



ORDINARY COUNCIL MEETING

NOTICE OF MEETING

To: Mayor Jan-Claire Wisdom

Councillor Ian Bailey
Councillor Kirilee Boyd
Councillor Nathan Daniell
Councillor Pauline Gill
Councillor Chris Grant
Councillor Linda Green
Councillor Malcolm Herrmann
Councillor John Kemp
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Andrew Stratford

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

Tuesday 26 July 2022
6.30pm
63 Mt Barker Road Stirling

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

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

Andrew Aitken
Chief Executive Officer



ORDINARY COUNCIL MEETING

AGENDA FOR MEETING
Tuesday 26 July 2022
6.30pm
63 Mt Barker Road Stirling

ORDER OF BUSINESS

1. COMMENCEMENT

2. OPENING STATEMENT

Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kurna people. They are Custodians of this ancient and beautiful land and so we pay our respects to Elders past, present and emerging. We will care for this country together by ensuring the decisions we make will be guided by the principle that we should never 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

1 That a Leave of Absence from all duties of office be granted to Cr Chris Grant from 29 July to 26 September 2022.

3.3. Absent

4. MINUTES OF PREVIOUS MEETINGS

Council Meeting – 28 June 2022

That the minutes of the ordinary meeting held on 28 June 2022 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. MAYOR'S OPENING REMARKS

7. QUESTIONS ADJOURNED/LYING ON THE TABLE

- 7.1. Questions Adjourned
Nil
- 7.2. Questions Lying on the Table
Nil

8. PETITIONS / DEPUTATIONS / PUBLIC FORUM

- 8.1. Petitions
Nil
- 8.2. Deputations
 - 8.2.1. Adelaide Hills Rally - Andrew Admiraal
- 8.3. Public Forum

9. PRESENTATIONS (by exception)

- 9.1. Adelaide Hills Tourism Update – Martin Radcliffe and Tanya Jarman

10. QUESTIONS ON NOTICE

- 10.1. Short Term Tourist Accommodation – Cr Kirsty Parkin
- 10.2. Lobethal Bushland Park – response from State Government – Cr Malcolm Herrmann

11. MOTIONS ON NOTICE

- 11.1. Campbelltown City Council Boundary Reform Proposal Oversight by CEO Performance Review Panel – Cr Mark Osterstock
- 11.2. Speed Limit Review Cudlee Creek – Cr Malcolm Herrmann

12. ADMINISTRATION REPORTS – DECISION ITEMS

- 12.1. Support for Road Closures 2022 Adelaide Hills Rally
 - 1. *That the report be received and noted.*
 - 2. *That, in relation to the 2022 Adelaide Hills Rally, Council supports the event contingent on the organisers, to the satisfaction of the Chief Executive Officer:*
 - a. *Complying with Council's Festivals and Events Policy – Guideline No. 1 for Competitive Motoring Events*
 - b. *Providing evidence of satisfactory insurance to cover any damage to third party property caused by the event*
 - c. *Entering into a road repair agreement with Council to cover any rectification works required as a result of damage caused by the event*
 - d. *Providing confirmation that the affected business owners are aware of the road closures*
 - e. *Providing written confirmation that the concerns raised by affected residents and businesses have been addressed (noting that not all concerns can necessarily be addressed to the satisfaction of all residents and businesses) and that the event organisers will make their best endeavours*

- to arrange for egress and ingress to those properties within the event where possible where a pressing need has been advised in advance*
- f. Written confirmation from the organisers that they will erect advance notice of road closures on the affected roads, at least three weeks prior to the event*
 - g. Providing evidence of satisfactory procedures for enabling emergency services access to properties on the event route at all times.*
3. *That subject to the requirements of Item 2. being undertaken, Council provides consent for road closure orders in relation to Stage 2 of the event, to be held on Saturday 22 October 2022 as follows:*
- a. Charligate Stage (Charleston)*
Closure 10:30am – 4:00pm
Harrison Road, Kings Road, Burnley Road, Teakles Road, Lewis Road, Bell Springs Road and Warmington Run closed – from Quarry Road to Hollows Road (then continued into Mount Barker District Council)
 - b. Blumberg Creek Stage (Mt Torrens and Birdwood)*
Closure 10:00am – 3:30pm
(From Mid-Murray Council) Hanham Road, Mcvitties Road, Number Four Road and Burton Road closed – from R Hicks Road to Onkaparinga Valley Road.
4. *That the Council confirms that the Chief Executive Officer may use existing powers under delegation to consider, and determine whether or not to provide consent to, any proposals for changes to the road closures in the lead up to the event, so long as the overall scope of the event road closures remains similar to the proposal described above.*

12.2. Parking Time Limit adjacent Stirling Hospital

- 1. That the report be received and noted*
- 2. To retain the current parking restrictions in the vicinity of the Stirling Hospital and to monitor the situation while managing parking controls as per normal operational practices.*

12.3. S221 Permit CFS Last Refuge Signage within Council

- 1. That the report be received and noted*
- 2. To issue a Section 221 (Road Rent) Permit to the SA Country Fire Service, in accordance with the provisions of the Local Government Act 1999, which is sought for the occupation of portion of road reserves located adjacent to Houghton Oval, Kersbrook Oval, Birdwood Oval, Mount Torrens and Gumeracha Ovals for the purposes of the installation of CFS “Bushfire Last Resort Refuge” signage.*
- 3. Authorise the Chief Executive to finalise and sign all necessary documentation pursuant to this resolution.*

12.4. Road Closures Young Drivers Awareness Course 2022-2023

1. *That the report be received and noted*
2. *To, 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:*
 - 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 12 October 2022, and 9.00am and 6.00pm Wednesday 26 April 2023.*
 - 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. *To 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.*

12.5. Service Review - Civil Services Maintenance

1. *That the report be received and noted*
2. *To receive and note the Service Review 2021-22 – Civil Service Maintenance Function Report, as contained in Appendix 1.*
3. *To adopt the Service Review 2021-22 – Civil Service Maintenance Function – draft Action Plan, containing the Service Review recommendations, management responses and agreed actions, as contained in Appendix 2*
4. *To note that that the implementation status of the agreed actions will be reported to Council on a biannual basis, nominally March and August.*

12.6. Nomination for GAROC Members

1. *That the report be received and noted*
2. *To determine that the method of selecting a Council Member to be nominated for the Greater Adelaide Regional Organisation of Councils be by an indicative vote utilising the process set out in this Agenda report.*
3. *To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred person for nomination for the Greater Adelaide Regional Organisation of Councils and for the meeting to resume once the results of the indicative vote have been declared.*
4. *To endorse the nomination of _____ for the Greater Adelaide Regional Organisation of Councils and authorise the Chief Executive Officer to lodge the completed nomination form to the Local Government Association by COB 19 August 2022.*

- 12.7. Nomination for LGA President
1. *That the report be received and noted*
 2. *To nominate _____ for the LGA President role and authorise the Chief Executive Officer to lodge the completed nomination form to the Local Government Association by COB 19 August 2022.*
- 12.8. 2021-22 CEO Performance Targets Final Outcome
1. *That the report be received and noted*
 2. *That the CEO has achieved the following status in relation to the CEO Performance Targets 2021-2022:*
 - Target 1: New Council website and e-services – Completed*
 - Target 2: Service Review – In Progress*
 - Target 3: Fabrik Activation – Completed*
 - Target 4: EOI: Development of ‘Free’ Camping Sites – Completed*
 - Target 5: Cat Confinement Community Education – Completed*
 - Target 6: Library Services Strategic Plan – Completed*
- 12.9. Proposed CEO Performance Targets 2022-2023
1. *That the report be received and noted*
 2. *To adopt the 2022-23 CEO Performance Targets as per Appendix 1.*
- 12.10. Policy Review – Models for Major Development
1. *That the report be received and noted*
 2. *That with an effective date of 9 August 2022, to revoke the 24 July 2018 Provision of Physical Models or Other Visual Representation tools for Major Development Proposals which require Public Notification Policy and to adopt the 26 July 2022 draft Models for Major Development Policy as contained in Appendix 1.*
 3. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 26 July 2022 draft Models for Major Development Policy prior to the effective date.*
- 12.11. Policy Review – Public Transport
1. *That the report be received and noted*
 2. *That with an effective date of 9 August 2022, to revoke the 28 February 2017 Public Transport Policy and to adopt the revised 26 July 2022 Public Transport Policy (draft) as per Appendix 1.*
 3. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the Public Transport Policy (draft) prior to the effective date.*

12.12. Policy Review – Festivals and Events

1. *That the report be received and noted.*
2. *That with an effective date of 9 August 2022 to revoke the 10 September 2019 Festivals and Events Policy and adopt the July 2022 Festivals and Events Policy contained in Appendix 1.*
3. *That the Chief Executive Officer be authorised to make minor content, grammatical and formatting amendments to the Festivals and Events Policy prior to the effective date of adoption.*

12.13. Policy Review - Internal Review of Council Decisions

1. *That the report be received and noted.*
2. *With an effective date of 9 August 2022, to revoke the 26 November 2019 Internal Review of Council Decision Policy and to adopt the 26 July 2022 Internal Review of Council Decision Policy as per Appendix 1.*
3. *That the Chief Executive Officer be authorised to make any legislative, formatting, nomenclature or other minor changes to the 26 July 2022 Internal Review of Council Decision Policy as per Appendix 1 prior to the effective date.*

12.14. Status Report – Council Resolutions Update

Refer to Agenda

13. ADMINISTRATION REPORTS – INFORMATION ITEMS

13.1. Q4 2021-22 Council Performance Report

14. QUESTIONS WITHOUT NOTICE

15. MOTIONS WITHOUT NOTICE

16. REPORTS

16.1. Council Member Function or Activity on the Business of Council

16.2. Reports of Members/Officers as Council Representatives on External Organisations

16.3. CEO Report

17. REPORTS OF COMMITTEES

17.1. Special Council Assessment Panel – 30 June 2022

17.2. Audit Committee
Nil

17.3. CEO Performance Review Panel – 21 July 2022

18. CONFIDENTIAL ITEMS

Nil

19. NEXT MEETING

Tuesday 23 August 2022, 6.30pm, 63 Mt Barker Road, Stirling

20. CLOSE MEETING

Council Meeting/Workshop Venues 2022

DATE	TYPE	LOCATION	MINUTE TAKER
AUGUST 2022			
Thurs 4 August	CEOPRP	Stirling	TBA
Tues 9 August	Workshop	Woodside	Nil
Wed 10 August	CAP	TBA	Karen Savage
Mon 15 August	Audit Committee	Stirling	TBA
Tues 16 August	Professional Development	Stirling	Nil
Tues 23 August	Council	Stirling	Pam Williams
SEPTEMBER 2022			
Tues 6 September	Caretaker Provisions Commence from 12.00noon		
Tues 13 September	Workshop	Woodside	Nil
Wed 14 September	CAP	Stirling	Karen Savage
Tues 20 September	Professional Development	Stirling	Nil
Tues 27 September	Council	Stirling	Pam Williams
OCTOBER 2022			
Tues 11 October	Workshop	Woodside	Nil
Wed 12 October	CAP	TBA	Karen Savage
Mon 17 October	Audit	Stirling	TBA
Tues 18 October	Professional Development	Stirling	Nil
Tues 25 October	Council	Stirling	Pam Williams

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

Community Forums 2022

6.00 for 6.30pm

DATE	LOCATION
Tues 30 August 2022	Bridgewater

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, 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 number of deputations that have already been granted for the meeting
 - the subject matter of the proposed deputation
 - relevance to the Council agenda nominated – and if not, relevance to the Council's powers or purpose
 - the integrity of the request (i.e. whether it is considered to be frivolous and/or vexatious)
 - the size and extent of the agenda for the particular meeting and
 - the number of times the deputee has addressed Council (either in a deputation or public forum) on the subject matter or a similar subject matter.

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.

Item 4 Minutes of Council

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 JUNE 2022
63 MT BARKER ROAD STIRLING**

In Attendance

Presiding Member: Acting Mayor Cr Nathan Daniell

Members:

Councillor Ian Bailey
Councillor Kirrilee Boyd
Councillor Chris Grant
Councillor Linda Green (6.37pm)
Councillor Malcolm Herrmann
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin

In Attendance:

Andrew Aitken	Chief Executive Officer
Peter Bice	Director Infrastructure & Operations
Melissa Bright	A/Director Development & Regulatory Services
David Waters	Director Community Capacity
Lachlan Miller	Executive Manager Governance & Performance
John McArthur	Manager Sustainability Waste & Emergency Management
Rebecca Shepherd	Manager Community Development
Mike Carey	Manager Financial Services
Natalie Westover	Manager Property Services
Jennifer Blake	Manager Communications Engagement & Events
James Szabo	Senior Strategic & Policy Planner
Paul Day	Coordinator Property Projects & Maintenance
Melinda Rankin	Arts & Heritage Hub Director
Kira-Marie Laverty	Corporate Planning & Performance Coordinator
Pam Williams	Minute Secretary

1. COMMENCEMENT

The meeting commenced at 6.30pm.

2. OPENING STATEMENT

Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kurna people. They are Custodians of this ancient and beautiful land and so we pay our respects to Elders past, present and emerging. We will care for this country together by ensuring the decisions we make will be guided by the principle that we should never decrease our children's ability to live on this land.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 JUNE 2022
63 MT BARKER ROAD STIRLING**

3. Apology

Mayor Jan-Claire Wisdom
Cr Andrew Stratford
Cr Pauline Gill
Cr John Kemp

3.1 Leave of Absence

Moved Cr Leith Mudge
S/- Cr Chris Grant

147/22

- 1 That a Leave of Absence from all duties of office be granted to Cr Mark Osterstock from 15 July to 23 July 2022.
- 2 That a Leave of Absence from all duties of office be granted to Cr Ian Bailey from 4 July to 15 July 2022.
- 3 That any committee, panel or advisory group membership currently held by Cr Mark Osterstock and Cr Ian Bailey be undertaken by the Deputy during the leave of absence.

Carried Unanimously

3.2 Absent

Nil

4. MINUTES OF PREVIOUS MEETINGS**4.1 Council Meeting – 24 May 2022**

Moved Cr Malcolm Herrmann
S/- Cr Mark Osterstock

148/22

That the minutes of the Ordinary Council meeting held on 24 May 2022 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

4.2 Special Council Meeting – 14 June 2022

Moved Cr Malcolm Herrmann
S/- Cr Mark Osterstock

149/22

That the minutes of the Special Council meeting held on 14 June 2022 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
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5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

Nil (declarations were made against specific agenda items)

6. PRESIDING MEMBER'S OPENING REMARKS

Acting Mayor Nathan Daniell welcomed everyone to the meeting.

7. QUESTIONS ADJOURNED/LYING ON THE TABLE

7.1 Questions Adjourned

Nil

7.2 Questions Lying on the Table

Nil

8. PETITIONS/DEPUTATIONS/PUBLIC FORUM

8.1 Petitions

Nil

8.2 Deputations

Nil

8.3 Public Forum

Nil

9. PRESENTATIONS

Rob Gregory, East Waste – CONFIDENTIAL (considered later in the meeting in conjunction with Item 18.4)

10. QUESTIONS ON NOTICE

Nil

6.37pm Cr Linda Green attended the meeting

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11. MOTIONS ON NOTICE**11.1 Naming of Parks & Reserves**

Moved Cr Malcolm Herrmann
S/- Cr Ian Bailey

150/22

That the CEO:

1. Identifies which parcels of council owned/managed Parks and Reserves (or other suitable land) included on the Community Land Register which do not have a formally assigned name;
2. Subject to the findings of 1, prepares an estimate of costs for the installation of signs together with program for installations over, say, a ten or more year period.
3. Advises how the assignment of European names and Aboriginal names can be installed concurrently to achieve economies of scale.
4. Prepares a report for consideration by the Council by 31 October 2022.

Carried Unanimously

12. OFFICER REPORTS – DECISION ITEMS**12.1 Draft Hut Community Centre Inc Funding Agreement 2022**

Moved Cr Leith Mudge
S/- Cr Chris Grant

151/22

Council resolves:

1. That the report be received and noted.
2. That the draft funding agreement with The Hut Community Centre Inc. as contained in *Appendix 1*, be approved.
3. That the Chief Executive Officer is authorised to make minor amendments to the draft funding agreement not affecting the substance or intent, should it be necessary to finalise terms satisfactory to both parties.
4. That the Chief Executive Officer is authorised to execute the final agreement for and on behalf of the Council.

Carried Unanimously

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12.2 Annual Business Plan 2022-23 for Adoption

Moved Cr Linda Green

S/- Cr Leith Mudge

152/22

Council resolves:

1. That the report be received and noted
 - a. Pursuant to and in accordance with section 123(6) of the *Local Government Act 1999* and Regulation 6 of the *Local Government (Financial Management) Regulations 2011* and having considered all submissions and consultation feedback received, the Annual Business Plan (*Appendix 1*) as laid amended before Council for the financial year ending 30 June 2023, be adopted.
- 1.2 Pursuant to and in accordance with section 123(7) of the *Local Government Act 1999* and Regulation 7 of the *Local Government (Financial Management) Regulations 2011*, having considered the Budget in conjunction with, and determined the Budget to be consistent with, the Council's Annual Business Plan, the Budget for the financial year ending 30 June 2023, as laid before the Council at this meeting, be adopted.
- 1.3 Determination and Adoption of Valuations – 2022-23
 - 1.3.1 Rates assessed on rateable land in the area of the Council will be based on the capital value of land for all rateable land.
 - 1.3.2 Pursuant to section 167(2)(a) of the *Local Government Act 1999* the most recent valuations of the Valuer General available to the Council of the capital value of land within the Council area, be adopted for rating purposes for the financial year ending 30 June 2023, totalling \$13,641,908,780.
- 1.4 Determination of Basis for Differential Rating

Having taken into account the general principles of rating contained in section 150 of the *Local Government Act 1999* and the requirements of section 153(2) of the *Local Government Act 1999*, and in order to raise the amount as per paragraph 1.2, pursuant to section 152(1)(c) of the Act the Council declares that general rates for the financial year ending 30 June 2023 will consist of two components:

 1. one being based on the value of the land; and
 2. the other being a fixed charge

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Pursuant to sections 153(1)(b) and 156(1)(a) of the *Local Government Act 1999* the Council declares the following differential general rates for the financial year ending 30 June 2023 on rateable property within the Council area, based upon the capital value of the land and varying according to land use categories in accordance with Regulation 14 of the *Local Government (General) Regulations 2013*:

1.4.1 on rateable land assigned category (a), (g), (h) & (i) (Residential, Primary Production, Vacant and Other), a rate of 0.2135 cents in the dollar of the capital value of such land;

1.4.2 on rateable land assigned category (b), (c), (d), (e) and (f) (Commercial – Shop, Office and Other and Industrial – Light and Other) a rate of 0.2455 cents in the dollar of the capital value of such land.

1.5 Declaration of General Rates – Annual Fixed Charge

Pursuant to section 152(1)(c)(ii) of the *Local Government Act 1999*, the Council declares a fixed charge of \$733 in respect of all rateable land in the Council area for the financial year ending 30 June 2023.

1.6 Imposition of Regional Landscape Levy

In accordance with section 69 of the *Landscape South Australia Act 2019*, and section 154 of the *Local Government Act 1999*, in order to reimburse the Council the amount contributed to the Hills and Fleurieu Regional Landscape Board, the Council declares the following separate rates based upon the capital value of rateable land for the financial year ending 30 June 2023:

1.6.1 0.008482 cents in the dollar on all rateable land in the Council area and in the area of Hills & Fleurieu Regional Landscape Levy;

1.7 Annual Service Charge

Pursuant to section 155 of the *Local Government Act 1999*, for the financial year ending 30 June 2023 the Council imposes the following annual service charges based on the nature of the service and the level of usage of the service:

1.7.1 In respect of all land to which the Council provides or makes available the prescribed services known as:

- the Woodside Community Wastewater Management System
- the Woodside Extension Community Wastewater Management System
- the Birdwood and Mt Torrens Community Wastewater Management System
- the Kersbrook Township Community Wastewater Management System
- the Charleston Community Wastewater Management System
- the Verdun Community Wastewater Management System
- the Mt Lofty Ward Community Wastewater Management System

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an annual service charge of \$826 in respect of land which is occupied and an annual service charge of \$415 in respect of land which is vacant.

1.8 Rate Cap and Rebates

1.8.1 Rate Cap (General Rates Maximum Increase for Principal Place of Residence)

That for the year ending 30 June 2023 pursuant to section 153(3) of the Local Government Act 1999 the Council will not fix a maximum increase in the general rate to be charged on any rateable land that constitutes the principal place of residence of a principal ratepayer.

1.8.2 Primary Production Rebate

Pursuant to section 166(1)(b) of the Local Government Act 1999, Council continues to offer, for the year ending 30 June 2023, upon application, a discretionary Primary Production Rebate of 10% on the differential primary production general rate to those ratepayers in the business of primary production who do not have a notional capital value assessment of their property and who have applied for and been granted this rebate in any of the last three (3) rating years, namely 2019-20, 2020-21 and/or the 2021-22 rating year.

1.8.3 Revaluation Relief Rebate

Council has determined, pursuant to section 166(1)(l)(ii) of the Local Government Act 1999 to provide a discretionary rebate for the purposes of fixing a maximum increase in general rates to be charged on all rateable land excluding the vacant land use within its area to be applied by the Council either on its own initiative where Council considers that the ratepayer meets the eligibility criteria or by application from the ratepayer, in circumstances where:

- the general rates payable for the financial year ending 30 June 2023 exceed the general rates paid in the previous financial year by 15% or more

and where the increase in general rates is not as a result of:

- (i) improvements made to the property worth more than \$20,000, unless the ratepayer is located within the December 2019 Cudlee Creek bushfire scar or the January 2021 Cherry Gardens Bushfire Scar as determined by Council; or
- (ii) a change to the land use of the property; or
- (iii) a change in ownership (unless a family transfer) of the rateable property

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the amount of any cap being the difference between the amount of general rates in monetary terms (before any rebate was applied) imposed for the 2022-23 financial year and the amount of general rates in monetary terms (before any rebate was applied) for the 2021-22 financial year plus 15% of those rates.

1.9 Separate Rates

Declaration of Separate rate – Stirling Business Separate Rate

1.9.1 Pursuant to section 154 of the Local Government Act 1999 for the financial year ending 30 June 2023 in order to raise the amount of \$95,000 to carry out the activity of promoting and enhancing business viability, profitability, trade and commerce in that part of the Council's area comprising rateable land within the precinct known as the District Centre (Stirling) Zone and businesses fronting both sides of Mt Barker Road east of the District Centre (Stirling) Zone to Pine Street, excluding land attributed a land use category 1 (residential) and government owned land, the Council declares a differential separate rate of 0.0793 cents in the dollar on all other land uses based on the capital value of the rateable land within that part of the Council area.

1.9.2 In exercise of the powers contained in section 158(1)(a) of the Local Government Act 1999 the minimum amount that is payable by way of the Stirling Business separate rate is \$297 (affecting all properties within the area to which the separate rate applies where the capital value is below \$374,525).

1.9.3 In exercise of the powers contained in section 158(1)(b) of the Local Government Act 1999 the amount that would otherwise be payable by way of rates in respect of the Stirling Business separate rate is altered by fixing the maximum amount of the separate rate payable at \$2,657 (affecting all properties within the area to which this separate rate applies where the capital value is in excess of \$3,350,570).

1.10 Payment of Rates

1.10.1 That pursuant to the provisions of section 181 of the Local Government Act 1999, the above rates including charges which have been imposed for the financial year ending 30 June 2023 are payable by four equal (or approximately equal) quarterly instalments (unless otherwise agreed with the principal ratepayer), falling due on 1 September and 1 December 2022 and 1 March and 1 June 2023.

1.10.2 In exercise of the powers contained in section 44 of the Local Government Act 1999, the Council delegates to the Chief Executive Officer the power pursuant to section 181(4)(b) of the Local Government Act 1999, to enter into agreements with principal ratepayers relating to the payment of rates in any case of hardship or financial difficulty.

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1.11 Adoption of Rating Policy

1.11.1 With an effective date of 1 July 2022, to revoke the 2021-22 Rating Policy and adopt the Rating Policy, in Appendix 2 of the 2022-23 Annual Business Plan in Appendix 1 of this report.

1.11.2 That the Chief Executive Officer, or delegate, be authorised to make any formatting, nomenclature or other minor changes to the Policy prior to the effective date.

1.12 Borrowings

Council resolves to:

1.12.1 borrow the sum up to \$7.8m for the purpose of funding the 2022-23 Budget.

1.12.2 authorise the Chief Executive to negotiate and agree the interest rate and any terms and conditions of the above borrowing arrangements in accordance with the Treasury Policy as adopted by Council.

1.12.3 authorise the Chief Executive to negotiate and agree a new Convertible Cash Advance Debenture (CAD) facility to replace existing arrangements and any terms and conditions of the above borrowing arrangements in accordance with the Treasury Policy as adopted by Council

1.12.4 authorise the affixation of the common seal as necessary to give effect to Council's resolutions in this matter and that this be undertaken by the Mayor and the Chief Executive Officer.

2. That the CEO be authorised to:

- a. Make any formatting, nomenclature or other minor changes to the Plan prior to being released for publication and**
- b. Determine the publishing timings, processes and related media promotion while ensuring consistency and compliance with the provisions of applicable legislation.**

Carried Unanimously

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12.3 Adoption of Fees & Charges 2022-23

Moved Cr Malcolm Herrmann

S/- Cr Chris Grant

153/22

Council resolves:

1. That the report be received and noted.
2. To adopt the 2022-23 Fees and Charges Schedule included at *Appendix 1* to apply on and from 1 July 2022.
3. Council notes that any statutory fees will be included on the Fees and Charges Schedule available for public inspection subsequent to being gazetted.

Carried Unanimously

With Leave of the meeting Confidential Item 18.4 East Waste Charter Amendment was brought forward to this point in the meeting.

18.4 East Waste Charter Amendment – Exclusion of the Public

Moved Cr Chris Grant

S/- Cr Ian Bailey

154/22

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except:

- Chief Executive Officer, Andrew Aitken
- Director Community Capacity, David Waters
- Director Corporate Services, Terry Crackett
- Acting Director Development & Regulatory Services, Melissa Bright
- Director Infrastructure & Operations, Peter Bice
- Executive Manager Governance & Performance, Lachlan Miller
- Manager Sustainability, Waste & Emergency Management, John McArthur
- General Manager East Waste, Rob Gregory
- Corporate Planning & Performance Coordinator, Kira-Marie Laverty
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 18.4: (East Waste Charter Amendment) in confidence.

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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)(k) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is information relating to tenders for the supply of goods, the provision of services or the carrying out of works 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.

Carried unanimously

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18.4.2 East Waste Charter Amendment – Duration of Confidentiality

Moved Cr Ian Bailey

S/- Cr Kirsty Parkin

156/22

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 18.4 in confidence under sections 90(2) and 90(3)(k) 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* to retain the Items in confidence as detailed in the Duration of Confidentiality Table below:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	30 June 2024
Related Attachments	30 June 2024
Minutes	30 June 2024
Other (presentation, documents, or similar)	30 June 2024

Carried unanimously

Under Section 75A of the *Local Government Act 1999* Cr Linda Green disclosed a Perceived Conflict of Interest in Item 12.4, as she knows the owner. Cr Linda Green intends to participate in discussions and vote when this item is discussed.

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12.4 Revocation of Community Land Classification – Closed Roads Mt Torrens & Norton Summit

Moved Cr Malcolm Herrmann

S/- Cr Kirsty Parkin

157/22

Council resolves:

1. That the report be received and noted
2. A report be prepared and submitted to the Minister for Planning seeking approval for the revocation of the community land classification of the land identified as:
 - a. Closed Road AA in Road Plan No. 2142 contained in Certificate of Title Volume 6261 Folio 496 located at Mount Torrens (*Appendix 1*)
 - b. Closed Road AB in Road Plan No. 1573 contained in Certificate of Title Volume 6261 Folio 497 located at Norton Summit (*Appendix 1*)

Carried

Councillor Linda Green voted in favour of the motion. The majority of persons who were entitled to vote at the meeting voted in favour of the motion.

7.50pm Cr Osterstock left the Chamber

12.5 Motion on Notice Response – Natural Burials

7.54pm Cr Osterstock returned to the Chamber

Moved Cr Malcolm Herrmann

S/- Cr Leith Mudge

158/22

Council resolves:

1. That the report be received and noted
2. To endorse the proposal to establish a natural burial ground within the Kersbrook Cemetery site
3. That, prior to the opening of the Kersbrook natural burial ground for burials, the Cemetery Operating Policy be updated to include provisions for natural burials and presented to Council for adoption.

Carried Unanimously

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Under Section 74 of the *Local Government Act 1999* Cr Chris Grant disclosed a Material Conflict of Interest in Item 12.6, as he grows and sells organic primary produce and the policy relates to genetically modified crops which could affect his income.

7.55pm Cr Chris Grant left the Chamber

Under Section 74 of the *Local Government Act 1999* Cr Linda Green disclosed a Material Conflict of Interest in Item 12.6, as she is joint owner of a property and a trainer for a spraying company.

7.57pm Cr Linda Green left the Chamber

12.6 Policy Review – Genetically Modified Crops

**Moved Cr Kirrilee Boyd
S/- Cr Kirsty Parkin**

159/22

Council resolves:

- 1. That the report be received and noted.**
- 2. With an effective date of 12 July 2022, to revoke the 7 January 2019 *Genetically Modified Crops Policy* and to adopt the revised 28 June 2022 *Genetically Modified Crops Policy (draft)* as per *Appendix 1*.**
- 3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the *Genetically Modified Crops Policy (draft)* prior to the effective date.**

Carried Unanimously

8.01pm Cr Linda Green & Cr Chris Grant returned to the Chamber.

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12.7 Policy Review – Flags

Moved Cr Kirsty Parkin

S/- Cr Linda Green

160/22

1. That the report be received and noted
2. That with an effective date of 12 July 2022 to revoke the 24 July 2018 Flags Policy and adopt the June 2022 Flags Policy contained in Appendix 1.
3. That the Chief Executive Officer be authorised to make minor content, grammatical and formatting amendments to the Flags Policy prior to the effective date of adoption.

Carried Unanimously

12.8 Status Report – Council Resolutions Update

Moved Cr Mark Osterstock

S/- Cr Ian Bailey

161/22

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
7/05/2019	Special Council	94/19	Stonehenge Reserve Masterplan Update and Findings from Consultation	Nil
27/07/2021	Ordinary Council	167/21	46 Mt Barker Road Stirling - Old Stirling Police Station	Material - Cr Mark Osterstock
28/09/2021	Ordinary Council	205/21	Roadside Trading Policy for Community Consultation	Actual - Cr Kirrilee Boyd
14/12/2021	Ordinary Council	276/21	Trails & Cycling Routes Framework - Draft Service Levels and Guidelines for consultation	Nil

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Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI
25/01/2022	Ordinary Council	16/22	MWN Fire Hydrants and Fire Plugs	Nil
15/2/22	Special Council	22/22	MON Longwood Road Heathfield rep submission	Perceived – Cr John Kemp Actual – Cr Leith Mudge
22/03/2022	Ordinary Council	50/22	S221 Permit 63 Waverley Ridge Road Crafers West	Nil
22/03/2022	Ordinary Council	77/22	MWN Letter of Congratulations to new Premier Peter Malinauskas	Nil
22/04/2022	Ordinary Council	54/22	Libraries Strategy	Nil
26/04/22	Council	94/22	Lobethal Bushland Park	Nil
26/04/22	Council	96/22	CAP Terms of Reference	Nil
26/04/2022	Ordinary Council	100/22	Policy Review - Tributes for Commemorative Services	Nil
26/04/22	Council	106/22	Appointment of CAP Independent Members	Nil
26/04/2022	Ordinary Council	109/22	Appointment of AHRWMA Chair	Nil
26/04/2022	Ordinary Council	110/22	Appointment of AHRWMA Chair - duration of confidentiality	Nil
26/04/2022	Ordinary Council	88/22	MON Gumeracha Soldiers Memorial Hospital Emergency Department	Nil
26/04/2022	Ordinary Council	90/22	Trails and Cycling Routes Framework	Nil

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Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI
26/04/2022	Ordinary Council	84/22	GRFMA Annual Business Plan 2022-2023	Nil
3/05/2022	Special Council	111/22	Draft 2022-23 Annual Business Plan for Consultation	Nil
17/05/2022	Special Council	112/22	SHLGA Draft 22-23 Budget and Member Contributions	Nil
17/05/2022	Special Council	116/22	Appointment of Consultant to undertake CEO Performance & Remuneration Reviews	Nil
17/05/2022	Special Council	117/22	Appointment of Consultant to undertake CEO Performance & Remuneration Reviews	Nil
24/05/2022	Ordinary Council	121/22	Fenced Dog park for Woodside	Nil
24/05/22	Council	123/22	Budget Review Committee	Nil
24/05/2022	Ordinary Council	125/22	Libraries Strategy	Nil
24/05/2022	Ordinary Council	126/22	Policy Review - Roadside Trading	Nil
24/05/2022	Ordinary Council	129/22	Policy Review - Community Group use of Photocopiers	Nil
24/05/2022	Ordinary Council	130/22	Policy Review - Community Information Display	Nil
24/05/2022	Ordinary Council	131/22	Policy Review – Buffers	Nil

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Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI
24/05/2022	Ordinary Council	132/22	Mayor's Attendance at NGA Canberra	Perceived - Mayor Jan-Claire Wisdom
24/05/2022	Ordinary Council	134/22	Policy Review - Internal Audit	Nil
24/05/2022	Ordinary Council	135/22	Policy Review - Prudential Management	Nil
24/05/2022	Ordinary Council	136/22	Policy Review - Risk Management	Nil
24/05/2022	Ordinary Council	138/22	Confidential Items Review	Nil
24/05/2022	Ordinary Council	141/22	Congratulations to new PM	Nil
25/05/2022	Ordinary Council	128/22	Budget Review 3	Nil
14/06/2022	Special Council	143/22	Annual Business Plan Consultation Results	Nil
14/06/2022	Special Council	144/22	Annual Business Plan Consultation Results - Additional	Material - Cr John Kemp
14/06/2022	Special Council	146/22	AHRWMA Board Member Appointments	Perceived - Cr Ian Bailey

Carried Unanimously

13. OFFICER REPORTS - INFORMATION ITEMS

13.1 2022-23 Discretionary Rates Rebate Report

Moved Cr Leith Mudge
S/- Cr Chris Grant

162/22

Council resolves that the report be received and noted.

Carried Unanimously

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14. QUESTIONS WITHOUT NOTICE

Cr Malcolm Herrmann – progress of Amy Gillett Bikeway, Gumeracha Hospital Emergency Department progress
 Cr Chris Grant – clean up of property at Lenswood
 Cr Mark Osterstock – cost of clean up of properties

15. MOTIONS WITHOUT NOTICE

Nil

16. Council Member Function or Activity on the Business of Council**Mayor Jan-Claire Wisdom**

- 29 May, Gumeracha market, Gumeracha
- 30 May, Citizenship ceremony, Stirling
- 19 June, Australian Regional Local Government Forum, Canberra
- 20-22 June, National General Assembly of Local Government, Canberra

Cr Kirsty Parkin

- 25 June, ReVeg Festival, Woodside

16.1 Reports of Members as Council/Committee Representatives on External Organisations**Mayor Jan-Claire Wisdom**

- 26 May, GAROC Climate Change Forum, Adelaide

Executive Manager Governance & Performance, Lachlan Miller

- 24 June, S&HLGA Board Meeting, Victor Harbor

16.2 CEO Report

Andrew Aitken, CEO, provided Council with a verbal Corporate Update, available via www.ahc.sa.gov.au, including:

- Bridgewater Oval Stormwater upgrade
- Heathfield Oval project
- Woodside stormwater, bus stop disability access
- Crafers Pocket Park
- Yarrabee Road Playspace upgrade
- Footpath renewals, road grading
- Amy Gillett pathways amenities and signage Oakbank & Charleston
- Street sweeping program
- Burning permits

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17. REPORTS OF COMMITTEES

17.1 Council Assessment Panel – 8 June 2022

Moved Cr Linda Green

S/- Cr Leith Mudge

163/22

That the minutes of the Council Assessment Panel meeting of 8 June 2022 as distributed, be received and noted.

Carried unanimously

17.2 Audit Committee – 23 May 2022

Moved Cr Malcolm Herrmann

S/- Cr Leith Mudge

164/22

That the minutes of the Audit Committee meeting 23 May 2022 as distributed, be received and noted.

Carried unanimously

17.3 CEO Performance Review Panel

Nil

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18. CONFIDENTIAL ITEMS

18.1 Warren Road Birdwood Blackspot – Exclusion of the Public

Moved Cr Chris Grant
S/- Cr Kirsty Parkin

165/22

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except:

- Chief Executive Officer, Andrew Aitken
- Director Community Capacity, David Waters
- Director Corporate Services, Terry Crackett
- A/Director Development & Regulatory Services, Mel Bright
- Director Infrastructure & Operations, Peter Bice
- Executive Manager Governance & Performance, Lachlan Miller
- Manager Civil Services, Ashley Curtis
- Manager Property Services, Natalie Westover
- Corporate Planning & Performance Coordinator, Kira-Marie Laverty
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 18.1: (Warren Road Blackspot Land Acquisition) 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*, 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 –

- (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
- (ii) would, on balance, be contrary to the public interest;

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.

Carried unanimously

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18.1.2 Warren Road Birdwood Blackspot – Duration of Confidentiality

Moved Cr Ian Bailey
S/- Cr Chris Grant

167/22

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 18.1 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* to retain the Items in confidence as detailed in the Duration of Confidentiality Table below:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	Until all resolutions are executed, but not longer than 28 June 2023
Related Attachments	Until all resolutions are executed, but not longer than 28 June 2023
Minutes	Until all resolutions are executed, but not longer than 28 June 2023

Carried unanimously

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18.2 Santos Tour Down Under Event Opportunity – Exclusion of the Public

Moved Cr Chris Grant
S/- Cr Ian Bailey

168/22

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except:

- Chief Executive Officer, Andrew Aitken
- Director Community Capacity, David Waters
- Director Corporate Services, Terry Crackett
- Acting Director Development & Regulatory Services, Melissa Bright
- Director Infrastructure & Operations, Peter Bice
- Executive Manager Governance & Performance, Lachlan Miller
- Manager Communications, Engagement & Events, Jennifer Blake
- Manager Property Services, Natalie Westover
- Corporate Planning & Performance Coordinator, Kira-Marie Laverty
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 18.2: (Event Opportunity – Santos Tour Down Under 2023) 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)(j) 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 –

- (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
- (ii) would, on balance, be contrary to the public interest.

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.

Carried unanimously

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18.2.2 Santos Tour Down Under Event Opportunity – Duration of Confidentiality

Moved Cr Mark Osterstock
S/- Cr Chris Grant

170/22

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 18.2 in confidence under sections 90(2) and 90(3) (j) 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* to retain the Items in confidence as detailed in the Duration of Confidentiality Table below:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	Until Council receives written confirmation from the South Australian Tourism Commission that the event information is no longer confidential, but not longer than 30 June 2023.
Related Attachments	Not Applicable
Minutes	Until Council receives written confirmation from the South Australian Tourism Commission that the event information is no longer confidential, but not longer than 30 June 2023.
Other (discussion and considerations of the subject matter)	Until Council receives written confirmation from the South Australian Tourism Commission that the event information is no longer confidential, but not longer than 30 June 2023.

Carried unanimously

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18.3 Ashton Landfill – Exclusion of the Public

Moved Cr Mark Osterstock

S/- Cr Kirsty Parkin

171/22

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except:

- Chief Executive Officer, Andrew Aitken
- Director Community Capacity, David Waters
- Director Corporate Services, Terry Crackett
- Director Development & Regulatory Services - Acting, Melissa Bright
- Director Infrastructure & Operations, Peter Bice
- Executive Manager Governance & Performance, Lachlan Miller
- Manager Sustainability, Waste and Emergency Management, John McArthur
- Manager Property Services, Natalie Westover
- Corporate Planning & Performance Coordinator, Kira-Marie Laverty
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 18.3: (Ashton Landfill Contribution) 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)(i) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council the disclosure of which could reasonably be expected to involve the unreasonable disclosure of information concerning future legal action taken in relation to the matter.

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.

Carried unanimously

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18.3.2 Ashton Landfill – Duration of Confidentiality

Moved Cr Mark Osterstock
S/- Cr Malcolm Herrmann

173/22

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 18.3 in confidence under sections 90(2) and 90(3)(i) 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* to retain the Items in confidence as detailed in the Duration of Confidentiality Table below:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	28 June 2024
Related Attachments	28 June 2024
Minutes	28 June 2024
Other	NIL

Carried unanimously

18.4 East Waste Charter Amendment – Exclusion of the Public

This item was considered earlier in the meeting.

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18.5 Fabrik Tender & Contract – Exclusion of the Public

Moved Cr Chris Grant

S/- Cr Kirsty Parkin

174/22

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except:

- Chief Executive Officer, Andrew Aitken
- Director Community Capacity, David Waters
- Director Corporate Services, Terry Crackett
- Director Development & Regulatory Services - Acting, Melissa Bright
- Director Infrastructure & Operations, Peter Bice
- Executive Manager Governance & Performance, Lachlan Miller
- Manager Property Services, Natalie Westover
- Coordinator Property Projects and Maintenance, Paul Day
- Director Fabrik Arts and Heritage, Melinda Rankin
- Corporate Planning & Performance Coordinator, Kira-Marie Laverty
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 18.5: (FABRIK Redevelopment Project – Contract for Construction) 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*, 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 –

- (iii) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party by disclosing specific pricing by the tenderer; and
- (iv) would, on balance, be contrary to the public interest;

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.

Carried unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 JUNE 2022
63 MT BARKER ROAD STIRLING**

18.5.2 Fabrik Tender & Contract – Duration of Confidentiality

Moved Cr Ian Bailey
S/- Cr Linda Green

176/22

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 18.5 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* to retain the Items in confidence as detailed in the Duration of Confidentiality Table below:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	until execution of contract but no longer than 30 September 2022
Related Attachments	NIL
Minutes	until execution of contract but no longer than 30 September 2022
Other	NIL

Carried unanimously

19 NEXT ORDINARY MEETING

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 26 July 2022 from 6.30pm at 63 Mt Barker Road, Stirling.

20 CLOSE MEETING

The meeting closed at 9.57pm.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 July 2022
AGENDA BUSINESS ITEM**

Item: 10.1 Question on Notice

Originating from: Cr Kirsty Parkin

Subject: Short Term Tourist Accommodation

1. QUESTION

- 1) How much tourist accommodation is currently available in the Adelaide Hills Council?
- 2) What planning guidelines, at any level of government, govern the creation and/or conversion of new accommodation by both businesses and private homeowners? Could we have an explanation of any limitations within these guidelines which inhibit creation of accommodation within the Adelaide Hills Council District?

2. BACKGROUND

According to SA Tourism's Value of Tourism report released early in 2022, The Adelaide Hills area is one of the most visited areas of South Australia, with \$204 million in visitor expenditure in 2021. Understanding the capacity of the towns and districts which comprise the Adelaide Hills Council district to maximise benefit from both intra and interstate visitors is important information assisting planning for both Council and local business.

3. OFFICERS' RESPONSE – David Waters, Director Community Capacity and Melissa Bright, Acting Director Development and Regulatory Services

Tourist accommodation in the Adelaide Hills Council district, and indeed the broader Adelaide Hills tourism region, takes many forms. It comprises a mix of boutique hotels, a small number of motels, caravan parks and a number of high-end exclusive offerings.

In recent years there has been an increase in the provision of accommodation ancillary to existing eco and agri-tourism operations. For instance, a number of wineries have, or are actively looking into, providing accommodation on site. There are numerous bed and breakfast style accommodations, some of which have specific approval for use for that purpose and others which may not require approval because the accommodation is provided under the same roof as an existing dwelling and it is reasonably incidental to the residential use. And of course there is the immeasurable accommodation provided at home to visiting friends and relatives (VFRs), the region's largest visitor market. As a consequence it is not

possible to indicate precisely how much tourism accommodation is available in the Council district.

The recently revised South Australian Regional Visitor Strategy (RVS) identifies a need to improve the quality of regional tourism accommodation, but not necessarily the supply of tourism accommodation. The Adelaide Hills tourism region is, and indeed is promoted as, a 'short drive' tourism destination, meaning that it is a short drive from the state capital (and port of entry for most tourists). As such, overnight stays will always be a relatively small percentage of total visits to the region.

The RVS says that overnight stays as a percentage of total visits to the region are 12% and a significant portion of this is likely to be VFRs staying with the people they know. Occupancy rates (average over the whole week) for bookable accommodation is 58% (compared with a statewide regional average of 51%).

The strategic focus therefore is not so much on driving the development of more accommodation but encouraging the upgrade of existing accommodation. New accommodation is encouraged which is ancillary to other existing tourism experiences. The RVS set a modest target of 16 new rooms and 22 room upgrades for the Adelaide Hills region (from 2020 to 2025). The December 2021 RVS Progress Snapshot indicated that the new room target had already been exceeded, with 54 new rooms created. Occupancy rates remain similar at 60%.

People looking to provide short term accommodation in most cases need development approval, either for the change of use of their property and/or the built development itself. The Planning and Design Code (the Code) captures the various accommodation offerings (i.e. Airbnb, bed and breakfast, cabin or serviced apartment, etc.) under the 'tourist accommodation' definition.

The Code also outlines the procedural pathways and performance assessment criteria Council must consider when undertaking an assessment for this form of development. The introduction of the Code has largely reduced the procedural burden for tourist accommodation in most Zones across our Council area (i.e., no longer a 'non-complying development'). In addition, through corresponding Desired Outcomes and relevant Performance Assessment Criteria the Code provides increased scope for appropriate tourist accommodation to be supported, for example within township main streets or in association with an existing primary production enterprise.

The impact of this policy change for the latter example is articulated well by the development application data received between 2016 and 2022. A review of the data reveals that the number of tourist accommodation applications in our primary production zone have increased by 500% (12) in the one year following the introduction of the Code on 19 March 2021. This compares with an annual average of 2.4 applications from 2016 to 2020.

While on the surface these numbers are encouraging from an industry perspective, there are challenges in setting up this sort of business in the Council area, with issues ranging from managing the interface with primary production (land use conflicts), environmental sensitivity (water catchment and native vegetation) and high hazard risk (bushfire) which can be restrictive.

Bushfire risk is a particularly challenging area to manage, and one example that illustrates this well is the emergence of glamping and small cabins as a sought-after accommodation offering. The CFS working with councils in the Mount Lofty Ranges have been encouraging applicants for this type of accommodation to find suitable solutions to mitigate the risks of bringing tourists into a high bushfire risk area.

Having navigated the Planning process applicants are then required to obtain Building Rules Consent (BRC). The BRC is achieved through compliance with the National Construction Code (NCC) which provides the minimum level of acceptance in relation to tourism accommodation buildings, where structural, fire safety, plumbing, health, amenity, access, egress, sustainability and accessibility requirements need to be met to ensure safe occupation. While applicants may put forward solutions to achieve conditional Planning Consent, the result is often seen by the applicant to be cost prohibitive once costings are progressed and additional BRC conditions are included.

Meeting requirements of the NCC can be difficult and costly, depending on the geographical location and whether tourist accommodation is proposed in a new building or seeks to retrofit an existing one. Using the latter example, the NCC's accessibility standards can be difficult to achieve, as it requires not only that appropriate access into the building is provided but this extends to access in and around the building including toilet and shower facilities, which may not be possible without major structural alterations.

So while recent regulatory changes have in principle made tourist accommodation a more acceptable form of land use within the Council Area, there are still many considerations for an applicant to weigh up in order to understand whether the tourist accommodation they are proposing is viable.

Additional approval is also required for various standards relating to facilities and amenities often associated with short term accommodation including:

- rainwater for guests, under the *Safe Drinking Water Regulations 2012*
- swimming pools or spa pools available for guests use, under the *South Australian Public Health (General) Regulations 2013*
- handling or supplying food under the *Food Act 2001*.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 July 2022
AGENDA BUSINESS ITEM**

Item: 10.2 Question on Notice

Originating from: Cr Malcolm Herrmann

Subject: Lobethal Bushland Park – response from State Government

1. QUESTION

Has the Minister replied to the Council resolution 12.8 dated 26 April 2022?

2. BACKGROUND

As three months have passed since the resolution, residents and the community are enquiring about the Minister's response.

Following an earlier approach from the former Minister for the Environment and Water, the Hon David Speirs, on 26 April 2022, Council resolved to write to the New Minister for Climate, Environment and Water, The Hon Susan Close, to ascertain whether the Minister was interested in exploring the potential for Bushland Park Lobethal being transferred to the State Government and declared as a Conservation Park.

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

A letter was sent to Hon Susan Close by Mayor Wisdom dated 05 May 2022 as per the Council Resolution on 26 April 2022 (see *Appendix 2*). A response dated 20 June 2022 has been received from the Hon Susan Close, Minister for Climate, Environment & Water, (see *Appendix 3*). This information was distributed by Mayor Wisdom via email to all Council Members on 21 June 2022.

Council Staff have also been in contact with a number of interested stakeholders to clarify the new Minister's position outlined in the letter. This included members of the Friends of Lobethal Bushland Park Group and relevant Landscapes Board Staff.

The relevant Minute from 26 April 2022 follows, and the agenda report from this meeting is included as *Appendix 1*.

12.8 Lobethal Bushland Park

**Moved Cr Malcolm Herrmann
S/- Cr Kirsty Parkin**

94/22

Council resolves:

- 1. That the report be received and noted.**
- 2. To note that Council received a report at its meeting held 22 February 2022 (Item 12.2) where it resolved to defer consideration until the 26 April 2022 Ordinary meeting.**
- 3. That in light of the change of government since representations were initially made by former Minister David Spiers, the Mayor writes to the recently appointed Minister for Climate, Environment and Water, the Hon Susan Close MP, to ascertain whether the Minister wishes to explore the potential for Lobethal Bushland Park to be transferred to the State Government and declared as a Conservation Park.**
- 4. That if the new Minister, Hon Susan Close, is interested in considering the matter, that the Chief Executive Officer, or delegate, have further discussions with the Department of Environment and Water to explore the various options and implications for any potential transfer, with the outcomes brought back to Council for a decision on further action.**
- 5. That Council affirms its commitment to engagement with key stakeholders including local community, community groups and volunteer based organisations involved with Lobethal Bushland Park, as part of any subsequent processes associated with the matter.**

Carried on Casting vote of Mayor

4. APPENDIX

1. Copy of Council report from 26 April 2022
2. Letter from Mayor Wisdom to Minister Susan Close dated 05 May 2022
3. Response from Minister Susan Close dated 20 June 2022

Appendix 1

Copy of Council Minute 26 April 2022

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 April 2022
AGENDA BUSINESS ITEM**

Item: 12.8

Responsible Officer: Peter Bice
Director Infrastructure & Operations
Infrastructure & Operations

Subject: Lobethal Bushland Park

For: Decision

SUMMARY

The purpose of this report is to seek direction from Council in regard to a proposal received by Council earlier this year, and for the CEO or his delegates to commence without prejudice discussions with the Department of Environment and Water (DEW) to explore the potential for Lobethal Bushland Park (Aerial Map in **Appendix 2**) to become a Conservation Park under the *National Parks and Wildlife Act 1972*. This request was made in a letter from David Speirs MP former Minister for Environment and Water sent to Mayor Wisdom and received on 17 February 2022 (**Appendix 1**).

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
 2. That in light of the change of government since representations were initially made by former Minister David Spiers, the Mayor writes to the recently appointed Minister for Climate, Environment and Water, the Hon Susan Close MP, to ascertain whether the Minister wishes to explore the potential for Lobethal Bushland Park to be transferred to the State Government and declared as a Conservation Park.
 3. That if the new Minister is interested in considering the matter, that the Chief Executive Officer, or delegate, further discussions with the Department of Environment and Water to explore the various options and implications for any potential transfer, with the outcomes brought back to Council for a decision on further action.
 4. That Council affirms its commitment to engagement with key stakeholders including local community, community groups and volunteer based organisations involved with Lobethal Bushland Park, as part of any subsequent processes associated with the matter.
-

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 3 A prosperous Economy

Objective E3.3 Work with our local communities and businesses to create active, attractive and vibrant places.

Goal 4 A valued Natural Environment.

Objective N1 Conserve and enhance the regional natural landscape character and amenity values of our region.

Priority N1.2 Manage reserves and open space to support the community, whilst balancing biodiversity conservation, resource use and environmental impacts.

Objective N3 Nurture valuable partnerships and collaborations and engage the local community in the management of our natural environment.

Priority N3.2 Collaborate and engage with public and private organisations, schools and community members (including the Aboriginal community as the first nation peoples), to improve biodiversity outcomes and land management practices.

➤ Legal Implications

There may be requirements which would need to be met depending on the land title classification given to Lobethal Bushland Park, as well as those required by the heritage agreement currently in place.

➤ Risk Management Implications

The seeking of clarification with the new State Government on potential for Lobethal Bushland Park to become a conservation park will assist in mitigating the risk of:

A decision being made without all appropriate information leading to a loss of trust in the Community.

Inherent Risk	Residual Risk	Target Risk
3B (high)	2D (Low)	2D (Low)

➤ Financial and Resource Implications

Lobethal Bushland Park is currently maintained through internal and external funding. Council has internal staff funded under operational budgets to complete works, as well as providing support to Bush for Life programs and the Friends of Lobethal Bushland Park volunteer group.

Council has also secured numerous grants in recent years to assist both internal staff and volunteers with various activities such as: post bushfire weed management; vegetation monitoring; infrastructure replacement and promotion; accessibility without erosion projects; Nature Play grants; Lookout Tower refurbishment grant; and kangaroo enclosure fencing at Lobethal Bushland Park to protect nationally threatened flora populations.

Any discussions with DEW would be undertaken as part of staff's current duties.

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

Following the Cudlee Creek Bushfire, Council undertook a masterplan process for the Lobethal Bushland Park site. Following significant consultation, the plan was endorsed by Council at its August 2021 meeting.

There is now significant community expectation that Council (or the land manager) deliver on elements of the masterplan over time.

With the former State Government's policy shifts in regard to National Parks and Wildlife reserve management, the Administration would recommend further community consultation, including with the Friends of Lobethal Bushland Park should a statutory management plan for a Conservation Park at the site be proposed.

➤ **Sustainability Implications**

Council staff and Friends of Lobethal Bushland Park are currently highly committed to improving the conservation values of the park.

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

<i>Council Committees:</i>	Not Applicable
<i>Council Workshops:</i>	Not Applicable
<i>Advisory Groups:</i>	Not Applicable
<i>External Agencies:</i>	Department of Environment and Water
<i>Community:</i>	Not Applicable

2. **BACKGROUND**

Council was recently approached, initially via a phone call from the former Minister to Mayor Wisdom and subsequently by the Department of Environment and Water (DEW) to propose the possibility for Lobethal Bushland Park to be listed as a Conservation Park under the *National Parks and Wildlife Act 1972*.

A subsequent discussion was held between senior staff at Council and DEW. The former Minister then wrote to Council to seek in-principle support and to enable Council staff and departmental staff to enter into without prejudice discussions over coming months in relation to this proposal.

3. ANALYSIS

In light of the recent change of government, this report recommends writing to the new Minister to ask whether exploring the option to declare Lobethal Bushland Park to be a State Conservation Park is a priority for the new government. Should that be the case, further discussions with DEW staff would lead to a greater level of understanding as to what would be involved in a conservation park declaration.

The information gained could form the basis of community engagement, including with the Friends of Lobethal Bushland Park, and ultimately assist Council in its deliberations regarding this proposal. It is anticipated that Council would need to be confident that sustainable community and environmental outcomes would be achieved as a result of any Conservation Park listing for the park.

4. OPTIONS

Council has the following options:

- I. Authorise the CEO or his delegates to enter into without prejudice discussions with Department of Environment and Water should the newly appointed Minister express interest in the potential for Lobethal Bushland Park to be transferred to the State Government as a Conservation Park **(Recommended)**
- II. Not Authorise the CEO or his delegates to enter into without prejudice discussions with Department of Environment and Water should the newly appointed Minister express interest in the potential for Lobethal Bushland Park to be transferred to the State Government as a Conservation Park **(Not Recommended)**

5. APPENDICES

- (1) Letter received from David Speirs MP Minister for Environment and Water
- (2) Aerial map of Lobethal Bushland Park

Appendix 1

Letter received from DEW

22EW0016377



**Government
of South Australia**

**Office of the Minister for
Environment and Water**

81-95 Waymouth Street
Adelaide SA 5000

GPO Box 1047
Adelaide SA 5001

Tel 08 8463 5680
minister.speirs@sa.gov.au

Mayor Jan-Claire Wisdom
Adelaide Hills Council
Email: jcwisdom@ahc.sa.gov.au

Dear Mayor Wisdom 

I write to you regarding an opportunity for the Adelaide Hills Council's Bushland Park in Lobethal to be included in the state's national park system.

Bushland Park has a range of natural values, including plant species of conservation significance, which play an incredibly valuable role in conserving the biodiversity of the Mount Lofty Ranges. I recognise that the park is highly regarded within the local community with its network of trails and core recreation area, especially following the Cudlee Creek bushfire in 2019, and I understand that it is supported by a dedicated volunteer base.

Further to our earlier conversations, I would like to explore the opportunity for this land to be transferred to the state government for protection under the *National Parks and Wildlife Act 1972* as a Conservation Park, to be managed by the National Parks and Wildlife Service within the Department for Environment and Water.

I understand that Council would need to discuss a range of matters as part of its consideration for this proposal, including planning and operational maintenance of the site, management of recreational assets and fire management. The recently adopted master plan for the site would likely provide a solid foundation for developing a statutory management plan for a Conservation Park, which would be subject to public consultation.

I would appreciate Council giving consideration to this proposal, and providing in-principle agreement for Council officers and departmental staff to negotiate without prejudice over the coming months.

For more information, please contact Jason Irving within the Department for Environment and Water, by email to jason.irving@sa.gov.au or on telephone 0401 120 880.

Yours sincerely



DAVID SPEIRS MP
Minister for Environment and Water

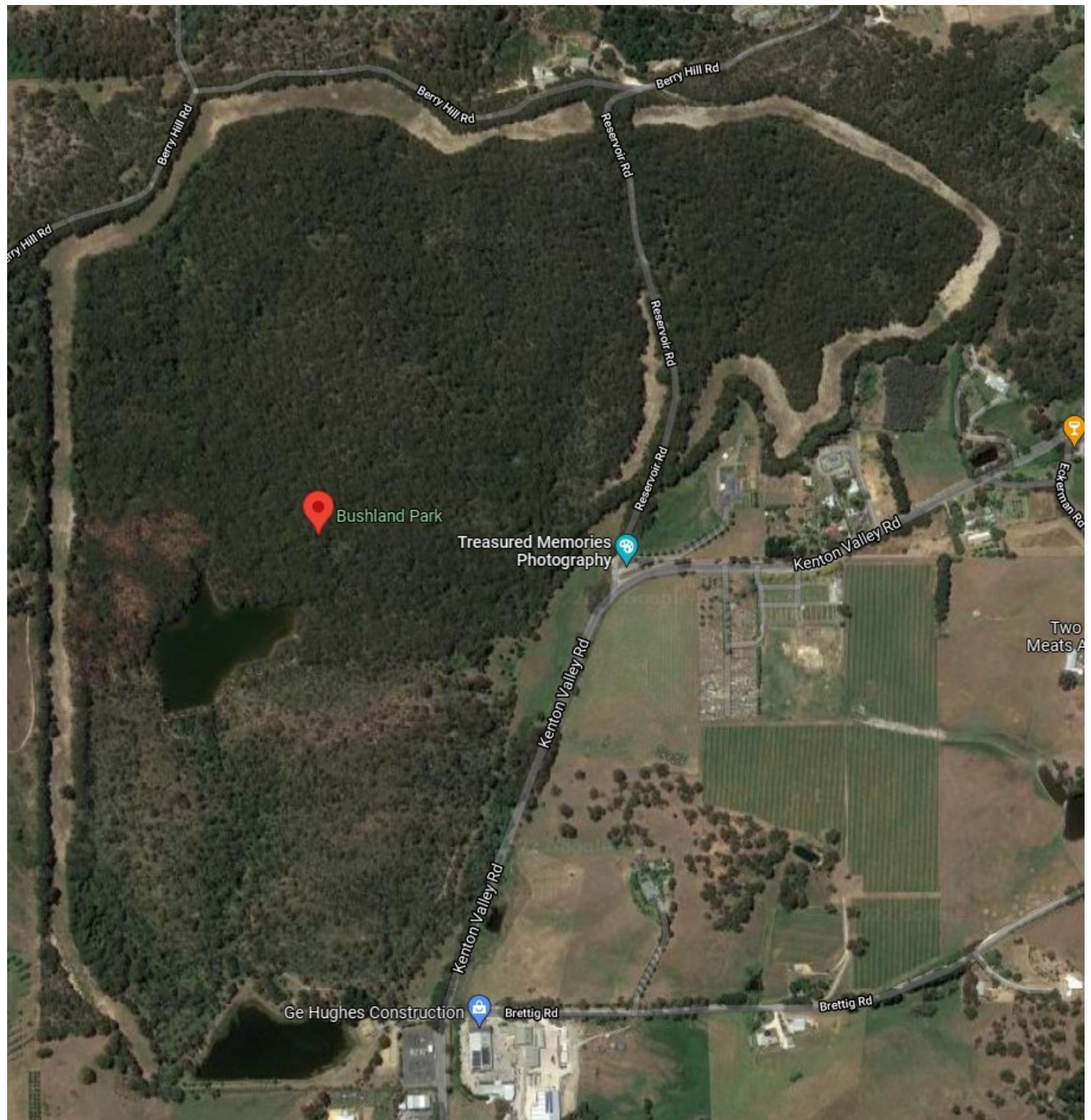
Date: 16/02/2022

Appendix 2

Aerial map of Lobethal Bushland Park

APPENDIX 2

AERIAL MAP—LOBETHAL BUSHLAND PARK



Appendix 2

Letter from Mayor Wisdom to Minister Susan Close



PO Box 44
Woodside SA 5244
Phone: 08 8408 0400
Fax: 08 8389 7440
mail@ahc.sa.gov.au
www.ahc.sa.gov.au

Direct line: 8408 0400

5 May 2022

Hon Susan Close MP
Deputy Premier
Parliament House
ADELAIDE SA 5000
E: officeofthedeputypremier@sa.gov.au

Dear Minister

On behalf of Adelaide Hills Council I wish to congratulate you on your recent appointment as Deputy Premier and as Minister for Climate, Environment and Water.

It is timely for me to make contact to seek an updated position from you in relation to a recent proposal to explore the declaring of Lobethal Bushland Park a Conservation Park.

This potential designation was mooted by the previous Minister in correspondence to Council earlier this year (attached for your reference), with a request for negotiations/discussions to proceed between Department for Environment and Water and our Council administrations in this regard.

Our Council has recently resolved to ascertain whether you also wish to explore the potential for Lobethal Bushland Park to be transferred to the State Government and declared as a Conservation Park. I therefore respectfully seek such a position from you as Minister once you have had the opportunity to consider this proposal.

Please feel free to make contact with my office directly on 8408 0438 should you wish to discuss this, or any other, matter in more detail.

Yours sincerely

A handwritten signature in blue ink that reads 'JC Wisdom'.

Dr Jan-Claire Wisdom
Mayor

Enc
16 February 2022 letter from previous Minister David Speirs MP

Appendix 3

Letter from Minister Susan Close

OFFICIAL



Government
of South Australia

Reference: CEW22/00355

Dr Jan-Claire Wisdom
Mayor
Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244

The Hon Susan Close MP
Deputy Premier
Minister for Climate, Environment and Water
Minister for Industry, Innovation and Science
Minister for Defence and Space Industries
Level 13, State Administration Centre
200 Victoria Square, Adelaide SA 5000
Tel (08) 8226 8520
Email: OfficeoftheDeputyPremier@sa.gov.au

Dear Mayor Wisdom

Thank you for your letter dated 5 May 2022 regarding the proposal to include Lobethal Bushland Park in the state's national park system, and offering congratulations for my appointment as Deputy Premier and Minister for Climate, Environment and Water.

Lobethal Bushland Park is a wonderful example of a diverse environmental asset supported closely by community. The Adelaide Hills Council should be commended for the implementation of the park's recent master plan, which will oversee important recovery work following the impacts of the Cudlee Creek Bushfire.

At this point in time, exploring the transfer of Lobethal Bushland Park to the government will not be pursued. However, I do look forward to working with Council on future opportunities to protect and conserve biodiversity in the Adelaide Hills and Mount Lofty Region.

For further information on this matter, please contact Mr Michael Williams, Executive Director, National Parks and Wildlife Service within the Department for Environment and Water on email mike.williams@sa.gov.au or phone 0418 818 522.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Susan Close'.

Hon Susan Close MP
Deputy Premier of South Australia
Minister for Climate, Environment and Water

20 / 06 / 2022



**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 July 2022
AGENDA BUSINESS ITEM**

Item: 11.1 Motion on Notice

Originating from: Cr Mark Osterstock

Subject: Campbelltown City Council Boundary Reform Proposal - Oversight by CEO Performance Review Panel

1. MOTION

I move that:

1. That Council amends the Terms of Reference for the CEO Performance Review Panel [the Panel], Section 3, Special Functions, to include the following:
 - 3.1.6 – Other matters as determined by Council.
2. That all matters relating to the issue of the Campbelltown City Council’s Boundary Reform Proposal [Woodforde and Rostrevor] become the responsibility and function of the CEO Performance Review Panel, with a view to the Panel making recommendations to Council for consideration, and action, as the case may be.
3. That Council authorizes the Panel to be able to seek legal, and or other advice, [up to a maximum of \$10,000.00 GST exclusive] in respect to matters relating to Campbelltown City Council’s Boundary Reform Proposal, in consultation with the CEO and/or his delegate.
 - a. Any legal, and or other advice, sought by the Panel in this way will be reported to Council at the earliest available meeting (which may be conducted ‘in confidence’ for this purpose pursuant to the provisions of the *Local Government Act 1999*).
 - b. The legal advice will also be provided to the CEO [or his delegate] at the earliest opportunity in the event of his absence.
 - c. The procurement of legal and or other advice must be conducted in accordance with Council’s *Procurement Policy* although procedural elements of the Procurement Framework may not, due to urgency, be able to be complied with contemporaneously.
4. That the CEO Performance Review Panel Terms of Reference be amended, as the case may be, to give effect, if necessary, to the aforementioned resolutions.

2. BACKGROUND

This matter is of such significance, for obvious reasons, to Adelaide Hills Council and its community, that, in my view, it warrants the management and oversight by Elected Members, in order to manage, oversee and respond to this issue going forward.

My view is that the management and oversight of this issue is best served through a committee process, in order to assist Council in the performance of its functions and duties in managing this matter, and the making of appropriate recommendations to Council for consideration, and action as the case may be. This motion seeks to achieve these desired outcomes.

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

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 5	A Progressive ORGANISATION
Objective O4	We actively represent our community
Priority O4.3	Advocate to, and exert influence with, our stakeholders on behalf of our community to promote the needs and ambitions of the region
Priority O4.4	Explore council boundary reform options that best serve the community.
Objective O5	We are accountable, informed, and make decisions in the best interests of the whole community
Priority O5.1	Enhance governance structures and systems to prudently adapt to changing circumstances and meet our legislative obligations

All parts of the Motion have the potential to contribute to the achievement of the above strategic priorities.

➤ Legal Implications

Council boundary reform provisions are contained within Chapter 3 - Constitution of councils, Part 2 – Reform proposals of the *Local Government Act 1999* (the "Act"). The current iteration of these provisions came into effect on 1 January 2019.

Collectively these provisions establish the Boundaries Commission of South Australia (the "Commission") as the body that receives, assesses and makes recommendations to the Minister for Local Government on proposals developed in accordance with principles set out in the Act and procedures developed by the Commission.

There are two categories of proposal: Administrative Proposals (these are minor boundary adjustments to correct anomalies and to facilitate a development that has been granted authorisation under the *Planning, Development and Infrastructure Act 2016*) and General Proposals (which are all proposals that are not Administrative Proposals - in practice these are for the more substantial council boundary changes and amalgamations). Proposals can be initiated by one of more councils, the public, the Minister or either House of Parliament.

In accordance with s27(2) of the Act, the Commission has prepared and published a series of guidelines for the purposes of processing reform proposals.

As this report deals with a General Proposal submitted by a council, subsequent information will focus on the processes associated with this form of proposal only.

The following is a brief overview of the General Proposal process as contained in the Commission's guidelines:

Stage 1 *Submission by the initiating council containing brief overview of the reform proposal*

- The Commission reviews the submission and if it considers it has merit it will advise the initiating council that they can refer a Stage 2 proposal to the Commission.

Stage 2 *Detailed submission by the initiating council addressing the 12 principles set out in s26 and the additional requirements of the application guidelines*

- The Commission reviews the proposal against the principles and guidelines and will advise the initiating council:
 - That the proposal lacks merit (and will not be continued in its current form); or
 - That additional information is required to establish merit; or
 - The proposal has merit.
- Where the Commission determines that a proposal has merit it will advise the initiating council that the Commission intends to (independently) inquire into the proposal, the initiating council will be provided with an estimate of the cost of the independent inquiry and will need to resolve to process (and fund the inquiry).

Stage 3 *Inquiry by Commission-appointed investigators into the merits of the proposal*

- The investigators will assess the proposal against the s26 principles, financial and resource implications, extent of community support, employment implications, etc.
- Affected councils are able to make submissions to the investigators and to provide information to assist inquiry, as requested.

Stage 4 *The Commission prepares a reform Proposal Report and this is provided to the Minister and is published on the Commission's website*

- The Minister may request consideration of suggestions for report resubmission, if resubmitted the revised report is also a public document
- If the Minister accepts the recommendations, it is sent to the Governor for proclamation and comes into effect

If the CCC Proposal proceeds to Stage 3, all parts of the Motion, in particular Part 3, have the potential to contribute to AHC's submissions to the Boundaries Commission Inquiry.

CEO Performance Review Panel

The CEO Performance Review Panel (CEOPRP) is established under s41 of the Act. These committees can be established under that section for the following functions:

- To assist the council in the performance of its functions;
- To inquire into and report to council on matter within the ambit of the council’s responsibilities;
- To provide advice to council;
- To exercise perform or discharge delegated powers functions or duties.

Council has one other s41 committee being the Audit Committee which is required to be established under s126 of the Act and has mandated functions. In contrast, the CEOPRP has been established at the discretion of Council (i.e. no legislative requirement). As such it is within the Council’s powers to amend the Terms of Reference (TOR) as proposed in Motion Parts 1 & 4.

Section 41 committees operate under a TOR or Charter which encapsulates the key elements of that committee’s function as required under section 41 and to give practical effect to the operation of the committee. The CEOPRP’s TOR is at **Appendix 1**.

The role of the CEOPRP as set out in the Terms of Reference is as follows:

2. ROLE

2.1 The Council is responsible for the selection, remuneration and management of the Chief Executive Officer (CEO). The overall role of the Panel is to provide advice to Council on matters relating to the performance and development of the CEO.

➤ **Risk Management Implications**

Having clear and consistent roles and functions for Council and its 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)	Low (3E)	Low (3E)

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

Undertaking a strategic and robust approach to boundary alignment will assist in mitigating the risk of:

Realignment of Council boundaries (whether acquisition or relinquishment) leading to financial, resource allocation, social and representation changes

Inherent Risk	Residual Risk	Target Risk
High (2B)	Medium (3C)	Medium

All Parts of the Motion have the potential to contribute to the achievement of the above strategic priorities.

➤ **Financial and Resource Implications**

The financial implications associated with amending the Terms of Reference to include responsibility for boundary reform (i.e. Motion Parts 1, 2 & 4) would involve costs associated with meals and sitting fees for any additional meetings (approx. \$600/meeting), which are not currently provided for in the 2022-23 budget. A budget review would be required, and this would likely reduce the Council's budgeted surplus.

The resource implications of additional CEOPRP meetings would be approx. 20 hours/meeting depending on the agenda reports required. Servicing this requirement is likely to result in delays in the completion of other Governance and Performance activities and deliverables.

The financial implications associated with the allocation of \$10,000 for legal/professional advice (i.e. Motion Part 3) is not currently provided for in the 2022-23 budget. A budget review would be required, and this would likely reduce the Council's budgeted surplus.

The resource implications associated with engaging, briefing and managing a legal/professional services provider would be approx. 20 hours depending on the complexity of the matters involved. Servicing this requirement is likely to result in delays in the completion of other Governance and Performance activities and deliverables.

To be clear and, as distinct from the above, the potential outcomes of the boundary reform proposal could have significant financial and resource implications.

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

Amending the CEOPRP TOR to include responsibility for boundary reform and engaging legal/professional advice (i.e. Motion Parts 1, 2, 3 & 4) would have negligible customer service/community implications.

To be clear and, as distinct from the above, the potential outcomes of the boundary reform proposal could have significant community implications.

➤ **Sustainability Implications**

Amending the CEOPRP Terms of Reference to include responsibility for boundary reform and engaging legal/professional advice (i.e. Motion Parts 1, 2, 3 & 4) would have negligible sustainability implications.

To be clear and, as distinct from the above, the potential outcomes of the boundary reform proposal could have significant sustainability implications.

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Council has had many workshops on the matter of the CCC Boundary Reform proposal but has not specifically discussed the parts proposed in this Motion on Notice.

Advisory Groups: Not Applicable

External Agencies: South Australian Local Government Boundaries Commission (Boundaries Commission) - in relation to the status of the CCC proposal and the boundary reform process.

Community: Not Applicable

4. ANALYSIS

CEO Performance Review Panel

The CEOPRP commenced in its current form in February 2014. At the time, it was quite innovative being both a s41 Committee and having an Independent Member, characteristics that the remainder of the sector is only now beginning to replicate.

Clause 1 of the TOR clarifies that the CEOPRP does not have an executive power or authority to implement actions, nor does it have any delegated financial responsibility.

Clause 3 of the TOR (**Appendix 1**) defines the functions of the CEOPRP as: to determine and monitor the annual performance targets for the CEO under his Employment Agreement; to review the CEO's performance against the Performance Targets and position description; to identify development opportunities; and to review the remuneration and conditions of employment.

Clause 5 of the TOR requires that the Independent Member shall have recent and relevant skills and experience in fields related to the role and functions of the Panel.

The meeting schedule of the Panel is largely driven by the CEO Performance and Remuneration Review Schedule adopted by Council. The final Ordinary Meeting for this Council term is scheduled for 4 August 2022. Any additional meetings will need to be called as Special Meetings.

In summary, this is a committee that is tightly focussed on the CEO's performance, development, and remuneration under the provisions of his Employment Agreement.

Status of CCC Boundary Reform Proposal

The matter of the CCC Boundary Reform proposal has been the subject of many agenda reports and Motion on Notices (MON) to Council since CCC lodged their Stage 1 Submission on 22 January 2019. It is not intended to recap these for the purposes of this MON.

Throughout the 3.5 year journey the Council has been provided with updates on the status of the proposal and, where necessary, has resolved for actions to take place, examples include commissioning a resident's survey and correspondence to CCC, the Boundaries Commission and GAROC. Council Members have also received regular timely email correspondence from the Administration regarding the status of the proposal.

Since the last fulsome update in early 2021, there has been little progress by CCC until recently. The following is a summary of recent events (which were all communicated contemporaneously to Council Members via email):

- | | |
|---------------|--|
| 14 April 2022 | CCC lodged their Stage 2 Proposal, under delegation, to the Boundaries Commission. As it was made under delegation there were no reports provided to CCC in the lead up as the AHC Administration monitors all CCC agendas. |
| 9 May 2022 | Mayor Wisdom wrote to the Boundaries Commission Chair seeking to make a submission and/or attend their upcoming meeting when they were to consider the CCC Stage 2 proposal. |
| 11 May 2022 | Boundaries Commission Chair declined to permit Mayor Wisdom to make a submission or attend the Commission's 18 May 2022 meeting. |
| 18 May 2022 | Boundaries Commission met to consider the CCC Stage 2 proposal. |
| 6 June 2022 | Boundaries Commission Chair wrote to CCC Mayor requesting, by 30 June 2022, further information regarding the advantages and disadvantages of the Proposal and seeking a clear cadastral and topographic map. The Chair advised that consideration of the Proposal was deferred until the requested information was provided. The Chair also advised that when the requested information is provided that the Commission will determine whether to progress to a Stage 3 Inquiry and anticipates that any Inquiry would likely be undertaken following the 2022 local government election. |
| 28 June 2022 | CCC Mayor wrote to Boundaries Commission Chair providing the requested Supplementary Information. |
| 15 July 2022 | AHC Mayor wrote to the Boundaries Commission Chair outlining key concerns regarding the CCC Supplementary Information. |
| 20 July 2022 | Boundaries Commission met to consider the CCC Supplementary Information and the AHC correspondence. |

Overseeing the Council's response to the CCC Boundary Reform Proposal

As set out in the Legal Implications section above, prior to a Stage 3 Inquiry, an affected council (such as AHC) has little to no role in the formal boundary reform process as set out by the Boundaries Commission procedures.

If following its consideration of the CCC Stage 2 Proposal and Supplementary Information, the Commission determines that the proposal is not sufficiently meritorious to proceed to a Stage 3 Inquiry, the matter is effectively finished and there is no further work for AHC to do.

If however the Commission does determine to proceed to an Inquiry, AHC will have its opportunity (but also the legal obligation) to provide the requested information to the Commission-appointed independent Investigator(s). This information is expected to be considerably detailed to enable the Investigator to assess the proposal against the Principles contained in S26 of the *Local Government Act 1999* (**Appendix 2**).

While the actual mechanics of this process is not known, it is anticipated that it will initially involve the preparation of a submission covering many avenues of inquiry related to the Principles and then be direct follow-ups and clarifications between the Investigator and the Administration on specific elements. On a practical level, while the initial submission of information could be reviewed by an oversight body it is unlikely that any of these bodies would be providing much of the actual technical input to the submission or be able to meet with the required frequency to deal with the follow-ups and clarifications.

If the CCC proposal progresses to a Stage 3 Inquiry, it is entirely reasonable and appropriate that AHC's submissions and associated information provision is monitored/overseen by the Council or a delegate. There are three broad options for an oversight body and each will be briefly analysed:

- Council (the elected body)
- Repurposed s41 Committee
- Working Group

Council

As the premier body with responsibility for all of the entity's roles, functions and obligations, the Council is the ultimate oversight body. To date the Council has overseen, directed and monitored the AHC actions associated with the CCC Proposal.

The key perceived advantages of the Council having (continuing) this role is that it is entirely consistent with its purpose and membership, it meets regularly and can/does conduct Special Meetings on short notice, as required. It can make decisions in its own right and does not need a delegation or to refer matters elsewhere for decision.

The key perceived disadvantages of the Council having this role is that there may be a need for frequent updates or decisions resulting in the cost and resource implications of conducting meetings. This can be mitigated via email updates and utilising existing gatherings (such as workshops) to conduct Special Meetings as required. Further, Council Meeting procedure does not easily lend itself to collaborative submission development although meeting procedures can be suspended as required.

Repurposed s41 Committee

As per the MON Part 2 it is proposed that the CEOPRP, via an amended TOR (Parts 1 & 4) so that:

‘..the issue of the Campbelltown City Council’s Boundary Reform Proposal [Woodforde and Rostrevor] become the responsibility and function of the CEO Performance Review Panel, with a view to the Panel making recommendations to Council for consideration, and action.’

The key perceived advantages of the CEOPRP having this role is the belief that a committee structure strikes a better balance between prudent oversight (involving some Council Members) and flexibility/agility (through more flexible meeting arrangements).

The key perceived disadvantages of the CEOPRP having this role are that it’s a committee established for a specific purpose and its membership (including the Independent Member) have been specifically selected and appointed to fulfil that purpose. The proposed amendment is inconsistent with the core purpose and membership. Further, needing to provide advice to Council for decision may not be sufficiently timely. As identified in the Financial and Resource Implications section above, there would be costs and resource implications associated with additional CEOPRP meetings.

Working Group

A Working Group (similar to the Community & Recreation Facility Framework Working Group) could be established to provide oversight on matters activities associated with the CCC proposal.

The key perceived advantages of a Working Group having this role are the potential flexibility and agility of such a Group without restrictive meeting procedure nor costs associated with sitting fees.

The key perceived disadvantages of the Working Group having this role are that they (i.e. working and advisory groups) have no official status (although would be subject to the provisions relating to Information or Briefing Sessions), cannot be delegated powers from Council, cannot provide direction to staff, and all matters would need to be referred to Council for decision. Further, needing to provide advice to Council for decision may not be sufficiently timely. There would also be costs and resource implications associated with conducting Working Group meetings.

Timing of any oversight arrangement changes

The Boundaries Commission met on 20 July 2022 to consider the CCC Supplementary Information and the outcome of the meeting was not known at the time of agenda compilation. However, as advised by the Boundaries Commission in its 6 June 2022 correspondence, should the decision be made for an Inquiry be undertaken, it would likely be undertaken following the 2022 local government election.

As such, the timing of any changes to the oversight arrangements prior to the election need to be considered as there would be minimal work undertaken (and oversight required) prior to the appointment of an Investigator and the commencement of the Inquiry.

Funds to provide for the engagement of legal/professional advice

If the Commission does determine to proceed to an Inquiry, it would be prudent to have a budget allocation to engage legal/professional advice, as and when required. This advice could be utilised both in terms of the technical content of AHC's submissions but also in relation to the processes of the Boundaries Commission. As identified in the Financial and Resource Implications section above, any such budget allocation is not currently provided for and would impact the Council's surplus.

If the other Parts of the MON are not supported by Council, the wording of Part 3 will need to be amended to be stand-alone.

5. APPENDICES

- (1) *CEO Performance Review Panel Terms of Reference*
- (2) *Local Government Act 1999 extract - s26 Principles*

Appendix 1
CEO Performance Review Panel Terms of Reference

ADELAIDE HILLS COUNCIL

CEO Performance Review Panel



TERMS OF REFERENCE

1. ESTABLISHMENT

- 1.1 The CEO Performance Review Panel (the Panel) of Council is established under Section 41 of the *Local Government Act 1999* (the Act).
- 1.2 The Panel 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 Panel does not have any management functions and is therefore independent from management.

2. ROLE

- 2.1 The Council is responsible for the selection, remuneration and management of the Chief Executive Officer (CEO). The overall role of the Panel is to provide advice to Council on matters relating to the performance and development of the CEO.

3. SPECIFIC FUNCTIONS

- 3.1 The function of the Panel is to provide advice to Council on the CEO's performance and development, including the following matters:
 - 3.1.1 Determining the Performance Targets for the forthcoming 12 month performance period;
 - 3.1.2 Monitoring the progress on the CEO's agreed Performance Targets for the current 12 month performance period;
 - 3.1.3 Reviewing the CEO's performance over the preceding 12 month performance period, in particular the performance against the agreed Performance Targets and position description requirements;
 - 3.1.4 Identifying development opportunities for the CEO; and
 - 3.1.5 Reviewing the remuneration and conditions of employment of the CEO.

4. OTHER MATTERS

The Panel 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 Where the Panel is required to act jointly with or to obtain the concurrence of the CEO in the performance of its functions, the Council expects that both parties will negotiate and consult in good faith to achieve the necessary objectives; and
- 4.5 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 Panel will comprise five (5) members as follows:
 - 5.1.1 Mayor and Deputy Mayor;
 - 5.1.2 Two (2) Council Members ; and
 - 5.1.3 One (1) Independent Member.
- 5.2 All members of the Panel will be appointed by the Council.
- 5.3 The Independent Member of the Panel shall have recent and relevant skills and experience in fields related to the role and functions of the Panel.
- 5.4 It is desirable for the Council Members to be appointed to the Panel to have a sound understanding of the role and functions of the Panel.
- 5.5 In considering appointments to the Panel, Council should give consideration to the diversity of the membership.
- 5.6 Appointments to the Panel 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.

6. SITTING FEES

- 6.1 The applicable Remuneration Tribunal (or its successor) Determination outlines the applicable allowance for Council Members on the Panel.
- 6.2 The Independent Member is 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 Panel.
- 7.2 The Council authorises the Panel to determine if there will be a Deputy Presiding Member of the Committee and, if so, authorises the Panel to make the appointment to that position for a term determined by the Panel.
- 7.3 If the Presiding Member of the Panel 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 Panel are absent from a meeting of the Panel, then a member of the Panel 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 Panel 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 Panel's reporting and accountability requirements are:

8.1.1 The minutes of each Panel 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 Panel;

8.1.3 The panel 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 Panel'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 Panel 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 Panel, the Panel may determine its own procedure.

9.2 In accordance with Section 90(7a), one or more panel members may participate in the meeting by telephone or other electronic means provided that members of the public can hear the discussion between all Panel members.

9.3 Only members of the Panel are entitled to vote in Panel meetings. Unless otherwise required by the Act not to vote, each member must vote on every matter that is before the Panel for decision.

9.4 Council Employees may attend any meeting as observers or be responsible for preparing papers for the Panel.

10. SECRETARIAL RESOURCES

- 10.1 The Chief Executive Officer shall provide sufficient administrative resources to the Panel to enable it to adequately carry out its functions.

11. FREQUENCY OF MEETINGS

- 11.1 The Panel shall meet at appropriate times and places as determined by the Panel. 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 Panel is authorised to cancel the respective Panel 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 Panel 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 Panel by email or as otherwise agreed by Panel 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 Panel, unless prohibited by resolution of the Panel under the confidentiality provisions of Section 90 of the Act.
- 12.4 Members of the public have access to all documents relating to the Panel unless prohibited by resolution of the Panel 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 Panel, 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 Panel meetings shall be circulated within five days after a meeting to all members of the Panel and will (in accordance with legislative requirements) be available to the public.

Appendix 2

Local Government Act 1999 extract - s26 Principles

Principles for Boundary Reform Proposals

The *Local Government Act 1999* provides the following guidance to the Boundaries Commission on matters to be considered when arriving at recommendations regarding reform proposals

26—Principles

- (1) The Commission should, in arriving at recommendations for the purposes of this Chapter (but taking into account the nature of the proposal under consideration), have regard to—
 - (a) the objects of this Act; and
 - (b) the roles, functions and objectives of councils under this Act; and
 - (c) the following principles:
 - (i) the resources available to local communities should be used as economically as possible while recognising the desirability of avoiding significant divisions within a community;
 - (ii) proposed changes should, wherever practicable, benefit ratepayers;
 - (iii) a council should have a sufficient resource base to fulfil its functions fairly, effectively and efficiently;
 - (iv) a council should offer its community a reasonable range of services delivered on an efficient, flexible, equitable and responsive basis;
 - (v) a council should facilitate effective planning and development within an area, and be constituted with respect to an area that can be promoted on a coherent basis;
 - (vi) a council should be in a position to facilitate sustainable development, the protection of the environment and the integration of land use schemes;
 - (vii) a council should reflect communities of interest of an economic, recreational, social, regional or other kind, and be consistent with community structures, values, expectations and aspirations;
 - (viii) a council area should incorporate or promote an accessible centre (or centres) for local administration and services;
 - (ix) the importance within the scheme of local government to ensure that local communities within large council areas can participate effectively in decisions about local matters;
 - (xi) residents should receive adequate and fair representation within the local government system, while over-representation in comparison with councils of a similar size and type should be avoided (at least in the longer term);
 - (xii) a scheme that provides for the performance of functions and delivery of services in relation to 2 or more councils (for example, a scheme for regional governance) may improve councils' capacity to deliver services on a regional basis and therefore offer a viable and appropriate alternative to structural change; and

- (d) the extent and frequency of previous changes affecting the council or councils under this Chapter or the repealed Act.
- (2) The Commission should, so far as is relevant, give preference to structural changes that enhance the capacity of local government to play a significant role in the future of an area or region from a strategic perspective.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 July 2022
AGENDA BUSINESS ITEM**

Item: 11.2 Motion on Notice

Originating from: Cr Malcolm Herrmann

Subject: Speed Limit Review Cudlee Creek

1. MOTION

I move that the CEO writes to the Chief Executive Officer, Department of Infrastructure and Transport (DIT) requesting DIT to undertake a review of the speed limit on Gorge Road, Cudlee Creek between the intersection with Prairie Road and the intersection with Cudlee Creek Road, but concentrating on the area in the vicinity of the intersection with Redden Drive.

2. BACKGROUND

The current speed limit on Gorge Road is 80kph except for two short sections one near the Cudlee Café and the other near the intersection with Redden Drive near the Cudlee Creek Tavern as shown in the attachment.

Some residents and community groups, including the local CFS, consider that the speed limit on Gorge Road between Cudlee Creek and Prairie Roads should be reduced to 50kph. The road is cornery and with two narrow bridges over the River Torrens. In addition, there are multiple speed advisory signs as low as 35kph. The section of road between the Lobethal to Tippett Roads carries a large amount of traffic including heavy vehicles moving from Lenswood and Lobethal travelling across to the northern suburbs.

There is limited visibility of Gorge Road from Redden Drive. The Cudlee Creek Tavern, Caravan Park, the Community Hall, a recently installed bus shelter and the Gorge Wildlife Park are in the near vicinity often generating considerable pedestrian traffic.

Currently, there is an 80kph limit on Gorge Road leading into Cudlee Creek East which changes as one heads west to 60kph by the Cudlee Café, changes back to 80kph near the intersection with Hollands Creek Road (where the CFS is located) and then back to 60kph near the bridge over the River Torrens near the Cudlee Creek Tavern. The proposal, if approved would see just two limits - an 80kph and a 50kph.

The former Government responded positively to Council's earlier request for a reduction in the speed limit from 100kph to 80kph on Torrens Valley Road, Birdwood. When approving this reduction, the then Minister for Transport, the Hon Corey Wingard, indicated that an investigation would be undertaken into the appropriateness of all road speed limits in the Adelaide Hills.

I am unaware of progress made on this investigation, but, if it is still in progress, this proposal could be incorporated into that larger review.

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

➤ **Strategic Management Plan/Functional Strategy/Council Policy Alignment**

Strategic Plan 2020-24 – A brighter future

Goal A Progressive Organisation

Objective 4 We actively represent our community

Priority 4.3 Advocate to, and exert influence with, our stakeholders on behalf of our community to promote the needs and ambitions of the region

Liaising with key Stakeholders such as State Government (DIT in this instance), to seek review of decisions reinforces to the Community that we are representing their interests.

➤ **Legal Implications**

Approval for setting speed limits across the state on all roads is the responsibility of the State Government and is assessed and approved by the Department for Infrastructure and Transport.

➤ **Risk Management Implications**

The detailed speed limit assessment process will assist in mitigating the risk of:

Speed limit requests resulting in inappropriate and inconsistent speed controls

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

➤ **Financial and Resource Implications**

The staff time to arrange the correspondence is the only cost to Council.

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

The Community seeking the review will appreciate Council’s advocacy in seeking a review by DIT of the speed limits currently in place.

➤ **Sustainability Implications**

Not Applicable

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

External Agencies: Department for Infrastructure & Transport Traffic Officer

Community: Not Applicable

4. ANALYSIS

Following conversations with the relevant Traffic Officer from the Department for Infrastructure and Transport (DIT), I can confirm that Gorge Rd is included in the current Adelaide Hills Speed Limit review. It should be noted that the review is only looking at DIT managed roads and is primarily focused on higher speed roads; so it is possible that a reduction from 60 to 50 would not be prioritised as part of that review, but may be separately assessed.

DIT has received direct representation from the community previously regarding the requested speed reduction outlined in the background above, and have previously advised that they consider the current speed limits are appropriate, with no change supported.

DIT currently has a backlog of speed limit review requests, so there are known protracted time frames for processing these reviews. This is consistent with Council's recent experience, where it took five months to reject our request to reduce the speed limit on Longwood and Red Hill Roads.

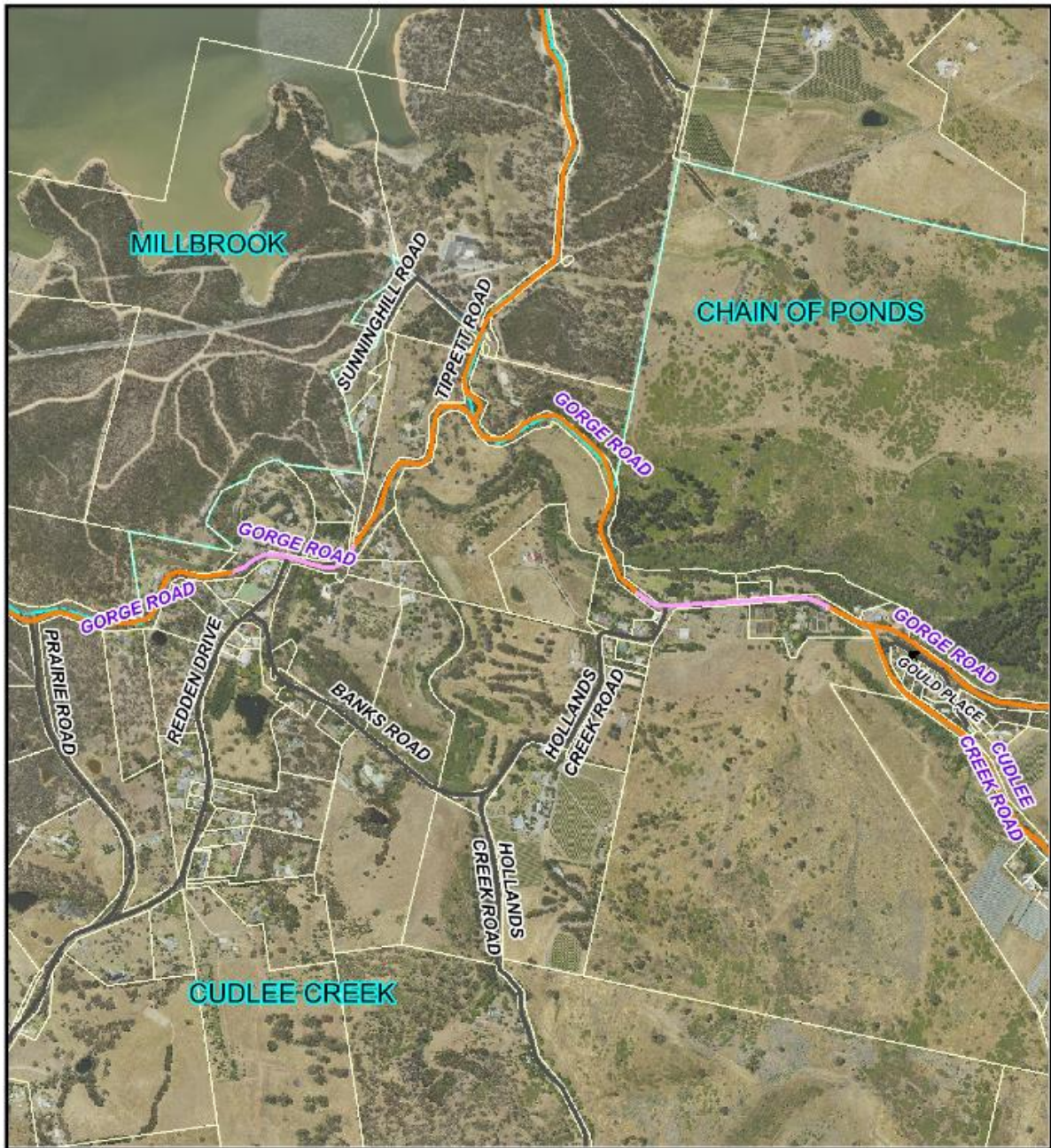
Whilst preliminary conversation and recent decisions suggest that it is unlikely that DIT will favourably consider the request to reduce the speed through the townships from 60 to 50 km/hr, Council writing to DIT and asking them to review the decision demonstrates our support for the locally affected community and is supported by the Administration.

5. APPENDIX

(1) Map showing current speed limits which are proposed for review

Appendix 1
*Existing Speed Limits along Gorge Road Cudlee
Creek*

Existing Speed Limits Along Gorge Road CUDLEE CREEK



- LEGEND**
- ◆ Road Signs
 - DIT Roads by SPEED LIMIT
 - 60
 - 80
 - AHC Roads
 - Property Outlines
 - Suburbs



SCALE
1:12,500 if Printed on A4
1cm on the map
represents 125m on the ground

0 500
meters
Scale 1:12,500

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**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 July 2022
AGENDA BUSINESS ITEM**

Item: 12.1

Responsible Officer: Jennifer Blake
Manager Communications, Engagement and Events
Community Capacity

Subject: Support for Road Closures – 2022 Adelaide Hills Rally

For: Decision

SUMMARY

The purpose of this report is to seek Council consent to road closure orders proposed in the Application Form (**Appendix 1**) for the conduct of the 2022 Adelaide Hills Rally organised by Ultimate Motorsport Events Pty Ltd. (UME).

The proposed 2022 Adelaide Hills Rally will run over three days, with one day taking place on unsealed roads within the Adelaide Hills Council district on Saturday 22 October 2022. This will be the fourth iteration of the event and the routes to be used and extent of closures are largely unchanged.

For these events to run successfully throughout the Adelaide Hills, a number of full road closures are required. Before a road closure order can be issued by the Commissioner of Police, consent must be obtained from the applicable local council(s). The full list of proposed closures is included under Section 2 of this report (Analysis).

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
2. That, in relation to the 2022 Adelaide Hills Rally, Council supports the event contingent on the organisers, to the satisfaction of the Chief Executive Officer:
 - a. Complying with Council's *Festivals and Events Policy – Guideline No. 1 for Competitive Motoring Events*
 - b. Providing evidence of satisfactory insurance to cover any damage to third party property caused by the event
 - c. Entering into a road repair agreement with Council to cover any rectification works required as a result of damage caused by the event
 - d. Providing confirmation that the affected business owners are aware of the road closures
 - e. Providing written confirmation that the concerns raised by affected residents and businesses have been addressed (noting that not all concerns can necessarily be addressed to the satisfaction of all residents and businesses) and that the event

- organisers will make their best endeavours to arrange for egress and ingress to those properties within the event where possible where a pressing need has been advised in advance
- f. **Written confirmation from the organisers that they will erect advance notice of road closures on the affected roads, at least three weeks prior to the event**
 - g. **Providing evidence of satisfactory procedures for enabling emergency services access to properties on the event route at all times.**
3. **That subject to the requirements of Item 2. being undertaken, Council provides consent for road closure orders in relation to Stage 2 of the event, to be held on Saturday 22 October 2022 as follows:**
- a. **Charligate Stage (Charleston)
Closure 10:30am – 4:00pm
Harrison Road, Kings Road, Burnley Road, Teakles Road, Lewis Road, Bell Springs Road and Warmington Run closed – from Quarry Road to Hollows Road (then continued into Mount Barker District Council)**
 - b. **Blumberg Creek Stage (Mt Torrens and Birdwood)
Closure 10:00am – 3:30pm
(From Mid-Murray Council) Hanham Road, Mcvitties Road, Number Four Road and Burton Road closed – from R Hicks Road to Onkaparinga Valley Road.**
4. **That the Council confirms that the Chief Executive Officer may use existing powers under delegation to consider, and determine whether or not to provide consent to, any proposals for changes to the road closures in the lead up to the event, so long as the overall scope of the event road closures remains similar to the proposal described above.**
-

1. BACKGROUND

In 2018 and 2019 the Adelaide Hills Rally ran from headquarters at the Mount Barker Showgrounds, with only one of four days of racing within the Adelaide Hills Council district.

In 2020 the Adelaide Hills Rally moved to set up its event headquarters in Birdwood, at the National Motor Museum, for a weekend of public activities. The 2021 event did not proceed due to the impact of border closures and health requirements.

The proposal for 2022 has the rally headquarters based at The Bend Motorsport Park, with three days of racing including the Stage 2 day within the Adelaide Hills Council district.

This event is important to the unsealed road rally sporting community, as it hosts Round 6 of the Australian Rally Championship, the final round of the South Australian Rally Championship, as well as the qualification final for the Asia-Pacific Rally Championship. This year also sees the addition of the Regularity Rally competition designed for novice competitors to learn about the sport.

The final stage of the event will also be broadcast live on Channel 7.

This event will be run under the jurisdiction and rules of Motorsport Australia (MA) (previously the Confederation of Australian Motor Sport [CAMS]) and carry the appropriate insurances and permits.

The Council's *Festivals & Events Policy* (the Policy) contains a specific appendix with guidelines for Competitive Motoring Events. These guidelines provide for road closures to be considered by Council on a case-by-case basis. The Policy requires six months' notice of the event followed by a Motoring Event Application with proposed road closures and a Consultation Report a minimum of three months prior to the event (**Appendix 2**). If road closures are approved by Council, written notification is required to be sent to affected businesses and residents at least three weeks before the event and Council-approved advanced warning signage must be installed along routes at least two weeks before the event. Provision of reasonable traffic detour information including online maps must be made available to Council and the community at least two weeks before the event is conducted.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal Community Wellbeing

Objective C6 Celebrate our community's unique culture through arts, heritage and events

Priority C6.2 Develop, support and bring events to our district that have social, cultural, environmental or economic benefits.

Council's Strategic Plan recognises that events play a key role in connecting our community and are an important contributor to economic and social prosperity. They offer an opportunity to bring communities together, welcome visitors to the area, promote the unique culture of the Hills and build community spirit.

The Council's current *Festivals & Events Policy* contains a specific appendix with guidelines for Competitive Motoring Events wherein road closures are considered by Council on a case by case basis.

Consideration of road closures is a matter of good governance. Some events rely on road closures to proceed. It follows that the Council needs to consider the impact of the road closures on the community and balance that against the benefits of the event going ahead.

➤ Legal Implications

Section 33 of the *Road Traffic Act 1961* (the "Act") allows the Minister to declare events to be events to which the Section applies, and then to declare road closures, part closures and exemptions to the Road Rules for that event.

Section 33(1):

On the application of any person interested, the Minister may declare an event to be an event to which this section applies and may do either or both of the following:

- a. make an order directing that specified roads (being roads on which the event is to be held or roads that, in the Minister's opinion, should be closed for the purposes of the event) be closed to traffic for a specified period in, or determined in accordance with, the order;*
- b. make an order directing that persons participating in the event be exempted, in relation to specified roads, from the duty to observe an enactment, regulation or by-law prescribing a rule to be observed on roads by pedestrians or drivers of vehicles.*

The Minister has delegated this power to the Commissioner of Police (as well as to Council for local roads).

In the case of the Adelaide Hills Rally, SA Police will issue the applicable road orders, including exemptions to the observance of certain road rules (including speed limits), for the vehicles involved in the event within the closed sections of road.

However, and importantly, subsection 33(2) of the Act states:

An order to close a road under subsection (1) can only be made with the consent of every Council within whose area a road intended to be closed by the order is situated.

While the Chief Executive Officer has delegation to act under subsection 33(2), Council always retains the powers to make road closure decisions under subsection 33(2).

➤ **Risk Management Implications**

Consent to full road closures for the 2022 Adelaide Hills Rally will assist in mitigating the risk of:

Conflicts between event participants, residents, business owners and road users leading to injuries and/or property/vehicle damage and/or financial loss to those affected parties. It also mitigates the risk of the event not being able to be conducted in our Council area.

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

The residual risk rating takes into consideration the provision of organisers' risk management plans, public liability insurance and on-site traffic marshals and action taken to mitigate resident and business concerns following public consultation. It also considers full road closures as approved by the Council or CEO under delegation and the event run in accordance with guidelines provided by Council and Motorsport Australia.

➤ **Financial and Resource Implications**

There is no direct financial cost to the Adelaide Hills Council for the delivery of this event.

An amount of staff time has been dedicated to working with the event organiser in the interests of achieving good outcomes for the community. This has been accommodated within normal operational resourcing and the organiser bears all the financial costs associated with the required community consultation. However, the organiser has been advised that the applicable application fee for temporary road closures will be charged in the future (this existing fee has not been charged in the past).

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

The Adelaide Hills Rally will have a direct effect on some residents through the closure of several roads. In line with the Council's *Festivals and Events Policy*, people on roads that are closed, or on roads that have no other access but onto closed roads, were given the opportunity to comment on the proposal. Their feedback on the road closures is detailed in the Additional Analysis section of this report and in **Appendix 2**.

Some negative feedback has been received from one resident of a stage route regarding the road closure, and organisers have responded to the concerned resident as detailed in **Appendix 2**. Two positive responses were also received.

The business community has potential to benefit from increased tourists to the area during the event. The event falls outside of fruit picking season, and as the event makes use of unsealed non-arterial roads, closures do not cause significant disruptions to commuters, tourists and through traffic.

➤ **Sustainability Implications**

There is potential for the event to impact the environment of residents and businesses as follows:

- Noise nuisance
- Litter from spectators
- Damage or adverse impact to roads, trees, livestock and other flora and fauna.

The cars involved in the event are required to meet certain noise standards and, while there will be some level of noise associated with the event; it will be capped according to standard road rules and Motorsport Australia (MA) guidelines. Additionally, MA scrutineers will be auditing the event for compliance before, during and post-event including decibel readings.

➤ **Engagement/Consultation conducted in the development of the report**

Event organisers have been in contact with Adelaide Hills Council staff about the 2022 Adelaide Hills Rally since the conclusion of the event in 2020, and cancellation of the event in 2021.

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

External Agencies: Fruit Producers SA

Community: The organisers have undertaken consultation with affected residents which, for the purposes of the *Festivals and Events Policy*, are those properties that lie directly along the proposed rally routes, or along roads that exit exclusively onto a proposed race route. A staff approved consultation letter as contained in **Appendix 4**, was sent in May to the ratepayers of these properties by event organisers and encouraged feedback about the proposed road closures to be submitted before 14 June 2022. The consultation report is attached in **Appendix 2**. SA Police will be engaged should Council approve the event's road closure orders.

➤ **Additional Analysis**

Council's *Festivals and Events Policy* provides criteria for Council staff in assessing the level of support for events. In this instance the organiser is seeking support for road closures as without this, the event will not be able to run in the Adelaide Hills Council district.

The *Festival and Events Policy*, Guideline No.1 for Competitive Motoring Events outlines considerations to help determine whether the benefits of the event outweigh the detriments around community impact, economic impact and environmental impact. A Consultation Report (**Appendix 2**) provided by the event organiser is required by the Policy to inform Council Assessment and decision-making.

The organisers sent Council-approved consultation letters to 77 directly affected residents and received three (3) responses. The following results are as per the Report:

- One submission objected to the closures (Charligate Stage)
- Two submissions supported the event (one Blumberg Creek Stage and one Charligate Stage)

The response to the objection, which includes a comprehensive list of FAQs, is available in the Consultation Report **Appendix 2**.

A response from Fruit Producers SA regarding the proposed road closures stated that they didn't envisage many concerns at this time of year as it will be outside of harvest periods.

Road closures

For motorsport events covering a number of roads across multiple council areas, the road closure order is normally made by a sub-delegate of the Commissioner of Police, who acts under ministerial delegation. The Council's role, albeit a critical one, is limited to providing or withholding consent to the road closure. The actual order is not made by the Council.

Council operational staff have advised that they have no general objections to the route proposed, but that some wear or damage is expected to the unsealed roads. This will be determined via dilapidation reports completed by Council staff and event organisers before and after the event. Recent years' events have not resulted in dilapidation of the road condition to any material degree. Any significant, accidental damage to the roads, boundaries, public or private property will be covered by the event's insurance with Motorsport Australia (MA).

Temporary closure of roads during the rally is requested to ensure the safety of event participants and the public in the area at the time. The organiser has undertaken to place reminder signage out at least two weeks prior to the event. Staff will recommend that the name of the event is included in the roadside signage to notify land and stock owners who were not included in the consultation area, of the event.

The full list of proposed road closures on Saturday 22 October 2022 is as follows:

- a. Charligate Stage (Charleston)
Closure 10:30am – 4:00pm
Harrison Road, Kings Road, Burnley Road, Teakles Road, Lewis Road, Bell Springs Road and Warmington Run closed – from Quarry Road to Hollows Road (then continued into Mount Barker District Council)
- b. Blumberg Creek Stage (Mt Torrens and Birdwood)
Closure 10:00am – 3:30pm
(From Mid-Murray Council) Hanham Road, Mcvitties Road, Number Four Road and Burton Road closed – from R Hicks Road to Onkaparinga Valley Road.

Timing of other road closures

The event organisers have focussed on stages that have low resident impact, and have tried to use routes that have not received a high amount of feedback in recent years. One stage (Charligate) has been modified slightly to make it a longer route from 2020.

The Policy guidelines require consideration of any other planned road closures within six months either side of the event and there is no expected use of these same unsealed roads.

Economic Impact

Participants and spectators are expected to spend time and money in nearby townships including Woodside, Mt Torrens, Birdwood, Lobethal and Charleston.

Environmental Impact

Minor vehicle incidents have occurred in previous years that were managed by the event response team and did not result in any vegetation damage. Fence repairs were made to a property on the day of the event in October 2020 and again in May 2021 when the owner contacted organisers to complain about the original incident and repair which he claims led to stock loss.

Post Event Report 2020

The organisers provide a post-event report each year with the report from the last event in 2020 attached as **Appendix 3**. No complaints were received direct to Council on event day, and after the event staff were included in correspondence from a resident with compliments to organisers for working with them on ingress and egress during breaks in the program to accommodate their family and friends to watch the rally. Civil Operations staff reported no additional repairs required to routes post-event.

3. OPTIONS

Council has the following options:

- I. Receive the report and resolve to consent to the road closures contemplated in this report (Recommended).
- II. Resolve not to provide consent for the road closures contemplated in this report. Should the Council not consent to some or all road closures proposed for this event, significant parts of the event, or the event in its entirety, would be unable to proceed as intended (Not Recommended).

4. APPENDICES

- (1) 2022 Adelaide Hills Rally Application Information
- (2) 2022 Adelaide Hills Rally Consultation Report
- (3) 2020 Adelaide Hills Rally Post-Event Report
- (4) 2022 Adelaide Hills Rally Consultation Letter to Residents

Appendix 1

2022 Adelaide Hills Rally Application Information

2022 ADELAIDE HILLS RALLY

October 20th to 23rd, 2022

Dear Council

The Event:

The 2022 Adelaide Hills Rally will burst into life at The Bend Motorsport Park (TBMP) from October 20th to 23rd. The event headquarters and main service park will be based at TBMP grounds and will be traversing the greater Adelaide Hills and Murraylands Regions.

The event not only brings three days of International (Asia Pacific Rally Championship) , National (Australian Rally Championship) & State (SA Rally Championship) Competition to some of the best and most technical roads Australia has to offer, it will also partner with Shannons Nationals (multiple categories) and The Bend Classic (F1 cars and Exotic Cars). A true Festival of Motorsport.

The 2022 Adelaide Hills Rally will host round 6 of the Australian Rally Championship (ARC) the final round of the South Australian Rally Championship as well as the qualification final for Asia Pacific Rally Championship.

The Event will be broadcast live on Channel 7 as well as several streaming channels and Facebook. It will also have an hour program post event on Channel 7 where the areas we run in will be showcased to an international audience.

The competition is going to be tense and tight, bringing a great spectacle to the region for all to watch. The best rally teams the Asia Pacific, Australia and SA have to offer will be on show, and thrillingly they will also be battling hard for event honours.

The 2022 Adelaide Hills Rally (AHR) will also present opportunities for those that have the desire to take part in the AHR Regularity Rally competition, a gravel rally experience for novices and those wishing to see what gravel rally is all about.

We look forward to meeting with you to further explore the benefits to the region, and to discuss the request for 2022.

We are very excited at the opportunity for the Adelaide Hills Council to align with UME at 2022 Adelaide Hills Rally and future events.

Yours sincerely

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The Program:

On the Thursday evening, in conjunction with Motorsport Australia, we will host a street party at an agreed location, featuring both Shannons National cars, Formula 1 cars and Rally cars on display. We are envisaging that East Terrace, in front of the Bridgeport Hotel Murray Bridge. There will be live streaming of this function from this location across the Motorsport Australia streaming services.

There will also be opportunities for the community to meet drivers and sign autographs, as well as a Q&A session held on stage.

Friday will be Day 1 of the event's competition and will commence with a Special Stage (SS) at Tailem Bend Motorsport Park (TBMP) in the evening.

Day 2 of competition on Saturday will see competitors taking part in stages throughout the Adelaide Hills eastern regions. The teams will compete from Monarto to Callington to Mt Torrens; with several returns to TBMP.

Saturday evening will have the SSS at TBMP Stadium Track, with competitors to competing head to head, two cars on the track at a time. The SSS will be live streamed by Motorsport Australia.

Day 3 on Sunday will see the event wholly incorporated into the greater festival that will be occurring at TBMP. The routes for the Special Stages will incorporate rally sprint tracks and bitumen circuit tracks, with link roads joining the loops together.

The finale will be the Power Stage, a very special stage that will be televised live on Channel 7.

The Benefits:

	No. People	No. Days	\$ per day	No. Nights	\$ per night	Total
Rally Competitors						
Competitors/Crews	480	5.0	\$75	5.0	\$150	\$ 540,000
Competitors Recce	150	2.0	\$75		\$150	\$ 22,500

Officials						
Pre-Event						
Officials Management	12	5.0	\$75	3.0	\$150	\$ 9,900
Event						
Officials Management	14	5.0	\$75	4.0	\$150	\$ 13,650
Officials Rally	250	5.0	\$75		\$150	\$ 93,750
Officials Track	100	3.0	\$75	3.0	\$150	\$ 67,500

Event TBMP & Rally						
Spectators Standard	3,000	2.5	\$75		\$150	\$ 562,500
Festival of Motorsport	1,300	2.5	\$75	2.5	\$150	\$ 731,250
Media	57	4.5	\$75	4.5	\$150	\$ 57,713
Motorsport Australia	10	4.5	\$75	4.5	\$150	

Total forecast \$ spend in region						\$ 2,098,763
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The Compliance:

To ensure the safety of the competitors and the general public we request a short-term closure under Section 33 of the Road Traffic Act, of the roads, which we would like to add to the competitive part of the route.

If Council approves our request, we will make every effort to run the rally with minimum inconvenience to residents.

Additionally, we will:

- Notify adjoining landowners in writing at least 3 months beforehand
- Compile a Traffic Management Plan
- Employ a Traffic Management company to undertake the Traffic Management Plan
- Leave all control areas in a clean and tidy state
- Notify the police of the running of the event and obtain permission to close the roads under Section 33 of the Road Traffic Act
- Notify the emergency services in the area
- Affect a public risk insurance policy through the Confederation of Australian Motor Sport (CAMS) which includes \$100 million public liability insurance. (A copy of the permit and insurance cover can be supplied if required).
- Place advice signs along all roads 4 weeks before the event to forewarn road users of impending road closure
- Advertise the road closures in the local papers the week before the event
- During the event, man the access points to these roads to advise users of the temporary restrictions

We run our events to Australia's best standards and have medical vehicles at the start of each competitive stage. If a land owner has an emergency during the road closure period, upon receiving notification we will stop the event and send in our medical vehicles which have trained Paramedics and a Fire Marshal. If an emergency worker lives on one of the roads we are using, and is called for duty, we will stop the event to let them attend the emergency.

We appreciate the consideration extended to us in our efforts to organise this event.

The Community:

The event will be utilising and supporting many sporting, volunteer emergency service and social groups through the region to aid in the running of the event. From an event perspective, all these groups will be getting both financial and social benefits.

In 2022, the route chosen will bypass the areas that have been challenging in the past. We will also have on board as a partner of the event, Adelaide and Hills Koala Rescue - 1300KOALAZ Inc. They will be aiding if there are any issues and satisfy those that may have concerns.

With the national focus on the Adelaide Hills and Murraylands Regions through the fact that it is a true Motorsport National Championship, the media coverage that the event will bring as well as all the teams that will be competing will highlight and showcase all the wonderful benefits that we know we have here. This will have positive financial flow on to businesses in the region.

Consultation Process:

We would adhere to council's requirement and expectations with this process.

The Request:

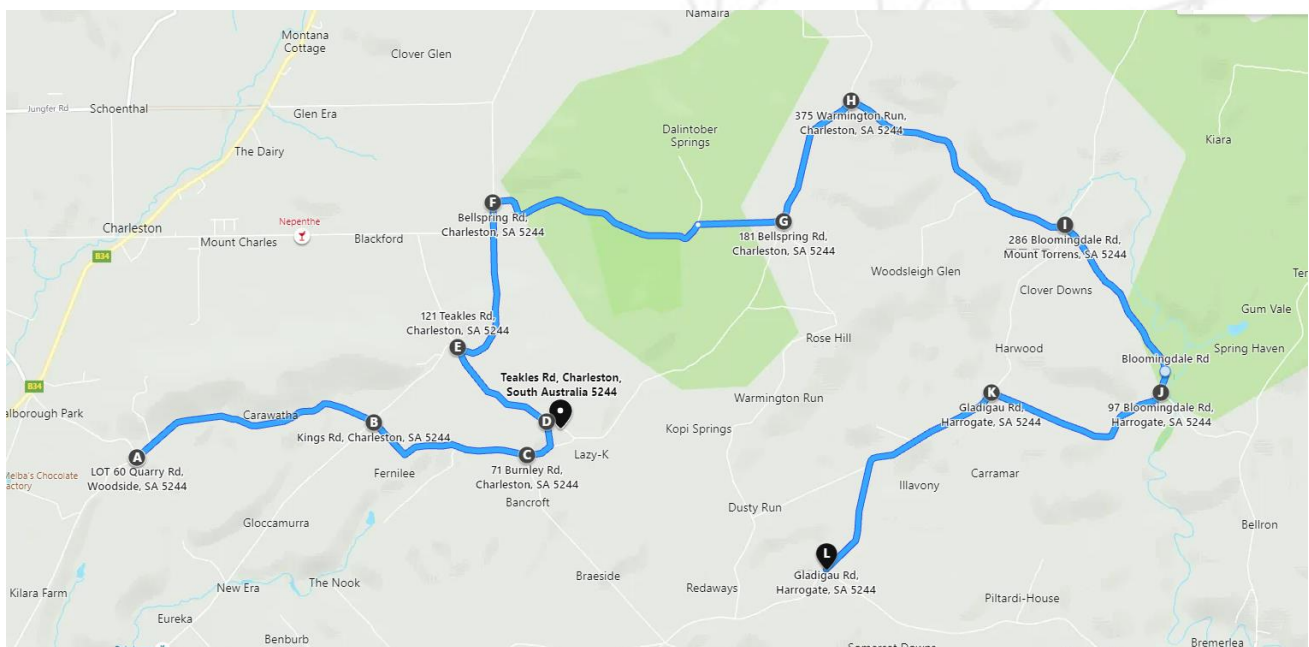
We would like to apply for the following roads to be closed by the Event.

The roads, the day & date and the times are:

Saturday 22nd of October 2022: (AHC/MBDC/MMC)

Charligate: 1030hrs – 1600hrs

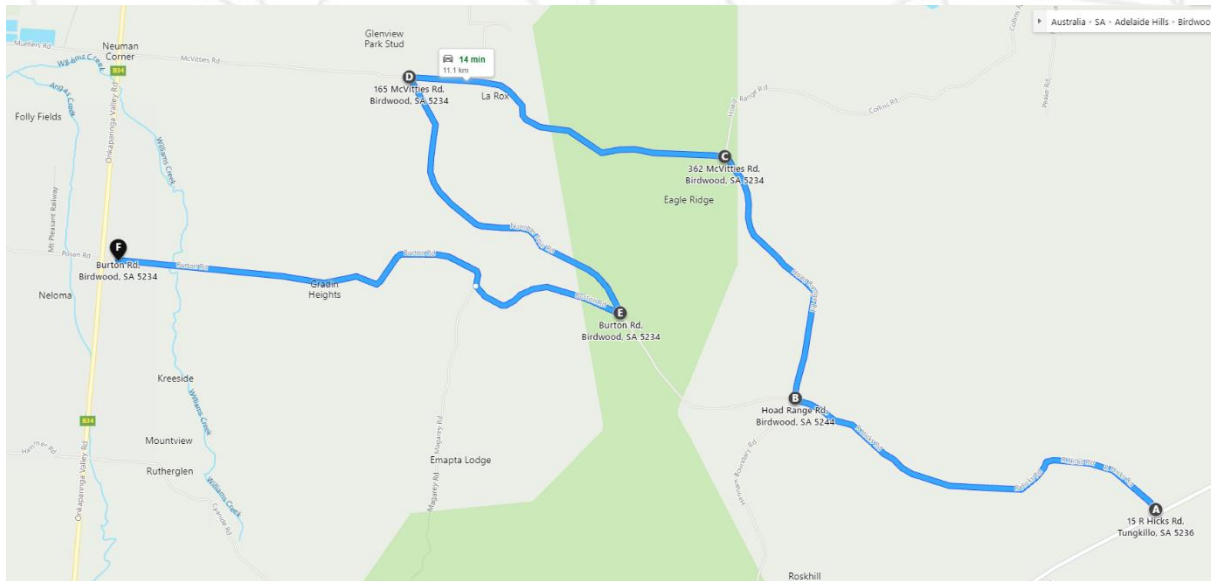
- A: Harrison Rd from Quarry Rd to Kings Rd
- B: Kings Rd from Harrison Rd to Burnley Rd
- C: Burnley Rd from Kings Rd to Teakles Rd
- D: Teakles Road from Burnley Road to Lewis Road
- E: Lewis Rd from Teakles Rd to Bell Springs Rd
- F: Bell Springs Rd from Lewis Rd to Warmington Run
- G: Warmington Run from Bell Spings Rd to Hollows Rd
- H: Hollows Rd from Warmington Run to Bloomingdale Rd
- I: Bloomingdale Rd from Hollows Rd to School Bus Rd
- J: School Bus Rd from Bloomingdale Rd to Gladigau Rd
- K-L: Gladigau Rd From School Bus Rd to Mail Rd



Saturday 22nd of October 2022:

Blumberg Creek – 1000hrs – 1530hrs (AHC/MMC)

- A: R Hicks Road from Terlinga Road to Hanham Road
- B: Hanham Road from R Hicks Road to McVitties Road
- C: McVitties Road from Hanahm Road to Number Four Road
- D: Number Four Road from McVitties Road to Burton Road
- E-F: Burton Road from Number Four Road to Onkaparinga Valley Road



Appendix:

Championships in SA – Motorsport Australia



Championships in SA

Exploring a new opportunity with
the Shannons Motorsport Australia
Championships and the RSEA
Safety Motorsport Australia Rally
Championship in South Australia



ABOUT THE SHANNONS MOTORSPORT AUSTRALIA CHAMPIONSHIPS

Motorsport Australia began managing the Shannons Motorsport Australia Championships in 2016.

The Championships were originally developed in 2006 as a cooperative effort between national level racing categories, circuit promoters and Motorsport Australia.

The Shannons Motorsport Australia Championships has become the premium destination for both drivers and spectators.

Spectators have the unique opportunity to get up and close to some of Australia's most exciting race cars.

With a number of exciting categories set to join the calendar in 2021, the Shannons Motorsport Australia Championships is fast becoming the most popular racing destination.

In 2022 the Shannons Motorsport Australia Championships will be racing across the country, with rounds in New South Wales, South Australia, Queensland and Victoria.



ABOUT THE RSEA SAFETY MOTORSPORT AUSTRALIA RALLY CHAMPIONSHIP

- » The RSEA Safety Motorsport Australia Rally Championship (ARC) is Australia's premier rally competition, featuring the best rally competitors across the country
- » Will visit seven states and territories in 2022, with each round supported by Motorsport Australia's significant investment
- » The ARC is underpinned by a strong club and state rally scene, featuring classes within the national competition
- » Creates an accessible pathway for rally competitors who aspire to participate in the national championship
- » The ARC is a feeder of talent to world rallying, with a number of ARC drivers and co-drivers currently flying the flag for Australia in the international rally scene



TWO CHAMPIONSHIPS: ONE EVENT

In an Australian motorsport first, Motorsport Australia will be combining the Shannons Motorsport Australia Championships and the RSEA Safety Motorsport Australia Rally Championship — to be hosted at The Bend Motorsport Park

THE BEND MOTORSPORT PARK

543 Dukes Hwy,
Tailem Bend, SA, 5260

EVENT DATE

21-23 October 2022

ESTIMATED ATTENDANCE

15,000



COMMUNITY ENGAGEMENT

FREE ENTRY FOR FRIDAY AND CHILDREN

Friday will be free entry for all fans, with children under 16 free all weekend.

ULTIMATE ACCESS TO DRIVERS AND CARS

Unlike any other motorsport event, both of our Championships allow fans into the pit area as part of their General Admission ticket.

PATHWAY FOR SOUTH AUSTRALIAN SCHOOL GIRLS

The Girls on Track program, an initiative promoted by Motorsport Australia, will take place at the event on Saturday. This gives local school girls aged 8-18 an opportunity to learn more about motorsport and exposes them to pathways in the sport including STEM, media, mechanics and driving.

EDUCATING YOUNG SOUTH AUSTRALIAN DRIVERS

The event will also feature Motorsport Australia's Ricciardo's Racers program, which allows 12-17 year-old to drive a car in a controlled environment with professional driver coaches. This program educates young drivers about car control and basics for getting involved in motorsport.

A PLACE FOR SOUTH AUSTRALIAN OFFICIALS AND COMPETITORS

Motorsport Australia encourages and promotes officials and competitors who hold a Motorsport Australia licence to take part in both events.



MURRAY BRIDGE STREET PARTY

On the Thursday evening, Motorsport Australia will host a street party at an agreed location, featuring both circuit and rally racing cars on display.

There will also be opportunities for the community to meet drivers and sign autographs, as well as a Q&A session held on stage.



CHANNEL 7 — ARC BROADCAST PARTNER



In 2022, the RSEA Safety Motorsport Australia Rally Championship will be available to watch for free on the 7 Network.

LIVE: EROAD POWER STAGE (7PLUS)



EVENT HIGHLIGHTS (7MATE/7PLUS)



SBS — SHANNONS BROADCAST PARTNER THE BEND



In 2022, the Shannons Motorsport Australia Championships event at The Bend will be live streamed on SBS.

LIVE STREAM (SBS)



MARKETING AND PROMOTION OPPORTUNITIES

TRACK SIDE AND EVENT BRANDING

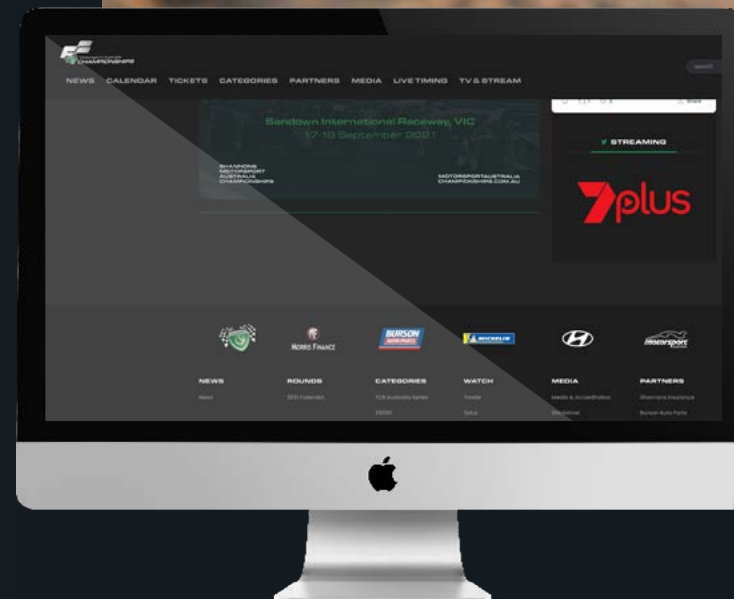
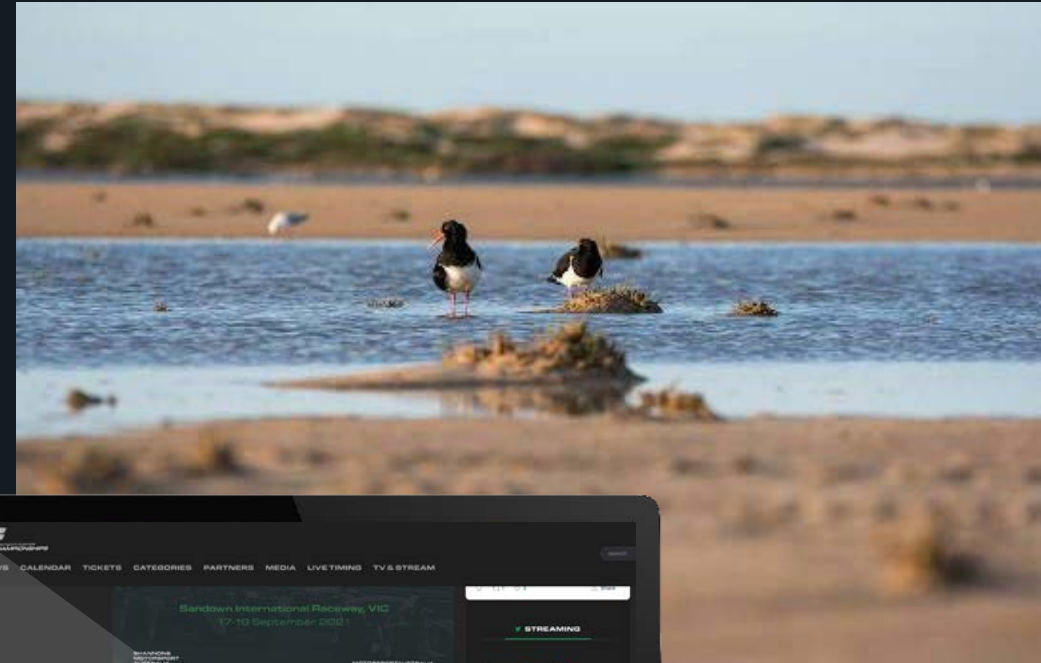
- » Opportunity for the Murray Bridge Council to provide banners and flags in the pit paddock
- » Murray Bridge Council styrenes track side near corners/start line

SOCIAL MEDIA, WEBSITE AND DIGITAL ASSETS

- » Murray Bridge Council logo to feature on the official website, EDM and ticket sales

CORPORATE HOSPITALITY

- » Opportunity for ambassadors to address corporate hospitality guests
- » Corporate guest passes available for Murray Bridge Council



KEY OBJECTIVES

A PLACE FOR PEOPLE TO RACE AND UNITE

- » Giving South Australian circuit and rally racing licence holders a place to race, with the event to be promoted by the governing body of motorsport in Australia
- » For South Australian official licence holders to come together at two national level motorsport events
- » Open access for local fans to engage with racing teams and drivers based across the country
- » Exposing a young audience to the sport through initiatives and free entry into the event for children
- » Providing an affordable day out for families

RACING AND CAR ENTHUSIAST ACTIVITIES

- » Action-packed racing with different national series and championships, providing variety for fans and a place to race for these categories
- » Local car club displays at the events

PROMOTING TALEM BEND AND ADELAIDE HILLS ON A GLOBAL STAGE

- » The Bend Motorsport Park and the Adelaide Hills to be exposed to an international audience, making the Shannons Motorsport Australia Championships and the RSEA Safety Motorsport Australia Rally Championship as a motorsport enthusiasts' go-to event



**13% OF LICENCED MOTORSPORT
COMPETITORS & OFFICIALS ARE
BASED IN SOUTH AUSTRALIA**

Motorsport Australia active competition and official licence holders as of July 2021

Event Attendance Figures

	2022 Forecast
Competitors + Crew	840
Officials	190
Media	57
Spectators	20,000
Motorsport Australia	40
TOTAL FIGURES	21,127

Bed Night Revenue

	2022 Forecast	AVG Bed Nights	Bed Nights Total
Competitors + Crew	480	5	2,400
Officials	100	4.5	450
Media	57	4.5	257
Spectators	3,000	2.5	7,500
Festival of Motorsport	1,300	2.5	3,250
Motorsport Australia	10	4.5	45
TOTAL BED NIGHTS			13,902
BED NIGHT REVENUE			\$2,085,300



CONTACT INFORMATION

Adrian Coppin

Events Manager — Motorsport Australia

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acoppin@motorsport.org.au



MOTORSPORT AUSTRALIA
275 CANTERBURY ROAD, CANTERBURY, VIC, 3126
+61 3 9593 7777



Appendix 2

2022 Adelaide Hills Rally Consultation Report



Partnering with



Adelaide Hills
COUNCIL

2022 ADELAIDE HILLS RALLY

October 20th to 23rd, 2022

Dear Council

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Event						
Officials Management	14	5.0	\$75	4.0	\$150	\$ 13,650
Officials Rally	250	5.0	\$75		\$150	\$ 93,750
Officials Track	100	3.0	\$75	3.0	\$150	\$ 67,500

Event TBMP & Rally						
Spectators Standard	3,000	2.5	\$75		\$150	\$ 562,500
Festival of Motorsport	1,300	2.5	\$75	2.5	\$150	\$ 731,250
Media	57	4.5	\$75	4.5	\$150	\$ 57,713
Motorsport Australia	10	4.5	\$75	4.5	\$150	

Total forecast \$ spend in region						\$ 2,098,763
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Event Deliverables:

Please note the below list of the key deliverables that are indicative of what we would bring with a round of the 2022 Motorsport Australia Australian Rally Championship (ARC) in conjunction with FIA Asia Pacific Rally Championship.

These figures are consistent with what was achieved at the 2019 Adelaide Hills Rally Australian Rally Championship round as 2020 and 2021 was affected by COVID 19 and was only a State Championship Round.

We would expect to achieve better results for the 2022 event as the ARC has had good growth in the last 12 months.

A round of the ARC would consist of approximately 60 teams;

20 Teams consist of a team of 12 people/35 Teams consist of a team of 7 people

Motorsport Australia (MA) will provide (via its own media team) media messaging through all media channels (digital, social, print, daily VNR's)

Live broadcast of Power Stage for the event via Channel 7

ARC Facebook – 18,000 Followers

Motorsport Australia Facebook – 24,000 Followers

Motorsport Australia Twitter – 7,843 Followers

These media numbers would be supplemented by the Adelaide Hills Rally events' social media channels as well as the Ultimate Motorsport Events (and subsidiaries) media channel and the SA Rally social media channel.

The numbers stated below have genuine follower base with high ongoing engagement that has grown organically as UME events mature. As the Adelaide Hills Rally is a wholly new event, these numbers will grow dramatically, as will the engagement.

Adelaide Hills Rally Facebook – 1,980 Followers

Ultimate Motorsport Events (and subsidiaries) Facebook – 11,060 Followers

SA Rally Facebook – 1,500 Followers (currently SA centric)

DirtFish Facebook – 81,000 Followers (Worldwide Rallying Page)

FIA Asia Pacific Rally Championship – 98,698 Followers (FIA – Worldwide Motorsport Governing Body0029



The Compliance:

To ensure the safety of the competitors and the general public we request a short-term closure under Section 33 of the Road Traffic Act, of the roads, which we would like to add to the competitive part of the route.

If Council approves our request, we will make every effort to run the rally with minimum inconvenience to residents.

Additionally, we will:

- Notify adjoining landowners in writing at least 3 months beforehand
- Compile a Traffic Management Plan
- Employ a Traffic Management company to undertake the Traffic Management Plan
- Leave all control areas in a clean and tidy state (repair any damage??)
- Notify the police of the running of the event and obtain permission to close the roads under Section 33 of the Road Traffic Act
- Notify the emergency services in the area
- Affect a public risk insurance policy through the Confederation of Australian Motor Sport (CAMS) which includes \$100 million public liability insurance. (A copy of the permit and insurance cover can be supplied if required).
- Place advice signs along all roads 4 weeks before the event to forewarn road users of impending road closure
- Advertise the road closures in the local papers the week before the event
- During the event, man the access points to these roads to advise users of the temporary restrictions
- The CFS regions directly affected will be advised to CFS HQ by the Ultimate Motorsport Events team and we will have continued communication with CFS HQ, and by default, the CFS regions so that all are aware of the areas directly impacted by the events route

We run our events to Australia's best standards and have medical vehicles at the start of each competitive stage. If a land owner has an emergency during the road closure period, upon receiving notification we will stop the event and send in our medical vehicles which have trained Paramedics and a Fire Marshal. If an emergency worker lives on one of the roads we are using, and is called for duty, we will stop the event to let them attend the emergency.

We appreciate the consideration extended to us in our efforts to organise this event.



The Community:

The event will be utilising and supporting many sporting, volunteer emergency service and social groups through the region to aid in the running of the event. From an event perspective, all these groups will be getting both financial and social benefits.

In 2022, the route chosen will bypass the areas that have been challenging in the past. We will also have on board as a partner of the event, Adelaide and Hills Koala Rescue - 1300KOALAZ Inc. They will be aiding if there are any issues and satisfy those that may have concerns.

With the national focus on the Adelaide Hills and Murraylands Regions through the fact that it is a true Motorsport National Championship, the media coverage that the event will bring as well as all the teams that will be competing will highlight and showcase all the wonderful benefits that we know we have here. This will have positive financial flow on to businesses in the region.

The consultation process:

We accepted written feedback in relation to the proposed road closures via email and post up to 16/06/2022.

The results of this consultation are provided to the Adelaide Hills Council in the appendix.

Feedback was to:

Email: secretary@ume.cool or

Post: PO Box 10213, Adelaide BC, SA, 5000



The remediation process:

The Ultimate Motorsport Events team will:

Liaise with the engineering team from the Adelaide Hills Council to evaluate the route before and immediately after the event to determine if any remediation is required.

The event course vehicles, Course Closer (000) & Course Checker (00), will have front mounted cameras to provide footage of the route immediately prior to competition. Course Opener (Sweep) will also have a front mounted camera to provide footage of the route immediately after competition. This footage will be made available to the engineering team.

It is requested that any scheduled road engineering works on the route that are part of standard council practise, and within the council budget, be held until after the running of the event. This will allow any required repairs on the route caused by the event to be amortised into the scheduled ongoing maintenance.

It is requested that if the route requires remediation that is greater than that performed via scheduled maintenance, that the Adelaide Hills Council and Ultimate Motorsport Events possibly companion in the cost.



The Request:

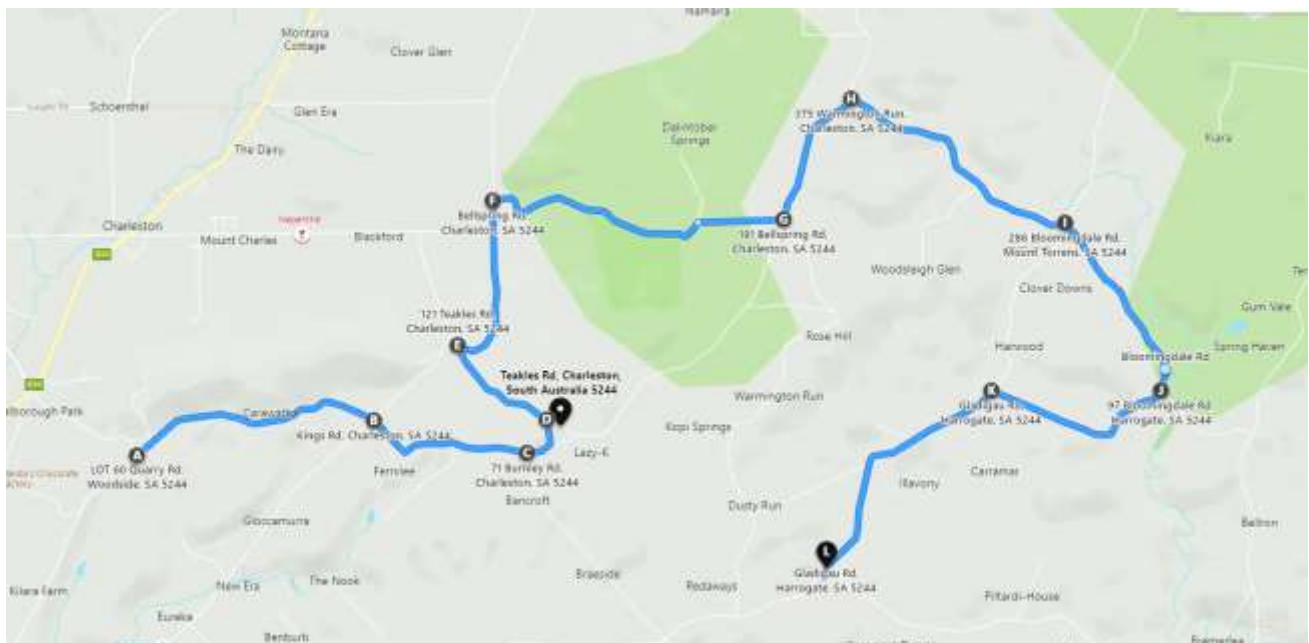
We would like to apply for the following roads to be closed by the Event.

The roads, the day & date and the times are:

Saturday 22nd of October 2022: (AHC/MBDC/MMC)

Charligate: 1030hrs – 1600hrs

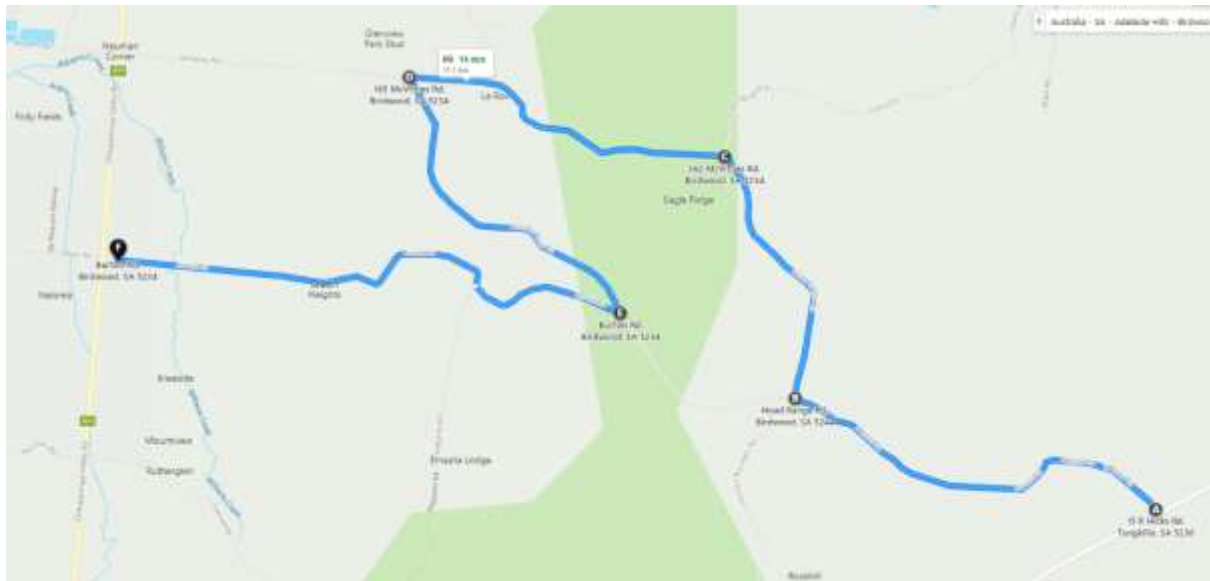
- A: Harrison Rd from Quarry Rd to Kings Rd
- B: Kings Rd from Harrison Rd to Burnley Rd
- C: Burnley Rd from Kings Rd to Teakles Rd
- D: Teakles Road from Burnley Road to Lewis Road
- E: Lewis Rd from Teakles Rd to Bell Springs Rd
- F: Bell Springs Rd from Lewis Rd to Warmington Run
- G: Warmington Run from Bell Spings Rd to Hollows Rd
- H: Hollows Rd from Warmington Run to Bloomingdale Rd
- I: Bloomingdale Rd from Hollows Rd to School Bus Rd
- J: School Bus Rd from Bloomingdale Rd to Gladigau Rd
- K-L: Gladigau Rd From School Bus Rd to Mail Rd



Saturday 22nd of October 2022:

Blumberg Creek – 1000hrs – 1530hrs (AHC/MMC)

- A: R Hicks Road from Terlinga Road to Hanham Road
- B: Hanham Road from R Hicks Road to McVitties Road
- C: McVitties Road from Hanahm Road to Number Four Road
- D: Number Four Road from McVitties Road to Burton Road
- E-F: Burton Road from Number Four Road to Onkaparinga Valley Road



Appendix:

Consultation Responses and Feedback

Answers to Commonly Asked Questions



Consultation Responses and Feedback:

Sent: Sunday, 29 May 2022 8:10 AM

Subject: Rally – Redacted

I am happy for the rally to proceed.

Bell Springs Rd Charleston

Redacted

Sent: Fri 10/06/2022 1:16 PM

To whom it may concern,

We are the owners of X Burton Road Birdwood,

The proposed route comes across the front of our property on Number Four Road then behind our property on Burton Road. Couldn't be happier, it's a grand day out without leaving home.

Slight confusion though, the mailed letter has Charligate and Blumberg creek on the same day at similar times, I assume that is correct and not Blumberg creek being on the Sunday as in previous years?

Saturday is better for us anyway if this is correct.

Cheers Redacted



Hi Redacted

Thank you for the email. Dialogue is much appreciated as, through it, greater understanding can be achieved.

I will respond on behalf of the Adelaide Hills Rally Team ('AHR Team') to each query raised in order; I hope that it's not too cumbersome.

Emergency Access

We have a working property involving the use of heavy machinery and with significant livestock (cattle) on the corner of Fox Road and Bell Springs Road. Should someone be injured while working on our property on the day of road closures (which is a working day for us), there will be no rapid means of exit for the property nor will medical assistance such as an ambulance be able to enter the property in a timely manner to assist. Our secondary and only other escape egress point is to the East through our neighbours property exiting onto Warmington Run which is also part of the proposed course and closed to emergency traffic. On an operating property such as ours this could very well lead to the death of someone, namely one of our family members or workers.

Response:

The AHR Team is committed to working with residents to ensure that in the event of an emergency, residents can be assisted as quickly as possible.

We have paramedics and other emergency services teams/vehicles at the stage start and will attend to residents if required/requested. On the day of the event, if an emergency did occur, response and attendance would be far far quicker than normal.

For all other entry or egress required during the running of the event, the AHR Team will work with residents to plan prior to the event. As the roads will be closed for 5 ½ hours, the AHR Team hopes that with enough notice, everyone involved can be flexible. Please contact the AHR PR team, initially at secretary@ume.cool. The AHR Team will provide the residents with a dedicated phone number closer to the event.

Road Safety and Flora

The Bell Springs Road is a windy gravel road that causes us concern driving along it at a speed of 40-50kmph to access our property, with the expected top speed of this rally car race with cars are sliding sideways between trees at 120kmph or excess thereof. From what we understand of the rally, when a car is sliding its generally tail-first, a condition known as oversteer which is inherently unstable, often leading to a spin. If you have ever driven on Bell Springs you will be aware of the several blind bends and in particular the corner immediately below the intersection of Bell Springs and Fox Road where oversteer and subsequent understeer of a driver trying to correct will see a car enter our property through concrete posts or hit significant trees likely leading to death of the participant on the corner. The entire stretch of road is not well maintained, it has an extremely slippery surface, and has fallen tree debris (large fallen branches 30cm and above) littering the roadside concealed by grass plus overgrown native trees encroaching onto the road in many sections. Travelling at a high speed on this road will almost certainly see a car to lose control no matter how skilled the driver thinks they are.



Response:

We have been honoured to partner the region for several years for exactly that reason; the roads are deemed to be some of the best shire roads in Australia. From a technical perspective and the skills required, the roads actually create a lower average speed and wonderful competition with many coming back to the area to spectate. The AHR Team along with the Adelaide Hills Council ('AHC') perform stage assessments of each road that will be used for the event both before and after the event. Following the pre and post-event assessments, the AHC and AHR Team collectively discuss the assessment and determine whether any action is required by either the AHC or the AHR Team.

Fauna Concerns

The route runs next to the Charleston Conservation park, there is an abundance of kangaroos (mostly outside its fence due to the animal proof mesh), additionally other marsupials, deer, and many foxes on this route along Bell Springs Road. Should animals cross the path of one of the vehicles while the vehicle is moving at high speed on a gravel road (we have frequent interactions at low speed) this would very likely end the animal and cause significant danger for vehicle and participants coming off the track and through neighbouring concrete post fence lines where cattle and sheep are also grazing.

Response:

The AHR Team and competitors are committed to ensuring that any areas used as part of the event are not damaged, including our native flora and fauna. As you can appreciate, the rally stages are carried out on public roads, with the competitors ultimately aiming to stay within the confines of the designated public road.

The AHR Team is proud to have 1300koalaz as an event partner and a SA Rally Championship partner. If any animal is injured, 1300koalaz will be on hand to aid.

Noise:

The sheer noise of multiple rally cars racing by livestock will cause our animals severe distress (\$140,000.00 of cattle) and the result might well be they are injured while trying to flee attempting to run through a barb wired fencing or worse trying to jump over them. This livestock is our livelihood, it is how we make our income and keep our properties running, we practice low stress stock handling as a part of our contracted certification for MLA, and you will be breaching our contracted obligations.

Response:

The maximum noise emission permissible is 96dB(A) as per South Australia Road Traffic (Light Vehicle Standards) Rules 2018 (Version: 15.10.2020)

Each competition vehicle is checked by event scrutineers prior to commencement of the event and must not exceed that.

To provide some context as to the permitted decibels, a lawn mower is around 107dB(A), a chainsaw is around 110dB(A), a motorcycle is generally around 90dB(A) and a diesel truck is around 90dB(A).

Sound dissipates quite quickly over distance. So generally, from roadside to fence, to paddock to dwelling, the decibel level will drop considerably.



Potential Damage to Property:

If UME does get approval to go ahead with this race, we would require a guarantee that any fence line that is damaged throughout the course of this event can be restored to hold stock by night fall on the day of the race as we have burnt out internal fencing from the recent bushfire still being reinstated. UME must be responsible for all damage to fences livestock or property at full replacement cost of materials, labour, injured or killed livestock, and also pay damages equal to that suffered by us in the event where we need to attend site to facilitate UME's or its contractors to restore damage done (as we contract at day rate during usual business hours (1050.00ex GST per day) should a rally car lose control and careen onto our property.

Response:

Our rules and standard operating procedures require that, in the event a rally vehicle damages any property, the repairs are organised and performed by the AHR Team, liaising with the property owner. The competitors are wholly liable for the costs of any damage to property caused directly by a rally vehicle, however the AHR Team manage the process.

Bushfire Safety

There has been a recent bushfire through our property and we are concerned any fuel driven fire in the overgrown verge of Bell Springs Road and the protected Fox Road nature fauna reserve that council has left completely unmaintained might well start a significant bushfire even in cooler months.

Response:

The AHR Team are in constant communication with all CFS regions and work closely with them; they advise of what steps need to be taken to mitigate fire danger pre, during and post event and we adhere to their advice. Also, in accordance with the National Rally Standing Regulations Events 2022; organisers, officials and competitors must cooperate with fire authorities and comply with all civil regulations.

Generally, roadside vegetation will not be affected by the event during the period that the event will run. As these are public roads outside of the event (each road being closed for only one day for 5 ½ hours) the general public use of the roads impact on the vegetation is greater. We have emergency services teams/vehicles at the stage start and will attend if required.

Organiser UME and Councils obligation to us the residents

How does the organiser UME or Adelaide Hills Council plan to assist us to be able to enter or leave our property during this road closure period if urgently required, this isn't some road works traffic cones? Do you have a bushfire mitigation plan? We simply cannot be locked on our property throughout this period with no plan to leave in the event of an emergency. It's simply not safe, nor could the council economically justify placing us at this level of risk for a race that does very little for the local community (with all event pre and post spending occurring in TBMP), and the participants carving up the surface of the only unsealed entry road we have to our properties at rate payers restoration expense.



Response:

The AHR Team is committed to working with residents to ensure that in the event of an emergency, residents can be assisted as quickly as possible. For all other entry or egress required during the running of the event, the AHR Team will work with residents to plan prior to the event. As the roads will be only closed for 5 ½ hours, the AHR Team hopes that with enough notice, everyone involved can be flexible. Please contact the AHR PR team, initially at secretary@ume.cool. The AHR Team will provide the residents with a dedicated phone number closer to the event.

The event is expected to bring around \$2,000,000.00 of benefit to the region. The expected return is expected for the entire region.

Regards,

Andrew

Andrew Admiraal

From: Redacted

Sent: Thursday, 16 June 2022 5:07 PM

Subject: Objection to proposed motoring event road closures - 2022 Adelaide Hills Rally

Dear Adelaide Hills Council and UME

We write to you with an objection to the proposed road closures associated with the 2022 Adelaide Hills Rally in the Adelaide Hills Region on Saturday 22 October 2022 as outlined in the correspondence received on 24 May, 2022.

Namely the road closures associated specifically with the closure of these 2 roads:

- Lewis Road from Teakles Road to Bell Springs Road
- Bell Springs Road from Lewis Road to Warmington Run

As residents who will be completely cut off by this proposed race course we express serious concern as we believe these proposed road closures are not suitable to the area due to multiple safety considerations as outlined below:

Emergency Access

We have a working property involving the use of heavy machinery and with significant livestock (cattle) on the corner of Fox Road and Bell Springs Road. Should someone be injured while working on our property on the day of road closures (which is a working day for us), there will be no rapid means of exit for the property nor will medical assistance such as an ambulance be able to enter the property in a timely manner to assist. Our secondary and only other escape egress point is to the East through our neighbours property exiting onto Warmington Run which is also part of the proposed course and closed to emergency traffic. On an operating property such as ours this could very well lead to the death of someone, namely one of our family members or workers.

Road Safety and Flora

The Bell Springs Road is a windy gravel road that causes us concern driving along it at a speed of 40-50kmph to access our property, with the expected top speed of this rally car race with cars are sliding sideways between trees at 120kmph or excess thereof. From what we understand of the rally, when a car is sliding its generally tail-first, a condition known as oversteer which is inherently



unstable, often leading to a spin. If you have ever driven on Bell Springs you will be aware of the several blind bends and in particular the corner immediately below the intersection of Bell Springs and Fox Road where over steer and subsequent understeer of a driver trying to correct will see a car enter our property through concrete posts or hit significant trees likely leading to death of the participant on the corner. The entire stretch of road is not well maintained, it has an extremely slippery surface, and has fallen tree debris (large fallen branches 30cm and above) littering the roadside concealed by grass plus overgrown native trees encroaching onto the road in many sections. Travelling at a high speed on this road will almost certainly see a car to lose control no matter how skilled the driver thinks they are.

Fauna Concerns

The route runs next to the Charleston Conservation park, there is an abundance of kangaroos (mostly outside its fence due to the animal proof mesh), additionally other marsupials, deer, and many foxes on this route along Bell Springs Road. Should animals cross the path of one of the vehicles while the vehicle is moving at high speed on a gravel road (we have frequent interactions at low speed) this would very likely end the animal and cause significant danger for vehicle and participants coming off the track and through neighbouring concrete post fence lines where cattle and sheep are also grazing.

The sheer noise of multiple rally cars racing by livestock will cause our animals severe distress (\$140,000.00 of cattle) and the result might well be they are injured while trying to flee attempting to run through a barb wired fencing or worse trying to jump over them. This livestock is our livelihood, it is how we make our income and keep our properties running, we practice low stress stock handling as a part of our contracted certification for MLA, and you will be breaching our contracted obligations.

Potential Damage to Property

If UME does get approval to go ahead with this race, we would require a guarantee that any fence line that is damaged throughout the course of this event can be restored to hold stock by night fall on the day of the race as we have burnt out internal fencing from the recent bushfire still being reinstated. UME must be responsible for all damage to fences livestock or property at full replacement cost of materials, labour, injured or killed livestock, and also pay damages equal to that suffered by us in the event where we need to attend site to facilitate UME's or its contractors to restore damage done (as we contract at day rate during usual business hours (1050.00ex GST per day) should a rally car lose control and careen onto our property.

Bushfire Safety

There has been a recent bushfire through our property and we are concerned any fuel driven fire in the overgrown verge of Bell Springs Road and the protected Fox Road nature fauna reserve that council has left completely unmaintained might well start a significant bushfire even in cooler months.

Organiser UME and Councils obligation to us the residents

How does the organiser UME or Adelaide Hills Council plan to assist us to be able to enter or leave our property during this road closure period if urgently required, this isn't some road works traffic cones? Do you have a bushfire mitigation plan? We simply cannot be locked on our property throughout this period with no plan to leave in the event of an emergency. It's simply not safe, nor could the council economically justify placing us at this level of risk for a race that does very little for the local community (with all event pre and post spending occurring in TBMP), and the participants carving up the surface of the only unsealed entry road we have to our properties at rate payers restoration expense.



We hope another route can be found that is safer for residents, drivers, fauna, and rate payers in that order.

Sincerely

Redacted



Answers to Commonly Asked Questions:

Q – What if I need to get out for work during road closure time?

A – Yes you can if you pre-organise it with the rally organisers so they can schedule a course car to escort you out and maintain the safety and security of the closed road.

Q- I'm unwell and may need emergency help during the event.

A – If there is an emergency during the event, we stop the stage immediately and send in our own Medical team that is stationed at the start of every stage to assist in any medical emergency there is while we call an Ambulance to assist you.

Q – Will Emergency Services be notified that the event is on?

A – The Safety Officer for the Rally, corresponds the events Safety Plan with the Regional Emergency Services Offices. This Safety Plan has any information that they may need in regard to when and where the rally is at any specific time and who to contact in the case of an emergency so we can stop the event for them to respond to any incidents.

Q – Can I invite friends over for a party to watch the rally?

A – Yes you can providing they are into your property before road closure time and wait to the road is open before leaving.

Q - The rally will scare my animals with the noise.

A - The majority of animals don't even know the rally is on as they are used to vehicles driving down the road every day. The vehicles are scrutineered to meet a 96 decibel noise limit before the event. We have noticed a lot of animals like to come to the fence to watch as they are inquisitive as to what is happening especially if they are near people on road closures or start and finish lines.

Q – Why should we have the rally, what does the rally bring to the community?

A – The rally brings a large financial benefit to the community by bringing teams from all over Australia to the local area where they need accommodation, food, drinks, fuel and spare parts. Family members usually go to local tourist spots which can be promoted through the event. This normally means between 500-1000 extra people plus spectators to the local area.

Q – Who pays for the damage to the roads?

A - The event does its best to choose roads with a hard road base that will not be damaged in any weather conditions. The cars are light and there is little or no extra damage to normal road use by cars and heavy vehicles. If the road is damaged, then the event pays the council to fix and damages. There is a road survey done by event with council before and after the event to assess the roads condition.



Q- Are these events legal?

A – Yes, these events are legal. The event is approved by the local councils before going to SA Police for approval. There is a large amount of regulations and approval process for the events to pass before they can happen. The senior officials need to be licenced by Motorsport Australia with adequate experience for each individual part of the event they are responsible for. The vehicles need to be road registered and pass scrutineering before being allowed to compete. They must also maintain their road worthiness for the entirety of the event.

Q – Who pays for any damages to fences or properties?

A – The event pays for any expense incurred by the vehicles to fences and properties. Any fences that are damaged are temporary repaired by the recovery vehicles before a permanent fix is done by the contractor of choice by the local landowner. Motorsport Australia as the regulator and insurer of the event, covers any large expense through the insurance that is taken out by the event.

Q – Will officials come onto my property?

A – We tell our officials at their briefings that they are not to trespass on anyone's property unless it is to help someone. Some officials might ask you if it's alright to park in your driveway if it is the safest place for their vehicle.

Q – Will there be extra traffic for weeks before as crews undertake reconnaissance runs?

A - Reconnaissance is only allowed on one day for this event, in a designate window of time consisting of a few hours, with event officials on hand to observe and manage. Any competitors that are seen to do extra reconnaissance on other days will be excluded from the event and possibly lose their competition license.



Appendix 3

2020 Adelaide Hills Rally Post-Event Report

EVENT EVALUATION



Name of Event:	2020 AGI Sport Adelaide Hills Rally – Round 2 & 3 of the Motorsport Australia SA Rally Championship - <u>COVID 19 Impacted</u>
Date held	17/10/2020 – 18/10/2020
Name of person completing this evaluation	Andrew Admiraal
Contact Number:	0403116400
Estimate - Number of participants – organisers, helpers, traders, stall holders taking part in the delivery of the event	400
Estimate - Number of attendees – spectators paying or otherwise <i>How did you get this number?</i>	>1000 Assessment of Event officials included Service Park, Super Special Stage and the Rally Stages. Due to the COVID 19 requirements, numbers were kept below the maximum set by SA Health.
Were the attendees at your event: a) nearly all local residents, b) a mix of local and regional residents, c) a mix of local, regional and tourists from South Australia d) a mix of local, regional and tourists from South Australia AND interstate	Due to restrictions, mainly local and regional South Australian officials, competitors, and teams attended. We did have a small number of interstate competitors and teams that were willing to contend with the uncertain situation. However, we had 38 entrants. Considering all the hurdles that 2020 gave us, that was a success.
List any Environmental Initiatives you achieved/ introduced at this year's event	All event officials and personnel had rubbish bags on hand for immediate clean up.
Please comment on the social benefit of your event to the local community	
<p>We created a national motorsport event with all the relevant compliance, personnel, and coverage, and kept it in the Adelaide Hills. Unfortunately, mainly state based competitors entered due to restrictions and the ongoing uncertainty. It was still an event for the hills region and designed to promote the area and benefit the area.</p> <p>We had a major presence in Birdwood with our service park that brought in as many of the teams, their supporters and event officials that we were allowed to have.</p>	
The three most positive aspects of your event are:	
<ol style="list-style-type: none"> 1. The event was still of international standard. 2. Birdwood and surrounding areas had a real benefit by the numbers that came to and stayed in the area. 3. The National Motor Museum and the town was buzzing. 	
Are there any aspects of your event that caused concern or would benefit from assistance in the future? We do need further sponsorship support so that we can promote better and keep improving the event.	
Were there any accidents or injuries associated with the running of your event? Please provide details. A few incidents, but they were managed accordingly with the competition.	

Did anything arising from your event require a change to / or modification of your risk assessment? Please provide details. No	
Were any complaints received from community members or SA Police in relation to your event. Please provide details. No	
Gross Income derived by the event organisers <i>(include all entry fees, sponsorships, site fees, and other income)</i>	\$56,100.00
Total cost of running the event <i>(include all amounts where a physical payment has been made)</i>	\$58,242.00
Total profit / loss derived from the event	-\$2,142.00
If a profit has been made – how will this amount be used by your group?	
Number of Stall Holders at your event	non
Did you have a cash facility at your event (ATM) what was the total amount drawn from the machine?	\$ N/A
IN-KIND SUPPORT	
Please list all in-kind support with estimated \$ amount received for this event <i>ie. Any donations you received (what would their dollar value be should you have to purchase or hire)</i> <i>Any discounts (ie butcher gave you 50% off sausages so you saved \$100)</i> <i>Volunteer Hours</i> <i>Council infrastructure-</i> <i>ie. 3mx3m marque = \$150ea(if you had to hire)</i>	
Volunteer Hours- in the preparation of your event <i>(how many hours did you/ committee do in the lead up x \$30 per Hour)</i> 5 management at 40 hours per week for 3 weeks	Total Hrs= 600 \$18,000.00
Volunteer Hours- During the event <i>(how many hours did you/ committee do in the lead up x \$30 per Hour)</i> 130 rally officials for 8 hours over the event period	Total Hrs= 1040 \$31,200.00
Volunteer Hours- in the event <i>(how many hours did you/ committee do during the event x \$30 per Hour)</i> 10 management at 16 hours per day for 4 days	Total Hrs= 640 \$19,200.00

Appendix 4

*2022 Adelaide Hills Rally
Consultation Letter to Residents*

2022 ADELAIDE HILLS RALLY

20 – 23 October 2022

COMMUNICATION TO RESIDENTS WITHIN THE VICINITY OF

PROPOSED ADELAIDE HILLS ROAD CLOSURES

Tuesday, 24 May 2022

Dear Owner/Occupier



Proposed Motoring Event

We are writing to inform you that Ultimate Motorsport Events wish to run an event named the 2022 Adelaide Hills Rally in the Adelaide Hills Region on **Saturday 22 October 2022**.

A road within your vicinity has been selected to host a closed road section within the proposed rally route (see proposed road closure maps enclosed) and we are seeking your feedback as a resident who may be impacted. Further information is available online at www.ume.cool.

Consultation Process

We are accepting written feedback in relation to the proposed road closures via email and post prior to Tuesday 14 June 2022. If you do not reside on the affected property and have a tenant on site please forward this information to them.

The results of this consultation will be provided to the Adelaide Hills Council as part of the road closure approval process.

Please send feedback by Tuesday 14 June 2022 to:

Email: secretary@ume.cool

or

Post: PO Box 10213, Adelaide BC, SA, 5000

WE WILL KEEP YOU INFORMED OF THE PROPOSED TEMPORARY ROAD CLOSURES VIA POST PRIOR TO THE EVENT

Yours sincerely

Andrew Admiraal

Director
andrew@ume.cool
0403 116 400

Michael Clements

Director
michael@ume.cool
0418 804 105



The Event

The 2022 Adelaide Hills Rally (AHR) will burst into life at The Bend Motorsport Park (TBMP) from 20 – 23 October. The event headquarters and main service park will be based at TBMP grounds and the rally will be traversing the greater Adelaide Hills and Murraylands Regions.

The event not only brings three days of International, National and State Competition to some of the best and most technical roads Australia has to offer, it will also partner with Shannons Nationals and The Bend Classic (F1 Cars and Exotic Cars). A true Festival of Motorsport. It will host round six of the Australian Rally Championship (ARC), the final round of the South Australian Rally Championship, and the qualification final for the Asia Pacific Rally Championship.

The Event will be broadcast live on Channel 7 as well as several streaming channels and Facebook, reaching an international audience. The competition is going to be tense and tight, bringing a great spectacle to the region for all to watch. The best rally teams the Asia Pacific, Australia and South Australia have to offer will be on show and will be battling hard for event honours.

The 2022 AHR will also present opportunities for those that have the desire to take part in the AHR Regularity Rally competition, a gravel rally experience for novices and those wishing to see what gravel rallying is all about.

The event will be run in compliance with State and Local Government guidelines, Motorsport Australia guidelines, and in accordance with Section 33 of the *Road Traffic Act*.

We run our events to Australia's best standards and have medical vehicles at the start of each competitive stage. If a landowner has an emergency during the road closure period, upon receiving notification we will stop the event and send in our medical vehicles which have trained Paramedics and a Fire Marshal. If an emergency worker lives on one of the roads we are using, and is called for duty, we will stop the event to let them attend the emergency.

The Program

- Thursday 20 October will host a street party in Murray Bridge in the evening, featuring both Shannons National cars, Formula 1 cars and Rally cars on display.
- Friday 21 October is day one of the event's competition and will commence with a Special Stage at TBMP in the evening.
- Saturday 22 October for day two will see competitors taking part in stages throughout the Adelaide Hills eastern regions. These requested road closures may impact you. Saturday evening will be held at TBMP Stadium Track, with competitors competing head to head, two cars on the track at a time.
- Sunday 23 October for day three will see the event wholly incorporated into the greater festival that will be occurring at TBMP.



Proposed Road Closures

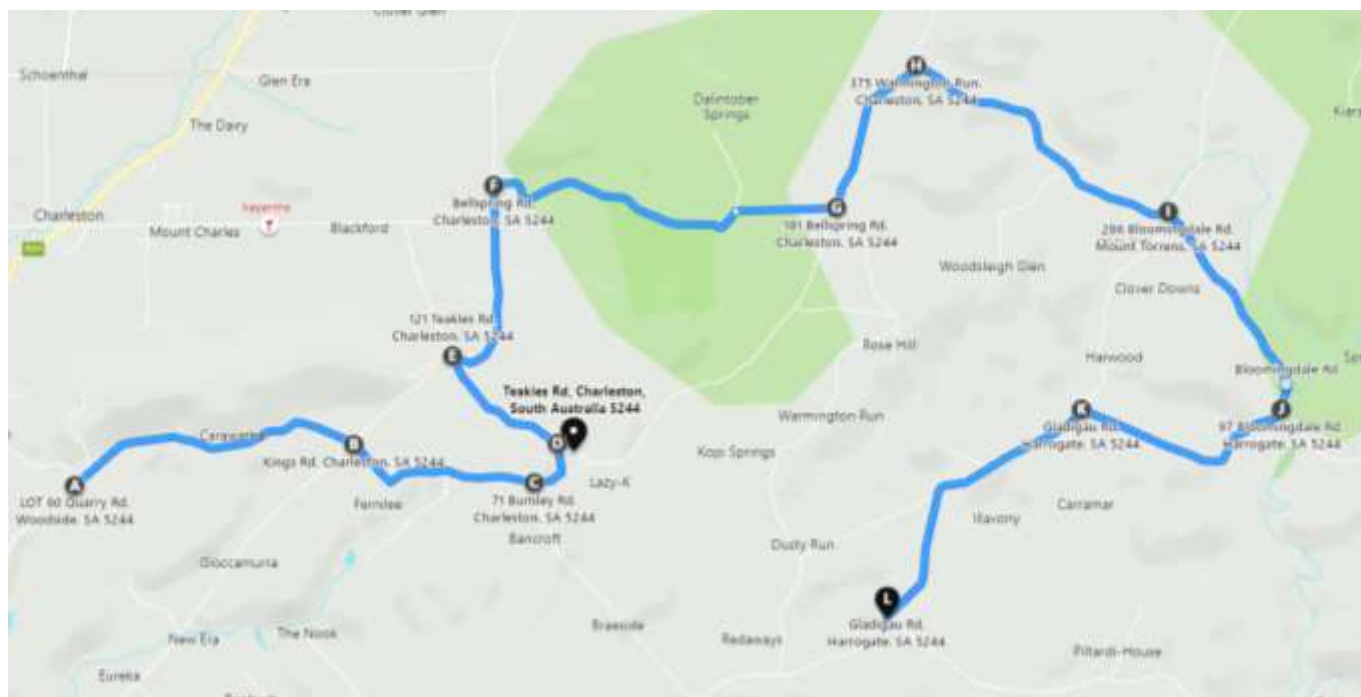
We would like to apply for the following roads to be closed for the event and are seeking written feedback in relation to the proposed closures.

Please see detail on the two routes to be held in Adelaide Hills Council below.

Saturday 22 October 2022

Charligate: 10:30am – 4:00pm

- A: Harrison Road from Quarry Road to Kings Road
- B: Kings Road from Harrison Road to Burnley Road
- C: Burnley Road from Kings Road to Teakles Road
- D: Teakles Road from Burnley Road to Lewis Road
- E: Lewis Road from Teakles Road to Bell Springs Road
- F: Bell Springs Road from Lewis Road to Warmington Run
- G: Warmington Run from Bell Springs Road to Hollows Road
- H: Hollows Road from Warmington Run to Bloomingdale Road
- I: Bloomingdale Road from Hollows Road to School Bus Road
- J: School Bus Road from Bloomingdale Road to Gladigau Road
- K-L: Gladigau Road from School Bus Road to Mail Road



Saturday 22 October 2022

Blumberg Creek: 10:00am – 3:30pm

- A: R Hicks Road from Terlinga Road to Hanham Road
- B: Hanham Road from R Hicks Road to Mcvitties Road
- C: Mcvitties Road from Hanham Road to Number Four Road
- D: Number Four Road from Mcvitties Road to Burton Road
- E-F: Burton Road from Number Four Road to Onkaparinga Valley Road



**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 July 2022
AGENDA BUSINESS ITEM**

Item: 12.2

Responsible Officer: Ashley Curtis
Manager Civil Services
Infrastructure & Operations

Subject: Parking Time Limit adjacent Stirling Hospital

For: Decision

SUMMARY

Following a Question on Notice regarding parking restrictions in the vicinity of Stirling Hospital, Council conducted a desktop review as well as consulted with the Stirling Hospital. It was found that whilst a recently implemented accessible parking upgrade on the western side of Milan Tce was well received by the Hospital community, there was opposition to any further changes to parking restrictions on the eastern side of Milan Tce.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted**
 - 2. To retain the current parking restrictions in the vicinity of the Stirling Hospital and to monitor the situation while managing parking controls as per normal operational practices.**
-

1. BACKGROUND

At the 22 March 2022 Council Meeting, Council received the following Question on Notice:

10.2 Parking Time Limits adjacent Stirling Hospital (Cr John Kemp)

- 1 What is the procedure for changing Parking Time Limits?
- 2 If this is purely within the control of Council does it require a recommendation by Council to be passed in order for the change to be made?

When requests are received to amend parking (including time limits or spaces allocated), council staff liaise with affected parties and assess against a range of criteria. A resolution of Council is not required to enforce changes.

Over the past months Council staff have been working closely with the hospital, and have developed designs for changes to the Accessible Parking spaces and time limits for the parks on the Western Side of Milan Terrace. These works are likely to proceed in the coming weeks, as contractors are currently being sourced.

The hospital is consulting with their care providers and clients in regards to potential need for changes to the parks to the Eastern Side of Milan Terrace. Both the hospital and Council staff will be monitoring the performance of the first suite of changes may provide further information as to the requirement for any subsequent changes.

At the same meeting, Council resolved as follows:

11.1 Parking Time Limit adjacent Stirling Hospital

**Moved Cr John Kemp
S/- Cr Pauline Gill**

49/22

I move that:

1. **A report be brought before Council following consultation and the development of designs for the improvement of parking on Milan Terrace adjacent to Stirling Hospital.**
2. **This report be presented to Council no later than 26 July 2022.**

Carried Unanimously

The accessible parking spaces mentioned in the QON response have since been implemented, to the hospital and community's satisfaction (refer Appendix 1).

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

- Goal 1 A functional built environment
- Objective B1 Our district is easily accessible for community, our businesses and visitors.
- Priority B1.5 Provide accessibility for the full range of users by ensuring Council’s road, footpath and trails network is adequately maintained and service levels for all users are developed and considered

➤ Legal Implications

There are a number of relevant best practice guides and Australian Standards that control on street and off street parking, such as AS 2890.5.2020.

➤ Risk Management Implications

Insufficient car parking turnover leading to lack of parking spaces for patients at the Stirling Hospital.

Inherent Risk	Residual Risk	Target Risk
Low (1C)	Low (1C)	Low (1C)

➤ Financial and Resource Implications

Not applicable.

➤ Customer Service and Community/Cultural Implications

Not applicable.

➤ Sustainability Implications

Not applicable.

➤ Engagement/Consultation conducted in the development of the report

Consultation on the development of this report was as follows:

- Council Committees:* Not applicable.
- Council Workshops:* Not applicable.
- Advisory Groups:* Not applicable.
- External Agencies:* Not applicable.
- Community:* The Stirling Hospital staff, patients and visitors were consulted.

Stirling Hospital, located at 20 Milan Tce, is a significant trip generator within the broader Stirling town centre. Its parking needs are serviced by approximately 20 permit parks on site accessed from Bilney Rd, 7 onsite patients parks accessed from Stonehenge Ave, and a further approximately 8 parking spaces onsite accessed from Milan Tce.

Council provides formal and informal on street parking in the vicinity of the Stirling Hospital, including:

- 5 marked spaces on the western side of Milan Tce immediately adjacent the hospital, including 2 disabled parks, and 3 timed (15 minute) parks,
- 23 marked spaces on the eastern side of Milan Tce opposite the hospital, including 20 timed (4 hour) parks and 3 overflow parks,
- Ad-hoc on-street parking on the surrounding road network

It is the 20 timed parking spaces opposite the Stirling Hospital that are the focus of this report.

Council has not received any requests from the community for a change in parking restrictions for the subject car parks, however the Question On Notice was accompanied with a suggestion that the time limit be reduced to 1 hour for some of the car parks opposite the hospital.

Council staff discussed the suggestion with the design consultant for the accessible parking upgrade, with a view to seeking advice on the merits of the proposal. The advice received was that for the consultant to be able to recommend an appropriate time restriction for the subject parking spaces, a parking demand study would need to be conducted. This would involve site observations to determine availability and turn over of parking spaces during typical usage, which would be a labour intensive exercise.

An alternative, low-cost suggestion by the consultant was to simply implement the time-limit reduction and then signpost it as a trial. Council could then monitor performance of the parking spaces over a period of three months, and through those observations and consultation determine whether to keep the time limit in place. The advice received was that this approach has been conducted successfully elsewhere, although a one-hour parking limit was likely to be too restrictive, so their recommendation was to trial a two-hour limit.

Council also consulted the Stirling Hospital regarding their views on the proposal. The Stirling Hospital in turn conducted a survey of their community including patients (**Appendix 2**) and their staff (**Appendix 3**). The results of their consultation are shown in **Appendix 4**, and indicate satisfaction with existing arrangements, and a lack of support for the proposal or any reduction in time-limit on the subject parking spaces, given the needs of staff, patients and visitors. Specifically, 66 of the 71 responses received (93%) indicated that they do NOT support the proposal (to reduce the timed parking to one-hour).

Given the lack of community requests regarding time limits in this car park, no identified need for the change, and the lack of support for change from the main users of the car park, it is recommended that no changes be made at this time to the 20 car parks on the eastern side of Milan Tce. Rather, parking arrangements at this location should continue to be monitored and managed as per current operational practices, which would be in response to community requests and as per relevant best practice guides and Australian Standards.

3. OPTIONS

Council has the following options:

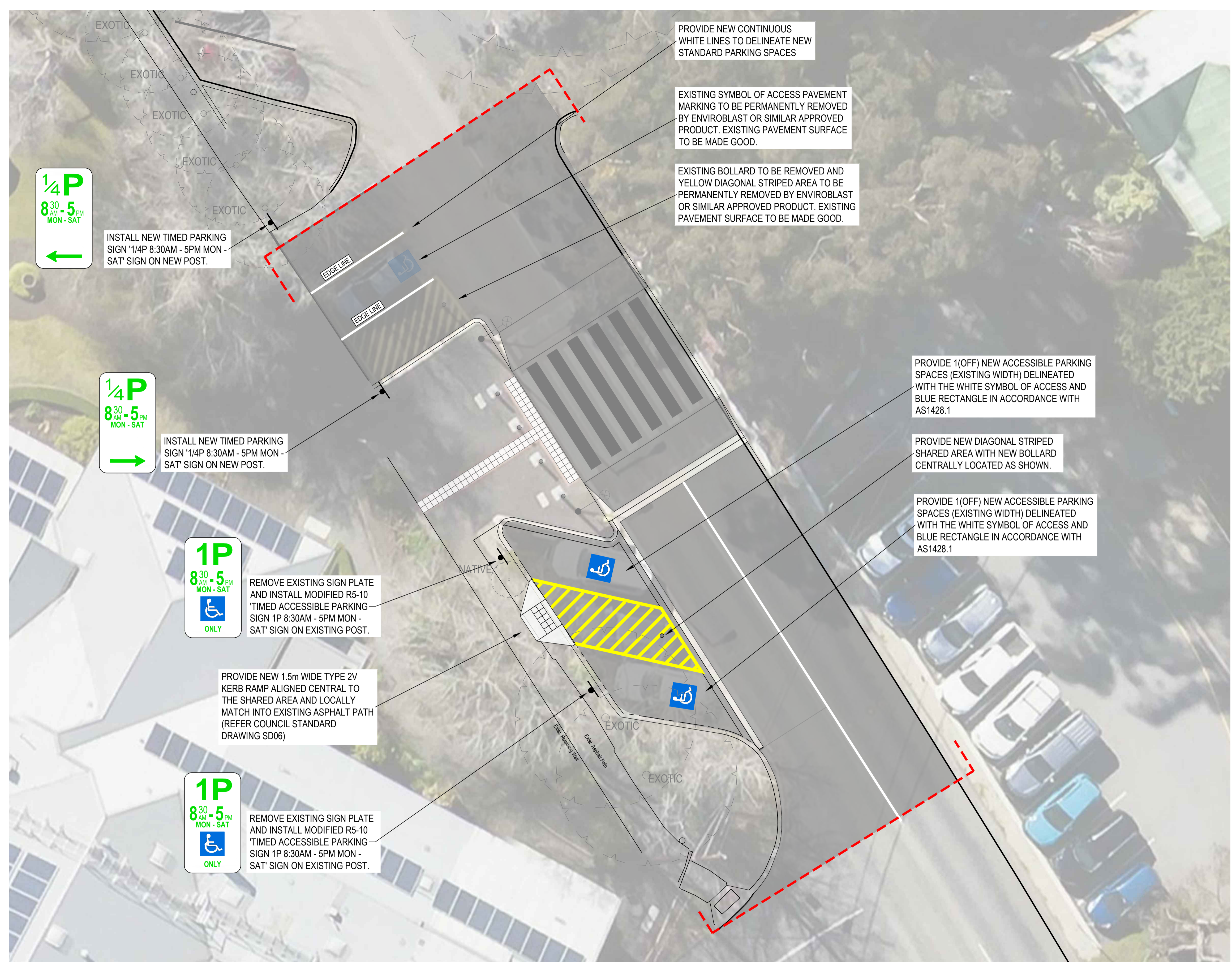
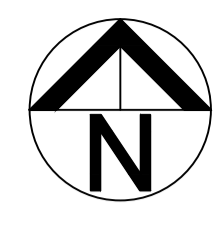
- I. Retain the current parking restrictions in the vicinity of the Stirling Hospital and to monitor the situation while managing parking controls as per normal operational practices (Recommended)
- II. Engage a suitably qualified traffic engineering consultant to undertake a formal parking demand study in the vicinity, utilising existing operational budgets (Not recommended)
- III. Trial a two-hour parking time limit on 10 parking spaces on the eastern side of Milan Tce, opposite the Stirling Hospital (Not Recommended)
- IV. Immediately implement a one-hour time limit on 10 parking spaces on the eastern side of Milan Tce, opposite the Stirling Hospital (Not Recommended)

4. APPENDICES

- (1) Accessible Car Parking Upgrade plan
- (2) Stirling Hospital Patients Survey
- (3) Stirling Hospital Staff Survey
- (4) Stirling Hospital Survey Results

Appendix 1

Accessible Car Parking Upgrade plan



LEGEND - GENERAL CONSTRUCTION

- EXISTING TREE TO REMAIN
- EXISTING LIGHT & POLE
- KERB RAMP (REFER CONSTRUCTION DETAILS)
- EXTENT OF WORKS SHOWN THUS

LEGEND - TRAFFIC CONTROL

- EXISTING LINEMARKING
- PROPOSED LINEMARKING (REFER NOTES FOR INFORMATION)
- PROPOSED LINEMARKING (REFER NOTES FOR INFORMATION)
- PAVEMENT SYMBOL - DEDICATED PARKING SPACE (REFER PLANS FOR TYPE AND LOCATION)

- GENERAL TRAFFIC NOTES**
- ALL WORKS TO BE PERFORMED IN ACCORDANCE WITH AS 1742 AS MODIFIED BY THE CODE OF TECHNICAL REQUIREMENTS FOR THE LEGAL USE OF TRAFFIC CONTROL DEVICES AND THE PAVEMENT MARKING MANUAL (DIT).
 - ANY ALTERATIONS ON SITE TO BE CONFIRMED WITH THE SUPERINTENDENT.
 - DO NOT SCALE FROM THIS DRAWING.
 - UNDERGROUND SERVICE DEPTHS AND LOCATIONS SHALL BE CONFIRMED ON SITE BY HAND DIGGING (POT-HOLING) PRIOR TO UNDERTAKING ANY WORKS. WHERE REQUIRED, THE CONTRACTOR SHALL ARRANGE FOR THEIR RELOCATION IN ACCORDANCE WITH THE RELEVANT AUTHORITIES REQUIREMENTS.
 - REDUNDANT PAVEMENT MARKINGS SHALL BE REMOVED USING 'ENVIROBLAST' OR SIMILAR APPROVED.
 - KERB RAMP TO BE CONSTRUCTED IN ACCORDANCE WITH AS 1428.
 - REFER TO DESIGN PLANS FOR HOLDING RAIL SIZE & LOCATIONS & IN CONJUNCTION WITH ASSOCIATED COUNCIL STANDARD DRAWINGS.
 - ALL LANE DIMENSIONS QUOTED ARE TO THE CENTRE OF LINEMARKING OR TO THE FACE OF KERB.
 - ALL LINEMARKING SHALL BE 100mm WIDE UNLESS OTHERWISE SHOWN.
 - THE SUPERINTENDENT IS TO BE NOTIFIED OF THE COMPLETION OF WORKS, AND IS TO BE PROVIDED WITH DETAILS OF ANY 'AS CONSTRUCTED' VARIATIONS TO THE DRAWINGS.

- LINEMARKING NOTES**
- ACCESSIBLE PARKING EDGE LINE* - 100mm WIDE CONTINUOUS YELLOW LINE.
 - ACCESSIBLE PARKING SHARED AREA - 150mm WIDE CONTINUOUS YELLOW DIAGONAL STRIPE AT 45±10 DEGREES TO THE SIDE OF THE SPACE
 - EDGE LINE* - 100mm WIDE CONTINUOUS WHITE LINE.

* ALL LONGITUDINAL LINES, CHEVRONS AND DIAGONAL MARKINGS HAVING APPLICATION AT NIGHT SHALL BE REFLECTORISED IN ACCORDANCE WITH AS 1742.

- SIGNAGE NOTES**
- ALL ROAD SIGNS TO BE INSTALLED IN ACCORDANCE WITH AS 1742.
 - ALL ROAD SIGNS TO BE LOCATED SO THAT THE EDGE OF SIGN NEAREST THE ROAD IS LOCATED:
 - KERBED ROADS - AT LEAST 300mm FROM BACK OF KERB.
 - UN-KERBED ROADS - AT LEAST 600mm BACK FROM THE LINE OF GUIDE POSTS (MIN 2.0m - MAX 5.0m FROM EDGE OF SEAL).

FOR COMMENT

<p>SCALES:</p> <p>1:100 @ A1</p>		<p>www.be-engineersolutions.com.au Level 3, 149 Flinders Street, Adelaide, SA 5000 info@be-engineersolutions.com.au ABN 90 631 262 756</p>		<p>CLIENT:</p> <p>MILAN TERRACE STIRLING ADELAIDE HILLS COUNCIL ACCESSIBLE CAR PARKING UPGRADE</p>		<p>CONCEPT</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">DESIGN BY: R.TANG</td> <td style="width: 25%;">DRAWN BY: R.TANG</td> <td style="width: 25%;">PROJECT # BE21-222</td> <td style="width: 25%;">SHEET SIZE: A1</td> </tr> <tr> <td colspan="2">DRAWING # BE21-222</td> <td colspan="2">SHEET # C01</td> </tr> <tr> <td colspan="2"></td> <td colspan="2">REV # A</td> </tr> </table>		DESIGN BY: R.TANG	DRAWN BY: R.TANG	PROJECT # BE21-222	SHEET SIZE: A1	DRAWING # BE21-222		SHEET # C01				REV # A	
DESIGN BY: R.TANG	DRAWN BY: R.TANG	PROJECT # BE21-222	SHEET SIZE: A1																
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<p>A CONCEPT</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">REV</td> <td style="width: 25%;">DESCRIPTION</td> <td style="width: 25%;">DRAWN</td> <td style="width: 25%;">CHECK</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table> <p style="text-align: right;">RT RT RT 25.01.2022</p>		REV	DESCRIPTION	DRAWN	CHECK					<p>UNCONTROLLED DOCUMENT WHEN PRINTED</p> <p>100 MILLIMETERS ON ORIGINAL DRAWING</p>		<p>GENERAL LAYOUT PLAN</p>		<p>FILE REFERENCE: BE21-222 Milan Terrace.dwg</p>					
REV	DESCRIPTION	DRAWN	CHECK																

Appendix 2

Stirling Hospital Patients Survey

Survey on the proposed change to parking conditions on Milan Terrace, Stirling

The Adelaide Hills Council are considering a proposal to change the parking time limit for the 10 parking spaces on the eastern side of Milan Terrace (opposite Stirling Hospital; on the other side of the wombat crossing) from the current **4 hour term to 1 hour**, between the hours of 8:00am to 5:00pm, Monday to Friday.

We are seeking feedback from the Stirling Hospital community to provide to the Council, from the following options:

- I do not support the proposal to reduce the 4 hour parking to 1 hour parking – no change is needed
- I support the proposal to reduce the 4 hour parking to 1 hour parking – with no recommended revisions to the proposal
- Any other suggestions:

Thank you for taking the time to complete this survey

Survey on the proposed change to parking conditions on Milan Terrace, Stirling

The Adelaide Hills Council are considering a proposal to change the parking time limit for the 10 parking spaces on the eastern side of Milan Terrace (opposite Stirling Hospital; on the other side of the wombat crossing) from the current **4 hour term to 1 hour**, between the hours of 8:00am to 5:00pm, Monday to Friday.

We are seeking feedback from the Stirling Hospital community to provide to the Council, from the following options:

- I do not support the proposal to reduce the 4 hour parking to 1 hour parking – no change is needed
- I support the proposal to reduce the 4 hour parking to 1 hour parking – with no recommended revisions to the proposal
- Any other suggestions:

Thank you for taking the time to complete this survey

Appendix 3

Stirling Hospital Staff Survey

Survey on the proposed change to parking conditions on Milan Terrace, Stirling

The Adelaide Hills Council are considering a proposal to change the parking time limit for the 10 parking spaces on the eastern side of Milan Terrace (opposite Stirling Hospital; on the other side of the wombat crossing) from the current **4 hour term to 1 hour**, between the hours of 8:00am to 5:00pm, Monday to Friday.

We are seeking feedback from the Stirling Hospital community to provide to the Council, from the following options:

- I do not support the proposal to reduce the 4 hour parking to 1 hour parking – no change is needed
- I support the proposal to reduce the 4 hour parking to 1 hour parking – with no recommended revisions to the proposal
- Any other suggestions:

On average, how many days per week do you currently use this parking area? _____

Do you typically require this parking area for: *(tick)*
 less than 1 hour 1-2 hours 3-4 hours over 4 hours

Thank you for taking the time to complete this survey

Survey on the proposed change to parking conditions on Milan Terrace, Stirling

The Adelaide Hills Council are considering a proposal to change the parking time limit for the 10 parking spaces on the eastern side of Milan Terrace (opposite Stirling Hospital; on the other side of the wombat crossing) from the current **4 hour term to 1 hour**, between the hours of 8:00am to 5:00pm, Monday to Friday.

We are seeking feedback from the Stirling Hospital community to provide to the Council, from the following options:

- I do not support the proposal to reduce the 4 hour parking to 1 hour parking – no change is needed
- I support the proposal to reduce the 4 hour parking to 1 hour parking – with no recommended revisions to the proposal
- Any other suggestions:

On average, how many days per week do you currently use this parking area? _____

Do you typically require this parking area for: *(tick)*
 less than 1 hour 1-2 hours 3-4 hours over 4 hours

Thank you for taking the time to complete this survey

Appendix 4

Stirling Hospital Survey Results

Survey on the proposed change to parking conditions on Milan Terrace, Stirling

The Adelaide Hills Council are considering a proposal to change the parking time limit for the 10 parking spaces on the eastern side of Milan Terrace (opposite Stirling Hospital; on the other side of the wombat crossing) from the current **4 hour term to 1 hour**, between the hours of 8:00am to 5:00pm, Monday to Friday

We sought feedback from the Stirling Hospital community to provide to the Council, from the following options:

Total Responses	I do not support the proposal to reduce the 4 hour parking to 1 hour parking – no change is needed	I support the proposal to reduce the 4 hour parking to 1 hour parking – with no recommended revisions to the proposal	No Response
71	66 = 92.9%	1 = 1.4%	4 = 5.6%

On average, how many days per week do you currently use this parking area?

Total Responses	0-1	1-2	3-4	4+	NA
28	2 = 7.14%	8 = 28.5%	5 = 17.8%	8 = 28%	5 = 17.8%

Do you typically require this parking area for:

Total Responses	1-2hr	2-3hr	3-4hr	4+hr	NA
30	4 = 13.3%	2 = 6.6%	12 = 40%	14 = 46%	1 = 3.3%

There were also suggestions provided by some respondents under the “Any other suggestions?” section which supported the quantitative information collated above.

Some examples are listed below:

- Hospital staff have enough difficulty in getting a carpark after 12pm, and cannot get out every hour
- Rarely does a hospital appt take less than an hour
- Parks longer than one hour are needed for some hospital appointments, you can never be sure how long your appointment will be
- As a hospital employee there is very limited parking for staff as is, so where would we park especially when we finish at 9pm, its unsafe to expect us to walk for “miles” alone at night

- As an employee of the Stirling hospital, this will affect nursing staff. Especially theatre staff who will have to leave the premises to shift cars. Also there is insufficient parking at rear of hospital which needs to be addressed.
- Definitely NOT. Do not change the 4 hour limit
- Where else are staff meant to park? A lot of our scans/procedures are longer than 1 hour, so will be difficult for patients also.
- It will be very difficult for visitors/staff if parking is only 1 hour. Not long enough – unless extra parking is provided.
- These parks are used by patients and family members who are waiting most of the time longer than one hour. Also, elderly people (most patients and relatives) cannot continually move their cars. Risk of falls would increase the stress it would put on them would increase significantly.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 July 2022
AGENDA BUSINESS ITEM**

Item: 12.3

Responsible Officer: Natalie Westover
Manager Property Services
Corporate Services

Subject: Section 221 Permit to the CFS for Bushfire Last Resort Refuge Signage within the Adelaide Hills Council District

For: Decision

SUMMARY

The purpose of this report is to seek a resolution to issue the SA Country Fire Service (CFS) with an exclusive Section 221 (Road Rent) Permit (the "Permit") pursuant to Section 221 of the *Local Government Act 1999* ("Act") for a term of twenty five (25) years.

The Permit is sought for the occupation of portion of road reserves located adjacent to Houghton Oval, Kersbrook Oval, Birdwood Oval, Mount Torrens and Gumeracha Ovals for the purposes of the installation of CFS "Bushfire Last Resort Refuge" signage (refer **Appendix 1**).

An exclusive Permit over this land parcel will ensure the signage remains in place and is legally accessible by both the Council and CFS for the purpose of providing information to the community of the last safe refuge in the event of a bushfire within the Adelaide Hills Council district.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. To issue a Section 221 (Road Rent) Permit to the SA Country Fire Service, in accordance with the provisions of the *Local Government Act 1999*, which is sought for the occupation of portion of road reserves located adjacent to Houghton Oval, Kersbrook Oval, Birdwood Oval, Mount Torrens and Gumeracha Ovals for the purposes of the installation of CFS "Bushfire Last Resort Refuge" signage.
 3. Authorise the Chief Executive to finalise and sign all necessary documentation pursuant to this resolution.
-

1. BACKGROUND

The CFS approached Council in 2017, post Sampson Flat bushfire, to seek assistance and support with the installation and ongoing maintenance of “Bushfire Last Resort Refuge” signage. The signs were installed adjacent to the Houghton Oval, Kersbrook Oval, Gumeracha Oval, Birdwood Oval and Mount Torrens Oval.

The purpose of the signage was to highlight for the community an area of last resort in the event of a bushfire within the district. The initial permit was first issued in March 2017, for a period of five (5) years, which expired on 30 April 2022.

As a result of recent discussions with the CFS regarding the continuance of the permit arrangement it was determined to seek an extension of the original permit term, however for a longer term than the standard five year permit. The CFS requested that these permits be issued for a period of twenty five (25) years.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal Community Wellbeing

Objective C2 A connected, engaged and supported community

Priority C2.5 Continue to work with government agencies and non-government organisations to support the community recover from natural disasters and the COVID-19 pandemic.

Goal Community Wellbeing

Objective C4 An active, healthy, thriving and resilient community

Priority C4.5 Take an all hazards approach to emergency management so we can support the emergency services and the community before, during and after disaster events.

Council issues permits for the alteration of roads, in accordance with Section 221 of the *Local Government Act 1999* and Council’s Alteration and Occupation of Road Policy.

➤ Legal Implications

The alteration of road is covered under Section 221 of the “Act”.

Council issues permits to approved applicants in accordance with the provisions of the Act. In this case, the CFS has applied for an exclusive use permit for a twenty-five (25) year term. In accordance with Council’s *Alteration and Occupation of Road Policy*, these requests are to be presented to Council for a resolution.

➤ **Risk Management Implications**

The issue of an exclusive use permit will assist in mitigating the risk of:

Non-compliance with legislative requirements leading to privately owned infrastructure and unauthorised encroachments on road reserve leading to increased risk and liability for council.

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

➤ **Financial and Resource Implications**

The issue of the permit is managed within existing resource allocations.

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

Not Applicable

➤ **Sustainability Implications**

Not Applicable

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

External Agencies: Not Applicable

Community: Not Applicable

➤ **Additional Analysis**

Council's current *Alteration and Occupation of Road Policy* states that "Exclusive Permits" are where the permit holder has a right to exclusive use of the road or road reserve, but Council and or any person authorised by or through Council may use or access the road. It further states that "Permits are issued for up to a five (5) year period". However, the policy enables requests for longer terms for exclusive purpose will be assessed on a case by case basis, and brought to Council for a decision.

The “Last Resort Refuge” signage has been in place since 2017, there are no changes to the existing signs in place. The only slight change is to the positioning of one sign adjacent to the Birdwood Oval. This sign has already been moved by Council staff, after consultation with the local Birdwood CFS brigade and local community members. The sign was originally placed outside the Birdwood Kindergarten, which incorrectly directed the public towards the Birdwood Kindergarten carpark, instead of the Birdwood Oval. This has now been rectified.

Council staff sought further feedback from internal stakeholders to ensure issuing a permit for a 25 year period was deemed appropriate. The Manager of Waste and Emergency Management supported the proposal for a 25 year permit, which would save on administration time which usually occurs with a five year permit.

3. OPTIONS

Council has the following options:

- I. Approve the issue of the Section 221 (Road Rent) permit to the CFS for a term of 25 years (Recommended)
- II. Not approve the issue of the permit for the term of 30 years, and the permit be issued for the standard 5-year term (Not Recommended)

4. APPENDIX

- (1) Proposed Section 221 Permit

Appendix 1

Proposed Section 221 Permit



Adelaide Hills
COUNCIL

SCHEDULE

ENCROACHMENT PERMIT

(Sections 221 and 222 of the *Local Government Act 1999* (SA))

Your Details (You, Your)	South Australian Country Fire Service ABN: 97 677 077 835 <u>Contact person</u> Title: Mr First Name: Phillip Surname: McDonough Position in the organisation: Project Manager Address: GPO Box 2468, Adelaide SA 5001 Telephone number: 0418 831 352 Email: phil.mcdonough@sa.gov.au
Council	Adelaide Hills Council Contact person/position: Kylie Caruso – Roads Officer Site address: 63 Mount Barker Road, Stirling SA 5152 Postal address: GPO Box 44, Woodside SA 5244 Telephone number: 8408 0400 Email: property@ahc.sa.gov.au
Road Area	That portion of the public roads at the following locations: <ul style="list-style-type: none">- Shannon Road, Birdwood directly adjacent to Birdwood Oval- Albert Street, Gumeracha, adjacent to Gumeracha Oval- Lower North East Road Houghton, adjacent to Houghton Oval- Glover Street Kersbrook, adjacent to Kersbrook Oval- Oval Road, Mount Torrens adjacent to Mount Torrens Oval The (Public Roads) being the areas as marked with a 'Green Cross' on the plans attached as Annexure A
Term	25 years commencing on 28 th April 2022 and expiring on 27 th April 2047
Alteration	Installation of a 'Bushfire Last Resort Refuge' signage
Business Purpose	Not applicable
Permitted Use	To use the Road Area for the purpose of erecting signage, advising the public of the Last Resort Refuges in the event of a bushfire.
Fee	\$ Nil
Special Conditions	Council to be responsible for the maintenance of those signs installed on its land. Replacement signs, as required, will be available through the CFS.

I/we agree to:

- the General Terms and Conditions and the Schedule to this agreement;
- any/all additional Special Conditions included in the Schedule to this agreement; and
- pay the **Fee** and other costs and charges as required by this agreement.

Execution by individual

.....
Signature

.....
Name (print)

.....
Date

OR

Execution by company

Executed by
pursuant to section 127 of the *Corporations Act 2001*

.....
Signature of Director/Sole Director and Secretary

.....
Signature of Director/Company Secretary

.....
Date

<u>FOR COUNCIL USE ONLY</u>	
Signed for Adelaide Hills Council by its authorised delegate in the presence of:	
..... Signature of witness Signature of delegate
..... Name of witness (print) Name and Position of delegate
Date:.....	

GENERAL TERMS AND CONDITIONS

- DEFINITIONS** Words that are in **bold** in these General Terms and Conditions and any Special Conditions have the meaning given to them in the Schedule to this agreement.
- INTERPRETATION** If there is no **Alteration** set out in this agreement, then the associated provisions of this agreement will not apply. If there is no **Business Purpose** set out in this agreement, then the associated provisions of this agreement will not apply.
- RIGHT TO USE**
1. **You** are authorised by the **Council** to undertake the **Alteration** to the **Road Area** pursuant to section 221 of the *Local Government Act 1999* (SA).
 2. **You** are permitted by the **Council** to use the **Road Area** for the **Business Purpose** pursuant to section 222 of the *Local Government Act 1999* (SA).
 3. This agreement does not give **You** any other rights to alter or use the **Road Area**.
- CONTROL OF OTHERS**
4. Where the context permits, where **You** are under an obligation to do or not do something under this agreement, **Your** obligation extends to **You** using **Your** best endeavours to ensure that all persons that are present on the **Road Area** during the **Term**, including but not limited to **Your** employees, agents and invitees do or refrain from doing those things also.
- FEE**
5. **You** must pay the **Fee** to Council at the time and in the manner set out in the Schedule.
- LEGAL REQUIREMENTS**
6. This agreement gives **You** the **Council's** approval as owner of the **Public Road** to use **Road Area** for the **Permitted Use**. It does not give **You** any other approvals. **You** must obtain all other approvals required for the **Permitted Use**, including any development approvals (which may be required to be granted by the Council in its separate capacity as the relevant statutory authority) or liquor licences.
 7. **You** must comply with all laws and legal requirements relating to **Your** use of the **Road Area** and the **Alteration** and **Business Purpose**.
- INFRASTRUCTURE**
8. The infrastructure, equipment or improvements comprising or associated with the **Alteration** are owned by **You** and are **Your** responsibility.
 9. **You** must maintain the structures, improvements and infrastructure comprising or associated with the **Alteration** in good repair and safe condition during the **Term**.
 10. **You** must ensure the structures, improvements and infrastructure comprising or associated with the **Alteration** do not interfere with or cause damage to or affect in any way:
 - a. any adjoining property;
 - b. any wire, post, cable, pipe or other property or infrastructure belonging to the **Council**, a utilities or service provider or any adjoining property owner; or
 - c. the use of the **Road Area** or the **Public Road** by the public.

- RESTRICTIONS ON USE**
11. **You** may only use the **Road Area** for the **Permitted Use**. **You** may not use it for any other purpose.
12. **You** must use the **Road Area** safely and so as not to cause any offense or create a nuisance or disturbance for other people.
- ALCOHOL**
13. **You** must not sell alcohol within the **Road Area** or any public areas surrounding the **Road Area** without the written consent of the **Council**.
- SMOKE-FREE AREAS**
14. **You** must not smoke within any area designated smoke-free by the **Council**.
- SALE OF FOOD**
15. **You** must not sell, or permit the sale of, food within the **Road Area** except with the prior written consent of the **Council**.
- REPAIR OF DAMAGE**
16. **You** must repair all damage that is caused to the **Road Area** or any other property (including but not limited to buildings and equipment) during the **Term**.
- CLEANING**
17. **You** must ensure the **Road Area** is kept in a clean and tidy condition and free from rubbish during the **Term**.
18. Public bins (if any) within the **Road Area** must only be used for general food, beverage and similar waste. **You** must not use public bins for business waste (including but not limited to boxes that contained supplies and other waste generated by **Your** operations) and **You** must ensure that all business waste is disposed of appropriately at **Your** cost.
- YOUR RISK**
19. **You** agree:
- a. **Your** use of the **Road Area** is at **Your** own risk;
 - b. the **Council** has given you no warranty that the **Road Area** is suitable for the **Permitted Use**;
 - c. to release the **Council** from any claims that **You** may have against the **Council** for loss, damage, injury or death suffered or incurred as a result of **Your** use of the **Road Area**; and
 - d. to indemnify the Council against all claims that are made against the **Council** for loss, damage, injury or death caused or contributed to by:
 - i. **Your** Alteration to or **Business Use** of the **Road Area**;
 - ii. matters occurring at the **Road Area** relating to **You** during the **Term**; or
 - iii. any breach by **You** of this agreement.
- INSURANCE**
20. **You** must maintain a public risk policy of insurance in relation to **Your** use of the **Road Area** for at least twenty million dollars for any one claim and unlimited in the aggregate, and which covers events occurring during the policy's currency regardless of when claims are made.
21. **You** must maintain a policy of insurance for the structures, improvements and infrastructure comprising or associated with the **Alteration** for their full replacement value.
22. **You** must provide a copy of the certificates of currency for the policies described above to the **Council** before the start of the **Term** and at any time they are renewed during the **Term**.
- NO TRANSFER**
23. **You** cannot transfer this agreement or your rights to use the **Road Area** or grant any other person rights to use the **Road Area**.

- COUNCIL'S RIGHTS**
24. The **Council** may:
- a. carry out works within the **Road Area** or surrounding areas that may interfere with **Your** use of the **Road Area**;
 - b. take any action that it considers to be reasonable if there is an emergency and **You** must comply with all directions of the **Council** during the emergency; and
 - c. do anything that **You** are required to do under this agreement if **You** do not do it or do not do it properly and recover its costs of doing so from **You**.
- COMPLY WITH DIRECTIONS**
25. **You** must comply with all reasonable directions of the **Council** in relation to **Your** use of the **Road Area**.
- BREACH AND TERMINATION**
26. If **You** breach a provision of this agreement and that breach is capable of remedy, **You** will have seven days from the receipt of a notice from the **Council** advising of the breach to remedy the breach (except in the case of an emergency, in which case the **Council** may remedy the breach and recover its costs of doing so).
27. If **You** do not remedy the breach set out in the notice OR the breach is not capable of remedy (in both cases in the **Council's** reasonable opinion) the **Council** may give **You** a further written notice proposing the termination of this agreement. **You** will have one month in which to make written representations to the **Council** on the proposed termination (unless the **Council** determines that a shorter period should apply for the protection of the public).
28. The **Council** will consider any representations **You** make and then notify **You** as to whether this agreement is terminated or not.
- EXPIRY**
29. This agreement automatically expires at the end of the **Term**. **You** must not use the **Road Area** for the **Permitted Use** after expiry.
30. Upon the expiry or earlier termination of this agreement, unless you are granted a new authorisation pursuant to section 221 of the *Local Government Act 1999* (SA) and/or a new permit pursuant to section 222 of the *Local Government Act 1999* (SA) (as required) **You** must:
- a. if required by the **Council**, remove all structures, improvements and infrastructure comprising or associated with the **Alteration** and make good any damage to the **Road Area** and surrounding areas caused by such removal; and
 - b. ensure that the **Road Area** is left in a clean and tidy condition, including by appropriately disposing of all rubbish and removing all goods and equipment from the **Road Area**.
- GST**
31. If any GST (within the meaning of the *A New Tax System (Goods and Services Tax) Act 1999* (Cth)) is payable on a supply made pursuant to this agreement then the recipient of the supply must pay the additional GST amount at the same time as it pays for the supply.
- COSTS**
32. The **Council** may recover from **You** all costs it incurs in consequence of any actual or threatened breach by **You** of this agreement.
33. Notices under this agreement must be sent in writing to the names and addresses
- SPECIAL CONDITIONS**
34. **You** must comply with all Special Conditions contained in the Schedule to this agreement.

Annexure A – Plan

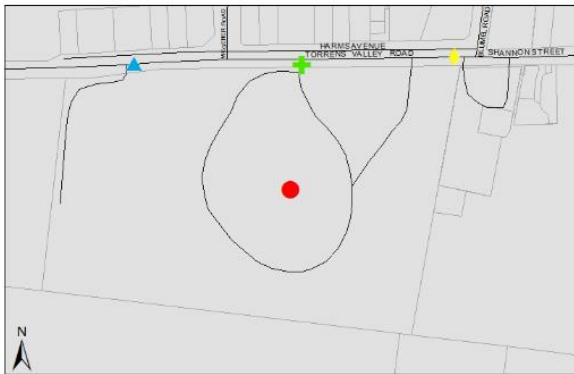


Birdwood Oval Last Resort Refuge

Location: Shannon Street, Birdwood SA 5234

Council: Adelaide Hills Council

- Last Resort Refuge
- ✚ Last Resort Refuge Identification Sign 2B
- ▲ Last Resort Refuge Pointer Sign Right
- ◆ Last Resort Refuge Pointer Sign Left



Facing South

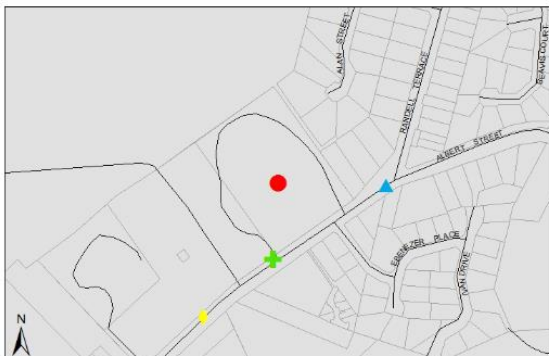


Gumeracha Oval Last Resort Refuge

Location: Albert Street, Gumeracha SA 5233

Council: Adelaide Hills Council

- Last Resort Refuge
- ✚ Last Resort Refuge Identification Sign 2B
- ▲ Last Resort Refuge Pointer Sign Right
- ◆ Last Resort Refuge Pointer Sign Left



Facing North West



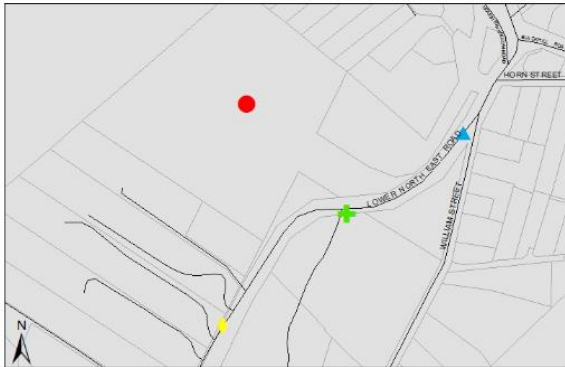


Houghton Oval Last Resort Refuge

Location: Lower North East Road, Houghton SA 5733

Council: Adelaide Hills Council

- Last Resort Refuge
- ✚ Last Resort Refuge Identification Sign 2B
- ▲ Last Resort Refuge Pointer Sign Right
- ◆ Last Resort Refuge Pointer Sign Left



Facing North West



Kersbrook Oval Last Resort Refuge

Location: Glover Street, Kersbrook SA 5231

Council: Adelaide Hills Council

- Last Resort Refuge
- ✚ Last Resort Refuge Identification Sign 2B
- ▲ Last Resort Refuge Pointer Sign Right
- ◆ Last Resort Refuge Pointer Sign Left



Facing North



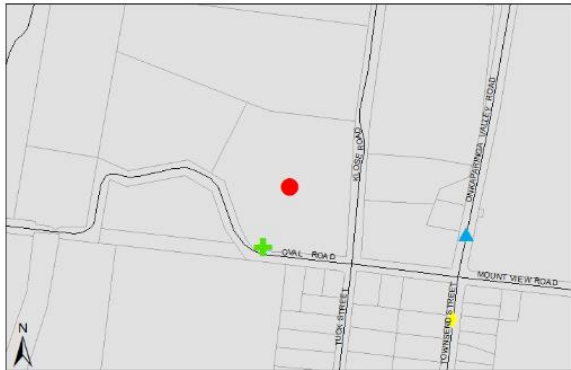


Mount Torrens Oval Last Resort Refuge

Location: Oval Road, Mount Torrens SA 5244

Council: Adelaide Hills Council

- Last Resort Refuge
- ✚ Last Resort Refuge Identification Sign 2B
- ▲ Last Resort Refuge Pointer Sign Right
- ◆ Last Resort Refuge Pointer Sign Left



Facing North



**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 July 2022
AGENDA BUSINESS ITEM**

Item: 12.4

Responsible Officer: Rebecca Shepherd
Manager Community Development
Community Capacity

Subject: Youth School Holiday Program Driver Education - Proposed
Temporary Road Closures

For: Decision

SUMMARY

This report seeks Council to make an order for temporary road closures to facilitate a Young Driver Education Program on Wednesday 12 October 2022, and Wednesday 26 April 2023. 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. To, 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:
 - 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 12 October 2022, and 9.00am and 6.00pm Wednesday 26 April 2023.
 - 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. To 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. BACKGROUND

The ability of young drivers to transport themselves safely throughout the district is an essential element to their transition into a productive adulthood as it enables them to access education, employment and social events.

The Driver Awareness Courses are designed to complement the skills and understanding required of young drivers to obtain their Probationary Licence, and to increase young drivers' understanding of inherent risks and increase their abilities to make safer and better decisions when taking part in traffic.

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 temporary road closures for driver training days in the October 2022 and April 2023 school holidays.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal	Community Wellbeing
Objective C1	A community for everyone – that is inclusive, welcoming and accessible
Priority C1.3	Make the district more accessible and welcoming for all with a focus on youth participation, positive ageing, disability inclusion and multiculturalism.

Young people transporting themselves safely through the district is essential to their ability to participate in education, employment and their community.

Goal	Community Wellbeing
Objective C2	A connected, engaged and supported community
Priority C2.3	Facilitate opportunities for our youth to develop skills, build resilience and be actively involved in and connected to their community.

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

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.

Goal	Community Wellbeing
Objective C3	A community that grows together
Priority C3.1	Provide and support programs and services that encourage and enhance personal growth, lifelong learning and professional development.

In addition to 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.

Youth Action Plan 2021 – 2024

Theme 2 Connection and Inclusion

Action 4.3 Continue to deliver Drivers Awareness Courses aimed at improving safety for young road users

➤ **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 an open public road leading to accidents and subsequent legal and reputational consequences to Council.

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

This is an existing control.

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.

➤ **Financial and Resource Implications**

For the course date in October 2022, fees for the training are \$120 per participant, with a maximum of 15 participants per course day. Through its Youth Development 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 budgets.

Commencing in 2023, the Australian Driving Institute has increased its fees to \$150 per participant. For the 2022/23 financial year, this means that the cost to run the program in April will increase by a maximum of \$450. This cost increase can be accommodated from existing Youth Development budgets.

For the 2023/24 financial year and onwards, avenues for sponsorship and co-funding will be explored to cover the cost increase.

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

Consistent with programs organised by Council’s Community Centres and Libraries, bookings will be managed using the online events booking service Eventbrite. This has proved to minimise the impact of the Drivers Awareness Courses on Customer Service staff compared to the process prior to 2019.

All queries from participants will be answered by the Community Development Officer Youth and Recreation.

➤ **Sustainability Implications**

Not applicable.

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

Council Committees: Not applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

External Agencies: Not applicable

Community: The Council’s Driver Awareness Courses have been running twice a year for fifteen years and has been much appreciated by the participants and their families. The courses have attracted only positive comments from residents. Residents at the relevant stretch 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.

➤ **Additional Analysis**

For 2022-23 two days of young driver awareness training have been planned, for Wednesday 12 October 2022 and Wednesday 26 April 2023.

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 proposed closed section marked between A and B. Over the years, this location has proven to not affect regular traffic movement to any great extent. 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. Residents will receive direct notification of the closure and advanced warning signs will be put in place three weeks leading up to the event.

Council will undertake traffic management during the road closure, in accordance with Australian Standard AS1742.3 and relevant Department of Infrastructure and Transport (DIT) 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 Infrastructure and Transport (DIT) as appropriate, will be notified at least two weeks prior to the date of the event (G.7).

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 and Instagram pages. 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 many expressions of interest have been received.

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.

Furthermore, participants of the Adelaide Hills Youth Leadership Program have expressed concern for young driver safety and are supportive of the program.

3. 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 since October 2007, there is a community expectation that the course be held in the October 2022 and April 2023 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.

4. APPENDIX

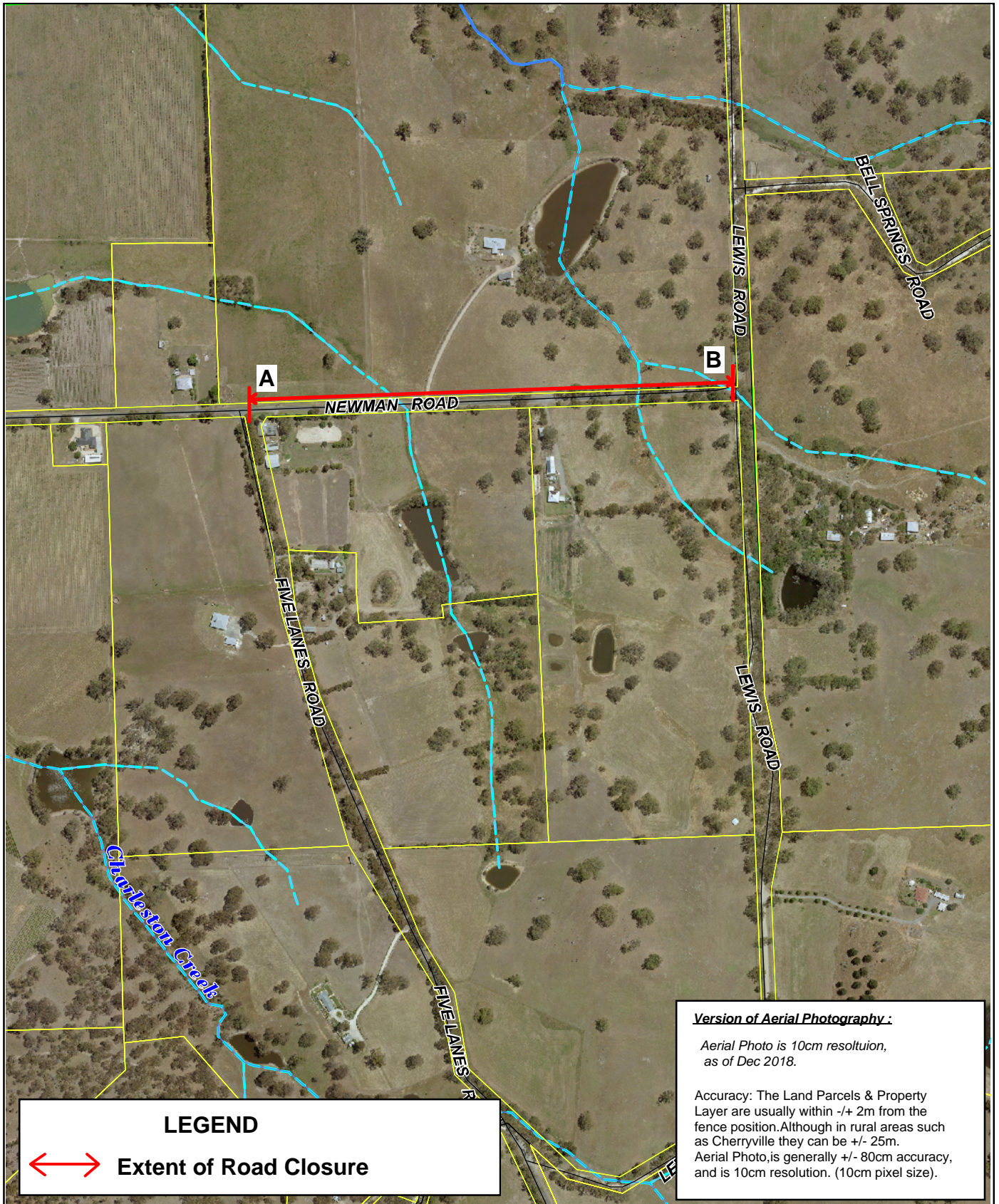
- (1) Location Map with proposed closed section marked between A and B

Appendix 1

*Road Closures Young Drivers Awareness
Course 2022-23 – Location Map*

Attachment 1: Road closures Young Drivers Awareness Course 2022-23

Location Map with proposed closed section marked between A & B



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SCALE
 1: 7,500



**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 July 2022
AGENDA BUSINESS ITEM**

Item: 12.5

Responsible Officer: Kira-marie Laverty
Corporate Planning & Performance Coordinator
Office of the Chief Executive

Subject: Service Review Report – Civil Services

For: Decision

SUMMARY

Council has resolved to implement a *Service Review Framework* (the Framework) as part of the *Annual Business Plan 2021-22*. The Framework was adopted by Council at the 26 October 2021 meeting and provides Council with principles and guidelines for conducting an external Service Review to evaluate the adequacy, effectiveness and efficiency of the reviewed services.

The *Service Review Brief – Civil Services* was presented at the 25 January 2022 Council Meeting, and the consultant (Epic Projects & Consulting) was appointed and field work commenced in March 2022.

The purpose of this report is present the findings and recommendations of the Service Review as detailed in the *Service Review 2021-22 – Civil Service Maintenance Function Report (Appendix 1)* as well as the management responses and the *Service Review 2021-22 – Civil Service Maintenance Function – Management Response and draft Action Plan (Action Plan)* contained in **(Appendix 2)**.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. To receive and note the *Service Review 2021-22 – Civil Service Maintenance Function Report*, as contained in Appendix 1.
 3. To adopt the *Service Review 2021-22 – Civil Service Maintenance Function – draft Action Plan*, containing the Service Review recommendations, management responses and agreed actions, as contained in Appendix 2
 4. To note that that the implementation status of the agreed actions will be reported to Council on a biannual basis, nominally March and August.
-

1. BACKGROUND

Council has resolved to implement a *Service Review Framework* (the Framework) as part of the *Annual Business Plan 2021-22*. The Framework (**Appendix 3**) was adopted by Council at the 26 October 2021 meeting and provides Council with principles and guidelines for conducting an external Service Review to evaluate the adequacy, effectiveness and efficiency of the reviewed services. The current budget allocation is for one external Service Review to be conducted per annum.

A Council workshop was held on 16 November 2021 to discuss the criteria for determining the function schedule for Service Reviews over the next 3 years.

Based on the criteria, all functions were scored to provide the following 3 year schedule:

- Year 1 – Civil Services (maintenance)
- Year 2 - Open Space Operations
- Year 3 – Planning and Development

The *Service Review Brief – Civil Services* was presented at the 25 January 2022 Council Meeting.

12.7 Service Review Brief – Civil Services

Moved Cr Leith Mudge
S/- Cr Malcolm Herrmann

12/22

Council resolves:

1. That the report be received and noted
2. To adopt the draft *Service Review Brief – Civil Services* as contained in *Appendix 1*
3. That the Chief Executive Officer be authorised to make minor changes to the draft *Service Review Brief – Civil Services* arising from the Council's consideration of the matter.

Carried unanimously

Following the Request for Quote procurement process being undertaken in February 2022, the consultant (Epic Project and Consulting) was appointed, with field work commencing in March 2022.

The objective of the service review of the Civil Services Maintenance Function, was to facilitate efficiency, effectiveness, and appropriateness in service provision through the analysis of factors such as:

- Service clarity, replicability and quality
- Customer (internal or external) priorities, aspirations and experience
- Alignment to the Council's strategic intent
- Statutory obligations
- Process efficiency and saving opportunities
- Service delivery effectiveness and performance assessment

Review and analysis was undertaken over April and May 2022, with the findings and recommendations captured in the *Service Review 2021-22 – Civil Service Maintenance Function Report (Appendix 1)*.

The Director Infrastructure and Operations in conjunction with other key staff has prepared a Management Response to the Recommendations, and a draft Action Plan for consideration which is contained in *(Appendix 2)*.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal	A Progressive Organisation
Objective O2	Our customers find it easier to interact and do business with Council and have an improved customer experience.
Priority O2.2	Modernise our services and enhance the customer experience by making service delivery faster, more convenient and more proactive.
Priority 2.4	Continuously strive to measure and improve performance and service delivery across all functions.
Objective O3	Our organisation is financially sustainable for both current and future generations
Priority O3.4	Assess the range and level of services undertaken to ensure they fulfil Council's legislative and strategic intent

Council also operates an Internal Audit Program which, while undertaking somewhat similar review activities, has as its main focus to evaluate the adequacy and effectiveness of the systems of internal control within the Council to manage risk.

The Internal Audit Program and this Framework are complementary but separate governance activities.

➤ Legal Implications

Section 8 of the *Local Government Act 1999* (the Act) sets out the principles that a council must act to uphold and promote observance in the performance of its roles and functions. The following principles are particularly relevant in the context of the Framework:

- (g) manage its operations and affairs in a manner that emphasises the importance of service to the community;
- (h) seek to ensure that council resources are used fairly, effectively and efficiently and council services, facilities and programs are provided effectively and efficiently;
- (i) seek to provide services, facilities and programs that are adequate and appropriate and seek to ensure equitable access to its services, facilities and programs;
- (ia) seek to balance the provision of services, facilities and programs with the financial impact of the provision of those services, facilities and programs on ratepayers;
- (j) achieve and maintain standards of good public administration;
- (k) ensure the sustainability of the council's long-term financial performance and position.

➤ **Risk Management Implications**

Lack of effective strategic planning and resource allocation processes

Inherent Risk	Residual Risk	Target Risk
Extreme (4A)	Low (3E)	Low

The Framework is a mitigation action in addition to the many controls that are already in place for this risk.

➤ **Financial and Resource Implications**

The Service Review was a funded initiative in the *Annual Business Plan 2021-22*. The funding of \$26,000 related directly to the cost of appointing an external consultant.

The Corporate Planning & Performance Coordinator coordinated the procurement, conduct and reporting of the Service Review.

There are further resource implications associated with the implementation of the Report recommendations as contained in the draft action plan in **Appendix 2**. Any financial implications arising from the Report recommendations will be raised as budget review items or future consideration items, as required.

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

Implementation of the Service Review Report recommendations will facilitate improvements to the customer satisfaction of the Civil Services Maintenance activities.

➤ **Sustainability Implications**

Implementation of the Service Review Report recommendations will facilitate improvements to the effectiveness and efficiency of the Civil Services Maintenance activities

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

Council Committees: The Service Review Framework was considered at the Audit Committee meeting on 18 October 2021 where it was resolved to recommend adoption of the Framework to Council.

Council Workshops: The Service Review Framework was discussed in the 26 March 2021 Annual Business Plan and Budget workshop. Following the adoption of the Framework, a further workshop was held on 16 November 2021 to discuss the criteria for determining the function schedule for Service Reviews over the next 3 years.

Advisory Groups: Not applicable

External Agencies: Not applicable

Community: Not applicable

➤ **Additional Analysis**

This was the first Service review conducted utilising the framework (**Appendix 3**) and in addition to the observations and recommendations within the report (**Appendix 1**), there were learnings/observations that should be considered for potential improvements of future Service Reviews. These include:

- Funding and Scope - During the procurement phase of the Service Review, feedback was received from potential tenderers that the identified scope of the review precluded in depth analysis of the individual service offerings and that only a high-level review could be achieved within the timeframe and funding. If a more in-depth analysis of services is desired for future service reviews, narrower project scopes and/or additional funding will need to be considered.
- Benchmarking - In the course of the Service Review, the consultant contacted a number of councils (Mount Barker, Charles Sturt and Salisbury) to collect benchmarking data. While useful insights to those council's practices were provided by their maintenance function managers, these councils (like Adelaide Hills) did not have datasets available for benchmarking purposes. This insight will influence how future Service Reviews are scoped.

In accordance with clause 6.8 of the Services Review Framework (**Appendix 3**), Recommendations from the Service Review that are adopted in the Action Plan will be monitored in Council's Audit Action Register and will be reported on a biannual basis to Council (nominally March and August).

3. OPTIONS

Council has the following options:

- I. To receive and note this report (Recommended).
- II. To receive and note the *Service Review 2021-22 – Civil Service Maintenance Function Report* at Appendix 1 (Recommended)
- III. To adopt the *draft Action Plan* as contained in Appendix 2 (Recommended);
- IV. To adopt the *draft Action Plan* as contained in Appendix 2 with adjustments specified by Council; or
- II. To not adopt the *draft Action Plan* as contained in Appendix 2 (Not recommended)

4. APPENDICES

- (1) *Service Review 2021-22 – Civil Service Maintenance Function Report*
- (2) *Service Review 2021-22 – Civil Service Maintenance Function – Management Response and draft Action Plan*
- (3) *Service Review Framework*

Appendix 1

*Service Review 2021-22 – Civil Service Maintenance
Function Report*



Adelaide Hills Council

Civil Service Maintenance Function

SERVICE REVIEW 21/22



20 July 2022



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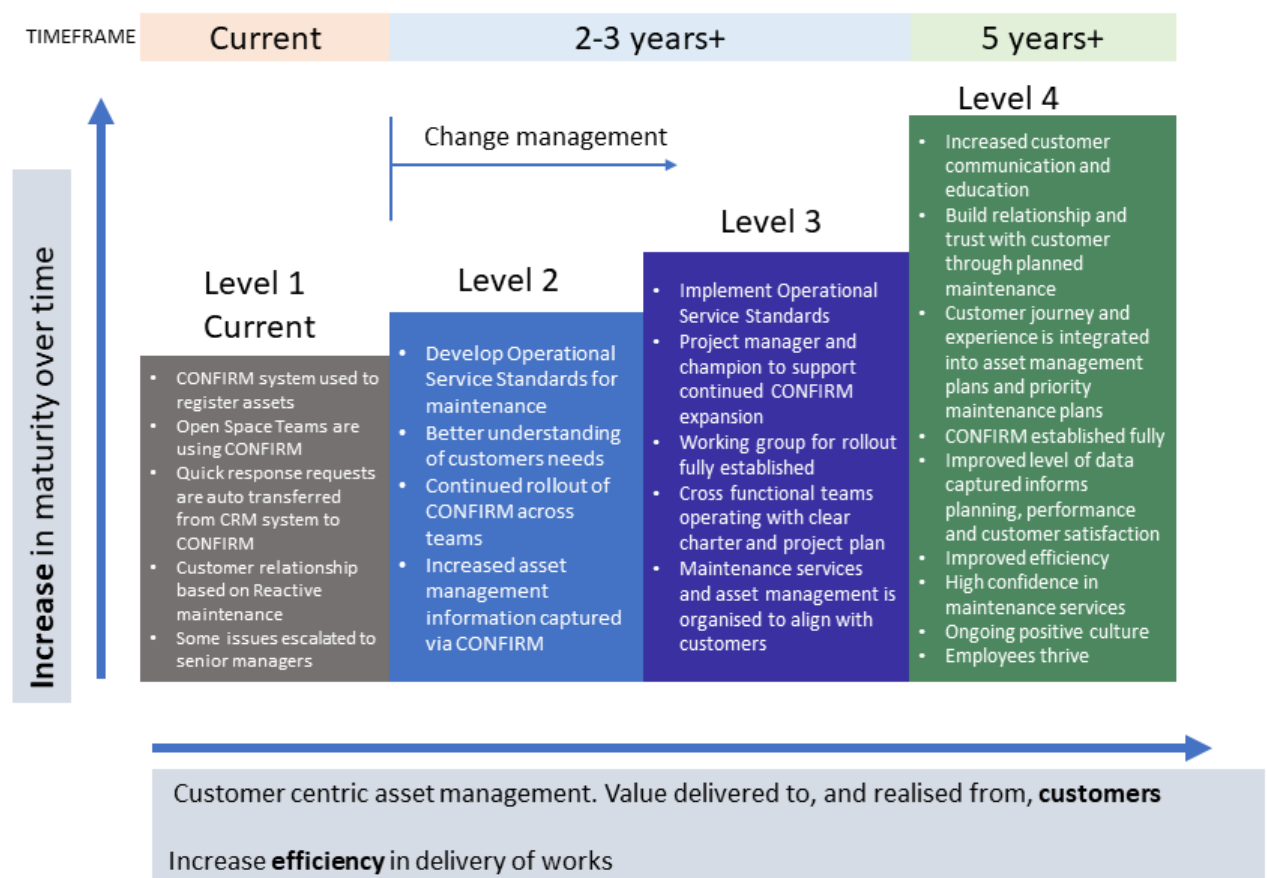
Executive Summary

This report highlights recommendation from a service review of the Civil Service and Maintenance Function conducted over 2 months commencing in April 2022.

We found that the section consisted of a high achieving, positive culture and good teamwork that undertook high quality work. While the work delivered meets the customer’s needs, these improvements can promote improved communication with the Community with better targeted response and maintenance program bolstering effectiveness.

With a large geographic size, growing community expectations and assets decreasing in remaining life, the variable to improve efficiency comes down to more internal functioning of the that section in Council. Recognising Council has made significant improvements to date to get where they are, this report can assist to provide a clear vision to move forward, in line with the Corporate goals.

The service review offers recommendations around improvements to systems, process and workflow. This will encourage and support a continuous improvement culture and long term efficiency gains.



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Figure 1: Customer Centric journey as Civil Service’s Maturity increases

The key theme of this review and recommendations is the change management challenge for creating the environment and systems to support the skilled employees to deliver works with improved efficiency.

With increased maturity, the technical nature of managing the asset is interlinked with the customer centric asset management, all with a business/commercial approach. Moving from level 1 to 4 of the graphical representation of change process may take a number of years, and is assisted by the elements in the future steps that are already planned and/or in progress.

It is important to note that adding this value does not necessarily mean spending more. There are many initiatives recommended that utilising existing resources better or require reallocation of existing funding levels to key focus areas.

The following recommendations are suggested for the Civil Maintenance area:

Recommendation 1 - Develop prioritised program maintenance plans

Recommendation 2 – Develop an expanded operational service standard suite for maintenance activities

Recommendation 3 – Roll out of the CONFIRM system to Civil Service Maintenance

Recommendation 4 – Develop and promote cross functional teams working more closely together

Recommendation 5 – Improved Budgeting and Measuring Costs

Recommendation 6 – Improved Process for Section planning

Recommendation 7 – Reward and Recognition

Recommendation 8 – Continuous Improvement

Recommendation 9 – Customer Communication

These are discussed in more detail further in the document, along with the findings of the review.

Introduction

Epic Projects and Consulting was engaged in March 2022 to undertake a service review of Civil Service and Maintenance Function (CSMF) of the Adelaide Hills Council.

A Service review looks at the efficiency and effectiveness of the service, how it meets customers' needs and the quality of service.

Service delivery review is a good opportunity to understand the service needs of local communities and customers, determine the effectiveness and efficiency of services, and improve the delivery of services which include local infrastructure, local public services and the performance of regulatory functions to local communities and stakeholders. The review can also help determining the cost effectiveness of funding and governance on the services provided to maximise the service performance.

It is part of the normal process in Local Government to make sure the service is relevant, responds to the changing needs of the customer and economic environment and provides value to the community. Section 26(1)(c)(i) of Local Government Act 1999 (SA) (the Act) requires that the Council should fulfil its function by using their resource efficiently and effectively, offer its community a reasonable range of services and reflect communities of interest.

Objectives and Scope

The objective of the Adelaide Hills Council service review of the Civil Services Maintenance Function, is to facilitate efficiency, effectiveness, and appropriateness in service provision through the analysis of factors such as:

- Service clarity, replicability and quality
- Customer (internal or external) priorities, aspirations and experience
- Alignment to the Council's strategic intent
- Statutory obligations
- Process efficiency and saving opportunities
- Service delivery effectiveness and performance assessment

The scope of the review was on the processes and systems used to conduct the services under the **Civil Services Maintenance Function**. The services include:

- Customer requests and reactive maintenance
- Zone maintenance program
- Street sweeping program
- Line marking program
- Storm water program

Service Review Methodology

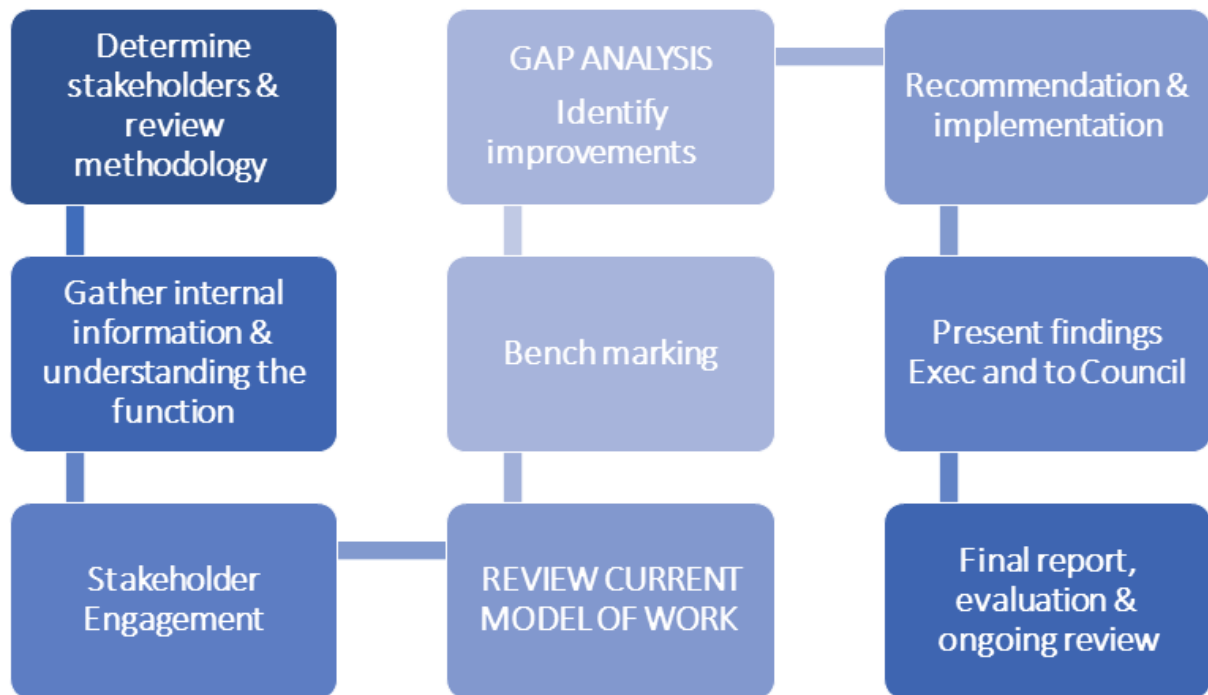


Figure 2: Service Review Methodology Flow Chart

As shown in Figure 2, the service review methodology was to:

- Meet with Council staff, set up term of reference, and determine internal and external stakeholders and the review methodology
- Develop the service review plan
- Gather information / Interview internal stakeholders. Gain a deeper understanding of the function and services provided
- Determine and agree on tools and templates
- Undertake process mapping
- Stakeholder consultation and engagement for more detailed analysis
- Tools and templates used to capture data and information
- Obtain feedback on processes, inputs & outputs, and quality
- Data Analysis including benchmarking, determine where the services sit in terms of outputs, cost, efficiency, effectiveness, quality, continuous improvement, customer satisfaction and wellbeing of staff
- Make recommendations of the review and implementation strategies and tactics
- Prepare the Report
- Present findings to Council and obtain feedback

We met and spoke with the following key Council Staff:

- Director of Infrastructure & Operations
- Executive Manager of Governance & Performance
- Manager of Civil Services
- Coordinator of Civil Services
- Manager of Strategic Assets
- Corporate Planning & Performance Coordinator
- Asset Management System Analyst
- Customer Experience Project Officer
- The two Works supervisors
- Held two workshops, one at each Depot, and open to all Staff to encourage idea sharing and involvement
- Group meeting was held with Information System, Asset Management, Operations and Customer Service representatives
- Initial feedback presentation was undertaken to executive management

External to Council

- Confirm account manager
- City of Salisbury – Operations Manager
- City of Charles Sturt - Senior Asset Manager
- Mount Barker Council – Operations Manager

Limitations

Some benchmarking was attempted, however, given the unique nature of the Council’s geography, topography and road network and location, direct comparison to other Councils was not possible. Future work can be undertaken once more data and information is gathered as recommended in this report.

Prioritisation

The level of priority assigned to the Recommendations was as below:

Priority	Description
High	Level of impact and sense of urgency to address is high
Medium	Level of Impact is high, however implementation may be less urgent or is reliant on other work being undertaken prior.
Low	Lower level of impact, urgency or for consideration in future, pending implementation outcomes of other recommendations

Civil Service and Maintenance Function

Services and Function

The section undertakes the services of maintenance and repairs and regular operational work for:

- Street Sweeping (contracted out),
- Line Marking (contracted out),
- Stormwater and Drainage infrastructure,
- Footpaths,
- Kerbing/ Concrete Works (contracted out),
- Unsealed Roads,
- Sealed Roads,
- Quick Response Services

The operating budget is approx. \$4.9 million, with \$1.2 million allocated for actual spend on material and repairs. The remainder is allocated to ongoing salaries, overheads and maintaining vehicles and equipment.

Organisational Structure

Civil Service and Maintenance Function is managed by The Manager of Civil Services and has 39 employees including two supervisors and one coordinator. An organisational structure is supplied in *Appendix 1*.

There are two supervisors managing North and South Areas of the Council region respectively.

Staff are organised in work groups around function:

Programmed maintenance North	Programmed maintenance South
Sealed Road North	Sealed Road South
Skid steer North	Skid steer South

Teams are organised around location and there are Depots in Gumeracha and Heathfield. There is a stockpile site and yard at Woodside that helps with efficiency by reducing travel to the Depots when needed.

Some of the work staff live in the community of the Council and this helps develop a strong relationship with the work and community. We need this as a tangible benefit, contributing factor to the positive culture and high quality work undertaken and the pride in the work.

Operational Workflow and Customer Journey

The workflow process map is provided in *Appendix 3*, showing how a customer query comes into the CRM system and progresses to a finalisation. Cases for maintenance in the CRM are manually processed by an administration officer who reads, prints and allocates the works. A paper copy of the enquiry or request is printed and then sorted by a works planner. The work supervisor needs to pick up the order from works planner in person and bring to the field to resolve the request. Once the request is settled, the work supervisor returns the copy of enquiry and reports to the Depots physically. The CRM case for each completed job is then closed off by the administration officer.

These manual processes in the workflow creates some office inefficiencies and a digital transformation process could remove excessive manual administration for better accuracy, data capture and efficiency. Further improvement can be made when the CRM system is integrated with CONFIRM and information and jobs requests are push through to staff on tablets / iPads.

Zone Maintenance

Currently the district is divided into 6 zones as shown on the map provided in Appendix 2, to group works when working in a zone, dealing with customer requests. Zone work in done is a 2 week rotation cycle. Information in figure 3 is currently available on the website and there is also a zone grading map and program developed and available on the website.

• Sealed Roads Maintenance Program 2021/22	
Zone	
1	Kersbrook, Forreston, Cudlee Creek, Paracombe, Inglewood, Houghton Fortnight Beginning: <ul style="list-style-type: none"> • 10/01/22 • 21/02/22 • 04/04/22 • 16/05/22
2	Birdwood, Gumeracha, Mount Torrens, Charleston, Lobethal, Woodside Fortnight Beginning: <ul style="list-style-type: none"> • 24/01/22 • 07/03/22 • 18/04/22 • 30/05/22
3	Rostrevor, Woodforde, Teringie, Norton Summit, Cherryville, Ashton, Basket Range, Lenswood, Greenhill, Summertown, Uraidla, Carey Gully, Piccadilly Fortnight Beginning: <ul style="list-style-type: none"> • 07/02/22 • 21/03/22 • 02/05/22 • 13/06/22
4	Balhannah, Oakbank, Verdun, Bridgewater, Aldgate Fortnight Beginning: <ul style="list-style-type: none"> • 07/02/22 • 21/03/22 • 02/05/22 • 13/06/22
5	Crafers, Crafers West, Stirling, Upper Sturt Fortnight Beginning: <ul style="list-style-type: none"> • 24/01/22 • 07/03/22 • 18/04/22 • 30/05/22
6	Heathfield, Mylor, Longwood, Scott Creek, Bradbury, Iron Bank Fortnight Beginning: <ul style="list-style-type: none"> • 10/01/22 • 21/02/22 • 04/04/22 • 16/05/22

Figure 3: Sealed Road Maintenance Program from AHC Website

The Zone Maintenance system is an improvement to what was being done previously but there is still room for more improvement and advancement. If a customer request is not completed in the 2 week zone period, it will need to wait until next round in 8 weeks.

Currently the work predominately completed while in the maintenance zone is the CRM requests that have come through from the community (reactive works), while planned maintenance works are completed if there is time (proactive works). It will be more efficient to also do other planned works when in a location when the team is set up, based around priority programmed maintenance works. This program of works and its urgency should be determined by factors such as operational service standard, safety risk, technical asset management to prolong life of asset and community needs.

An improved proposed workflow would see the customer request linked back to this priority programmed maintenance works. This program of works would be an established list of priority, so

when a customer request is initiated, it can be checked against this list and communication can be given quickly to the customer on timing when work will be done and the reason to support any decisions. This can be tied into the zone plan or if urgent addressed sooner.

General Context and Discussion

Adelaide Hills Council is a medium sized Council in population which is dispersed over a vast geographical area of 795km². Naturally it doesn't have the budget or resources as large as some of the similar geographically sized metropolitan Councils. Challenges include relatively low rates/resident growth and a desire to keep rate increases very modest, which contributes to budget pressures, as well as increasing community expectations on level of services provided.

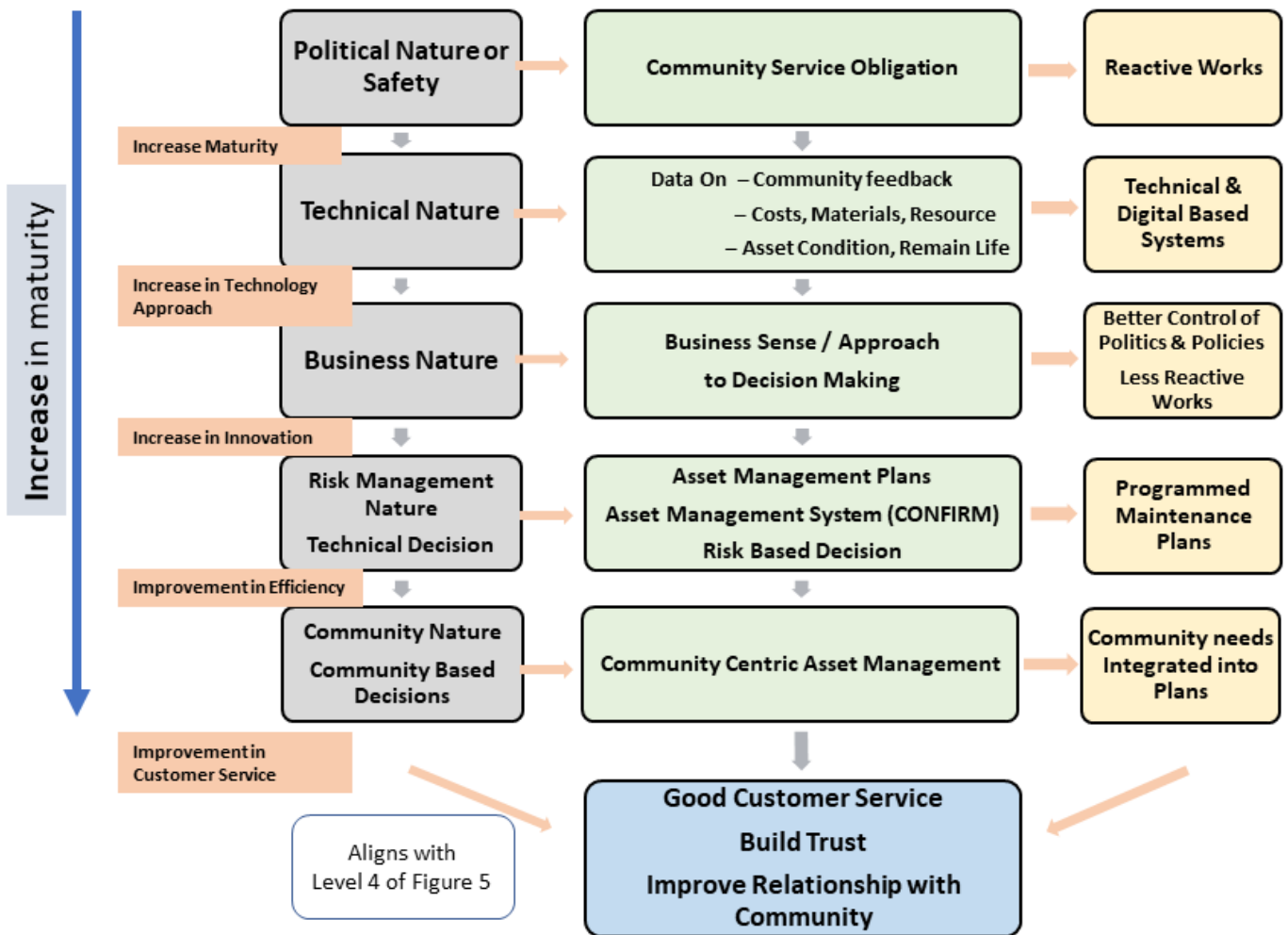
This creates the pressures and necessity to operate at a very effective level with all resources, in order to retain all the maintenance services to meet customer requests. The Council also faces challenges on road network with increased traffic loads. If the verges and shoulders are not maintained, this leads to further deterioration and impacts the remaining life of the asset.

The pressure of meeting community expectations and customer requests drives the majority of maintenance work conducted (Reactive Works).

Council has made significant progress to date to get where they are. The progress has been made to various degrees across all the key areas, such as customer services and asset management, and the commencement of an asset management system.

In undertaking this service review Epic Projects have developed models (Figures 4, 5 &6) specifically for Adelaide Hills Council based on the understandings of workflow. These models help to recognise where the section is currently, and where it can be in the future, noting gaps for recommendations.

CUSTOMER & CIVIL SERVICES INTERFACE



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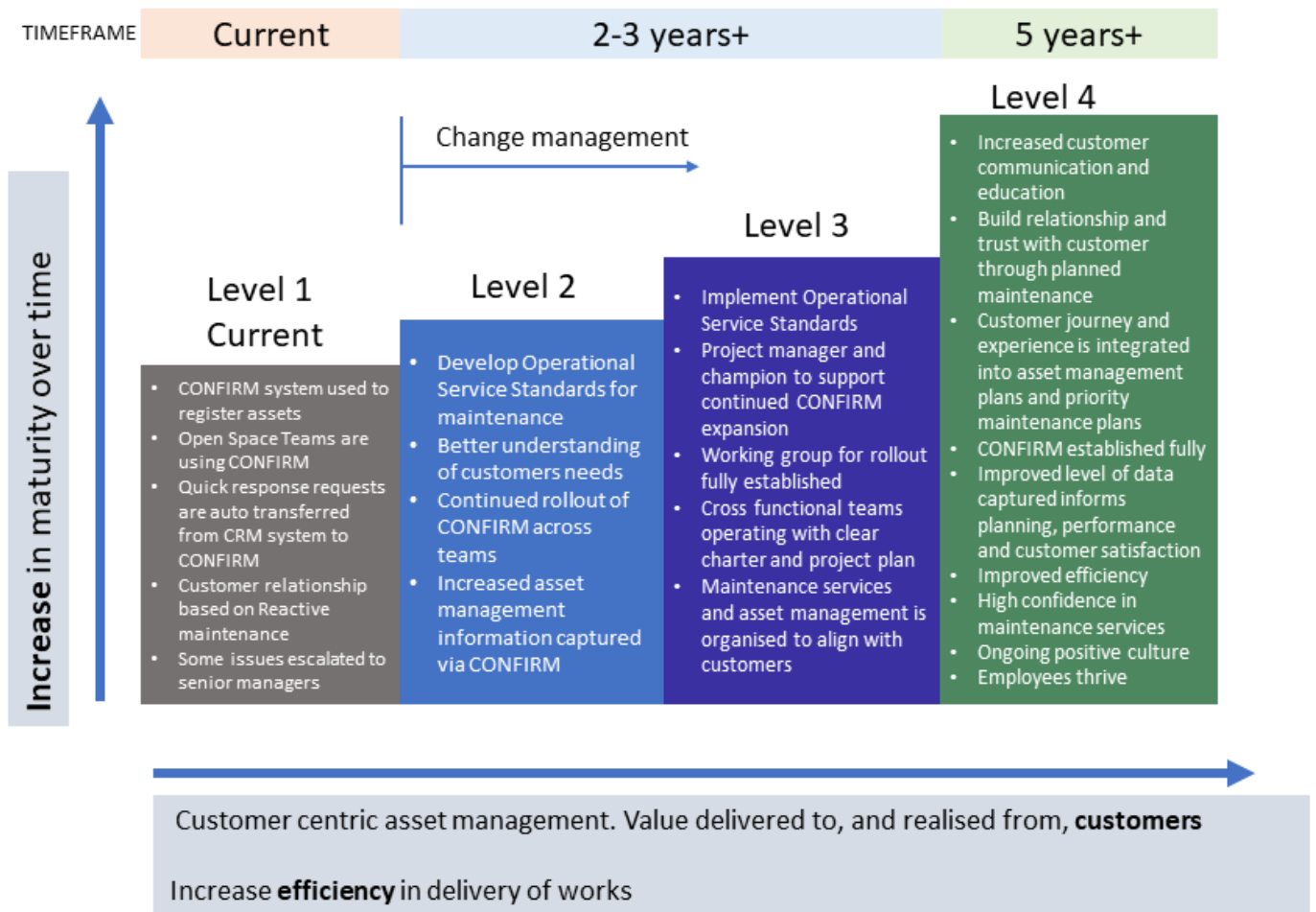
Figure 4: Civil Service Interaction with Customer with increasing Maturity

These models explain the change management and organisational development as the level of maturity and innovation increases, for instance, Adelaide Hills Council has elements in place for many of the aspects discussed across the full model, and is expected to make ongoing improvements in various areas of their business.

Competing pressure and lack of maturity in asset management and integration of technology and system, forces a more customer service obligation and the service to be prone to pressures of customer requests and reactive work. This can be inefficient due to workflow as programmed work can be suddenly disrupted to attend to an unplanned customer request. Sometimes these were not that urgent.

The model helps to demonstrate that Maintenance Services can operate differently over time as the level of maturity increases. Continued expansion of the rollout of CONFIRM, and digital workflow and innovation shifts the approach to be more data driven and customer focused. We can also

expect a more business and asset management focus targeting specific areas for a more programmed maintenance approach.



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Figure 5: Customer Centric journey as Civil Service’s Maturity increases

Epic Projects recommend the following measures should be undertaken:

- Ongoing rollout of CONFIRM,
- Continue data collection of cost and assets,
- Prepare operational service standards and prioritise programmed maintenance plans.

With increasing maturity and improved collection of information, a more business and risk-based approach is developed.

Council can also become better equipped and educated with other drivers including:

- Managing performance and feedback for strategy revision,
- Improving budget planning processes to drive better outcomes for the customer.

Measures can be more than CRM cases closed, but also drive section efficiency and understanding the road network better. Performance measure can relate more to what is being done in the field.

At maturity, innovation and technology are used to better address customer requests based on timing, risks and a priority maintenance program, and being able to communicate this to the Customer.

Community centric asset management can be integrated into decision making by adding value to the customer through education and understanding of their requirements. This is openly discussed with the customer, and this awareness builds trust with the community. This level of trust will help managing in managing customer expectations, reducing complaints and reducing reactive works. As a result, fewer complaints may be escalated through to the executive. This saves managers times and increases efficiency.

As shown in the Figure 5, currently Maintenance Services is at Level 1, with a good start to asset management, assets are registered in CONFIRM, Zone maintenance planning is in place and a CRM system is used for recording customer requests.

The maturity of the section increases over time along with the tight relationship between the customer and function, which creates both operating efficiency and a customer centric culture. The technical nature of managing the asset should be interlinked with the customer requirements

Service Review Recommendation Summary

The key recommendations from the Civil Services Maintenance Function Service Review are listed below, along with a proposed priority for addressing the findings:

	Recommendation	H	M	L
1	Develop prioritised program maintenance plans	-	X	-
2	Develop an operational service standard suite for maintenance activities	X	-	-
3	Roll out of the CONFIRM system to Civil Service Maintenance	X	-	-
4	Develop and promote cross functional teams working more closely together	X	-	-
5	Improved Budgeting and Measuring Costs	-	-	X
6	Improved Process for Section planning	-	X	-
7	Reward and Recognition	-	X	-
8	Continuous Improvement	-	-	X
9	Customer Communication	-	X	-
	Total	3	4	2

Planning of Maintenance Works

As shown in the models, AHC can mature in service provision by providing a more proactive programme based on risk and condition of assets. Operational efficiencies can be gained with priority programmed maintenance. This gives the ability to prioritise work on roads that extend the life of the asset and therefore reduces renewal costs over time.

Programming a higher level of proactive works can assist the section to become more efficient with travel to site and undertaking key works at the right timing and condition rating of the asset. Efficiency is also created as a range of works can be grouped and undertaken at the same time.

These plans will also assist with long term budgeting and assist to communicate with the community of upcoming works.

Development of these individual asset class Asset Maintenance Plans, complete with Levels of Service, will be required for each service currently being provided by the Civil Operations Team, in order of priority/ ease of development:

- a. Street Sweeping (update existing),
- b. Line marking,
- c. Stormwater,
- d. Footpaths,
- e. Unsealed and Sealed Roads

The program maintenance plans should be based on the condition & risk of the road or asset and have a link to detailed Asset Management Plans and the development of Maintenance Plans that reference the required Level of Service and Service Standards, for each asset class that Civil Services operate.

Recommendation 1		M
Title	Prioritised program maintenance plans	
Description	Develop risk-based and prioritised program maintenance plans for all road infrastructure, including footpaths and drains, to better balance the priorities of asset maintenance planning with customer service needs.	

Operational Service Standards

Currently Adelaide Hills Council do not have a suite of maintenance service standard for operations beyond some urgent/safety guidelines. Service standards are important to better quantify acceptable level of service between do nothing options, immediate repair, or future repairs. They are also a good communication tool to use with customers in explaining the level of repair and timing Council may undertake. Without operational service standard, the extent of repair, timing, risks and costs, and future budgeting will be hard to justify.

Currently AHC has asset management plans well established and predominately used for lifecycle management of assets, financial forecasting and valuation depreciation.

Under these asset management plans there should be another iteration of plans relating to maintenance service standards, mentioned in Recommendation 1. The development of these service standards defines the level of maintenance service to be undertaken based on the condition and defect.

Example of this could be the depth of a pothole on a road and the location of that road. A 10mm pothole on a low traffic road could be attended to in say 2 weeks whereas 75mm pothole on main road undertaken within 48 hours.

This information sets the timing to do works, provides better control over reactive works and assists in communication with the customer by explaining when and why works should be carried out. This in turn promotes good commutation and customer service.

Recommendation 2		H
Title	Develop service standard suite for maintenance activities	
Description	Develop a reviewed set of operational service standards. The development of these service standards defines the level of maintenance service to be undertaken based on the condition and defect.	

Asset management

Adelaide Hill Council is undertaking excellent work in the asset management area and with resources and time, the maturity in this area will move to a higher level of service or efficiency, at a rate that is decided and agreed.

We fully understand and appreciate the rollout of CONFIRM will take time and resources. However, work can be done with the current resources to setup the agreed parameters for CONFIRM.

Implementing the use of iPads or tablets in the field is going to take time and resources, so we predict that it's going to take another 12 months to fully implement in Civil Maintenance. Epic Projects would recommend a part time person assist the Asset Management System Analyst, over a 12-month period in rolling out CONFIRM. Future expansion of CONFIRM can be further developed based on future resources and budget.

It is critical that a start is made on the future expansion and rollout of CONFIRM and any other system improvements, so the progress can be maintained and keeps moving forward in line with corporate goals and strategic plans. Without technological improvements, there is a risk that Council may fall behind in this area, as compared to other metropolitan Councils who have a fully established asset management system in place for a number of years.

CONFIRM and Digital Improvements

Currently civil services have no easily accessible data on how they are operating in the field, how much money was spent on asset, or time was spent against the asset. This can create issues in reporting, feedback and continuous improvement.

Efficiency on how the section operates cannot be qualified quantitatively. This is another important reason to use CONFIRM and in field devices because staff can report the time and costs for undertaking the project/repair and what material is used.

It can also help with customer feedback with photos of completed works. There is a potential that this information could be distributed to customer service or customers directly.

Recommendation 3		H
Title	Roll out of CONFIRM system to Civil Service Maintenance	
Description	<p>Continue the work to use CONFIRM to its full potential for better asset management:</p> <ul style="list-style-type: none"> • recording and scheduling of works • capturing asset data and costs. • Improved data collection to enable reporting against Maintenance Plans and actual costs of service provided. <p>This work should be ongoing and related to the corporate goals of progressive organisation, using technology, developing people and continuous improvement.</p> <p>The expansion of CONFIRM can integrate with the use of digital workflow improvement and the use of tablets on site. This can streamline the workflow practices and promote efficiency</p> <p>It is important to keep the rollout and improvements moving, even if it's small incremental ones, in line with whatever budget can be allocated. Initiatives like this can benefit from a driver and champion of the change management process, combined with leadership support</p>	

Team Approach to Communication

With COVID-19 impacting all businesses and individuals, teams have not been able to work consistently on improvement projects like CONFIRM. These projects need talent from multiple sections cross the Council. These team can share ideas and find solutions or agree on the setup of system and procedures for future functions.

The teams would consist of representatives from Information Systems, Finance, HR, Asset Management, and Civil Maintenance together or as needed.

At the moment, staff are busy on their operational tasks and day to day function. CONFIRM rollout will demand time so there is a risk of competing actions and duties for staff.

Recommendation 4		H
Title	Develop and promote cross functional teams cross working more closely together	
Description	Develop and promote cross functional teams working together from various key departments to promote the development of innovative solution, and develop CONFIRM to its full potential.	

Budget, Finance and Measuring Costs

Currently, Civil Service’s Budget is divided up into different services/asset classes, as follows:

- Bridges
- Bus shelters
- Footpaths
- Guardrails
- Kerb and gutters
- Retaining walls
- Sealed roads
- Unsealed roads
- Stormwater
 - General storm water
 - Street sweeping
- Traffic control
 - General traffic control devices
 - Line marking
 - Signs
 - Street lighting
- Waste managements
 - Illegal dumping
 - Dead animals

Previously we asked the staff to fill out a time sheet each day and indicate which of the above services they performed e.g. day one they may have written down the cost centre for storm water, day two they may have written down the cost centre for sealed roads, etc. This level of detail was not sufficient for decision making purposes e.g. Information was gathered on time spent on storm water, but what was needed was how much of that day were they doing open drain cleaning, pit repairs, laying new pipe etc. This created a lot of additional work for our payroll officer.

Obtaining budget information needed

While CRM has some limited information related to customer requests, there are currently no mechanisms in CRM or any other systems/processes to record detailed information related to the

work field staff actioned and where. For example, Civil Services can quantify the amount the Council spent on sealed roads maintenance, but can't quantify how many potholes we repaired, how long it takes or how much it costs to repair a typical pot hole, nor can they say which roads we are spending a lot of maintenance effort on vs which ones we are not doing much maintenance on (beyond anecdotal feedback from the field staff).

Budget pressures

Budget pressures relate to the increasing community expectations around services, especially with regard to increasing services such as street sweeping.

Impacts of cost reductions

At the moment Civil Services standard is essentially the budget i.e. we do as much work as we can afford based on the budget provided. In this regard, any reduction in budget can be expected to be accompanied by a corresponding reduction in service.

Recommendation 5		L
Title	Improved Budgeting and Measuring Costs	
Description	<p>Improvements may be needed in the budgeting process to allow specific costs to be identified for the various maintenance activities. Measuring costs can help boost business case thinking and can assist in countering other pressures. This in turn, over time, creates efficiencies.</p> <p>Improved budgeting processes that allows more detailed costing related to Maintenance Plans will allow adjustments/reallocation of budgets to suit.</p> <p>Capturing data in CONFIRM will help all decision making in the future. It will also, promote cost efficiency and provide a basis to reviewing how well teams are currently operating, and where efficiency can be achieved by having measured data to compare.</p>	

Strategic Management and Section Planning

Ultimately, the Civil Services Maintenance Function is delivering the Councils Corporate goals. The success of delivering this comes down to many factors and variables discussed below. In providing recommendation for the strategic review, we see many correlations with strategic management success factors and the gaps identified, and addressed in the recommendations.

The strategic management process involves analysis of customers and other key measures of data, finances or information for good decision making and feedback for strategy revision. It involves the continuous improvement loop and information sharing between staff and managers to create or change the corporate goals and objectives.

It also involves good strategy implementation. The success factor of the implementation process should be considered, and should ensure key staff are involved.

Some of the interrelated strategy implementation success factors are:

- Trained staff
- Happy empowered employees
- Good systems
- Culture of innovation
- Adequate resources, material and financial
- The right organisational structure
- A well formulated strategy
- Communication and commitment
- Control and Information systems
- A performance and feedback mechanism

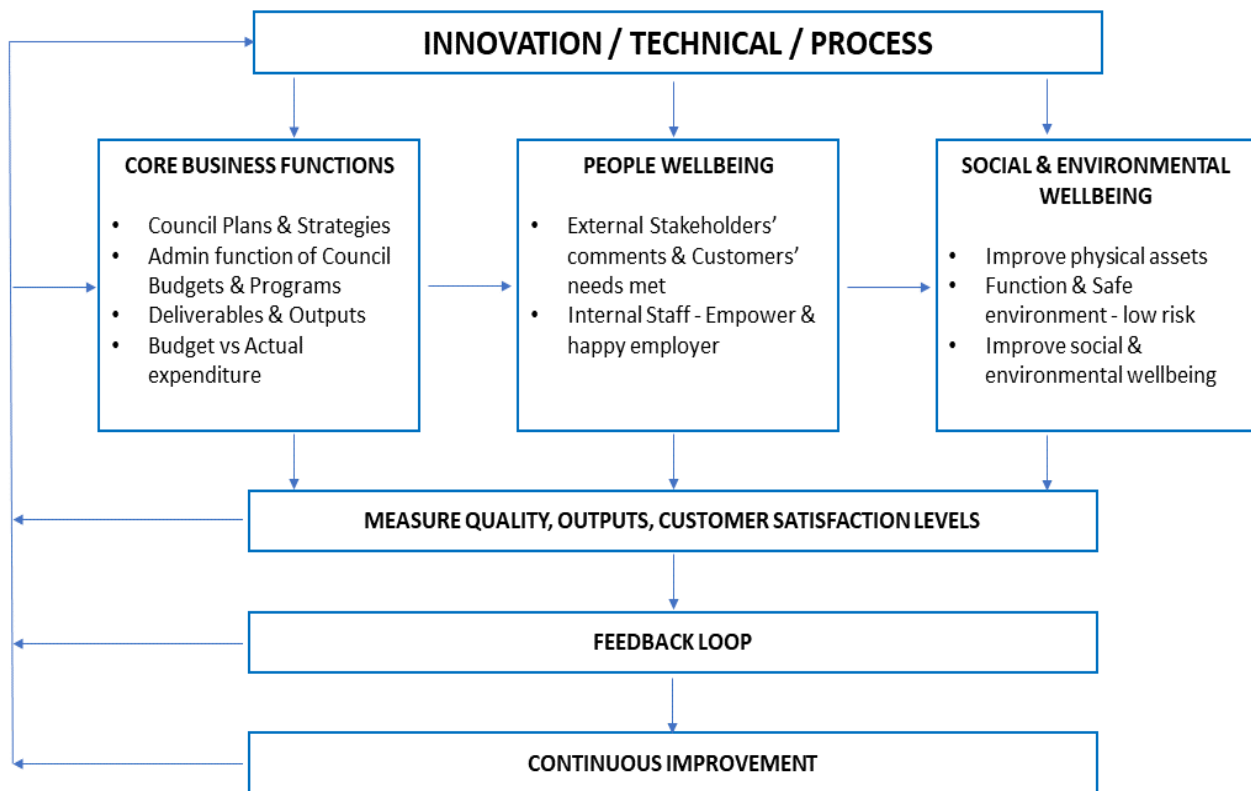
The implementation of corporate goals and organisation strategies requires a Section Plan detailed with allocated budgets to achieve them. This is currently not formally documented and could be improved.

Section Planning is a tier down from organisation strategies and is more detailed. Specific alignment of the section to the strategic objectives and corporate goals can help defining resources and budgets needed and the allocation of budget. All the above success factors need to be considered in the section plan.

Good section planning also provides an opportunity for staff to raise ideas for improvement and be part of section planning and decision making. It also provides an opportunity to reflect on how the section went and what can be improved and enables communication to senior managers on reporting criteria.

Recommendation 6		M
Title	Improved Process for Section planning	
Description	<p>An improved process for Section planning including Development of a Section Plan (or Team) to relate the Organisation’s Strategic Plan to day to day functions. Better documenting of these processes to assist communication on a regular basis between staff, managers and executive.</p> <p>A more formal strategic management processes that links the field operational person through the organisation to the executive and provide feedback monthly (or at regular interval).</p>	

Culture and Talent



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Figure 6: People, process and innovative systems, are interlinked to deliver community needs

The Civil Services section consists of a high achieving, positive culture and good teamwork that undertakes high quality work.

The model in Figure 6 demonstrates interrelationship and interaction between staff, processes and system; the importance of measuring outputs, quality, customer satisfaction; and using the feedback loop for improvement.

AHC's talent and culture is interlinked to customers' needs, core business functions and providing a functional and safe environment through innovative processes and systems and an ongoing feedback reporting mechanism, as discussed in the previous section on strategic management.

All staff are essentially implementing the strategies of Council and they need to be trained to do their work. Recruitment of the right staff, adequate training, performance review, and having the right systems are important to delivering strategy.

Having the right people for the job and correct specifications are important. There is a flow on effect if you're not measuring outputs and tracking what the employees are doing on site as you are not checking how your employees are doing against a measuring datum for their performance.

Managing the employees in terms of their performance to achieve corporate goals is important and equally so is the reward system for work well done. Encouragement and feedback can also be given frequently to staff, which lets them know they are appreciated. In this area, staff undertake preventative maintenance work that is often not acknowledged as it's not a measured output, but their good work may have prevented several complaints if not done. Good work needs acknowledgement to promote job satisfaction and staff morale.

Feedback and reward should also be communicated about what is happening with the Civil Services Maintenance Function and good news should be promoted. This good news can be promoted through to the executive, internal newsletter or social media with photos and testimonials.

Recommendation 7		M
Title	Reward and Recognition	
Description	<p>Measure for employees' wellbeing, and provide recognition and rewards for work well done and related to the achievement of corporate goals. The Civil Services and Maintenance function do undertake preventative maintenance that can avert issues and customer complaints.</p> <p>We recommend promoting good news stories and good customer feedback within the organisation. Rewards can be low key such as a section BBQ on a 6 monthly basis where achievements can be recognised (subject to policy on funding these types of events).</p>	

Continuous Improvement

When focusing on day to day operations and having no time for other initiatives, progress can't be realised. This is the same with allocating for existing budgets for this and continuous improvements. Key staff need to think about how they can work differently to find time to devote to the rollout of CONFIRM. If everyone is too busy with current operations continuous improvement just won't happen.

Not all innovation or continuous improvements needs to be an expense to the Council. When introducing new initiatives or making improvements, consider what can become redundant.

Recommendation 8		L
Title	Continuous Improvement	
Description	<p>Encourage continuous improvement and innovation initiatives across the organisation. Hold innovation workshops for staff, get ideas for the future and improvements. These can focus on efficiency, customer service, and lowering costs.</p> <p>Encouraging and promoting time for employees to put aside for continuous improvement can create efficiency in the short and long term.</p>	

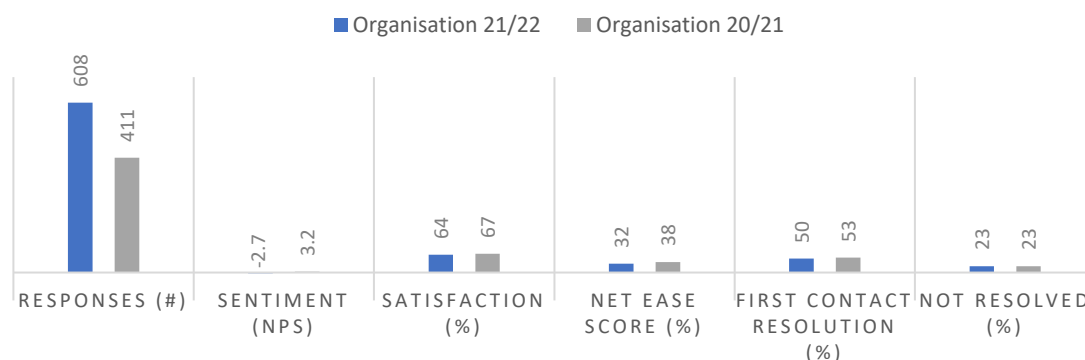
Customer Service and Communication

Information was gathered from the Adelaide Hills Council Customer Experience area in regard to how they capture the data including number of responses, customer sentiment, customer satisfaction, the rate of first contact resolution, and the ease of the customer service system.

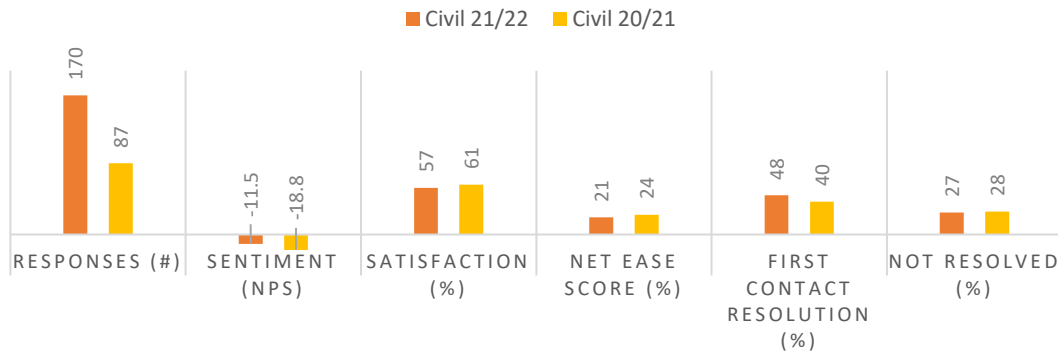
The below information is extracted from the Adelaide Hills Council survey system (Qualtrics). From these tables, we note that the Civil Maintenance area has decreased in customer satisfaction scores (67% to 51%) and Net Ease Scores (24% to 21%), but have improved their performance in overall Sentiment (-18.8 up to -11.5), first contact resolution (from 40% to 48%), and reduced the number of cases not resolved (28% to 27%).

Survey Date: (20/21: 1 March 2020 to 1 March 2021, 21/22: 1 March 2021 to 1 March 2022)

20/21 VS 21/22 CRM TREND (ORGANISATION)

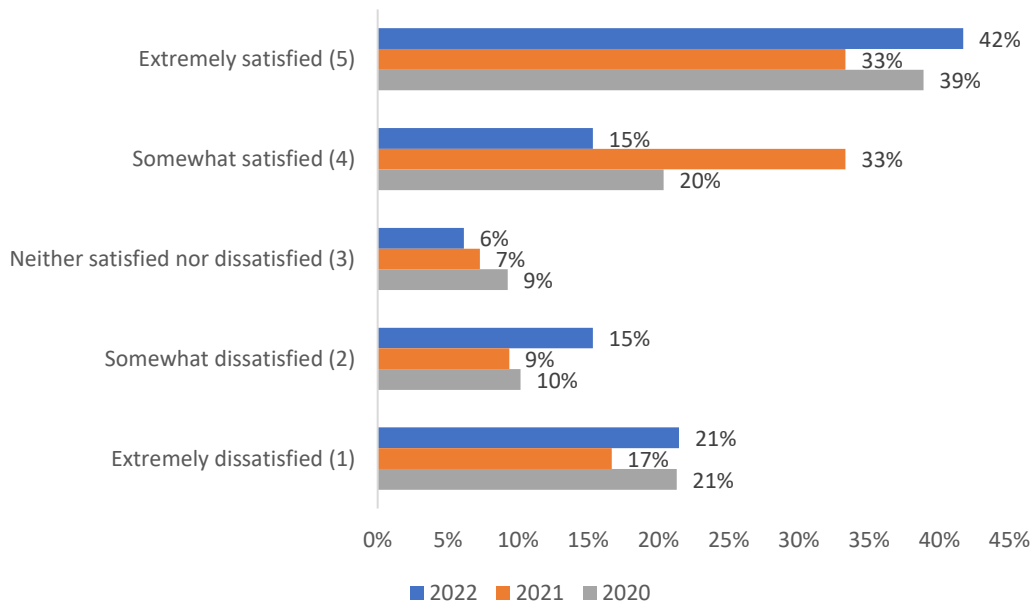


20/21 VS 21/22 CRM TREND (CIVIL)



Overall Satisfaction (Civil Service Maintenance Function)

Overall Satisfaction (Civil) (2020-2022)



	2022	2021	2020
Mean Ratings	3.40	3.57	3.45
T2	57%	67%	59%

T2: aggregate percentage score of the top two scores for importance (i.e. Extremely satisfaction, Somewhat satisfied)

Summary

Over 57% of respondents stated they are at least somewhat satisfied with the performance of Adelaide Hills Council Civil Services over the last 12 months. Compared to 2020-2021, there were significant decreases in satisfaction for Civil Services.

In the above charts, the Customer Satisfaction Score dropped from 61% to 57% in this financial year. The customers who rated for dissatisfaction have the following top comments:

- Lack of Communication
- Lack of follow up or response
- No feedback on progress
- Need timely response
- Request opened over 2 months, no feedback
- Insufficient information about what is happening

We do have positive feedback from customers as follows:

- Prompt attention and getting the work done so quickly in Bartholomew Avenue
- Did a great job on Hill Road
- Thanks for following up on the roadwork request
- Did a fantastic job of repairing the drainage issue
- Friendly and helpful staff

Further analyses have been conducted and attached in Appendix 5:

- Overall satisfaction of the Council
- Overall satisfaction of civil services among all services in the Council
- Overall satisfaction by each service delivery
- Method of contact
- Nature of enquiry
- Satisfaction Summary of Civil Services

Communication with the customer is essential. We recommend as much information as possible be available to the community on service standards and programmed works. This communication can be through newsletter, mail, website and regular open public information sessions. This information can be used to inform customer service staff and further bolster accurate communication transfer to the community.

Where possible collate similar trends or request to have answers to common queries collected in a database and be available to customer service staff and on the website.

Time can be wasted by staff in Civil Maintenance Function in chasing enquiries and resolving an issue that potentially could have been either resolved by frontline customer service staff, or in the case of missing information, could have been obtained in the discussion with the client.

A benefit and flow on to developing maintenance service standard is the training of staff and the development of tools and resources to inform/support staff. Customer service staff may then be able to resolve more queries at the time of the call, and this will minimise the number of CRM

queries being referred to the civil maintenance team for action, and increase the quality of information provided.

Time and efficiency can be gained by maintenance staff either with correct and full details or on related queries being sent to the correct department within AHC.

Civil Services has engaged a Depot Administration Officer concentrating on the Customer Service and related processes, so this improvement is in the process of being addressed.

Recommendation 9		M
Title	Customer Communication	
Description	<p>A common complaint from customers is the lack of communication about job progress. We recommend looking into the possibility of automating responses to the customers when work is about to happen and when completed. The key here is accuracy and it's better to handle this manually.</p> <p>Communication can also be through newsletter, mail, website and regular open public information sessions.</p> <p>Ongoing work to connect CRM to CONFIRM should continue to improve workflow and will be needed when digital workflow occurs.</p>	

Conclusion

The Maintenance services provides a high quality, effective service that meets customers' needs in a reactive way. We found a number of recommendations that can be implemented over time to improve efficiency and will boost customer service and community relationships.

Generally, we found that the section consisted of a high achieving, positive culture that undertook high quality work and needs assistance to improve systems, process and work flow to create longer term efficiency. While the work currently being undertaken meets the customers needs these improvements will promote improved relationship and communication with the Community with better targeted response and maintenance program bolstering effectiveness.

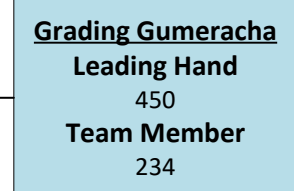
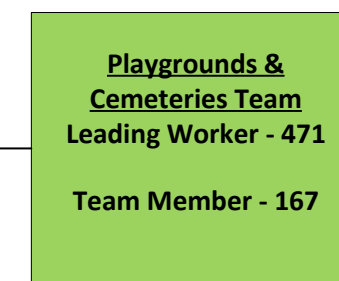
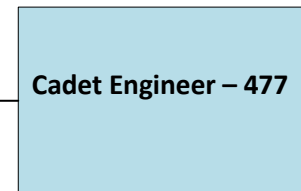
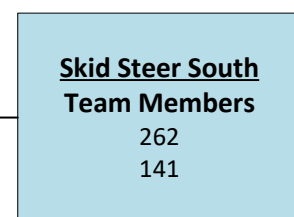
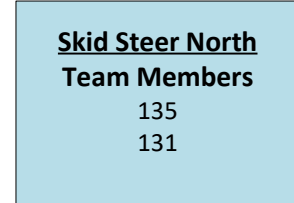
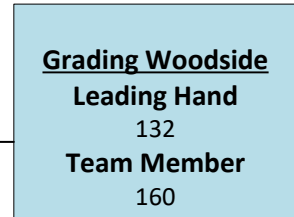
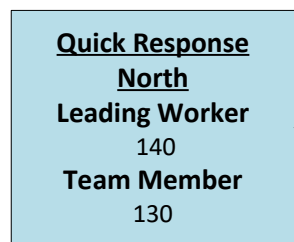
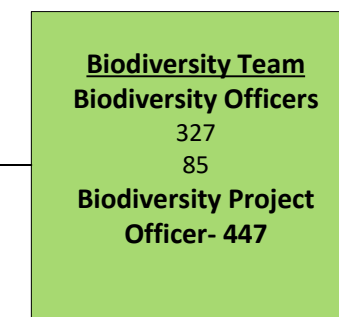
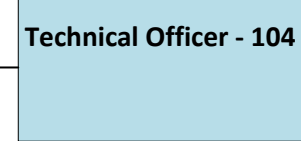
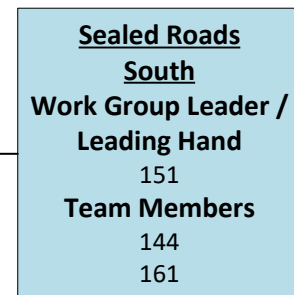
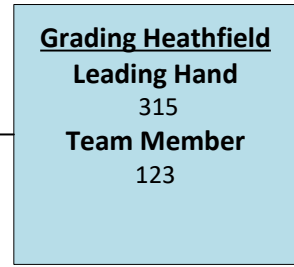
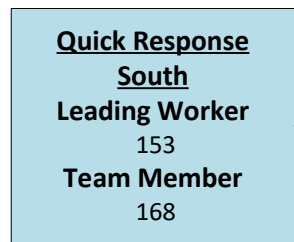
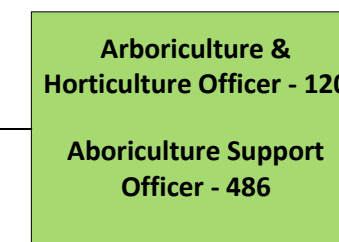
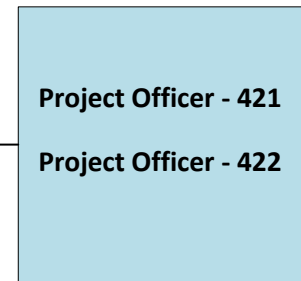
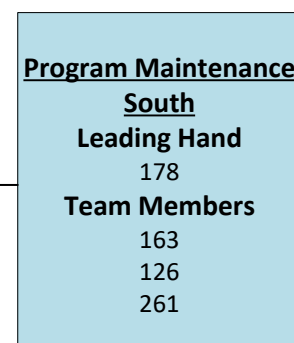
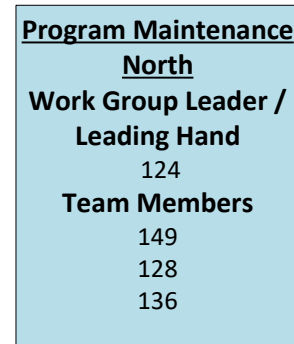
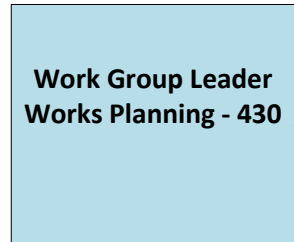
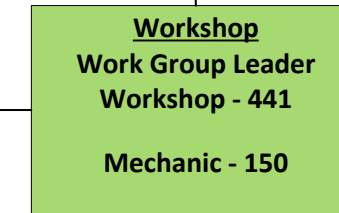
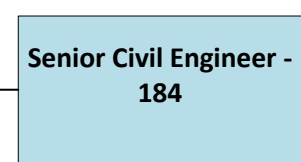
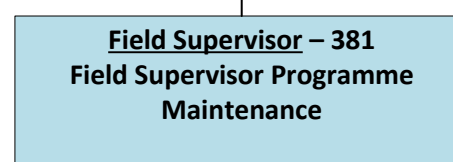
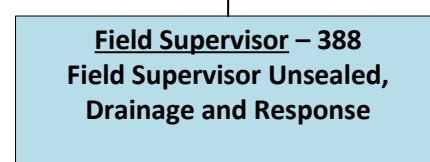
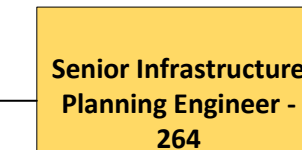
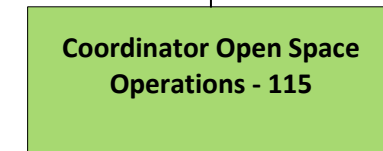
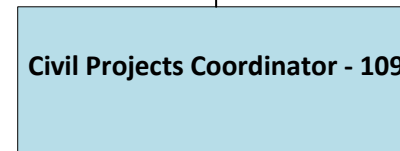
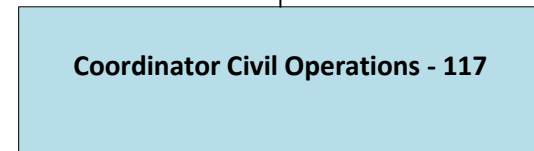
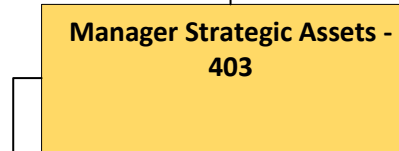
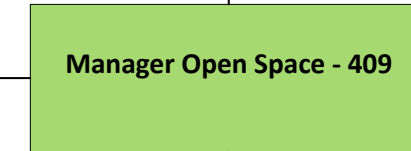
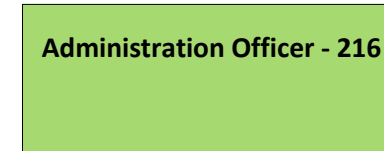
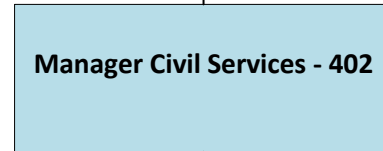
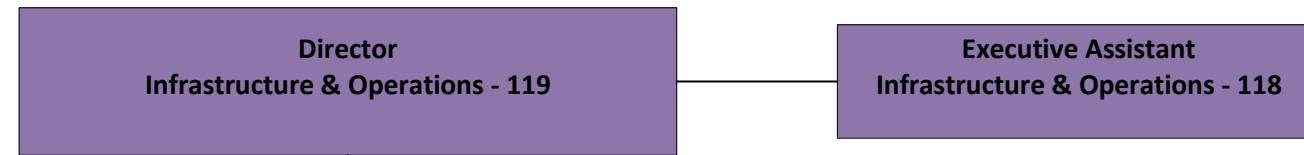
While no forecast savings were able to be identified, it highlights the need to obtain better data and information on how the section operates. Until the section has moved up the maturity curve over time, and becomes more efficient based on the recommendations, cutting costs would negatively impact service delivered directly.

Overall, by addressing the recommendations, there's an opportunity to streamline work approaches that could lead to better and more specific data collection and analysis and therefore improve efficiency, use of existing resources and enhanced customer relationships.

Appendix 1: Organisational Structure

**Adelaide Hills Council
Organisational Chart
Infrastructure & Operations**

Version: 21 – 4/5/2022



Appendix 2: Zone Map



CITY OF
PLAYFORD

THE
BAROSSA
COUNCIL

CITY OF TEA
TREE GULLY

1

2

CAMPBELL-
TOWN
CITY
COUNCIL

ADELAIDE
HILLS
COUNCIL

MID MURRAY
COUNCIL

CITY OF
BURNSIDE

3

CITY OF
MITCHAM

4

CITY OF
ONKAPA-
RINGA

THE DC OF
MOUNT BARKER

6

SCALE 1:10,000
(Horizontal distance represents
400m on the ground @ A4 page size)

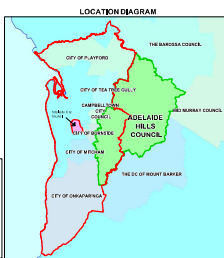
LEGEND
Works Maintenance Area by Number

1
2
3
4
5
6

Towns & Places by Size

1
2
3
4
5

Urban Areas
AHC Boundary
ROADS
Local
Classified
DTPR (Main) Roads
Property Owner Legend

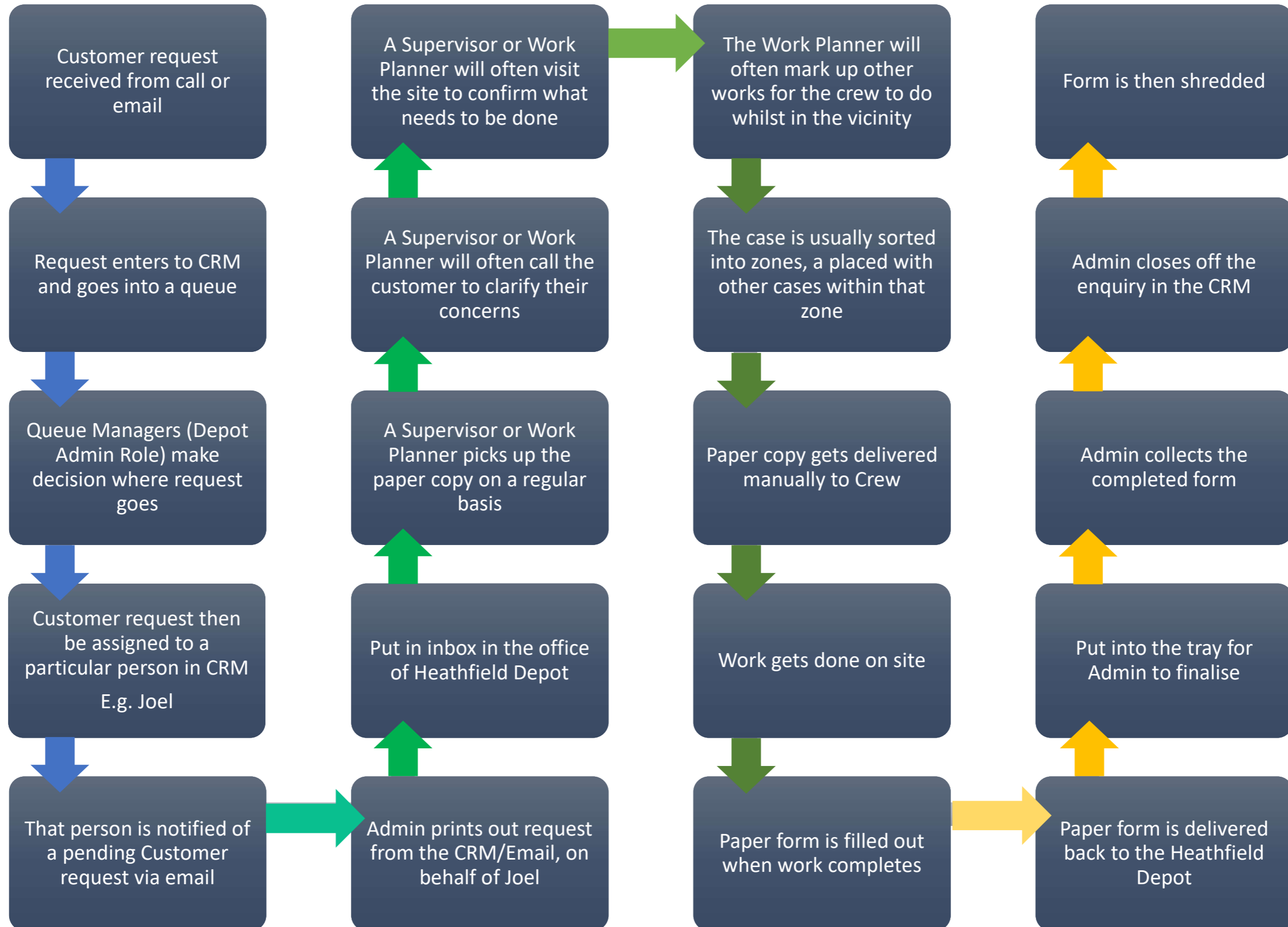


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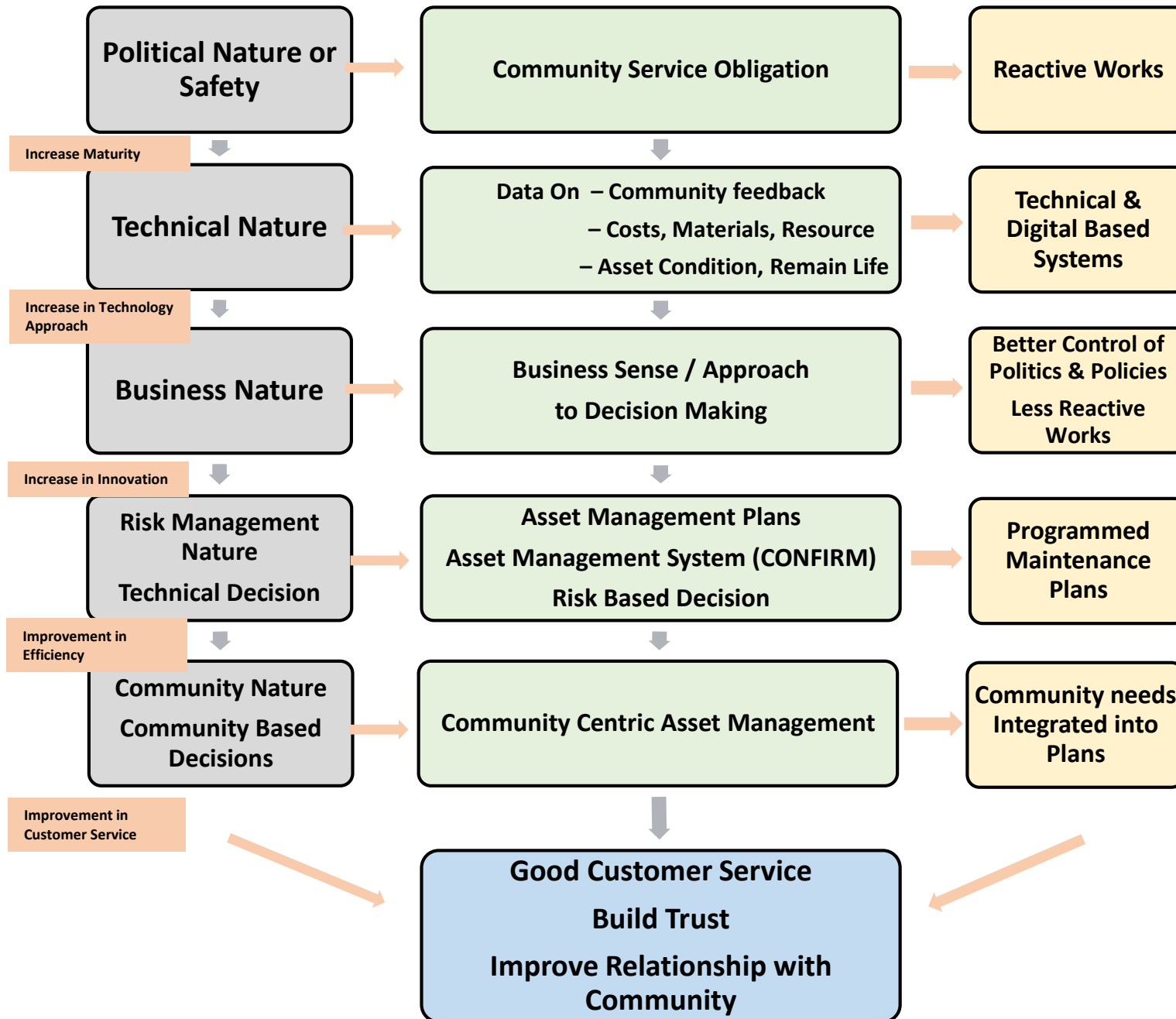
Appendix 3: Process Mapping Workflow

CIVIL SERVICE MAINTENANCE FUNCTION WORKFLOW



Appendix 4: Customer & Civil Service Interface

CUSTOMER & CIVIL SERVICES INTERFACE

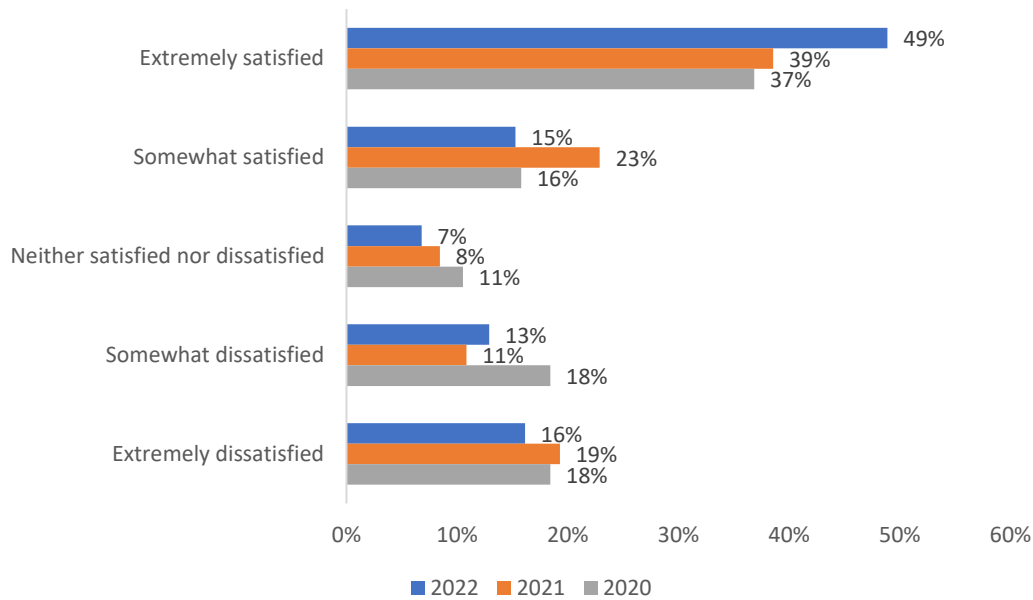


Appendix 5: CRM Statistic

a. Overall Performance of Council

Overall Satisfaction (Adelaide Hills Council)

Overall Satisfaction (Org) (2020-2022)



	2022	2021	2020
Mean Ratings	3.68	3.51	3.34
T2	64%	61%	53%

T2: aggregate percentage score of the top two scores for importance (i.e. Extremely satisfaction, Somewhat satisfied)

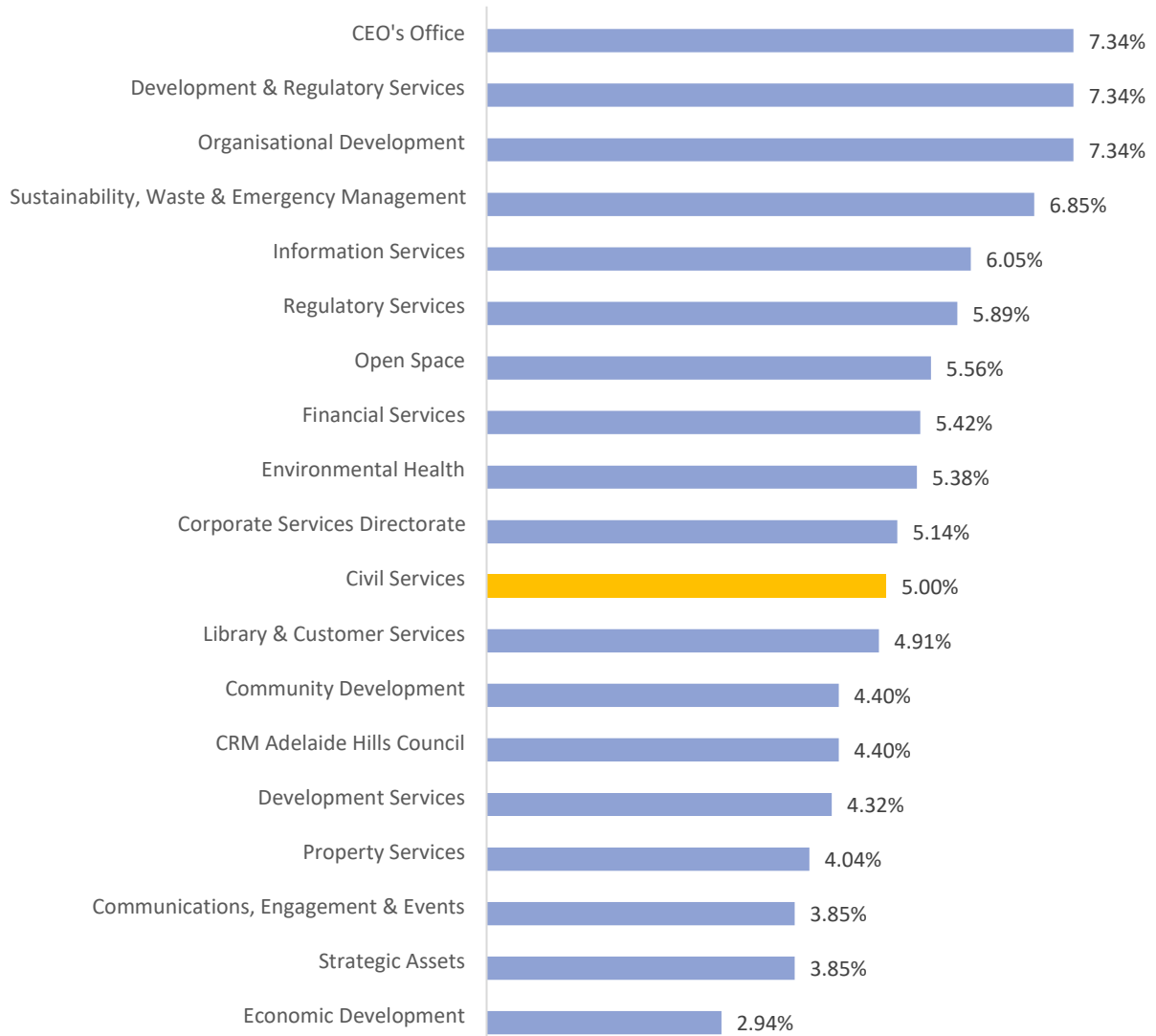
Summary

Over 64% of respondents stated they are at least somewhat satisfied with the performance of Adelaide Hills Council over the last 12 months. Compared to 2020-2021, there were slightly increases in satisfaction of overall Council services.

Overall Satisfaction (with All Services)

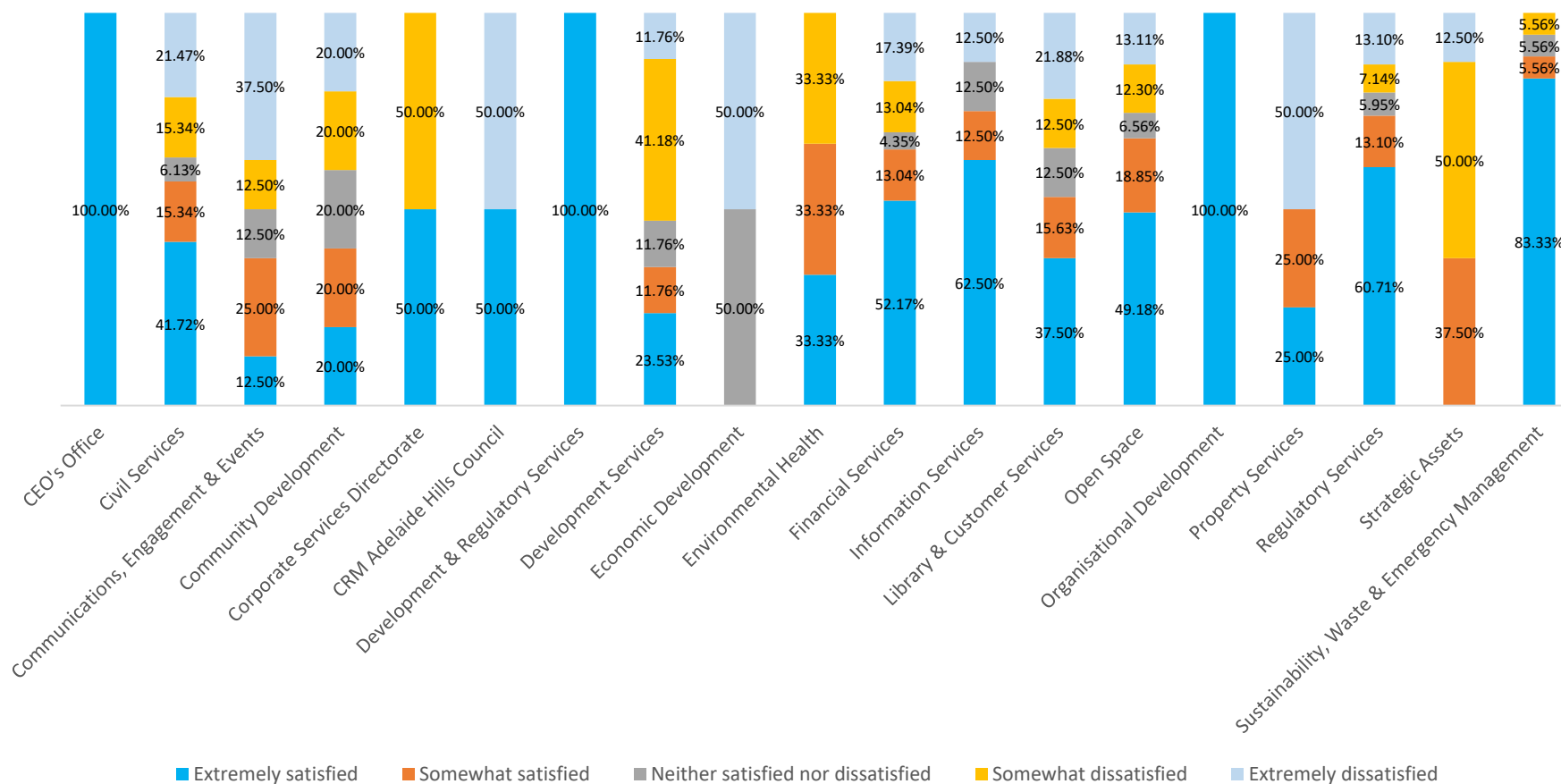
	2021-22
	Mean Ratings
Services Delivery	
CEO's Office	5.0
Development & Regulatory Services	5.0
Organisational Development	5.0
Sustainability, Waste & Emergency Management	4.7
Information Services	4.1
Regulatory Services	4.0
Open Space	3.8
Financial Services	3.7
Environmental Health	3.7
Corporate Services Directorate	3.5
Civil Services	3.4
Library & Customer Services	3.3
Community Development	3.0
CRM Adelaide Hills Council	3.0
Development Services	2.9
Property Services	2.8
Communications, Engagement & Events	2.6
Strategic Assets	2.6
Economic Development	2.0

Overall Satisfaction with Council's Performance



By comparing all council services in 2021-22, civil services contributed 5% satisfaction, toward the overall satisfaction of all council services.

Overall Satisfaction by Each Service Delivery



“CEO’s Office”, “Development & Regulatory Services”, “Corporate Services”, “Economic Development”, “CRM Adelaide Hills Council” and “Organizational Development” have limited data for analysis

The overall satisfaction of all services within Adelaide Hills Council is 3.68.

Among all services, the analysis showed that more respondents are extremely satisfied with Sustainability, Waste & Emergency Management, Regulatory Services, and Information Services.

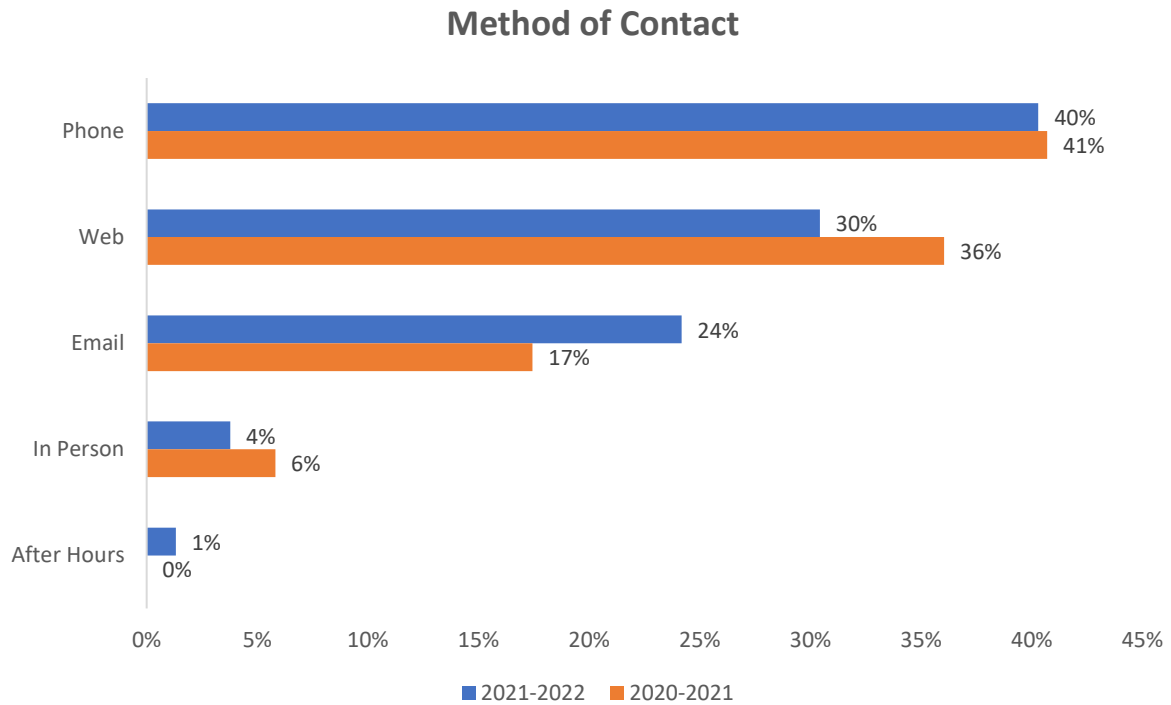
Civil Services had satisfaction at 57%, around the mid-range of all council services.

Along with other services, development services and strategic assets had the highest percentage of respondents saying they are extremely dissatisfied with these services.

b. Summary of Civil Services

Customer Satisfaction	Comments from Customer on Civil Services	% Percentage	Each Group / Overall
Extremely Dissatisfied	No Communication / No Response from email or call back / No timely response No followup or action after a request / report / complaint Deny request without discussion Work not supervised and not done according to instructions	20.6	59/286
Neither Dissatisfied or Satisfied	Council have made it very difficult for a rate payer to contact them, no after hours phone number anymore, response to my report has been zero until now Relate to the safety of Emmett Rd .Safety Maintenance of this road is APPALLING Remove debris- one on Atkinson Ave and one on Carinya Rd. It is still there and has not been collected No feedback regarding whether the situation was rectified	7.3	21/286
Somewhat Dissatisfied	issue should have been handle to completion in 24 hours. Instead it took 2 weeks and even then it got palmed to Playford. More feedback on progress appreciate a more timely response to requests/ a regular schedule of road grading/ task undertaken completely/ communication regarding status of request and timeline. Although the grading job fixed the obscured drain on the opposite high side of the road, it has done nothing to prevent stormwater crossing the street opposite my property and overwhelming the inadequate gutter on my side of the street can you send me a comprehensive plan of what the Adelaide Hills Council is doing to improve roads, stormwater, footpaths, cycling lanes etc. You must have some sort of plan to stop just patching our roads in a third world way but to fix them properly with planning and proper construction teams that no what they are doing. In light of last year's fires and the terrible condition of our council areas you should by now have a fire mitigation plan to reduce foliage etc. Still not physically done and now we are in January. I spoke to both Josh Teagues office and Rebecca Sharkies office and neither of them have been lobbied at all for extra funding to achieve any of these things. Please explain? Some of the highest rates in SA with little real action in these areas. This request has been open for at least 2 months with no feedback from council at all apart from this survey	14.3	41/286
Somewhat Satisfied	A "No Through Road" sign ALSO on the opposite corner of Serafini Place would be useful Face to face (or phone) communication could have resolved this matter to my satisfaction The staff I spoke to were courteous and helpful, however the system of attending to ratepayers concerns is very poor I was a little disappointed that I am unable to display my 50 SPEED LIMIT sign on the road verge I could see that it may very well conflict with road works at any time Not Councils causing problem but when lodging complaint and requesting feedback disappointing no response Very good customer service for the front counter staff found it difficult to get to speak to the relevant person for my query, and even when I have left messages, i don't always get a reply (1) ensure a philosophy on SAFETY. (2) Council superiors to ensure CLEAR SUCCINCT DIRECTIVES to those that are to carry out the work. (3)Encourage a work ethic with a focus on the concept of SAFETY to those you employ to carry out roadside work dislike having to chase up the council every year to clear the drains . They block up with all the unsecured gravel from the roadside, and silt flows into my carport. Ironbank Roadworks have now been ongoing for over 8 weeks. Workmanship is poor, guard rail install was 2 weeks ago in the wrong places. Compared to what Onka council has done on Cheery Gdns road Ironbank road is a poor standard.	17.5	50/286
Extremely satisfied	Simon is personable and efficient Thank you Craig - listening to the concerns re Manna Gum Lane and all the work in placing biteum Staff is friendly and helpful Perform Regular scheduled maintenance of staplehurst lane road surface The service has been helpful and professional Could be informed once the case had been completed so we wouldn't have to keep checking to see if completed Speed of the reply was a bit average Response was prompt, successful and curious Suggestion to prevent blockage in the drain but no reply. Promptly fixed Works team responded appropriately Need reflectors on the road for Foggy and Rainy weather Workers did a fantastic job of repairing the drainage issue on Constance Avenue No notification on completion	40.2	115/286

Method of Contact

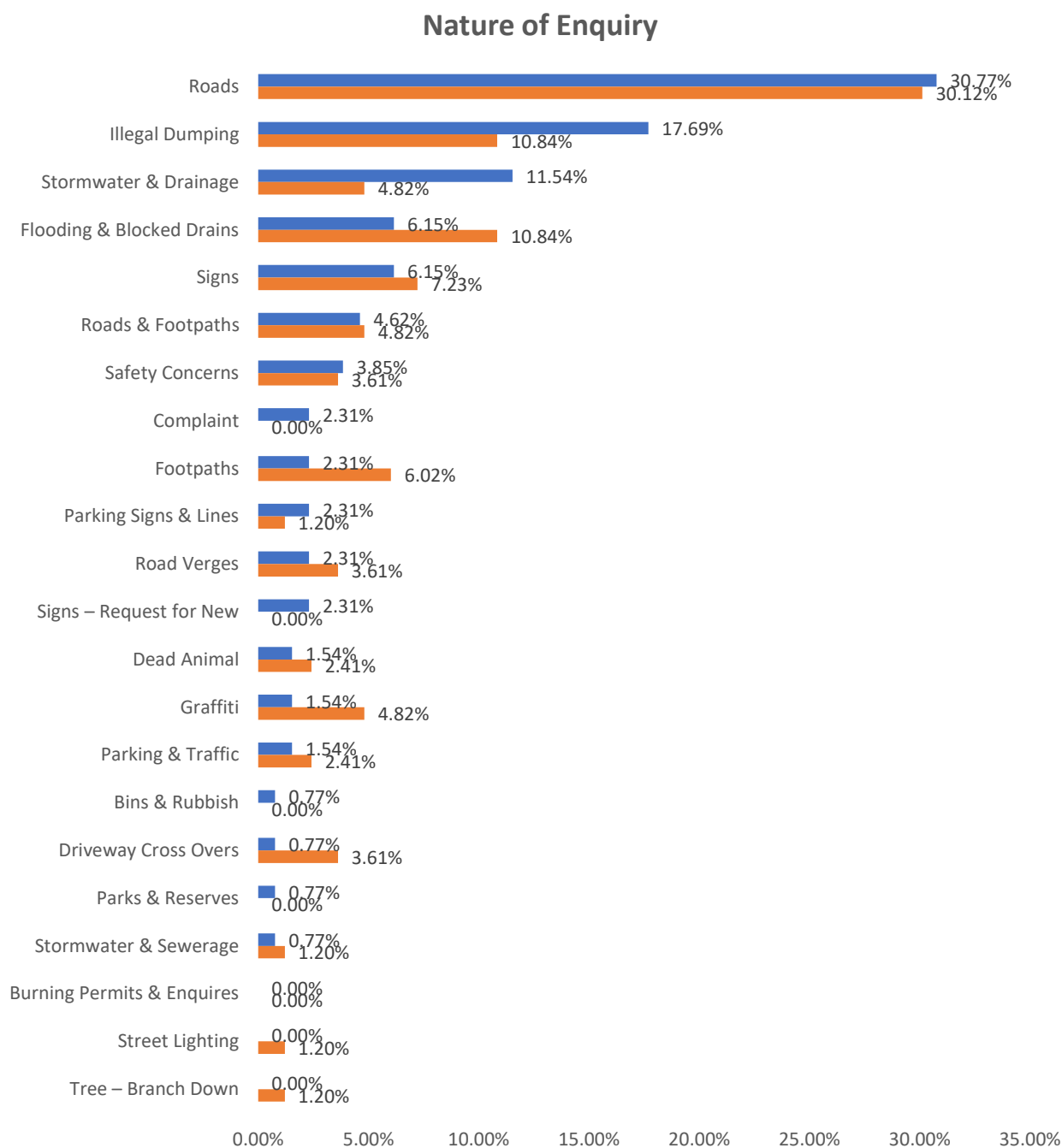


Summary

From the graph, the most common way to make contact was via telephone. It constitutes 40% of all contact methods in the last 12 months.

There has been a slight increase in contact via email compared to the period of 2020-2021.

Nature of Enquiry



Summary

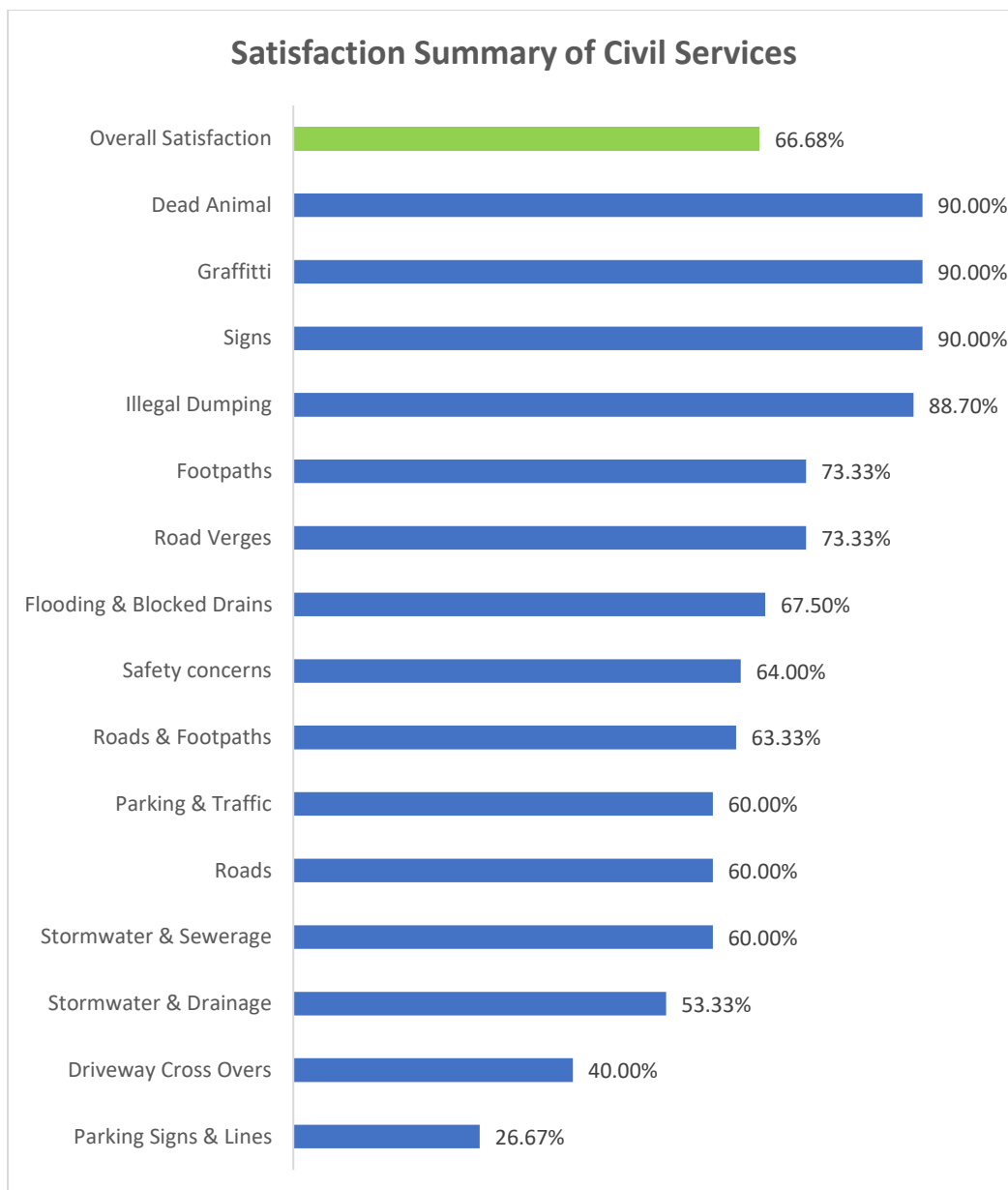
Compared to 2020-21, there were significant increases in enquiries relating to illegal dumping and stormwater & drainage. Respondents contacted Council for civil services maintenance and the most common enquiry relating to roads, which constitutes 30% of all enquiries.

The top 5 drivers of satisfaction are:

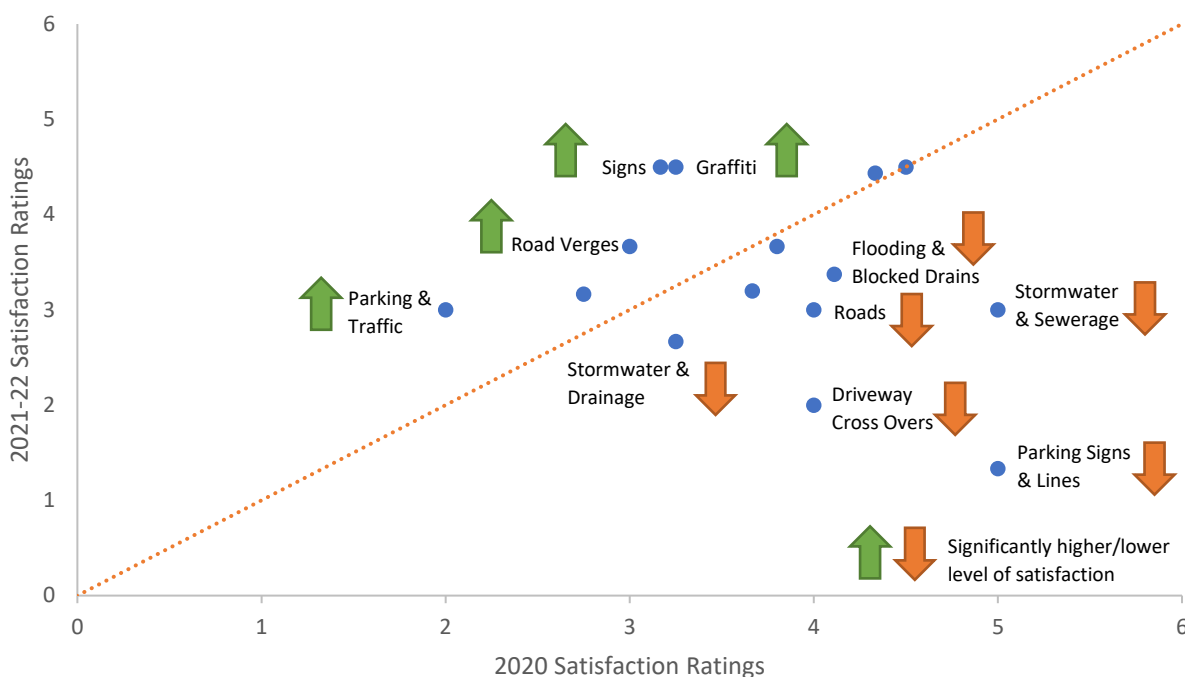


- Roads
- Illegal dumping
- Stormwater & Drainage
- Flooding & Blocked Drains
- Signs

Satisfaction Summary of Civil Services



Services Satisfaction (Comparison by Year)



Below tables identifies the highest and lowest rated services in terms of satisfaction

Top 5 for Satisfaction	Mean Score	T2
Dead Animal	4.50	90%
Footpaths	3.67	73%
Graffiti	4.50	90%
Illegal Dumping	4.43	89%
Road Verges	3.67	73%
Signs	4.50	90%

Bottom 5 for Satisfaction	Mean Score	T2
Driveway Cross Overs	2.00	40%
Parking & Traffic	3.00	60%
Roads	3.00	60%
Safety concerns	3.20	64%
Stormwater & Drainage	2.67	53%
Stormwater & Sewerage	3.00	60%

Appendix 2

*Service Review 2021-22 – Civil Service Maintenance
Function – Management Response and draft
Action Plan*

Adelaide Hills Council

Civil Services Maintenance Function

SERVICE REVIEW 21/22



Management Response

& Draft Action Plan

21 JULY 2022

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1. EXECUTIVE SUMMARY

1.1 Background

Council has resolved to implement a Service Review Framework (the Framework) as part of the Annual Business Plan 2021-22. The Framework was adopted by Council at the 26 October 2021 meeting and provides Council with principles and guidelines for conducting an external Service Review to evaluate the adequacy, effectiveness and efficiency of the reviewed services.

The Service Review Brief – Civil Services was presented at the 25 January 2022 Council Meeting, and the consultant (Epic Projects & Consulting) was appointed, and field work commenced in March 2022.

The Final Report and associated recommendations have now been provided to Council, and the Director Infrastructure and Operations in conjunction with other key staff has prepared a Management Response to the Recommendations, and a Draft Action Plan for consideration.

(Note: The Recommendations themselves, including title and description have been copied across from the Consultant’s Report).

1.2 Objectives and scope

Service delivery review is a good opportunity to understand the service needs of local communities and customers, determine the effectiveness and efficiency of services, value and improve the delivery of services which include local infrastructure, local public services and the performance of regulatory functions to local communities and stakeholders.

The review can also help determine the cost effectiveness of funding and governance on the services provided to maximise the service performance.

1.3 Prioritisation

The level of priority assigned to the Recommendations was as below:

Priority	Description
High	Level of impact is high, and should ideally be addressed as a matter of priority.
Medium	Level of Impact is high, however implementation may be less urgent or is reliant on other work being undertaken prior
Low	Lower level of impact, urgency or for consideration in future, pending implementation outcomes of other recommendations

1.4 Service Review Recommendations

The key recommendations from the Civil Services Maintenance Function Service Review are listed below, along with a proposed priority for addressing the findings:

Recommendation	H	M	L
1 Develop prioritised program maintenance plans	-	X	-
2 Develop an expanded operational service standard suite for maintenance activities	X	-	-
3 Roll out of CONFIRM system to Civil Service Maintenance	X	-	-
4 Develop and promote cross functional teams working more closely together	X	-	-
5 Improved Budgeting and Measuring Costs	-	-	X
6 Improved Process for Section planning	-	X	-
7 Reward and Recognition	-	X	-
8 Continuous Improvement	-	-	X
9 Customer Communication	-	X	-
Total	3	4	2

2. Management Response to Recommendations

Recommendation 1		M
Title	Develop prioritised program maintenance plans	
Description	Develop risk-based and prioritised program maintenance plans for all road infrastructure, including footpaths and drains, to better balance the priorities of asset maintenance planning with customer service needs.	

Management Response	Action
<p>Currently, all works undergo a preliminary risk assessment, so that those which are deemed high risk are addressed as a matter of urgency.</p> <p>As part of the next phase of our developing Asset Management Maturity, the development of Asset Maintenance Plans is agreed to be a high priority for investment into the future.</p> <p>Before maintenance plans can be developed, agreed service levels must be further reviewed and more formally documented.</p> <p>-</p> <p>Once the above measures are in place, asset classes will be prioritised, and a rollout schedule adopted (like Asset Management Plan reviews).</p>	<ul style="list-style-type: none"> • Prioritise the order in which Asset Class specific maintenance plans are to be developed. • Develop and implement the Asset Class specific maintenance plans.

Recommendation 2		H
Title	Develop an expanded operational service standard suite for maintenance activities	
Description	Develop a reviewed and documented set of operational service standards. The development of these service standards defines the level of maintenance service to be undertaken based on the condition and defect.	

Management Response	Action
<p>As part of the next phase of our developing Asset Management Maturity, the development and review of Asset Maintenance Plans is agreed to be a high priority for investment into the future.</p> <p>Before maintenance plans can be developed, agreed service levels must be further reviewed and more formally documented. A method for this identification as well as data capture and ongoing management needs to be determined and resourced.</p> <p>Once the above measures are in place, Asset classes will be prioritised, and a rollout schedule adopted (like Asset Management Plan reviews).</p>	<ul style="list-style-type: none"> • Prioritise the order in which Asset Class specific service standards are to be Developed. • Develop and adopt the Asset Class specific service standards.

Recommendation 3		H
Title	Roll out of CONFIRM system to Civil Service Maintenance	
Description	<p>Continue the work to use CONFIRM to its full potential for better asset management:</p> <ul style="list-style-type: none"> • recording and scheduling of works • capturing asset data and costs. • Improved data collection to enable reporting against Maintenance Plans and improve accuracy of actual costs of service provided. <p>This work should be ongoing and related to the corporate goals of progressive organisation, using technology, developing people and continuous improvement.</p> <p>The expansion of CONFIRM can integrate with the use of digital workflow improvement and the use of tablets on site. This can streamline the workflow practices and promote efficiency</p> <p>It is important to keep the rollout and improvements moving, even if it's small incremental ones, in line with whatever budget can be allocated. Initiatives like this can benefit from a driver and champion of the change management process, combined with leadership support.</p>	
Management Response	Action	
It is acknowledged that the increased use of the CONFIRM Asset Management System will result in improved data capture, modelling and forecasting. This information in turn will assist in more targeted and accurate works scheduling and intervention.	<ul style="list-style-type: none"> • Expedite the transitioning to use of Confirm in the field through engaging with Strategic Assets and Information Services. 	

Recommendation 4		H
Title	Develop and promote cross functional teams working together	
Description	Develop and promote cross functional teams working more closely together from various key departments to promote the development of innovative solution and develop CONFIRM to its full potential.	

Management Response	Action
While cross functional teams do work together to progress particular projects, deal with more complex requests and resolve issues, the establishment of a stand-alone cross-functional working group for the Civil Services Confirm Rollout has merit given the many touchpoints across the organisation.	<ul style="list-style-type: none"> Establish Civil Services specific Confirm Working Group utilising the newly developed Project Management Framework (which will include all relevant stakeholders).

Recommendation 5		L
Title	Improved budgeting and measuring costs	
Description	<p>Improvements may be needed in the budgeting process to allow specific costs to be identified for the various maintenance activities. Measuring costs can help boost business case thinking and can assist in countering other pressures. This in turn, over time, creates efficiencies.</p> <p>Improved budgeting processes that allows more detailed costing related to Maintenance Plans will allow adjustments/reallocation of budgets to suit.</p> <p>Capturing data in CONFIRM will help decision making in the future. It will also, promote cost efficiency and provide a basis to reviewing how well teams are currently operating, and where efficiency can be achieved by having enhanced data to compare.</p>	

Management Response	Action
<p>I think the language here perhaps does not accurately reflect where the opportunity lies, which is perhaps realistically relating to the expenditure process and capture. For example, how much does a typical pothole repair cost, or how much is spent maintaining a specific asset (such as a specific road) in any given year?</p> <p>Whilst this is an important improvement, there is heavy reliance on the Confirm implementation, or other recording method for expenditure.</p>	<ul style="list-style-type: none"> • Some interim methods may be investigated to aid in forecasting more accurately the cost per service delivery type. • Following adoption of Service Standards, development of Maintenance Plans, and implementation of confirm, improve use of data for more refined cost forecasting.

Recommendation 6		M
Title	Improved process for section planning	
Description	<p>An improved process for section planning including Development of a Section Plan (or Team) to better relate the organisation’s Strategic Plan to day to day functions. Better documenting of these processes to assist communication on a regular basis between staff, managers and executive.</p> <p>A more formal strategic management process that links the field operational person through the organisation to the Executive and provide feedback monthly (or at regular interval).</p>	

Management Response	Action
<p>More formally documenting the Annual Plans for teams can be undertaken within existing resources.</p> <p>Whilst staff do understand the services delivered as part of the Civil Services Maintenance Function lie at the core of Council’s services, more specifically articulating particular focus areas in each year will help improve line of sight to Council’s overarching Strategic documents, plans and strategies.</p> <p>Whilst an initial draft can be completed this calendar year, future revisions should be tied to Council’s existing planning cycles. For example, a major review of the team’s Annual Plan can occur after the adoption of each new Strategic Plan every four years. Minor reviews could occur annually, after the adoption of each Annual Business Plan and Budget.</p>	<ul style="list-style-type: none"> Develop Annual Plans (Name to be determined) beginning with 2022-23. (First to be completed by end Q2 2022).

Recommendation 7		M
Title	Reward and Recognition	
Description	<p>Measure for employees' wellbeing and provide recognition and rewards for work well done and related to the achievement of corporate goals. The Civil Services and Maintenance function do undertake preventative maintenance that can avert issues and customer complaints.</p> <p>We recommend promoting good news stories and good customer feedback with the organisation. Rewards can be low key such section BBQ on a 6 monthly basis, recognising achievements, subject to policy on funding these types of events.</p>	

Management Response	Action
<p>Whilst understanding the need to reward and recognise staff efforts, particularly those who go above and beyond, this is a challenge in Local Government.</p> <p>We are extremely conscious at AHC of the appropriate use of public funds (i.e. ratepayer dollars) to fund anything which is not directly seen as delivering services. However, opportunities to improve the way management intrinsically rewards staff for the good work they do will be explored.</p>	<ul style="list-style-type: none"> • Work with Organisational Development to ensure alignment with broader AHC approach to Reward and Recognition. • Work with Communications and Engagement to determine what operational activities or achievements are of broader public interest and can be promoted.

Recommendation 8		L
Title	Continuous improvement	
Description	Establish a greater focus on continuous improvement and innovation initiatives across the organisation. Hold innovation workshops for staff, get ideas for the future and improvements. These can focus on efficiency, customer service, and lowering costs. Encouraging and promoting time for employees to put time aside for continuous improvement that can create efficiency in the short and long term.	

Management Response	Action
<p>Whilst Continuous improvement and innovation have been reflected in the Civil Services Team through improvements made over the past years, the low hanging fruit of the past has largely been addressed.</p> <p>Therefore, the recommended allocation of time and resource into specifically targeting improvement has merit.</p> <p>The caveat being that when staff are applying time to these activities, it means they are not in the field undertaking other key work and maintenance activities.</p>	<ul style="list-style-type: none"> • Ensure both office and field based teams designate specific time on a regular basis, to encourage identification and subsequent progression of work to formally improve work practices. (Particular with regards to identification of savings, as well as improved efficiency and customer service).

Recommendation 9		M
Title	Customer Communication	
Description	<p>A common complaint from customers is lack of communication about job progress. Look at the possibility of automating responses to the customers when work is about to happen as well as when work is completed.</p> <p>The key here is accuracy and it's better to handle this manually otherwise.</p> <p>Communication can also be through newsletter, mail, website and regular open public information sessions.</p> <p>Ongoing work to connect CRM to Confirm should continue to improve workflow and will be needed when digital workflow occurs.</p>	

Management Response	Action
<p>Agree that there is additional improvement potential in this area. The team has been working closely with Customer Service staff to ensure interpersonal dealings are of the highest standard, and messaging continues to improve clarity of information and management of customer/community expectations.</p> <p>There are existing communication channels we have in place that we can consider enhancing to ensure that they are providing the best experience for community. At this stage we would not recommend adding additional community forums to this engagement strategy.</p> <p>The recently recruited Depot Administration Officer had a revised position description, prioritising the Customer Service and related processes as the most critical elements of the role.</p>	<ul style="list-style-type: none"> • The Infrastructure and Operations Directorate will work closely with Customer Service to determine any potential for further automated messaging to be put in place (not just Civil Services) and continue to explore ways to improve overall communication with customers. • Greater utilisation of Depot Administration resource to provide job specific information to customers.

3. Draft Action Plan


Action	22-23	23-24	24-25
Prioritise the order in which specific Asset Class specific maintenance plans are to be developed.	X	-	-
Develop and implement the Asset Class specific maintenance plans.		X	X
Prioritise the order in which specific Asset Class service standards are to be developed to subsequently inform asset maintenance plans.	X	-	-
Develop and adopt the Asset Class specific service standards.		X	X
Expedite the transitioning to use of Confirm in the field through engaging with Strategic Assets and Information Services.	X	X	X
Establish Civil Services specific Confirm Working Group including all relevant stakeholders.	X	X	X
Some interim methods may be investigated to aid in forecasting more accurately the cost per service delivery type.	-	X	-
Following adoption of Service Standards, development of Maintenance Plans, and implementation of confirm, improve use of data for more refined cost forecasting.			X
Develop Annual Plans (Name to be determined) beginning with 2022-23. (First to be completed by end Q2 2022)	X	-	-
Work with Organisational Development to ensure alignment with broader AHC approach to Reward and Recognition.	-	X	-
Work with Communications and Engagement to determine what operational activities or achievements are of broader public interest and can be promoted.	-	X	-
Ensure teams designate specific time on a regular basis, to encourage identification and subsequent progression of work to formally improve work practices. (Particular regard to identification of savings, as well as improved efficiency and customer service).	X	X	X
The Infrastructure and Operations Directorate will work closely with Customer Service to determine any potential for further automated messaging to be put in place (not just Civil Services) and continue to explore ways to improve overall communication with customers).	X	-	-
Greater utilisation of Depot Administration resource to provide job specific information to customers.	-	X	-
Total	-	-	-

It is envisaged that several the recommendations can be addressed in some form within existing resources and is a matter of reprioritising staff time to achieve them.

Appendix 3

Service Review Framework

COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<h2>Service Review Framework</h2>
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Policy Number:	GOV-24
Responsible Department(s):	Governance and Performance
Relevant Delegations:	As per the Delegations Register and as detailed in this Policy
Other Relevant Policies:	<i>Internal Audit Policy</i>
Relevant Procedure(s):	N/A
Relevant Legislation:	N/A
Policies and Procedures Superseded by this policy on its Adoption:	N/A
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 October 2024 or as required by legislation or changed circumstances

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
0.1	8/10/21	Draft for consultation	N/A
1.0	26/10/21	Framework adoption by Council	

Service Review Framework

1. INTRODUCTION

- 1.1 Council has a culture of continuous improvement across all of its services and activities.
- 1.2 In addition to these continuous improvement processes, it is also prudent to periodically conduct an objective and in-depth analysis of Council's key services to assist Council in clarifying the community's service aspirations and assessing how efficiently and effectively those aspirations are being met through the current service ranges and levels. These in-depth analyses are known as Service Reviews (Reviews).
- 1.3 This Service Review Framework (the Framework) provides Council with principles and guidelines for conducting external Service Reviews.

2. OBJECTIVES

- 2.1 The objective of this Service Review Framework is to facilitate 'value for money' in service provision through the analysis of factors such as:
- Service clarity, replicability and quality
 - Customer (internal or external) priorities, aspirations and experience
 - Alignment to the Council's strategic intent
 - Statutory obligations
 - Service delivery modes and alternatives (including outsourcing and shared services)
 - Process efficiency and saving opportunities
 - Service delivery effectiveness and performance assessment

3. DEFINITIONS

- 3.1 A "**Function**" is a group of like services.
- 3.1.1 A "**Service**" is any specific activity undertaken to deliver outcomes for stakeholders as part of carrying out Council's functions and objectives.
- 3.1.2 A "**Functional Area**" is the section or teams in Council where the services are performed.

4. POLICY STATEMENT

- 4.1 Council is committed to implementing and maintaining a Service Review Framework that assures stakeholders that it is fulfilling its responsibilities and meeting the needs of the community through effective and efficient services.
- 4.2 A fundamental component of this Framework is the operation of an objective review that evaluates the adequacy, effectiveness and efficiency of the Council services under review and the extent to which the services delivered met the community's aspirations.

5. SCOPE

- 5.1 The Framework sets out the elements for conducting an external Service Review using a consultant. This Policy does not cover internal Service Reviews or activities which may be conducted within teams as part of their continuous improvement practices.
- 5.2 Council also operates an Internal Audit Program which, while undertaking somewhat similar review activities, has as its main focus to evaluate the adequacy and effectiveness of the systems of internal control within the Council to manage risk.
- 5.3 The Internal Audit Program and this Framework are complimentary but separate governance activities.

6. ELEMENTS OF THE SERVICE REVIEW

6.2 Function vs Service

- 6.2.1 Services within Council have been grouped together into a Function for the purpose of planning, resourcing and performance reporting. There are currently 44 Functions identified within Council.
- 6.2.2 The Service Reviews will be undertaken on a Function and the like Services that are grouped within it. Some Functions have a larger number of Services and therefore not every Service under a Function may be able to be included in a Review.

6.3 Determining the Function(s) to be reviewed

- 6.3.1 Each Function will be scored annually against a series of criteria to determine the priority for review and an indicative schedule of reviews developed for the forthcoming 3 years. The criteria will include, but may not be limited to, the:
- Volume of transactions
 - Resourcing (revenue, expenditure and staffing)
 - Customer feedback (where available)
 - Statutory requirements
- 6.3.2 The criteria and indicative schedule will be reviewed annually and provided to Council.

6.4 Service Review Brief

- 6.4.1 Once the schedule has been determined, a Service Review Brief will be developed setting out the Function and underlying Services being reviewed along with the specific objectives/areas of focus for the Review. The Service Review Brief will be provided to Council.

6.5 Timing

- 6.5.1 The timing for the Review(s) within the financial year will be based on the availability of the consultant and capacity of the Functional Area to participate.

6.6 Methodology

- 6.6.1 The methodology to be utilised by the consultant in the review is based on the *Australian Centre of Excellence for Local Government - Service Delivery Review* guidelines (the

Guidelines). Other business improvement tools and processes (i.e. Lean, Six Sigma, etc.) may be utilised depending on the Review to be conducted.

6.6.2 The Guidelines are built around seven main steps and include suggested tools and resources to assist in service review delivery. The seven main steps are:

- Establish the building blocks
- Set the project up
- Gather existing information
- Analyse services
- Engage stakeholders
- Implement change
- Evaluate and drive continuous improvement

6.7 Review Output

6.7.1 At the conclusion of a Review, the consultant will be required to prepare a report setting out, but not limited to, the following:

- Description of Service(s) (range, level, volumes, inputs, outputs, etc.)
- Customer/stakeholder analysis
- Assessment of Service(s) appropriateness, effectiveness and efficiency (including where applicable, benchmarking data from other comparable organisations)
- Process maps of Service(s)
- Recommendations
 - Refinements to current Service provision quality, effectiveness and efficiency
 - Proposals (as applicable) to change service range, level, delivery modes, etc.
 - Implementation plan including action, responsible officers and due dates

6.8 Implementation Plan Monitoring and Reporting

6.8.1 Recommendations from the Service Reviews that are adopted by Council will be monitored and the progress and evaluation of implementation will be reported to Council on a biannual basis.

6.8.2 Resourcing or other implications arising from Service Reviews will be the subject of separate reports to Council as required.

7. **FUTURE EXPANSION**

7.1 This Framework has the potential to be expanded for additional reviews in the future if additional funding and/or resources are applied

8. **DELEGATION**

8.1 The Chief Executive Officer has the delegation to:

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

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.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 July 2022
AGENDA BUSINESS ITEM**

Item: 12.6

Responsible Officer: Lachlan Miller
Executive Manager Governance & Performance
Office of the Chief Executive

Subject: Nomination for Membership of GAROC 2022

For: Decision

SUMMARY

The Local Government Association (LGA) has advised that the term of current members of the Greater Adelaide Regional Organisation of Councils (GAROC) expire at the 2022 LGA Annual General Meeting (AGM). As such, the LGA is seeking nominations from member councils (**Appendix 1**).

The Terms of Reference for GAROC provide that all council members elected to GAROC must be from a different Member Council. As a Member Council in the East Regional Grouping, Adelaide Hills Council (AHC) is invited to forward one (1) nomination for a position on the East Regional Grouping of GAROC. The nominee may be from AHC or another council in the East Regional Grouping.

Mayor Jan-Claire Wisdom is currently a member of GAROC and her term will expire at the 2022 LGASA AGM to be held on Friday 28 October 2022.

Nominations are invited from councils and must be received by 5pm Friday 19 August 2022.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. To determine that the method of selecting a Council Member to be nominated for the Greater Adelaide Regional Organisation of Councils be by an indicative vote utilising the process set out in this Agenda report.
 3. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred person for nomination for the Greater Adelaide Regional Organisation of Councils and for the meeting to resume once the results of the indicative vote have been declared.
 4. To endorse the nomination of _____ for the Greater Adelaide Regional Organisation of Councils and authorise the Chief Executive Officer to lodge the completed nomination form to the Local Government Association by COB 19 August 2022.
-

1. BACKGROUND

The Local Government Association (LGA) has in its governance structure two constituent bodies, being the South Australian Regions of Councils (SAROC) representing the regional councils and the Greater Adelaide Region Organisation of Councils (GAROC) representing the metropolitan councils.

The role of GAROC is regional advocacy, policy initiation and review, leadership, engagement and capacity building in the regions.

The GAROC Regional Groupings consist of:

GAROC Regional Grouping	Members	Nominee 2022-2024
Adelaide	Adelaide City Council	Lord Mayor – Standing Member
North	Town of Gawler	2x Vacancies
	City of Playford	
	City of Salisbury	
	City of Tea Tree Gully	
West	City of Charles Sturt	2x Vacancies
	City of Holdfast Bay	
	City of Port Adelaide Enfield	
	City of West Torrens	
South	City of Marion	2x Vacancies
	City of Mitcham	
	City of Onkaparinga	
East	Adelaide Hills Council	2x Vacancies
	City of Burnside	
	City of Campbelltown	
	City of Norwood Payneham & St Peters	
	City of Prospect	
	City of Unley	
	City of Walkerville	

Mayor Wisdom was successfully elected to GAROC in October 2019, and this was prior to the Regional Grouping arrangements coming into effect.

The current membership of GAROC is:

- Mayor David O’Loughlin (Chair) – City of Prospect
- Mayor Gillian Aldridge – City of Salisbury
- Mayor Claire Boan – City of Port Adelaide Enfield
- Mayor Angela Evans – City of Charles Sturt
- Mayor Heather Holmes-Ross – City of Mitcham
- Mayor Karen Redman – Town of Gawler
- Acting Mayor Simon McMahon – City of Onkaparinga
- Lord Mayor Sandy Verschoor – City of Adelaide
- Mayor Jan-Claire Wisdom – Adelaide Hills Council

In due course Council will receive information from the LGA regarding the voting process for election to the GAROC Members and Council will be able to resolve and cast its vote accordingly.

In relation to timing of the nominations in this current election cycle, the LGA states:

It is acknowledged that because of the timing of the AGM, the election of LGA Board and President, and the four yearly cycle of local government general elections; that there is the potential for the President and/or a Board member(s) to not be re-elected in their respective council and thus causing a casual vacancy. It is also noted that if the election of LGA office holders was held, say three to six months after the local government elections to coincide with the LGA’s OGM there is still the possibility that a current member of the Board may not be re-elected at the November local government elections, resulting in a casual vacancy to be filled prior to the OGM.

Thus, there is no ideal time to hold elections for office bearers for the LGA when the end of term coincides with the general council elections. However, the general view is that it is preferable for a new Board and President to take office at the AGM and as soon as possible around a general council election to ensure the Board and President can maximise their contribution during the two-year term, rather than be put in a holding pattern until a new Board is elected following council elections.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 5	A Progressive Organisation
Objective O4	We actively represent our community
Priority O4.3	Attract and develop a diverse and capable elected body that represents, promotes and reflects the composition of the community
Priority O4.3	Advocate to, and exert influence with, our stakeholders on behalf of our community to promote the needs and ambitions of the region
Objective O5	We are accountable, informed, and make decisions in the best interests of the whole community
Priority O5.1	Enhance governance structures and systems to prudently adapt to changing circumstances and meet our legislative obligations

➤ **Legal Implications**

The position, role and function of GAROC are set out in the GAROC Terms of Reference (**Appendix 2**).

There is no legal requirement for a member of the Adelaide Hills Council to become a member of GAROC.

Sections 73 and 74 of the *Local Government Act 1999* (the Act) set out the provisions regarding Material Conflicts of Interest. An Elected Member registration of interest for membership of GAROC may possibly constitute a personal benefit under s73 of the Act.

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

Therefore an Elected Member seeking to have a registration of interest for membership of GAROC nominated by Council could have a Material, Actual or Perceived Conflict of Interest and would need to consider declaring the interest and leave the Chamber prior to the discussion of the matter under s74(1) or s75A(2), as appropriate.

The correspondence from the LGA (**Appendix 1**) indicates that voting for GAROC members by councils is to occur between 5 and 17 September 2022. The caretaker period, under Council's **Caretaker Policy**, will commence on 6 September however such a resolution is not considered to breach the Policy.

➤ **Risk Management Implications**

Notwithstanding that Council is only one of the regional group of councils nominating for members to GAROC, given the role of the GAROC, it is in Council's (and the sector's) interest to support the candidates that will assist in mitigating the risk of:

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

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

➤ **Financial and Resource Implications**

GAROC does not pay sitting fees, although GAROC funds travel and related expenses for its membership through its *GP02 Board and Committee Member Allowances and Expenses Policy*.

As such, there is no support provided via the *AHC Council Member Allowance & Support Policy*.

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

There are no direct end-user customer service implications regarding the nomination of members to GAROC.

➤ **Sustainability Implications**

Not directly applicable.

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

<i>Council Committees:</i>	Not Applicable
<i>Council Workshops:</i>	Not Applicable
<i>Advisory Groups:</i>	Not Applicable
<i>External Agencies:</i>	At the time of report writing, the Administration is not aware of the aspirations of any other eligible candidates from other councils within the East Regional Grouping
<i>Community:</i>	Not Applicable

➤ **Additional Analysis**

Nominations

The GAROC Terms of Reference (**Appendix 2**) requires that all council members elected to GAROC must be from a different member council. Apart from the Adelaide Regional Grouping as it holds a standing position on GAROC, all positions will be declared vacant. AHC may nominate a member from Adelaide Hills Council or may nominate a council member from another council within the East Regional Grouping.

Nominations must be made using the attached form (**Appendix 3**) signed by the nominee (indicating their willingness to stand for election) and Council's Chief Executive Officer. For this reason, it may be beneficial for Council Members wishing to nominate a candidate to determine their willingness to accept the nomination prior to the meeting. The nominee may also complete a Candidate Information Sheet (**Appendix 4**) to support their nomination. The LGA has advised that the nomination period closes on 5.00pm Friday 19 August 2022. Late nominations will not be accepted.

Indicative Voting Process for Determining Council Appointed Positions

Due to the potential implications of the Conflict of Interest provisions (see Legal Implications above) regarding the nomination of Council Members, it is proposed that the Council adjourn the meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote (Indicative Voting Process) to determine the preferred person to be nominated.

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

The Indicative Vote Process below is based on the Appointments to Positions Process contained in Clause 4.7 Council's *Code of Practice for Code of Practice for Council Meeting Procedures*.

The Indicative Voting Process is:

- a) Chief Executive Officer calls for self-nominations for the position of GAROC Nominee.
- b) If the number of nominees is equal to or less than the number of positions, no election will be required. If the number of nominees is greater, an election will be necessary.
- c) The CEO (or another Council staff member) will be appointed as the Returning Officer and may enlist other Council staff to assist with the conduct of the vote and the count.
- d) The method of voting will be by secret ballot utilising the preferential counting system
- e) Each Council Member (including the Mayor) shall have one vote.
- f) Ballot papers will be provided to each Council Member
- g) The nominee's names will be drawn to determine the order on the ballot paper.
- h) Each nominee will have two (2) minutes to speak to the Gathering in support of the candidacy. The speaking order will be as listed on the ballot paper.
- i) Completed ballot papers will be collected by the Returning Officer and the count will be undertaken in a separate room with an observer (another Council staff member) present.
- j) In the event of a tie, the result will be decided by the Returning Officer drawing lots, the candidate first drawn being the candidate excluded.
- k) After all votes have been counted, the Returning Officer shall formally declare the result of the election (i.e. the preferred person).
- l) The ballot papers will be shredded.

Proposed Chronology of Events

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

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

- I. Council will consider the process that it will use to choose the preferred person for the nomination to the LGA. Council would give effect to this by dealing with Recommendation 2 (or a variant) at this time.
- II. Having decided the method, Council will then have to adjourn the meeting to enable the process to be undertaken. Council would give effect to this by dealing with Recommendation 3 (or a variant) at this time.

- III. Once the Indicative Voting Process has been completed the Council meeting will resume in accordance with the previous resolution.

Upon resumption, any AHC Council Member(s) who nominated for the GAROC Nominee role would be advised to consider their obligations to declare a Material, Actual or Perceived Conflict of Interest as appropriate.

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

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

3. OPTIONS

Council has the following options:

- I. To nominate a Council Member from AHC or another GAROC member council (Recommended)
- II. To determine not to place forward a nomination for election to GAROC (Not recommended)

4. APPENDICES

1. Letter from LGA CEO dated 4 July 2022 calling for nominations for GAROC Members
2. GAROC Grouping and Extract – GAROC Terms of Reference
3. GAROC 2022 Candidate Nomination Form
4. GAROC 2022 Candidate Information Sheet

Appendix 1

LGA letter – Nominations for GAROC

In reply please quote our reference: ECM 778272 TN/SR

4 July 2022

Andrew Aitken
Chief Executive Officer
Adelaide Hills Council
28 Onkaparinga Valley Road
WOODSIDE SA 5244

Emailed: mail@ahc.sa.gov.au

Dear Andrew

Call for Nominations for GAROC Members

The terms of the current members of the Greater Adelaide Regional Organisation of Councils (GAROC) expire at the 2022 LGA Annual General Meeting (AGM). The LGA hereby calls for nominations to fill the two (2) positions allocated to each Regional Grouping of Councils on GAROC (eight positions in total) to commence office from the conclusion of the 2022 LGA Annual General Meeting and to remain in office until the conclusion of the 2024 AGM. A nomination form for the position of member of GAROC is attached and must be received by me, no later than **5pm Friday 19 August 2022**. Late nominations will not be accepted.

At the 2019 LGA AGM, members endorsed the establishment of four (4) GAROC Regional Groupings which took effect from the 2020 GAROC elections, with membership of GAROC to comprise two eligible members elected by a majority vote of the councils within each Regional Grouping, provided that each person elected for that Regional Grouping is from a different member. Additionally, the Lord Mayor of the City of Adelaide will be a standing member of GAROC.

I write to you in your capacity as the Chief Executive Officer of a Member Council in the Metro East to invite one (1) nomination from your council for a position on the Metro East Regional Grouping of GAROC. A list of the GAROC Regional Groupings is attached to this letter.

A nomination may only be made by resolution of the council and using the attached nomination form. The form must be signed by both the candidate nominated by the council to indicate his/her willingness to stand for election, and by you as the Chief Executive Officer of the nominating council. The nomination form must be accompanied by the attached candidate information sheet.

Voting

The GAROC Terms of Reference (TOR) (extract attached) outlines the process as to how an election will occur. As the Returning Officer I am required to conduct a ballot if the number of nominations for each GAROC Regional Grouping exceeds the number of positions. If a ballot is required, the distribution of ballot papers to councils will include any information provided on the candidate information sheet.

Timetable

Key (indicative) timings and GAROC TOR provisions are outlined in the following table:

Indicative Timing	Headline	GAROC TOR Provision
	Returning Officer	Returning Officer for all LGA electoral matters is the Chief Executive Officer (Clause 4.4.1)
18 July 2022	Nominations Called	CEO to write to members of GAROC Regional Groupings calling for nomination for position of members of GAROC at least 3 months before AGM (Clause 4.3.2)
19 August 2022	Nominations Close	Nominations must be received by the CEO no later than 5pm on the day specified for the close of nomination, being 24 August 2020 (Clause 4.3.4).
	Nominations equal to vacancies	If the number of nominations received equals the number of vacant positions for the Regional Grouping each candidate is elected and takes office at the conclusion of the AGM (Clause 4.4.3)
5 September 2022	Ballot papers prepared and posted	In the event of an election being required the CEO shall deliver ballot papers to each member of the relevant Regional Grouping at least 6 weeks before AGM GAROC (Clause 4.4.5(a))
17 October 2022	Voting closes	The CEO shall nominate the date, time and place for the counting of votes and shall invite each candidate and a person nominated as the candidate's scrutineer to be present (Clause 4.4.5(f))
18 October 2022	Counting of votes	The CEO shall nominate the date, time and place for the counting of votes (Clause 4.4.5(f))
28 October 2022	Final declaration of result	CEO shall declare the candidate with the most votes elected at the AGM (Clause 4.4.5(h))
28 October 2022	Takes office	GAROC members take office at the conclusion of the AGM (Clause 4.5)
28 October 2022	Voting for Board Members	GAROC should meet at the conclusion of the AGM to elect 3 of its members (plus its Chair) to the Board of Directors (Clause 6.4.1 and 6.4.2) who's term of office commences after the AGM.

Timing of LGA Election

The LGA Constitution provides for the election of LGA President, SAROC and GAROC members, and the LGA Board to take effect from the LGA's AGM, every other year. This enables the outgoing President to deliver their annual report and finance statements for the preceding year, before handing over to the incoming President.

It is acknowledged that because of the timing of the AGM, the election of LGA Board and President, and the four yearly cycle of local government general elections; that there is the potential for the President and/or a Board member(s) to not be re-elected in their respective council and thus causing a casual vacancy. It is also noted that if the election of LGA office holders was held, say three to six months after the local government elections to coincide with the LGA's OGM there is still the possibility that a current member of the Board may not be re-elected at the November local government elections, resulting in a casual vacancy to be filled prior to the OGM.

Thus, there is no ideal time to hold elections for office bearers for the LGA when the end of term coincides with the general council elections. However, the general view is that it is preferable for a new Board and President to take office at the AGM and as soon as possible around a general council election to ensure the Board and President can maximise their contribution during the two-year term, rather than be put in a holding pattern until a new Board is elected following council elections.

LGA Board Appointments

Under the LGA Constitution and the GAROC TOR, once members are elected to GAROC, these members will then elect a Chair and three GAROC members to form the LGA Board of Directors. These GAROC LGA Board Directors will be accompanied by their equivalent from SAROC, as well as the President and Immediate Past President, to form the ten (10) member LGA Board of Directors.

If you have any questions in relation to the election process, please contact me or LGA Program Leader Governance Tami Norman on 8224 2037 or tami.norman@lga.sa.gov.au.

Yours sincerely



Clinton Jury

Chief Executive Officer / LGA Returning Officer

Telephone: (08) 8224 2039

Email: clinton.jury@lga.sa.gov.au

Attachments:

- 1 List of GAROC Regional Groupings
- 2 Extract from LGA GAROC TOR – Section 4
- 3 2022 Nomination Form – GAROC
- 4 Candidate Information Sheet

Appendix 2

GAROC Grouping and Extract – GAROC Terms of Reference

Greater Adelaide Regional Organisation of Councils (GAROC)

Regional Groupings

GAROC Regional Grouping	Members
Adelaide	Adelaide City
North	Gawler Playford Salisbury Tea Tree Gully
West	Charles Sturt Holdfast Bay Port Adelaide Enfield West Torrens
South	Marion Mitcham Onkaparinga
East	Adelaide Hills Burnside Campbelltown Norwood Payneham & St Peters Prospect Unley Walkerville

Extract – GAROC Terms of Reference

Clause 4 – GAROC

4.1. Role

The role of GAROC is regional advocacy, policy initiation and review, leadership, engagement and capacity building in the GAROC Region.

4.2. Membership

4.2.1. Each Regional Grouping of Members listed in the schedule to these Terms of Reference will elect in accordance with clause 4.3 and 4.4 from the Members of the Regional Grouping of Members, 2 Council Members of Members in the Regional Grouping of Members as members of GAROC provided that each person elected is from a different Member.

4.2.2. In addition to the members of GAROC elected in accordance with clause 4.2.1, the Lord Mayor of the City of Adelaide will be a standing member of GAROC.

4.3. Nominations for election to GAROC

4.3.1. The members of GAROC will be elected biennially.

4.3.2. In the year in which GAROC members will be elected, and at least 3 months before the Annual General Meeting, the Chief Executive shall write to all Members of the GAROC Regional Grouping as listed in the schedule calling for nominations for the membership of GAROC.

4.3.3. Each Member of the GAROC Regional Grouping may nominate a candidate for membership of GAROC, provided that:

- (a) a person nominated as a member of GAROC must be a representative of a member on the relevant Regional Grouping of Members; and
- (b) only a Council Member can be nominated to GAROC.

4.3.4. A nomination of a person as a member of GAROC must be by resolution of the Member received by the Chief Executive not later than 5 pm on the day specified for the closure of nominations (Close of Nominations). A nomination must be signed by the candidate indicating his or her willingness to stand for election and be in the form determined by the Chief Executive.

4.4. Election to GAROC

4.4.1. The Chief Executive shall be the returning officer for any election of members to GAROC.

4.4.2. After the Close of Nominations, the Chief Executive will notify Members of each Regional Grouping of Members of the candidates for membership of GAROC nominated by the Regional Grouping of Members.

4.4.3. If the only nominations received from a Regional Grouping of Members by the Close of Nominations match the membership positions described in clause 4.2.1, then the Chief Executive will declare those persons duly elected to those membership positions.

4.4.4. If the number of persons nominated by the Close of Nominations by a Regional Grouping of Members exceeds the number of membership positions described in

clause 4.2.1, then an election for the purpose of clause 4.2.1 must be held in accordance with this clause.

- 4.4.5. In the event of an election being required, the Chief Executive shall conduct the election as follows:
- (a) at least six weeks before the Annual General Meeting, the Chief Executive shall deliver ballot papers to each Member of the Regional Grouping of Members;
 - (b) the ballot papers shall:
 - (i) list the candidates for election;
 - (ii) specify the day of closure of the election;
 - (iii) be accompanied by an envelope marked "Ballot Paper" and a second envelope marked "Returning Officer";
 - (c) each Member shall determine by resolution the candidate or candidates (as relevant) it wishes to elect;
 - (d) the chair of the meeting for that Member shall mark the ballot paper with an "X" next to the candidate or candidates (as relevant) that the Member wishes elected and seal the ballot paper in the envelope marked "Ballot Paper" inside the envelope marked "Returning Officer". Before sealing the second envelope the chair must indicate the Member's name on the inside flap of the envelope. The envelope may then be sealed and delivered to the Returning Officer;
 - (e) on receipt of the envelopes the Chief Executive must:
 - (i) open the outer envelope addressed to the "Returning Officer" and record the name of the Member which appears on the inside flap of the envelope on the roll of Member's eligible to vote; and
 - (ii) place the envelope marked "Ballot Paper" unopened into the ballot box;
 - (f) the Chief Executive shall nominate the date, time and place for the counting of votes and shall invite each candidate and a person nominated as the candidate's scrutineer to be present;
 - (g) at the counting of the votes the Chief Executive shall produce unopened envelopes marked "Ballot Paper" and if satisfied that all votes are valid, count the number of votes received by each candidate;
 - (h) in respect of an election for the purposes of clause 4.2.1, the 2 candidates from a Regional Grouping of Members with the most votes shall be deemed elected in respect of that Regional Grouping of Members and the Chief Executive shall declare the candidates elected at the Annual General Meeting; and
 - (i) in the case of candidates for membership positions described in clause 4.2.1 from a Regional Grouping of Members receiving the same number of votes, the Chief Executive shall draw lots at the counting of the votes to determine which candidate is elected.
- 4.4.6. The Chief Executive may, in his or her discretion, appoint a deputy returning officer and delegate any of his or her powers, functions or duties to that person who shall act accordingly.
- 4.4.7. The Chief Executive may, in his or her discretion, delegate any of his or her powers, functions or duties to an Executive Officer of a Regional Grouping of Members who shall act accordingly for the conduct of elections for the purpose of clause 4.2.1 in respect of the Regional Grouping of Members relevant to that Executive Officer.

Appendix 3

GAROC 2022 Candidate Nomination Form

Greater Adelaide Regional Organisation of Councils (GAROC) 2022 Nomination Form

Nominee's Council	<i>(insert name of council)</i>
Nominee's Name (full name)	<i>(insert title, first name and surname)</i>
Regional Grouping	<i>(Select one)</i> <input type="checkbox"/> North <input type="checkbox"/> West <input type="checkbox"/> South <input type="checkbox"/> East
Declaration and signature of nominee	I hereby accept such nomination. Signature:
Signature and name of Nominating Council's CEO	Signature: (insert name)
Dated	<i>(insert date)</i>

**This form is to be sent to the LGA Returning Officer
Close of nominations 5:00pm Friday 19 August 2022**

Appendix 4

GAROC 2022 Candidate Information Form

Greater Adelaide Regional Organisation of Councils (GAROC) 2022 Candidate Information Sheet

(word limit is strictly 1,000 words)

Name:	<i>(insert title, first name and surname)</i>
Council:	<i>(insert council name)</i>
Local Government Experience & Knowledge	<ul style="list-style-type: none"> • <i>(insert)</i>
Local Government Policy Views & Interests	<ul style="list-style-type: none"> • <i>(insert)</i>
Other information	<ul style="list-style-type: none"> • <i>(insert details of leadership, board, corporate governance experience etc)</i>

This form must accompany the Nomination Form

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 July 2022
AGENDA BUSINESS ITEM**

Item:	12.7
Responsible Officer:	Lachlan Miller Executive Manager Governance & Performance Office of the Chief Executive
Subject:	Nomination for LGA President 2022 – 2024
For:	Decision

SUMMARY

A call has been received from the LGA's Chief Executive Officer for nominations for the position of Local Government Association (LGA) President to commence from the conclusion of the 2022 Annual General Meeting (AGM), to be held on Friday 28 October, and to remain in office until the conclusion of the 2024 AGM.

The LGA Constitution specifies that the Office of President must be occupied on a rotational basis between a council member from a council in the South Australian Regional Organisation of Councils (SAROC) and a council member from a council in the Greater Adelaide Regional Organisation of Councils (GAROC). For this election, nominations are for council members within SAROC.

To be eligible for nomination, a person must be a council member and be a current member of the SAROC Committee and have been in that role for at least one year. An eligible candidate needs to be nominated by a member council but does not need to be nominated by their own council.

Nominations are invited from councils and must be received by 5pm Friday 19 August 2022.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted**
 - 2. To nominate _____ for the LGA President role and authorise the Chief Executive Officer to lodge the completed nomination form to the Local Government Association by COB 19 August 2022.**
-

1. BACKGROUND

The LGA CEO has written to AHC seeking nominations for the position of LGA President (**Appendix 1**).

The LGA Constitution specifies that the Office of President must be occupied on a rotational basis between a council member from a council in the South Australian Regional Organisation of Councils (SAROC) and a council member from a council in the Greater Adelaide Regional Organisation of Councils (GAROC). For this election, nominations are for council members within SAROC.

To be eligible for nomination, a person must be a council member and be a current member of the SAROC Committee and have been in that role for at least 1 year. An eligible candidate needs to be nominated by a member council but does not need to be nominated by their own council.

Nominations and any accompanying candidate information must be received by the LGA by 5.00pm Friday 19 August 2022.

In due course Council will receive information from the LGA regarding the voting process for election to the LGA President position and Council will be able to resolve and cast its vote accordingly.

In relation to the timing of the election for the LGA President, the LGA advises:

Timing of LGA Election

The LGA Constitution provides for the election of LGA President, SAROC and GAROC members, and the LGA Board to take effect from the LGA's AGM, every other year. This enables the outgoing President to deliver their annual report and finance statements for the preceding year, before handing over to the incoming President.

It is acknowledged that because of the timing of the AGM, the election of LGA Board and President, and the four yearly cycle of local government general elections; that there is the potential for the President and/or a Board member(s) to not be re-elected in their respective council and thus causing a casual vacancy. It is also noted that if the election of LGA office holders was held, say three to six months after the local government elections to coincide with the LGA's OGM there is still the possibility that a current member of the Board may not be re-elected at the November local government elections, resulting in a casual vacancy to be filled prior to the OGM.

Thus, there is no ideal time to hold elections for office bearers for the LGA when the end of term coincides with the general council elections. However, the general view is that it is preferable for a new Board and President to take office at the AGM and as soon as possible around a general council election to ensure the Board and President can maximise their contribution during the two-year term, rather than be put in a holding pattern until a new Board is elected following council elections.

Caretaker Period

The timeframe for conducting the LGA Elections, as set out in the LGA's Constitution, will extend into the caretaker period for the 2022 general council elections. Whilst nominations for the LGA election process will have closed, Councils will be required to cast their vote for President and GAROC/SAROC members during the caretaker period.

The role of LGA President is detailed in the attached LGA President Position Description (**Appendix 2**).

The current membership of SAROC is:

- Mayor Brent BENBOW (Port Augusta City Council – Spencer Gulf Cities Region)
- Mayor Peter HUNT (Berri Barmera Council – Murraylands & Riverland Region)
- Mayor Moira JENKINS (City of Victor Harbor – Southern & Hills Region)
- Mayor Peter MATTEY OAM (Regional Council of Goyder – Legatus Region)
- Mayor Clare McLAUGHLIN (Whyalla City Council – Spencer Gulf Cities Region)
- Mayor Bill O'BRIEN (Light Regional Council – Legatus Region)
- Mayor Keith PARKES (Alexandrina Council – Southern & Hills Region)
- Mayor Caroline PHILLIPS (District Council of Karoonda East Murray – Murraylands & Riverland Region)
- Mayor Richard SAGE (District Council of Grant – Limestone Coast Region)
- Mayor Erika VICKERY OAM (Naracoorte Lucindale Council – Limestone Coast Region)

Nominations must be made using the attached form (**Appendix 3**) signed by the nominee (indicating their willingness to stand for election) and Council's Chief Executive Officer. For this reason, it may be beneficial for Council Members wishing to nominate a candidate to determine their willingness to accept the nomination prior to the meeting. The nominee may also complete a Candidate Information Sheet (**Appendix 4**) to support their nomination.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 5	A Progressive Organisation
Objective O4	We actively represent our community
Priority O4.3	Attract and develop a diverse and capable elected body that represents, promotes and reflects the composition of the community
Priority O4.3	Advocate to, and exert influence with, our stakeholders on behalf of our community to promote the needs and ambitions of the region
Objective O5	We are accountable, informed, and make decisions in the best interests of the whole community
Priority O5.1	Enhance governance structures and systems to prudently adapt to changing circumstances and meet our legislative obligations

➤ Legal Implications

The call for nominations for LGA President is in accordance with the LGA Constitution. Clause 28 – Nominations for the Office of President (**Appendix 2**).

➤ **Risk Management Implications**

The LGA President can play a significant role in relation to the sector’s advocacy and interactions with Federal and State Government and shapes the community’s perception of the sector. For this reason, nominating and appointing a suitable candidate can assist in managing the risk of:

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

Inherent Risk	Residual Risk	Target Risk
Extreme (%C)	Medium (5C)	Medium (5C)

➤ **Financial and Resource Implications**

Not directly applicable.

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

Not directly applicable.

➤ **Sustainability Implications**

Not directly applicable.

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

External Agencies: At the time of report writing, the Administration is not aware of the aspirations of any eligible candidates from the current SAROC Committee.

Community: Not Applicable

3. OPTIONS

The Council has the following options:

- a) To resolve to nominate an eligible candidate for LGA President. (Recommended)
- b) To make no nomination for LGA President. (Not recommended)

4. APPENDICES

- (1) Nomination for LGA President 2022-2024 - Letter from LGA CEO
- (2) Extract from LGA Constitution, Fact Sheet and Position Description for LGA President
- (3) LGA President Candidate Nomination Form
- (4) LGA President Candidate Information Sheet

Appendix 1

LGA Letter – Nomination for LGA President 2022-24

In reply please quote our reference: ECM 777935 TN/SR

4 July 2022

Andrew Aitken
Chief Executive Officer
Adelaide Hills Council
PO Box 44
Woodside, SA 5244

Emailed: mail@ahc.sa.gov.au

Dear Andrew

Call for Nominations for LGA President

The LGA hereby calls for nominations for the position of LGA President to commence from the conclusion of the 2022 Annual General Meeting (AGM) and to remain in office until the conclusion of the 2024 AGM. A nomination form for the position of President is attached and must be received by me, no later than **5pm Friday 19 August 2022**. Late nominations will not be accepted.

The LGA Constitution specifies that the office of President must be occupied on a rotational basis between a council member from a council in the South Australian Regional Organisation of Councils (SAROC) and a council member from a council in the Greater Adelaide Regional Organisation of Councils (GAROC). For this election, nominations are for council members within SAROC. To be eligible for nomination, a person must be a council member and be a current member of the SAROC Committee and have been in that role for at least 1 year. An eligible candidate needs to be nominated by a member council but does not need to be nominated by their own council. Please refer to the attached Fact Sheet and Position Description for further information on eligibility and role responsibilities.

Key (indicative) timings and relevant LGA Constitution provisions are outlined in the table below.

Indicative Timing	Headline	LGA Constitution Provision
	Office of President	Position of President – rotated between SAROC and GAROC (Clause 28.6).
	Returning Officer	Returning Officer for any election for the office of President is the Chief Executive Officer (Clause 29.1)
18 July 2022	Nominations Called	CEO to write to members calling for nominations for position of President at least 3 months before AGM (Clause 28.2)
19 August 2022	Nominations Close	Nominations, in the form of a resolution of a member, <u>must</u> be received by the CEO no later than 5pm on the day specified for the close of nominations, being 19 August 2022 (Clause 28.7)

Indicative Timing	Headline	LGA Constitution Provision
	Nominations equal to vacancies	If only 1 nomination is received for President, the Chief Executive shall declare such person duly elected (Clause 29.3). If the number of persons nominated for the office of President exceeds 1 person then an election must be held (Clause 29.4).
5 September 2022	Ballot papers prepared and posted	CEO shall deliver ballot papers to each member at least 6 weeks before AGM (last date 15 September) (Clause 29.5.1)
17 October 2022	Voting closes	The CEO as returning officer will determine when voting closes, being 17 October 2022
18 October 2022	Counting of votes	The CEO shall nominate the date, time and place for the counting of votes (Clause 29.5.6)
28 October 2022	Final declaration of result	CEO shall declare the candidate with the most votes elected at the AGM (Clause 29.5.8)
28 October 2022	President takes office	President takes office at the conclusion of the AGM (Clause 30.1)

Timing of LGA Election

The LGA Constitution provides for the election of LGA President, SAROC and GAROC members, and the LGA Board to take effect from the LGA's AGM, every other year. This enables the outgoing President to deliver their annual report and finance statements for the preceding year, before handing over to the incoming President.

It is acknowledged that because of the timing of the AGM, the election of LGA Board and President, and the four yearly cycle of local government general elections; that there is the potential for the President and/or a Board member(s) to not be re-elected in their respective council and thus causing a casual vacancy. It is also noted that if the election of LGA office holders was held, say three to six months after the local government elections to coincide with the LGA's OGM there is still the possibility that a current member of the Board may not be re-elected at the November local government elections, resulting in a casual vacancy to be filled prior to the OGM.

Thus, there is no ideal time to hold elections for office bearers for the LGA when the end of term coincides with the general council elections. However, the general view is that it is preferable for a new Board and President to take office at the AGM and as soon as possible around a general council election to ensure the Board and President can maximise their contribution during the two-year term, rather than be put in a holding pattern until a new Board is elected following council elections.

Caretaker Period

The timeframe for conducting the LGA Elections, as set out in the LGA's Constitution, will extend into the caretaker period for the 2022 general council elections. Whilst nominations for the LGA election process will have closed, Councils will be required to cast their vote for President and GAROC/SAROC members during the caretaker period.

During the caretaker period, councils are unable to make “designated decisions” as defined under the *Local Government (Elections) Act 1999*. These include decisions relating to the employment or termination of a council CEO and entering in a contract the value of which exceeds \$100,000 or 1% of the Council’s revenue from rates in the preceding year (with limited exceptions). In addition, council resources must not be used for the advantage of a particular candidate or group of candidates during the election period.

Caretaker guidance provided to councils also encourages avoiding scheduling significant decisions (including major policy decisions) for consideration during an election period. These can include spending unbudgeted monies, conducting unplanned public consultation, endorsing a new policy, disposing of council land, approving grants and progressing any matter that has been identified as an election issue.

Councils are required to have a Caretaker Policy which may also impose other constraints during the caretaker period.

Having regard to the definition of a ‘designated decision’ and other matters councils should not determine during a caretaker period, it is not evident that the election of LGA President, SAROC and GAROC members is prohibited. However, each council will need to review any additional constraints imposed within their Caretaker Policy to ensure compliance with the relevant requirements.

Access to Members Information

Nominees may access the contact details of councils and elected members from the LGA database to assist in communicating with the sector during the election campaign. This information will be available upon request.

The LGA is writing separately to councils regarding the arrangements for the election of members to SAROC and GAROC.

If you have any questions in relation to the election process, please contact me or Program Leader Governance Tami Norman on 8224 2037 or tami.norman@lga.sa.gov.au.

Yours sincerely



Clinton Jury

Chief Executive Officer / LGA Returning Officer

Telephone: (08) 8224 2039
Email: clinton.jury@lga.sa.gov.au

Attachments:

- 1 Extract from LGA Constitution – Section 28
- 2 LGA President Election Fact Sheet
- 3 Persons eligible for nomination as LGA President – 2022
- 4 LGA President Position Description
- 5 LGA President Nomination Form
- 6 Candidate Information Sheet

Appendix 2

*Extract for LGA Constitution, Fact Sheet and Position
Description for LGA President*

Extract – LGA Constitution and Rules

Clause 28 – Nominations for the Office of President

- 28.1 The office of President shall be elected by Members biennially.
- 28.2 In the year in which a new President is to be elected, and at least 3 months before the Annual General Meeting, the Chief Executive shall write to all Members calling for nominations for the position of President.
- 28.3 Every Member is entitled to nominate an eligible person to the office of President.
- 28.4 To be eligible for nomination as a candidate for the position of President, a person must be a Council Member.
- 28.5 To be eligible for the position of President, a person must also be a current member of SAROC or GAROC who has undertaken that role for a period of not less than 1 year.
- 28.6 The eligibility for office of President shall rotate each term between a person who is a Council Member of a Member within Regional Groupings of Members in SAROC and a Council Member of a Member within Regional Groupings of Members in GAROC.
- 28.7 A nomination of a person for the office of President shall be by resolution of a Member and must be received by the Chief Executive not later than 5 pm on the day specified for the closure of nominations. A nomination must be signed by the candidate indicating his or her willingness to stand for election and be in the form determined by the Chief Executive.
- 28.8 If no nomination is received for the office of President under clause 28.7, then the Chief Executive shall call for additional nominations from and by the Delegates at the Annual General Meeting and will conduct an election at the meeting.

LGA President Election Fact Sheet

1. Who can nominate a person?

All LGA member councils (Members) are entitled to nominate an eligible person to the office of President.

2. Who can be nominated?

To be eligible for nomination as a candidate in the 2022 President Election, a person must be a Council Member, and must be a current member of the SAROC Committee who has undertaken that role for a period of not less than 1 year.

3. How is a nomination made?

A person is nominated by resolution of a Member. The LGA President Nomination Form must be signed by both the candidate indicating their willingness to stand for election and by the Chief Executive of the nominating Member and must be received by the LGA CEO no later than 5:00pm on Friday 19 August 2022.

4. What is the election process?

If only one eligible person is nominated, the CEO will declare such person duly elected. If the number of eligible persons nominated exceeds one person, then an election will be held. The CEO is the Returning Officer for any election for the office of President. The CEO will notify all Members of the nominated candidates and will conduct the election as follows (timings are indicative only):

1. The CEO will deliver ballot papers to each Member at least six weeks prior to the Annual General Meeting (no later than 15 September).
2. The ballot papers will list the candidates for election, specify the date of closure of the election as 17 October 2022, and be accompanied by an envelope marked "Ballot Paper" and a second envelope marked "Returning Officer".
3. Each Member then determines by resolution the candidate it wishes to vote for and mark the ballot paper accordingly and place it in a sealed envelope for delivery to the CEO.
4. The CEO will nominate the date, time, and place for the counting of votes and will invite each candidate and a person nominated as the candidate's scrutineer to be present.
5. At the counting of the votes the CEO will produce unopened envelopes marked "Ballot Paper" and if satisfied that all votes are valid, count the number of votes.
6. The candidate with the most votes will be deemed elected and the CEO will declare the candidate elected at the Annual General Meeting.
7. If candidates receive the same number of votes, the CEO will draw lots at the counting of the votes and the lot drawn will be the candidate elected.

Persons eligible for nomination as LGA President – 2022

In accordance with Clauses 28.4, 28.5 and 28.6 of the Constitution, to be eligible for the position of President, the nominee must be a current Council Member of a SAROC member council and must also be a current member of SAROC and have undertaken that position for a period not less than 1 year.

Applying this criteria, the following members of SAROC are eligible to be nominated (subject to their willingness to stand) for election to the position of President:

- Mayor Brent BENBOW (Port Augusta City Council – Spencer Gulf Cities Region)
- Mayor Peter HUNT (Berri Barmera Council – Murraylands & Riverland Region)
- Mayor Moira JENKINS (City of Victor Harbor – Southern & Hills Region)
- Mayor Peter MATTEY OAM (Regional Council of Goyder – Legatus Region)
- Mayor Clare McLAUGHLIN (Whyalla City Council – Spencer Gulf Cities Region)
- Mayor Bill O'BRIEN (Light Regional Council – Legatus Region)
- Mayor Keith PARKES (Alexandrina Council – Southern & Hills Region)
- Mayor Caroline PHILLIPS (District Council of Karoonda East Murray – Murraylands & Riverland Region)
- Mayor Richard SAGE (District Council of Grant – Limestone Coast Region)
- Mayor Erika VICKERY OAM (Naracoorte Lucindale Council – Limestone Coast Region)

The Constitution provides that the President may be nominated by a member council, and not necessarily the council which they are a member of.

LGA President Position Description

LGA President	
Position Title:	LGA President
Position Status:	Elected for two year term
Reporting Arrangements:	This position reports to the LGA Board of Directors
Location:	Local Government House, 148 Frome Street, Adelaide
Special Conditions:	Some intra/interstate travel with overnight stays is required. Out of hours work required.

LGA Values and Behaviours

	Value and Respect	Optimism	Integrity	Connectivity	Excellence
Our Values					
Our Individual Behaviour	<p>I am considerate of others' priorities and workloads.</p> <p>I communicate with respect and am approachable, professional and polite.</p>	<p>I always look for the positive opportunity, even when challenged.</p>	<p>I uphold the values of the LGA and adhere to my workplace responsibilities.</p>	<p>I welcome opportunities to engage with others and build positive working relationships.</p>	<p>I am a leader and role model through my actions and behaviour.</p> <p>I value everyone equally.</p> <p>I am a driver of constructive change.</p>
Our Organisational Behaviour	<p>We engage with, and have confidence and trust in the ability and judgement of all of our staff.</p> <p>We provide regular, honest and constructive feedback.</p>	<p>We recognise the importance of a positive work/life balance.</p> <p>We recognise the best qualities in our staff and harness all abilities.</p>	<p>We are consistent in decision making and are honest when dealing with staff and stakeholders.</p>	<p>We provide a safe, supportive and informative workplace with clear and regular communication.</p> <p>We commit to removing barriers that impact on effective work practices.</p>	<p>We empower, support and encourage our staff.</p> <p>We lead toward clear and inspiring goals and vision.</p>

Position

The Board of Directors is the governing entity of the LGA.

The Board of Directors consists of:

- the President;
- the Immediate Past President;
- the chairperson of SAROC and the chairperson of GAROC; and
- 6 additional persons (each of which must be a Council Member) with relevant business and governance experience elected in equal proportions from the Council Members of SAROC (3 persons) and the Council Members of GAROC (3 persons).

Each Director must:

- undertake his or her role as a Director honestly and act with reasonable care and diligence in the performance and discharge of functions and duties;
- not make improper use of information acquired by virtue of his or her position as a Director to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the LGA;
- not make improper use of his or her position as a Director to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the LGA; and
- not act in any matter where the Director has a conflict of interest (provided that an interest shared in common with all or a substantial proportion of the Directors will not be an interest giving rise to a conflict of interest).

Functions, Duties and Powers

1. Chair and lead the LGA Board of Directors who have the following roles, functions and duties:

- The role of the Board of Directors is to oversee corporate governance of the LGA and provide strategic direction and leadership. The Directors do not represent SAROC, GAROC or a specific Member or Members.
- The functions of the Board of Directors include:
 - appointing a Chief Executive and superintending his or her performance;
 - holding the Chief Executive accountable for the performance of the LGA Office;
 - advocating for the LGA, the Members and the local government community;
 - superintending the activities of the LGA;
 - determining matters which may be placed on the agenda of a General Meeting; and
 - undertaking such other functions as may be provided for, or envisioned by, this Constitution.
- The Board of Directors must ensure that:
 - the LGA acts in accordance with applicable laws and the Constitution;
 - the LGA acts ethically and with integrity, respecting diversity and striving for gender balance participation in all activities;
 - the activities of the LGA are conducted efficiently and effectively and that the assets of the LGA are properly managed and maintained;
 - subject to any overriding fiduciary or other duty to maintain confidentiality, the affairs of the LGA are undertaken in an open and transparent manner; and
 - the LGA performs to its business plan and achieves or betters the financial outcomes projected in its budget.

2. The President shall:

- preside at all General Meetings and meetings of the Board of Directors, but in his or her absence a member of the Board of Directors chosen by the Board of Directors shall preside at the meeting.
- act as the principal spokesperson of the LGA.
- exercise other functions of the LGA as the LGA Board of Directors determines.
- represent the LGA to government, stakeholders and events.

The key responsibilities of the LGA President

The President acts as an important link between the Board and the organisation's management via the CEO. The President is responsible for leadership of the Board including:

- Facilitating proper information flow to the Board.
- Facilitating the effective functioning of the Board including managing the conduct, frequency and length of Board meetings.
- Communicating the views of the Board, in conjunction with the CEO, to the LGA's members, State and Federal Government, broader stakeholders and to the public.
- Facilitating open and constructive communications amongst Board members and encouraging their contribution to Board deliberations.
- Overseeing and facilitating Board, committee and Board member evaluation reviews and succession planning.
- Liaising and interfacing with the CEO as the primary contact between the Board and management.
- Liaising with and counselling, as appropriate, board members.

Inside the boardroom the President is responsible for the following:

- Acting as an important link between the Board and management but without necessarily preventing direct access of fellow directors.
- Establishing and maintaining an effective working relationship with the CEO.
- Setting the tone for the Board, including the establishment of a common purpose.
- Chairing Board meetings efficiently and shaping the agenda in relation to goals, strategy, budget and executive performance.
- Obtaining appropriate information to present to the Board.
- Encouraging contributions by all Board members and seeking consensus when making decisions.
- Motivating Board members and where appropriate dealing with underperformance.
- Overseeing the process for appraising the Board as a whole.
- Overseeing negotiations for the CEO's employment and evaluating the CEO's performance.
- Planning for CEO succession.
- Assisting with the selection of Board and Committee members.

Eligibility Criteria

As per clause 28 of the LGA Constitution:

- To be eligible for nomination as a candidate for the position of President, a person must be a Council Member.
- To be eligible for the position of President, a person must also be a current member of SAROC or GAROC who has undertaken that role for a period of not less than 1 year.
- The eligibility for office of President shall rotate each term between a person who is a Council Member of a Member within Regional Groupings of Members in SAROC and a Council Member of a Member within Regional Groupings of Members in GAROC.
- A nomination of a person for the office of President shall be by resolution of a Member and must be received by the Chief Executive not later than 5 pm on the day specified for the closure of nominations. A nomination must be signed by the candidate indicating his or her willingness to stand for election and be in the form determined by the Chief Executive.

Performance/Accountability

The Board of Directors will conduct an annual performance review to assess its performance as a Board and in meeting the LGA's objectives and strategies. This may include a review of individual Directors including the President.

Remuneration

The remuneration of the President is outlined in the LGA policy – GP02 Board and Committee Member Allowances and Expenses (ECM 83590).

Appendix 3

LGA President Candidate Nomination Form

LGA President Nomination Form 2022

Name of Council submitting nomination	<i>(insert name of council)</i>
Nominee's (full name)	<i>(insert title, first name and surname)</i>
Declaration and signature of nominee	<p>I hereby accept such nomination and consent to act as LGA President if so elected.</p> <p>Signature:</p> <p>.....</p>
Council Resolution	<p><i>(insert date & resolution no.)</i></p> <p><i>(insert council resolution)</i></p>
Signature and name of CEO (Nominating Council)	<p>Signature:</p> <p>.....</p> <p><i>(insert name)</i></p>
Dated	<i>(insert date)</i>

**This form is to be sent to the LGA Returning Officer
Close of nominations is 5pm Friday 19 August 2022**

Appendix 4

LGA President Candidate Information Form

LGA President Candidate Information Sheet

(word limit is strictly 1,000 words)

Name	<i>(insert title, first name and surname)</i>
Council	<i>(insert council name)</i>
Local Government Experience & Knowledge	<ul style="list-style-type: none"><i>(insert)</i>
Local Government Policy Views & Interests	<ul style="list-style-type: none"><i>(insert)</i>
Other Information	<ul style="list-style-type: none"><i>(insert details of leadership, board, corporate governance experience etc)</i>

This form must accompany the Nomination Form

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Thursday 26 July 2022
AGENDA BUSINESS ITEM**

Item: 12.8

Responsible Officer: Andrew Aitken
Chief Executive Officer
Directorate

Subject: CEO Performance Targets – 2021/22 Final Outcome

For: Decision

SUMMARY

The Employment Agreement (the “Agreement”) between Council and the Chief Executive Officer (CEO) provides for a performance review process. The Agreement requires the review of the CEO’s performance against the position description and any performance indicator(s).

In June 2021, Council adopted a suite of performance targets to be completed by the CEO during the 2021-22 financial year.

The Chief Executive Officer (CEO) Performance Review Panel (the Panel) consistent with its functions has been monitoring progress against the Targets throughout the year and has made recommendations to Council on the final outcome of the Performance Targets.

The purpose of this report is to provide the final update on performance achieved against the CEO Performance Targets 2021-2022 for Council to determine the completion status and outcome.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted**
- 2. That the CEO has achieved the following status in relation to the CEO Performance Targets 2021-2022:**

Target 1: New Council website and e-services – Completed

Target 2: Service Review – In Progress

Target 3: Fabrik Activation – Completed

Target 4: EOI: Development of ‘Free’ Camping Sites – Completed

Target 5: Cat Confinement Community Education – Completed

Target 6: Library Services Strategic Plan – Completed

1. BACKGROUND

The Employment Agreement (the “Agreement”) between Council and the Chief Executive Officer (CEO) provides for a performance review process. The Agreement requires the review of the CEO’s performance against the position description and any performance indicator(s).

The Panel has specific functions in relation to the CEO’s Performance Targets as set out in clauses 3.1.2 and 3.3.3, as follows:

3. SPECIFIC FUNCTIONS

- 3.1 The function of the Panel is to provide advice to Council on the CEO’s performance and development, including the following matters:
 - 3.1.1 Determining the Performance Targets for the forthcoming 12 month performance period;
 - 3.1.2 Monitoring the progress on the CEO’s agreed Performance Targets for the current 12 month performance period;
 - 3.1.3 Reviewing the CEO’s performance over the preceding 12 month performance period, in particular the performance against the agreed Performance Targets and position description requirements;
 - 3.1.4 Identifying development opportunities for the CEO; and
 - 3.1.5 Reviewing the remuneration and conditions of employment of the CEO.

Council adopted a new suite of CEO Performance Targets on 22 June 2021 covering the 2021-2022 financial year.

17.3.1 Proposed CEO Performance Targets 2021-2022

Moved Cr Mark Osterstock
S/- Cr Chris Grant

141/21

Council resolves:

- 1. That the report be received and noted
- 2. To adopt the CEO Performance Targets 2021-2022 as per *Appendix 1*.

Carried Unanimously

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future
Goal Organisation

- Objective O5 We are accountable, informed, and make decisions in the best interests of the whole community.
- Priority O5.3 Demonstrate accountability through robust corporate planning and reporting that enhances performance, is relevant and easily accessible by the community.

Undertaking appropriate processes to ensure the CEO is set up for success, is well supported and has clear expectations, is critical to outcomes being achieved for the community and the organisation.

➤ **Legal Implications**

The Performance Targets are part of the CEO Performance Review process as set out in the CEO’s Employment Agreement.

Amendments to the *Local Government Act 1999*, via the inclusion of s102A on 10 November 2021, have formalised the requirement for an annual review.

➤ **Risk Management Implications**

Regular reporting and monitoring of progress against the CEO Performance Targets via the Panel is one of the controls that will assist in mitigating the risk of:

Deficient CEO performance review practices resulting in a lack of accountability and loss of stakeholder confidence.

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

Non-achievement of CEO Performance Targets resulting in loss of community benefit and/or opportunities and/or stakeholder confidence.

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

➤ **Financial and Resource Implications**

There are no financial or resource implications in reporting on projects against the 2021-22 CEO Performance Targets.

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

There is a community expectation that the CEO will manage the organisation’s human, financial and physical resources to ensure they are utilised for the best outcomes for the community.

There is a community expectation that the CEO is accountable for, and performs against, the agreed Performance Targets.

➤ **Sustainability Implications**

Not applicable.

➤ **Engagement/Consultation conducted in the development of the report**

Consultation has been undertaken with the following people or groups on the progress achieved against the performance targets:

Council Committees: The CEO Performance Review Panel considered a report on the achievement of the Performance Targets at its 21 July 2022 meeting.

Council Workshops: A workshop on the status of the Performance Targets was held on 14 June 2022.

Advisory Groups: Not applicable

External Agencies: Not applicable

Community: Not applicable

➤ **Discussion**

The CEO met with the Panel on 21 July 2022 and discussed the final outcomes against the Performance Target. The Panel has made a final analysis of the work completed for each CEO Performance Target and made a recommendation to Council on the outcomes achieved for each of the 2021-2022 CEO Performance Targets.

The Panel made the following recommendation to Council (unofficial minute).

7.1 Final Status Update – 2021/22 CEO Performance Targets

Moved Cr Nathan Daniell
S/- Cr Chris Grant

PRP12 /22

1. That the report be received and noted
2. To recommend to Council that the CEO has achieved the following status in relation to the CEO Performance Targets 2021-2022:

Target 1: New Council website and e-services – Completed

Target 2: Service Review – In Progress

Target 3: Fabrik Activation – Completed

Target 4: EOI: Development of 'Free' Camping Sites – Completed

Target 5: Cat Confinement Community Education – Completed

Target 6: Library Services Strategic Plan – Completed

Carried Unanimously

3. OPTIONS

Council has the following options:

- I. That the report be received and noted (*Recommended*).
- II. To adopt the final status of the CEO Performance Targets 2021-2022 as per the recommendation. (*Recommended*)
- III. To make alternative/additional resolutions relating to the status of the CEO Performance Targets 2021-2022. (*Not Recommended*)

4. APPENDICES

- (1) CEO Performance Targets 2021-2022 Final Update – July 2021

Appendix 1

*CEO Performance Targets 2021-2022 Final Update –
July 2021*

	Project ID	Performance Target	Strategic Link	Final Update
1	O2001	<p>New Council website and e-services Review and renew Council’s website with a focus on customer experience, content management and contemporary technology solutions. Present renewed website features and functionality to Council Members.</p>	<p><i>Strategic Priority O2.1 – Develop our digital channels to better meet customers’ current and future needs.</i></p> <p><i>Strategic Priority O2.2 – Modernise our services and enhance the customer experience by making service delivery faster, more convenient and more proactive.</i></p>	<p>Status: Completed</p> <p>New website features and functionality were presented to Council Members at their Professional Development session on 17 May 2022. Internal-only launch of the completed site occurred on 7 July 2022, with a two-week period to identify any anomalies before it is switched on to the public on 20 July 2022.</p>
2	O5001	<p>Service Review Using the Service Review Framework (currently under development) complete an external service review.</p> <p>Present the service review report, recommendations, management responses and draft action plan to Council for its consideration.</p>	<p><i>Strategic Priority O2.4 – Continuously strive to measure and improve performance and service delivery across all functions.</i></p>	<p>Status: In Progress</p> <p>The Framework was adopted at the 26 October 2021 Council meeting, including the service area scoring methodology. Council resolved at its 25 January 2022 meeting for the 2022 Service Review to focus on the Civil Services Maintenance service area.</p> <p>The Review brief was finalised in February and the consultant (Epic Project and Consulting) was appointed.</p> <p>Fieldwork was completed by May, with a presentation to the Executive on 9 June. The final report is to be presented to Council at the 26 July meeting.</p>
3	C6001	<p>Fabrik Activation Complete working drawings/schedules and final designs to enable the preparation of the CAP development application and tender documentation.</p> <p>Submit the development application to CAP.</p> <p>Provide an update on these completed tasks to Council Members and the community.</p>	<p><i>Strategic Priority C6.1 – Develop Fabrik as a vibrant cultural hub for the Adelaide Hills, fostering community connections and creativity and presenting the significant history of the Woollen Mill site.</i></p>	<p>Status: Completed</p> <p>The Planning component of the project was approved at Council's Assessment Panel (CAP) Meeting on 13 April 2022.</p> <p>Building Rules Consent was submitted in March to a private certifier and has been issued.</p> <p>Full Development Approval has now been issued.</p> <p>Tenders for the construction of the project closed 1 May 2022 and Council appointed the successful tenderer at its June meeting.</p>

	ABP ID	Performance Target	Strategic Link	Final Update
4	E1003	<p>EOI: Development of 'Free' Camping Sites Prepare and complete an Expression of Interest (EOI) process as part of a proposed pilot to establish 'free' camping sites within Council's district.</p> <p>Present the outcomes of the EOI to Council Members.</p>	<p><i>Strategic Priority E1.1 – Support and encourage local and international tourists to visit the Adelaide Hills.</i></p> <p><i>Strategic Priority E3.3 – Works with our local communities and businesses to create active attractive and vibrant places.</i></p>	<p>Status: Completed</p> <p>The expression of interest process has finished. Nine parties took part and two formal submissions were lodged.</p> <p>The outcome of the expression of interest process was considered by Council on 26 April 2022 and a resolution made to support the two sites.</p> <p>The Administration is now entering into formal negotiations with the successful parties and other statutory approval processes are underway. The sites are to be established in 2022-23.</p>
5	n/a	<p>Cat Confinement Community Education Complete the implementation of the community education plan on the proposed cat confinement rules in preparation for the 1 January 2022 By-law No.6 - Cats implementation.</p> <p>Present the completed plan to Council Members.</p>	<p><i>Strategic Priority N2.2 – Explore opportunities and take appropriate actions to monitor current and emerging threats to biodiversity including feral cats and Phytophthora</i></p>	<p>Status: Completed</p> <p>The community education plan was presented to Council Members at a workshop on 17 August 2021.</p> <p>Cat confinement signage remains up across the district with regular social media posts reinforcing the message. The Cat confinement selfie stand is currently at Gumeracha and the service centres have all received a hanging chipper creative to reinforce the cat confinement message with displays.</p> <p>Since the start of this education program Council's cat registrations have increased from approx. 450 to over 1400, allowing Council Rangers to return more cats if cats are found wandering.</p>
6	n/a	<p>Library Services Strategic Plan Develop a Library Services Strategic Plan which will help to guide the future development and programs related to our library services and staff. Present the strategy to Council for its consideration.</p>	<p><i>Strategic Objective C1 – A community for everyone – that is inclusive, welcoming and accessible</i></p>	<p>Status: Completed</p> <p>The final Libraries Strategy was adopted by Council at its meeting held on 24 May 2022.</p>

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 July 2022
AGENDA BUSINESS ITEM**

Item: 12.9

Responsible Officer: Andrew Aitken
Chief Executive Officer
Office of the Chief Executive

Subject: Proposed 2022-23 CEO Performance Targets

For: Decision

SUMMARY

The Employment Agreement (the “Agreement”) between Council and the Chief Executive Officer (CEO) provides for a performance review process.

The Agreement requires the review of the CEO’s performance against the position description and any performance indicator(s).

The role of the CEO Performance Review Panel (the “Panel”) includes advice to Council on proposed performance targets for the forthcoming 12 months.

This report provides the recommendation from the CEO Performance Review Panel (the Panel) on the proposed CEO 2022-23 Performance Targets.

The purpose of this report is to seek Council’s adoption of the 2022-23 CEO Performance Targets to finalise the priorities for the year and in turn, this decision establishes one of the elements used to review the CEO’s performance.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted**
 - 2. To adopt the 2022-23 CEO Performance Targets as per *Appendix 1*.**
-

1. BACKGROUND

CEO Employment Agreement

The CEO's current Employment Agreement commenced on 1 July 2019.

Clause 12 of the Agreement contains the provisions for a performance review process with the following key feature regarding performance indicators:

12.4 The performance review will review the CEO's Position Description and any key performance indicators.

CEO Performance Review Panel (the Panel)

The Panel's Terms of Reference were adopted by Council on 25 July 2017 and are stated below. Specific to this report are the Panel's duties in Clause 3.1.2 and Clause 3.1.1.

3. SPECIFIC FUNCTIONS

- 3.1 The function of the Panel is to provide advice to Council on the CEO's performance and development, including the following matters:
 - 3.1.1 Determining the Performance Targets for the forthcoming 12 month performance period;
 - 3.1.2 Monitoring the progress on the CEO's agreed Performance Targets for the current 12 month performance period;
 - 3.1.3 Reviewing the CEO's performance over the preceding 12 month performance period, in particular the performance against the agreed Performance Targets and position description requirements;
 - 3.1.4 Identifying development opportunities for the CEO; and
 - 3.1.5 Reviewing the remuneration and conditions of employment of the CEO.

Proposed 2022-23 CEO Performance Targets

The Panel considered a report at its 12 May 2022 meeting regarding proposed 2022-23 Performance Targets and resolved as follows:

7.2 CEO Proposed Performance Targets 2022-23

Moved Janet Miller
S/- Cr Nathan Daniell

PRP7/22

The CEO Performance Review Panel resolves:

1. That the report be received and noted
2. To recommend to Council the adoption of the proposed 2022-2023 CEO Performance Targets as per *Appendix 1* with:
 - a. The inclusion of a Fabrik Building Redevelopment Performance Target to replace the Local Governance Election Support and Council-elect Induction Performance Target; and
 - b. Minor amendments to the other proposed Performance Targets to clarify outcomes and timeframes

Carried

The revised proposed Performance Targets were workshopped with Council on 14 June 2022.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 5 A progressive Organisation

Objective O5 We are accountable, informed, and make decisions in the best interests of the whole community

Priority O5.3 Demonstrate accountability through robust corporate planning and reporting that enhances performance, is relevant and easily accessible by the community.

Undertaking appropriate processes to ensure the CEO is set up for success, is well supported and has clear expectations, is critical to outcomes being achieved for the community and the organisation.

➤ Legal Implications

The Performance Targets are part of the CEO Performance Review process as set out in the CEO's Employment Agreement.

Amendments to the *Local Government Act 1999*, via the inclusion of s102A on 10 November 2021, have formalised the requirement for an annual review.

➤ **Risk Management Implications**

The process of annually establishing the CEO Performance Targets through Council decision and then reporting and monitoring them throughout the year via the Panel are some of the controls that will assist in mitigating the risk of:

Deficient CEO performance review practices resulting in a lack of accountability and loss of stakeholder confidence.

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

Non-achievement of CEO Performance Targets resulting in loss of community benefit and/or opportunities and/or stakeholder confidence.

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

➤ **Financial and Resource Implications**

There are no specific financial or resource implications in relation to this report, however the projects or initiatives linked to proposed performance targets will have their own respective financial and resource implications which (depending on the final project brief) has either been accommodated in the *2022-23 Annual Business Plan* (the “ABP”), adopted on 28 June 2022, or will be addressed in budget reviews.

Selection of projects from the adopted ABP will facilitate the effective resourcing and prioritisation for project works for the coming year.

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

There is a community expectation that the CEO will manage the organisation’s human, financial and physical resources to ensure they are utilised for the best outcomes for the community.

➤ **Sustainability Implications**

There are no identified sustainability implications in relation to this report however the projects that comprise the proposed performance targets have their own respective implications which may need to be accommodated.

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the proposed Performance Targets has been undertaken with those listed below:

Council Committees: The CEO Performance Review Panel considered the proposed Targets at its 5 May 2022 meeting and made recommendations for revised Targets for Council’s consideration.

Council Workshops: The revised Targets were workshopped with Council on 14 June 2022.

Advisory Groups: *Not Applicable*

External Agencies: Not Applicable

Community: Not Applicable

➤ **Additional Analysis**

The CEO Performance Targets, along with the CEO Position Description, are the documents referenced when undertaking review of the CEO’s annual performance.

The Performance Targets have been considered to ensure alignment with Council’s Strategic and Annual Business Plans. Discussions have been undertaken with the Panel on the proposed 2022-23 CEO Performance Targets and with Council Members in workshop.

The revised suite of Performance Targets is at **Appendix 1**.

3. OPTIONS

Council has the following options:

- I. To resolve to adopt the proposed 2022-23 CEO Performance Targets per *Appendix 1*. (Recommended)
- II. To resolve to adopt the proposed 2022-23 CEO Performance Targets with amendments. (Not Recommended)
- III. To resolve an alternative suite of 2022-23 CEO Performance Targets, in consultation and agreement with the CEO. (Not Recommended)

4. APPENDIX

- (1) Proposed 2022-23 CEO Performance Targets

Appendix 1

Proposed 2022-23 CEO Performance Targets



	Project ID	Performance Target (as per Initiatives and brief description)	Strategic Link	Additional Notes/Context
1	C6001	<p>Fabrik Redevelopment Progress the construction of the Fabrik Arts and Heritage Hub redevelopment. Report on progress against key construction milestones through the quarterly corporate performance report.</p>	<p>Strategic Priority C6.1 Develop Fabrik as a vibrant cultural hub for the Adelaide Hills, fostering community connections and creativity and presenting the significant history of the Woollen Mill site.</p>	<p>Key Construction Milestones:</p> <ul style="list-style-type: none"> • Re-locate Council staff, secure the site, and complete the demolition of building 12 – Estimated 31 September 2022 • Complete the re-development of Building 21 – Estimated 31 December 2022 • Complete the re-development of Building 14 – Estimated 31 March 2023 • Complete the construction of the new Pavilion Building attached to building 14 – Estimated 30 June 2023
2	N4001	<p>User Pays Bin Collection Study Complete the following high level studies by November 2022 which considers:</p> <ol style="list-style-type: none"> 1. introducing a fee incentive for use of the kerbside bin service 2. benefits of providing a weekly green organic bin collection, and 3. voluntary fortnightly waste collection. <p>Outcomes from the studies are to inform November 2022 LTFP and subsequent budget considerations.</p>	<p>Strategic Priority N4.1 We will work with partners to analyse the benefits and feasibility of introducing a fee incentive to property owners to produce less waste in relation to the kerbside bin service</p>	<p>These studies, along with high level work already completed on providing a green organics bin to all properties, will identify areas for Council to further focus on that provide the best environmental and financial outcomes for Council and the community.</p> <p>This will ultimately aid in prioritising actions to contribute to Council’s targeted increase of Waste to Landfill Diversion by >52%.</p>



	ABP ID	Performance Target	Strategic Link	Additional Notes/Context
3	No ID	<p>Savings Strategies Achieve the agreed savings and efficiencies measures captured within the 2022/23 Annual Business Plan by 30 June 2023. Report on progress against these through the quarterly corporate performance report.</p>	<p>Strategic Priority O3.1 Ensure the delivery of agreed strategic plan requirements whilst meeting endorsed long term targets for a sustainable operating surplus and level of debt.</p>	<p>\$650,000 of savings strategies have been included within the draft 2022/23 Annual Business Plan to ensure the ongoing financial sustainability of the organisation is maintained.</p> <p>This includes \$100,000 in savings through initiatives that are yet to be identified during the year.</p>
4	C1004	<p>Gumeracha Library Upgrade Upgrade the Gumeracha Library with a new layout configuration to make a more welcoming and functional space for the local community. Report on the progress of this project through the quarterly corporate performance report.</p>	<p>Strategic Priority C1.1 Provide welcoming spaces and places for the community through our libraries, community centres, and Council and community facilities</p>	<p>This initiative has also identified in the Libraries Strategy, this is one of the Local Roads and Community Infrastructure Program (LRCIP) funded projects. The opportunity to create more useable space has been identified by staff through engagement with volunteers and community members.</p>



	ABP ID	Performance Target	Strategic Link	Additional Notes/Context
5	New-5	<p>New Dog and Cat Facility Complete Scoping Study and present options to Council Members for impounding dogs and cats, including the option of upgrading the current holding facility at Heathfield.</p> <p>Outcomes from the studies are to inform November 2022 LTFP and subsequent budget considerations.</p>	<p>Strategic Priority 05.2 Make evidence-based decisions and prudently assess the risks and opportunities to our community before taking action.</p>	<p>We currently don't have a formal Council facility that allows us to impound cats. In 2021-22 we transferred 56 cats and 4 dogs to third party holding facilities. With the commencement of cat confinement we are expecting the number of cats requiring impounding to increase.</p> <p>There are two accredited pound services available to Council, namely the RSPCA and AWL. These facilities are located at Lonsdale and Wingfield and involve 45 min to 1 hour each way travel time.</p> <p>As an interim measure we have signed a service agreement with a privately run cat boarding facility in the Hills. This is not expected to provide a long term solution.</p> <p>A longer term option could include upgrading our current holding facility to include cats. There have also been early conversations with surrounding councils that have indicated a possible interest in also utilising a joint pound facility/approach.</p>



	ABP ID	Performance Target	Strategic Link	Additional Notes/Context
6	B3002	<p>Central Irrigation System Investigate and implement the central irrigation control system. Report on the progress of this project through the quarterly corporate performance report.</p>	<p>Strategic Priority B3.1 <i>Improve water security by maximising water reuse opportunities, reducing reliance on ground water and improving water efficiencies for open space irrigation and building facilities</i></p> <p>Strategic Priority N1.2 <i>Manage reserves and open space to support the community, whilst balancing biodiversity conservation, resource use and environmental impacts</i></p>	<p>The central irrigation control system project will implement a centralised irrigation control system to 12 sites. This is a ‘smart’ system that can be accessed through website/mobile app that assists with monitoring current water flow; alerts if there is high water usage; adjusts watering programs in line with current weather conditions, etc. This will ensure water usage is efficient, and any identified issues can be addressed swiftly.</p>
7	N2004	<p>Unformed Public Roads Review Complete a review of Unformed Public Roads to ascertain connectivity potential and habitat value. Present the outcomes of this review to Council Members.</p>	<p>Strategic Priority N2.1 <i>Monitor and manage areas of high biodiversity or habitat value on Council reserves and Native Vegetation Marker Scheme (NVMS) sites using best practice Methodologies.</i></p> <p>AHC Biodiversity Strategy 2018-2023 Goal 1: Protect highlights the need to <i>Proactively review Unformed Public Roads to ascertain connectivity potential and habitat value. Prioritise biodiversity value /connectivity potential for future management.</i></p>	<p>This review will identify any priority land within Council’s unformed road network where opportunities exist to preserve high value biodiversity and/or wildlife corridors. Additionally this may help inform any potential future disposals.</p> <p>Deliverables include a robust and accessible dataset and GIS layer (SSA) for Council staff to use to inform Unformed Public Roads queries from the public and internally. This will include the determination of values such as biodiversity, conservation, landscape context, recreational, cultural, heritage, trail condition/slope and other land features such as watercourses, broad vegetation association, species of conservation significance, etc.</p>

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 July 2022
AGENDA BUSINESS ITEM**

Item: 12.10

Responsible Officer: Deryn Atkinson
Manager Development Services
Development & Regulatory Services

Subject: Policy Review - Models for Major Development

For: Decision

SUMMARY

Council has an existing Policy in relation to the provision of models for major development proposals. Policies are periodically reviewed to ensure they remain relevant and consistent with legislation changes.

This Policy has been reviewed for relevance with the *Planning, Development and Infrastructure Act 2016* and the *Planning and Design Code* and the format of the Policy has been changed to comply with existing Council templates. The review seeks to remove duplication from the Policy and to make it easier to read and understand. The reference to models has been defined and the Policy emphasis on physical models has been revised in recognition that the planning system is now on-line and electronic modelling is more common-place than creation of physical models.

The name of the Policy has been simplified and it is renamed as the *Models for Major Development Policy*. It is recommended that the draft Policy (refer **Appendix 1**) be adopted for another three years.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. That with an effective date of 9 August 2022, to revoke the 24 July 2018 *Provision of Physical Models or Other Visual Representation tools for Major Development Proposals which require Public Notification Policy* and to adopt the 26 July 2022 draft *Models for Major Development Policy* as contained in *Appendix 1*.
 3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 26 July 2022 draft *Models for Major Development Policy* prior to the effective date.
-

1. BACKGROUND

There is an existing policy for the provision of physical models or other visual representation for major development proposals which require public notification. The current version of the Policy was endorsed by Council on 24 July 2018 as shown below.

12.7. Review of Physical Models for Major Development Policy

Moved Cr John Kemp
S/- Cr Linda Green

170/18

Council resolves:

1. That the report be received and noted
2. With an effective date of 7 August 2018, to revoke the 14 July 2015 Policy for Provision of Physical Models or other Visual Representation Tools for Major Development Proposals which require Public Notification, and adopt the Policy for Provision of Physical Models or other Visual Representation Tools for Major Development Proposals which require Public Notification, as contained in Appendix 1 of this report.

Carried Unanimously

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal A Progressive Organisation

Objective O5 We are accountable, informed and make decisions in the best interests of the whole community

Priority O5.1 Enhance governance structures and systems to prudently adapt to changing circumstances and meet our legislative obligations

The Council is committed to open, participative and transparent decision making and administrative processes. We diligently adhere to legislative requirements to ensure public accountability and exceed these requirements where possible.

➤ Legal Implications

Section 107 of the *Planning, Development and Infrastructure Act 2016* (the Act) outlines the manner in which performance assessed development applications are to be assessed and processed with respect to planning consent, including the manner in which the relevant authority must give notice of an application to an owner of adjacent land in accordance Section 107 (3) (a) (i) of the Act (public notification). This may include having application information on display at the principal office of the Council in addition to information available for view via the SA Planning Portal.

➤ **Risk Management Implications**

This Policy will assist in mitigating the risk of:

Poor interpretation of two-dimensional plans for buildings and landscaping leading to a poor understanding of the potential impacts that a proposed development is likely to present.

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

This policy provides a basis for Council to request an applicant to provide either a physical or electronic model, or artist's impression/photo montage of the proposed development to enable assessing officers, representatives, Council Assessment Panel or the public to understand the nature of the development and its potential impacts.

➤ **Financial and Resource Implications**

There are no financial impacts for Council in adopting this Policy. However, there will be costs to applicants associated with the provision of models in accordance with the Policy. The requirement for a model is applied in limited circumstances in accordance with the Policy to balance the additional application cost to developments with high construction values and potential for interface impacts.

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

Having models provided by an applicant for a major development will ensure a better understanding of what the proposed development will look like in a specific locality and how the design attributes will relate to site characteristics and adjoining land. This helps inform interested parties.

➤ **Sustainability Implications**

Implementation of this Policy will assist in more comprehensively identifying any potential environmental impacts and mitigating potential unforeseen impacts.

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

Council Committees: Not Applicable
Council Workshops: Not Applicable
Advisory Groups: Not Applicable
External Agencies: Not Applicable
Community: Not Applicable

➤ **Additional Analysis**

This Policy has been reviewed for relevance with the Act and the *Planning and Design Code* and the format of the Policy has been changed to comply with existing Council templates. The review seeks to remove duplication from the Policy and to make it easier to read and understand. The reference to models has been defined and the Policy emphasis on physical models has been revised in recognition that the planning system is now on-line and electronic modelling is more common-place than creation of physical models.

The proposed new name of the Policy has been simplified and it is renamed as the *Models for Major Development Policy*.

The relevance of the circumstances in which a model for a major development is required in section 5 of the Policy Statement have been reviewed as discussed below and shown as tracked changes in the draft Policy in *Appendix 2*.

- **Construction value of \$5 million or greater** is still considered to be a relevant, as it captures the larger developments and these have often been created in 3D computer modelling.
- **Buildings more than two storeys in height** – this has been revised to exclude development in the Housing Diversity Zone (Hamilton Hill) where it is more commonplace to see three storey development. In the Housing Diversity Zone it is considered that the appropriate trigger for model provision be buildings of more than three storeys in height.
- **More than four residential units on a single allotment with height greater than 2 storeys** – this is retained, with the exception of development in the Housing Diversity Zone where it is considered that the appropriate trigger for model provision should be buildings of more than three storeys in height.
- **Commercial or industry use proposed within 10 metres of the common boundary with a residential use** – this has been revised as it is considered there is potential for this to capture all such uses including those that might also be envisaged in a zone. It is considered that it would be better defined as commercial or industrial uses with buildings proposed within 10 metres of a residence.
- **The details the models should incorporate** – this has been expanded to include the extent of filling and excavation and the physical characteristics of the land. The wording around showing what has been approved on adjacent land has been revised to reflect existing development, as approved plans for adjacent land are not readily available.
- **Waiving the requirement for a model to be provided in accordance with the Policy** - this has been revised to only be permitted by the Assessment Manager or the Team Leader Statutory Planning and where the impact of the proposed development on neighbouring properties is considered minor.
- **Provision of models** – the Policy has been updated to require that models are provided to Council prior to the public notification period so they can be included in the information available for viewing.

3. OPTIONS

Council has the following options:

- I. To revoke the 2018 Provision of Physical Models or Other Visual Representation Tools for Major Development Proposals which require Public Notification Policy and to adopt the draft *Models for Major Development Policy* as presented in *Appendix 1*. (Recommended)
- II. To alter or substitute the draft *Models for Major Development Policy* would require the Policy decision to be deferred for the administration to consider the impacts (Not Recommended)
- III. To rescind the *Models for Major Development Policy – July 2022* (Not Recommended).

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

4. APPENDICES

- (1) Draft *Models for Major Development Policy*
- (2) Draft *Models for Major Development Policy* with tracked changes
- (3) Provision of Physical Models or Other Visual Representation Tools for Major Development Proposals which require Public Notification Policy (existing Policy)

Appendix 1

Draft Models for Major Development Policy

COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<h2 style="margin: 0;">PROVISION OF MODELS FOR MAJOR DEVELOPMENT</h2>
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Policy Number:	DEV-11
Responsible Department(s):	Development & Regulatory Services
Relevant Delegations:	As per the Delegations Register and as detailed in this Policy
Other Relevant Policies:	Nil
Relevant Procedure(s):	Nil
Relevant Legislation:	<i>Planning, Development and Infrastructural Act 2016 and Planning, Development and Infrastructure (General) Regulations 2017</i>
Policies and Procedures Superseded by this policy on its Adoption:	10 December 2007, Item 7.3, 53 8 December 2008, Item 8.1, 117 21 August 2012, Item 10.1, 31 14 July 2015, Item 12.4, 24 July 2018, Item 12.7, 170/18
Adoption Authority:	Council
Date of Adoption:	26 July 2022
Effective From:	09 August 2022
Minute Reference for Adoption:	<i>To be entered administratively following Council Meeting</i>
Next Review:	No later than June 2025 or as required by legislation or changed circumstances

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
<i>1.0</i>	<i>25/2/2017</i>	<i>New Policy</i>	<i>Council - Res 47/17</i>
<i>1.1</i>	<i>25/2/2020</i>	<i>Amendments to clause 3.10 to provide consistency with changes to Council Petitions Policy</i>	<i>Council - Res 47/20</i>
<i>2.0</i>	<i>25/2/2021</i>	<i>Policy Review</i>	<i>Council - Res 47/21</i>
3.0			

DRAFT

MODELS FOR MAJOR DEVELOPMENT POLICY

1. INTRODUCTION

- 1.1 Major development proposals are often multi-faceted and complex and it is often difficult to interpret and appreciate the design attributes of a proposal simply using two dimensional plans and elevations. Neighbours and others viewing a proposal can also have difficulty in assessing how it affects their property and amenity, for example, when site levels change. Likewise, two dimensional plans and elevations may also not adequately demonstrate how a proposed development relates to its surrounds, and adjacent buildings.
- 1.2 Physical models and three-dimensional (3D) computer modelling are tools to assist with interpretation of a proposal and subsequent assessment by presenting 3D perspectives to provide details of the proposal in context of its location and illustrate design qualities. This assists with demonstrating the mass and scale of the built form in relation to site characteristics. Models may also illustrate materials, external colours and finishes to be used and the type of landscaping to be provided.
- 1.3 Other forms of visual representation for major development proposals may be provided as an alternative to a physical model such as “fly-over” or “fly-through” views.

2. OBJECTIVES

- 2.1 The objectives of this policy are:
- To provide the circumstances where development applications will need to include physical models or other forms of visual representation: and
 - To treat all parties involved fairly and equitably.

3. DEFINITIONS

- 3.1 “Act” means the *Planning, Development and Infrastructure Act 2016*.
- “Model” means physical constructed models and forms of visual representation such as 3D computer modelling or, “fly-through” or “fly-over” visualisation or, photomontage representations.

4. SCOPE

- 4.1 The policy applies to all development proposals requiring public notification in accordance with Section 107 of the Act where the Council Assessment Panel is the relevant decision authority in accordance with the Act and where one or more of the circumstances in section 5 apply.

5. POLICY STATEMENT

- 5.1 Physical or visual representation models should be supplied for all development proposals where:
- 5.1.1 The development has a construction value of \$5 million or greater; or

- 5.1.2** The proposed building(s) are more than two storeys in height or where the proposed building(s) is more than three storeys in height in the Housing Diversity Zone (Hamilton Hill); or
- 5.1.3** The development consists of 4 or more residential units greater than two storeys on a single allotment; or where the development is more than three storeys in height in the Housing Diversity Zone (Hamilton Hill); or
- 5.1.4** The development includes a commercial or industry use adjoining residential uses where the building is proposed within 10 metres of a residence.
- 5.2** Physical models are to be at least 1:200 scale and must demonstrate the proposed building, its architectural features, materials and finishes, extent of filling and excavation and must be presented in context with the topography and physical characteristics of the land (including existing buildings, trees and features being retained). The model should also show existing development on adjacent properties.
- Features such as existing street trees, trees on adjacent land, and ‘accessories’ such as people and cars should only be required if they would value-add to the interpretation and subsequent assessment. Details of materials and finishes may be demonstrated on the model or may be supplied in an alternate form such as a product sample, provided the information is attached to or held with the model structure.
- 5.3** The requirement for a model or to be provided with an application may be waived by the Assessment Manager or the Team Leader Statutory Planning where the impact of the proposed development on neighbouring properties is considered minor, taking into account the size of the proposal, the development site and distance of a building from neighbouring properties.
- 5.4** In the circumstances where the model is required, the applicant is required to supply this to the Council prior to the commencement of the public notification period.
- 5.6** A physical model prepared under this Policy will remain the property of the applicant or proponent. Council staff will return the model following determination of planning consent but photos of the model will be taken for Council’s records prior to returning the model. Council will request to keep a copy of any alternative visual representation tool for its records in a suitable format.

6. DELEGATION

- 6.1** The Chief Executive Officer has the delegation to:
- Approve, amend and review any procedures that shall be consistent with this Policy; and
 - Make any legislative, formatting, nomenclature or other minor changes to the Policy during the period of its currency.

7. AVAILABILITY OF THE POLICY

- 7.1** This Policy will be available via the Council’s website www.ahc.sa.gov.au.

Appendix 2

*Draft Models for Major Development Policy with
tracked changes*

COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<h2 style="margin: 0;">PROVISION OF MODELS FOR MAJOR DEVELOPMENT</h2>
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Policy Number:	DEV-11
Responsible Department(s):	Development & Regulatory Services
Relevant Delegations:	As per the Delegations Register and as detailed in this Policy
Other Relevant Policies:	<i>Nil</i>
Relevant Procedure(s):	<i>Nil</i>
Relevant Legislation:	<i>Planning, Development and Infrastructural Act 2016 and Planning, Development and Infrastructure (General) Regulations 2017</i>
Policies and Procedures Superseded by this policy on its Adoption:	10 December 2007, Item 7.3, 53 8 December 2008, Item 8.1, 117 21 August 2012, Item 10.1, 31 14 July 2015, Item 12.4, 24 July 2018, Item 12.7, 170/18
Adoption Authority:	Council
Date of Adoption:	<i>26 July 2022</i>
Effective From:	<i>09 August 2022</i>
Minute Reference for Adoption:	<i>To be entered administratively following Council Meeting</i>
Next Review:	No later than <i>June 2025</i> or as required by legislation or changed circumstances

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
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<i>2.0</i>	<i>25/2/2021</i>	<i>Policy Review</i>	<i>Council - Res 47/21</i>
3.0			

DRAFT

MODELS FOR MAJOR DEVELOPMENT POLICY

1. INTRODUCTION

- 1.1 Major development proposals are often multi-faceted and complex and it is often difficult to interpret and appreciate the design attributes of a proposal simply using two dimensional plans and elevations. Neighbours and others viewing a proposal can also have difficulty in assessing how it affects their property and amenity, for example, when site levels change. Likewise, two dimensional plans and elevations may also not adequately demonstrate how a proposed development relates to its surrounds, and adjacent buildings.
- 1.2 Physical models and three-dimensional (3D) computer modelling are tools to assist with interpretation of a proposal and subsequent assessment by presenting 3D perspectives to provide details of the proposal in context of its location and illustrate design qualities. This assists with demonstrating the mass and scale of the built form in relation to site characteristics. Models may also illustrate materials, external colours and finishes to be used and the type of landscaping to be provided.
- 1.3 Other forms of visual representation for major development proposals may be provided as an alternative to a physical model such as “fly-over” or “fly-through” views.

2. OBJECTIVES

- 2.1 The objectives of this policy are:
- To provide the circumstances where development applications will need to include physical models or other forms of visual representation: and
 - To treat all parties involved fairly and equitably.

3. DEFINITIONS

- 3.1 **“Act”** means the *Planning, Development and Infrastructure Act 2016*.

“Model” means physical constructed models and forms of visual representation such as 3D computer modelling or, “fly-through” or “fly-over” visualisation or, photomontage representations.

4. SCOPE

- 4.1 The policy applies to all development proposals requiring public notification in accordance with Section 107 of the Act where the Council Assessment Panel is the relevant decision authority in accordance with the Act and where one or more of the circumstances in section 5 apply.

5. POLICY STATEMENT

5.1 Physical or visual representation models should be supplied for all development proposals where:

5.1.1 The development has a construction value of \$5 million or greater; or

5.1.2 ~~The proposed building(s)~~ are more than two storeys in height ~~or where the proposed building(s) is more than three storeys in height in the Housing Diversity Zone (Hamilton Hill); or~~

5.1.3 ~~The~~ ~~are for the~~ development ~~consists~~ of 4 or more residential units ~~of 2 or more greater than~~ two storeys ~~on a single allotment; or~~ ~~where the development is more than three storeys in height in the Housing Diversity Zone (Hamilton Hill); or~~

5.1.4 ~~The development includes a~~ ~~are~~ commercial or industry ~~development use~~ ~~adjoining residential uses~~ ~~adjoining residential uses~~ where the building is proposed within 10 metres of a residence.

w

~~5.1.35.1.5~~ here the development is to be built within 10 metres of the common boundary with the residential use; or

±

5.2 Physical models are to be at least 1:200 scale and must demonstrate the proposed building, its architectural features, materials and finishes, extent of filling and excavation and must be presented in context with the topography and physical characteristics of the land (including existing buildings, trees and features being retained). The model should ~~that surround it and~~ also ~~what has been approved~~ show existing development on adjacent properties.

Features such as existing ~~trees to be retained~~, street trees, trees on adjacent land, and 'accessories' such as people and cars should only be required if they would value-add to the interpretation and subsequent assessment. Details of materials and finishes may be demonstrated on the model or may be supplied in an alternate form such as a product sample, provided the information is attached to or held with the model structure.

5.3 The requirement for a model or to be provided with an application may be waived by the Assessment Manager or the Team Leader Statutory Planning ~~after~~ where the impact of the proposed development on neighbouring properties is considered minor, taking into account the size of the proposal, the development site and distance of a building from neighbouring properties.

5.4 ~~The requirement for a model to be provided with an application may be waived where it is considered that alternative visual representation tools such as photomontages or products that can be prepared using computer aided drafting (CAD) software or other emerging technologies such as computer generated 3D modelling, "fly over" or "fly through" views would be more appropriate or more reasonable than a model. Any alternative visual representation prepared under this policy statement must be presented~~

~~in context with the topography and buildings that surround it and also what exists or has been approved on adjacent properties.~~

~~In the circumstances where the model is required the applicant is required to supply this to the Council prior to the commencement of the public notification period. The Assessment Manager or Team Leader Statutory Planning may require a model outside the scope of this policy or an alternative form(s) of visual representation, for example after taking into account the likely visual impact of a development proposal or its proximity to a State or Local Heritage Place.~~

5.6 A physical model prepared under this policy will remain the property of the applicant or proponent. Council staff will return the model following ~~granting of any development plan consent~~ determination of planning consent but photos of the model will be taken for Council's records prior to returning the model. Council will request to keep a copy of any alternative visual representation tool for its records in a suitable format.

6. DELEGATION

6.1 The Chief Executive Officer has the delegation to:

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


7. AVAILABILITY OF THE POLICY

7.1 This Policy will be available via the Council's website www.ahc.sa.gov.au.

Appendix 3

*Provision of Physical Models for or Other Visual
Representation Tools for Major Development
Proposals which require Public Notification
(Existing Policy)*

COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<p>PROVISION OF PHYSICAL MODELS OR OTHER VISUAL REPRESENTATION TOOLS FOR MAJOR DEVELOPMENT PROPOSALS WHICH REQUIRE PUBLIC NOTIFICATION</p>
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Policy Number:	DEV-11
Responsible Department(s):	Development & Regulatory Services
Relevant Delegations:	As outlined in this Policy
Other Relevant Policies:	None
Relevant Procedure(s):	None
Relevant Legislation:	None
Policies and Procedures Superseded by this policy on its Adoption:	10 December 2007, Item 7.3, 53 8 December 2008, Item 8.1, 117 21 August 2012, Item 10.1, 31 14 July 2015, Item 12.4
Adoption Authority:	Council
Date of Adoption:	24 July 2018
Effective From:	7 August 2018
Minute Reference for Adoption:	Item 12.7, 170/18
Next Review:	No later than July 2021 or as required by legislation or changed circumstances.

PROVISION OF PHYSICAL MODELS OR OTHER VISUAL REPRESENTATION TOOLS FOR MAJOR DEVELOPMENT PROPOSALS WHICH REQUIRE PUBLIC NOTIFICATION

1. PURPOSE OF THE POLICY

To require the provision of physical models or other forms of visual representation for major development proposals that require public notification.

2. CONTEXT

2.1 When assessing a major Development Application it is often difficult to interpret and appreciate the design attributes of a proposal simply using two dimensional plans and elevations. Neighbours and others viewing a proposal can also have difficulty in assessing how it affects their property and amenity, for example, when site levels change. Likewise, two dimensional plans and elevations may also not adequately demonstrate how a proposed development relates to its surrounds, particularly in the many unique and sensitive localities within the Adelaide Hills Council, and adjacent to various heritage buildings and scenic routes which pass through the Council area.

2.2 Physical models are accepted as one tool to assist with interpretation of a proposal and subsequent assessment by presenting a three-dimensional (3D) perspective to put a proposal in context (location, bulk, scale etc) and to facilitate assessment of the urban design qualities of a development proposal. Models may also supplement details provided in plans of materials and finishes to be used and the type of landscaping to be provided. It may also be possible, depending on the level of detail shown, to use a model to qualify the accuracy of shadow diagrams submitted by taking the model to the site and testing it.

2.3 Other forms of visual representation for major development proposals may also be a suitable alternative to the provision of a physical model where it is considered that such visual representation tools (e.g. photomontages, computer generated 3D modelling, “fly-over” or “fly-through” views) would be more appropriate or more reasonable than provision of a physical model.

3. POLICY

3.1 Physical or visual representation models should be supplied for proposals which are Category 2 or 3 and which meet one or more of the following criteria:

3.1.1 have a construction value of \$5 million or greater; or

3.1.2 are more than two storeys in height; or

3.1.3 are for the development of 4 or more residential units of 2 or more storeys; or

3.1.4 comprise commercial or industrial developments adjoining residential uses where the development is to be built within 10 metres of the common boundary with the residential uses

3.2 Physical models are to be at least 1:200 scale and must demonstrate the proposed building, its architectural features, materials and finishes, and must be presented in context with the topography and buildings that surround it and also what has been approved on adjacent properties. Features such as existing trees to be retained, street trees, trees on adjacent land,

and 'accessories' such as people and cars should only be required if they would value-add to the interpretation and subsequent assessment. Details of materials and finishes may be demonstrated on the model or may be supplied in an alternate form such as a product sample, provided the information is attached to or held with the model structure.

- 3.3** The requirement for a model to be provided with an application may be waived after taking into account the size of the proposal and the development site and distance of a building from neighbouring properties.
- 3.4** The requirement for a model to be provided with an application may be waived where it is considered that alternative visual representation tools such as photomontages or products that can be prepared using computer aided drafting (CAD) software or other emerging technologies such as computer generated 3D modelling, "fly-over" or "fly-through" views would be more appropriate or more reasonable than a model. Any alternative visual representation prepared under this policy statement must be presented in context with the topography and buildings that surround it and also what exists or has been approved on adjacent properties.
- 3.5** The Manager Development Services and/or Council Assessment Panel may require a model outside the scope of this policy or an alternative form(s) of visual representation, for example after taking into account the likely visual impact of a development proposal or its proximity to a State or Local Heritage Place.
- 3.6** A physical model prepared under this policy will remain the property of the applicant or proponent. Council will return the model following granting of any development plan consent but will take photos of the model for Council's records prior to returning the model. Council will request to keep a copy of any alternative visual representation tool for its records in a suitable format.

4 DELEGATION

- 4.1** The Manager Development Services and/or Council Assessment Panel shall have the right to require the provision of a physical scale model or alternative form of visual representation in accordance with this policy, or the right to waive such a requirement.
- 4.2** The Chief Executive Officer has the delegation to:
- Approve, amend and review any procedures that shall be consistent with this Policy; and
 - Make any formatting, nomenclature or other minor changes to the Policy during the period of its currency.

5. AVAILABILITY OF THE POLICY

- 5.1** 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
Tuesday 26 July 2022
AGENDA BUSINESS ITEM**

Item: 12.11

Responsible Officer: James Szabo
Senior Strategic and Policy Planner
Development and Regulatory Services

Subject: Policy Review - Public Transport Policy

For: Decision

SUMMARY

The purpose of this report is to advise the Council on the outcome of a review into the *Public Transport Policy* (the 'Policy') in accordance with the 2017 resolution and in consideration of the increased interest in public transport outcomes in the region in recent times.

The review has confirmed that the efficacy of the Policy remains sound, by providing a basis for numerous Council actions and initiatives including; advocacy, infrastructure investment and provision of limited transport services.

Therefore the bulk of the existing Policy content has been carried over into the draft version, with some refinement. In responding to feedback provided as part of the review process, additional content is being proposed including one objective and four Policy Statement sections. The refinements and additions to the Policy as drafted (refer **Appendix 1**) are outlined in more detail under Section 2 of the report under Additional Analysis.

Maintaining the Policy is seen as an important response to this topical and important issue and the proposed changes are being recommended to ensure that the Policy responds adequately to emerging issues and remains a useful basis for Council actions in areas relating to public transport.

The Administration is recommending that the Policy as drafted be adopted.

RECOMMENDATION

Council resolves:

1. That the report be received and noted
 2. That with an effective date of 9 August 2022, to revoke the 28 February 2017 *Public Transport Policy* and to adopt the revised 26 July 2022 *Public Transport Policy (draft)* as per *Appendix 1*.
 3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the *Public Transport Policy (draft)* prior to the effective date.
-

1. BACKGROUND

At its Meeting held in March 2000 the Council adopted a suite of new community service policies, where it resolved:

Council Meeting – 28 March 2000

21.3.3. Human Services Policies

Moved Cr Val Hall
S/- Cr Ian Bailey

Carried
(147)

That

1. Council adopt the following Human Services policies:

- Community Development
- Community and Neighbourhood Homes
- Transport
- Volunteers
- Young People
- Older People – (Cr Potter's changes)
- Families
- Housing for Older People
- Community Housing

3. Each policy be included in the Minutes of this meeting.

As part of the periodic review cycle Council has considered the Policy again on three occasions. Firstly, on 18 July 2006 where it resolved:

Finance, Services & Policy Committee Meeting – 18 July 2006

10.2.2 Readoption of Various Policies 09.63.1

Moved Bill Spragg
S/- Cr Stan Evans

Carried unanimously

1. The following policies, which have been amended since last adopted, be approved:

- Occasional Hiring of Council Meeting Rooms
- Directional Signage
- Sport and Recreation Strategy Policy
- Community and Neighbourhood Houses
- Road Reserve Management Plan
- Transport

The Policy was again reviewed and considered by Council on 8 September 2015, where it resolved:

SPDPC Meeting – 8 September 2015

12.3. Transport Policy

Moved Mayor Bill Spragg 45
S/- Cr Nathan Daniell

That the Strategic Planning & Development Policy Committee resolves:

1. That the report be received and noted
2. With an effective date of 22 September 2015, to revoke the 18 July 2006 Transport Policy and to adopt the revised Transport Policy, as contained in Appendix 1, with an amendment to Clause 3.9:
 - Removal of the words 'and maintain'

Carried

More recently the Policy was considered by the Strategic Planning and Development Policy Committee on 14 February 2017 where it resolved:

12.3. Public Transport Policy

Moved Cr Kirrilee Boyd SP5/17
S/- Cr Linda Green

The Strategic Planning and Development Policy Committee resolves:

1. That the report be received and noted.
2. With an effective date of 28 February 2017, to revoke the 8 September 2015 'Transport Policy' and to approve the 'Public Transport Policy' as contained 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.

Carried Unanimously

From its inception the Policy has provided Council with a position regarding government and privately operated public transport within the District and provides a basis for community operated services. It also outlines important linkages with development outcomes and accessibility considerations for associated public transport infrastructure.

More specifically, the Policy acknowledges the diverse needs of its residents (both rural and urban) and supports a co-ordinated approach to public passenger transport through the facilitation and encouragement of a network of public passenger transport services and programs.

The 2017 review saw the name of the Policy change to better reflect the scope of the Policy, other than this change the policy statements have remained largely unaltered.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 1	A functional Built Environment
Objective B1	Our District is easily accessible for community, our businesses and visitors
Priority B1.5	Provide accessibility for the full range of users by ensuring Council’s road, footpath and trails network is adequately maintained and service levels for all users are developed and considered

The Policy promotes the objectives and priorities under this goal through encouraging development to integrate with public transport services and infrastructure. In addition, it provides guidance for staff undertaking civil or related projects to ensure the delivery of accessible infrastructure particularly around bus stops, associated infrastructure and connections to public transport services.

Goal 2	Community Wellbeing
Objective 1	A community for everyone that is inclusive, welcoming and accessible
Priority C1.4	Seek opportunities to improve transport options for those who need it most

The Policy gives a basis for Council to provide community transport services for disadvantaged people within the District.

Goal 5	A progressive Organisation
Objective 4	We actively represent our community
Priorities O4.3	Advocate to, and exert influence with, our stakeholders on behalf of our community to promote the needs and ambitions of the region

The Policy gives a basis for Council to lobby government in specific transport related matters e.g. improved services or equal fare structures across the district.

➤ **Legal Implications**

Disability Discrimination Act 1992 (DDA)

The *Disability Standards for Accessible Public Transport 2002* (Transport Standards) – currently under review, are formulated by the Attorney-General under subsection 31 (1) of the *Disability Discrimination Act 1992* (the DDA). The Transport Standards seek to remove discrimination for people with disability in relation to public transport services to provide equality and independence.

The Transport Standards apply to train, tram, bus and coach, ferry, taxi and aviation services and are designed to provide certainty to providers and operators of public transport services and infrastructure about their responsibilities under the DDA.

The Transport Standards require all of Australia's public transport networks and associated infrastructure to be fully accessible by the end of 2022 (with the exception of trains and trams which have until the end of 2032).

➤ **Risk Management Implications**

This Policy provides a basis and context for Council actions in a number of public transport related areas which may otherwise rely on ad-hoc or reactionary decisions to issues as they occur.

The updated Policy will assist in mitigating the risk of:

Ad-hoc, reactive and ineffective approach to project delivery, advocacy and service delivery related to public transport services and associated infrastructure, leading to inability to meet relevant community expectations and Council's strategic objectives.

Inherent Risk	Residual Risk	Target Risk
Medium 3(C)	Low2(D)	Low

The Policy provides an effective and ongoing control to mitigate the abovementioned risks.

➤ **Financial and Resource Implications**

There are no direct financial and resource implications to Council as a result of this Policy. However, there is potential for the Policy to influence the development and delivery of budgeted project and service programs (i.e., accessibility improvement programs and transport services for disadvantaged residents).

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

The Policy demonstrates Council leadership on this issue.

The Policy seeks to influence outcomes that will lead to improved connections to, and delivery of, public transport and passenger services. Delivery of these outcomes will improve community experience.

In addition, the scope of the Policy has been expanded to articulate how Council could leverage its position to educate the community on the benefits of public transport use.

➤ **Sustainability Implications**

Providing opportunities for, and encouraging more residents to access public transport services, has the potential to reduce vehicle related CO₂ emissions and reduce congestion on major freight and transport routes.

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

<i>Council Committees:</i>	Not Applicable
<i>Council Workshops:</i>	9 May 2022
<i>Advisory Groups:</i>	Not Applicable
<i>External Agencies:</i>	Regional Development Australia - AHFKI
<i>Community:</i>	Not Applicable

In addition to the Council Workshop, key staff across the Administration have been consulted and provided feedback. The following key themes emerged and assisted in refining the Policy:

- Addressing the links between freight transport and public transport outcomes
- Exploring potential for supporting guidelines to assist in the design of public transport infrastructure delivery to meet contemporary accessibility requirements
- More direct reference and promotion of emerging and future solutions, and
- Encourage/educate/support/participate in conversations to promote public transport use and reduce traffic congestion on the freeway.

➤ **Additional Analysis**

The review found that the current Policy provides a sound basis to guide Council projects, advocacy, engagement and provides a basis for limited passenger transport services.

Suggested changes have been made to ensure that the Policy can respond to emerging issues and remain a useful basis for Council actions in the areas relating to public transport. The following changes are recommended in response to the feedback received throughout the review process.

Refined Policy

Section 3.1 has been reworked to allow for a broader scope of advocacy and acknowledge the need for a collaborative approach through engagement. In addition, what this aims to achieve has been articulated.

Section 3.3 has been refined, based on feedback at the Council workshop, to better articulate the relationship between development proposals and public transport and highlight when an integrated planning approach should be considered.

The opening sentence of Section 3.4 remains, with the addition of a secondary sentence that provides a basis for Council to develop guidelines that may support the delivery of civil infrastructure projects involving bus stops, footpaths and bus bays to ensure DDA obligations are addressed. At this stage, no guidelines have been developed, however staff are in early discussions about what this could look like and how it might be most effective. It is noted that Section 4.1 of the Policy has been expanded to provide CEO delegation to approve any guidelines consistent with the Policy.

Additional Policy

Objective 2.2 has been added to further outline the aim of the Policy and to establish a direct link to the recent Regional Development Australia Adelaide Hills, Fleurieu & Kangaroo Island Regional Public Transport Study, by referencing the three key vision themes of regional equity, smart investment and economic growth.

Additions to Section 3.7 expands advocacy scope to capture the need for accessible and connected transport services to key employment hubs in and around the Council area.

In line with the feedback received at the Council workshop, Section 3.10 has been added to clearly articulate a Council position on emerging public transport services (i.e., 'on demand' etc.).

Section 3.11 is proposed as a basis to advocate for investment in freight infrastructure that improves the capacity for public transport networks to deliver effective and efficient services, noting the interconnection between these two important issues in our region.

Section 3.12 has been developed to address a gap in the policy by articulating how Council may leverage its position as an information channel and advocate to educate the community on the benefits of public transport as a means to reduce commuter congestion and promote sustainable travel options.

3. OPTIONS

Council has the following options:

- I. To adopt the *Public Transport Policy – July 2022* accepting the formatting, editorial and content changes as contained in **Appendix 1** (Recommended).
- II. To retain the existing *Public Transport Policy* (Not Recommended).
- III. To amend the revised *Public Transport Policy – July 2022* more substantially (Not Recommended).
- IV. To rescind the *Public Transport Policy – July 2022* (Not Recommended).

Should the 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 analysis of the implications of the amendments, prior to being brought back for consideration.

4. APPENDIX

- (1) *Public Transport Policy – July 2022*

Appendix 1

Public Transport Policy – July 2022

COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<h2 style="margin: 0;">PUBLIC TRANSPORT</h2>
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Policy Number:	COM-23
Responsible Department(s):	Planning Policy
Relevant Delegations:	None
Other Relevant Policies:	None
Relevant Procedure(s):	None
Relevant Legislation:	<u>None</u> <u>Disability Discrimination Act 1992</u> <u>Disability Standards for Accessible Public Transport 2002</u> <u>Disability Inclusion Act 2018</u> <u>Passenger Transport Act 1994</u> <u>Planning, Development and Infrastructure Act 2016</u>
Policies and Procedures Superseded by this policy on its Adoption:	28 March 2000, 21.3.3, P109, R147 18 July 2006, Item 10.2.2, P47 08 September 2015, Item 12.3, 45 14 February 2017, Item SP5/17
Adoption Authority:	Council
Date of Adoption:	<i>To be entered administratively following Council Meeting</i>
Effective From:	<i>14 Days after Council Meeting</i>
Minute Reference for Adoption:	<i>To be entered administratively following Council Meeting</i>
Next Review:	No later than February 2024 or as required by legislation or changed circumstances

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
1.0	11/03/2000	New Policy	Council - Res 147/00
1.1	1/08/2006	Amendments	Council - Res 47/06
1.2	22/09/2015	Policy Review	Council - Res 45/08
1.3	28/02/2017	Minor Amendments	Council - Res SP5/17
1.4	xx	xx	xx

DRAFT

PUBLIC TRANSPORT POLICY

1. INTRODUCTION

1.1 This policy addresses a co-ordinated approach to passenger transport within the District.

2. OBJECTIVES

2.1 ~~The Adelaide Hills Council~~ Acknowledges the diverse needs of its residents (both rural and urban) and supports a coordinated approach to passenger transport through the facilitation and encouragement of a network of passenger transport programs.

2.2 Advocate to significantly improve public transport services and infrastructure and support investment in passenger transport outcomes that deliver regional equity, smart investment and economic growth.

3. POLICY STATEMENT

2.13.1 The Adelaide Hills Council will facilitate ongoing ~~consultation~~ engagement with all stakeholders involved in the passenger transport industry within the region, in order to promote improved services and infrastructure for the Adelaide Hills region.

2.23.2 The Adelaide Hills Council will ~~encourage~~ ensure the future planning of new development areas (i.e. neighbourhoods, employment lands etc.) developments to take into account the need for access to public transport, considers connections to and integration with, existing and proposed public transport routes and associated infrastructure.

2.33.3 The Adelaide Hills Council will encourage all passenger transport to be accredited in accordance with the *Passenger Transport Act and Regulations 1994*.

3.4 The Adelaide Hills Council recognises the responsibilities that exist under the *Disability Discrimination Act 1992* ~~and the Disability Standards for Accessible Public Transport 2002~~ in relation to transport infrastructure e.g. bus stops, footpaths and bus bays. In addition, Council may prepare guidelines for public transport infrastructure projects to promote consistency and ensure obligations under the relevant act and standards are met.

2.43.5 The Adelaide Hills Council will ensure that any Council action plans take into account the requirements of the *Disability Discrimination Act 1992* together with the Disability Standards for Accessible Public Transport 2002 relating to the movement of passengers.

2.53.6 The Adelaide Hills Council will encourage ~~Adelaide Metro, Southlink and LinkSA to provide~~ public passenger transport services that meet the needs of the majority of the Council's residents.

2.63.7 The Adelaide Hills Council will ~~encourage lobbying~~advocate for equity of fare structure ~~throughout the Council area.~~ and more accessible and connected transport services to key employment hubs in and around the Council area.

2.73.8 The Adelaide Hills Council will support a region wide community passenger network that will respond to the needs of those people who are transport disadvantaged through geographic isolation or mobility problems.

3.9 The Adelaide Hills Council will support the provision of transport services for people who are disadvantaged.

3.10 The Adelaide Hills Council supports the trialling and use of emerging public transport services enabled through technology advancement that can better serve and assist residents to access public transport.

3.11 The Adelaide Hills Council acknowledges the interconnection between freight transport and public transport outcomes and will promote infrastructure investment in freight routes (including rail) that improves the capacity for public transport networks to deliver efficient and effective services.

3.12 The Adelaide Hills Council will promote and educate its community on the benefits of public transport, with an aim to reduce commuter traffic on the South Eastern Freeway and promote sustainable passenger and freight transport options.

4. DELEGATION

4.1 The Chief Executive Officer has the delegation to:

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

5. AVAILABILITY OF THE POLICY

5.1 This Policy will be available via the Council's website www.ahc.sa.gov.au

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 July 2022
AGENDA BUSINESS ITEM**

Item: 12.12

Responsible Officer: Jennifer Blake
Manager Communications, Engagement and Events
Community Capacity

Subject: Festivals and Events Policy Review

For: Decision

SUMMARY

The purpose of this report is to advise the outcome of a periodic review of the *Festivals and Events Policy*. This has identified a number of areas where minor amendments to the policy can improve clarity and consistency, provide guidance on safety, accessibility and environmental impacts at events, and provide further flexibility to take advantage of tourism opportunities. A revised policy which incorporates these updates is attached in **Appendix 1**.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
 2. That with an effective date of 9 August 2022 to revoke the 10 September 2019 *Festivals and Events Policy* and adopt the July 2022 *Festivals and Events Policy* contained in **Appendix 1**.
 3. That the Chief Executive Officer be authorised to make minor content, grammatical and formatting amendments to the *Festivals and Events Policy* prior to the effective date of adoption.
-

1. BACKGROUND

The *Festivals and Events Policy* (the “Policy”) provides Council and its administration with principles and guidelines for administering festivals and events in our region. This Policy applies to festivals and events within the district that are run by Council, supported or sponsored by Council, where Council has an agreement or contract with the Event Organiser, or where the event may have significant community, economic or environmental impact.

The current Policy was adopted on 27 August 2019, Item 12.1, 213/19.

This review has identified a number of areas where amendments to the Policy can improve clarity and consistency, provide further guidance for event organisers on safety at events, and ensure the Policy keeps up to date with Council’s strategic goals around environmental impacts and accessibility at events. It also helps to provide further flexibility to certain events to allow the Adelaide Hills to take advantage of tourism opportunities.

An Event Organisers’ Toolkit is referred to in the Policy and this toolkit will also be reviewed to reflect the updated Policy.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal Community Wellbeing

Objective C6 Celebrate our community’s unique culture through arts, heritage and events

Priority C6.2 Develop, support and bring events to our district that have social, cultural, environmental or 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 in managing 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, Food Act 2001, Disability Discrimination Act 1992, SA Disability Inclusion Act 2018*, and the Standard AS/NZS3002: 2021 Electrical Installations – Shows, Carnivals and Events.

➤ Risk Management Implications

The adoption of the updated *Festivals and Events Policy* will assist in mitigating the risk of:

Unclear or discouraging 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
High (3B)	Medium (3C)	Low (1E)

The existence of a clear Policy including principles and guidelines for supporting and administering events in our region has mitigated the inherent risk to a considerable degree.

➤ 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.

The addition of inclusive and accessible wording under 5.7 Assessment Criteria – Community Impact helps to ensure events are enabling people of all abilities, including those with disabilities, to be involved with the event.

➤ **Sustainability Implications**

While there are no environmental implications associated directly with the Policy, Council's support of community events encourages organisers to embrace sustainability themes and principles, including in waste management, use of recycled / compostable materials and reduction of single-use plastics wherever possible.

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

<i>Council Committees:</i>	Not Applicable
<i>Council Workshops:</i>	Not Applicable
<i>Advisory Groups:</i>	Not Applicable
<i>External Agencies:</i>	Not Applicable
<i>Community:</i>	Not Applicable

While formal community consultation has not been carried out in the current review, feedback that has been received from event organisers and other interested parties in recent years has been taken into consideration.

➤ **Additional Analysis**

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 review took into account information gathered through:

- Written and verbal feedback received by Council while working with the community on event applications and support available
- Written and verbal feedback received from event organisers, local community groups and business associations, and industry associations such as Fruit Producers SA, during consultation periods
- The experience of staff over the last three years since the previous Policy review
- Feedback from other departments involved in supporting events including Civil Services, Community Development, Waste Management, and Property.

Key Proposed Updates

The adoption of an updated *Festivals and Events Policy* will supersede the *Festivals and Events Policy* (COM-11) that came into effect from 10 September 2019. The proposed Policy update as contained in **Appendix 1**, includes a range of formatting, grammatical and consistency changes as well as the substantive changes described below. Due to the significant number of tracked changes made to the Policy, **Appendix 1** highlights the sections of the Policy to indicate where substantive changes have been made, as showing the current Policy with track changes would have made it difficult to comprehend. The current *Festivals and Events Policy* (COM-11) is included in **Appendix 2**.

Introduction (Section 1)

Proposed changes:

- 1.2 Addition of reference to the *Disability Discrimination Act 1992*, *SA Disability Inclusion Act 2018*, and *AS/NZS3002: 2021 Electrical Installations – Shows, Carnivals and Events*.

Scope (Section 4)

New section created in line with current policy template outlining which events the Policy applies to.

Policy Statement (Section 5)

Proposed changes:

- 5.7 Assessment criteria – new criteria added to Community Impact regarding enabling people of all abilities (including those with disabilities) to be involved with the event
- 5.7 Assessment criteria – new criteria added to Environmental Impact around the use of recycled / compostable materials and the elimination or reduction of single-use plastics
- 5.7 Assessment criteria – addition of requirement for event organisers to abide by Council’s relevant event guidelines and policies, as well as the Standard *AS/NZS3002: 2021 Electrical Installations – Shows, Carnivals and Events*.

Event Guideline No. 1 for Competitive Motoring Events

Proposed changes:

- Council Decision – added in the ability for Council to provide in-principle support for an event to occur in a number of consecutive years, subject to conditions. This may include delegating approval of road closures to the CEO.

Event Guideline No. 2 for non-Competitive Motoring Events

Proposed changes:

- Council Decision – Non-Competitive motoring events requiring road closures of under two hours no longer require a formal Council decision. They are still required to undertake community consultation and provide a Consultation Report, with the CEO able to provide approval under his delegation
- Council Decision – Changes made to assessment criteria for consistency with Guideline No.1
- Road Closure Applications – added wording that Council administration will take into account any negative or positive feedback received during and post previous years' events when considering a road closure application
- Planning and Notice of Road Closures – clarification provided on requirements and timing of applications for events requiring road closures over two hours compared with under two hours
- Planning and Notice of Road Closures – requirement for Council to review the size and content of advance warning and detour signs at least three weeks before the event occurs, prior to installation two weeks before the event
- Planning and Notice of Road Closures – added an exception clause for events that are unable to meet the timeframe of providing notice of intention to run the event six months out due to reasonable causes
- Consultation with affected residents and businesses – requirement for Council to approve the final consultation letter prior to providing resident contact information, in line with other guidelines
- Consultation with affected residents and businesses – addition of wording that a resident/business reminder letter of the event may be required in conjunction with advance road closure signage.

Event Guideline No. 3 for Events Involving Animals

No change.

Event Guideline No. 4 for Sporting Events

Proposed changes:

- Road-based Events – for events that involve speed restrictions without road closures a Festival and Event Application and traffic management plan are now required a minimum of three months prior to the event, instead of two, in line with the overall Policy
- Road-based Events – for events that involve road closures notice of intention to run the event changed from six months to three months' notice, with a consultation report no longer considered mandatory (though it is stated in the policy that the administration may still require event organisers to undertake consultation). This is in line with wording under the Consultation with Affected Residents section and the reduced timeframe is appropriate for the sporting clubs and associations we deal with, who often can't meet the six month notice (e.g. SAPSASA sports carnivals, netball and football club finals)

- Road-based Events – added wording that when considering a road closure application, Council administration will take into account any negative or positive feedback received during and post previous years' events
- Road-based Events – requirement for Council to review the size and content of advance warning and detour signs at least three weeks before the event occurs, prior to installation two weeks before the event
- Consultation with affected residents – addition of wording that if a Consultation Report is required, any resident feedback received directly to Council will be forwarded to the event organiser to address and to include in the Consultation Report
- Consultation with affected residents – feedback from consultation is required to Council administration a minimum of three months ahead of the event, instead of four, in line with the overall Policy.

3. OPTIONS

Council has the following options:

- I. Adopt the proposed new *Festivals and Events Policy* (Recommended)
Should the 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 the Council for further consideration.
- II. Retain the existing Policy as-is (Not Recommended)


4. APPENDICES

- (1) Draft Festivals and Events Policy 2022
- (2) Current Festivals and Events Policy

Appendix 1

Draft Festivals and Events Policy 2022

COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<h2 style="margin: 0;">FESTIVALS AND EVENTS</h2>
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Policy Number:	COM-11
Responsible Department(s):	Communications, Engagement & Events
Relevant Delegations:	Manager Communications, Engagement & Events
Other Relevant Policies:	Public Consultation Policy Liquor Licensing Policy Tributes for Commemorative Services Policy
Relevant Procedure(s):	Nil
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 Disability Discrimination Act 1992 SA Disability Inclusion Act 2018
Policies and Procedures Superseded by this policy on its Adoption:	Festivals and Events Policy 10 September 2019, Item 12.1, 213/19
Adoption Authority:	Council
Date of Adoption:	<i>Date of Council Meeting</i>
Effective From:	<i>14 Days after Council Meeting</i>
Minute Reference for Adoption:	<i>To be entered administratively following Council Meeting</i>

Next Review:

No later than July 2025 or as required by legislation or changed circumstances

DRAFT

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
1.0	08/10/2013	New Policy	Council - Res 179
2.0	12/04/2016	Policy Review	Council - Res 10
3.0	10/09/2019	Policy Review	Council - Res 213/19

DRAFT

FESTIVALS AND EVENTS POLICY

1. INTRODUCTION

- 1.1 The 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*, *Food Act 2001*, *Disability Discrimination Act 1992*, *SA Disability Inclusion Act 2018*, and *AS/NZS3002: 2021 Electrical Installations – Shows, Carnivals and Events*.

2. OBJECTIVES

- 2.1 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.

- 3.1 **"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.

- 3.2** “**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.
- 3.3** “**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.
- 3.4** “**Council Operated Event**” means an event initiated and managed by the Council.
- 3.5** “**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.
- 3.6** “**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, **support** from the community may be able to be inferred from past experience and feedback. 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 **support**.
- 3.7** “**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.
- 3.8** “**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.
- 3.9** “**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
 - b) The land is unaffected by provisions of a reservation, dedication, trust or other instrument that would prevent or restrict its alienation.
- 3.10** “**Competitive Motoring Events**” means a motoring or ‘motorsport’ event that is licensed by a national governing body.
- 3.11** “**Non-Competitive Motoring Events**” means motoring events that are not licensed by a national governing body.

4. SCOPE

- 4.1** This Policy applies to festivals and events within the district that are run by Council, supported or sponsored by Council, where Council has an agreement or contract with the Event Organiser, or where the event may have significant community, economic or environmental impact.

4.2 This may include but is not limited to: Community Festivals and Events, Community-Council Collaborative Festivals and Events, Council Operated Events, Public Festivals or Events on Private Land, Competitive Motoring Events, Non-Competitive Motoring Events, Events Involving Animals, and Sporting Events.

4.3 The Policy provides Council and its administration with principles and guidelines for:

- Administering festivals and events in our district
- Provision of Council support to festivals and events in our district
- Approval of road closures
- Public consultation requirements.

5. POLICY STATEMENT

5.1 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.

5.2 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.

5.3 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.

5.4 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.

5.5 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.

5.6 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

5.7 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 administration 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
- **Enable people of all abilities (including those with disabilities) to be involved in the event**
- Potential for community enjoyment
- 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
- The groups or organisations that stands to benefit financially from the festival or event

Environmental impact

- Opportunities to enhance environmental outcomes by embracing sustainability principles (including in waste management, use of recycled / compostable materials and the elimination or reduction of single-use plastics wherever possible)
- Potential for detrimental impact on the environment including factors such as damage to flora and fauna and excessive waste left on site

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. 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.

Event organisers must abide by Councils relevant event guidelines and policies, as well as the Standard AS/NZS3002: 2021 Electrical Installations – Shows, Carnivals and Events. Events that fall under the exceptional categories listed sub-section 4.6 and in the 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, successful, accessible and inclusive 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.

6. COST RECOVERY

6.1 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.

6.2 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.

6.3 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.

7. DELEGATION

7.1 The Chief Executive Officer has the delegation to:

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

8. AVAILABILITY OF THE POLICY

8.1 This Policy will be available via the Council's website www.ahc.sa.gov.au.

9. 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

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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 Motoring Event Application 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. 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 consultation
- Opportunities to increase community connections and volunteering
- Potential for community enjoyment

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 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 administration no less than three months prior to the event date for consideration.

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.

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.

Advanced warning and detour signage must be placed in appropriate locations around the area for at least two weeks before the event occurs. Council must review 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.

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 administration 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 administration 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.

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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 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 **of more than two hours** require a formal Council decision on every occasion.

Non-Competitive motoring events requiring road closures of under two hours are still required to undertake community consultation and provide a Consultation Report, with the CEO able to provide approval under his delegation.

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 consultation
- Opportunities to increase community connections and volunteering
- Potential for community enjoyment

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. If the applicant can demonstrate that there is a 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.

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

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 over two hours' 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. For events requiring road closures under two hours, notification of intention to run the event 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 event route for a minimum of two weeks before the event date. Council must review the size and content of these signs at least three weeks before the event occurs. Organisers must also make traffic detour information (including maps) available online for Council and the community a minimum of two weeks before the event date. 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 administration 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. 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 administration 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 may be required in conjunction with advance road closure signage (as above).

*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 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.

** Events that are unable to meet this timeframe due to reasonable causes may have their event considered as an exception to this requirement on a case-by-case basis.

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Appendix 3
Event Guideline No.3
For Events Involving Animals

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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.

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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 **three 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 Australia Police and the Department of Infrastructure and Transport.

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 along with a Festival and Event Application must be received by Council administration with a minimum of three months' notice.

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

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. **Council must review the size and content of these signs at least three 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 online 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 and businesses* of proposed road closures and supply the results of this consultation to Council administration 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 letter will be supplied to the event organiser if consultation is required. **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 administration a minimum of **three 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 motorsport 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 or business that will be denied road access to their property during the closure period, whether their access point is on the 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


Current Festivals and Events Policy

Council Policy

Festivals and Events



COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	FESTIVALS AND EVENTS
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Policy Number:	COM-11
Responsible Department(s):	Communications, Engagement & Events
Other Relevant Policies:	Public Consultation Policy Liquor Licensing Policy Tributes for Commemorative Services Policy
Relevant Procedure(s):	Nil
Relevant Legislation:	<i>Local Government Act 1999</i> <i>Road Traffic Act 1961</i> <i>Liquor Licensing Act 1997 and Codes of Practice</i> <i>Development Act 1993</i> <i>Development Regulations 2008</i> <i>Food Act 2001</i>
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:	27 August 2019
Effective From:	10 September 2019
Minute Reference for Adoption:	Item 12.1, 213/19
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 has 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, **support** from the community may be able to be inferred from past experience and feedback. 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 **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

- 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 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
- Potential for community enjoyment
- 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
- The groups or organisations that 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

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. 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 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. DELEGATIONS

6.1. The Chief Executive Officer has the delegation to:

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

7. AVAILABILITY OF THE POLICY

7.1. 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.

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 Motoring Event Application 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
- Potential for community enjoyment

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 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.

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.

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.

Advanced warning and detour signage 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. .

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 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
- Potential for community enjoyment

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 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 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 date. 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 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.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 July 2022
AGENDA BUSINESS ITEM**

Item: 12.13

Responsible Officer: David Waters
Director Community Capacity
Community Capacity

Subject: Policy Review - *Internal Review of Council Decisions*

For: Decision

SUMMARY

The purpose of this report is to provide, for the Council's consideration, a revised *Internal Review of Council Decisions Policy*.

The latest review of the Policy incorporates changes prompted by amendments to the *Local Government Act 1999* in 2021 as well as other changes based on experience operating under the existing Policy since it was reviewed in 2019.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
 2. With an effective date of 9 August 2022, to revoke the 26 November 2019 *Internal Review of Council Decision Policy* and to adopt the 26 July 2022 *Internal Review of Council Decision Policy* as per Appendix 1.
 3. That the Chief Executive Officer be authorised to make any legislative, formatting, nomenclature or other minor changes to the 26 July 2022 *Internal Review of Council Decision Policy* as per Appendix 1 prior to the effective date.
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1. BACKGROUND

Under the *Local Government Act 1999* (the "Act"), all councils must have procedures to conduct reviews of council decisions. In practice, the legislation serves to ensure councils provide a mechanism for people to request a council decision to be reviewed. Importantly, it extends to decisions made by staff under delegation or other authority and by other parties acting on a council's behalf.

The last review of the Council's *Internal Review of Council Decisions Policy* occurred in November 2019. The previous review was in 2017, which followed the SA Ombudsman's 2016 audit of local government internal reviews, which highlighted the need for sector-wide policy reform in this space.

Key changes introduced at that time included:

- Clarifying matters outside the scope of the Policy
- Introducing a six month limit from the time of the decision until a request for review can be made
- Introducing a target time frame for the completion of reviews.

In recent years, the State Government's local government reform agenda led to Parliament making amendments to the *Local Government Act 1999* which, among many other things, changed certain provisions for councils conducting internal reviews of decisions. The particulars are discussed in the Legal Implications section of this report.

Since the adoption of the current Policy, feedback from internal review applicants and the experience of the Administration in conducting reviews have also given rise to opportunities for improvement in the Policy.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 5 A progressive organisation

Objective O5 We are accountable, informed and make decisions in the best interests of the whole community.

Priority O5.1 Enhance governance structures and systems to prudently adapt to changing circumstances and meet our legislative obligations.

This review of the *Internal Review of Council Decisions Policy* is largely about meeting revised legislative obligations and maintaining Council's contemporary suite of policies.

➤ Legal Implications

Sections 270 and 271 of the *Local Government Act 1999*

Section 270 of the Act requires councils to establish procedures for the review of decisions of the council, employees of the council and other persons acting on behalf of the council.

Section 271 of the Act provides that councils may establish, as part of the procedures established under Section 270, a scheme involving mediation, conciliation or neutral evaluation to deal with disputes.

An excerpt of the Act, containing marked up versions of Sections 270 and 271, is contained in **Appendix 1**. The marking up indicates changes introduced in the recent legislative reforms, which came into effect on 10 November 2021.

Key changes to the legislation include:

- Introducing a 6 month period from the date of the decision for an application to be received (already contained in the Council’s Policy)
- The introduction of a review application fee (prescribed as \$20.00, payable on application) which can be waived, reduced or refunded by councils
- Clarifying that councils may refuse to conduct an internal review on a matter that is already subject to review by the council or another authority
- Clarifying that internal review policies and procedures are not to deal with decisions made by councils in regard to refusing to deal with or determining to take no further action in relation to a complaint about council member conduct, nor relating to recommendations of the Ombudsman under council member integrity provisions
- (In Section 135) removing the requirement for a hard copy of the Policy to be available for inspection at the Principal Office (it needs to be on a website instead).

The above matters are addressed in the proposed revised Policy.

It should be noted that Section 270 also contains provisions relating to complaint handling and requests for service, which are related to but not the subject of this report.

➤ **Risk Management Implications**

Adopting a revised *Internal Review of Council Decisions Policy* 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)	Low (3E)	Low

Progressive implementation of local government reform changes, including those discussed in this report, are contributing to the mitigation of this risk.

➤ **Financial and Resource Implications**

There are no financial implications arising from the review of the subject policy.

The income expected to be generated from the newly introduced application fee is around \$60 - \$100 per year based on typical numbers of applications.

The conduct of formal internal reviews of decisions does have resource impacts and this varies depending on the number and complexity of applications received.

In the last three years the Council has received between three and six applications each year. While relatively simple reviews can be conducted in-house with existing resources, more complex matters need to be outsourced and these typically cost in the order of \$4,000 - \$6,000 per review.

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

Conducting internal reviews of decisions allows Council to consider its own decision making processes and ensure they are meeting the needs of the community. Indeed, while the majority of internal reviews in recent years have not resulted in a change of decision, a number of them have resulted in improvements to processes and/or communication with customers.

Some feedback has been received from internal review applicants that the Policy itself could be improved to aid the reader in better understanding the internal review process. In light of this, a number of minor changes are proposed throughout the Policy to improve readability.

It is important to note that customers are still encouraged to utilise complaint handling avenues under the Council's *Complaint Handling Policy* before seeking a formal internal review as that often leads to a more expeditious outcome. It is the Administration's experience that once potential internal review applicants become aware of the process involved in conducting a formal internal review of a decision, they sometimes indicate that they are seeking a much less involved approach and prefer the matter to be dealt with using less formal avenues.

➤ **Sustainability Implications**

Not applicable.

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

<i>Council Committees:</i>	Not applicable.
<i>Council Workshops:</i>	Not applicable.
<i>Advisory Groups:</i>	Not applicable.
<i>External Agencies:</i>	Not applicable.
<i>Community:</i>	Not applicable.

➤ **Additional Analysis**

Proposed changes to the Policy fit into three categories, as follows.

1. Legislative changes as described in the Legal Implications section of this report.
2. Procedural changes based on the Administration's experience in conducting internal reviews since the last revision, as described below.
3. Readability improvements as described in the Customer Service and Community/Cultural Implications section of this report.

A copy of the proposed revised Policy, incorporating the changes, is contained in **Appendix 2**. The marked-up version indicates proposed additional (underlined) and deletions (struck through). Re-numbering of paragraphs and re-ordering of sections have not been marked-up for ease of reading.

Proposed changes based on past applicant feedback and the Administration’s experience in conducting reviews include:

- Adopting definitions aligned with established legal precedent and/or dictionary definitions, so as to reduce argument and improve common understanding
- Clarifying that the Council itself may initiate an internal review of a council decision where the Chief Executive Officer determines that a grievance or complaint is best dealt with that way. Instances where this may occur include where a complaint lodged in a more informal process is likely to escalate to a formal internal review, or where it is considered that the more involved and formal process of an internal review is necessary in order to properly consider all aspects of a complaint.
- Confirming (for the reader) that the Council does not have a scheme under Section 271 of the Act for the resolution of disputes, thus eliminating doubt and providing certainty for potential applicants.
- Clarifying that internal reviews are just that – internal. Clarifying for review applicants that the review process is a Council process and those appointed to assist with the review are working for the Council and are not independent.

3. OPTIONS

Council has the following options:

- I. Adopt the proposed new *Internal Review of Council Decisions Policy* (Recommended)
Should the 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 the Council for further consideration.
- II. Retain the existing Policy as-is (Not Recommended)

4. APPENDICES

- (1) Legislative changes (marked up)
- (2) Proposed revised policy (marked up)

Appendix 1

Legislative Change Excerpt

~~269—Report on operation of Part~~

- ~~(1) The Minister must ensure that a report on the operation of this Part for the period between the commencement of this Part and 30 June 2002 is prepared by 31 August 2002.~~
- ~~(2) The Minister must, within six sitting days after receiving the report under this section, have copies of the report laid before the Houses of Parliament.~~

Part 2—Internal review of council actions**270—Procedures for review of decisions and requests for services**

- (a1) A council must develop and maintain policies, practices and procedures for dealing with—
 - (a) any reasonable request for the provision of a service by the council or for the improvement of a service provided by the council; and
 - (b) complaints about the actions of the council, employees of the council, or other persons acting on behalf of the council.
 - (a2) The policies, practices and procedures required under subsection (a1) must be directed towards—
 - (a) dealing with the relevant requests or complaints in a timely, effective and fair way; and
 - (b) using information gained from the council's community to improve its services and operations.
 - (1) Without limiting subsections (a1) and (a2), a council must establish procedures for the review of decisions of—
 - (a) the council;
 - (b) employees of the council;
 - (c) other persons acting on behalf of the council.
 - (2) The procedures must address the following matters (and may address other matters):
 - (a) the manner in which an application for review may be made;
 - (b) the assignment of a suitable person to reconsider a decision under review;
 - (c) the matters that must be referred to the council itself for consideration or further consideration;
 - (ca) in the case of applications that relate to the impact that any declaration of rates or service charges may have had on ratepayers—the provision to be made to ensure that these applications can be dealt with promptly and, if appropriate, addressed through the provision of relief or concessions under this Act;
 - (d) the notification of the progress and outcome of an application for review;
 - (e) the time frames within which notifications will be made and procedures on a review will be completed.
- ~~(2a) In addition, the procedures must provide that—~~

- (a) an application for review must be made within 6 months of the making of the decision of which review is sought (the *reviewable decision*); and
 - (b) the council may allow an application to be made more than 6 months after the making of the reviewable decision in appropriate cases.
- ~~(3) A council is not entitled to charge a fee on an application for review.~~
- (3) An application for review must be accompanied by the prescribed fee.
 - (3a) A council may, as the council thinks fit, reduce, waive or refund (in whole or part) the fee under subsection (3)
 - (4) A council, or a person assigned to consider the application, may refuse to consider an application for review if—
 - (a) the application is made by an employee of the council and relates to an issue concerning his or her employment; or
 - (b) it appears that the application is frivolous or vexatious; or
 - (c) the applicant does not have a sufficient interest in the matter; or
 - (d) the council or person (as the case requires) is satisfied that the subject-matter of the application has been or is already the subject of a review by the council or an investigation, inquiry or review by another authority.
 - ~~(4a) The policies, practices and procedures established under this section must be consistent with any requirement prescribed by the regulations.~~
 - (4a) The policies, practices and procedures established under this section—
 - (a) must not provide for a review of a decision of a council—
 - (i) to refuse to deal with, or determine to take no further action in relation to, a complaint under Part A1 Division 1 by a person who is dissatisfied with the decision; or
 - (ii) relating to a recommendation of the Ombudsman under Part 1; and
 - (b) must be consistent with any requirement prescribed by the regulations.
 - ~~(5) A council must ensure that copies of a document concerning the policies, practices and procedures that apply under this section are available for inspection (without charge) and purchase (on payment of a fee fixed by the council) by the public at the principal office of the council.~~
 - (6) A council may amend the policies, practices or procedures established by the council under this section from time to time.
 - (7) Nothing in this section prevents a person from making a complaint to the Ombudsman at any time under the *Ombudsman Act 1972*.
 - (8) A council must, on an annual basis, initiate and consider a report that relates to—
 - (a) the number of applications for review made under this section; and
 - (b) the kinds of matters to which the applications relate; and
 - (c) the outcome of applications under this section; and
 - (d) such other matters as may be prescribed by the regulations.

- (9) The right of a council to recover rates is not suspended by an application for the provision of some form of relief or concession with respect to the payment of those rates (but a council may then, if appropriate in view of the outcome of the application, refund the whole or a part of any amount that has been paid).

271—Mediation, conciliation and neutral evaluation

- (1) A council may, as part of, or in addition to, the procedures established under section 270, make provision for disputes between a person and the council to be dealt with under a scheme involving mediation, conciliation or neutral evaluation under this section.
- (2) A scheme made under this section must provide for the constitution of panels of persons who are available to act as mediators, conciliators and evaluators, and for the selection of an appropriate mediator, conciliator or evaluator if a dispute is to be dealt with under this section.
- (3) For the purposes of mediation proceedings—
- (a) the mediator may call a conference of the parties to the dispute and at that conference seek to identify the issues and the possibilities of resolving the matter by agreement; and
 - (b) a conference may be adjourned from time to time by the mediator; and
 - (c) the mediator may at any time interview the parties separately or together; and
 - (d) the mediator may at any time bring the proceedings to an end if the mediator considers that the proceedings will not result in an agreed settlement between the parties.
- (3a) For the purposes of conciliation proceedings—
- (a) the conciliator may call a conference of the parties to the dispute and at that conference seek to identify the issues and to provide advice as to how the matter might be settled through the conciliation proceedings; and
 - (b) the conciliator may make a recommendation for the resolution of the dispute; and
 - (c) a conference may be adjourned from time to time by the conciliator; and
 - (d) the conciliator may at any time bring the proceedings to an end if the conciliator considers that the proceedings will not result in a settlement of the matter.
- (4) For the purposes of conducting neutral evaluation of a dispute—
- (a) the parties must attend before the evaluator at a time and place determined by the evaluator; and
 - (b) the evaluator must hear the parties and seek to—
 - (i) identify and reduce the issues of fact and law that are in dispute; and
 - (ii) assess the relative strengths and weaknesses of each party's case; and
 - (iii) offer an opinion of the likely outcome of further proceedings; and
 - (c) the evaluator may at any time interview the parties separately or together.

- (5) A mediator, conciliator or evaluator may otherwise inform himself or herself on a matter as he or she thinks fit.
- (6) Evidence of anything said or done in an attempt to resolve a matter by mediation, conciliation or neutral evaluation under this section must not be disclosed in subsequent proceedings.
- (7) Costs and expenses associated with the appointment and work of a mediator, conciliator or evaluator under this section will be shared equally between the council and the other party.
- (8) No civil liability attaches to a mediator, conciliator or evaluator acting in good faith under this section.
- (9) Nothing in this section prevents a person from making a complaint to the Ombudsman at any time under the *Ombudsman Act 1972*.

Part 3—Reviews initiated by Minister

Division 1—Councils

271A—Provision of information to Minister

- (1) A council must, at the request of the Minister, provide to the Minister specified information, or information of a specified kind, relating to the affairs or operations of the council.
- (2) A request by the Minister under subsection (1)—
 - (a) must be in writing; and
 - (b) must incorporate a statement setting out the reasons for the request; and
 - (c) may specify a period within which the information must be provided.
- (3) A council may provide information in accordance with a request under subsection (1) even if—
 - (a) the information was given to the council in confidence; or
 - (b) the information—
 - (i) relates to a matter dealt with on a confidential basis under Chapter 6 Part 3; or
 - (ii) is held on a confidential basis under Chapter 6 Part 4.
- (4) The provision of information by a council under this section will not—
 - (a) constitute a breach of, or default under, a contract, agreement, understanding or undertaking; or
 - (b) constitute a breach of a duty of confidence; or
 - (c) constitute a civil or criminal wrong; or
 - (d) terminate an agreement or obligation or fulfil any condition that allows a person to terminate an agreement or obligation, or give rise to any other right or remedy; or

Appendix 2

Proposed Revised Policy

COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<h3>INTERNAL REVIEW OF COUNCIL DECISIONS</h3>
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Policy Number:	GOV-01
Responsible Department(s):	Community Capacity
Relevant Delegations:	As per the Delegations Register and as detailed in this Policy
Other Relevant Policies:	<i>Complaint Handling Policy Request for Service Policy Unreasonable Complainant Conduct Policy</i>
Relevant Procedure(s):	Procedure contained within.
Relevant Legislation:	<i>Local Government Act 1999</i>
Policies and Procedures Superseded by this policy on its Adoption:	To be entered administratively following Council adoption
Adoption Authority:	Council
Date of Adoption:	To be entered administratively following Council adoption
Effective From:	To be entered administratively following Council adoption
Minute Reference for Adoption:	To be entered administratively following Council adoption
Next Review:	No later than July 2025 or as required by legislation or changed circumstances

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
<i>Version control details did not exist for previous versions of this policy.</i>			
2.0	<i>To be entered administratively following council adoption.</i>	<i>Policy Review</i>	<i>To be entered administratively following council adoption</i>

INTERNAL REVIEW OF COUNCIL DECISIONS POLICY

1. INTRODUCTION

- 1.1 The purpose of this policy and procedure document is to provide guidelines for how Council will deal with formal requests for internal reviews of Council decisions (including decisions by its employees and other people acting on behalf of Council).
- 1.2 The Adelaide Hills Council recognises the importance of transparency in Council decision-making and the need to provide a fair, objective and consistent process for the review of Council decisions.
- 1.3 In preparing this policy and procedure document Council has had regard to the guideline procedure developed by the South Australian Ombudsman as a result of that Office's audit of Local Government Internal Review of Council Decision Procedures in November 2016.
- 1.4 Nothing in this policy prevents a person from making a complaint to the Ombudsman at any time under the Ombudsman Act 1972.

2. OBJECTIVES

2.1 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
- To monitor and record all processes related to the review of Council decisions.

2.3. DEFINITIONS

- 3.1 For the purposes of this policy and procedure the following definitions apply.

Act means *the Local Government Act 1999*.

Applicant is a person who lodges a request for the review of a decision.

CEO refers to the Chief Executive Officer (~~including their delegate~~) of the Adelaide Hills Council, including anyone for the time so being acting in that role.

Decision of Council or Council decisions or decision (when used in the context of the purpose of the policy) is a ~~formal~~ decision of the Council or a Council Committee, a decision of an employee of Council ~~made under delegation~~ or decisions of another person acting on behalf of Council.

A **frivolous** request for a review of a decision includes, but is not limited to, requests ~~that lack seriousness, sense or are submitted without an apparent purpose~~ that have no serious purpose or value.

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Merits Review is a process by which a person or body, other than the original decision maker, reconsiders the facts, law and policy aspects of the original decision and determines the correct or preferable decision.

Process Review is a review of the correctness of the procedures followed in making a decision.

[Scheme for the resolution of disputes means a scheme established pursuant to Section 271 of the Act.](#)

Sufficient interest means ~~the applicant must have~~ an interest in the subject matter, over and above that of the general public. [For a person to have sufficient interest, they must have been, or will be, personally affected by the decision under review or be a person \(including an organisation\) who can demonstrate some special interest in the subject matter.](#)

A **vexatious** request for a review of a decision includes, but is not limited to, requests made without sufficient grounds or that are submitted only to cause disruption, delay, [distress](#) or annoyance.

[3-4.](#) SCOPE

- 4.1 This Policy and Procedure will apply to all applications or requests for review of a Council decision, except for where an alternative statutory process for a review or appeal exists in other legislation.
- 4.2 Examples of other legislation containing statutory review or appeal processes include (but are not limited to):
- External review and appeal processes under the *Development Act 1993*
 - External or internal reviews of decisions made under the *Freedom of Information Act 1991*
 - A decision to issue an expiation notice under the *Expiation of Offences Act 1996*
 - Reviews of orders made under Section 254 of the *Local Government Act 1999*
 - Reviews of prohibition, destruction or control orders made under the *Dog and Cat Management Act 1995*
 - Appeals against litter or nuisance abatement notices under the *Local Nuisance and Litter Control Act 2016*
- 4.3 Applicants ~~wanting~~ [seeking](#) a review of a council decision should check if a specific statutory appeal or review process applies to their matter before proceeding with an application. ~~Matters that fall outside the statutory appeals procedures will be considered for the conduct of a section 270 review on a case-by-case basis, depending on the merits of the individual application.~~
- 4.4 ~~The purpose of this policy and procedure is to fill the gaps in the law where a complainant otherwise has no statutory right of review.~~

[4-15.](#) LEGISLATIVE CONTEXT

- 5.1 There is a legal requirement for Council to ~~develop and maintain policies, practices and establish~~ procedures for the review of Council decisions ~~and requests for services~~. The following provisions of the *Local Government Act 1999* apply to this policy:
- 5.2 Section 270(1) states that a council must establish procedures for the review of decisions of:
- The council;
 - Employees of the council;
 - Other persons acting on behalf of the council.
- 5.3 Section 270(2) states that the procedures must address at least the following matters:
- The manner in which an application for a review may be made
 - The assignment of a suitable person to reconsider a decision under a review
 - The matters that must be referred to the council itself for consideration or further consideration
 - Notification of the progress and outcome of an application for a review
 - The timeframes within which notifications will be made and procedures on a review will be completed
 - In the case of applications relating to the impact that any declaration of rates or service charges may have had on ratepayers, to ensure that these applications can be dealt with promptly and, if appropriate, addressed through the provision of relief or concessions under the Act.
- 5.4 Section 270(8) states that a council must, on an annual basis, initiate and consider a report that relates to:
- The number of applications for review made under this section
 - The kinds of matters to which the applications relate
 - The outcome of applications under this section
 - Such other matters as may be prescribed by the regulations.
- 5.5 [The Local Government \(General\) Regulations 2013 prescribe that the report required under Section 270\(8\) of the Act must be published in the Council's Annual Report.](#)
- 5.6 [Section 271 of the Act provides an option for a council to make provision for disputes between a person and the council to be dealt under a scheme involving mediation, conciliation or neutral evaluation, with the costs of any work done under such a scheme to be shared between the council and the other party.](#)

4-6. POLICY STATEMENT

- 6.1 [Adelaide Hills](#) Council (including Committees, employees of Council and a person acting on behalf of Council) makes decisions every day which impact on members of the community. It is ~~imperative-important~~ that these decisions are fair and ~~objective reasonable~~. Equally, there should be an avenue ~~to enable a person for people to ask for reasonable~~-reviews ~~of e~~Council's decisions.
- 6.2 An internal review of a Council decision is available under section 270(1) of the Act [and this policy](#). ~~Internal reviews are provide This is~~ a mechanism that enables the Council to reconsider the decision making process and all the evidence relied on to make a

decision, including new evidence if relevant. The ~~aim of this policy is to ensure~~ Council will provide a fair, consistent and structured review process for any party dissatisfied with a Council decision. This policy does not and is not intended to exclude other rights and remedies available at law.

- 6.3 An internal review of a Council decision will examine the correctness of the procedures followed in making the decision and, in accordance with this Policy, may also examine the merits of the decision itself.
- 6.4 Internal reviews are an opportunity for the Council to review its own decision. While external help may be obtained to assist in a review, it is not an independent or external review process. External reviews of Council decisions are in the remit of the SA Ombudsman.
- 6.5 Council also has processes in place for dealing with customer complaints and requests for service. As a general rule, Council will encourage use of these processes in the first instance as they may offer ~~the potential for~~ more immediate informal resolution of a grievance. Council will attempt to resolve complaints about the actions of the council, employees of the council, or other persons acting on behalf of the Council under its Complaint Handling Policy.
- 6.6 Reasonable requests for the provision of a service by the Council or for the improvement of a service provided by the council are dealt with under the *Request for Services Policy*.
- 6.7 The formal internal review of a Council decision process is generally a last resort in the complaint handling process, ~~but and~~ may also be used in situations which are not able to be resolved by other means. While Council encourages the use of other resolution mechanisms, it is an applicant's right to use the formal internal review process in the first instance if that is their preference.
- 6.8 Pursuant to section 270(7) of the Act, a formal request for review does not prevent a complaint being made to the Ombudsman at any time. However, as a general rule, the Ombudsman prefers that matters be addressed by Council in the first instance.
- 6.9 Although requests for review of Council decisions under this Policy are generally initiated by other parties, the Council (including the CEO) may determine to handle a complaint or other grievance using the provisions of this policy where they feel that it provides a better avenue for resolution of the matter. Subsequent to doing so, the Council will consider that an internal review under this policy has already been carried out if the same matter is raised again by either the same or another party.
- 6.10 The Council has not established a scheme for the resolution of disputes under Section 271 of the Act.

5.7. PROCEDURE

The following procedure will apply to any request for a review of a decision of Council:

7.1 Making an application

The review of a Council decision commences at the point where a formal request for a review of a Council decision is received. Council staff can help an applicant determine whether to make a

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[request under this Policy or other statutory review processes applicable to the matter at hand, but it remains a matter for the applicant to determine.](#)

- A formal request for a review of a decision must:
 - Be in writing, ideally using the *Internal Review of Council Decisions Application* available on Council's website
 - [Be accompanied by the prescribed application fee*](#)
 - Be addressed to the CEO (or in the case where the matter is about a decision made by the CEO, the matter will be referred to the Mayor for consideration by the elected Council and this Policy be read accordingly)
 - Provide full details of the decision for which the applicant is seeking a review (including how the decision impacts on their rights and/or interests) and set out clearly and succinctly the reasons for applying for the review
 - Be lodged within six (6) months of the original decision being made (with discretion provided to the CEO to allow a longer time limit to apply in particular cases. This will be assessed on a case-by-case basis).
- There is ~~no~~ a fee of \$20.00 payable [on application](#) for a review of a Council decision. [In practice, once an application is received, applicants will be invoiced for the payment of the fee and consideration of the application will not proceed until the fee is paid.](#)
- ~~It is essential that no one is~~ [No one should be](#) excluded from lodging an application for review because of any difficulties they may have in representing themselves. Council staff will offer assistance where appropriate and provide it on request, including assistance in documenting the reasons for applying for the review in writing. Where necessary, access should be provided to interpreters, aids or advocates to assist applicants.

7.2 Acknowledging an application

- The CEO will formally acknowledge ~~in writing~~ all requests for a review of a Council decision within five (5) working days of receiving the request. [This acknowledgement will confirm the application fee](#) and advise the applicant of the expected timeframe within which a determination will be made in respect of their request for review.
- The CEO will consider all requests for a review and may refuse to assess such an application pursuant to section 270(4) of the Act if:
 - The request is made by an employee of the Council and relates to an issue concerning the employee's employment
 - It appears that the request is frivolous or vexatious
 - The applicant does not have a sufficient interest in the matter – this will be determined on a case-by-case basis.

7.3 Undertaking the review

- Applicants will be treated equally, in accordance with good administrative practice. Council's procedures are designed to ensure that:
 - Every applicant has the opportunity to make an application for review of a decision covered by this procedure
 - An unbiased assessment is undertaken

- Reviews will be completed as quickly as possible, while ensuring that they are dealt with at a level of authority that reflects their level of complexity
 - Decisions are based on sound evidence
 - Applicants receive information about the outcome of the review
 - Applicants will be afforded procedural fairness.
- The CEO will assess all applicable requests for a review of a Council decision (except those which will be referred to the elected Council) and determine what action, if any, should be taken (including whether an external investigation is necessary).
 - The CEO may elect to appoint another officer or external advisor for assessment and/or preparation of a report to assist in the review process. The person appointed to assist with the review must be independent of the original decision being reviewed (i.e. have no prior involvement in the matter) [so far as can be practicably achieved](#). An external advisor may be recommended where the decision under review is complex, ~~and/or~~ raises legal questions [or in circumstances where the resources required to undertake the review are not readily available within the organisation](#).
 - The CEO will refer a review of a Council decision to Council where the decision being reviewed was made by the elected Council or a Committee. A review of decisions made by the CEO will also be referred to the elected Council in accordance with this Policy.
 - The CEO may also decide to refer a review of a Council decision to the elected Council where:
 - The decision being reviewed relates to civic or ceremonial matters
 - The decision being reviewed is in the opinion of the CEO likely to be of interest to the wider community
 - The CEO otherwise considers, in their discretion that the matter warrants consideration by Council.
 - Where a review of a Council decision is referred to the Council, the CEO will prepare a report to Council which will include all of the relevant information about the decision being reviewed.
 - Where a request for review has been referred to Council the applicant will be advised of the date that the report will be presented to Council and will be given the opportunity to provide a written or verbal submission in relation to the report for Council's consideration.
 - In most cases, Council will use its best endeavours to ensure that requests for review will be considered and determined within 20 business days. However, in more complex cases, or if the decision is to be reviewed by Council, Committee or an external provider a review may take longer. In the event that a review exceeds 20 days, the applicant will be provided with periodic updates on the progress of the review until the review is finalised.
 - Except for in extremely limited circumstances, a merits review will be conducted. In those instances where a merits review will not be conducted, a process review will be undertaken and the applicant will be advised of this at the time the review is commenced.

7.4 Natural Justice

- Those that may be affected by a decision will be accorded natural justice, which includes the principles of procedural fairness. As part of the review process all parties with a [known](#) interest in the matter will have the opportunity to make a written submission expressing their point of view and responding to issues raised, including the provision of any relevant information. [This may take the form of being invited to make an initial submission to the person assisting with the review and/or being invited to comment on provisional findings of the review before a final decision is made.](#)
- In undertaking a review, the CEO or Council will review the decision in question to ensure that the original decision maker complied with the following procedural requirements and made the best possible decision in the circumstances having regard to the following:
 - The decision maker had the power to make the decision
 - The decision maker considered all matters which were relevant to the making of the decision at the time and did not take into account matters which were not relevant, as well as any additional relevant information or material provided by the applicant.
 - The decision maker did not exercise a discretion or power in bad faith, for an improper purpose, or while subject to duress or the influence of another person
 - The decision maker had no conflict of interest, bias or perceived bias
 - The decision maker ensured that findings of fact were based on evidence
 - The decision was reasonable
 - The decision maker considered any relevant legislation, policies or procedures
- The details of any request for review will be kept confidential in so far as it is necessary, practicable and appropriate for conducting an effective review process.
- The applicant will be informed in writing of the outcome of the review (even including where a determination is made that the decision under review be upheld).
- Adequate reasons will be recorded for all internal review determinations.

7.5 Applications under this policy relating to Rates

- This procedure applies to applications that relate to the impact that any declaration of rates or service charges may have had on ratepayers.
- Council or the CEO will give priority to such applications and consider the impact of rates and services on ratepayers and the provisions available to ratepayers for rate relief or concessions as set out in the Act (e.g. remission or postponement of payment, issuing of fines and interest, particular land use categorisation).
- Specific review mechanisms exist in the Local Government Act 1999 to try the validity of a rate or service charge. This Policy does not apply to such a decision.

7.6 Remedies

- Where the review of a decision under this Policy results in the applicant's contention(s) being upheld, an appropriate remedy will be determined that is reasonable in all the circumstances.
- The remedy chosen will be proportionate and appropriate to the outcome of the review and may include (but is not limited to):

- Varying or revoking the original decision
 - Returning the situation to its original status (such as not pursuing the construction of something, not implementing the original decision, etc)
 - The provision of an explanation
 - Offering to enter into formal mediation
 - The offering of an apology or admission of fault
 - A change to Council policy, procedure or practice
 - The correction of Council records, [noting this does not necessarily mean deleting records.](#)
- Where appropriate, the any findings of an internal review will be considered in making improvements to Council's existing policies, practices and procedures.

7.7 Other procedural matters

- [Where the Council or the CEO determines that a matter such as a complaint or other grievance, should be dealt with as an internal review of decision under this policy, the other party will be advised accordingly. Once a review of this kind is completed, it will be treated as if the other party had requested the review and, as such, any subsequent request for an internal review of decision by the same or other party on the same matter will be treated](#)

6.8. DELEGATION

- 8.1 The Chief Executive Officer has the delegation to:
- Approve, amend and review any procedures that shall be consistent with this Policy; and
 - Make any legislative, formatting, nomenclature or other minor changes to the Policy during the period of its currency.

7.9. AVAILABILITY OF THE POLICY

- 9.1 [This Policy will be available via the Council's website \[www.ahc.sa.gov.au\]\(http://www.ahc.sa.gov.au\). This Policy will be available for inspection at the Council's Offices during ordinary business hours and via the Council's website \[www.ahc.sa.gov.au\]\(http://www.ahc.sa.gov.au\). Copies will also be provided to the public upon request, and upon payment of a fee in accordance with the Council's Schedule of Fees and Charges.](#)

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 July 2022
AGENDA BUSINESS ITEM**

Item: 12.14

Responsible Officer: Lachlan Miller
Executive Manager Governance and Performance
Office of the Chief Executive

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
22/06/2021	Ordinary Council	147/21	Event Opportunity SANTOS TDU 2022	Nil
24/05/2022	Ordinary Council	127/22	Public Art Strategy	Nil
28/06/2022	Ordinary Council	151/22	Draft Hut Community Centre Inc Funding Agreement 2022	Nil
28/6/2022	Ordinary Council	152/22	Annual Business Plan 2022-23 for Adoption	Nil
28/06/2022	Ordinary Council	153/22	Adoption of Fees & Charges 2022-23	Nil
28/6/2022	Ordinary Council	154/22	East Waste Charter Amendment - Confidential Item	Nil
28/06/2022	Ordinary Council	160/22	Policy Review - Flags	Nil

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 5 A Progressive Organisation

Objective O5 We are accountable, informed, and make decisions in the best interests of the whole community

Priority O5.3 Demonstrate accountability through robust corporate planning and reporting that enhances performance, is relevant and easily accessible by the community

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

➤ **Sustainability Implications**

Not applicable

➤ **Engagement/Consultation conducted in the development of the report**

Not applicable

2. BACKGROUND

At its meeting of 24 March 2015 Council resolved:

That the CEO provides a report to the 28 April 2015 Council meeting in relation to outstanding resolutions passed before 31 March 2013 outlining the reasons why the resolutions have not been completed, detailing what actions have been taken and an estimated date of completion.

The contents of this report formed a workshop discussion with Council Members on 3 May 2017.

While the above resolution referred to a date, the duration was two (2) years and the intent of the Council's resolution has been carried forward as a prudent accountability mechanism.

3. ANALYSIS

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

4. OPTIONS

Council has the following options:

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

5. APPENDIX

- (1) Action List

Appendix 1

Action List

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Due Date	Status (for Council reporting)	Confidential
24/01/2017	Ordinary Council	7/17	Cromer Cemetery Revocation of Community Land	None declared	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	31/12/2022	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. DEW staff member dealing with this matter has left DEW so there may be an extended delay whilst it is reallocated and assessed. DEW awaiting finalisation of negotiations with Dept for Mining March 21 - Council staff have requested an update from DEW as to the status of this matter October 21 - Council staff continue to engage with DEW to seek a progression of the matter November 21 - no further update from DEW Jan 22 - contact has been made with DEW who are investigating the situation again prior to further communication with Council March 22 - a new contact has been established with DEW who is working proactively with Council to plan a path forward to meet both DEW and Council objectives	FALSE
28/08/2018	Ordinary Council	200/18	Proposal to enter 11 AHC Reserves into Heritage Agreements 2018	None declared	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, HeathfieldMylor Parklands, Mylor 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	30/06/2022	The Heritage Applications were phased over the years in order to be accommodated within available resourcing. Heritage Agreements have been registered over: Kiley Reserve Shanks Reserve Kyle Road Nature Reserve, Leslie Creek Reserve Aldgate Valley 2 Reserve Doris Coulls Reserve Mylor Parklands Heathfield Waste Facility Reserve 26 - "Stock Rd 1" Heathfield Stone Reserve successfully rededicated for conservation purposes with Lands Title Office, and will now be referred to as Heathfield Conservation Reserve. Heritage Applications have been lodged with the Native Vegetation Council for: • Carey Gully Water Reserve • Heathfield Conservation Reserve • Mi Mi Reserve Carey Gully was rejected but appealed by Biodiversity Officer. Heritage Officer changed their recommendation for acceptance and sent to delegate for approval. All applications have been lodged by June 30 2022 as per 2018 Council resolution. Still awaiting outcome for final 3.	FALSE
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 1,242m 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	31/12/2022	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. Further feedback has been provided to the Boundaries Commission to progress. Boral are negotiating a Land Management Agreement with the State Government which has delayed the completion of the land division and road exchange Awaiting advice that land division has been completed so that the boundary realignment can occur November 21 - Boral have received final DA and lodgement of land division plan with Land Services SA is expected shortly, once the land division is finalised, the boundary realignment April 22 - awaiting lodgement of land division plans by Boral	FALSE

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 \$10,000 for legal expenses for the preparation of an Application to the Supreme Court to vary the charitable trust. That a further report be presented to Council for consideration after community consultation and further investigations have been completed	Terry Crackett	In Progress	31/12/2022	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. Council, at the meeting of 27 August 2019, approved Carripook Park as the location to vary the trust to. The Attorney-General has provided in-principle support to the proposal so a design for the landscaped garden and bushfire memorial at Carripook Park will be prepared for submission to the Supreme Court. November 21 - consultation has been undertaken and draft affidavit has been prepared for lodgement with the Supreme Court Jan 22 - awaiting approval from the Attorney General prior to lodgement with the Supreme Court April 22 - documents nearing finalisation for lodgement with Supreme Court June 22 - all Supreme Court documents have been executed and progressed with the Attorney-General	FALSE
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	24/06/2022	LED change over at Aldgate and Sumertown Main Street complete. Uraidla main street light change-over underway. The Public Lighting Working Group (including representatives from Local Government, DIT and SAPN) has established a sub-group to work with DIT on the transition of V Category lights on state maintained roads. Timing of any agreements between LG and DIT unknown. Council officers continue to be updated on sub-group progress and have nominated to join main street lighting working group.	FALSE
17/09/2019	Special Council	239/19	Circular Procurement Pilot Project	None declared	Council resolves:That the report be received and noted.To approve participation in the Circular Procurement Pilot Project.That the Chief Executive Officer be authorised to execute the Memorandum of Understanding as contained in Appendix 1 of this report.That the Council endorses, in principle, the following targets:subject to the procurement needs and requirements of Council in 2020/21 purchasing recycled plastic products or materials equivalent to 10% of the weight of plastic collected within the Council area, which is equivalent to approximately 25 tonnes based on 2017/18 data.subject to the procurement needs and requirements of Council, commencing in 2021/22 Council will incrementally increase its purchasing of recycled plastic products or materials thereafter until it is equivalent to 50% of the weight of plastic collected within the Council area, which is equivalent to 124 tonnes based on 2017/18 data.That a report be provided to Council in early 2021/22 providing an update on the Council's participation in the Circular Procurement Pilot Project for the period 2020/21.	Peter Bice	In Progress	30/09/2024	Participation in the Circular Procurement trial continues.	FALSE
28/01/2020	Ordinary Council	11/20	Revocation of Community Land - Bridgewater Retirement Village	None declared	That the report be received and notedSubject to the Supreme Court issuing an order granting approval for a trust variation scheme, a report be prepared and submitted to the Minister for Planning seeking approval to revoke the community land classification of Allotment 220 in Filed Plan No. 8131 known as 511 Mount Barker Road Bridgewater.The Mayor and CEO be authorised to sign all necessary documentation to give effect to this resolution.	Terry Crackett	In Progress	31/12/2022	Application to the Minister for Planning will be made once the trust variation scheme has been approved by the Supreme Court. The Attorney-General has provided in-principle support for the proposal. A detailed landscape design has been prepared, community consultation on the design is underway and submission for the Supreme Court is being prepared. November 21 - consultation has been undertaken, draft affidavit has been prepared for lodgement with the Supreme Court Jan 22 - awaiting approval from the Attorney General to lodge with the Supreme Court April 22 - documents nearing finalisation for lodgement with Supreme Court June 22 - all Supreme Court documents have been executed and progressed with the Attorney-General	FALSE
28/07/2020	Ordinary Council	149/20	Road Widening Netherhill Road Kenton Valley	None declared	1. That the report be received and noted 2. To purchase the areas of land totalling 335 sqm identified in red on the Land Acquisition Plan attached as <i>Appendix 2</i> ("land") from Stephen Paul Cowie the land owner at 67 Nether Hill Road, Kenton Valley, for the purchase price of \$6,700 (excl GST) plus all reasonable costs to vest the Land as public road. 3. To purchase the area of land being 188 sqm identified in red on the Land Acquisition Plan attached as <i>Appendix 2</i> ("land") from Paul Andrew Arnup and Danielle Marie Beatrice Helbers the land owner at 109 Nether Hill Road, Kenton Valley, for the purchase price of \$3,760 (excl GST) plus all reasonable costs to vest the Land as public road. 4. The road land being acquired to be excluded as Community Land pursuant to the <i>Local Government Act 1999</i> ; and 5. That the Mayor and CEO be authorised to sign all necessary documentation, including affixing the common seal, to give effect to this resolution. 6. To approve an expenditure budget of \$10,460 to purchase the two areas of land on Nether Hill Road, Kenton Valley, with funding to be sourced from favourable capital revenue identified within the 2020-21 Capital Works budget.	Terry Crackett	In Progress	30/06/2022	Progress has commenced in accordance with the resolution Awaiting document examination and completion of the process by the Surveyor and Land Services Group	FALSE

22/09/2020	Ordinary Council	205/20	100 Old Mt Barker Road Stirling	Material - Cr Kirrilee Boyd	<p>1. That the report be received and noted</p> <p>2. To progress the budgeted upgrade of the old school building located at 100 Old Mt Barker Road Stirling including the replacement of the roof, gutters, fascia boards, downpipes and damaged internal ceilings, with the anticipated cost to be \$155,000.</p> <p>3. To apply to the Minister for Environment and Water for approval to lease the land located at 100 Old Mt Barker Road Stirling, including the old school building, to The Old School Community Garden Inc.</p> <p>4. Subject to obtaining the approval specified in 3 above, offer to The Old School Community Garden a 2 year lease over the land located at 100 Old Mt Barker Road Stirling, including the old school building. The rent under the lease to be \$1 per annum (if demanded).</p> <p>5. That the Mayor and Chief Executive Officer be authorised to sign all necessary documents, including affixing the common seal, to give effect to this resolution.</p>	Terry Crackett	In Progress	31/12/2022	<p>Initial information provided to Crown Lands in relation to approval for lease, Ministerial approval is required for the lease and this is being sought.</p> <p>April - DA granted and tender for works being undertaken</p> <p>June 21 - works are being scheduled subject to availability of materials and contractor</p> <p>October 21 - meeting held with occupiers of the site to discuss progression of works and leasehold arrangements including restrictions on use</p> <p>November 21 - works have commenced on site</p> <p>Jan 22 - following completion of the works, a lease will be negotiated with the OSCG</p> <p>March 22 - works due to be completed by end of April</p> <p>May 22 - works completed</p> <p>June 22 - discussions with the OSCG group are progressing in relation to the proposed Lease</p>	FALSE
15/12/2020	Ordinary Council	300/20	Road Exchange Pomona Road Stirling	None declared	<p>1. That the report be received and noted</p> <p>2. In accordance with sections 12 and 15 of the Roads Opening and Closing) Act 1991, enter into an Agreement for Exchange with the owner of the land of 21 Pomona Road Stirling and issue a Road Process Order to open as public road the area identified as "Road to be opened 1" on the Preliminary Plan No 20/0038 and in exchange to close a portion of Pomona Road as identified on the Preliminary Plan No 20/0038 as "Public Road A", subject to the owner of the land at 21 Pomona Road Stirling agreeing to pay all costs associated with the road exchange process including but not limited to all survey, valuation and reasonable legal costs</p> <p>3. The closed road be excluded as Community Land pursuant to the Local Government Act 1999.</p> <p>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</p>	Terry Crackett	In Progress	31/12/2022	<p>Final Plans and Road Process Order documents have been executed by all parties.</p> <p>Awaiting on processing with the Surveyor- General and the Lands Titles Office</p>	FALSE
27/01/2021	Ordinary Council	22/21	CWMS Review	None declared	that the report, related attachments and the discussion and considerations of the subject matter be retained in confidence until 30 July 2021.	Peter Bice	In Progress	24/12/2021		FALSE
23/03/2021	Ordinary Council	49/21	Local Heritage Grant Fund Project 2020 - 2021	Material - Cr Linda Green Perceived - Cr Leith Mudge	<p>1. That the report be received and noted</p> <p>2. To approve the eight shortlisted projects to receive grant funding as detailed in the body of this report to contribute to the works as detailed in <i>Appendix 1</i> of this report and listed below: Our Lady of the Rosary Church, Aldgate - \$2,500 Old Post Office, Crafers - \$1,417 Crataegus Cottage, Crafers - \$2,500 Circa 1850's Cottage, Mount George - \$2,500 Shop, Stirling - \$2,500 Stone Cottage, Stirling - \$2,500 Former Aldgate Valley Church of Christ, Aldgate - \$2,500 Cudlee Creek Uniting Church, Cudlee Creek - \$2,500</p> <p>3. To delegate to the Chief Executive Officer to determine whether any changes to grant recipient's proposed works maintain grant eligibility.</p>	Melissa Bright	In Progress	30/06/2022	<p>Round 2 update:</p> <p>Currently four out of the endorsed eight applications have received grant funding following successful completion of the grant application process. One application is still engaged in the Development Application process. One application has been withdrawn. Full completion of Round 2 (three projects) is contingent on the individual property owners completing the works and informing Council, and for this reason it is difficult to estimate a completion timeline.</p>	FALSE
23/03/2021	Ordinary Council	52/21	Crown Land Revocation	None declared	<p>1. That the report be received and noted</p> <p>2. That the consultation report (<i>Appendix 1</i>) be received and noted</p> <p>3. To apply to the Minister for Planning to revoke the Community Land classification of the following parcels of land:-</p> <p>i. CR 5752/186, Lot 32 Fullgrave Road, Crafers</p> <p>ii. CR 5753/725, Section 1609 Illert Road, Mylor</p> <p>iii. CR 5753/729, Section 1657 Scott Creek Road, Scott Creek</p> <p>iv. CR 5753/741, Sections 53 and 54 Sandy Waterhole Road, Woodside</p> <p>v. CR 5753/742, Section 547 Schuberts Road, Lobethal</p> <p>vi. CR 5753/744, Section 553 Pedare Park Road, Woodside</p> <p>vii. CR 5753/745, Section 556 Tiers Road, Woodside</p> <p>viii. CR 5753/746, Section 565 Old Carey Gully Road, Stirling</p> <p>ix. CR 5753/754, Section 511 North East Road, Inglewood</p> <p>x. CR 5753/758, Section 262 Reserve Road, Forreston</p> <p>xi. CR 5763/631, Section 1591 Silver Road, Bridgewater</p> <p>xii. CR 5763/634, Section 71 Magarey Road, Mount Torrens</p> <p>xiii. CR 5763/635, Section 72 Magarey Road, Mount Torrens</p> <p>xiv. CR 5763/636, Section 84 Forreston Road, Forreston</p> <p>xv. CR 6142/329, Lot 501 Greenhill Road, Balhannah</p> <p>xvi. CR 5926/487, Lot 20 Bell Springs Road Charleston (for rededication to the Department of Environment & Water)</p> <p>xvii. CR 5753/718, Section 1544 Reserve Terrace Aldgate (for rededication to Meals on Wheels)</p> <p>xviii. CR 5753/753, Section 495 off Kersbrook Road Kersbrook (for rededication to Forestry SA)</p> <p>4. That a further report be presented to Council once a response from the Minister for Planning is received.</p>	Terry Crackett	In Progress	30/09/2022	<p>Being progressed in accordance with resolution.</p> <p>November 21 - awaiting feedback from the Minister for Planning on final application for revocation</p> <p>Jan 22 - final application has been lodged with the Minister for Planning</p> <p>June 22 - awaiting response from new Minister</p>	FALSE
22/06/2021	Ordinary Council	117/21	Mobile Library Replacement	None declared	<p>That the report be received and noted.</p> <p>That the Administration proceed with the replacement of the mobile library with a customised van and that the amount carried forward into 2021-22 be adjusted from \$480,000 to \$200,000. That the report be received and noted.</p> <p>That the Administration proceed with the replacement of the mobile library with a customised van and that the amount carried forward into 2021-22 be adjusted from \$480,000 to \$200,000.</p>	David Waters	In Progress	30/06/2022	The new van has been delivered and procurement of the fit out and customisation is in progress.	FALSE

22/06/2021	Ordinary Council	119/21	Community & Recreation Facilities Framework & Play Space Framework - Drafts for Consultation	None declared	<ol style="list-style-type: none"> That the report be received and noted. To receive and endorse the draft Community and Recreation Facilities Framework and the draft Play Space Framework and implement Stage 3 of Engagement (consultation). That the results of Stage 3 Engagement and the final draft Frameworks be presented to Council for their consideration by December 2021. That the CEO be authorised to: Make any formatting, nomenclature or other minor changes to the Draft Framework documents prior to being released for public consultation and Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of applicable legislation and Council's <i>Public Consultation Policy</i>. 	Terry Crackett	In Progress	30/06/2022	Final stakeholder consultation processes are now complete. A final draft of the Framework document will be presented to the CRFFIWG and Council at a workshop in the coming months, and then to the August Council Meeting for adoption.	FALSE
22/06/2021	Ordinary Council	147/21	Event Opportunity SANTOS TDU 2022	None declared	that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until Council receives written confirmation from the South Australian Tourist Commission that the event information is no longer confidential, but not longer than 30 June 2022.	David Waters	Completed	30/06/2021	Following the official announcement of the men's race routes on Friday 8th July the SATC embargo has lifted and this item can be released from confidentiality.	FALSE
27/07/2021	Ordinary Council	158/21	Revocation of Community Land Classification - Closed Roads R2142AA & R1573AB	Perceived - Cr Linda Green	<ol style="list-style-type: none"> That the report be received and noted To commence a revocation of community land process for the land described as "AA" in Road Plan No. 2142 ("Closed Road"), off Lenger Road, Mount Torrens including consultation in accordance with Council's Public Consultation Policy and the <i>Local Government Act 1999</i> with the intention of selling the Closed Road to the adjoining owners. To commence a revocation of community land process for the land described as "A" and "B" in Road Plan No. 1573 ("Closed Road") adjacent to 105 Nicholls Road, Norton Summit including consultation in accordance with Council's Public Consultation Policy and the <i>Local Government Act 1999</i> with the intention of selling the Closed Road to the adjoining owners. That a further report be presented to Council at the completion of the consultation. 	Terry Crackett	In Progress	30/06/2022	Commenced in accordance with the resolution Public Consultation has completed. NO formal responses received - follow up report is prepared and to be presented at June 2022 Council meeting	FALSE
4/08/2021	Ordinary Council	169/21	MON Natural Burials	None declared	That the CEO provides a report to Council by 30 June 2022, outlining a policy and/or procedures by which Council can effectively manage natural burials in council cemeteries, such a report to include suitable locations and indicative costs.	Terry Crackett	In Progress	30/06/2022	Preliminary planning underway for return to Council with report by 30 June 2022.	FALSE
24/08/2021	Ordinary Council	170/21	Road Exchange Aldi Development Pomona Road Stirling	None declared	That the report be received and noted in accordance with sections 12 and 15 of the <i>Roads (Opening and Closing) Act 1991</i> , enter into an Agreement for Exchange with the owner of the land of 3-5 Pomona Road Stirling and issue a Road Process Order to open as public road the area identified as "Road to be opened 1" on the Preliminary Plan No 21/0011 and in exchange to close a portion of Pomona Road as identified on the Preliminary Plan No 21/0011 as "Public Road A", subject to the owner of the land at 3-5 Pomona Road Stirling and Council agreeing to share all costs associated with the road exchange process including but not limited to all survey, valuation and reasonable legal costs. The closed road be excluded as Community Land pursuant to the <i>Local Government Act 1999</i> . 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	31/08/2022	Commenced in accordance with resolution Road Process Documents have been signed by Council. Currently awaiting process by the Surveyor-Generals Office	FALSE
24/08/2021	Ordinary Council	178/21	Operational Workplace Review	None declared	<ol style="list-style-type: none"> That the report be received and noted That Council take up commercial lease space in Stirling at 85 Mount Barker Road Stirling, and the associated costs for the leasehold premises detailed in <i>Appendix 1</i> be adjusted in the 2021-22 financial year at Budget Review 1 Further detailed scoping be undertaken on the proposed renewal and energy efficiency upgrades to the Stirling Office, Heathfield Depot, Gumeracha Depot and Woodside Offices (current Development and Building Team offices) and presented to Council for consideration where appropriate within the 2021-22 Budget Review 1 and the next review of the Long Term Financial Plan Subject to endorsement of the detailed scoping identified in 3 above, the Development and Building Team be relocated from Woodside to Stirling To include budget provision in the draft Annual Business Plan for the 2022-23 financial year to undertake a feasibility study on the medium to long term needs for community and operational sites and where greater efficiencies may be obtained through consolidation of sites. 	Terry Crackett	In Progress	30/06/2024	Commenced in accordance with resolution Fitout of Garrod Office and progression of preliminary work for Stirling transportable underway. Scoping of other components to be is nearing completion and will be presented back to Council for review.	FALSE
26/10/2021	Ordinary Council	220/21	Charleston Cemetery Compulsory Acquisition	None declared	<ol style="list-style-type: none"> That the report be received and noted. To revoke the resolution of Council of 22 May 2001, B129. To commence a process to compulsorily acquire, under the <i>Land Acquisition Act 1969</i>, the Charleston Cemetery being the land contained in Certificate of Title Volume 5066 Folio 740 located at 36 Newman Road Charleston from The Charleston Cemetery Trust Inc. To continue to manage the Charleston Cemetery on behalf of The Charleston Cemetery Trust Inc in the interim from the date of this resolution until the completion of the land acquisition process. To authorise the Mayor and Chief Executive Officer to undertake all necessary actions, including execution of documents, including under the common seal of Council, to give effect to this resolution. 	Terry Crackett	In Progress	31/12/2022	Commenced in accordance with the resolution. November 21 - letter seeking consent to undertake the compulsory acquisition has been sent to the Minister Jan 22 - Minister has advised they are considering their position and will advise further in due course March 22 - Minister advised that has been deferred until after the election April 22 - new Minister has confirmed receipt and will review in due course	FALSE
26/10/2021	Ordinary Council	221/21	Single Use Plastic MON Response	None declared	That the report be received and noted That the actions outlined in this report are implemented.	Peter Bice	In Progress	30/11/2022	A review is currently being undertaken of the Festivals and Events Policy incorporating reference to the reduction/elimination of single-use plastics.	FALSE
26/10/2021	Ordinary Council	235/21	Ashton Landfill - Confidential Item	None declared	As per Confidential minute	Peter Bice	In Progress	30/06/2022	Matter continues to be progressed. Further updates will be provided when a material change occurs.	FALSE
26/10/2021	Ordinary Council	238/21	Electricity Procurement Legal Matter - Confidential Item	None declared	As per confidential minute	Peter Bice	In Progress	10/01/2022		TRUE

23/11/2021	Ordinary Council	250/21	Road Acquisition - Portion of Teringie Drive Teringie	None declared	<ol style="list-style-type: none"> That the report be received and noted. To purchase Allotment 592 in Deposited Plan No. 127876 (<i>Appendix 3</i>) being an area of land totalling 7sqm identified in red on the Certificate of Title attached as <i>Appendix 2</i> ("Land") from the land owner at 59 Teringie Drive, Teringie, for the purchase price of \$1,000 (excl GST) plus all reasonable costs to vest the Land as public road. The Land being purchased to be excluded as Community Land pursuant to the <i>Local Government Act 1999</i>; and That the CEO be authorised to sign all necessary documentation to give effect to this resolution 	Terry Crackett	In Progress	31/08/2022	Commenced in accordance with Council resolution. Documents prepared by Conveyancer to complete the boundary realignment, have been executed by Council. Awaiting lodgement with Land Services Group	FALSE
14/12/2021	Ordinary Council	274/21	Woodside Recreation Ground Reuse further information	Perceived - Cr Stratford	<ol style="list-style-type: none"> The report be received and noted. That a report be prepared for Council's information on the costs associated with bore water saving initiatives that could be implemented in respect to Council-owned recreational assets that are currently irrigated by bore water. 	Peter Bice	In Progress	11/10/2022	Tender documents have been released for a quotation to be prepared.	FALSE
22/03/2022	Ordinary Council	49/22	MON Parking Time Limit adjacent Stirling Hospital	Nil	A report be brought before Council following consultation and the development of designs for the improvement of parking on Milan Terrace adjacent to Stirling Hospital. This report be presented to Council no later than 26 July 2022.	Peter Bice	In Progress	26/07/2022	Council staff worked with the hospital to best understand demand, and a report will be tabled at the July Ordinary Council meeting.	FALSE
22/03/2022	Ordinary Council	52/22	Response to MON Bore Use	Nil	<ol style="list-style-type: none"> That the report be received and noted To negotiate an agreement with the Summertown Village Water Company for access to the Council bore located on Anya Crescent Reserve at Summertown for a defined period, being not more than 3 years, on terms and conditions to be agreed whereby by the end of the agreement term, the Summertown Village Water Company has established an independent water supply for its shareholders and current use of the Council bore ceases To negotiate an in principle agreement with the Summertown Community Centre Inc. for a land exchange at Tregarthen Reserve Summertown that would see the public infrastructure located on land owned by the Council and the sport and recreation infrastructure on land owned by the Summertown Community Centre Inc. with the Council being responsible for the provision of water to Tregarthen Reserve To negotiate an agreement with the owner of 30 Stonehenge Avenue Stirling, for access to and use of the bore located on Council land at 28 Stonehenge Avenue Stirling, for a defined reasonable period of time, say 18 – 24 months, on terms and conditions to be agreed whereby by the end of the agreement, the landowner has established an independent water supply for its land and use of the Council bore ceases To undertake further investigations in relation to the Mylor bore and tanks and to which properties it supplies water The CEO further reports to Council on an annual basis of progress being made on points 2-5. 	Terry Crackett	In Progress	30/06/2025	Commenced in accordance with resolution	FALSE
22/03/2022	Ordinary Council	53/22	Removal of Remoteness Sculpture, Stirling	Nil	<ol style="list-style-type: none"> That the report be received and noted. That the sculpture known as <i>The Remoteness</i>, be removed from the area in front of the Coventry Library, Stirling. That best endeavours should be made to retain suitable elements of the sculpture for placement in the surrounding landscape in a manner appropriate to the setting, such as for informal seating. That the Council works with the Stirling Business Association and stakeholders from the former Adelaide Hills International Sculpture Symposium Inc to identify and implement appropriate means of recognising the sculpture and ensuring its legacy is not lost to the precinct in which it is presently situated and the overall Hills Sculpture Trail. 	David Waters	In Progress	30/09/2022	In mid-June, the former artistic director for Adelaide Hills International Sculpture Symposium Inc approached Council staff advising of a product he believes may provide a potential 'fix' for the sculpture. Staff are now exploring the viability of this option. As there is a Council resolution to remove the sculpture, the matter may need to come back to Council for consideration if the 'fix' is deemed viable.	FALSE
22/03/2022	Ordinary Council	56/22	CEO Performance Review Process and Schedule	Nil	<ol style="list-style-type: none"> That the report be received and noted. To undertake the 2022 CEO Performance Review and Remuneration Review using an external consultant. That the 2022 CEO Performance Review Panel (CEOPRP) Meeting and Process Schedule – External (Caretaker Period) as contained in Appendix 2, be adopted and the CEOPRP Presiding Member be delegated to amend the Process Schedule meeting/workshop dates as required in consultation with the Administration. 	Terry Crackett	In Progress	31/08/2022	The consultant met with Council on Tuesday 14/6/2022 to outline the CEO performance review process. The review survey was sent the following day and the survey closes on Thursday 30/6/2022.	FALSE
26/04/2022	Ordinary Council	86/22	MON Property Lobethal Road Lenswood	Nil	1. Council notes the long history of compliance action taken by the Council under both the <i>Development Act 1993</i> , and the <i>Local Nuisance and Litter Control Act 2016</i> , in relation to: continuing unauthorised use of the land as a junkyard/scrap storage facility/builder's storage facility; the continuing unsightly condition of the land when viewed from the public realm; and ongoing nuisance caused by wandering livestock and animals which issues continue to bring about adverse impacts within the locality. The Council instructs the Chief Executive Officer to take such further action/s as he may be advised to take under (including but not limited to) the <i>Local Nuisance and Litter Control Act 2016</i> , and/or the <i>Planning, Development and Infrastructure Act 2016</i> , (which action/s may involve the commencement legal proceedings and/or the exercise of step-in rights) to address the above issues on an ongoing basis. Wherever possible, such action should seek to recover the Council's costs associated with the relevant action/s.	Melissa Bright	In Progress	13/05/2022	Minute not confidential	FALSE
26/04/2022	Ordinary Council	87/22	Property Lobethal Road Lenswood - Duration of Confidentiality	Nil	<p>Item Duration of Confidentiality NB: Item to be reviewed every 12 months if not released Report Two year term Related Attachments Two year term Minutes NIL Other (presentation, documents, or similar) NIL</p>	Melissa Bright	In Progress	13/05/2022		FALSE

26/04/2022	Ordinary Council	92/22	Heathfield Resource Recovery Centre Management Agreement	Nil	<ol style="list-style-type: none"> That the report be received and noted. That the Heathfield Resource Recovery Centre Management Agreement with the Adelaide Hills Region Waste Management Authority be extended for a five year period pursuant with renewal provisions within the existing agreement. To delegate to the Chief Executive Officer the authority to negotiate any minor amendments required to the Heathfield Resource Recovery Centre Management Agreement and to give effect to resolution 2 above. 	Peter Bice	In Progress	25/11/2022	Written notice of intention has been provided to the AHRWMA to extend the Heathfield Resource Recovery Centre Management Agreement for 5 year period. Administrative review of agreement has commenced.	FALSE
26/04/2022	Ordinary Council	93/22	Options for Randell's Workmen's Cottages Gumeracha	Nil	<ol style="list-style-type: none"> That the report be received and noted. To rescind parts 3 to 6 of resolution numbered 77/19 of 26 March 2019 thereby removing the requirement to pursue a land division application and Expression of Interest process for the reuse of the Randell's Workmen's Cottages for tourist accommodation or some other use. That the Chief Executive Officer undertakes further scoping and costing for option 4, as outlined in the 26 April 2022 report, for undertaking minor works on the cottages to prevent further deterioration. That the results of the scoping and costing exercise be considered as part of the 2023/24 budget preparation process. 	Terry Crackett	In Progress	31/12/2022	Commenced in accordance with resolution	FALSE
24/05/2022	Ordinary Council	122/22	Purchase of Land 8 St John Road Norton Summit	Perceived - Cr Leith Mudge	I move that the matter of the purchase of land at 8 St John Road Norton Summit be brought to a workshop to ensure all members are fully aware of the situation which includes issues that have to be resolved, e.g. Council's encroachment onto Church land of the septic system and part of the CFS shed.	Terry Crackett	In Progress	30/09/2022	Workshop scheduled for 9 August 2022	FALSE
24/05/2022	Ordinary Council	124/22	Local Heritage Grant Fund 2021-22 Project Approvals	Nil	<p>That the report be received and noted</p> <p>To approve the two shortlisted projects to receive grant funding to contribute to the works as detailed in Appendix 1 of this report and listed below: Shop (4-6 Mount Barker Road, Stirling): – Silvano Rotellini, replacing/restoring rotten barge boards to front gable and sides of heritage building (Grant amount: \$2500). Longwood Institute (706 Longwood Road, Bradbury): Longwood Bradbury Progress Association, replacing wooden front door (Grant amount: \$2500).</p>	Melissa Bright	In Progress	16/06/2022	Applicants notified of Council decision and case management service is being provided to progress the projects.	FALSE
24/05/2022	Ordinary Council	127/22	Public Art Strategy	Nil	<ol style="list-style-type: none"> That the report be received and noted With an effective date of 14 June 2022, adopt the Adelaide Hills Council <i>Public Art Strategy July 2022 to June 2027</i> as per Appendix 1 That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the <i>Public Art Strategy July 2022 to June 2027</i> prior to the effective date of adoption. 	David Waters	Completed	16/06/2022	Public Art Strategy adopted.	FALSE
24/05/2022	Ordinary Council	142/22	Fenced Dog Park for Woodside	Nil	Council resolves that, in line with the Council's Dog and Cat Management Plan 2018-2022, the CEO provides a report to Council by 27 October 2022 on the feasibility of establishing a fenced dog park at Jacaranda Drive Woodside or another suitable location near Woodside.	Terry Crackett	In Progress	30/09/2022	An internal working party has been formed and key staff members will meet with the head petitioner in the coming weeks.	FALSE
28/06/2022	Ordinary Council	150/22	Naming of Parks & Reserves	Nil	That the CEO identifies which parcels of council owned/managed Parks and Reserves (or other suitable land) included on the Community Land Register which do not have a formally assigned name; Subject to the findings of 1, prepares an estimate of costs for the installation of signs together with program for installations over, say, a ten or more year period. Advises how the assignment of European names and Aboriginal names can be installed concurrently to achieve economies of scale. Prepares a report for consideration by the Council by 31 October 2022.	Peter Bice	In Progress	13/10/2022		FALSE
28/06/2022	Ordinary Council	151/22	Draft Hut Community Centre Inc Funding Agreement 2022	Nil	<ol style="list-style-type: none"> That the report be received and noted. That the draft funding agreement with The Hut Community Centre Inc. as contained in <i>Appendix 1</i>, be approved. That the Chief Executive Officer is authorised to make minor amendments to the draft funding agreement not affecting the substance or intent, should it be necessary to finalise terms satisfactory to both parties. That the Chief Executive Officer is authorised to execute the final agreement for and on behalf of the Council. 	David Waters	Completed	14/07/2022	Approved 28/6/2022	FALSE
28/06/2022	Ordinary Council	152/22	Annual Business Plan 2022-23 for Adoption	Nil	<p>Refer to Minutes for full resolution Pursuant to and in accordance with section 123(6) of the <i>Local Government Act 1999</i> and Regulation 6 of the <i>Local Government (Financial Management) Regulations 2011</i> and having considered all submissions and consultation feedback received, the Annual Business Plan (<i>Appendix 1</i>) as laid amended before Council for the financial year ending 30 June 2023, be adopted.</p> <p>1.2 Pursuant to and in accordance with section 123(7) of the <i>Local Government Act 1999</i> and Regulation 7 of the <i>Local Government (Financial Management) Regulations 2011</i>, having considered the Budget in conjunction with, and determined the Budget to be consistent with, the Council's Annual Business Plan, the Budget for the financial year ending 30 June 2023, as laid before the Council at this meeting, be adopted.</p> <p>1.3 Determination and Adoption of Valuations – 2022-23</p> <p>1.3.1 Rates assessed on rateable land in the area of the Council will be based on the capital value of land for all rateable land.</p> <p>1.3.2 Pursuant to section 167(2)(a) of the <i>Local Government Act 1999</i> the most recent valuations of the Valuer General available to the Council of the capital value of land within the Council area, be adopted for rating purposes for the financial year ending 30 June 2023, totalling \$13,641,908,780.</p>	Terry Crackett	Completed	22/07/2022	Annual Business Plan document finalised and published. Gazettal completed.	FALSE
28/06/2022	Ordinary Council	153/22	Adoption of Fees & Charges 2022-23	Nil	<ol style="list-style-type: none"> That the report be received and noted. To adopt the 2022-23 Fees and Charges Schedule included at <i>Appendix 1</i> to apply on and from 1 July 2022. Council notes that any statutory fees will be included on the Fees and Charges Schedule available for public inspection subsequent to being gazetted. 	Terry Crackett	Completed	14/07/2022	Fees and Charges Register adopted and included on Council Website	FALSE
28/06/2022	Ordinary Council	154/22	East Waste Charter Amendment	Nil	See confidential Minute	Andrew	Completed	14/07/2022	Resolution provided to East Waste Executive Officer.	TRUE

28/06/2022	Ordinary Council	156/22	East Waste Charter Amendment - Duration of Confidentiality	Nil	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 18.4 in confidence under sections 90(2) and 90(3)(k) of the <i>Local Government Act 1999</i> , resolves that an order be made under the provisions of sections 91(7) and (9) of the <i>Local Government Act 1999</i> to retain the Items in confidence as detailed in the Duration of Confidentiality Table below: Item Duration of Confidentiality NB: Item to be reviewed every 12 months if not released Report 30 June 2024 Related Attachments 30 June 2024 Minutes 30 June 2024 Other (presentation, documents, or similar) 30 June 2024	Andrew Aitken	In Progress	26/08/2022		FALSE
28/06/2022	Ordinary Council	157/22	Revocation of Community Land Classification - Closed Roads Mt Torrens & Norton Summit	Perceived - Cr Linda Green	That the report be received and noted A report be prepared and submitted to the Minister for Planning seeking approval for the revocation of the community land classification of the land identified as: a. Closed Road AA in Road Plan No. 2142 contained in Certificate of Title Volume 6261 Folio 496 located at Mount Torrens (Appendix 1) b. Closed Road AB in Road Plan No. 1573 contained in Certificate of Title Volume 6261 Folio 497 located at Norton Summit (Appendix 1)	Terry Crackett	In Progress	14/07/2022		FALSE
28/06/2022	Ordinary Council	158/22	MON Response Natural Burials	Nil	1. That the report be received and noted 2. To endorse the proposal to establish a natural burial ground within the Kersbrook Cemetery site 3. That, prior to the opening of the Kersbrook natural burial ground for burials, the Cemetery Operating Policy be updated to include provisions for natural burials and presented to Council for adoption.	Terry Crackett	In Progress	23/09/2022		FALSE
28/06/2022	Ordinary Council	159/22	Policy Review - Genetically Modified Crops	Material - Cr Chris Grant Material - Cr Linda Green	1. That the report be received and noted. 2. With an effective date of 12 July 2022, to revoke the 7 January 2019 <i>Genetically Modified Crops Policy</i> and to adopt the revised 28 June 2022 <i>Genetically Modified Crops Policy (draft)</i> as per <i>Appendix 1</i> . 3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the <i>Genetically Modified Crops Policy (draft)</i> prior to the effective date.	Melissa Bright	In Progress	14/07/2022		FALSE
28/06/2022	Ordinary Council	160/22	Policy Review - Flags	Nil	That the report be received and noted That with an effective date of 12 July 2022 to revoke the 24 July 2018 Flags Policy and adopt the June 2022 Flags Policy contained in Appendix 1. That the Chief Executive Officer be authorised to make minor content, grammatical and formatting amendments to the Flags Policy prior to the effective date of adoption.	David Waters	Completed	14/07/2022	The Flags Policy was adapted 28 June 2022, Item 12.7, 169/18	FALSE
28/06/2022	Ordinary Council	166/22	Warren Road Birdwood Blackspot - Confidential Item	Nil	See Confidential Minute	Peter Bice	In Progress	26/08/2022		TRUE
28/06/2022	Ordinary Council	167/22	Warren Road Birdwood Blackspot - Duration of Confidentiality	Nil	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 18.1 in confidence under sections 90(2) and 90(3)(d) of the <i>Local Government Act 1999</i> , resolves that an order be made under the provisions of sections 91(7) and (9) of the <i>Local Government Act 1999</i> to retain the Items in confidence as detailed in the Duration of Confidentiality Table below: Item Duration of Confidentiality NB: Item to be reviewed every 12 months if not released Report Until all resolutions are executed, but not longer than 28 June 2023 Related Attachments Until all resolutions are executed, but not longer than 28 June 2023 Minutes Until all resolutions are executed, but not longer than 28 June 2023	Peter Bice	In Progress	30/09/2022		FALSE
28/06/2022	Ordinary Council	168/22	Santos Tour Down Under Event Opportunity - Confidential	Nil	See Confidential Minute	David Waters	In Progress	25/11/2022	Following the official announcement of the men's race routes on Friday 8th July the SATC embargo regarding these routes has lifted. However, details of the Challenge Tour are not finalised and remain in confidence until the details are officially released in August/ September 2022.	TRUE
28/06/2022	Ordinary Council	170/22	Santos Tour Down Under Event Opportunity - Duration of Confidentiality	Nil	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 18.2 in confidence under sections 90(2) and 90(3)(j) of the <i>Local Government Act 1999</i> , resolves that an order be made under the provisions of sections 91(7) and (9) of the <i>Local Government Act 1999</i> to retain the Items in confidence as detailed in the Duration of Confidentiality Table below: Item Duration of Confidentiality NB: Item to be reviewed every 12 months if not released Report Until Council receives written confirmation from the South Australian Tourism Commission that the event information is no longer confidential, but not longer than 30 June 2023. Related Attachments Not Applicable Minutes Until Council receives written confirmation from the South Australian Tourism Commission that the event information is no longer confidential, but not longer than 30 June 2023. Other (discussion and considerations of the subject matter) Until Council receives written confirmation from the South Australian Tourism Commission that the event information is no longer confidential, but not longer than 30 June 2023.	David Waters	In Progress	25/11/2022	Following the official announcement of the men's race routes on Friday 8th July the SATC embargo regarding these routes has lifted. However, details of the Challenge Tour are not finalised and remain in confidence until the details are officially released in August/ September 2022.	FALSE
28/06/2022	Ordinary Council	172/22	Ashton Landfill - Confidential	Nil	See Confidential Minute	Peter Bice	In Progress	13/10/2022		TRUE

28/06/2022	Ordinary Council	173/22	Ashton Landfill - Duration of Confidentiality	Nil	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 18.3 in confidence under sections 90(2) and 90(3)(i) of the <i>Local Government Act 1999</i> , resolves that an order be made under the provisions of sections 91(7) and (9) of the <i>Local Government Act 1999</i> to retain the Items in confidence as detailed in the Duration of Confidentiality Table below: Item Duration of Confidentiality NB: Item to be reviewed every 12 months if not releasedReport28 June 2024Related Attachments28 June 2024Minutes28 June 2024OtherNIL	Peter Bice	In Progress	13/10/2022		FALSE
28/06/2022	Ordinary Council	175/22	Fabrik Tender & Contract -	Nil	See Confidential Item	Terry	In Progress	18/08/2022		TRUE
28/06/2022	Ordinary Council	176/22	Fabrik Tender & Contract - Duration of Confidentiality	Nil	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 18.5 in confidence under sections 90(2) and 90(3)(d) of the <i>Local Government Act 1999</i> , resolves that an order be made under the provisions of sections 91(7) and (9) of the <i>Local Government Act 1999</i> to retain the Items in confidence as detailed in the Duration of Confidentiality Table below: Item Duration of Confidentiality NB: Item to be reviewed every 12 months if not releasedReportuntil execution of contract but no longer than 30 September 2022Related AttachmentsNILMinutesuntil execution of contract but no longer than 30 September 2022OtherNIL	Terry Crackett	In Progress	14/07/2022		FALSE

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 26 July 2022
AGENDA BUSINESS ITEM**

Item: 13.1

Responsible Officer: Kira-marie Laverty
Corporate Planning & Performance Coordinator
Office of the Chief Executive

Subject: Quarterly Council Performance Report – Q4 2021-22

For: Information

SUMMARY

As a local government entity, Council has a number of legislative obligations regarding the preparation and distribution of corporate planning and reporting information to the elected body and the community. In addition to these mandated requirements, Council has over time created a number of additional elements to improve the integration, transparency and accountability of its activities. The Quarterly Council Performance Report is just one of these elements.

A revised suite of corporate performance indicators and targets was developed in consultation with Council Members, the Strategic Leadership Team and relevant officers as part of the *2020-21 Annual Business Plan* process and have continued to be incorporated into the *Annual Business Plan 2021-22*. These were aligned to the new *Strategic Plan 2020-24 – A brighter future* adopted in April 2020.

The Quarterly Council Performance Report for Q4 (**Appendix 1**) covers the period 1 April 2022 to 30 June 2022, and shows the performance against the corporate performance indicators as well as discussing key highlights aligned with the Strategic plan. This report does not show analysis of the full financial year, only those elements related to the fourth quarter. The full year analysis will be provided to Council in the *2021-22 Annual Report* scheduled for October/November 2022.

The purpose of this report is to provide information on Council's performance against the *Annual Business Plan 2021-22* targets and aspirations.

RECOMMENDATION

Council resolves that the report be received and noted.

1. BACKGROUND

At its 19 June 2018 meeting, Council adopted (Res 128/18) the *Corporate Planning & Performance Framework*, of which a key element was the establishment of a suite of Corporate Business Performance Indicators which are aligned with Adelaide Hills Council's Strategic Plan goals and will enable the tracking of performance over time.

Over the 2019-20 financial year, Quarterly Council Performance Reports were drafted showing the performance against the Corporate Performance indicators, strategic initiatives and key activities of the *2019-20 Annual Business Plan*.

A revised suite of corporate performance indicators and targets were developed in consultation with Council Members, the Strategic Leadership Team and relevant officers as part of the 2020-21 Annual Business Plan process. These were aligned to the new *Strategic Plan 2020-24 – A brighter future* adopted in April 2020. These indicators have continued to be used in the *Annual Business Plan 2021-22*.

A change has been made to the timing of reports for the 2021-22 financial year. Reports are now provided to Council and the Audit Committee at the next meeting directly following the end of the quarter.

Council resolved at the 28 September 2021 meeting to establish more visible and accessible reporting mechanisms on significant projects across the district. Part of this is to include this information in the Quarterly Council Performance reports.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

A progressive Organisation

Objective O5 We are accountable, informed, and make decisions in the best interests of the whole community

Priority O5.3 Demonstrate accountability through robust corporate planning and reporting that enhances performance, is relevant and easily accessible by the community

The Quarterly Council Performance Report is part of the performance reporting suite contained in the *Corporate Planning & Performance Framework*

➤ **Legal Implications**

Chapter 8 - Administrative and financial accountability of the *Local Government Act 1999* sets out the key legislative obligations regarding corporate planning and reporting obligations, as follows:

- S122 – Strategic management plans – development, content requirements, consultation, review and availability of strategic plan, asset management plan and long-term financial plan;
- S123 – Annual business plans and budgets - development, content requirements, consultation, review and availability of annual business plan and budget

- S127 – Financial statements – preparation, content, auditing and availability of the financial statements;
- S131 – Annual reports – preparation, content, distribution and availability of the annual report

Additional requirements are contained in the *Local Government (General) Regulations 2013* and the *Local Government (Financial Management) Regulations 2011*.

➤ **Risk Management Implications**

Quarterly Council Performance Reporting will assist in mitigating the risk of:

Ineffective performance management and reporting processes leading to poor performance and/or loss of stakeholder confidence

Inherent Risk	Residual Risk	Target Risk
Extreme (4B)	Low (3E)	Low (3E)

Note that there are many other controls that assist in mitigating this risk. The quarterly performance reports are part of the current control suite and therefore there is no additional mitigating impact of this report.

➤ **Financial and Resource Implications**

The Corporate Planning & Performance Coordinator role, which coordinates the performance reporting function, is funded in the Governance & Performance Department budget.

Quarterly Council Performance Reporting assists in showing the financial and resource performance to plan as per the targets, initiatives and activities outlined in the *Annual Business Plan 2021-22*.

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

Providing integrated, consultative corporate planning and effective and transparent performance reporting to the Council and community has the potential to increase the level of trust and confidence in Council.

➤ **Sustainability Implications**

Quarterly Council Performance Reporting assists in demonstrating the outcomes related to Council’s economic, social and environmental initiative.

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

Council Committees: Not applicable

Council Workshops: Not applicable

Advisory Groups: Not applicable

External Agencies: Not applicable

Community: Not applicable

➤ **Additional Analysis**

The Quarterly Council Performance Report for Q4 (**Appendix 1**) does not show analysis of the full financial year, only those elements related to the fourth quarter period (1 April to 30 June 2022). The full year analysis will be provided to Council in the *2021-22 Annual Report* scheduled for October/November 2022.

At the time of collating this report, the preliminary financial figures were still being reconciled. The end of year financial summary will be presented at the August 2022 Ordinary Council meeting.

3. OPTIONS

As this is an information report, Council is limited to receiving and noting the report, however additional feedback can be provided to the Governance and Performance team for consideration of future enhancements within the ongoing reports.

4. APPENDIX

(1) *Quarterly Council Performance Report – Quarter 4, 2021-22*

Appendix 1

*Quarterly Council Performance Report –
Quarter 4, 2021-22*

Quarterly Council Performance Report

Quarter 4 – 1 April – 30 June 2022






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1. Executive Summary

Strategic Goal	Performance Indicators	Annual Business Plan Strategic Initiatives
 Built Environment	 2 of 5 Targets met or exceeded	 Completed (24) Deferred (4) Cancelled (1) Continuing in 22-23 (12)
 Community Wellbeing	 5 of 6 Targets met, N/A or exceeded	 Completed (10) Continuing in 22-23 (16)
 Economy	 4 of 5 Targets met or exceeded	 Completed (2) Continuing in 22-23 (3)
 Natural Environment	 5 of 6 Targets met or exceeded	 Completed (6) Continuing in 22-23 (5)
 Organisation	 6 of 8 Targets met or exceeded	 Completed (6) Continuing in 22-23 (5)

Customer Service Standards

	10	Targets met or exceeded
	4	N/A or No Incidents reported
	3	Target not met

Capital Performance

\$4.3m of infrastructure delivered

The primary focus of this quarter was on delivering and completing both renewal and new capital works projects, including major projects. Also commenced scoping of projects to be delivered next financial year.

Highlights

- The consultation on the draft Annual Business Plan was conducted in May and Council received an outcomes report on the feedback received at its Special meeting in June. Adoption of the 2022-23 Annual Business Plan and Budget was at 28 June Council meeting.
- The cessation of the Public Health Emergency Declaration has resulted in the wind-back of some of the electronic participation protocols for official meetings for Council Members.
- AHC delivered a record Capital Works Program in both value and nature of projects delivered.
- Home Based Business Network has grown to achieve a sell-out with 28 businesses attending the most recent forum.
- Adelaide Hills Tourism held the inaugural Wellness Wander Weekend in April, with 85% of available tickets sold.
- Kaurna language session held with Council Members.
- A 'planning afternoon' was held with former mill workers to workshop ideas for interpreting the history of the former Lobethal Woollen mills at Fabrik.
- Development approval obtained for the Fabrik redevelopment.
- A new 3 year funding agreement with The Hut Community Centre was negotiated and approved by Council.

Risk and Challenges

- COVID-19 continues to be a challenge for the organisation where impacts are seen on staffing and service provision for those areas and positions in Council that cant be worked from home.
- Project delivery in some areas continues to be effected by availability and increased cost pressures of contractors and materials due to COVID-19 impacts.
- The insurance placement for 2022-23 has been completed with increasing premiums being experienced due to the hardening global market.
- Extended procurement process required for the Fabrik redevelopment, including the need to re-scope and seek additional funding. Project still on track for completion by December 2023
- Increased costs driven by world events is placing considerable pressure on ensuring long term financial sustainability without the need for rate increases above community expectations. A detailed budget reform agenda is being implemented to minimize this risk.

2. Adelaide Hills Council Major Projects

Heathfield Oval Change Rooms

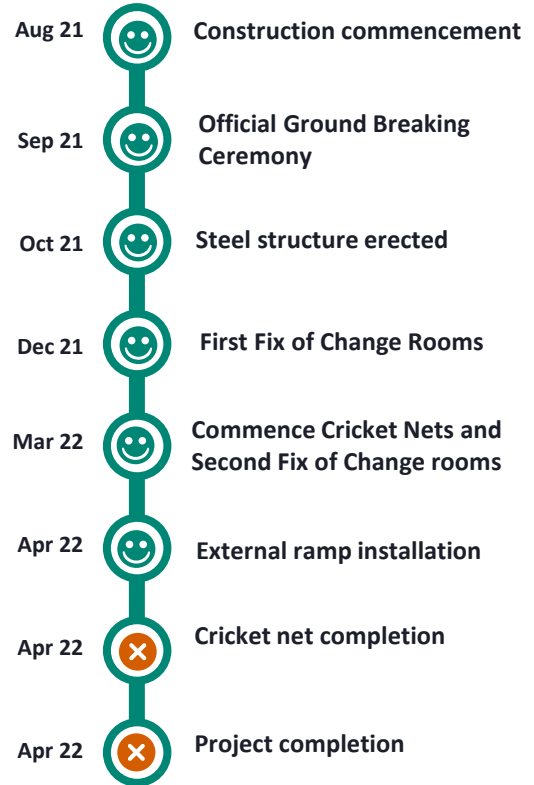
Constructing new change rooms for Heathfield Oval to provide compliant male/female and umpire change room facilities in accordance with South Australian Cricket Association standards.

Latest News

Construction of change room facilities was completed as per original construction schedule, with some minor defects being rectified.

COVID-19 and material / contractor shortages put the project under pressure but the contractor delivered on the main components on time. The exception remaining to be completed is a concertina wall upstairs which has a 16 week lead time and will be installed around October 2022.

The cricket net construction has progressed well. Completion is delayed due to change in scope. Completion is scheduled for mid-July.



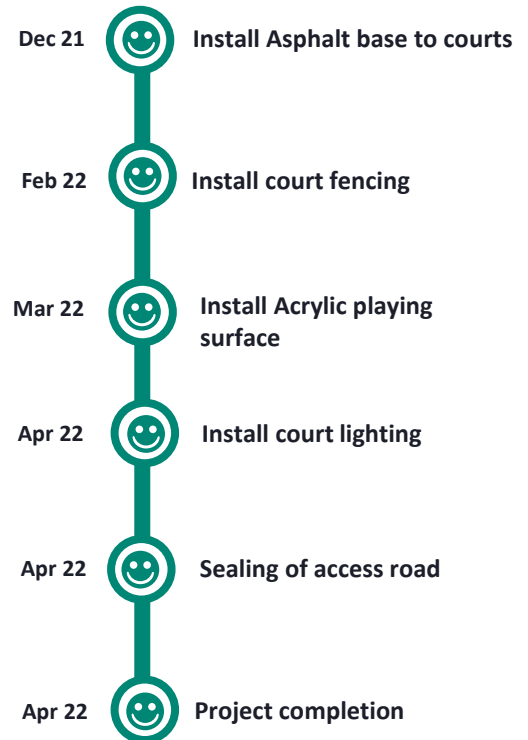
Heathfield Sports Courts Redevelopment

The Heathfield Sports Courts Redevelopment is being constructed in partnership with the Department of Education and the State Government.

It aims to provide additional sporting facilities to the community, sports clubs as well as an improved amenity for the Heathfield High School.

Latest News

The major components of the Sports Courts and associated works are complete and they are now open to the public.



Gumeracha Main Street Project

The Gumeracha Main Street Upgrade project will deliver a range of improvements, including underground power lines, a new storm water system, better pedestrian connectivity and a safer streetscape environment for Gumeracha's 'Village Heart'. This community streetscape project is delivered in close partnership with SA Power Networks, the Gumeracha Main Street Group and the Gumeracha Community Association.

Latest News

The streetscape upgrade works are complete

The Department for Infrastructure and Transport (DIT) will reseal Albert Street by the end December 2022.



FABRIK Development

The FABRIK Development Project will involve upgrading and enhancing the former Onkaparinga Woollen Mills site at Lobethal. The new building will provide an exciting and focused entry point to the site that will enable staff to promote the history of the site, the current uses and businesses within the location and then direct visitors to various buildings from a central location.

Latest News

Council has approved and awarded the tender. A minor variation is being sought through the Development Approval process to reduce the scope of works in Building 21.

This project will continue into the next financial year.



Lobethal Bushland Park Masterplan Implementation

Lobethal Bushland Park (LBP) Masterplan goals are:

- Biodiversity protection, conservation, restoration and enhancement
- To promote community health, wellbeing and education
- Maintain the 'local' feel of Lobethal Bushland Park whilst improving the function and amenity for all

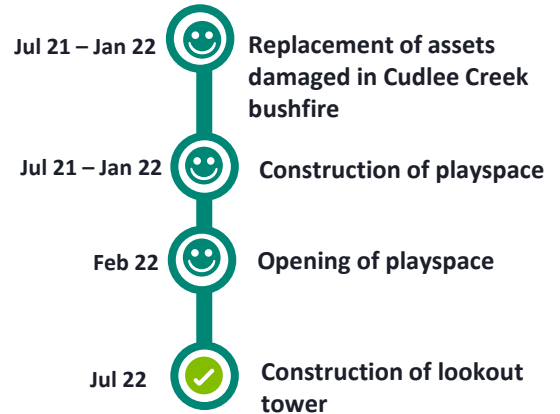
Latest News

Replacement of infrastructure – Additional boardwalk has commenced and will be finished in the coming week. Additional park entry signage has been completed and installed.

Weed Management – all weed management for this year has been completed

Lookout Tower – Planning and approvals under the Native Vegetation Act for upgrade to existing Lookout Tower has been obtained. Approval has been granted by the Minister for Environment to undertake the activity in a Heritage Agreement. The tower is currently under construction and should be completed and available for public use in the coming weeks.












Play space - The Bushland Park Playspace is completed and was opened to the public on 24 February 2022.






3. Performance by Strategic Goal

A functional Built Environment

Highlights

-  **New and upgraded footpath program**
 - Projects completed at Churinga Rd, Aldgate; and North East Rd, Inglewood
-  **Aldgate Main Street amenity upgrade**
 - All concrete works completed, garden beds installed, and bitumen works scheduled. Final elements of works will be complete by mid-July
-  **Bridgewater Oval Drainage**
 - Works are now completed. This project has been a great example of collaboration between both Council & local clubs.
-  **Purchase of Electric Vehicles cars for fleet**
 - Six Hybrid vehicles delivered in 21-22 FY with two on order which have been added to next years program.
-  **Road Safety Program including co-contribution to Road Blackspot**
 - Detailed design completed, ready for construction in 2022-23 FY
-  **Crafrers Village Main Street Traffic Calming and Open Space Upgrades**
 - Works well underway, park works expected to be complete by mid-July.
 - Community engagement undertaken on the Crafer's sign with installed expected late-July
-  **Recreation Trails & Cycling Route Upgrades**
 - The final Trails & Cycling Routes Framework documents were endorsed at the 26 April 2022 Council meeting.
-  **Mount Lofty Gardens - Lampert Road Safety Upgrade**
 - Significant pedestrian safety improvements completed.
 - Scope was changed to focus on Piccadilly Rd due to potential conflict with Mount Lofty Botanical Gardens planned car park works on Sprigg Rd
-  **Playspace Audit**
 - The audit of play spaces is complete. Data will be used for upgrade programs & asset management plans, in line with the anticipated Play Space Framework.
-  **LED Public Lighting Installation - main road street lighting**
 - Aldgate and Summertown Main Street lights upgraded to LED.
 - Continued liaising with the Department of Infrastructure and Transport relating to the LED standards for existing Council lights on the arterial road network.
-  **Energy Upgrades, Battery & Efficiency Actions from new Carbon Management Plan**
 - Property and Sustainability Audit has commenced and will be undertaken over the next few months. The outcomes of this Audit will inform energy and water efficiencies for building facilities.

Risks & Challenges

-  **Western Branch Creek erosion protection**
 - Boundary survey indicates conflict between fenced boundary and title boundary which will need to be worked through with the affected property owner before completion.
-  **Upper Sturt Road Walking Path**
 - The topography of the land and vegetation on the small road reserve between the private land and the Upper Sturt Road is not viable for a walking path to continue.
-  **Woodside Rec Ground - Driveway & Carpark Upgrade**
 - Funds were allocated this financial year and staff were able to work with the WRG Committee on a traffic master plan for the site during this time.
 - Contractor availability has not allowed the project to commence this financial year, so funding has been carried forward to 22/23.

Risks & Challenges *Continued...*

- ➔ **Transition to the Planning, Development & Infrastructure Act (PDI Act)**
 - 96% of the project has been completed. The one remaining Policy requiring review is underway and will be completed in early 2022-23 FY.
 - The backup system being developed by AGD for access to data for business continuity during system outages has progressed and is expected to be released later in 2022.
- ➔ **Integration of Development Assessment Systems**
 - Project on hold waiting for the outcome of PlanSA system enhancements, including progression of Development Assessments Lite backup information system.

- ✓ **Parking and By-laws**
 - Council continued to patrol all high use parking areas including schools and shopping carparks, issuing 107 parking expiations.
 - Software provider issues impacted the total potential volume of expiations that could have been issued this quarter.
- ➔ **Woodside Recreation Ground - Masterplan progression**
 - Deferred due to lack of contractor availability.

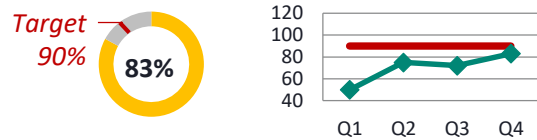
Performance Indicators

Operational tasks completed within the Civil Zone Maintenance Program



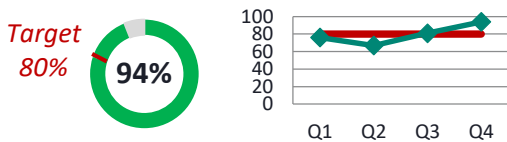
Delivery of the zone maintenance program has continued, with some competing priorities resulting in out-of-zone work.

Delivery of capital works program



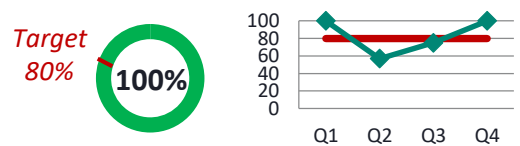
The majority of the capital works program has been completed, with some significant savings in footpaths, sealed and unsealed roads leading to an overall underspend.

Compliance inspections completed within 5 business days of notification of alleged unlawful development



66 out of the 70 compliance inspections undertaken in relation to alleged unlawful development were completed within the 5 business day target in this quarter.

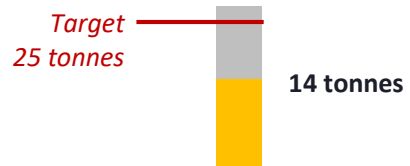
Compliance inspections completed within 5 business days of development completion notification



Of the 91 inspections for quarter 4, only 12 inspections were as a result of notifications for completion of works. Of these 12 inspections 100% were carried out within 5 business days

Legend: ✓ = Target Met ⚠ = Target not met

Tonnes of recycled plastic content in products purchased by council



Pricing challenges due to COVID-19 impacts have affected our ability to achieve the 25 tonne goal.

Progress on Strategic Initiatives from the Annual Business Plan

Project ID	Strategic Initiatives	Status
B1001	Recreation Trails & Cycling Route Upgrades	
B1003	New Bus Shelter Installation Program	
B1004	New and Upgrade Footpath Program	
B1006	Crafrers Village Main Street Traffic Calming and Open Space Upgrades	
B2001	Federation Park and Oval masterplan implementation	
B2002	Gumeracha Main street project - stage 2	
B2004	Gumeracha Main Street Stormwater	
B2005	Transition to the Planning, Development & Infrastructure Act (PDI Act)	
B2006	Local Heritage Grant Fund	
B2007	Integration of Development Assessment Systems	
B3001	Water reuse for Woodside recreation ground irrigation	
B3002	Implement irrigation systems (renewal / upgrades)	
B3005	Energy Upgrades, Battery & Efficiency Actions from new Carbon Management Plan	
B3006	LED Street lighting replacement	
B4006	Asset management – Additional System Licenses and Field Devices	
B4007	Asset Management Plans for Buildings	
B4009	Building Upgrades – minor	
B4011	Community Wastewater Management System Capacity Upgrades (Birdwood & Woodside gravity mains)	
B4014	Road Safety Program including co-contribution to Road Blackspot	
B4015	Installation of further Electric Vehicle charging stations	
B4016	Purchase of Electric Vehicles cars for fleet	
B4019	Aldgate Main Street amenity upgrade	
B4021	Merchants Rd slip repair	
B4022	Western Branch Creek erosion protection - design only.	

Progress on Strategic Initiatives from the Annual Business Plan

Project ID	Strategic Initiatives	Status
B4023	Bushland Park lookout tower	
B4024	Bridgewater Oval Drainage	
B4025	Play space Audit	
B4026	Woodside Rec Ground - Driveway & Carpark Upgrade	
B4027	Woodside Recreation Ground - Masterplan progression	
B4028	Aldgate Bridgewater Crafers Stormwater Master Plan	
B4030	Mill Road, Lobethal - School Crossing	
B4031	Public Toilet Upgrades – Stirling, Aldgate and Bridgewater	
B4032	Mount Barker Road, Aldgate ' Park and Ride'	
B4033	Upper Sturt Road Walking Path	
B4034	Strathalbyn Rd - Service road Sealing	
B4035	Hunters Road - Amenity Upgrade	
B4036	Mount Lofty Gardens - Lampert Road Safety Upgrade	
B4037	Birdwood footpath from kindergarten to playground	
B4038	Bus Stop replacement - main street Stirling	
B4039	Civil Services Cadet engineer	
B4040	Crafers to Stirling Bikeway Stirling	

Highlights

The Summit Community Centre Natural Amenity Space

- Completed final set up of benches, planter boxes with lighting, seating and active space, which will be show cased during the open day on 26th August.

Reconciliation Action Plan (RAP) initiatives

- Introduction to Kurna language and culture session with Elected Members presented by Jack Buckskin.
- Reconciliation Week activities included art workshop and movie screenings.

Aboriginal Cultural Development

- Weaving workshops with Ngarrindjeri artist Cedric Varcoe were held at Fabrik Lobethal and Positive Ageing Centre. The event was sold out, and feedback indicated the event was meaningful and increased understanding of First Nations cultural practice, especially and Ngarrindjeri weaving.
- Consultation undertaken with First Nations community members to commission a locally made metal fire pit, incorporating Council's Reconciliation branding. This fire pit will be positioned on Fabrik's site and will be used for First Nations cultural gatherings.

Community Resilience and Readiness program

- The Lenswood Community completed their Community Led Emergency Resilience workshops with the Australian Red Cross.
- Council continued to support the Adelaide Hills Community Action Bushfire Network, taking minutes and coordinating meetings. Various presentations were completed by various Adelaide Hills residents on bushfire and resilience topics.
- Collaborated with Breakthrough Mental Health, and coordinated a "Mates Meals and Mental health" evening in Lobethal and a "Women's Wisdom and Wellbeing" evening in Hahndorf.
- Secured grant funding which will be combined to establish the "Towards Community Led Resilience" program, which will run until March 2025.

Support for Small Community Events

- The community is starting to plan more small events as restrictions are lifted, however some hesitancy remains around capacity with many volunteers on sick leave or in isolation due to COVID-19 or winter flu and virus impacts.
- We have supported a number of these events including the inaugural Small Acreage Field Day and the Centenary Celebrations of the Gumeracha Soldiers Memorial Hospital.

Regional Health Planning Initiatives

- Minister endorsed Draft Regional Health Plan for public consultation
- Consultation planning undertaken – anticipated commencement in July
- Coordination of all 6 councils, to take updated plan for adoption during caretaker period (Sep/early Oct)
- Final plan on track to come into operation in October 2022.

Accessibility Planning

- First meeting conducted of a group of new volunteer Access and Inclusion Advisers
- Completed the disability awareness induction module, to be delivered via Skytrust for all staff in July/August
- Access advise provided to project managers across organisation

Mylor BMX - Pump track at Sherry Park

- Bike track works are now complete, however the weather has prevented the track from opening. It is anticipated the opening will be late July.
- Staff continue to work with stakeholders to address issues that are arising.

Art's and Heritage Hub

- Fringe in the Hills was held on Mill Square during April after the event was postponed due to COVID-19 earlier in the year.
- Small group gatherings with a recovery focus, were held during this quarter, including a series of collaborations with Wellbeing SA that will continue in the new financial year.
- Six fee-paying skills development workshops and gatherings were also held

Highlights

✓ Cemeteries

- Council resolved to progress with the establishment of a natural burial ground at Kersbrook, this will be undertaken in the 22-23 FY.
- Development of the shelter at the Stirling Cemetery has commenced with weather delaying its completion.
- Assessed the re-establishment of the rear access to the Stirling Cemetery, in conjunction with the Aldgate Valley Landcare Group.

✓ Communications and Events

- Held a Community Forum at Montacute on 31 May with 50 people in attendance and many ideas and issues discussed.
- Council's Flags Policy and Tributes for Commemorative Services Policy were reviewed and updated.
- Council supported Anzac Day services around the District and worked with Event organisers for the Adelaide Hills Rally and Adelaide Rally to assist them with community consultation activities around proposed road closures.
- Communication campaigns are in place for Council Elections, dog and cat registration and the introduction of cat registration fees, electronic rates notices and payment.
- Our digital community continued to grow with 25,000 e-newsletter recipients and Council's Facebook community exceeding 6000, LinkedIn over 3000 and Instagram nearing 3000.

✓ Public health

- The removal of many COVID-19 restrictions allowed the Environmental Health Team to return to more traditional roles.
- Wastewater applications are still higher than average, however the number of food premises has remained consistent.
- The new immunisation provider undertook the staff influenza vaccination program and public clinics are being well attended.

✓ Torrens Valley Community Centre

- With the easing of most restrictions full programming has resumed
- Regular ongoing programs have had good attendance, including many new faces.
- After declining volunteer numbers, there has been a focus on volunteer recruitment. In the last few months we have had four new volunteers join the team including drivers.

✓ Emergency Management

- Council attended a joint meeting of the Adelaide Hills Fleurieu Kangaroo Island & the Murray Mallee Joint Zone Emergency Management Committees.
- Attended a workshop and completed a survey into the review of the Local Government Functional Support Group Plan.
- Attended an information session on the forthcoming changes to the Australian Fire Danger rating System.

Risks & Challenges

The Summit Community Centre Natural Amenity Space

- Weather hindered the final stages with contractor work held up along with material delays. The final costs exceeded the original pre-COVID-19 estimates.

Capital Divestment - Capital Cost

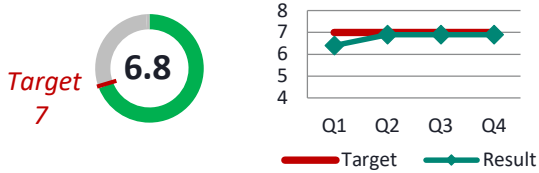
- Additional input and advice from AHC Engineering department being sought in relation to the stormwater infrastructure located on this site.
- Stormwater infrastructure is in poor condition and requires renewal. This is difficult to do while the buildings are occupied. Some further advice about how this might be achievable is being sought.

Performance Indicators



Positive ageing wellbeing score

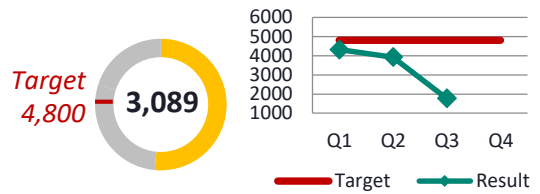
Average level of self-determined wellbeing of program participants reviewed in the quarter.



The wellbeing score has dipped slightly this quarter. The positive comments listed in the wellbeing report which these statistics are taken from have related to the social connection, people being supported to live in their own home and their own personal life view of gratitude/positivity.



Number of volunteer hours contributed to AHC programs each year



The low result in volunteer hours reflect the impact of COVID on volunteers, however we are starting to see volunteers returning to roles.



Attendance at programs, events and workshops at Fabrik Arts and Heritage Hub



Community centre participation surveys



Percent of community centre participants who feel better connected to others or the community



Percent of community centre participants who would use the knowledge/skills gained in the future



Available studio space occupied at Fabrik



No studios were available due to COVID restrictions (2021) and uncertainty of redevelopment starting dates



Number of events and programs celebrating cultural diversity



Progress on Strategic Initiatives from the Annual Business Plan

Project ID	Strategic Initiatives	Status
C1001	Accessibility Planning - Staffing	
C1002	Accessibility Planning materials	
C1003	Mylor BMX - Pump track at Sherry Park	
C1004	Gumeracha Library upgrades	
C1005	Stirling Region Skate Park	
C2003	The Summit Community Centre Natural Amenity Space	
C4001	Community Wellbeing Indicators - staffing	
C4002	Regional Health Planning Initiatives - Staffing	
C4004	Gumeracha Court Resurfacing – Federal Government Community Development Grant Funding	
C4006	Play Space Upgrades	
C4009	AHC contribution to Heathfield High School Sports Court Redevelopment	
C4017	Bridgewater Court Resurfacing	
C4018	Community Resilience and Readiness program	
C4019	Heathfield Oval Change room Upgrade	
C4020	Play space upgrades at Lobethal Bushland Park	
C5001	Reconciliation Action Plan (RAP) initiatives	
C5002	Aboriginal Cultural Centre development	
C6001	Fabrik activation - Capital	
C6002	Capital Divestment - Sales Revenue	
C6003	Capital Divestment - Capital Cost	
C6004	Activation Arts & Heritage Hub - Operating (Income)	
C6005	Activation Arts & Heritage Hub - Operating (Expenditure)	
C6006	Grow our involvement in the Women's Tour Down Under	
C6007	Support for Small Community Events	
C6009	Public Art (including Acquisition)	

Highlights



Expression of interest process related to the development of 'Free' Camping Sites

- A report was submitted to the April Council meeting recommending the two applications that had been submitted. Both applications were approved for funding to install an RV Dump Point. One of the applications was approved on condition that it receives Development Approval to allow Camping at the site. This Development Application is still be prepared by the applicant.
- It is planned to install the RV Dump Point at the other site before the end of October.



Review and upgrade Council signage and branding

- Designs, production and installation quotes for the Stirling site are now ready for executive approval pending final feedback from a representative of the Royal Society for the Blind. These designs will form the basis of signage at other Council service centres.



Planning and development

- There were 1201 planning consent applications and 447 building consent applications submitted to the Council between 1 July 2021 and 30 June 2022, with a combined total of 1648 applications. Of the 1372 applications that had assessment commenced, these had a development value of over \$182 million. Over 1199 applications have been determined during the year, with 841 planning consents determined and 358 building consents determined by the Council. The Council Assessment Panel has determined 30 of these decisions or 3.6% of the planning decisions. Of the planning consents determined 76.5% were made within statutory timeframes and of the building consents determined 87.4% were made within statutory timeframes. Combined overall 79.7% of planning and building consent decisions were within statutory timeframes during the year.



UNESCO World Heritage Bid

- We have been working in collaboration with the City of Adelaide to explore the possibility of a joint World Heritage Bid. As a result it was recently agreed that the interim bid name should be 'Adelaide and its Rural Settlement Landscapes'.
- As part of our collaborative work we engaged World Heritage expert Duncan Marshall to provide further rationale for the joint bid. This work produced a single narrative for the combined bid which focused on the colonial planning model.
- Duncan's initial expert advice suggested that this nomination could satisfy three of the World Heritage criteria, noting that only one would need to be eventually satisfied to be eligible for World Heritage listing status.



Business Workshop

- AHC hosted a third networking event for Home Based Businesses. This series of events is being held in response to information provided by the Business Survey undertaken in 2021. This event was very successful being a full house with 28 businesses and service providers being present. We have received very positive feedback from the businesses that attended the event.



Amy Gillet Bikeway

- Council received funding under the Bushfire Recovery Fund to promote the Amy Gillett Bikeway and upgrade signage with activation of resting locations. The signage has been installed and the activation of sites at Gillman Rd and Charlestown is completed. A Tourism Map has also been developed and is available from businesses along the bikeway.

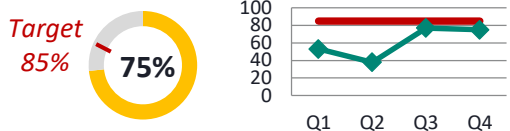


Adelaide Hills Tourism Wellness Events

- Adelaide Hills Tourism has been supporting a focus on Wellness Tourism. They have facilitated a successful Wellness Weekend event promoting Adelaide hills Wellness Tourism and also hosted a Wellness Tourism conference.

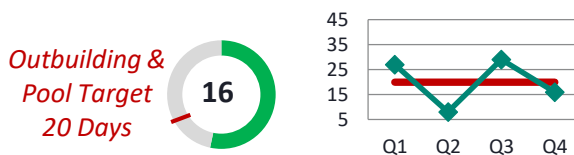
Performance Indicators

Percentage of planning consents completed within statutory timeframes



The Workload Analysis Reporting tool in the PlanSA Portal was released during Quarter 4. The report shows 234 Planning Decisions were made and 75% of these decisions were within statutory timeframes. There was an average assessment timeframe of 26.6 days during Quarter 4.

Average number of days for applications to be approved - building consent

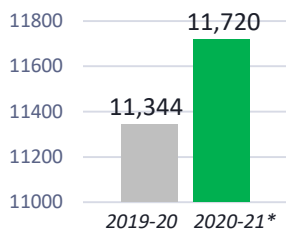


The Workload Analysis Reporting tool in the PlanSA Portal was released during Quarter 4. The data shows 76 Building Decisions were made for Building Consents with an average assessment timeframe of 16 days.

Number of domestic day trips taken to AHC region

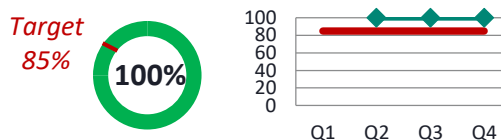


Number of local jobs in AHC area compared to previous financial year



*Most recent data available is for 2020-21 FY

Percentage of new development application decisions upheld in Council/CAPs favour under appeal



There were three on-going Appeals in Quarter 4 with two determined. One decision of CAP was upheld during this Quarter and one matter was discontinued, with the remaining matter waiting on a determination by the Court.





⊖ = N/A – cant be assessed

Legend: ✓ = Target Met or N/A ⊖ = Target not met


Progress on Strategic Initiatives from the Annual Business Plan

Project ID	Strategic Initiatives	Status
E1003	Undertake an expression of interest process related to the level of interest and viability of 'Free' Camping Sites in the district	😊
E2001	Review and upgrade Council signage and branding	➡
E2002	Place making program to shape, activate and coordinate community place making	😊
E4001	Additional Tree Safety Work required to support the Tour Down Under	➡
E4002	UNESCO World Heritage Bid	➡

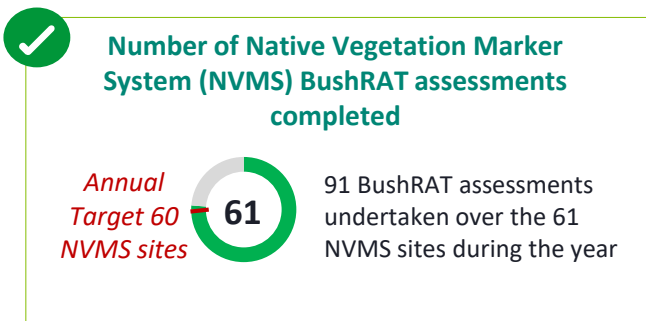
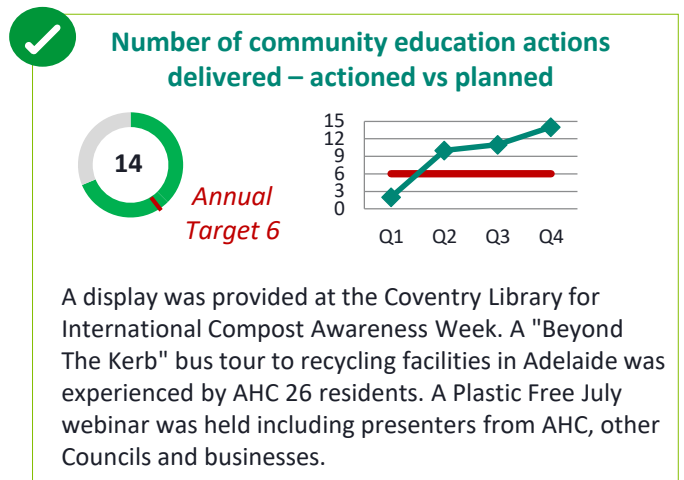
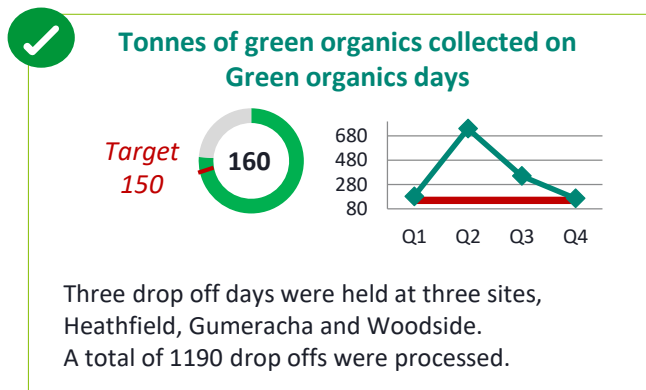
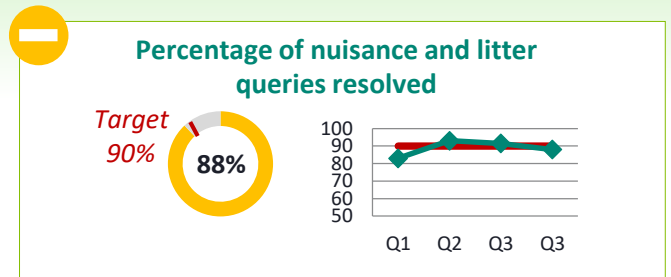
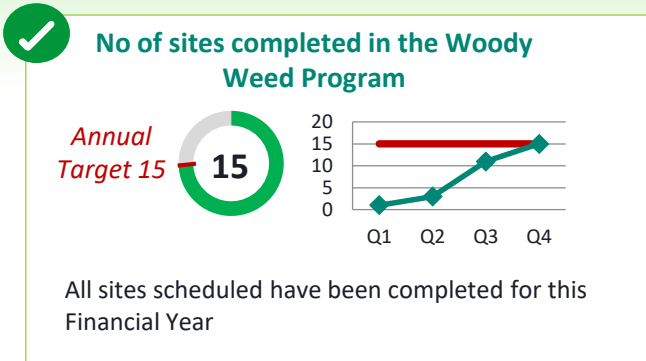
Highlights

-  **Heritage Agreements for land under Council's care and control**
 - Heathfield Stone Reserve rededicated for conservation purposes by Lands Title Office, now to be referred to as Heathfield Conservation Reserve.
 - Stock Road successfully entered into Heritage Agreement.
 - Heritage Agreement Applications lodged for Mi Mi and Heathfield Conservation Reserves.
-  **Local Climate Adaptations for landscape conservation**
 - The Stringybark investigation project is continuing into 2022-23 FY and fund requirements are unknown at this stage.
 - Funds this year have contributed to pest plant removal and bushfire mitigation due to a changing climate.
-  **Sustainability**
 - Education presentation and package was presented to reduce single-use plastics across the organisation.
 - Presented to ELT and Council Members to confirm Heathfield Depot as the preferred location for the first EV charging stations supplying Council owned EVs.
 - Continued to consolidate solar PV monitoring through Solar Analytics online platform.
 - Hosted an online solar PV panels and battery storage webinar for community members presented by Tandem Energy.
 - Identified open space areas for priority works to improve usability in a changing climate.
 - Commenced the sustainability audit for Council facilities and community halls to improve energy and water efficiency.
-  **Internal resourcing of Tree Team**
 - All 3 positions have been appointed and are now working, one Arboriculture Support officer and 2 Arboriculture Field Team Members.
 - An Elevated Work Platform truck has been ordered and expect delivery in the July.
-  **Resilient community facilities and open space including water fountains**
 - Shade structure has been installed and the intention is to continue to roll out climate change adaptation actions concurrently with the playground frameworks, priorities and open space upgrades.
-  **Fire Prevention**
 - The fire danger season is over and Council is now issuing burning permits for residents, with 201 burning permit related requests received so far.
-  **Waste**
 - Kerbside bin audits were completed in the Balhannah and Lenswood area.

Risks & Challenges

-  **Heritage Agreements for land under Council's care and control**
 - Carey Gully was denied as a heritage agreement site, but Council have appealed that decision as the site hosts a rare vegetation community of perched swamps with 3 species of conservation significance. Appeal currently under review by Native Vegetation Unit.

Performance Indicators



Legend: ✓ = Target Met ⊖ = Target not met

Progress on Strategic Initiatives from the Annual Business Plan

Project ID	Strategic Initiatives	Status
N1003	Long Term Strategic Tree Planting Program	😊
N1004	Strategic Tree Planting - Avenue of trees	😊
N1005	Internal resourcing of Tree Team	😊
N2002	Heritage Agreements for land under Council's care and control	😊
N2003	Native Vegetation Marker Program to protect and manage roadside vegetation	➡
N2006	Develop and review Council Management Plans for high value reserves	😊
N2008	Develop informative and attractive signage in Council reserves/playgrounds	➡
N2010	Post prescribed burn weed management	➡
N3001	Local Climate Adaptations for landscape conservation	➡
N3002	Resilient community facilities and open space including water fountains	➡
N5001	Undertake Kerbside Waste Audits	😊

Highlights



New council website and e-services

- An update on the renewed website features and benefits was made to Council members in a workshop on 17 May 2022.
- The new website was live as of the end of the 2021-22 FY, with further development during 2022-23.



Heathfield Resource Recovery Centre (HRRC) - Concreting of Bays

- Project 95% completed. Final minor works to be completed in July 2022 due to some slight project delays.



Update of Business Continuity Plan and implementation

- The development of Critical Function Plans (CFP) has commenced which are crucial to informing the recovery priorities of Council services and systems in the final Business Continuity Plan.



Council Member Honour Boards

- A workshop was held with Council Members in April to explore options and preferences. A procurement process was undertaken and the Honour Boards have been ordered with delivery expected in early August



Corporate Plan Review

- Development of the Corporate Capability Plan is continuing into the first quarter of the next financial year



Resource to manage building & swimming pool compliance inspections

- The building team conducted 91 building inspections this quarter. This included 33 inspections of swimming pools and 9 inspections of commercial/industrial buildings



Service Review Framework Development

- Fieldwork was completed and the consultant drafted the Service Review report in June, however it was unable to be reviewed and finalised with management responses and actions prior to the June Council meeting. The final report is scheduled for the July Council meeting.



Local Government legislative reform proposals

- Council has responded to sector-wide consultations and lodged submissions in relation to the Elected Member Allowances, CEO Salaries, the Rates Oversight Scheme and Council Member Behavioural Standards.
- Minor adjustments have been made to policies and processes as LG reform legislative provisions have come into effect and with the cessation of the Public Health Emergency Declaration.



Organisational Development & Work Health and Safety

- Completed an audit on our Recruitment and Retention processes
- Continued implementation of the new Payroll system and training of an interim Payroll officer.

Risks & Challenges



Develop or respond to Boundary Reform Proposals

- In April, Campbelltown City Council (CCC) lodged a Stage 2 submission with the Boundaries Commission. In early June, the Commission wrote to CCC advising that further information on the merits of the proposal were required to be submitted by 30 June.
- We will continue to monitor the outcomes of this decision.



Cemetery mapping and imaging

- Drone imaging updated and available in new management system
- Delay in undertaking the memorial photos, now using an internal resource to progress this component.



Cyber & Systems Security - Program Management

- Currently implementing the LGITSA Cyber Security Framework with a series of activities underway using internal and contractor resources.
- Due to the resignation of a key staff member earlier in the year in this program, delays were anticipated to carry over the project deliverables into the first quarter of 2022-23 FY



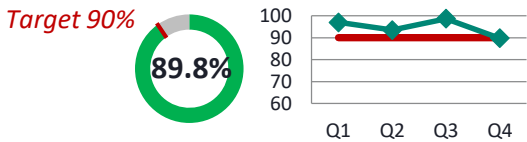
Resource to manage Skytrust (WHS system) implementation

- The manual preparation of information and consultation with People Leaders has been undertaken. The process of adding the information to Skytrust will begin in the next financial year.
- Work has been a little delayed due to a number of changes in the team and the ongoing two system implementations.



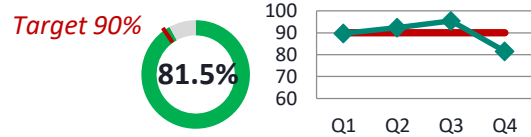
Performance Indicators

✔ **Decisions (Council resolutions) considered in open Ordinary and Special Council meetings during the period**



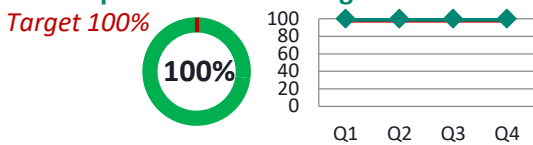
Council considered ten confidential item during the quarter.

✔ **Council member attendance at ordinary and special meetings for the period**

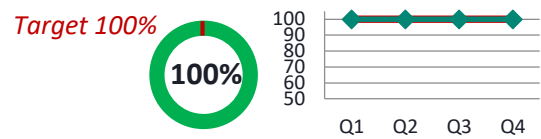


There were three ordinary and two special meetings in the quarter with three leaves of absence and ten apologies.

✔ **Freedom of Information (FOI) requests completed within the legislated timeframe**



✔ **Percentage of Ombudsman investigations upholding Council's decisions**



✔ **Customer Net Ease Score (NES)**
Net Ease is the proportion of respondents who selected Easy or Very Easy minus the proportion who selected Very Difficult and Difficult, to the question "How easy was it for you to get your query resolved?"



NES score ranges from -100 to +100

An increase of 15 points from Q2. Customers are still finding contacting us by phone easier (+69) than when putting in a service request (+43). Although there was an overall increase for both

✖ **Number of lost time injuries**

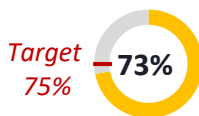
Annual Target 0 Actual 4

✔ **Employee Turnover**

Annual Target 7-15% Actual 11.21

This turnover is within the 7-15% annual target. This figure consists of people leaving for other jobs, a number of fixed term contracts ending, retirements and one deceased employee.

✖ **Overall customer satisfaction**



An increase of 5% since Q2, with an increase to customers who contact us by phone of 10% (85% satisfaction), and an increase of those who put in a service request of 6% (68% satisfaction). Our customers are still more satisfied with the instant connection of a phone call, than potentially extended and more involved service requests.

Progress on Strategic Initiatives from the Annual Business Plan

Project ID	Strategic Initiatives	Status
O1001	Resource to manage Skytrust (WHS system) implementation	
O1002	Update of Business Continuity Plan and implementation	
O1003	Heathfield Resource Recovery Centre (HRRC) - Concreting of Bays	
O1004	Heathfield Resource Recovery Centre (HRRC) - Pedestrian movement safety upgrade	
O2001	New council website and e-services	
O2003	Customer experience improvement projects	
O2004	Customer Experience Training	
O2006	Cemetery mapping and imaging	
O3001	Service Review Framework Development	
O4003	Develop or respond to Boundary Reform Proposals	
O4004	Council Member Honour Boards	
O5001	Local Government legislative reform proposals	
O5003	Corporate Plan Review	
O5005	Resource to manage building & swimming pool compliance inspections	
O6002	Cyber & Systems Security - Program Management	

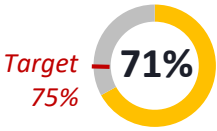
4. Q4 Customer service standards

5.1 General Customer Standards

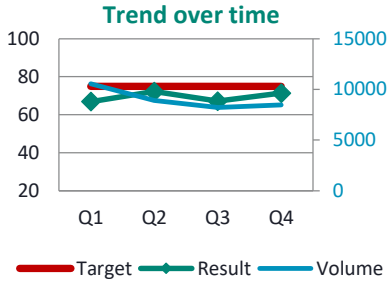
Answering Incoming Phone Calls

Volume of calls = 8,479

Contact centre calls answered within 30 sec



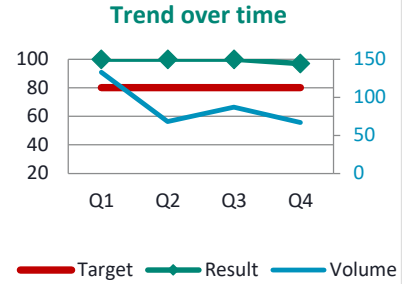
Although target not met, 76% of calls were answered within 45 seconds



Updating Customer Details

Volume of updates = 67

Details updated within 5 days

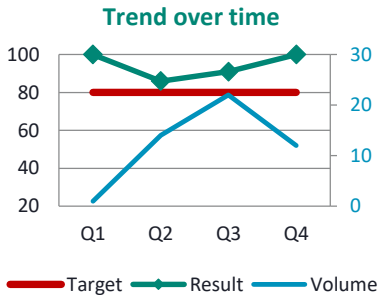


5.2 Service Specific Standards – Time Based Indicators

New Event Applications

Volume of applications = 12

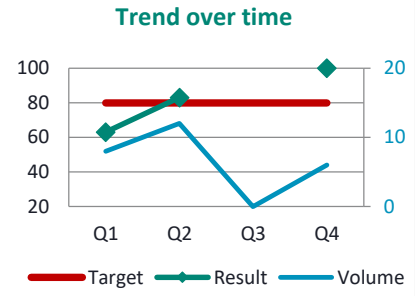
Acknowledgement of receipt within 5 days



Illegal Burning Complaints

Volume of complaints = 6

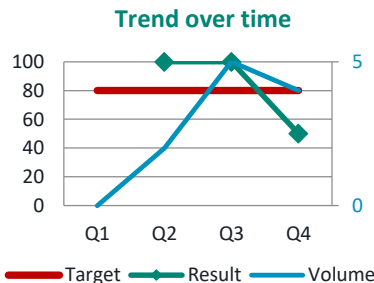
Investigated within 24 hours



Health Complaints

Volume of complaints = 4

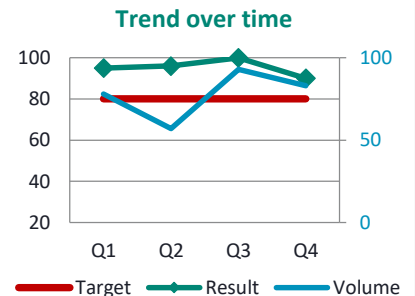
Investigated within 24 hours



Illegally Dumped Rubbish

Volume of reports = 83

Rubbish removed within 3 days



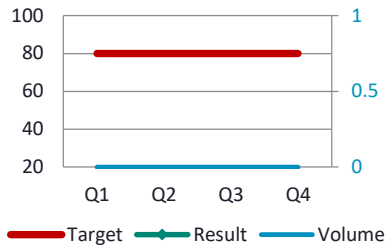
Library Services

Volume of requests = 0

Response to requests to purchase materials within 10 days



Trend over time



Dog Attacks

Volume of attack reports = 6

Response within 24 hours



Trend over time



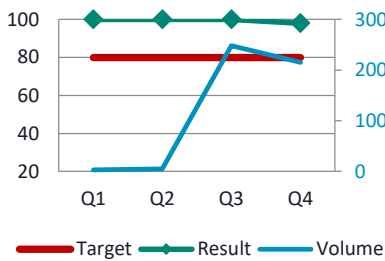
Wasps

Volume of reports = 215

Investigate and action within 7 days



Trend over time



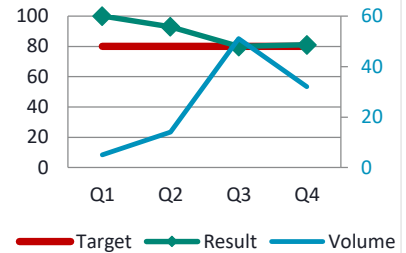
Development Applications

Volume of applications = 32

Approval of fast track development applications within 28 days



Trend over time



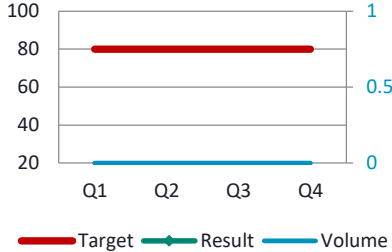
Missed Bins

Volume of requests = 0

Missed bins collected within 2 days



Trend over time



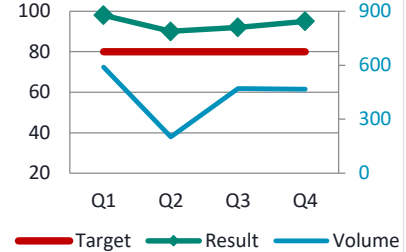
Request for Bin Repair or Replacement

Volume of requests = 466

Requests actioned within 7 days



Trend over time



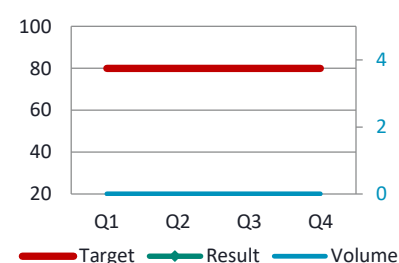
Footpath Repairs - Hazardous

Volume of repairs = 0

Responded and made safe within 24 hours



Trend over time



Road Repairs - Hazardous

Volume of repairs = 1

Responded and made safe within 24 hours



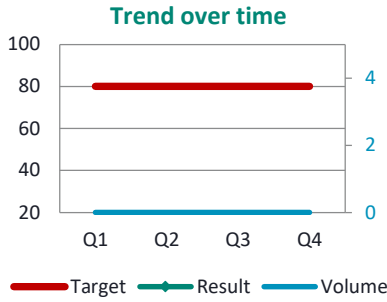
Trend over time



Stormwater Repairs - Hazardous

Volume of reports = 0

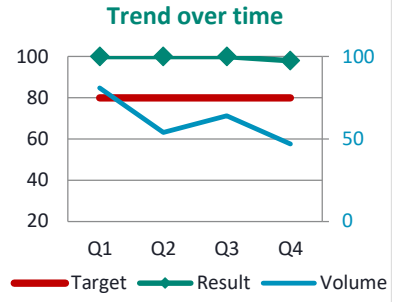
Responded and made safe within 24 hours



Trees - Hazardous

Volume of reports = 47

Responded and made safe within 24 hours

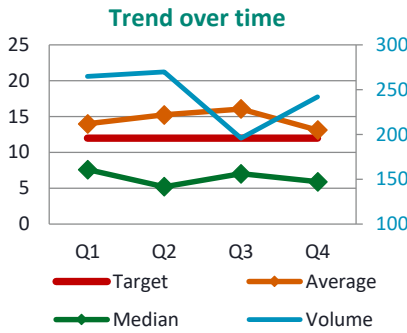
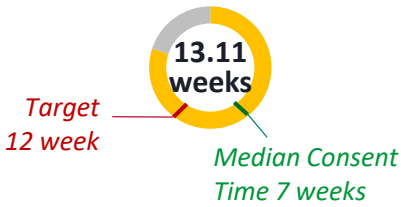


5.3 Service Specific Standards – Other Indicators

Development Applications

Volume of planning consents = 242

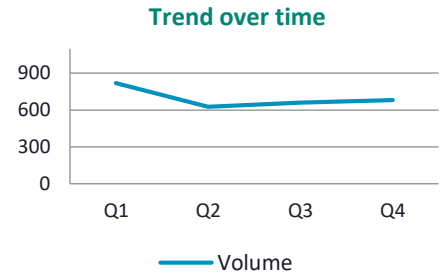
Average consent time from date of receipt



Average for Plan SA is 10.7 weeks with only 8 applications in the old system

Low Risk Infrastructure Requests – Number of New Requests

Volume of new requests = 680



Low Risk Infrastructure Requests – Average Time to Resolve

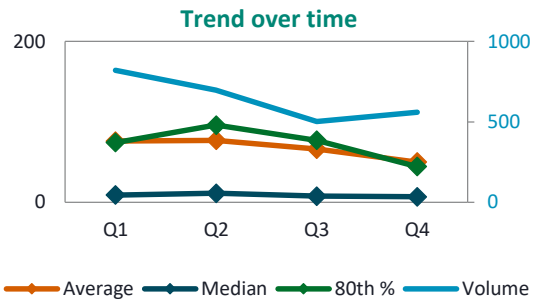
Volume of Requests = 560

Resolution time of requests

Average = 50 days

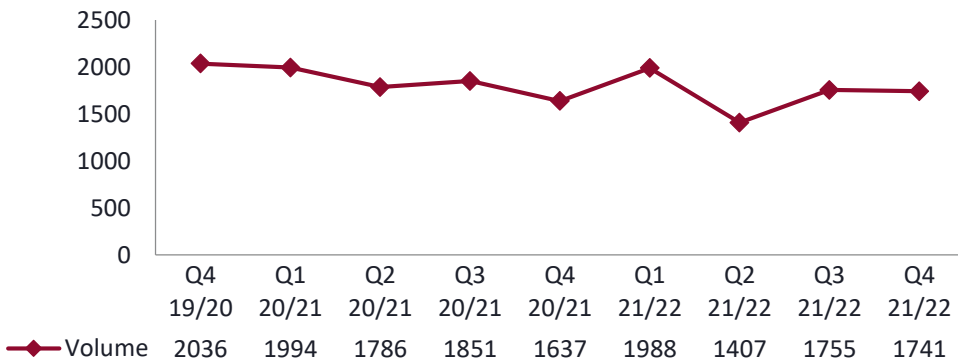
Median = 6.8 days

80th Percentile = 44.44 days



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



5. Capital Works Program

Quarter 4 of 2021-21 FY represents the completion of the 2021-22 Capital Works Program, with approximately \$4.3M of infrastructure delivered during this period.

The primary focus of this quarter has been on delivering and completing both renewal and new capital works projects, including major projects, as well as commencing scoping of projects to be delivered next financial year.

Highlights

- The major upgrades were completed to the Heathfield High School netball courts, including new playing surface, retaining walls, board walk and lighting.
- The sealed roads renewal program was complete, including the incorporation of a large amount of recycled product into Council's road network.
- Amenity upgrades to Aldgate main street commenced and are work in progress.

What's Next

- Close out of 2021/22 FY projects, including resolving any minor defects or omissions,
- Scoping and design of approved 2022/23 FY projects,
- Commence construction of approved 2022/23 FY renewal programs, utilising panel contracts.

Financial Performance by Asset Category (preliminary numbers)

Asset Category	YTD Actuals \$'000s	YTD Budget \$'000s	YTD Var fav / (unfav) \$'000s	Annual Budget \$'000s
Bridges	184	280	97	280
Buildings	2,329	3,552	1,223	3,552
Cemeteries	17	94	77	94
CWMS	221	307	87	307
Footpaths	1,901	2,004	103	2,004
Guardrails	58	54	(3)	54
Kerbing	215	224	9	224
Local Roads & Community Infrastructure Program (LRCIP Phase 1)	113	103	(10)	103
Local Roads & Community Infrastructure Program (LRCIP Phase 2)	1,516	1,502	(14)	1,502
Other - Ret Walls, Str Furniture & Bus Stops	292	494	202	494
Roads	3,975	4,296	322	4,296
Sport & Recreation	3,791	4,048	257	4,048
Stormwater	610	823	213	823
Fleet	1,576	3,021	1,445	3,021
ICT	481	833	352	833
Library	4	15	11	15
Plant & Equipment	21	118	97	118
	17,302	21,771	4,469	21,771

6. Financial Performance

Overall Funding Statement as at 30 June 2022 (available in August 2022)

At the time of collating this report, the preliminary financial figures were still being reconciled. The end of year financial summary will be presented at the August 2022 Ordinary Council meeting.



Adelaide Hills
COUNCIL

MORE INFORMATION



63 Mt Barker Road
Stirling SA 5152



08 8408 0400



mail@ahc.sa.gov.au

Item 17 Minutes of Committees

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
THURSDAY 30 JUNE 2022
63 MOUNT BARKER ROAD, STIRLING
AND
ZOOM VIRTUAL MEETING ROOM**

[Please Note: These minutes are unconfirmed until 10 August 2022]

In Attendance

Presiding Member

Geoff Parsons

Members

Ross Bateup

Paul Mickan

Myles Somers

John Kemp

In Attendance

Melissa Bright
Deryn Atkinson
James Booker
Melanie Scott
Sarah Kimber
Karen Savage

Acting Director Development & Regulatory Services
Assessment Manager
Team Leader Statutory Planning
Senior Statutory Planner
Team Leader Administration
Minute Secretary

1. Commencement

The meeting commenced at 6.31pm

2. Opening Statement

“Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kurna people. We pay our respects to Elders past, present and emerging as the Custodians of this ancient and beautiful land. Together we will care for this country for the generations to come”.

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
THURSDAY 30 JUNE 2022
63 MOUNT BARKER ROAD, STIRLING
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ZOOM VIRTUAL MEETING ROOM**

[Please Note: These minutes are unconfirmed until 10 August 2022]

3. Apologies/Leave of Absence

3.1 Apologies
Nil

3.2 Leave of Absence
Nil

4. Previous Minutes

4.1 Meeting held 8 June 2022

The minutes were adopted by consensus of all members

(27)

That the minutes of the meeting held on 8 June 2022 be confirmed as an accurate record of the proceedings of that meeting.

5. Presiding Member's Report

Nil

6. Declaration of Interest by Members of Panel

Paul Mickan advised that he has recently been engaged by The Barossa Council to undertake a planning project, to review policies which affect a small portion of the Adelaide Hills Council area, which includes the area south of Kersbrook which is within the Barossa Valley Character preservation district. As the application before the CAP is not within this area he does not believe he has any conflict of interest in this matter and will remain in the room and vote.

The Presiding Member and Myles Somers advised that, in relation to Item 9.1, the organisations they work for have a contract with URPS to provide planning assessment services. This is a professional relationship only and will not influence their views one way or the other in respect of the development and they will remain in the room and vote.

7. Matters Lying on the Table/Matters Deferred

7.1 Matters Lying on the Table
Nil

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
THURSDAY 30 JUNE 2022
63 MOUNT BARKER ROAD, STIRLING
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[Please Note: These minutes are unconfirmed until 10 August 2022]

7.2 Matters Deferred

7.2.1 **Development Application 21031474 by 14 JOHNSTON PTY LTD construction of a three-level childcare centre (pre-school) with ancillary car parking, outdoor play areas and landscaping at 14 Johnston Street, Stirling**

Deferred from meeting 9 March 2022

“That a decision on the matter be deferred to enable the applicant to provide the following:

- 1) *An acoustic report prepared by a suitably qualified professional.*
- 2) *A review of the car parking design and its relationship with the intensity of the land use, in consideration of staff, parents and children, and visitors to the site.*
- 3) *Preparation and provision of a Waste Management Plan which considers storage capacity, location and collection times.*
- 4) *Consideration of built form in terms of overshadowing”.*

Refer to Item 9.1 of the Minutes

8. **Development Assessment Applications – Development Act**
Nil

9. **Development Assessment Applications – Planning, Development and Infrastructure Act**

9.1 **Development Application 21031474 by 14 JOHNSTON PTY LTD for construction of a three-level childcare centre (pre-school) with ancillary car parking, outdoor play areas and landscaping at 14 Johnston Street, Stirling**

9.1.1 **Representations**

Representations heard previously at CAP meeting held on 9 March 2022.

The applicants’ representatives, Matthew King (URPS), Phil Weaver (Phil Weaver & Associates), Frank Siow (Frank Siow & Associates) and Joel Phillips (Colby Phillips) were invited to answer questions from the Panel.

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
THURSDAY 30 JUNE 2022
63 MOUNT BARKER ROAD, STIRLING
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[Please Note: These minutes are unconfirmed until 10 August 2022]

9.1.2 Decision of Panel

The following was adopted by consensus of all members (28)

The Council Assessment Panel resolved that:

1) Having:

- i) received a deemed consent notice dated 21 June 2022 in relation to Development Application 21031474, by 14 JOHNSTON PTY LTD, for construction of a three-level childcare centre (pre-school) with ancillary car parking, outdoor play areas and landscaping at 14 Johnston Street, Stirling; and
- ii) undertaken an assessment of Development Application 21031474 (including its subsequent amendments and additional information/documentation) against the Planning and Design code

an application be made to the Environment, Resources and Development Court for an order quashing the Deemed Planning Consent.

- 2) The reasons the Council Assessment Panel considers that Development Application 21031474 should have been refused Planning Consent include the following:

The proposed development is at variance with the following Planning & Development Code Assessment Provisions (AP) , Desired Outcomes (DO) and Performance Outcome (PO/Designated Performance Feature (DPF) Values:

Design

All Development – External Appearance	
PO 1.2	<u>Where zero or minor setbacks are desirable, development provides shelter over footpaths (in the form of verandahs, awnings, canopies and the like, with adequate lighting) to positively contribute to the walkability, comfort and safety of the public realm.</u>

- The proposed footpath indent for waste pick up will not create a safe and walkable public realm space.

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
THURSDAY 30 JUNE 2022
63 MOUNT BARKER ROAD, STIRLING
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[Please Note: These minutes are unconfirmed until 10 August 2022]

Transport, Access and Parking

Desired Outcomes	
DO1	A comprehensive, integrated and connected <u>transport system that is safe, sustainable, efficient, convenient</u> and accessible to all users.
Movement Systems	
PO 1.2	Development is designed to <u>discourage commercial and industrial vehicle movements through residential streets</u> and adjacent other sensitive receivers.
PO 1.4	Development is sited and designed <u>so that loading, unloading and turning of all traffic avoids interrupting the operation of and queuing on public roads and pedestrian paths.</u>
Sightlines	
PO 2.1	Sightlines at intersections, <u>pedestrian and cycle crossings, and crossovers to allotments for motorists, cyclists and pedestrians are maintained or enhanced to ensure safety for all road users and pedestrians.</u>
Vehicle Parking Areas	
PO 6.6	<u>Loading areas and designated parking spaces for service vehicles are provided within the boundary of the site.</u>

- The proposed waste pick up on Johnston Street is not considered safe, efficient or convenient in terms of general road users.
- The proposed waste pick up will increase the number of large vehicle movements on a largely residential street.
- The proposed waste pick up will interrupt the operation of and queuing on Johnston Street and will impact on pedestrian paths.
- The proposed waste pick up will interfere with sight lines on Johnston Street and will not maintain or enhance safety for all road users and pedestrians on Johnston Street.
- The proposal does not provide loading areas and parking spaces for service (waste) vehicles within the boundary of the site.

Interface Between Land Uses

Desired Outcome	
DO 1	Development is located and <u>designed to mitigate adverse effects on or from neighbouring and proximate land uses.</u>

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
THURSDAY 30 JUNE 2022
63 MOUNT BARKER ROAD, STIRLING
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ZOOM VIRTUAL MEETING ROOM**

[Please Note: These minutes are unconfirmed until 10 August 2022]

- The proposal will impact on adjacent residential properties adversely with the proposed private kerbside waste pickup.

Design in Urban Areas

Site Facilities / Waste Storage (excluding low rise residential development)	
PO 11.1	Development provides a dedicated area for on-site collection and sorting of <u>recyclable materials and refuse</u> , green organic waste and wash bay facilities for the ongoing maintenance of bins that is <u>adequate in size considering the number and nature of the activities they will serve and the frequency of collection.</u>

- The proposal does not have a dedicated area for onsite collection of waste.

Zone

Suburban Main Street Zone					
PO 3.11	Building height consistent with the form expressed in any relevant Maximum Building Height (Levels) Technical and Numeric Variation and Maximum Building Height (Metres) Technical and Numeric Variation, and otherwise low-to-medium rise, where the height is commensurate with the development site's frontage and depth as well as the main street width, to complement the main street character.				
	<table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Maximum Building Height (Metres)</th> </tr> </thead> <tbody> <tr> <td>Maximum building height is 10m</td> </tr> <tr> <th>Maximum Building Height (Levels)</th> </tr> <tr> <td>Maximum building height is 2 levels</td> </tr> </tbody> </table>	Maximum Building Height (Metres)	Maximum building height is 10m	Maximum Building Height (Levels)	Maximum building height is 2 levels
Maximum Building Height (Metres)					
Maximum building height is 10m					
Maximum Building Height (Levels)					
Maximum building height is 2 levels					

- The proposed building exceeds the maximum building height by one level and is greater than 10metres in height.

AND:

- 3) The Assessment Manager is directed to engage Council's lawyers to make an application under Section 125(6) of the *Planning, Development and Infrastructure Act 2016* to the Environment, Resources & Development Court.

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
THURSDAY 30 JUNE 2022
63 MOUNT BARKER ROAD, STIRLING
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[Please Note: These minutes are unconfirmed until 10 August 2022]

- 10. Development Assessment Applications – Review of Decisions of Assessment Manager**
Nil
- 11. ERD Court Appeals**
The Assessment Manager provided the Panel with a verbal update on current ERD Court Appeals.
- 12. Policy Issues for Advice to Council**
Nil
- 13. Order for Exclusion of the Public from the Meeting to debate Confidential Matters**
Nil
- 14. Confidential Item**
Nil
- 15. Next Meeting**
The next ordinary Council Assessment Panel meeting will be held on Wednesday 10 August 2022.
- 16. Close meeting**
The meeting closed at 7.44pm.

**ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 21 JULY 2022
63 MT BARKER ROAD STIRLING**

In Attendance

Acting Presiding Member: Mayor Jan-Claire Wisdom

Members:

Ms Janet Miller	Independent Member
Cr Nathan Daniell	Via electronic participation
Cr Chris Grant	Via electronic participation

In Attendance:

Andrew Aitken	Chief Executive Officer
Lachlan Miller	Executive Manager Governance & Performance
Megan Sutherland	Executive Manager Organisational Development

COMMENCEMENT

The meeting commenced at 6.00pm.

1.1. Acknowledgement of Country

Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kaurna people. We pay our respects to Elders past, present and emerging as the Custodians of this ancient and beautiful land. Together we will care for this country for the generations to come.

APOLOGIES/LEAVE OF ABSENCE

2.1 Apology

Nil

2.2 Leave of Absence

Cr Mark Osterstock has a Leave of Absence from 15 – 23 July 2022 approved by Council at its 28 June 2022 meeting.

2.3 Absent

Nil

**ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 21 JULY 2022
63 MT BARKER ROAD STIRLING**

MINUTES OF PREVIOUS MEETINGS

3.1 CEO Performance Review Panel Meeting – 12 May 2022

Moved Janet Miller
S/- Cr Nathan Daniell

PRP11 /22

That the minutes of the CEO Performance Review Panel meeting held on 12 May 2022 as distributed, be confirmed as an accurate record of the proceedings of that meeting

Carried Unanimously

PRESIDING MEMBER'S OPENING COMMENTS

Welcome to the meeting Members in person and via electronic participation.

DELEGATION OF AUTHORITY

The CEO Performance Review Panel operates in accordance with the relevant sections of the *Local Government Act 1999*, and its Terms of Reference.

DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF THE COMMITTEE

Nil

OFFICER REPORTS – DECISION ITEMS

**ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 21 JULY 2022
63 MT BARKER ROAD STIRLING**

7.1 Final Status Update – 2021/22 CEO Performance Targets

Moved Cr Nathan Daniell
S/- Cr Chris Grant

PRP12 /22

1. That the report be received and noted
2. To recommend to Council that the CEO has achieved the following status in relation to the CEO Performance Targets 2021-2022:

Target 1: New Council website and e-services – Completed

Target 2: Service Review – In Progress

Target 3: Fabrik Activation – Completed

Target 4: EOI: Development of 'Free' Camping Sites – Completed

Target 5: Cat Confinement Community Education – Completed

Target 6: Library Services Strategic Plan – Completed

Carried Unanimously

MOTIONS WITHOUT NOTICE

Nil

QUESTIONS WITHOUT NOTICE

Nil

CONFIDENTIAL ITEMS

Nil

NEXT MEETING

The next ordinary meeting of the CEO Performance Review Panel will be held on Thursday 4 August 2022 from 6.00pm at 63 Mt Barker Road Stirling.

CLOSE MEETING

The meeting closed at 6.31pm.