremantle, but also contributes to Fremantle's economy through significant visitor numbers. As well as providing a spotlight for Indigenous artists, it helps to introduce a broader audience to local cultural activities and traditions.

Next Steps

The One Day event is evolving, with regular annual debriefs including feedback from Aboriginal groups. Now, after three years, a broader review which incorporates analysis of post-event surveys will ensure this event remains current and attuned with community aspirations. The successful example of One Day can become a model for other local governments of a peaceful, positive event based around reconciliation.

How it relates to AHC: We have an ideal venue to host an equivalent event or across a number of venues to make it more accessible. Would need to be looked at after consulting with local indigenous communities to ensure it is undertaken with respect to their culture and traditions.

Part Two

Exhibitors

During the conference I visited a number of exhibitors, below is a listing of those I spoke to and what they may be able to do for AHC.

Waste Reduction and Recycling

Australian Packaging Covenant Organisation

Is working with Planet Ark to encourage business to use the Australasian Recycling Label to assist people to recycle properly and reduce contamination of recycled materials. As our waste provider is already promoting the ARL I will not expand on this organisation.

No BuTTs International Pty Ltd

No BuTTs provide a range of smokers bins that can be mounted just about anywhere to assist smokers to always be able to butt out in a bin instead of stubbing out on the ground. They have also brought out personal ashtrays that can be printed with corporate branding which people can carry with them so they always have an ashtray available.

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

They state that there are 5 reasons why over 700 Government Departments are saying - No ifs, No maybes and No BuTTs

1. Research shows that over 99% of smokers are happy to use a Personal Ashtray and completely eliminate butt littering and the associated risk of fires, when one is available that is safe, easy to use and reliable and that they permanently change their littering habits from that point on.
2. Over 1,000 Councils, Shires, Counties and Government Departments around the world are distributing No BuTTs award winning Branded Personal Ashtrays within their communities to provide a permanent solution to cigarette butt littering that can be used anywhere a smoker smokes. It's as simple as that.
3. No BuTTs Branded Personal Ashtrays reduce the risk of fires started from discarded butts by assisting Local Government Departments to educate their citizens and visitors to be responsible with their butt litter whenever and wherever they may smoke. This is even more critical during the bushfire season.
4. As more locations go Smoke-Free, Government Departments are the key to preventing butt litter and the risk of fires started by littered butts by educating and assisting their community to go Smoke-Free the right way.
5. No BuTTs Branded Personal Ashtrays also make a sensational eco-friendly image-positive product for your community and visitors which visibly displays council's progressive environmental initiatives.

No BuTTs also provide custom designed signage, campaign resources and counter dispensers for distributing the Personal Ashtrays.

AIEN - Australian Industrial Ecology Network and National Waste Recycling Industry Council

AIEN was formed in October 2014 to promote and facilitate industrial sustainability through the application of industrial ecology (IE). AIEN is a network that provides papers on topics including energy from waste, keeping people updated on developments and collaboration on all things IE related. They organise forums and events to inform on best practice, principles and concepts of IE in policy formulation.

They believe there are opportunities available for the recycling / reuse of mixed plastics, rubber, glass, timber and aggregates as valuable resources in higher value add product markets. They look at the circular economy considering waste hierarchy of highest resource value and most favoured being Prevention, Minimisation, Reuse, Recycling, Energy Recovery and Disposal with a more tangible and measurable output. They seek to achieve or retain the highest possible resource value from materials already in circulation.

AIENs recommendations in four key areas; design, collection and segregation, reprocessing and end markets as their blueprint for action.

Further information is in the submission to the Updating the 2009 National Waste Policy: Less Waste, More Resources discussion paper and Accelerating the Transition to a Circular Economy: A

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

Blueprint for Action on Plastics and Packaging, which I have a copy available for anyone who is interested. They are hosting an Australian Waste to Energy forum at Mercure Ballarat 18 - 20 February 2020.

Tyre Stewardship Australia (TSA)

Each year over 56 million end of life tyres are generated in Australia. TSA wants to provide a solution to the problem of tyres going to landfill through responsible tyre disposal.

Local Government can assist by procuring road and other products containing tyre derived material, use local product manufacture such as road making, soft fall playgrounds and sporting surfaces, recycle shred/crumb and choosing a TSA accredited collector/recycler when disposing of tyres.

Through TSA accredited tyre brands are delivering an accreditation scheme, targeted education and R & D funding for new and expandable recycling uses. Some uses that have already been created through TSA are retaining walls and site stabilisation, high tech pavement that can water trees, rubberised asphalt and spray seal, plastic-rubber composite material for non-pressure pipe applications and erecting walls that create opportunity.

There are over 1,400 accredited tyre stores, covering most of the major retail groups, over 70% of tyre recyclers are TSA accredited, so finding a local tyre recycler should not be difficult.

NWRIC - Australian Industrial Ecology Network and National Waste Recycling Industry Council.

NWRIC is the peak industry body for the commercial waste and recycling operators in Australia wide. Their vision is 'A safe, fair, transparent, sustainable and innovative waste and recycling industry'. Their mission 'Our members are committed to moving materials up the waste hierarchy, helping create a circular economy, turning waste into resources where possible and ensuring the safe treatment and disposal of materials that cannot be recovered'. Their members have 10,000 trucks collecting waste, generate more than \$8 billion per year and employ more than 16,500 people. There is an affiliated body in SA - WRISA representing members including Veolia, Remondis, Resource Co, Cleanaway, Sims Metal Management and Suez to name a few.

Mobile Muster

Mobile Muster is a Government accredited program that offers a free recycling service to collect mobile phones, chargers and accessories, mobile phone batteries and mobile wireless broadband devices. They can provide collection units to be placed in customer service centres, libraries, transfer stations or recycling centres. They also have online teachers guide and learning resources to share with schools and community groups, media release templates, images and social media for communications. Annual results reported on how much the council has recycled through the Mobile Muster program with acknowledgement of the top council recyclers.

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

In their 2018 Annual Report the key highlights reported are;

- 70,000 meals delivered through OzHarvest
- 90 tonnes recycled mobile phone components this year
- over 90% of manufacturers participating
- 99% resource recovery rate
- over 200 devices delivered to Able Australia helping deaf blind people stay connected with their community
- 1,412 tonnes collected and recycled mobile phone components since 1998

The Environmental benefits in 2018;

- saved 200 tonnes of CO2 emissions from entering the atmosphere
- conserved 1,000 tonnes of mineral resources through recycling
- saved 218 GJ of fossil fuels by recycling
- avoided 330 kgs of summer smog pollution
- avoided 570 kgs of particulate pollution

This is the equivalent to planting 5,180 trees.

ANZRP - Australia and New Zealand Recycling Platform

Providers of ethical and environmentally sustainable solutions for end of life tech through the TechCollect program. The program provides responsible collection and recycling of e-waste and represents global electronics brands who import electronics into Australia and New Zealand.

It is a not for profit, industry for industry, co-regulatory arrangement and operates under the National Television and Computer Recycling Scheme (NTCRS). TechCollect can provide solutions for households and small businesses to dispose of computers, computer accessories and TVs. ANZRP ensures at least 90% of commodities are recovered from e-waste and then used as raw materials in manufacturing new products.

There motto is From Cradle to Cradle. It is funded by tech importers who have to sign up to the NTCRS to be able to import into Australia under Government advice. All IT and electronic imports are declared to Customs to determine the importers liability under the NTCRS.

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

Environment

Quik Corp

Quik Corp are providers of solutions for;

- Firefighting
- Forest fire management
- Hose Reels and rescue equipment
- First response specialised emergency vehicles
- Swift water rescue
- Wild animal and pest management

They also provide an environmentally friendly chemical free weed control system called Quik Steam. The system uses water which is heated to create steam which is then applied under pressure causing the cells of the weeds to explode, leading to the weed wilting and dying. This is a safe alternative to use in public areas such as playgrounds, public amenities, footpaths, sports grounds and schools. For other areas they also have Bioweed Organic Herbicide Concentrate which is an organic herbicide alternative to chemical herbicides and is proven to eradicate weeds and seeds when applied, which reduces long term infestation and does not leave any residue in the soil. It works by stripping the outer coating of the contacted plant and seed material causing cell collapse and desiccation. It can save up to 50% of the normal spray requirements because it actively kills pre-emergent weed seeds in the soil. It is effective on thousands of weed species and has the highest safety levels.

Quik Corp are proud to be a 100% Australian owned business with exports to the USA, Canada, New Zealand and the Asia Pacific region.

Murray Darling Basin Authority

Australia's largest and most diverse river system containing 77,000 km of rivers and includes Australia's three longest being the Darling, Murrumbidgee and Murray. It receives variable rainfall and averages a drought every decade. The system carries very little water for its size with average yearly flows being less than the daily flows of the Amazon river. Covers a broad climatic range from semi-arid to sub-tropical and supports about 2 million residents. It provides water for about 1/3 of Australia's food production. Its environmental significance cannot be understated as it contains over 30,000 wetlands (16 listed under the Ramsar Convention for their international significance), has one World Heritage site (Willandra Lakes region) and is home to more than 95 threatened species (35 birds, 16 mammals and 5 snakes).

The Murray Darling Basin Authority has been providing representation for local government and communities to State and Federal Government in the development of policy and the sustainable management of the Murray Darling Basin since its establishment in 1944. The MDBA works with member councils and communities to develop leadership, identify local solutions and build resilience across the Murray-Darling Basin.

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

Bayer Cropscience

Specialists in development and marketing of pest, weed and plant disease control solutions for non-crop situations. They are committed to fostering healthy environments where we live, work and play.

At the NGA they were encouraging a conversation on the use of Glyphosate to promote the use of Glyphosate as a safe and efficient herbicide and to also provide information on how to avoid Glyphosate resistance. They recommend to follow up a Glyphosate treatment with a different herbicide, generally Paraquat or Paraquat and Diquat, within 1 to 7 days after application and encourage mixing two herbicides at full rates and rotating between mixes. They support WeedSmart which is a national campaign to promote effective weed control and sustainable herbicide use, through providing information on the latest research, helpful resources and case studies. WeedSmart can be followed at their website www.weedsmart.org.au, on FaceBook @WeedSmartAU and Twitter @WeedSmartAU, WeedSmart provide fortnightly podcasts talking all things weed control around Australia, search WeedSmart Podcast wherever you get your podcasts.

Agsafe - DrumMUSTER

A national product stewardship program supported by agvet chemical manufacturers, industry stakeholders, including member and farming associations, state and local governments.

Working hand in hand with local councils and community groups, drumMUSTER has recycled more than 33 million containers and established 817 rural and regional collection facilities across Australia.

drumMUSTER benefits chemical users, farmers, communities and the environment by providing a reliable and sustainable option for recycling of empty eligible agvet chemical containers.

drumMUSTER regional consultants build and maintain strong relationships with program stakeholders in every state and territory supported by the drumMUSTER team at head office in Canberra.

Nissan Fleet

Nissan have released their 2nd generation Nissan Leaf for the growing Electric Vehicle market. Their 1st generation Leaf achieved over 330,000 sales worldwide and Nissan are looking to return to the global market as the single most successful passenger EV.

Nissan Fleet are ready to assist corporate buyers with options for the increasing electrification of their fleet vehicles.

NHP Electrical Engineering Pty Ltd

NHP has 50 years of electrical and engineering industry excellence and 22 branches across Australia and New Zealand, their local people and footprint helps them to understand specific project needs, both big and small.

At the NGA they were providing information on their electric vehicle charging stations and talking about ensuring the right charger is provided to match the intention of providing the service. They

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

have a smaller charger perfect for overnight charging and a much larger charger for quick charging, more suitable for public charging stations.

Governance and Communities

Charles Sturt University

Charles Sturt University has put together a Graduate Certificate in Community Leadership and Resilience which will be offered for the first time in 2020 with applications opening in August 2019. The certificate can be tailored to suit the needs of the student and can be studied on line. There are 3 themes in the certificate covering Building Community, Building Relationships and Building Capable Leaders each made up of micro subjects worth 2 or 4 points. The modules can be studied alone or stacked to graduate certificate qualifications.

The course came about while working with industries and communities in 2018 to better understand community resilience and co-creating workshops. This highlighted that a key factor for building community resilience is the development of capable leaders. The community stakeholders involved were passionate about the capacity of leaders to drive connection, change and community outcomes.

First Languages Australia

Seeks to ensure the future strength of all Aboriginal and Torres Strait Islander languages. They provide ways for Councils and communities to connect with local Aboriginal and Torres Strait Islander community members about the kind of relationships they would like to have with the Council and the role they see for language in the relationship. Use *Gambay* as a stimulus to link with Aboriginal and Torres Strait Islander people and talk about their connections to country and languages across Australia. Consider creative ways to allow people the opportunities to share their knowledge, stories and languages, encouraging language workers to visit the Council regularly and encouraging regional participation in national language activities such as This Place, abc.net.au/thisplace, and displaying a languages map in a prominent place in the Council building where employees and community can see and engage with it.

Language is very important to Aboriginal and Torres Strait Islander people and preserving their languages into the future is a vital requirement for reconciliation. Engagement is important to ensure any recognition of local languages is done in cooperation with local Aboriginal and Torres Strait Islander members. Ideas for engagement and ways to preserve languages can be found at www.firstlanguages.org.au, there is a South Australian Mobile Language Team who are available to assist.

CLAIR - Council of Local Authorities for International Relations

The Japan Local Government Centre is a semi-government, non-profit organisation jointly established by all Japanese Prefectures and Municipalities to actively promote policy dialogue and exchange activities between local governments in Japan, Australia and New Zealand. They hold annual local government forums in Australia and New Zealand on common local government policy issues among Japan, Australia and New Zealand.

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

CLAIR Sydney also provides support to Australian and Japanese local governments seeking a Sister City arrangement.

Currently in South Australia there are 9 Japan/Australian Sister City arrangements, being;

Chiba Prefecture	Mobara-shi Council	Salisbury Council
Tokyo Metro Government	Kokubunji-shi Council	Marion Council
Kanagawa Prefecture	Hayama-machi Council	Holdfast Bay Council
Hyogo Prefecture	Himeji-shi Council	Adelaide City Council
Okayama Prefecture	Bizen-shi Council	Clare & Gilbert Valleys Council
Okayama Prefecture	Asakuchi-shi Council	Tea Tree Gully Council
Okayama Prefecture	Kumenan-cho Council	Barossa Council
Kochi Prefecture	Muroto-shi Council	Port Lincoln Council
Okayama Prefecture	Okayama Prefecture	State of South Australia

They also promote regional Japan as a travel destination and coordinates the JET (Japan Exchange Teaching) Programme.

ICAN - International Campaign to Abolish Nuclear Weapons

Nuclear weapons pose an unacceptable threat to people everywhere. This is why on 7 July 2017, 122 nations voted to adopt the Treaty on the Prohibition of Nuclear Weapons. All national governments are now invited to sign and ratify this crucial global agreement, which prohibits the use, production and stockpiling of nuclear weapons and lays the foundations for their elimination. Cities and towns can help build support for the treaty by endorsing the ICAN Cities Appeal.

To endorse the Appeal the Mayor or Administrator of the Local Government should send an email to info@icanw.org indicating that the city/town has agreed to endorse the ICAN Cities Appeal. The following text should be included, "Our city/town is deeply concerned about the grave threat that nuclear weapons pose to communities throughout the world. We firmly believe that our residents have the right to live in a world free from this threat. Any use of nuclear weapons, whether deliberate or accidental, would have catastrophic, far reaching and long lasting consequences for people and the environment. Therefore, we warmly welcome the adoption of the Treaty on the Prohibition of Nuclear Weapons by the United Nations in 2017, and we call on our national government to sign and ratify it without delay" This appeal is for local governments of cities/towns in nations that have not ratified the Treaty on the Prohibition of Nuclear Weapons. So far Australia has not ratified the Treaty due to ramifications with the US alliance, although New Zealand have ratified the Treaty.

Health

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

Asbestos Safety and Eradication Agency - ASEA

ASEA is not a regulator, its key functions are to:

- Encourage, coordinate, monitor and report on the implementation of the NSP (National Strategic Plan for Asbestos Management and Awareness) as well as reviewing and amending the plan as required and publishing and promoting it
- Liaise with Commonwealth, State and Local and other governments, agencies or bodies about reviewing and implementing the plan or asbestos safety
- Commission, monitor and promote research about asbestos safety

The NSP 2019-23 contains four national priorities which meet the requirements in the Act. The priorities are;

1. Improve asbestos awareness to influence behavioural change
2. Identification and effective legacy management
3. Safe prioritised removal and effective waste management
4. International collaboration and leadership

Many people may think that asbestos is no longer a problem, however there are still 4000 asbestos related deaths each year, the 3rd wave has not yet peaked and consists of people working in industries that renovate houses and DIY renovators who are unaware of the products that can contain asbestos and there are 6300 tonnes illegally dumped per year. As there are no known safe levels of exposure it is important to continue to educate the public and industry regarding the identification and safe removal of asbestos.

Local government across Australia bear the brunt of the historical legacy asbestos problem in having to manage waste facilities where asbestos is disposed of, cleaning up illegal asbestos waste dumping and other incidents including dealing with asbestos containing materials following natural disasters.

Local government play a key role in educating their communities about asbestos and residential asbestos safety, are the level of government closest to builders and DIY home renovators and can help raise awareness about asbestos safety.

ASEA have a number of resources that local government to assist in this education role and can be accessed through asbestossafety.gov.au.

Prevention Australia

Prevention Australia is focussed on supporting people bereaved by suicide, responding to the grief, trauma and distress experienced by all those impacted by a suicide death. It originated from accumulating evidence that this is a neglected area of suicide prevention: people bereaved through suicide are up to eight times more likely to take their life than the general population.

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

Prevention envisions a community that responds to all those bereaved by suicide with practical and unconditional compassionate care and understanding. Their mission is to represent the challenges, rights and interests of all those bereaved by suicide and they set out to achieve this by:

- Making clear pathways to support all those affected by a suicide death
- Promoting best practice information, education and research about suicide prevention in the public arena
- Assisting individuals, communities, volunteers, service providers, educators, researchers, media and government and other bodies to support those bereaved through the provision of information and networking and education.
- Creating cultural change in de-stigmatising suicide death and raising public awareness of ways to support the bereaved.

The issue of suicide bereavement, there are approx 3,000 people who take their lives each year, which equates to 8 persons lost to suicide each day. For each suicide death, new research shows at least 135 people are directly affected which a person suicides. Extrapolating from this information, this equates to over 1,000 people affected by suicide each day in Australia. Extrapolating this data across the whole community, approx 400,000 people in Australia are affected by suicide each year, and given the longevity of suicide grief, the resultant impact of prolonged grief can have a significant financial, social and emotional cost for the individual, their family and the broader community. Indeed the social, emotional and economic consequences of suicide are immense. To lose someone to suicide commonly results in intense emotional trauma, shock, grief, guilt, physical and psychological ill health and adverse social circumstances.

Suicide is indiscriminate and can impact any on at any time, suicide knows no boundaries and crosses all socio-economic, ethnic and age groups.

Prevention Australia wants to create a community of care and has partnered with QPR Institute Australia to provide courses in Gatekeeping Training for Suicide Prevention, Suicide Triage Training and Suicide Risk Assessment and Management Training Infrastructure.

Their website is at www.postventionaustralia.org

Continence Foundation of Australia

Continence Foundation of Australia raises awareness, educates for prevention management and provide advocacy regarding continence.

One of the education and management programmes is Bin for Blokes a program to provide continence bins in male public toilets to allow men to be able to participate in normal activities. It has been found that men with continence tend to become isolated from social activities as they have no way of disposing of continence pads when out in public. Councils that get involved in providing Bins for Blokes program can then have these facilities added to the Public Toilet Map to show residents and visitors where they can go and have access to Bins for Blokes.

Costings have been provided to the CEO for consideration.

Cr Pauline Gill – Report to Council on attendance at National General Assembly, Canberra, June 2019

Alcohol and Drug Foundation - ADF

ADFs purpose is to prevent and minimise the harm caused by alcohol and other drugs in Australia. They work in partnership with others to support and create evidence based policies and practise to achieve these goals. They co-design programs with communities and support them to build capacity to create change.

They are currently working together with councils and local governments through the Local Drug Action Team Program to prevent harms from alcohol and other drugs within their communities, there are 244 teams across Australia. Of the 72 new Local Drug Teams accepted into the program in 2019, 20% have a local council as their lead organisation and many more include local councils among their partners.

To sign up to their mailing list visit community.adf.org.au/lga

GM Poles

Provide Urban Aluminium Multi-Function Smart Pole designed to provide a home for today's Smart City infrastructure, delivering a solution that satisfies the technical requirements to support a range of applications whilst delivering aesthetics that will enhance the environment.

The poles can house any combination of EV charging, Environmental Sensing, Duress Alarm, Signage, CCTV, 4G - 5G Microcell, Spot Lights, Banners, WiFi, Smart Lighting or Beacon Light.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 27 August 2019
CONFIDENTIAL AGENDA BUSINESS ITEM**

Item: 19.1

Originating Officer: Megan Sutherland, Executive Manager Organisational Development

Responsible Director: Andrew Aitken, Chief Executive Officer

Subject: 2018-2019 CEO Performance and Remuneration Reviews

For: Decision

1. CEO Performance and Remuneration Reviews – Exclusion of the Public

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except:

- Director Infrastructure & Operations, Peter Bice
- Director Development & Regulatory Services, Marc Salver
- Director Corporate Services, Terry Crackett
- Director Community Capacity, David Waters
- Executive Manager Governance & Performance, Lachlan Miller
- Executive Manager Organisational Development, Megan Sutherland
- Governance and Risk Coordinator, Steven Watson
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 19.1: (CEO Performance and Remuneration Reviews) in confidence.

The Council is satisfied that it is necessary that the public, with the exception of Council staff in attendance as specified above, be excluded to enable Council to consider the report at the meeting on the following grounds:

Section 90(3)(a) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being the personal affairs of the Chief Executive Officer, in that details of his performance review and remuneration package will be discussed.

Accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

5. CEO Performance and Remuneration Reviews– Period of Confidentiality

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing the Panel’s decision(s) in this matter in the performance of the duties and responsibilities of office, the Panel, 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 CEO has been advised in writing.

Pursuant to section 91(9)(c) of the *Local Government Act 1999*, that Council delegates the power to revoke the confidentiality order to the Executive Manager Governance and Performance.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 27 August 2019
AGENDA BUSINESS ITEM**

Item: 19.2

Originating Officer: Ashley Curtis, Manager Civil Services

Responsible Director: Peter Bice, Director Infrastructure & Operations

Subject: Roundabout Landscaping Upgrade

For: Decision

1. Roundabout Landscaping Upgrade– Exclusion of the Public

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except:

- CEO, Andrew Aitken
- Director Infrastructure & Operations, Peter Bice
- Director Development & Regulatory Services, Marc Salver
- Director Corporate Services, Terry Crackett
- Director Community Capacity, David Waters
- Executive Manager Governance & Performance, Lachlan Miller
- Manager Civil Services, Ashley Curtis
- Governance & Risk Coordinator, Steven Watson
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 19.1 Road Shoulder Renewal Contract in confidence.

The Council is satisfied that it is necessary that the public, with the exception of Council staff in attendance as specified above, be excluded to enable Council to consider the report at the meeting on the following grounds:

Section 90(3) (d) of the *Local Government Act 1999*, that the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person/agency/business who supplied the information by disclosing specific quotes and modelling by the tenderer.

Accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

2. Roundabout Landscaping Upgrade – Period of Confidentiality

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council’s decision(s) in this matter in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 19.1 in confidence under sections 90(2) and 90(3)(d) of the *Local Government Act 1999*, resolves that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* that the value of the successful tenderer submission be retained in confidence until the contract is entered into.

Pursuant to section 91(9)(c) of the *Local Government Act 1999*, Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.